

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

Case Officer: <b>Alan Corcoran</b>	<b>957/APP/2024/2765</b>
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Date Application Valid:	<b>19.11.2024</b>	Statutory / Agreed Determination Deadline:	<b>18.06.2025</b>
Application Type:	<b>Full</b>	Ward:	<b>Uxbridge</b>

Applicant: **PJN Properties Ltd**

Site Address: **Island Site, Eskdale Road, Uxbridge, UB8 2RT**

Proposal: **Redevelopment of site to provide new commercial buildings for use within Classes E(g)(iii) / B2 / B8 together with associated infrastructure on site, to include landscaping, access, servicing, and parking.**

Summary of Recommendation: **GRANT planning permission subject to section 106 legal agreement and conditions**

Reason Reported to Committee: **Required under Part 1 of the Planning Scheme of Delegation (Major application recommended for approval)**



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

Section 106 Heads of Terms are as follows:

1. Air Quality Mitigation contribution of £91,413.
2. A Carbon Offset contribution of £41,850.
3. An Employment/Construction Training Scheme secured in accordance with the Council's Planning Obligations SPD.
4. 'Be Seen' post-construction energy monitoring to be carried out in accordance with the GLA 'Be Seen' Energy Monitoring Guidance London Plan Guidance Documents (2021).
5. A Project Management and Monitoring Fee, equalling 5% of the total financial contributions to be paid under this agreement.

### **1 Executive Summary**

- 1.1 The Site ('Island Site') consists of an existing block of single-storey buildings with a floor area of 3,571 sq. m. facing Eskdale Road. The Site is within the wider Uxbridge Industrial Estate, which is designated as a Strategic Industrial Location (SIL). It is on Potentially Contaminated Land and within an Air Quality Management Area (AQMA) and Archaeological Priority Areas (Colne Valley).
- 1.2 The proposal consists of demolishing the existing 3,571 sq. m. buildings and constructing 2,850 sq. m. of replacement warehouse floor space (two units), including 445 sq. m. of ancillary office accommodation. The proposed built footprint would be 721 sq. m. less than the existing, and there would be no change of use. These would be two equally sized warehouse-style units with mezzanine levels.
- 1.3 The principle of redeveloping commercial buildings for use within Classes E(g)(iii)/B2/B8 within a Strategic Industrial Location (SIL) is supported. The building's height, scale, and mass are well-suited to the surrounding industrial estate context. The Local Planning Authority has worked with the Applicant to refine the development's design during the full planning application process, securing additional planting and relocation and reduction of car parking to ensure highway safety. Following receipt of revisions, there are no objections from the Council's Urban Design Officer, Landscape Officer, or Highways Officers. While located on Potentially Contaminated Land, the Council's Land Contamination Officer has no concerns subject to the recommended condition. Similarly, whilst within an Archaeological Priority Area (Colne Valley), Historic England's Greater London Archaeological Advisory Service (GLAAS) has no objection subject to recommended conditions. Noting the Air Quality Management Area (AQMA), which the Site is within, the Council's Air Quality Officer has no objections subject

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

to an air quality mitigation contribution of £91,413 (contained within the Section 106 Heads of Terms) and planning conditions, which have been recommended.

- 1.4 The Local Planning Authority received no comments from the public regarding the proposal.
- 1.5 The proposal is acceptable and would be consistent with the National Planning Policy Framework, The London Plan, and the Hillingdon Local Plan.
- 1.6 The planning application is therefore recommended for approval subject to the conditions contained in Appendix 1 and Section 106 Heads of Terms detailed on the previous page.

