

## Report of the Head of Development Management and Building Control

**Address:** LAND AT AINSCOUGH CRANES, UNIT 84, HAYES INDUSTRIAL PARK  
SWALLOWFIELD WAY HAYES

**Development:** The demolition of existing structures and redevelopment for Use Classes E(g)(iii), B2 and B8 (applied flexibly) including hard and soft landscaping, servicing and associated works.

**LBH Ref Nos:** 63099/APP/2023/1608

**Drawing Nos:** 34460 RG-LD-02 RevC Hard and Soft GA-A0  
TRC\_507947\_Swallowfield Way Hayes\_Phase I Report\_v  
528457.0002.0001 issue 1.pdAir quality assessment  
H067-CMP-SI-ZZ-DR-A-00801\_PL1\_Typ Fence Boundary  
H067-CMP-SI-ZZ-DR-A-00802\_PL1\_Typ Acoustic Fence  
Hayes Industrial Market Overview - May 2023  
R01-DC-Transport Assessment-230523  
R02-AD-Travel Plan-230523  
R03-DC-Delivery and Servicing Plan-230523.  
R05-DC-Car Parking Management Plan-23052  
R1 Issue 3 Planning Fire Statement  
TRC\_Swallowfield Way Hayes\_Tier II Report\_v2  
Planning Statement  
Methodology Document - Aug 2023  
507947 TRC Remediation Strategy  
Designers response to LLFA objections  
Highways Response 230815  
Planning Addendum  
R02-AD-Travel Plan-230731  
R04-DC-Construction Logistics Plan-230525  
10111-AIA - 84 tree report  
34460 E1 EH 230505 Hayes HS F2  
65208809-SWE-ZZ-XX-T-C-0002-P02-FRA  
H067-CMP-SI-ZZ-DR-A-00001\_PL1\_ Location Plan.pdf  
H067-CMP-SI-ZZ-DR-A-00002\_PL1\_ Existing Site Plan.  
H067-CMP-SI-ZZ-DR-A-00030\_PL1\_ Proposed Demolition  
H067-CMP-SI-ZZ-DR-A-00200\_PL1\_Proposed Elevations.  
H067-CMP-SI-ZZ-DR-A-00250\_PL1\_Proposed Site Sectio  
H067-CMP-U1-00-DR-A-00100\_PL1\_ Unit 1 GFL GA Plan.

H067-CMP-U1-00-DR-A-00120\_PL1\_ Unit 1 GFL Core Pla  
H067-CMP-U1-01-DR-A-00101\_PL1\_ Unit 1 FFL GA Plan.  
H067-CMP-U1-01-DR-A-00121\_PL1\_ Unit 1 FFL Core Pla  
H067-CMP-U1-02-DR-A-00102\_PL1\_ Unit 1 Plant Level  
H067-CMP-U1-02-DR-A-00122\_PL1\_ Unit 1 Plant Level  
H067-CMP-U1-RF-DR-A-00103\_PL1\_ Unit 1 Roof Level G  
H067-CMP-U2-00-DR-A-00100\_PL1\_ Units 2 and 3 GFL G  
H067-CMP-U2-00-DR-A-00120\_PL1\_ Unit 2 GFL Core Pla  
H067-CMP-U2-01-DR-A-00101\_PL1\_ Units 2 and 3 FFL G  
H067-CMP-U2-01-DR-A-00121\_PL1\_ Unit 2 FFL Core Pla  
H067-CMP-U2-02-DR-A-00103\_PL1\_ Units 2 and 3 Plant  
H067-CMP-U2-02-DR-A-00122\_PL1\_ Unit 2 Plant Level  
H067-CMP-U2-RF-DR-A-00102\_PL1\_ Units 2 and 3 Roof  
H067-CMP-U2-ZZ-DR-A-00250\_PL1\_ Unit 2 Typ Cross Se  
H067-CMP-U3-00-DR-A-00120\_PL1\_ Unit 3 GFL Core Pla  
H067-CMP-U3-01-DR-A-00121\_PL1\_ Unit 3 FFL Core Pla  
H067-CMP-U3-02-DR-A-00122\_PL1\_ Unit 3 Plant Level  
H067-CMP-U3-ZZ-DR-A-00250\_PL1\_ Unit 3 Typ Cross Se  
H067-CMP-U4-00-DR-A-00100\_PL1\_ Unit 4 GFL GA Plan.  
H067-CMP-U4-00-DR-A-00120\_PL1\_ Unit 4 GFL Core Pla  
H067-CMP-U4-01-DR-A-00101\_PL1\_ Unit 4 FFL GA Plan.  
H067-CMP-U4-01-DR-A-00121\_PL1\_ Unit 4 FFL Core Pla  
H067-CMP-U4-02-DR-A-00102\_PL1\_ Unit 4 Plant Level  
H067-CMP-U4-02-DR-A-00122\_PL1\_ Unit 4 Plant Core P  
H067-CMP-U4-RF-DR-A-00103\_PL1\_ Unit 4 Roof Level G  
H067-CMP-U4-ZZ-DR-A-00250\_PL1\_ Unit 4 Typ Cross Se  
10111-D-AIA - 84 Swallowfield Way Hayes.pdf  
H067\_HAYES\_DAS\_MAY 2023-compressed-part 1.pdf  
H067\_HAYES\_DAS\_MAY 2023-compressed-part 2.pdf  
H067-CMP-SI-ZZ-DR-A-00100 REV PL15 Site plan  
Noise impact assessment report 23.5.23  
10225-Hayes Swallowfield-BREEAM V6 NC Prelim report  
10225-Swallowfield Way Hayes-GLA\_CES\_Report-2205-2  
10225-Swallowfield Way Hayes-PDA-2304-25.  
10225-Swallowfield Way Hayes-PRDA-2305-25.  
10225-Swallowfield Way Hayes-PRDA-2305-25.  
22-280 84 Swallowfield Way Hayes External Lighting  
22-280 Swallowfield Way Hayes - Energy Strategy  
22-280 Swallowfield Way Hayes - Utilities Strategy

<b>Date Plans received:</b>	31-05-2023	<b>Date(s) of Amendments(s):</b>	31-05-2023
<b>Date Application valid</b>	05-06-2023		02-06-2023
			30-08-2023

## 1. SUMMARY

Planning permission is sought for the erection of one building which is split into four units of varying sizes ranging from 1,379 sqm to 2,272 sqm. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution uses across all of the units. A total of 7,439 sqm (GIA) is proposed with 5,720 sqm at ground floor level and ancillary office provision totalling 861 sqm at first floor level. A further 858 sqm is provided across the units through first floor mezzanines.

No representations have been received to the public consultation.

The site is previously developed brownfield land in a designated Strategic Industrial Location (SIL), in both adopted regional and local planning policy. This proposal provides an opportunity to intensify the site for employment uses, in accordance policy.

The building will be high-quality, designed and constructed to a modern standard with glazing to the office space along the active frontage with Swallowfield Way and the yards to the west. A mixture of cladding treatments break up the massing of the buildings and add visual interest. Overall, the siting, layout, scale and bulk of the proposal are considered acceptable for the context of the application site.

This proposal has been informed by a wide range of technical assessments including; transport, flood risk and drainage, landscaping, noise, air quality and ecology.

The development constitutes sustainable development and a BREEAM score of 'Outstanding' and Energy Performance Certificate EPC A+ is proposed to be achieved.

A comprehensive, high quality landscaping scheme is proposed. This includes the strengthening of existing soft landscaping, introducing new amenity planting and enhanced woodland planting.

The proposed development can be supported in terms of its impact on highway and pedestrian safety and the free flow of traffic, subject to the mitigation measures that have been identified by the Council's Highways Engineer and also by Transport for London.

Overall, the siting, layout, scale and bulk of the proposal are considered acceptable for the context of the application site.

It is considered that the proposal is acceptable, and is recommended for approval, subject to the conditions and obligations listed in this report.

## 2. RECOMMENDATION

That delegated powers be given to the Director of Planning, Regeneration and Environment 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. S278/S38 agreement to secure highway works (double yellow lines at site entrance);
- ii. Travel Plan: A full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plans 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;
- iii. Air Quality Contribution: A financial contribution amounting to £598,531 shall be paid to address the air quality impacts of the proposed development;
- iv. Carbon Offset Contribution: A financial contribution which shall be agreed subject to the approval of Condition 26 and paid prior to the commencement of the development;
- v. Local Highways Improvements/ATZ works: A financial contribution amounting to £70,800;
- vi. 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;
- vii. 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 Director of Planning, Regeneration and Environment), delegated authority be given to the Director of Planning, Regeneration and Environment to refuse planning permission for the following reason:

'The applicant has failed to secure the necessary legal obligations associated with the proposed development and provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Highways Works, Travel Plan, Air Quality, Carbon Offset, Active Travel, and Construction Training). The scheme therefore conflicts with Policy DF1 of the London Plan (2021), Policy DMCI 7 of the Hillingdon Local Plan Part 2 (2020) and the Planning Obligations Supplementary Planning Document (2014).'

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

## 1. COM3 Time Limit

The development hereby approved 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 Approved Plans

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

H067-CMP-SI-ZZ-DR-A-00001 Rev PL1  
H067-CMP-SI-ZZ-DR-A-00030 Rev PL1  
H067-CMP-SI-ZZ-DR-A-00100 Rev PL15  
H067-CMP-SI-ZZ-DR-A-00200 Rev PL1  
H067-CMP-SI-ZZ-DR-A-00250 Rev PL1  
H067-CMP-U1-00-DR-A-00100 Rev PL1  
H067-CMP-U1-00-DR-A-00120 Rev PL1  
H067-CMP-U1-01-DR-A-00101 Rev PL1  
H067-CMP-U1-01-DR-A-00121 Rev PL1  
H067-CMP-U1-02-DR-A-00102 Rev PL1  
H067-CMP-U1-02-DR-A-00122 Rev PL1  
H067-CMP-U1-RF-DR-A-00103 Rev PL1  
H067-CMP-U1-ZZ-DR-A-00250 Rev PL1  
H067-CMP-U2-00-DR-A-00100 Rev PL1  
H067-CMP-U2-00-DR-A-00120 Rev PL1  
H067-CMP-U2-01-DR-A-00101 Rev PL1  
H067-CMP-U2-01-DR-A-00121 Rev PL1  
H067-CMP-U2-02-DR-A-00103 Rev PL1  
H067-CMP-U2-02-DR-A-00122 Rev PL1  
H067-CMP-U2-RF-DR-A-00102 Rev PL1  
H067-CMP-U2-ZZ-DR-A-00250 Rev PL1  
H067-CMP-U3-00-DR-A-00120 Rev PL1  
H067-CMP-U3-01-DR-A-00121 Rev PL1  
H067-CMP-U3-02-DR-A-00122 Rev PL1  
H067-CMP-U3-ZZ-DR-A-00250 Rev PL1  
H067-CMP-U4-00-DR-A-00100 Rev PL1  
H067-CMP-U4-00-DR-A-00120 Rev PL1  
H067-CMP-U4-01-DR-A-00101 Rev PL1  
H067-CMP-U4-01-DR-A-00121 Rev PL1  
H067-CMP-U4-02-DR-A-00102 Rev PL1  
H067-CMP-U4-02-DR-A-00122 Rev PL1  
H067-CMP-U4-RF-DR-A-00103 Rev PL1  
H067-CMP-U4-ZZ-DR-A-00250 Rev PL1  
10111-D-AIA

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

## REASON

To ensure the development complies with the provisions of Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **3. COM5 General compliance with supporting documentation**

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

H067\_HAYES\_DAS\_MAY 2023- parts 1 and 2  
.22-280 84 Swallowfield Way Hayes External Lighting  
22-280 Swallowfield Way Hayes - Energy Strategy  
22-280 Swallowfield Way Hayes - Utilities Strategy  
22280-MBA-EX-SP-DR-E-0001. Lighting Assessment  
R01-DC-Transport Assessment-230523  
R02-AD-Travel Plan-230523  
R05-DC-Car Parking Management Plan-23052  
R1 Issue 3 Planning Fire Statement  
TRC\_Swallowfield Way Hayes\_Tier II Report\_v2  
Planning Statement  
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65208809-SWE-ZZ-XX-T-C-0002-P02-FRA  
Noise impact assessment report 23.5.23  
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10225-Swallowfield Way Hayes-PDA-2304-25  
10225-Swallowfield Way Hayes-PRDA-2305-25  
10225-Swallowfield Way Hayes-PRDA-2305-25

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

## REASON

To ensure the development complies with the provisions of Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **4. OM19 Construction Management Plan**

Prior to the commencement of the development hereby approved (including demolition), a Demolition and Construction Logistics Plan (DLP/CLP) and a Demolition and Construction Management Plan (DMP/CMP) shall be submitted to, and approved in writing by, the Local Planning Authority, to minimise impacts to the local highway network, and to control noise, vibration and air pollutants generated as a result of the construction process. These documents shall be prepared in accordance with the London Freight Plan, 'The control of dust and emissions from construction and demolition' Supplementary Planning Guidance, BRE Pollution Control Guides 'Controlling particles and noise

pollution from construction sites' and 'Controlling particles, vapour and noise pollution from construction sites'.