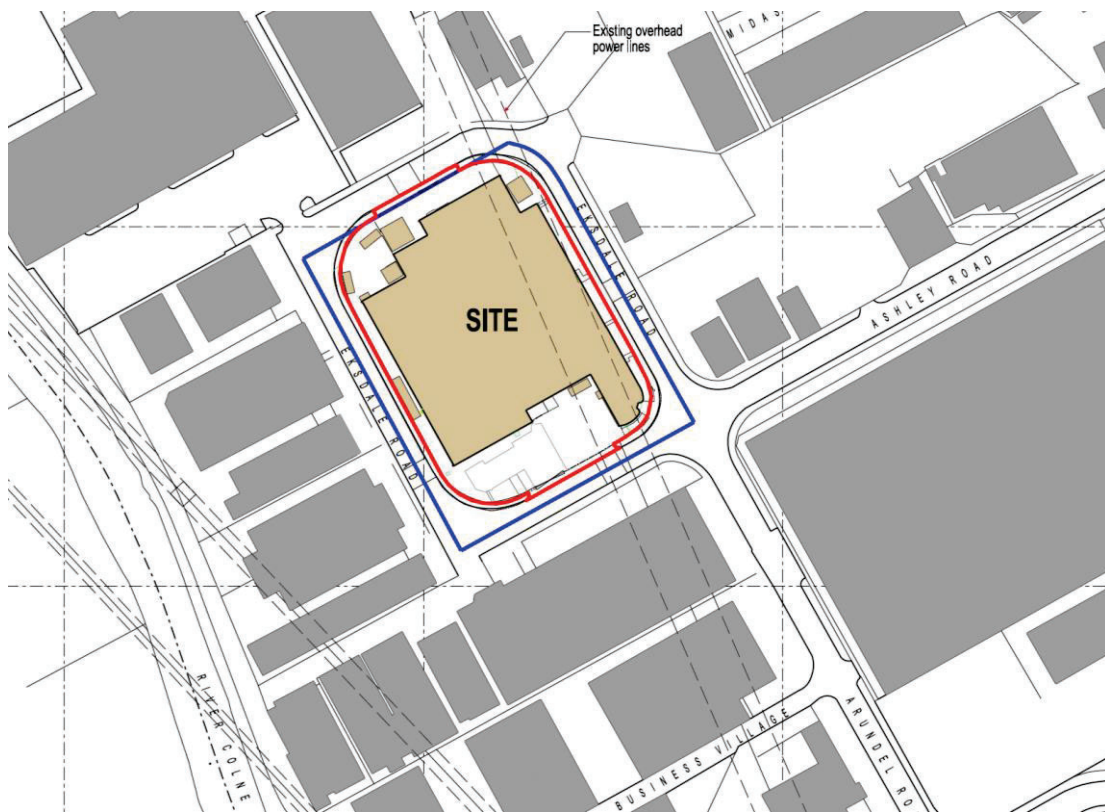
## **2 The Site and Locality**

- 2.1 The Site ('Island Site') consists of an existing block of single-storey buildings facing Eskdale Road. The existing buildings (3,571 sq. m.) consist of an ad-hoc arrangement of dated brick-built warehouse buildings. Various commercial operators, including offices, light industrial, general industrial, and warehousing/distribution, have previously occupied the units.
- 2.2 The entirety of the Site is within the wider Uxbridge Industrial Estate, which is designated as a Strategic Industrial Location (SIL). It is on Potentially Contaminated Land and within an Air Quality Management Area (AQMA) and Archaeological Priority Area (Colne Valley). The Site is not Listed nor located within a Conservation Area or Area of Special Local Character. The Environment Agency's Flood Map confirms it is within Flood Zone 1 - the lowest probability of flooding.
- 2.3 There is no on-site parking. Pavement parking is prevalent in the area. The closest bus stop is along St John's Road (circa eight-minute walk), which supports the Number 3 and 583 bus routes. The Site has a Public Transport Accessibility (PTAL) of 0, where a score of 0 indicates very poor access to public transport and 6 indicates excellent access.
- 2.4 The Industrial Estate comprises a mix of commercial uses of varying designs and massings, including new warehouses to the east of the Site and south of Ashely Road, along with older-style warehouses surrounding the Site.
- 2.5 The closest residential is located to the east of the Site adjacent to Cowley Mill Road (approximately 100 metres north).
- 2.6 The nearest residential properties are Cowley Mill Road (approximately 100 metres north) and Hilton Close (approximately 120 metres north-east).

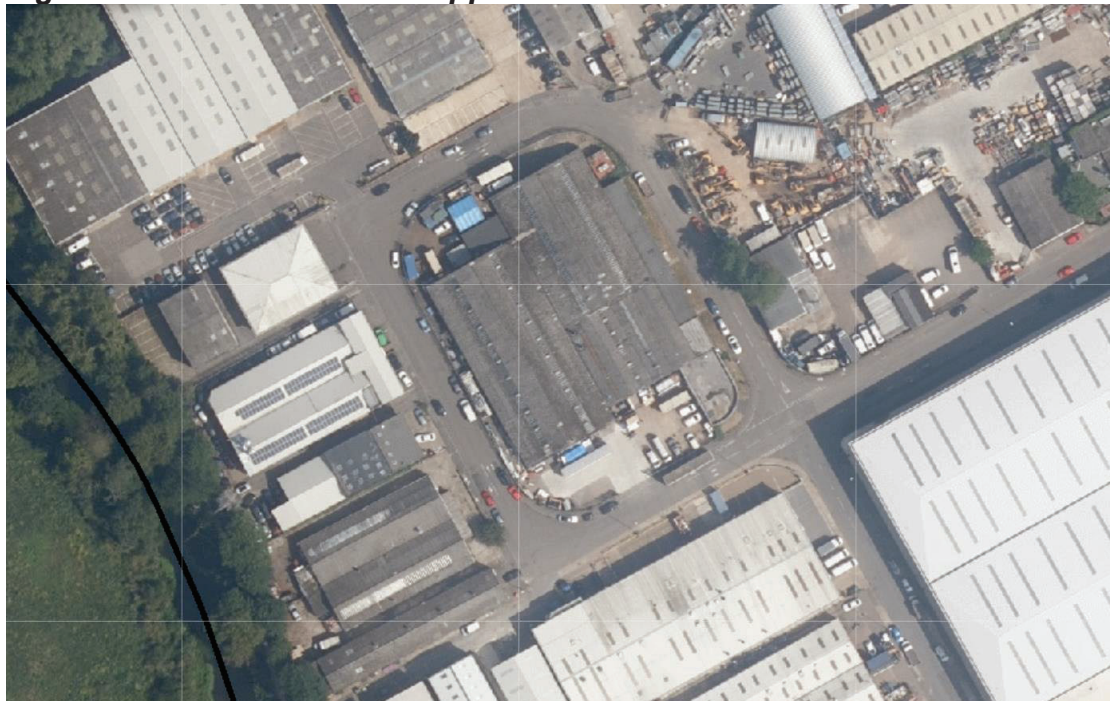
**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

**Figure 1: Location Plan (application site edged red)**



**Figure 2: Aerial View of the Application Site**



**Figure 3: Street View Images of the Application Property**





*View from Eskdale Road*



*View from Eskdale Road*

### **3 Proposal**

- 3.1 The application seeks planning permission to redevelop the Site to provide new commercial buildings for use within Classes E(g)(iii)/B2/B8 together with associated infrastructure on site, to include landscaping, access, servicing, and parking.
- 3.2 The Applicant would demolish the existing 3,571 sq. m. buildings and construct 2,850 sq. m. of replacement warehouse floor space (two units), including 445 sq. m. of ancillary office accommodation. As such, the proposed built footprint would be 721 sq. m. less than the existing, and there would be no change of use. These would be two equally sized (approximately 43 metres wide and 29 metres deep) warehouse-style units with mezzanine levels (approximately 237 sq. m. each). The building heights would be approximately 11.5 metres to the ridge (an increase in height of 2.75m from the existing ridge height) and 9.7 metres to the eaves height. The units would be clad with Micro Rib composite cladding (charcoal RAL 7024 and silver RAL 9006) and Curvewall composite cladding (charcoal RAL 7024) and