The DLP/CLP and DMP/CMP shall include details of (but shall not necessarily be limited to):

- (i) a programme of works, including hours of construction;
- (ii) the measures for traffic management and encouragement of sustainable modes of transport for workers, including prohibition of construction vehicles parking on the local highway network within the vicinity of the application site;
- (iii) the haulage routes and details of a vehicle booking system including use of a banksman (if applicable), ensuring construction deliveries are received outside peak hours;
- (iv) any closures of public routes and diversions, demonstrating how time spent closed to the public has been minimised;
- (v) the provision of secured restricted access as the sole means of entry to site for cyclists along with a secured turnstile entrance for pedestrians;
- (vi) a site plan identifying the location of the site entrance, exit, visibility zones, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
- (vii) the loading, unloading and storage of equipment, plant, fuel, oil, materials and chemicals;
- (viii) details of cranes and other tall construction equipment (including the details of obstacle lighting);
- (ix) the means to prevent deposition of mud on the highway and chemical and/or fuel run-off from into nearby watercourse(s);
- (x) details on reducing emissions from demolition and construction, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).
- (xi) the likely noise levels to be generated from plant and construction works and the precautions set out to eliminate or reduce noise levels where the operational risk levels illustrated within The Control of Noise at Work Regulations 2005 could be exceeded;
- (xii) confirmation that a mobile crusher will/won't be used on site and if so, a copy of the permit and intended dates of operation;
- (xiii) confirmation of all Non-Road Mobile Machinery (NRMM) to be used, or a statement confirming that NRMM will not be used. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560 kW 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" and must be registered at <http://nrmm.london/>;
- (xiv) an asbestos survey and management plan; and
- (xv) the arrangement for monitoring and responding to complaints relating to demolition and construction.

and, for the avoidance of doubt:

- (i) all Heavy Goods Vehicles associated with the development shall comply with the Direct Vision Standard, with a rating of 3 stars (or more).
- (ii) all deliveries to the site, particularly Heavy Goods Vehicles, shall be made using vehicles which have a Class VI mirror fitted in accordance with EU directive 2007/38/EC;

The development hereby approved shall be implemented in accordance with the approved DLP/CLP

and DMP/CMP.

#### REASON

To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties, in accordance with Policies DMT 1, DMT 2, DMHB 11 and DMEI 14 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies D14, SI 1, T4, and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (2020).

### 5. NONSC Final Detailed Drainage Design

Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations to the Lead Local Flood Authority for review and approval, aligned with the Site Specific Flood Risk Assessment (26/05/2023), Designers' response to LLFA objections (17/08/2023), and associated drawings. The applicant should provide the results of infiltration testing in accordance with BRE365 to determine whether shallow soakaways would be suitable at the site. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development. This should include the name of the maintenance owner (operator/management) for the proposed SuDS features per individual warehouse units.

#### REASON

To prevent the risk of flooding to and from the site in accordance with policies SI 12 and SI 13 of the London Plan (2021), its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Policy EM6 of the Hillingdon Local Plan Part 1: Strategic Policies.

### 6. COM15 Sustainable Water Management

No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

#### REASON

To prevent the risk of flooding to and from the site in accordance with policies SI 12 and SI 13 of the London Plan (2021), its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Policy EM6 of the Hillingdon Local Plan Part 1: Strategic Policies.

### 7. A39 Contaminated Land

(i) All works which form part of the approved 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 the following



measures unless the LPA dispenses with any such requirement specifically and in writing:

(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 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 and/or engineering 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 factual results and interpretive reports of this testing shall be submitted to 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 - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

### **8. COM7 Materials**

Notwithstanding the submitted plans, detailed drawings or samples of materials, as appropriate, in respect of the following shall be submitted to and approved in writing by the Local Planning Authority before above ground work is begun. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to:

(i) Details and samples of all new external materials

(iii) Detailed drawings of the elevational fenestration including reveal depths and junctions between the materials.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

### **9. RES9 Landscaping and Screening**

A landscape scheme shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun. 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.

1.d Tree pit detail at a scale of 1:20 to ensure the optimal soil volume will be provided.

2. Details of Hard Landscaping

- 2.a Cycle Storage
- 2.b Boundary treatments
- 2.c Hard Surfacing Materials, including of the means of surfacing and marking out the car parking spaces
- 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 surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the area in accordance with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Development Management Policies (2020).

#### 10. B14A Biodiversity and UGF

Prior to any above ground works for the development hereby approved (excluding demolition), a Biodiversity Enhancement and Management Plan (BEMP) shall be submitted to, and approved in writing by, the local planning authority. The BEMP shall demonstrate how the development hereby approved shall seek to maximise the delivery of on-site biodiversity improvements, including through the delivery of new trees, flower-rich perennial planting, mature shrubs, green roofs and walls, and bird or bat boxes.

The development shall thereafter be implemented in accordance with the approved BEMP.

#### REASON

In order to encourage a wide diversity of wildlife on site in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies G5 and G6 of the London Plan (2021).

#### 11. TW4 Fire Statement

A) Prior to any above ground works for the development hereby approved (excluding demolition), a Fire Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The statement shall detail how the development will function in terms of:

- (i) the building's construction: methods, products and materials used, including manufacturers' details
- (ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
- (iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
- (iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
- (v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
- (vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development hereby approved, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

**REASON**

To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

**12. H14 Internal Footway**

Prior to any above ground works for the development hereby approved (excluding demolition), further details of the internal footway and kerb design. shall be submitted to, and approved in writing by, the local planning authority.

Thereafter, the development shall not be occupied or brought into use until the approved internal footway has been implemented in accordance with the approved plan, with the facilities being permanently retained for use by pedestrians.

**REASON**

To ensure pedestrian safety, in accordance with Policy T4 of the London Plan (2021).

**13. OM15 Waste Management Strategy**

Prior to any above ground works for the development hereby approved (excluding demolition), a Waste Management Strategy shall be submitted to, and approved in writing by, the local planning authority. The Waste Management Strategy shall include relevant details setting out how non-residential on-site waste storage and collection will be managed, demonstrating that there is sufficient space for the separate collection of general waste, recycling, and food waste.

**REASON**

To ensure compliance with Policies SI7 and D6 of the London Plan (2021) and Policy EM11 of the Hillingdon Local Plan: Strategic Policies (2012).

**14. A12 Parking Design and Management Plan**

Prior to any above ground works for the development hereby approved (excluding demolition), a Parking Design and Management Plan shall be submitted to, and approved in writing by, the Local Planning Authority. It shall include the following:

- (i) The arrangements for all on-site parking, including a booking system, and to include provisions for managing, monitoring, enforcement and review. All 61 on-site parking spaces shall be solely for use by the development hereby approved (e.g. staff, visitors) and shall not be used for any other purpose or leased/sub-let.
- (ii) Details of 5 wheelchair accessible spaces; to be permanently retained within the car parking area.
- (iii) Details of electric vehicle charging points (20% active and 80% passive)
- (iv) Details of passive electric charging points for HGV vehicles.

The vehicle parking provision and its management, as outlined in the approved Parking Design and

Management Plan, shall be fully implemented as approved prior to the first occupation of the development, and so maintained in good working order, and the parking spaces shall not be used for any other purpose for the lifetime of the development.

#### REASON

To ensure the appropriate operation of the car parking spaces in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Development Management Policies (2020) and Policies T6 and T6.1 of the London Plan (2021).

#### 15. COM25 Delivery and Servicing Plan

Prior to the first use of the industrial floorspace hereby approved, a Delivery and Servicing Plan, in line with TfL's Freight and Servicing Action Plan, including tracked vehicle movements where necessary, shall be submitted to, and approved in writing by, the Local Planning Authority.

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

#### REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy T7 of the London Plan (2021) and Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 (2020).

#### 16. COM12 Restriction of floorspace to SIL-appropriate uses

The floorspace hereby approved shall be used as industrial floorspace only, falling within the B2, B8 (excluding use as a data centre), E(g)(ii) or E(g)(iii) use classes, as set out in the Town and Country Planning (Use Classes) Order (1987) (as amended).

#### REASON

To ensure the development does not lead to a loss of industrial capacity within a SIL in accordance with Policies E4, E5 and E7 of the London Plan (2021).

#### 17. DIS4 Access

Prior to any above ground works for the development hereby approved (excluding demolition), details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

#### REASON

To ensure an Accessible and Inclusive development for everyone in accordance with London Plan (2021) Policy D5.

#### 18. NONSC Lifts

The development hereby approved shall accord with London Plan policy D5(B5) and D12(A) to include a minimum of one fire evacuation lift per block designed to meet the technical standards set

out in BS EN 81-76, BS 9991 and/or BS 9999, as shown on the approved plans. The required evacuation lifts shall serve all floors and remain in place for the life of the development.

REASON: To ensure the development provides reliable, convenient and dignified means of escape for all building uses in accordance with London Plan Policies D5 and D12.

#### **19. COM31 Secured by Design**

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

#### REASON

To ensure the development provides a safe and secure environment in accordance with Policy DMHB 15 of the Hillingdon Local Plan: Development Management Policies (2020) and Policy D11 of the London Plan (2021).

#### **20. A32 Noise**

For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed: 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAr 1 hour for any one-hour period between 0700 and 2300, determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.

#### REASON

To ensure that occupants of existing dwellings would not be exposed to noise caused by the permitted development that would be likely to cause a significant adverse effect on their health and quality of life. This has regard to the guidance set out in 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233:2014, with windows open for the purposes of ventilation and cooling, in accordance with Policies D13 and D14 of the London Plan (2021).

#### **21. NONSC Bird Hazard Management Plan**

Prior to any above ground works for the development hereby approved (excluding demolition), a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

#### REASON

It is necessary to manage the development in order to minimise its attractiveness to birds which

could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (Safe Operation of Airports).

## **22. NONSC Overheating**

Prior to commencement of superstructure works, an Overheating Strategy shall be submitted to and approved in writing by the Local Planning Authority. The submission shall demonstrate how the development will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure;
- 2) minimise internal heat generation through energy efficient design;
- 3) manage the heat within the building including where possible through exposed internal thermal mass and high ceilings;
- 4) provide passive ventilation;
- 5) provide mechanical ventilation; and
- 6) provide active cooling systems.

The approved details shall thereafter be implemented and retained for the lifetime of the development.

### **REASON**

To demonstrate that the final strategy will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy and Policy SI 4 of the London Plan (2021).

## **23. NONSC Reducing Emissions from Demolition and Construction**

No development shall commence until a Reducing Emissions from Demolition and Construction 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**

To reduce the impact on air quality in accordance with Policy EM8 of the Local Plan: Part 1 (2012), Policy DME1 14 of the London Borough of Hillingdon Local Plan (Part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, and Policy SI 1 of the London Plan (2021).

## **24. NONSC Photovoltaic Panels**

Prior to commencement of development (post demolition) a scheme for the use of photovoltaic panels shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out (a) the specification, quantity and location of PVs on the roofs. The scheme shall also be accompanied by an updated energy assessment (b) that reflects the details set out in (a); this assessment shall show the baseline emissions of the development to Part L building regulations 2021, details relating to the energy efficiency (London Plan 'be lean') and the subsequent impacts of the PVs on the baseline. The scheme shall be accompanied by full roof plan details showing how the quantum of PVs set out in (a) will be secured in the development. The Updated Energy Strategy shall also provide details of the 'be seen' recording and reporting measures and demonstrate that the

'onsite saving' is being achieved in perpetuity.

If the updated energy assessment reveals that the development cannot achieve the 100% (zero carbon) target (Policy SI2), then this will be described as the 'shortfall' and subject to offsite contributions. The development must proceed in accordance with the approved details.

#### REASON

In order to minimise greenhouse gas emissions and deliver the maximum on-site carbon savings in accordance with Policies SI 2 and SI 3 of the London Plan (2021).

#### 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. I63 Public Sector Equality Duty of the Equality Act 2010.**

As part of the decision making process the Local Planning Authority have taken due regard to the public sector equality duty of the Equality Act 2010.

**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. I73 Community Infrastructure Levy (CIL) (Granting Consent)**

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2019. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at [planning@hillingsdon.gov.uk](mailto:planning@hillingsdon.gov.uk). The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable.

Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

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

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

## 6.

### 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-safeguarding.htm>).

## 7.

### Network Rail Informative:

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

### Safety

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk)

### Fencing

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

### Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works



must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

#### Demolition

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

#### Plant, Scaffolding and Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

### 8.

#### Thames Water Informative:

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=05%7C01%7CPlanningEConsult%40Hillingdon.Gov.UK%7C54f0b759a3794db39bfd08db6b2b7866%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C638221606664855857%7CUnknown%7CTWFpbGZsb3d8eyJWlloiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=SEBzbBlaho6u4LnRm%2FSsnc1vLACEq7UZaLnqO8tWtTY%3D&reserved=0>. Please refer to the Wholesale; Business customers; Groundwater discharges section.

### 9.

#### Heathrow Informative:

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airport Ltd Airside Operations staff. In some instances, it

may be necessary to contact Heathrow Airport Ltd Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We will need to object to these proposals unless the above-mentioned condition is applied to any planning permission.

### 153 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 (2021) and national guidance.

DMAV 1	Safe Operation of Airports
DMCI 7	Planning Obligations and Community Infrastructure Levy
DME 1	Employment Uses in Designated Sites
DME 3	Office Development
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 3	Decentralised Energy
DMEI 6	Development in Green Edge Locations
DMEI 7	Biodiversity Protection and Enhancement
DMEI 8	Waterside Development
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
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 D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise

LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D8	(2021) Public realm
LPP E1	(2021) Offices
LPP E2	(2021) Providing suitable business space
LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP HC1	(2021) Heritage conservation and growth
LPP SI1	(2021) Improving air quality
LPP SI13	(2021) Sustainable drainage
LPP SI17	(2021) Protecting and enhancing London's waterways
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI4	(2021) Managing heat risk
LPP SI5	(2021) Water infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.5	(2021) Non-residential disabled persons parking
LPP T7	(2021) Deliveries, servicing and construction
LPP T9	(2021) Funding transport infrastructure through planning
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF6	NPPF 2021 - Building a strong, competitive economy
NPPF9	NPPF 2021 - Promoting sustainable transport

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site is brownfield land and currently used as an established employment site for B8 Storage and Distribution uses. The site is designated within the Hayes Industrial Area, a Strategic Industrial Location (SIL) in the adopted London Plan and Hillingdon Local Plan. The Hillingdon Local Plan divides SILs into Preferred Industrial Locations (PIL) and Industrial Business Parks (IBP). The site is located within a PIL, which is defined as being suitable for general industrial, light industrial and warehousing uses in the Local Plan.