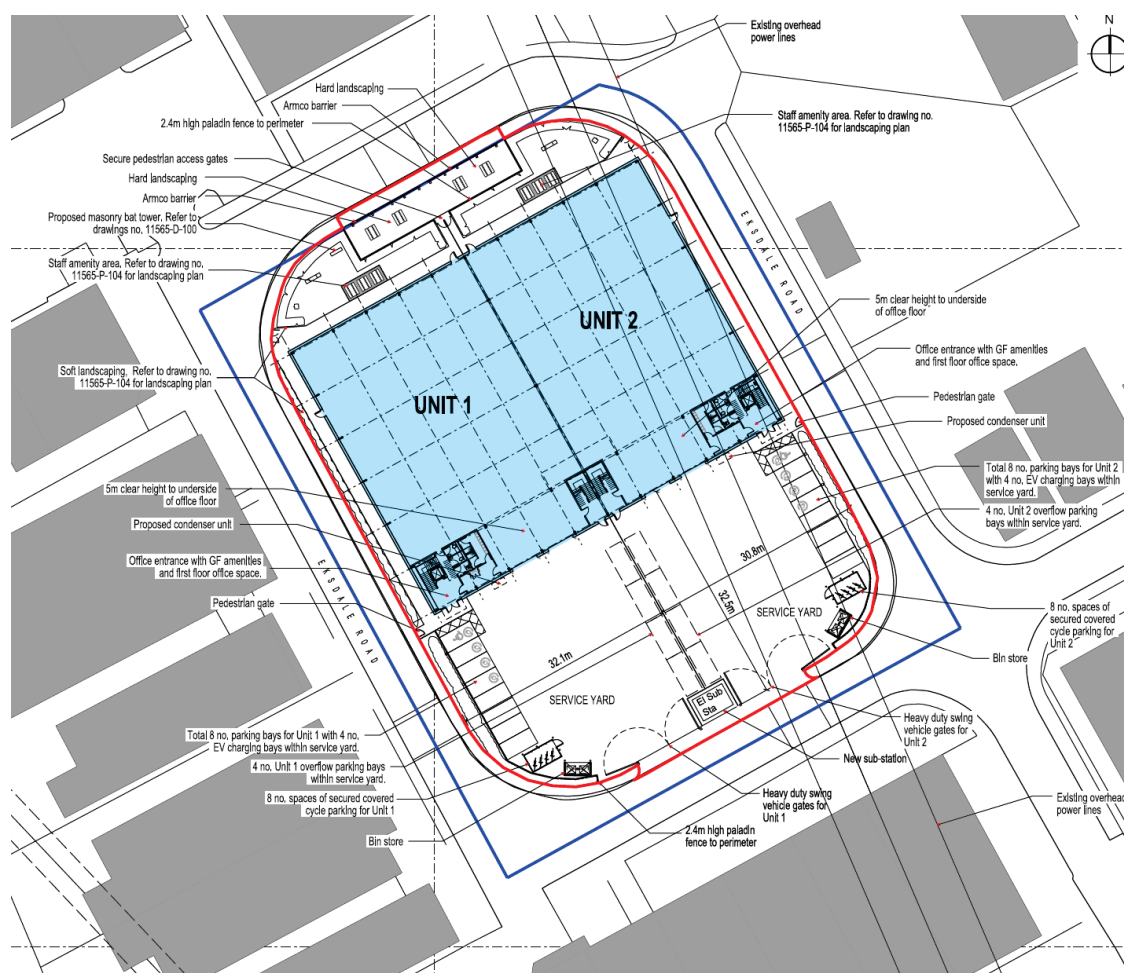
**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

have profiled roof cladding (grey). There would be powder-coated aluminium-framed windows and doors (basalt RAL 7012).

- 3.3 Each of the two service yards (Unit 1 and Unit 2) would contain 12 car parking spaces, including one disable person bay and four active electric vehicle charging points. Each service yard would also contain sixteen secure and covered cycle parking spaces and a bin enclosure. Additional planting is proposed to the north and south of the Site. The Site would be enclosed by a 2.4m high perimeter paladin fence. Alterations to the access arrangements are proposed, with the one existing access closed and two points of access created on Eskdale Road.

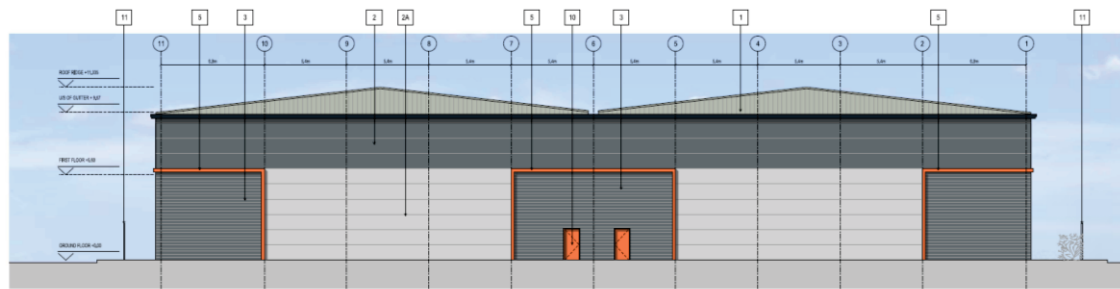
**Figure 4: Proposed Plan** (please note – larger version of plan can be found in the Committee Plan Pack)



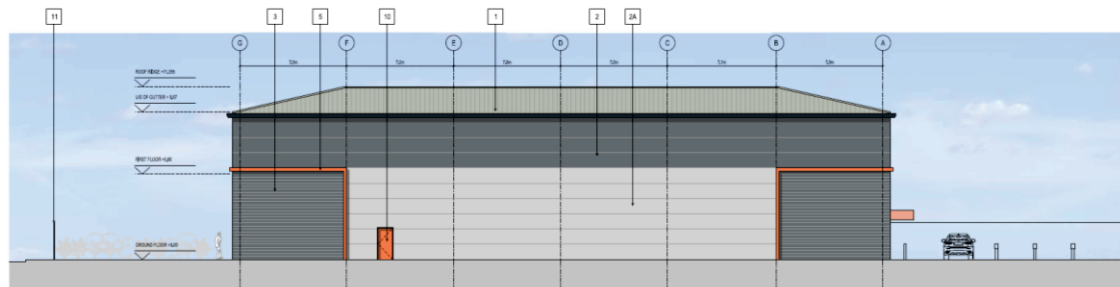
*Proposed Site Plan*







PROPOSED NORTH WEST ELEVATION (REAR)



PROPOSED SOUTH WEST ELEVATION (SIDE)

*Proposed Rear and Side Elevations*



*Proposed 3-D Visual from the Service Yard*

## **4 Relevant Planning History**

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.

## **5 Planning Policy**

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**



## 6 Consultations and Representations

- 6.1 The Council sent consultation letters to 91 neighbouring properties on 22-11-24. The Council also advertised the application with a site notice and press notice on 04-12-24. The initial consultation expired on 27-12-24.
- 6.2 The Council received no representations in response to public consultation. Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

***Table 1: Summary of Representations Received***

<b>Representations</b>	<b>Summary of Issues Raised</b>	<b>Planning Officer Response</b>
N/A	N/A	N/A

***Table 2: Summary of Consultee Responses***

<b>Consultee and Summary of Comments</b>	<b>Planning Officer Response</b>
<b><u>External Consultee Comments</u></b>	
<b>Greater London Archaeological Advisory Service (GLAAS):</b>  No objection subject to condition and informative regarding a Written Scheme of Investigation.	A condition and informative have been recommended in line with GLAAS' recommendations.
<b><u>Internal Consultee Comments</u></b>	
<b>Urban Design Officer:</b>  No objection. Request to amend boundary treatment.	A condition has been recommended in line with the Urban Design Officer's request.
<b>Landscape Officer:</b>  No objection subject to landscape maintenance plan.	A condition has been recommended in line with the Landscape

	Officer's recommendations.
<b>Economic Development:</b>  No objection subject to an Employment/Construction Training Scheme secured in accordance with the Council's Planning Obligations SPD via a S106 Agreement.	This request is a recommended Heads of Terms to be secured in the S106 Agreement.
<b>Accessibility Officer:</b>  No objection subject to a condition regarding one fire evacuation lift per unit.	A condition has been recommended in line with the Accessibility Officer's recommendations.
<b>Refuse and Recycling Officer:</b>  No objection.	Noted.
<b>Planning Policy Officer:</b>  No objection subject to condition regarding use restriction.	A condition has been recommended in line with the Planning Policy Officer's recommendations.
<b>Highways Officer:</b>  No objection subject to a condition regarding vehicle access to the south.	A condition has been recommended in line with the Highways Officer's recommendations regarding the vehicle access to the south.
<b>Air Quality Officer:</b>  No objection subject to an Air Quality Mitigation contribution of £91,413 secured by a Section 106 Agreement and conditions regarding a Low Emission Strategy (LES) and reducing emissions from demolition and construction.	A S106 financial contribution is included in the recommended Heads of Terms and conditions have been