Existing built form on the site is limited to 1,108 sqm (GIA), including a modular office block, detached store and vehicle maintenance unit. The existing accommodation on the site supports the ongoing operations of a crane hire and maintenance facility.

The existing site is accessed from Rigby Lane/Swallowfield Way and consists of hardstanding with four small buildings and a landscape frontage along the road edge. The adjacent sites to the north and east have large buildings with areas of car parking. The Elizabeth Line and Great Western Mainline railway lines runs along the southern boundary of the site.

Although the site is within an established industrial area, a designated heritage asset is located in close proximity, namely the Stockley Park: Business Park Phases I and II, Country Park and Golf Club, which is a Grade II Registered Park and Garden. The setting of Registered Park and Gardens is protected through National (Chapter 16 of the NPPF 2023) and Local Policy (HE1).

The Site falls within Flood Zone 1 (low probability of flooding) and the proposed uses are classified as 'less vulnerable' to flood risk.

### **3.2 Proposed Scheme**

Planning permission is sought for the demolition of all structures on the site and subsequent re-development for a single building, divided into 4 independent commercial units of varying floorspace. The units are being built speculatively with the range of floor areas and flexibility of use classes necessary to attract a range of enterprises consistent with the SIL designation. The proposal seeks permission for E(g)(iii) Light Industrial, B2 Manufacturing and B8 Storage and Distribution uses across all of the units.

The proposal comprises one building which is split into four units of varying sizes ranging from 1,379 sqm to 2,272 sqm. A total of 7,439 sqm (GIA) is proposed with 5,720 sqm at ground floor level and an ancillary office provision totalling 861 sqm at first floor level, representing over 15% of the total floorspace. A further 858 sqm is provided across the units through first floor mezzanines. The increased provision of office floorspace has been combined with extensive glazing along the western elevation. This glazing wraps around the north and southern elevations and provides an active frontage across the service yards and Swallowfield Way.

During the pre-application phase, the proposal presented a building with a maximum height of 18.8m, allowing for a building with 15m to eaves to be achieved. Following officer feedback, the applicant has responded by reducing the overall building height to a maximum of 15.7m. This allows for a building of 12.5m to eaves to be achieved.

The existing access to the site would be retained and utilised for the proposal with the existing landscaping around the periphery of the site also retained and enhanced. The landscape strategy is

intended to ensure that both Biodiversity Net Gain and Urban Greening is achieved.

As a SIL, the applicant is seeking unrestricted 24/7 hours of operation to each unit.

In total the scheme provides 61 car parking spaces and 24 cycle parking spaces. 20% of the parking spaces have active EV provision with a further 80% passive provision for future demand.

### 3.3 Relevant Planning History

63099/APP/2007/1428	Land At Ainscough Cranes, Unit 84, Hayes Industrial Park Swallowfield Way Hayes
	INSTALLATION OF 14.7M HIGH MONOPOLE MOBILE PHONE MAST AND THREE ANCILLARY EQUIPMENT CABINETS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED).
<b>Decision:</b> 28-06-2007	Prior Approval N/Req

#### Comment on Relevant Planning History

The application site is previously developed brownfield land and is currently utilised as a crane hire storage and maintenance facility. There are no previous applications on the site which are considered to impact the ability to redevelop the site for the proposed uses.

## 4. Planning Policies and Standards

#### Planning Policy

The proposed development would be assessed against 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 and national guidance:

#### 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 (2021)

## Material Considerations

The National Planning Policy Framework (NPPF 2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

### Local Plan Designation and London Plan

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

#### Part 1 Policies:

PT1.E1 (2012) Managing the Supply of Employment Land

PT1.HE1 (2012) Heritage

PT1.BE1 (2012) Built Environment

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

PT1.EM6 (2012) Flood Risk Management

PT1.EM7 (2012) Biodiversity and Geological Conservation

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

PT1.T1 (2012) Accessible Local Destinations

#### Part 2 Policies:

NPPF2 NPPF 2021 - Achieving sustainable development

NPPF6 NPPF 2021 - Building a strong, competitive economy

NPPF9 NPPF 2021 - Promoting sustainable transport

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF14 NPPF 2021 - Meeting the challenge of climate change flooding

NPPF15 NPPF 2021 - Conserving and enhancing the natural environment

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D8 (2021) Public realm

LPP D11 (2021) Safety, security and resilience to emergency

LPP D12 (2021) Fire safety

LPP D13 (2021) Agent of change

LPP D14 (2021) Noise

LPP E1 (2021) Offices

LPP E2 (2021) Providing suitable business space

LPP E4 (2021) Land for industry, logistics and services to support London's economic function

LPP HC1 (2021) Heritage conservation and growth

LPP G1 (2021) Green infrastructure

LPP G5 (2021) Urban greening

LPP G6 (2021) Biodiversity and access to nature

LPP G7 (2021) Trees and woodlands

LPP SI1 (2021) Improving air quality

LPP SI2 (2021) Minimising greenhouse gas emissions

LPP SI4 (2021) Managing heat risk

LPP SI5 (2021) Water infrastructure

LPP SI7 (2021) Reducing waste and supporting the circular economy

LPP SI13 (2021) Sustainable drainage

LPP SI17 (2021) Protecting and enhancing London's waterways

LPP T1 (2021) Strategic approach to transport

LPP T2 (2021) Healthy Streets

LPP T4 (2021) Assessing and mitigating transport impacts

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.5 (2021) Non-residential disabled persons parking

LPP T7 (2021) Deliveries, servicing and construction

LPP T9 (2021) Funding transport infrastructure through planning

DME 1 Employment Uses in Designated Sites

DME 3 Office Development

DMHB 1 Heritage Assets

DMHB 8 Registered Historic Parks, Gardens and Landscapes

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMEI 1 Living Walls and Roofs and Onsite Vegetation

DMEI 2 Reducing Carbon Emissions

DMEI 3 Decentralised Energy

DMEI 6 Development in Green Edge Locations

DMEI 7 Biodiversity Protection and Enhancement

DMEI 8 Waterside Development

DMEI 10 Water Management, Efficiency and Quality

DMEI 12 Development of Land Affected by Contamination

DMEI 14 Air Quality

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

DMAV 1 Safe Operation of Airports



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

**5.1 Advertisement Expiry Date: 12th July 2023**

**5.2 Site Notice Expiry Date: 17th July 2023**

## **6. Consultations**

### **External Consultees**

Letters were sent to 48 nearby properties and businesses and a site notice was displayed outside the site. A press notice was displayed in a local newspaper. All forms of consultation have expired and no representations have been received.

### **TRANSPORT FOR LONDON (TfL)**

The nearest part of the Transport for London Road Network (TLRN) is some distance from the site: the A312 lies some 3.2 kilometres to the east. The nearest part of the Strategic Road Network is A4020 Uxbridge Road, which is 2.6km north of the site. The nearest station is Hayes & Harlington providing Elizabeth line and Great Western Railway services. One bus route is located within 400m walking distance of the site. The site therefore has a Public Transport Accessibility Level (PTAL) of 1a, on a scale of 0 to 6b where 6b is the highest.

TfL require further information prior to the determination of this application, once further information has been

received based on TfL's below comments, TfL will be able to provide further comments.

### **Healthy Streets and Active Travel:**

As identified in Policy T2 of the London Plan, all developments should seek to deliver improvements that support the Mayor's Healthy Streets approach. The Healthy Streets approach seeks to improve air quality, reduce congestion and make attractive places to live and work. There are ten Healthy Streets indicators which put people and their health at the heart of decision making and aim to result in a more inclusive city where people choose to walk, cycle, and use public transport.

The Active Travel Zone (ATZ) assessment has been conducted along 6 key routes, a night time assessment was also undertaken, which is welcomed by TfL. However, further commentary on the night time assessment is needed on Routes 1, and 5. Route 1 - Whilst it is noted that photograph 5.3 states that the underpass was part of the night-time assessment. There is little to no commentary or recommended improvements along the route from a night time assessment perspective. Route 5 - TfL are of the opinion that this route should be conducted as part of the night time assessment noting the lack of lighting may be a concern regarding safety.

TfL request that further commentary is provided in regard to the night time assessment in particular to Routes 1, and 5. TfL will support the London Borough of Hillingdon in securing appropriate improvements where necessary.

### **Vision Zero:**

The Mayor's Vision Zero ambition is the elimination of all deaths and serious injuries from London's streets by 2041. The Vision Zero approach requires reducing the dominance of motor vehicles and creating streets

safe for active travel. The proposed development will increase HGV movements to and from the site, and these vehicles carry a greater safety risk.

Accident data has been provided along Rigby Lane, Swallowfield Way, Dawley Road, and all other routes considered within the ATZ assessment. The data recorded shows that there have been 94 collisions recorded between December 2017 and October 2022 within the subject area. Of the 94 collisions, one was classified as fatal, and 15 classified as serious. The Transport statement concludes that 'that there are not any safety issues in relation to the junctions in proximity to the proposed development'. However, it has not been identified within the Transport Statement the proposed vehicle routing which may impact the analyse into the accident data. TfL request that HGV vehicle routing to and from the site is provided in order to establish the overall impact at key junctions and whether any contributions may be required towards road safety improvements.

#### Construction:

A framework Construction Logistics Plan (CLP) has not been submitted in support of the application and inline with Policy T7 TfL request that a draft document is submitted prior to the determination of the application with a full version secured by legal agreement. Once submitted TfL may provide additional commentary on the construction of the proposal.

#### Delivery and Servicing:

As set out in Policy T7 point F, development proposals for new consolidation and distribution facilities should be supported provided that they do not cause unacceptable impacts on London's strategic road networks and: 1) reduce road danger, noise and emissions from freight trips 2) enable sustainable last-mile movements, including by cycle and electric vehicle 3) deliver mode shift from road to water or rail where possible (without adversely impacting existing or planned passenger services).

In line with the Mayor's Vision Zero approach, the design of the development should seek to minimise the requirement for reversing. Where it can be demonstrated that this is not possible, management and design measures should be implemented to ensure that there is no conflict between different modes. TfL are not satisfied that effective management or design measures have been implemented to ensure that there is no conflict between different modes.

Swept path analysis have been submitted alongside with the proposed internal highway design to demonstrate goods/servicing vehicles movements, however, it still needs to be demonstrated that two goods vehicles will be able to pass safely without potential collision as there are serious concerns from TfL that the site is constrained with the high level of vehicular parking currently proposed. The above was mentioned in the pre-application letter and does not seem to have been adequately addressed.

There is also a concern that vehicles could queue back onto the adjoining highway network, therefore impacting road safety contrary to Policy T4. The above was mentioned in the pre-application letter and does not seem to have been adequately addressed.

An Operational Management Plan should be secured within a s106 agreement to outline how the site will operate in line with TfL's Freight and Servicing Action Plan which calls for safe, clean and efficient traffic in London.

From an environmental perspective the use of electric vehicles should be maximised and promoted where possible and a cargo bike strategy should be put forward for the site including providing cargo bikes on

site, not just spaces for these. The proposed timings of deliveries to and from the site also need to be carefully considered and agreed to minimise the impact on congestion, noise pollution and surrounding residential developments, given the location of the site. Additionally, the future operators will need to be committed to minimising the number of trips to the site by combining as many trips as possible to the site such as sharing materials between the operators on site and compacting waste from multiple sites before removal. The above was mentioned in the pre-application letter and does not seem to have been adequately addressed.

#### Existing Trip Generation:

A survey of the existing site recorded 127 two way vehicle trips over a 24 hour period (of which 17 were HGV's), with 4 two way trips generated in the AM peak and 8 two way trips generated in the PM peak.  
Highway Impact:

Using TRICS trip rates for the proposed use, the development is estimated to generate a net increase in 113 and 67 two-way vehicle trips in the AM and PM peak respectively, and 1391 two way trips over a 24 hour period. Regarding HGV, the development is expected to generate an additional 8 and 4 two-way HGV trips in the AM and PM peak respectively.

TfL are awaiting the TA addendum to assess impacts on the local junctions and whether a financial contribution is required. Without the addendum TfL are unable to establish the impact on the highway and therefore the proposals are not compliant with Policy T4 of the London Plan.

#### Public Transport Impact:

The estimated mode split of the site estimate that the number of public transport trips generated by the site is expected to be minimal.

#### Car Parking:

The proposals include 61 parking spaces, which is in line with the London Plan maximum standards. However, these are maximum standards. The provision of staff parking within the site should be significantly reduced to support a mode shift away from car travel, in line with the strategic target for 80% of trips to be made on foot, cycle or public transport by 2041.

Whilst a forecast parking demand for the proposed development has been provided over a 24 hour period, this does not take into account any reductions in vehicle movements that may arise following the Travel Plan being implanted successfully on site, therefore the actual demand for parking spaces is expected to be lower.

A car parking management plan has been submitted with the application, which TfL welcomes.

Blue Badge parking is to be provided on site. However, clarity on the quantum is requested as there is a discrepancy between the Transport Assessment (5) and Car Parking Management Plan (4). EVCP is provided on site for 18 spaces, however 4 of the spaces are where the cargo bikes are currently suggested to be parked in flexible spaces. As highlighted above, the cargo bike parking situation is not appropriate, given that they are also part of the EVCP TfL deem the whole situation unacceptable. Further thought should be given to provide separate cargo spaces that are not also acting as EVCP spaces.

#### Cycle Parking:

The proposals include 24 cycle parking spaces, which accords with the minimum London Plan standards, which requires 1 space per 500sqm for long stay spaces and 1 space per 1000sqm for short stay spaces. However, the Transport Assessment states the cycle parking will be for staff only. TfL request information regarding short stay parking for visitors to the site, which should be located in visible well-lit places that have high natural surveillance.