Hillingdon Planning Committee – 17.07.2025

PART 1 – Members, Public & Press

	recommended in line with the Air Quality Officer's recommendations.
<b>Noise Pollution Officer:</b>  No objection subject to conditions regarding the noise impact of the proposed development on the existing environment, as well as an informative regarding external noise.	A condition has been recommended in line with the Noise Officer's recommendations.
<b>Environmental Health Officer (Land Contamination):</b>  No objection subject to a condition regarding land contamination.	A condition has been recommended in line with the Land Contamination Officer's recommendations.
<b>Environmental Specialist (Energy and Biodiversity):</b>  No objection subject to a carbon offset contribution of £41,850 and 'be seen' energy monitoring obligation secured by a S106 Agreement and condition regarding energy, biodiversity, and habitat management.	A S106 financial contribution and 'be seen' obligation are included in the recommended Heads of Terms. Recommended conditions secure energy, biodiversity, and habitat management.
<b>Flood Risk and Drainage Consultant:</b>  No objection subject to Sustainable Water Management and Sustainable Drainage Scheme Evidence planning conditions.	Conditions have been recommended in line with the Flood Risk and Drainage Consultant's recommendations.

## **7 Planning Assessment**

### Principle of Development

- 7.1 The Site ('Island Site') consists of an existing block of single-storey buildings with a floor area of 3,571 sq. m. facing Eskdale Road. The Site is within the wider Uxbridge Industrial Estate, which is designated as a Strategic Industrial Location (SIL).
- 7.2 The proposal consists of demolishing the existing 3,571 sq. m. buildings and constructing 2,850 sq. m. modern replacement warehouses (two units), including 445 sq. m. of ancillary office accommodation. The proposed built footprint would be 721 sq. m. less than the existing, and there would be no change of use.
- 7.3 SIL areas are suitable for intensification and enhancement of land for industrial purposes. The Council's Policy Team has reviewed the proposal and have no policy objections subject to a condition regarding a use restriction to ensure no wider use within Use Class E is permitted other than light industrial E(g)(iii). An appropriate condition is recommended in line with the Policy Team recommendation.
- 7.4 The principle of redeveloping commercial buildings for use within Classes E(g)(iii)/B2/B8 within a Strategic Industrial Location is supported and in accordance with Policy E5 of The London Plan and Policies DME 1 and DME 2 of Hillingdon Local Plan - Part 2.

### Design / Impact on the Character and Appearance of the Area

- 7.5 The Site is within an area of mixed commercial and industrial units. The existing buildings onsite appear as piecemeal developments that are dated and have reached or are approaching the end of their operational life. The proposed industrial units would harmonise with the local context and would be a significant improvement to the existing Site. While the proposed development would be one of the taller buildings in the immediate area, its height would be respectful of its context and comparable to neighbouring developments, e.g. a modern warehouse opposite at the former Trimate Site, which is 16 metres tall. Further, the proposed buildings would not compromise the amenity of the surrounding buildings or the public realm. Therefore, the height, scale, and mass are acceptable. The design intent outlined in the submitted Design and Access Statement and drawing number 11565-M-101 is for high-quality materials consistent with large warehouses. The proposed design, appearance, and external materials are supported.
- 7.6 The Council's Urban Design Officer has been consulted and has no objections regarding the proposed design.
- 7.7 The proposal complies with Paragraph 131 of the NPPF, Policies D3 of The London Plan, Policy BE1 of the Local Plan Part 1, and Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan - Part 2.

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**



### Residential Amenity

- 7.8 The Site is located centrally within the Uxbridge Industrial Estate, a designated Strategic Industrial Location (SIL), separated by Eskdale Road from surrounding industrial buildings and use. It is approximately 115 metres from the nearest residential properties located northeast of the Site. Furthermore, there would be no change to the nature of the permitted use onsite, with it continuing to be used within Class E(g)(iii)/B2/B8. As such, it would continue to integrate with the uses in the vicinity.
- 7.9 The proposal would not impact the outlook, privacy, daylight, or sunlight of adjacent properties or open spaces, given its height, scale, mass, use, and location in the centre of an industrial estate away from residential properties.
- 7.10 Please see relevant sections below regarding noise.
- 7.11 The proposed scheme is supported and complies with Policy D3 of The London Plan and Policy DMHB 11 of the Hillingdon Local Plan - Part 2.