As highlighted within London Cycle Design Standards, long-stay cycle parking is best located in a building. Where it has been robustly demonstrated that this is not possible, bespoke shelters are an option and these should be:

- Clearly visible and well overlooked with high levels of natural surveillance
- Designed with consideration of sight lines into and out of the cycle cages, compounds or secure store
- Adequately lit and overlooked, particularly at night-time

TfL considers that the current location does not meet the above criteria, with a particular concern being Unit 1 and Unit 2's current arrangement. In addition, there is a concern that the current locations and access arrangements will result in possible conflicts between HGVs/vehicles and cyclists, who are required to navigate the entrance/exit with reversing HGVs to access the cycle parking. The applicant should seek to provide long-stay cycle parking within the main building. Should it be robustly demonstrated that this is not possible, then further thought on the current location of cycle parking facilities is required.

It is welcomed that the applicant is providing showers and changing facilities, which should be secured through the appropriate mechanism.

#### Cargo Cycle Parking:

The provision of cargo bikes in the form of flexible car parking spaces is questioned. The cargo bike space should be a permeant feature to encourage last mile cargo bike deliveries, increase active travel, and reduce HGV movement. The proposal to include the spaces flexibly may result in the spaces being used by vehicles for long periods of time, in addition how will the cargo bikes be secure? How will conflicts between vehicles be managed if the spaces are within the car park and poorly protected?

#### Travel Plan:

TfL require further information and clarification from the Travel Plan. Presently there is only one 'Action Target' which is to reduce car driver mode by 5%. However, this is not a SMART Target, there is little information regarding when this is expected to be achieved and how it is likely to be achieved at the site. In addition, TfL would expect more than one Action Target from a development of this size and the proposed increase in vehicle trip numbers.

Measures to reduce staff reliance on private car travel should also be included within a draft Travel Plan and measures to incentivise staff to use active travel should be promoted.

It is noted that the Travel Plan Coordinator will be funded by the occupants for the five year travel plan timeframe. The Travel Plan needs to be secured by a legal agreement.

TRANSPORT FOR LONDON (TfL) Further comments (2/10/23)

#### Healthy Streets and ATZ

Route 1 has been conducted at night time as requested by TfL. Route 5 and 6 have not but applicant has

**Hillingdon Applications Planning Committee - 6th December**

**2023 PART 1 - MEMBERS, PUBLIC & PRESS**

provided reasonable reasoning as to why it has not been conducted at night, and therefore TfL are satisfied. In addition, TfL will support London Borough of Hillingdon regarding the requested amount for the Healthy Streets improvement.

#### Vision Zero

Request for HGV routing has been provided. TfL find the routing to be acceptable. TfL will support the London Borough of Hillingdon if they wish to seek Road Safety improvements.

#### Construction

A draft CLP was requested. The applicant has provided a draft CLP for review.

A full CLP should be secured by condition and include CLOCS agreement, vehicle movements including types and frequencies of vehicles, and swept path analysis for how vehicles enter and exit the site including the location of the wheel wash facility. The CLP should be agreed with TfL and London Borough of Hillingdon.

#### Delivery and Servicing

- The applicant has responded and provided further information in regards to the management of the site, including banksmen and traffic marshals as well as indicating that employee shift change overs would not occur during the arrival of a HGV. This should be included within the Operational Management Plan .

TfL original response:

'it needs to be demonstrated that two goods vehicles will be able to pass safely without potential collision as there are serious concerns from TfL that the site is constrained with the high level of vehicular parking currently proposed' -

Further information has been received which indicates that it is unlikely that HGVs would queue onto the highway network with HGVs entering the site given priority. This is acceptable to TfL.

TfL original response: 'An Operational Management Plan should be secured within a s106 agreement' - This has been agreed by the applicant in the response.

#### Trip Generation

Para 46 states, 'This trip generation is based on a 24-hour profile. This is roughly the equivalent of three shift changeovers at maximum output. Therefore, to represent a more realistic two-shift pattern where less staff are required, a 2/3rds factor has been applied to this trip generation'. TfL request information on how this conclusion can be made if no end user has been identified by the applicant.

Para 48 states,

'Furthermore, a 5% reduction in trips has been applied to car trips as LGV and HGV are considered to be operational. This is in line with the 5% reduction in vehicle trips as stated in the Travel Plan'. Clarification is needed on whether this is meant to say 'been applied to vehicle trips' rather than the above car trips? In addition, why has the 5% reduction been included as this should be built into the TRICS data?

#### Highway Impacts

Modelling of the junctions shows that the baseline for Dawley Road Northbound is at 0.86 RFC (Ratio of Flow to Capacity) which is close to the limit for the junction. The proposed scheme potentially increases the RFC for Dawley Road northbound to 0.91. Whilst Dawley Road is a borough highway and it is for London Borough of Hillingdon to decide whether contributions are necessary. TfL will support London Borough of

Hillingdon if contributions were sought.

### Cycle Parking

Cycle Parking is still external and therefore, TfL's comments have not changed. In addition Unit 2's cycle parking should be moved closer to the entrance of the Unit building. Conflict with the cargo bike spaces and EV charging spaces has been addressed.

### Car Parking

Clarity on the quantum of blue badge parking has been provided. Quantum of car parking on site has not changed despite TfL request for a reduction in the car parking spaces.

Para 43 of the Response to TfL and LBH states, 'likely future use of the site based on the current layout is B8'. The parking demand survey is based on an average of B2 and B8. As above, the document states it is likely future use as B8 then the car parking should reflect that and be reduced inline with the parking demand for B8 uses as a minimum. In addition, the mode share split is showing a high level of car use, which is high compared to the Mayors ambition of reducing car trips and increasing active travel modes. As a result, the Travel Plan must have bold and ambitious targets to reduce this mode share.

### Travel Plan

A 5% reduction in car driver mode share is highlighted. Given the high levels of car mode share, TfL deem this target is not ambitious enough, and whilst targets need to be achievable they should also be bold and ambitious to lower levels of high car mode share.

### NETWORK RAIL

Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and our infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway we have included asset protection comments which the applicant is strongly recommended to action should the proposal be granted planning permission.

### Safety

Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basic Asset Protection Agreement, if required, with a minimum of 3months notice before works start. Initially the outside party should contact [assetprotectionwestern@networkrail.co.uk](mailto:assetprotectionwestern@networkrail.co.uk)

### Fencing

If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

### Drainage

Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be

constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure. Ground levels - if altered, to be such that water flows away from the railway. Drainage does not show up on Buried service checks.

#### Demolition

The demolition works on site must be carried out so that they do not endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures and land. The demolition of the existing building, due to its close proximity to the Network Rail boundary, must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from the Network Rail Asset Protection Engineer before the development and any demolition works on site can commence.

#### Plant, Scaffolding and Cranes

Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.

#### Lighting

Any lighting associated with the development (including vehicle lights) must not interfere with the sighting of signalling apparatus and/or train drivers vision on approaching trains. The location and colour of lights must not give rise to the potential for confusion with the signalling arrangements on the railway.

#### NATIONAL AIR TRAFFIC SERVICES (NATS) SAFEGUARDING

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

#### HEATHROW AIRPORT LTD

The development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the condition detailed below.

#### Submission of a Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 3 'Wildlife Hazards' (available at <http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf>).

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

#### Reason

**Hillingdon Applications Planning Committee - 6th December**

**2023 PART 1 - MEMBERS, PUBLIC & PRESS**

It is necessary to manage the development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

#### Information

The Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by Heathrow Airport Ltd Airside Operations staff. In some instances, it may be necessary to contact Heathrow Airport Ltd Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

We will need to object to these proposals unless the above-mentioned condition is applied to any planning permission.

We would also like to make the following observation:

#### Cranes

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

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

#### GREATER LONDON ARCHEAOLOGICAL ADVISORY SERVICE (GLAAS)

##### Recommend No Archaeological Requirement

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF section 16 and the London Plan (2021) Policy HC1 make the conservation of archaeological interest a material planning consideration.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The planning application is not in an Archaeological Priority Area.



The application lies in an area where there are records of antiquarian finds of Palaeolithic stone tools from the natural gravel but the nature of the development is such that there is unlikely to be much disturbance at that depth. There is little evidence for more recent archaeology and much modern disturbance suggesting overall low potential.

No further assessment or conditions are therefore necessary.

## LONDON FIRE BRIGADE

### Fire Strategy

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 (as amended) in London. The London Fire Brigade (LFB) has been consulted with regard to the above-mentioned premises and have the following observations to make. It should be ensured that if any material amendments to this consultation is proposed, a further consultation may be required.

The Applicant is advised to ensure the plans conform to Part B of Approved Document of the Building Regulations and that the application is submitted to Building Control/Approved Inspector who in some circumstances may be obliged to consult the Fire Authority.

Guidance note 29 on Fire Brigade Access is similar to that in B5 of the Building Regulations. Particular attention should be made to paragraph 16, Water Mains and Hydrants, by the applicant. If there are any deviations from the guidance in ADB) vol 1 and 2: B5 Access and facilities for the fire service in relation to water provisions, then this information needs to be provided to the Water Office ([water@london-fire.gov.uk](mailto:water@london-fire.gov.uk)) to discuss the proposed provision.

If there are any deviations to Brigade access and facilities then this information needs to be provided to Fire Safety Regulation ([FSR-AdminSupport@london-fire.gov.uk](mailto:FSR-AdminSupport@london-fire.gov.uk)) to review the proposed provision. Once we have received this information then the LFB can provide a response on the consultation and advice in regards to hydrants upon receipt of an appropriate site plan showing premises layout, access to it, and water supply infrastructure if available.

### Case Officer comment:

The above information has been provided to the applicant so they are aware of the requirements should there be any deviations to brigade access and facilities. A Fire Safety condition is also proposed within Section 2 of this report should the application be approved.

## THAMES WATER

### Waste Comments

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

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer.

Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line. Please refer to the Wholesale; Business customers; Groundwater discharges section.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. 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.

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.

#### Internal Consultees

##### PLANNING POLICY

The site is located within a Strategic Industrial Location (SILs). The proposal relates to the intensification of an existing industrial site and is proposing industrial floorspace within use classes E(g)(iii), B2 and B8 and would result in an increase of 6,301sqm over the three use classes. The Local Plan: Part 2 (2020) policy DME1 and the London Plan (2021) policies E4 and E5 are relevant to the proposal. The policies set out that generally proposals of this nature within the E(g)(iii), B2 and B8 will be supported. Furthermore, the London Plan Policy E5 sets out that these locations should accommodate industrial type activities that can operate on a 24-basis.

It is recognised that there are a number of uses within Class E that are not considered appropriate within a SIL area. Given the proposed use within Class E(g)(iii), it is considered a condition should be attached to any planning permission to restrict the uses within Use Class E, to ensure that the proposal protects the function of the SIL and does not compromise its integrity or effectiveness.

A restriction on use as a data centre should also be incorporated, as an assessment in relation to infrastructure and air quality has not been included.

Overall, the proposal is considered to be deemed to be acceptable in principle (subject to conditions).

##### AIR QUALITY OFFICER

The proposed development is located within the LBH Air Quality Management Area and in the immediate vicinity of Hayes Focus Area bringing additional traffic emissions which will add to current likely exceedances. As per the London Plan, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

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 Focus Areas. Furthermore, policy DMEI 14 of the emerging 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 London Plan (March 2021) requires development to be air quality positive specially within focus areas, actively contributing to reduce pollutant emissions to the atmosphere.

According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation. Therefore, the total emissions associated with these activities need to be mitigated. The proposed development is not air quality neutral and not air quality positive.

#### Damage Cost and Mitigation Measures

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

Any mitigation measures proposed were 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. Table 1 and 2 summarise the aspects of air quality and planning requirements for the proposed development.

Following negotiations with the applicant and once all deductions were applied, the remaining value of mitigation due is £598,531, which has been agreed.

In addition, Air Quality conditions are required to secure a Low Emission Strategy and a plan for reducing emissions from demolition and construction.

#### Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved. The proposed obligation is also recommended to be included within a future legal agreement.

#### FLOOD / DRAINAGE CONSULTANT (summary)

The applicant has confirmed that the open green SuDS feature is a rain garden. The applicant has provided the maintenance tasks and their required frequencies for the proposed rain garden.

The applicant has provided justification for why rainwater harvesting features have not been proposed, and the greenfield and existing runoff volumes have been provided. Some justification has been provided as to why infiltration may be unsuitable at the site, however the Geotechnical Assessment Report suggests that shallow soakaways may be viable, therefore infiltration testing should be undertaken at condition stage to confirm this.

We therefore recommend approval of the application, with the below conditions.

- Submission of a final detailed drainage design including drawings and supporting calculations
- Evidence (photographs and installation contracts) to be submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

#### Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved.

#### ACCESS OFFICER (summary)

This proposal is for the demolition of existing structures located at Unit 84, Hayes Industrial Park and redevelopment of four new units with office accommodation. It has been assessed against the requirements of London Plan Policy D5 and D12. Each unit will include a ground-floor entrance core containing disabled W/C, lockers and changing areas, and a staircase leading to the first-floor office space. For future flexible occupant fit-out, the remaining ground floor has an open plan with full height, shell warehouse. Offices are located on the first floor with additional W/C facilities and a kitchenette area. The internal floor plans show an evacuation lift within every unit which should be designed to accord with BS EN 81-76, BS 9991 and/or BS 9999. No concerns are raised subject to conditions to secure details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities and that the scheme shall include a minimum of one fire evacuation lift per block.

#### Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved.

#### URBAN DESIGN AND CONSERVATION

##### Context

The site is located within the Hayes Industrial Estate an established industrial area which is positioned between the Grand Union Canal and railway. The area north of the Grand Union Canal is designated as a Grade II Registered Park and Garden.

The existing site is accessed from Rigby Lane/Swallowfield Way and consists of hardstanding with four small buildings and a landscape frontage along the road edge. The adjacent sites to the north and east have large buildings with areas of car parking.

The Site is located within a Strategic Industrial Location (SIL) designation in accordance with the adopted London Plan and Hillingdon Local Plan. SILs fall into two categories, this site falls within a PIL, which is defined as being suitable for general industrial, light industrial and warehousing uses.

##### The site layout

The layout of units arranged north to south with frontages facing west and revised sub-station location is accepted.

The revised corner elevation of Unit 1 delivers active frontage along Rigby Lane and is supported. Although the entrance door remains along the western elevation the dedicated pedestrian access aligns with the pedestrian route to the other units and is therefore accepted.

##### Building heights, scale and massing

The proposed building height is 15.5m to the parapet edge. This has been lowered from the pre-app building height of 16.6m at the eaves and 18.8m at ridge height. Even with the building height reduction they are approximately 3m higher than the buildings in the immediate context and the only industrial building visible from the residential Snowdon Crescent. This is demonstrated in Section 10 of the Design and Access Statement, appearing as a large building above the roofscape of the residential homes.

Policy E7: of the London Plan supports intensification but also sets out appropriate design mitigation for residential elements which includes visual impact.

Accordingly, the building height should be lowered to ensure the buildings are not visible from Snowdon Crescent. Further, as requested at the pre-app meeting it needs to be demonstrated that the buildings will not be visible from Stockley Park, with more information on the building heights in the immediate context.

#### Materiality

The appearance and materiality is supported.

#### Landscape

The landscape strategy is accepted.

#### Conditions

If minded to approve this application conditions should be added to secure details of materials and landscaping.

### URBAN DESIGN AND CONSERVATION (Additional comments summary)

#### Height Scale and Massing

The proposed building height is approximately 5m higher than Waterway Business Park on the opposite side of the road and 3.5m higher than the building on the site directly to the east. At the pre-app meeting it was requested that the applicant team ensure the proposed building was broadly consistent with the prevailing height of the other buildings within this industrial area.

Further, the building is clearly visible from Snowdon Crescent with the roof massing visually prominent above the roofs of the residential properties. The massing and materiality of this industrial building roof form is considered to be incongruous with the residential roofs increasing its prominence. Every effort should be made to reduce the visual impact from Snowdon Crescent. Potentially reducing the height of the parapet wall would help this condition.

#### Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved. Further details on the height of the proposals are included with Section 7.07 of this report.

### CONTAMINATION OFFICER (summary)

I have reviewed a copy of the geo-environmental information contained within the reports submitted in support of the application. The reports provide details of an environmental due diligence study and two Phase II site investigations conducted at the site.

The initial and updated conceptual site model in the latest Phase II report clearly indicate that various contaminative substances are present, with some detected concentrations shown to exceed the applied generic acceptance criteria (GAC) and other authoritative criteria for the proposed commercial land use involving introduction of warehousing premises.

The phase II report identifies the following contaminants which exceeded the applicable criteria:

- Polycyclic Aromatic Hydrocarbons (PAH)
- Heavy Metals
- Asbestos

- Ground gases

The updated conceptual site model outlines the assessed risks, associated with the identified contaminant linkages, and categorises them as low to moderate risk (to linkages involving on-site contractors and controlled waters) and low risk (for other identified linkages).

The report states "the proposed development will primarily consist of hardstanding, which considerably reduce the risk of contaminated groundwater and sever any potential connection to pollutants." The report details are wholly acceptable in terms of the significant coverage of hardstanding at the site.

However, requirements for works to address aspects of the site where unacceptable risks from contaminants would exist are identified within the report, it is understood such works would involve the following actions:

- Incorporation of an appropriate barrier/cover system within landscaped areas having exposed soils.
- Introduction of ground gas protection measures within the proposed buildings (including any other areas of enclosed spaces).

It is considered the abovementioned works represent remediation actions that are required to mitigate the associated risks as identified.

The Local Planning Authority shall require further details concerning the abovementioned remedial actions which would be applicable at the site, including any further remedial actions that may be identified as the proposed development advances.

CONTAMINATION OFFICER (Further comments summary)

Having previously reviewed the three documents submitted with the application, I have now conducted a review of the newly submitted document Title: Remediation Strategy; Ref 507947.0003.0000; Dated: 30th August 2023.

The details within the Remediation Strategy are suitable and sufficient. However, I continue to recommend incorporation of a conditions, which shall be appropriate for this particular application if planning permission is consented.

Case Officer comment:

The proposed condition is included within Section 2 of this report and is recommended to be attached should the application be approved.

HIGHWAY ENGINEER (Final comments summary)

Description

An application has been received seeking planning permission to demolish an existing structure and redevelop the above site to for Use Classes E(g)(iii), B2 and B8 (applied flexibly). The development would provide for 61no. on-site parking spaces of which 5no.would be disabled persons parking spaces. Sixteen long-stay and 8no. short-stay on-plot cycle parking spaces would be provided and there would be allowance for the future installation of cargo bikes spaces. Four self-contained units would be created with 7no. HGV docking bays in total, Units 1, 3 and 4 would have two docking bays each and Unit 2 one.

The combined floor space of the 4no. units would be 7,780sqm. The on-site parking spaces would be supported with 20% active and 80% passive electric vehicle charging points. The existing vehicle access onto the development is to be retained - this is shared with the adjacent Portakabin site. The site is

**Hillingdon Applications Planning Committee - 6th December**

**2023 PART 1 - MEMBERS, PUBLIC & PRESS**

currently occupied for the storage of cranes for hire by Ainscough Cranes, the surrounding land uses are all commercial. Trip generation information has been provided using examples from the TRICS database. Rigby Lane is an adopted highway and parking is unrestricted.

The proposal is seeking to have 24/7 operation on the site. Whilst no details have been provided regarding the number of staff that would be employed there, it is understood that staff would be working in shifts. The proposal site has a PTAL rating of 1b indicating that access to public transport is poor when compared to London as a whole, suggesting that there would be a strong reliance on the private car for trip-making to and from the site. The nearest station is Hayes & Harlington which is served by the Elizabeth Line, the nearest bus stop is on Dawley Road, only the U5 service calls here. Hayes & Harlington station is accessible to/from the development with journey times of c.14min by bus, c.7min by bicycle and c.22min walking.

#### Parking

Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan 2021 Policy T6.2 Office Parking requires that development proposals must comply with the relevant parking standards. For a development of this type, B2 and B8 (applied flexibly) with a PTAL ranking of 1b the maximum number of car parking spaces the London Plan 2021 would allow is up to 1 space per 100 sqm which would be 78no. spaces. The 61no. parking spaces proposed are in accordance with this policy. The Highway Authority notes that 5no. car parking spaces serving Unit 1 and 5no. spaces serving Unit 2 would be inaccessible when a HGV is parked at the docking bay, in effect then the development would be providing 51no. fully accessible car parking spaces, a number which would still be Policy compliant. The applicant contends that these 10no. carparking spaces are in practice 'useable' because staff would have arrived and at work and parked before the first delivery arrives and, would not leave until the last HGV has been loaded/unloaded. Taking into account that the Units would be occupied by modest size businesses management of the car would not be a prohibitively onerous task.

Notwithstanding this a planning condition requiring the applicant to provide a Parking Design and Management Plan would be required. Furthermore, the Highway Authority would also require the applicant to submit a Travel Plan for approval and make a Healthy Streets contribution, this would provide staff and visitors with genuine travel choice by making travel by public transport, walking and cycling attractive, convenient and safer. By doing so the demand for on-plot parking would fall allowing the site to operate with 51no. car parking spaces without difficulty.

#### Cycle parking

As mentioned above the development would provide 16no. long-stay and 8no. short-stay cycle spaces, their location would be distributed amongst the 4no. units. The London Plan 2021 Policy T5 Cycling standard for Use Class B2-B8 long-stay would be 1 space per 500sqm and short-stay 1 space per 100 sqm, which would be 16no. long-stay and 8no. short stay. The number of cycle parking spaces proposed is in accordance with policy. The applicant should be made aware that Policy T5 Cycling of the London Plan 2021 requires that developments provide the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located and be in accordance with the minimum standards.

#### Electric vehicle charging

As stated above the proposal would include 61no. car parking spaces being supported with 20% active and 80% passive electric vehicle charging points. This provision is well above the published London Borough of Hillingdon Local Plan Part 2 Development Management Policies 2020 parking standards which states that 'Parking for electric vehicles should be provided at a current minimum of 5% of car parking spaces with 5% passive provision'. Therefore, the Highway Authority welcomes this higher provision as it would allow the site better support electric vehicles as they are more commonplace in the coming years. For this

development, there is a requirement for electric vehicle charging points to be provided for HGVs visiting the site. They would need to be placed at all 7no. docking bays.

However, submitted documents make no mention of provision being made for this which contradicts London Plan 2021 Policy T7 Deliveries, Servicing and Construction which states to 'support carbon-free travel from 2050, the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations is supported' and Policy T6.2 Office Parking further supports this by stating that 'operational parking requirements should be considered on a case-by-case basis. All operational parking must provide infrastructure for electric or other Ultra-Low Emission vehicles, including active charging points for all taxi spaces'. This issue can be addressed with a planning condition.

#### Trip generation

As mentioned above planning permission is sought to redevelop the site for Use Classes E(g)(iii), B2 and B8 uses, the 4no. Units could therefore be occupied by either general industrial or warehousing uses or a mix of both. The Highway Authority is aware that general industry uses generate more vehicle movements than warehousing - the density of employment at a warehousing development is lower. A Transport Assessment has been provided alongside this planning application, for the purposes of determining the impact of the proposal on the highway network it has been assumed the 4no. Units would be occupied by general industry uses, this would be a trip generation worst-case scenario.

Trip generation forecasts have been derived from the TRICS database, the sites selected for comparison purposes are within London and of a similar size to this proposal. The trip generation analysis indicates that with the development built-out as a warehousing use, in the AM peak when the surrounding road network is busiest, there would be 117no. vehicle movements of which 8no. would be HGVs. Over a 24h period there would be a forecast 1518no. two-way trips of which 88no. would be HGVs. If all four units were occupied by warehousing uses, in the AM Peak the number of 24h two-way movements would be 450no. With all four Units occupied by general industry uses the net change in AM Peak two-way vehicle movements would be an increase of 117no. of which 8no. would be HGVs.

#### Pedestrian and cycle access

In response to comments made by the Highway Authority pedestrian and cycle access into and movement within the site has been refined and improved. Pedestrians would use an existing footway to walk to the site and cyclist would ride along Rigby Lane. Just before the vehicle site a dropped kerb would be provided allowing cyclists to leave the main carriageway join the footway and dismount. A walkway would then be provided offering access to all four units. Where this footway crosses the yards of each unit, zebra crossings would be provided. To improve pedestrian safety the Highway Authority require that where the footway runs adjacent to parking spaces that the footway is built-up and trief kerbs are used, this would stop vehicles overrunning the footway and provide pedestrians with a safe refuge whilst vehicles are manoeuvring around them. These raised footways should tie in at the same level with the yard area surface. This facility would be in pursuance of the London Plan 2021 Policy T2 Healthy Streets which states that development proposals should 'be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport'. This issue can be addressed with a planning condition.

#### Decision

There are no highway objections to this proposal subject to the following:

- Prior to occupation the Highway Authority require an Active Travel Zone contribution of £70,800 secured through a s.106 agreement. This is a requirement of the published London Plan 2021 Policy T2 Healthy Streets that requires that development proposals should "demonstrate how they will deliver improvements that support the ten Healthy Streets indicators in line with Transport for London guidance". Table 1. Healthy Streets Contribution

Dropped kerbs and tactile paving at 11no. locations £60,000.00



New street benches at 3no. Locations £6,000.00  
Street trees at 15no. Locations £4,800.00  
Total £70,800.00

- The applicant entering into a s.106 agreement with the Council obliging them to enter a 1980 Highways Act.s.278 legal agreement with the Council thereby permitting to carryout works on the Council's highway for the installation of double yellow lines to be placed at the sites entrance.

- Conditions to secure a Construction and Logistics Plan, a revised Parking Management and Design Plan, plus the provision of electric vehicle charging points for the HGV docking bays.

Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved. The proposed obligations are also recommended to be included within a future legal agreement.

## WASTE STRATEGY

No comments.

## ENERGY OFFICER

I have no objections to the proposed development subject to the following.

The energy assessment is broadly acceptable. It shows compliance with the 'be lean' energy efficiency requirements of 20%. It then sets out a net carbon positive (i.e. more than 100% saving in baseline emissions) due to the use of PV panels which create more energy than used. However, the details relating to the PVs are very scarce and it is difficult to reconcile the savings as presented. There are also concerns over the roof plans and the required amount of PVs to achieve the 100% saving.

Consequently a condition is necessary to secure further details of the use of photovoltaic panels.

### Section 106

Although the proposal is showing a saving of 100% in carbon emissions, the provision of further information through the above condition may reveal otherwise. Consequently, it is necessary to ensure the subsequent S106 captures any possible offsite contribution based on the 'shortfall' if identified by the above condition.

Case Officer comment:

The proposed conditions are included within Section 2 of this report and are recommended to be attached should the application be approved. The proposed obligation is also recommended to be included within a future legal agreement.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The site is currently established as an employment use (B8 - Storage and Distribution) and is designated within the wider Hayes Industrial Area, a Strategic Industrial Location (SIL) within the

adopted London Plan and Hillingdon Local Plan.

Local Plan Policy seeks to protect SILs for employment uses. Local Plan Policy DME1 supports employment proposals in SILs and states that proposals for other uses will only be acceptable in certain specified circumstances.

Hayes Industrial Area is identified as a Preferred Industrial Location (PIL); these areas are considered suitable for general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions and other industrial related uses (e.g. generally former Use Classes B1 (c), B2 and B8). This is also consistent with London Plan Policies E4 and E5.

The development is proposing a significant increase in industrial floorspace that falls within the Use Classes E(g)(iii), B2 and B8. The proposal represents an increase in floorspace of 6,302 sqm across these three Use Classes. London Plan Policy E5 also states that development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial-type activities and their ability to operate on a 24-hour basis. As such, in considering the proposal, the layout, servicing, access, orientation, air quality, public realm, soundproofing and other relevant factors, are therefore key considerations.

The applicant notes that the need for intensification and densification of commercial schemes within London was highlighted in a recent Report titled; 'Making Space: Accommodating London's Industrial Future' by the Industrial Land Commission.

The intensification of industrial SIL is supported by the Local Plan Part 2 Policy DME1 and Policies E4 and E5 of the London Plan (2021). Within SILs, Policy E5 supports the industrial type uses listed in Part A of Policy E4. Generally, proposals for uses that fall within Use Classes E(g)(iii) - formally B1c, - B2 and B8, are supported by the London Plan. As such, no objections are raised to the principle of the development.

It should be noted however, that Class E includes a number of uses that are not considered appropriate within the SIL. As such, in order to safeguard the future integrity, character and viability of the SIL, a condition is recommended to be attached to any planning permission, to restrict other Class E uses apart from E(g)(iii) and also restrict use of the site as a data centre.

Subject to this condition, the use of the site is considered to be acceptable and in accordance with relevant policies.

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

Not applicable to the proposed development.

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

Policy DMHB 1 (Heritage Assets) of the Hillingdon Local Plan 2 - Development Management Policies (January 2020) requires development to avoid harm to the historic environment and amongst other criteria, requires that buildings and structures within the curtilage or in close proximity to a heritage asset, do not compromise its setting and opportunities are taken to ensure the significance of the asset can be appreciated more readily.

Policy DMHB 8 (Registered Historic Parks, Gardens and Landscapes) requires development proposals within or adjacent to a registered or historic park, garden or landscape to respect its special character, environmental quality, important views and vistas; provide for the restoration and long term

management of the park, garden or landscape and advises that applications which impact detrimentally on the significance of a registered park or garden will normally be refused.

Historic England added Stockley Park: Business Park Phases I and II, and Country Park and golf course, to the east and west of Stockley Road, Hillingdon to the Register of Parks and Gardens of Special Historic Interest in England at Grade II on 18/08/20. The reasons given for designation are: Historic Interest:

- first established in the mid 1980s, it was a pioneering design from the early phase of business park development in England;
- a skilled reuse of highly contaminated land.

Although the Register in itself entails no additional statutory controls, the historic interest of a registered park or garden is a material planning consideration, and the Register provides the key means by which sites of special historic interest are identified. It draws attention to the fact that the sites included should receive special consideration if changes or proposals for development are being contemplated.

The application site is considered to form part of the wider industrial setting of Stockley Park. The proposals will see the introduction of built form on the site comprising an industrial building, which will be higher than the surrounding industrial buildings. However, it is considered that it will still remain contextually appropriate. Whilst it will largely be screened by trees, the built form may be visible in glimpsed views from within the registered park and garden given its height. Whilst the proposed building will be seen within the context of the surrounding business park and industrial area, with the application site so close to the registered park, the applicant has submitted a Heritage Statement and subsequent visual assessment. This demonstrates the proposal is not visible from the agreed viewpoint. Furthermore, there is an existing building on the skyline which reflects the nature of the viewpoint towards an allocated industrial and logistics location. The proposal also sits low on the horizon in any eventuality. The verified view has been reviewed by the applicant's Heritage Consultant who confirms that the conclusion of the submitted Heritage Assessment remains unchanged.

It is considered that the proposal results in no harm to the setting of Stockley Park and as such, the proposal accords with Policies HE1 of the Local Plan Part 1 and Policy DMHB 1: Heritage Assets and Policy DMHB 8: Registered Historic Parks, Gardens and Landscapes of the Hillingdon Local Plan Part 2.

In terms of archaeology, the site is not in an Archaeological Priority Area. Historic England (GLAAS) have been consulted and consider that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. The application lies in an area where there are records of antiquarian finds of Palaeolithic stone tools from the natural gravel but the nature of the development is such that there is unlikely to be much disturbance at that depth. There is little evidence for more recent archaeology and much modern disturbance suggesting overall low potential. As such, no further assessment or conditions are therefore necessary.

#### **7.04 Airport safeguarding**

Policy DMAV 1 of the Hillingdon Local Plan: Development Management Policies (Safe Operation of Airports) sets out that 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. In this instance, the proposal is considered not lead to harm. This is confirmed in the response from the National Air Traffic Services and Heathrow Airport who have stated that they have "no safeguarding

objection to the proposal", subject to a bird hazard action plan, which is recommended to be controlled by condition.

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

The proposal would have no impact on the Green Belt or Metropolitan Open Land.

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

Policy D3 of the London Plan states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site whilst the design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, including existing and planned supporting infrastructure capacity.

Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling, in accordance with Policy D2 of the London Plan. In areas of comparatively low densities, incremental densification should be actively encouraged to achieve a change in densities in the most appropriate way.

As such, proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape with due regard to building types, forms, proportions and the street hierarchy. Proposals should encourage and facilitate active travel with convenient and inclusive pedestrian and cycling routes, crossing points, cycle parking, and legible entrances to buildings that are aligned with peoples' movement patterns and desire lines in the area, be street-based with clearly defined public and private environments, and facilitate efficient servicing and maintenance of buildings and the public realm that minimise negative impacts on the environment, public realm and vulnerable road users.

It is considered that the loss of the existing buildings is acceptable in design grounds, recognising that these buildings make a broadly neutral or negative contribution to the appearance of the street scene with a somewhat dated design and a slightly squat appearance, which is considered to be of no architectural value.

The site is located within the Hayes Industrial Estate an established industrial area which is positioned between the Grand Union Canal and railway. The area north of the Grand Union Canal is designated as a Grade II Registered Park and Garden.

The proposed development of the application site would see the introduction of a large building onto a plot which has an existing single-storey building and would therefore substantially increase the amount of built form, whilst also increasing the footprint of buildings within the site. It is therefore important that any proposal for a new building on this plot is of a high-quality design.

Some concerns were raised by the Council's Urban Design Officer in respect of the overall height and key views from Stockley Park. The applicant has provided a number of verified views to show how the proposal will assimilate itself with the surrounding industrial and logistics context. The key views for the Council's consideration are from Stockley Park to the north and Snowdon Crescent to the south. The impact of the development on Stockley Park has been dealt with in the heritage section of this report.

Verified views demonstrate that there will be glimpsed views of the proposed buildings from Snowdon

Crescent and it has been acknowledged that it sits higher than its immediate surroundings. As an allocated employment area, there are also glimpsed views of other industrial and logistics buildings. However these are now dated and predate the adopted London Plan (2021). Furthermore, the site is located circa 70m north of the closest residential gardens and is separated by the existing elevated railway line serving the Hayes & Harlington Station. It is therefore considered that the proposed building would not be a standalone dominating feature.

The applicant submits that the building will deliver high quality floorspace that meets the requirement of a modern occupier in this location. The proposed building height is required to meet intensification and operational racking requirements of end occupiers. Whilst the concern regarding height is noted, it is considered that the height, layout and massing are nonetheless appropriate for this existing industrial site that is circa 70m north of the closest residential gardens.

It should be noted that the site is located within a Strategic Industrial Location (SIL) with both the London Plan Policy E7 and Hillingdon Local Plan Part 2 Policy DME 1 emphasising the need to intensify floorspace within SILs. There is also growing pressure on making efficient use of land, set out in Chapter 11 of the NPPF (2023), which states Councils should make as much use as possible of previously developed land. Furthermore, the building height was reduced following pre-application discussions from 18.8m to 15.7m at its maximum.

As stated above, while it is acknowledged the proposal is higher than its immediate surroundings, the applicant points out that many of these existing buildings do not meet the requirements of modern occupiers. Further, they do not reflect the growing and identified need for intensification of Industrial and Logistics floorspace in Greater London. Furthermore, the verified views demonstrate that the proposal will not have an overbearing presence on the area.

The buildings will be high-quality, designed and constructed to a modern standard with glazing to the office space along the active frontage with Swallowfield Way and the yards to the west. A mixture of cladding treatments breaks up the massing of the buildings and add visual interest. The high quality palette of materials proposed has been supported by the Urban Design Officer and the proposal is considered to be an appropriate redevelopment of the site in accordance with national, regional and local planning policy.

It is considered that the proposed building would appear broadly in keeping with height patterns in the estate, and the proposal would not have a particularly significant impact on the skyline of the area. Overall, the siting, layout, scale and bulk of the proposal are considered acceptable for the context of the application site, and the detailed design is considered to be of a high quality which would complement the surrounding buildings.

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

Policy D13 (Agent of Change) of the London Plan advises at Part C that new noise and other nuisance-generating development proposed 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.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

As stated above, the site is located 70m north of the closest residential properties in Snowdon

Crescent and is separated by the existing elevated railway line serving the Hayes & Harlington Station. Although the proposal would increase the height of the existing buildings and extend their footprint. It is considered that the proposal would not have a significant impact on the privacy, outlook daylight/sunlight of nearby residential properties. Overall, the siting, layout, scale and bulk of the proposal are considered acceptable for the context of the application site.

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

Not applicable to the development proposed.

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

Policy T1 of the London Plan (Strategic approach to transport) seeks development proposals to facilitate the delivery of the Mayor's strategic target of 80 per cent of all trips in London to be made by foot, cycle or public transport by 2041. All development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated.

In addition, Policy T2 of the London Plan (Healthy Streets) requires development proposals to demonstrate how they will reduce the dominance of vehicles on London's streets whether stationary or moving, be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.

Moreover, Policy T4 of the London Plan (Assessing and mitigating transport impacts) sets out that development proposals should reflect and be integrated with current and planned transport access, capacity and connectivity. When required, transport assessments or statements should be submitted with proposals to ensure that impacts on the capacity of the transport network (including impacts on pedestrians and the cycle network), at the local, network-wide and strategic level, are fully assessed. Policy T4 further explains that where appropriate, mitigation, either through direct provision of public transport, walking and cycling facilities and highways improvements or through financial contributions, will be required to address adverse transport impacts that are identified.

Policy T5 of the London Plan (Cycling) sets out that proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle. This will be achieved through supporting the delivery of a London-wide network of cycle routes, with new routes and improved infrastructure securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located.

Developments should provide cycle parking at least in accordance with the minimum standards, ensuring that a minimum of two short-stay and two long-stay cycle parking spaces are provided where the application of the minimum standards would result in a lower provision. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards and proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

Policy T6 of the London Plan (Car Parking) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Car free development should be the starting point for all development proposals in places that are (or are planned to be) well connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free developments have no general parking but should still provide disabled persons parking.

The maximum standards for car parking outlined in the London Plan take account of PTAL as well as London Plan spatial designations and use classes, and the supporting text further outlines that developments in town centres generally have good access to a range of services within walking distance, and so car-free lifestyles are a realistic option for many people living there.

Policy T6 makes clear that an absence of local on-street parking controls should not be a barrier to new development, and boroughs should look to implement these controls wherever necessary to allow existing residents to maintain safe and efficient use of their streets, whilst further stating that the redevelopment of sites should reflect the current approach to parking and not be re-provided at previous levels where this exceeds the maximum parking standards.

The maximum car parking standards, disabled persons parking, and the provision of electric or other Ultra-Low Emission vehicles are set out in Policy T6.1 to Policy T6.5.

This Planning Application is supported by a Transport Assessment (TA) and Travel Plan (TP). The TA includes a full analysis of transportation policies and assesses the impact of the proposed development including trip generations.

Rigby Lane is an adopted highway and parking is unrestricted. The existing vehicle access onto the development is to be retained - this is shared with the adjacent Portakabin site.

The development would provide for 61no. on-site parking spaces of which 5no. would be disabled persons parking spaces. Sixteen long-stay and 8no. short-stay on-plot cycle parking spaces would be provided and there would be allowance for the future installation of cargo bikes spaces. Four self-contained units would be created with 7no. HGV docking bays in total, Units 1, 3 and 4 would have two docking bays each and Unit 2 one. The on-site parking spaces would be supported with 20% active and 80% passive electric vehicle charging points.

#### Trip generation

Information has been provided using examples from the TRICS database. The proposal is seeking to have 24/7 operation on the site. The Highway Engineer notes that no details have been provided regarding the number of staff that would be employed there. However, it is understood that staff would be working in shifts. The proposal site has a PTAL rating of 1b indicating that access to public transport is poor when compared to London as a whole, suggesting that there would be a strong reliance on the private car for trip-making to and from the site. The nearest station is Hayes & Harlington which is served by the Elizabeth Line, the nearest bus stop is on Dawley Road, only the U5 service calls here. Hayes & Harlington station is accessible to/from the development with journey times of c.14min by bus, c.7min by bicycle and c.22min walking.

Planning permission is sought to redevelop the site for Use Classes E(g)(iii), B2 and B8 uses, the 4no. Units could therefore be occupied by either general industrial or warehousing uses or a mix of both. The Highway Authority notes that general industry uses generate more vehicle movements than warehousing - the density of employment at a warehousing development is lower. The Transport Assessment has assumed that the 4no. Units would be occupied by general industry uses, this would be a trip generation worst-case scenario.

The trip generation analysis indicates that with the development built-out as a warehousing use, in the AM peak when the surrounding road network is busiest, there would be 117no. vehicle

movements of which 8no. would be HGVs. Over a 24h period there would be a forecast 1518no. two-way trips of which 88no. would be HGVs. If all four units were occupied by warehousing uses, in the AM Peak the number of 24h two-way movements would be 450no. With all four Units occupied by general industry uses the net change in AM Peak two-way vehicle movements would be an increase of 117no. of which 8no. would be HGVs.

There are no highway objections to this proposal with regards to trip generation, subject to conditions as set out below.

### Parking

For a development of this type, B2 and B8 (applied flexibly) with a PTAL ranking of 1b the maximum number of car parking spaces the London Plan (2021) would allow is up to 1 space per 100 sqm which would be 78no. spaces. The 61no. parking spaces proposed are in accordance with this policy. However, the Highway Authority notes that 5no. car parking spaces serving Unit 1 and 5no. spaces serving Unit 2 would be inaccessible when a HGV is parked at the docking bay, in effect then the development would be providing 51no. fully accessible car parking spaces, which would still be Policy compliant. The applicant contends that these 10no. car parking spaces are in practice 'useable' because staff would have arrived and at work and parked before the first delivery arrives and, would not leave until the last HGV has been loaded/unloaded. Taking into account that the Units would be occupied by modest size businesses the Highway Engineer considers that management of the car parking on site would not be a prohibitively onerous task.

Notwithstanding the above, a planning condition requiring the applicant to provide a Parking Design and Management Plan would be required. Furthermore, the Highway Authority would also require the applicant to submit a Travel Plan for approval and make a Healthy Streets contribution, which could be secured by planning conditions or S106 legal agreement. This would provide staff and visitors with genuine travel choice by making travel by public transport, walking and cycling attractive, convenient and safer. By doing so the demand for on-plot parking would fall, allowing the site to operate with 51no. car parking spaces without difficulty.

### Cycle parking

The development would provide 16no. long-stay and 8no. short-stay cycle spaces, distributed amongst the 4no. units. The London Plan. 2021 Policy T5 Cycling standard for Use Class B2-B8 long-stay would be 1 space per 500 sqm and short-stay 1 space per 100 sqm, which would be 16no. long-stay and 8no. short stay. The number of cycle parking spaces proposed is in accordance with policy.

### Electric vehicle charging

The proposal would include 61no. car parking spaces being supported with 20% active and 80% passive electric vehicle charging points. This provision is well above the published London Borough of Hillingdon Local Plan Part 2 Development Management Policies 2020 parking standards which states that 'Parking for electric vehicles should be provided at a current minimum of 5% of car parking spaces with 5% passive provision'. Therefore, the Highway Authority welcomes this higher provision as it would allow the site to better support electric vehicles as they are more commonplace in the coming years.

For this development, there is a requirement for electric vehicle charging points to be provided for



HGVs visiting the site. They would need to be placed at all 7no. docking bays. However, submitted documents make no mention of provision being made for this which contradicts London Plan 2021 Policy T7 Deliveries, Servicing and Construction which states to 'support carbon-free travel from 2050, the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations is supported' and Policy T6.2 Office Parking further supports this by stating that 'operational parking requirements should be considered on a case-by-case basis. All operational parking must provide infrastructure for electric or other Ultra-Low Emission vehicles, including active charging points for all taxi spaces'. However the applicant points out that the technology is not really available at the moment for chargers for HGVs generally. Details of passive provision for HGV charging points can be secured by planning condition.

#### Pedestrian and cycle access

In response to comments made by the Highway Authority pedestrian and cycle access into and movement within the site has been refined and improved. Pedestrians would use an existing footway to walk to the site and cyclist would ride along Rigby Lane. Just before the vehicle site a dropped kerb would be provided allowing cyclists to leave the main carriageway join the footway and dismount. A walkway would then be provided offering access to all four units. Where this footway crosses the yards of each unit, zebra crossings would be provided. To improve pedestrian safety the Highway Authority require that where the footway runs adjacent to parking spaces that the footway is built-up and trief kerbs (a passive safety system) are used, this would stop vehicles overrunning the footway and provide pedestrians with a safe refuge whilst vehicles are manoeuvring around them. These raised footways should tie in at the same level with the yard area surface. This facility would be in pursuance of the London Plan 2021 Policy T2 Healthy Streets which states that development proposals should 'be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport'. This issue can be addressed with a planning condition.

#### Conclusion

In conclusion, the proposed development can be supported in terms of its impact on highway and pedestrian safety and the free flow of traffic, subject to the mitigation measures that have been identified by the Council's Highways Engineer and also TfL. In the event that this application is approved by committee it is considered the following measures are required:

- (i) A s278 and/or s38 agreement will be entered into to address off site highways works as a result of this proposal for the installation of double yellow lines to be placed at the sites entrance.
- (ii) Travel Plan
- (iii) An Active Travel Zone contribution of £70,800 secured through a s.106 agreement. This is a requirement of the published London Plan 2021 Policy T2 Healthy Streets that requires that development proposals should "demonstrate how they will deliver improvements that support the ten Healthy Streets indicators in line with Transport for London guidance")
- (iv) That the applicant provides a Construction and Logistics Plan
- (v) A condition requiring the provision of electric vehicle charging points for the HGV docking bays to be compliant with published London Plan 2021 Policy T7 Deliveries, Servicing and Construction.
- (vi) That the applicant submit a revised Parking Management and Design Plan.
- (vii) Drawings for approval that show the construction details of the internal footway.

In the event of an approval, subject to conditions and planning obligations listed above, officers consider that the development would be in accordance with the Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 1: Managing Transport Impacts, Policy DMT 2: Highway Impacts and Policy DMT 6: Vehicle Parking and London Plan policies listed above. The

Highway Authority is satisfied that the development would not present a risk to road safety, hinder the free flow of traffic or lead to parking stress and there is no highway objection to this development.

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

Policy D11 of the London Plan (Safety, security and resilience to emergency) sets out that boroughs should work with the Metropolitan Police Service's 'Design Out Crime' Officers to identify the community safety needs and necessary infrastructure to maintain a safe and secure environment and reduce the fear of crime. Proposals should seek to maximise building resilience and minimise potential physical risks, and should include measures to design out crime that deter terrorism, assist in the detection of terrorist activity and help mitigate its effects. These measures should be considered at the start of the design process to ensure they are inclusive and aesthetically integrated into the development and the wider area. Measures to design out crime, including counter terrorism measures, should be integral to proposals, taking into account the principles contained in guidance such as the Secured by Design Scheme published by the Police.

Policy BE1 of the Hillingdon Local Plan: Strategic Policies (Built Environment) encourages the creation of safe and secure environments that reduce crime and fear of crime, anti social behaviour and risks from fire and arson, having regard to Secure by Design standards.

As such, a condition requiring the proposed development to achieve secured by design accreditation in consultation with the Metropolitan Police, is proposed should the application be approved, to ensure the proposal meets the requirements of Policy D11 of the London Plan and Policy BE1 of the Hillingdon Local Plan. On this basis, the proposal is considered acceptable in this regard.

### **7.12 Disabled access**

Policy D5 of the London Plan (Inclusive design) sets out that proposals should achieve the highest standards of accessible and inclusive design by providing high quality people focused spaces that are designed to facilitate social interaction and inclusion, be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment, and be able to be entered, used and exited safely, easily and with dignity for all.

In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building, and proposals should ensure they are compliant with Policy D12 of the Plan (Fire safety) and place fire resilience central to the proposal's design.

Each unit will include a ground-floor entrance core containing disabled W/C, lockers and changing areas, and a staircase leading to the first-floor office space. For future flexible occupant fit-out, the remaining ground floor has an open plan with full height, shell warehouse. Offices are located on the first floor with additional W/C facilities and a kitchenette area. The internal floor plans show an evacuation lift within every unit

The Council's Access Officer raises no objections, subject to conditions requiring details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities) and a requirement of a minimum of one fire evacuation lift per unit.

On this basis, the proposal is considered acceptable in relation to inclusion and accessibility in accordance with London Plan policies D5 and D12.

### 7.13 Provision of affordable & special needs housing

Not applicable to the development proposed.

### 7.14 Trees, landscaping and Ecology

#### LANDSCAPING

Policy G5 of the London Plan (Urban Greening) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Mayor recommends that boroughs seek an Urban Greening Factor (UGF) target score of 0.4 for developments that are predominately residential and a target score of 0.3 for predominately commercial development (excluding B2 and B8 uses which are exempt).

In addition, Policy DMHB 14 of the Hillingdon Local Plan Part 2: Development Management Policies (Trees and Landscaping) sets out that all developments will be expected to retain or enhance biodiversity through the protection of existing landscaping, trees and other natural features of merit, and proposals are required to provide a scheme of hard and soft landscaping to demonstrate this. Moreover, the council will seek to protect existing tree and landscape features and enhance open spaces with new areas of vegetation cover (including the linking of existing fragmented areas) for the benefit of wildlife and a healthier lifestyle.

A comprehensive, high quality landscaping scheme has been prepared, this includes the strengthening of existing soft landscaping, introducing new amenity planting and enhanced understorey woodland planting to ensure that opportunities to maximise biodiversity gains will be achieved. The proposed landscaping enhances the site along Swallowfield Way.

Subject to appropriate landscaping conditions to ensure that the detailed proposals preserve and enhance the character and appearance of the area, it is considered that the scheme is on the whole acceptable and in compliance with Policy DMHB 14. of the Local Plan Part 2 - Development Management Policies, Policy G5 of the London Plan and the NPPF (2023).

#### ECOLOGY

Paragraph 174 of the NPPF (2023) 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 G6 of the London Plan (March 2021) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 (Biodiversity Protection and Enhancement) 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 majority the application site has very limited ecological value. It is acknowledged that in its current state, the site provides very little in terms of ecological and landscape features. It is recommended that a condition be attached to secure a Biodiversity Enhancement and Management

Plan to ensure that the proposal will enhance the existing landscaping and introduce new species and features which will bring benefits to the site and surrounding area, resulting in a net gain in biodiversity compared to the existing situation.

### **7.15 Sustainable waste management**

Policy SI 7 (Reducing waste and supporting the circular economy) of the London Plan (2021) requires developments to be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

At a borough level, Policy EM11 of the Hillingdon Local Plan: Strategic Policies (Sustainable Waste Management) states that the council will aim to reduce the amount of waste produced in the borough. To achieve this, the council will require all new developments to address waste management at all stages of a development's life from design and construction through to the end use and activity on site. This should be read alongside the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies, which sets out that developments should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection.

The provision of adequate refuse and recycling facilities is recommended to be secured by way of planning condition. No objection to the proposals has been received from the Council's Waste Strategy Officer. As such, the proposed development is considered to accord with Policy EM11 of the Local Plan: Part 1 - Strategic Policies (November 2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy SI 7 of the London Plan (2021).

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

#### **ENERGY**

Policy SI 2 (Minimising Greenhouse Gas Emissions) of the London Plan states that:

A. Major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

B. Major development proposals should include a detailed energy strategy to demonstrate how the zero-carbon target will be met within the framework of the energy hierarchy.

C. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Residential development should achieve 10 per cent, and non-residential development should achieve 15 per cent through energy efficiency measures. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, either: 1) through a cash in lieu contribution to the borough's carbon offset fund, or 2) off-site provided that an alternative proposal is identified and delivery is certain.

E. Major development proposals should calculate and minimise carbon emissions from any other part

of the development, including plant or equipment, that are not covered by Building Regulations, i.e. unregulated emissions.

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.

Policy SI 2 therefore now requires all major development proposals to be net zero carbon. The be seen element requires developers to enter into a more formal reporting structure of how their schemes will be managed and operated. If zero carbon can not be delivered on site, an off-site carbon contribution will be sought. The total is £95/tonne over 30 years so that carbon offsets are calculated as: Cost of carbon (£) x 30 (years) x shortfall (tCO<sub>2</sub>) i.e. 95 x 30 x (shortfall).

In addition, Policy SI 3 of the London Plan (Energy Infrastructure) states that all major development proposals shall explore opportunities to maximise the use of on-site renewable energy generation and incorporate demand-side response measures.

Policy EM1 of the Hillingdon Local Plan: Strategic Policies (Climate Change Adaptation and Mitigation) sets out that the installation of renewable energy will be encouraged for all new developments.

The submitted documentation indicates that the development constitutes sustainable development and a BREEAM score of 'Outstanding' and Energy Performance Certificate EPC A+ can be achieved.

The Council's Energy Officer considers that the submitted energy assessment is broadly acceptable and raises no objections to the proposed development. It shows compliance with the 'be lean' energy efficiency requirements of 20%. It then sets out a net carbon positive (i.e. more than 100% saving in baseline emissions) due to the use of PV panels which create more energy than used. However, the Energy Officer notes that the details relating to the PVs are very scarce and it is difficult to reconcile the savings as presented. There are also concerns over the roof plans and the required amount of PVs to achieve the 100% saving. Consequently a condition is recommended requiring details of a scheme for the use of photovoltaic panels that sets the specification, quantity and location of PVs on the roofs. The scheme shall also be accompanied by an updated energy assessment.

If the updated energy assessment reveals that the development cannot achieve the 100% (zero carbon) target (Policy SI2), then this will be described as the 'shortfall' and subject to offsite contributions. Although the proposal is showing a saving of 100% in carbon emissions, the provision of further information through the above condition may reveal otherwise. Consequently, it is necessary to ensure the subsequent S106 captures any possible offsite contribution based on the 'shortfall' identified in the above condition.

Subject to the above, it is considered that the proposal would be capable of achieving compliance with Policy SI 2 and SI 3 of the London Plan, with any shortfall secured as a carbon offset calculation

to be used to fund measures to reduce carbon emissions within the borough. This is recommended to be secured by way of condition, and a corresponding obligation to secure a financial contribution should it be required.

### **7.17 Flooding or Drainage Issues**

The following planning policies and guidance are considered relevant:

London Plan Policy SI 5 (Water Infrastructure) states that development should minimise the use of mains water and protect water supplies and resources should be protected in a sustainable manner, by such means as smart metering, water saving and recycling measures.

London Plan Policy SI 12 (Flood Risk Management) requires current and expected flood risk from all sources to be managed and amongst other criteria, development should where possible, make space for water.

London Plan Policy SI 13 (Sustainable Drainage) requires the use of sustainable drainage measures and amongst other criteria, development proposals should aim to achieve green field run off rates and ensure that surface water run-off is managed as close to its source as possible.

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

Policy DMEI 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided.

Policy 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 management of surface water is a material planning consideration for all major development, so a sustainable drainage assessment is required with all Major applications.

In support of the application, a Flood Risk Assessment and Drainage Assessment), followed by an Designers' response to LLFA objections have been submitted. These have been reviewed by the Council's consultant who initially objected to the proposals. However on receipt of the additional information now consider that the details are compliant with Policies SI 12 and SI3 of the London Plan (2021).

The applicant has provided justification for why rainwater harvesting features have not been proposed, and the greenfield and existing runoff volumes have been provided. Some justification has been provided as to why infiltration may be unsuitable at the site, however the Geotechnical Assessment Report suggests that shallow soakaways may be viable, therefore infiltration testing should be undertaken at condition stage to confirm this.

As such, a condition is recommended, requiring the submission of a final detailed drainage design including drawings and supporting calculations, together with the results of infiltration testing and a detailed management plan, confirming routine maintenance tasks for all drainage components. This is to prevent the risk of flooding to and from the site in accordance with relevant policy requirements.

In addition, a condition is recommended requiring evidence, prior to occupation, demonstrating that the sustainable drainage scheme for the site has been completed in accordance with the submitted details.

On this basis, subject to the afore mentioned conditions, it is considered that the proposed development would be compliant with relevant policies and standards and is therefore considered acceptable with regard to flood risk and drainage.

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

### **NOISE**

Policy D13 of the London Plan (Agent of Change) sets out that proposals should mitigate and minimise 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 existing noise-generating uses, improving and enhancing the acoustic environment and promoting appropriate soundscapes. Proposals should first seek to separate new noise sensitive development from major noise sources through the use of distance, screening, layout, orientation, uses and materials, in preference to sole reliance on sound insulation. 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 applying good acoustic design principles, promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Additionally, Policy D14 of the London Plan (Noise) states that new noise and other nuisance-generating development proposed 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. Development proposals should manage noise and other potential nuisances by ensuring good design mitigates and minimises existing and potential nuisances with necessary and appropriate provisions including ongoing and future management responsibilities, and proposals should seek to separate new noise sensitive development from existing noise-generating businesses and uses through distance, screening, internal layout, sound-proofing, insulation and other acoustic design measures. It is generally accepted that noise emanating from residential properties is lower than commercial premises, and industrial uses are associated with the highest noise profile.

Furthermore, Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) states the council will promote the maximum possible reduction in noise levels and will minimise the number of people potentially affected by new developments. As such, the council will seek to ensure that noise sensitive development and noise generating development are only allowed if noise impacts can be adequately controlled and mitigated.

The applicant is seeking unrestricted 24/7 hours of operation across the site. In support of the application, a Noise Impact Assessment has been submitted, which outlines the baseline noise conditions and the effect of the noise levels on the proposed development, identifying mitigation measures where necessary to achieve appropriate acoustic standards. This Noise Impact

Assessment has been reviewed by the Council's Noise Officer, who confirms that sufficient information has been provided to allow a positive recommendation, subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty.

The exact nature and location of the plant, and its associated noise characteristics are yet to be determined, so it would be appropriate to impose a planning condition to control noise output from the plant. The service yard has a 3.5m high acoustic fence wrapping around part of the service yard and parking to Unit 4. The fence will have climbers along the southern elevation, facing the proposed scheme. The proposed acoustic fence has been informed by the Acoustic Assessment submitted in support of the application.

Subject to the recommended condition, the application is considered acceptable from a noise perspective and would be in accordance with relevant policy.

## AIR QUALITY

Policy SI 1 of the London Plan (Improving air quality) states that proposals should not lead to further deterioration of existing poor air quality or create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits, so as not to create unacceptable risk of high levels of exposure to poor air quality.

As such, as a minimum, proposals should be at least Air Quality Neutral and should use design solutions to prevent or minimise increased exposure to existing air pollution, whilst making provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.

Major development proposals must be submitted with an Air Quality Assessment. Proposals in Air Quality Focus Areas or that are likely to be used by large numbers of people particularly vulnerable to poor air quality, such as children or older people should demonstrate that design measures have been used to minimise exposure.

Policy EM8 of the Hillingdon Local Plan: Strategic Policies (Land, Water, Air and Noise) requires all development to protect both existing and new sensitive receptors, and not result in the deterioration of local air quality. In addition, all major developments within Air Quality Management Areas (AQMAs) should be air quality neutral whilst actively contributing to the promotion of sustainable transport measures such as vehicle charging points and the increased provision for vehicles with cleaner transport fuels.

The proposed development is located within the Hayes Focus Area, and whilst the number of proposed car parking spaces is relatively low, the proposal is likely to lead to some additional traffic emissions which will add to current exceedances. As required by the London Plan, developments need to be air quality neutral as a minimum and air quality positive in Focus Areas, contributing to the reduction of emissions in these sensitive areas.

Consequently, new developments need 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, namely Focus Areas. Furthermore, Policy DME14 of the Hillingdon Local Plan Part 2 requires active contribution towards the continued improvement of air quality, especially within the borough's Air Quality Management and Focus Areas.



The level of mitigation required associated with the operational phase of the proposed development has been calculated by the Council's Air Quality Officer, and to be air quality positive, a financial contribution of £598,531 is required, which would be secured as an obligation within the legal agreement. This contribution would be used to deliver the air quality local action plan or implement specific measures on the road network affected by the proposal that seek to reduce vehicle emissions and reduce human exposure to pollution levels. This would be secured alongside the recommended conditions.

The mitigation measures proposed were evaluated in terms of likely emission reductions on to 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.

Therefore, a section 106 agreement with a contribution of £598,531 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

In addition, two Air Quality conditions are recommended to develop and implement a Low Emission Strategy and manage construction emissions. Subject to the above obligation and conditions, the proposal is considered to have an acceptable impact on air quality.

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

Letters were sent to 48 nearby properties and businesses, a site notice was displayed outside the site and a press notice was displayed in a local newspaper. No representations have been received.

#### **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 (2023) 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 (2023) and the Community Infrastructure Levy Regulation 2010, it is only considered appropriate to request planning obligations relating to the following: :

- i. S278/S38 agreement to secure highway works (double yellow lines at site entrance);
- 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;
- iii. Air Quality Contribution: A financial contribution amounting to £598,531 shall be paid to address the air quality impacts of the proposed development;
- iv. Carbon Offset Contribution: A financial contribution which shall be agreed subject to the approval of Condition 26 and paid prior to the commencement of the development;
- v. Local Highways Improvements/ATZ works: A financial contribution amounting to £70,800;
- vi. 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;
- vii. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

It is considered that the level of planning benefits sought in the event of an approval would be reasonable, adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy DME1 7 (Planning obligations and CIL) of the Local Plan: Part 2 - Development Management Policies (2020).

In addition, the scheme would also be liable for payments under the Community Infrastructure Levy.

From 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100 sqm or more, or proposals which create new residential dwellings, are liable for the Mayoral Community Infrastructure Levy (Mayoral CIL). The liability payable will be equal to £60 per square metre (from April 2019). The London Borough of Hillingdon (LBH) is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition, the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy (Hillingdon CIL), which came into effect on 1st August 2014.

This proposal generates a CIL contribution of £47,416 and a Mayoral CIL contribution of £408,637.

## **7.21 Expediency of enforcement action**

Not applicable.

## 7.22 Other Issues

### CONTAMINATION

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

- 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 reports submitted through the application process provide details of an environmental due diligence study and two Phase II site investigations conducted at the site. These reports have been reviewed by the Council's Contamination officer, who recommends a condition, as set out in the Internal Consultees section of this report, in order 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.

Subject this condition, it is considered that the proposal would be in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

### FIRE SAFETY

In the interests of fire safety and to ensure the safety of all building users, Policy D12 of the London Plan states that all proposals must achieve the highest standards of fire safety and ensure that they identify suitably positioned unobstructed outside spaces for fire appliances to be positioned on, provide suitable access and equipment for fire fighting which is appropriate for the size and use of the development, and provides spaces which are appropriate for use as an evacuation assembly point.

Buildings should be designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire by being constructed in an appropriate way to minimise the risk of fire spread. This should include appropriate fire alarm systems, passive and active fire safety measures, suitable and convenient means of escape and an associated robust evacuation strategy which can be periodically updated and published, and which all occupants can have confidence in. These measures should be set out in a Fire Strategy, prepared by a suitably qualified fire engineer.

In support of the application, a Fire Statement has been submitted, which outlines the basics of fire

safety measures, with the knowledge that further details would be secured at-detailed design stage. The submission of these additional details is recommended to be secured by condition.

## OVERHEATING

Policy SI4 (Managing heat risk) of the London Plan outlines that major development proposals should demonstrate through an energy strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the cooling hierarchy.

Given the nature of the development it is considered necessary to secure adequate cooling and heating for all future occupiers. A condition will be imposed seeking details of the heating and cooling strategy and mitigation measures, to satisfactorily address overheating issues, in compliance with Policy SI4 (Managing heat risk) of the London Plan.

## 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**

The proposed development is considered to be acceptable in principle, as a result of the site's siting within a SIL and surrounded by existing industrial uses.

The proposal is consistent with the development plan and accords with the principles of sustainable development, bringing social, economic and environmental benefits to the borough.

It is considered that the height, scale massing, siting and design of the development would introduce a built form that is appropriate to the local context and character of the area and would not have a negative impact on views from the neighbouring properties or be detrimental to the setting of nearby heritage assets.

Overall, it is considered that the proposal is acceptable, and is recommended for approval, subject to the conditions and obligations listed in this report.

#### **11. Reference Documents**

London Plan (2021)

Hillingdon Local Plan: Strategic Policies (2012)

Hillingdon Local Plan: Development Management Policies (2020)

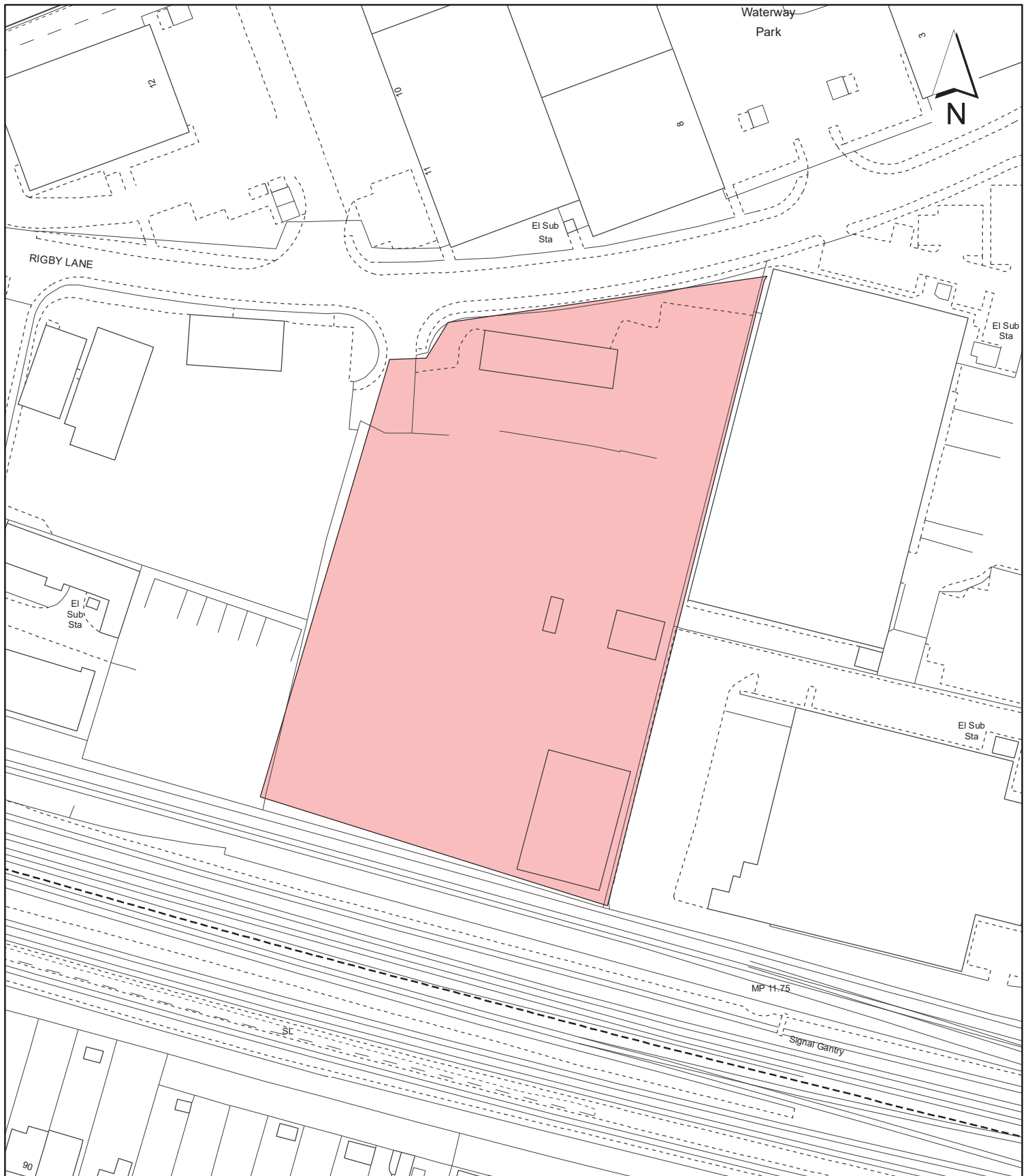
National Planning Policy Framework (NPPF) (2023)

**Contact Officer:**

Karl Dafe

**Telephone No:**

01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address: **Land at Ainscough Cranes  
 Unit 84  
 Hayes Industrial Park**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**63099/APP/2023/1608**

Scale:  
**1:1,250**

Planning Committee:  
**Major**

Date:  
**December 2023**