### Highways and Parking

- 7.12 Eskdale Road is a two-way single carriageway road that encircles the Site with a speed hump on each of the four sides of the Site. There are no on-street parking restrictions and pavement parking is prevalent in the area. There is no formal on-site car parking. The closest bus stop is along St John's Road (circa eight-minute walk), which supports the number 3 and 583 bus routes. The Site has a Public Transport Accessibility (PTAL) of 0, where a score of 0 indicates very poor access to public transport and 6 indicates excellent access.
- 7.13 The Council's Highways Team has been consulted and raise no objection to the proposed development subject to conditions regarding vehicular access. Appropriate highways conditions are recommended in this planning assessment and recommendation.
- 7.14 The proposed development would have 24 on-site car parking spaces within the service yards towards the south of the Site – 12 per unit. Two of these bays would be allocated for disabled person parking – one per unit. The Applicant proposed fitting eight of the 24 spaces with active Electric Vehicle Charging infrastructure – four per unit. Sixteen secured and covered cycle parking spaces would also be provided within the service yard – eight per unit.
- 7.15 The proposed car parking and cycle parking provision align with The London Plan and Hillingdon Local Plan standards. Conditions are recommended to ensure their delivery and ongoing availability.
- 7.16 The proposed car park would provide onsite spaces that would otherwise continue to occur along pavements around the Site. This is supported given the PTAL 0. However, the development would result in pedestrians walking across the site

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

access, where vehicles would be coming in and out. To reduce highway safety risks and ensure an acceptable pedestrian environment, a condition is recommended for the Applicant to provide a section of footway in front of the electric substation on the southern side of the Site along with a speed hump across the full width of the service yard accesses.

- 7.17 Subject to the recommended conditions, the proposal complies with Paragraph 116 of the NPPF, Policies T2, T4, T5, T6, and T7 of The London Plan, and Policies DMT 1, DMT 2, DMT 5, and DMT 6 of the Hillingdon Local Plan - Part 2.

#### Air Quality

- 7.18 The Site is within an Air Quality Management Area (AQMA) and 240 metres south of an Air Quality Focus Area.
- 7.19 The Applicant submitted an Air Quality Assessment (Rev-P02, reference ISU-BWB-ZZ-XX-LA-RP-0001\_AQA, prepared by BWB Consulting, dated 11.10.2024).
- 7.20 The proposed development would not be air quality neutral. Therefore, further appropriate mitigation is required.
- 7.21 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 Toolkit in this instance. Any mitigation measures proposed will be 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. Mitigation required to offset the proposed development's traffic emissions is £91,413.
- 7.22 The Council's Air Quality Officer has been consulted and raised no objection subject to an air quality mitigation contribution of £91,413 secured by a Section 106 Legal Agreement and conditions regarding a Low Emission Strategy (LES) and reducing emissions from demolition and construction. This S106 financial contribution is included in the recommended Heads of Terms and conditions have been recommended to be attached should Members determine to approve the application in line with the Air Quality Officer's recommendations. Details of electric vehicle charging spaces are also recommended to be secured by condition.
- 7.23 Subject to legal agreement and the recommended conditions, the proposal complies with Policies SI 1 and GG3 of The London Plan, Policy EM8 of the Local Plan Part 1, and Policy DME1 14 of the Hillingdon Local Plan - Part 2.

#### Noise

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

- 7.24 The Applicant submitted a Noise Impact Assessment (Project No 2422643, prepared by Sharps Redmore, dated 26.11.2024) assessing the acceptability of noise regarding plant and delivery activity. It concludes that 'having assessed the noise impact against national design guidance, including BS 4142:2014 and WHO Guidelines for Community Noise, the proposed development would comply with the requirements of paragraph 191 of the National Planning Policy Framework, to avoid significant adverse impact.'
- 7.25 The Council's Noise Pollution Officer has reviewed the submission and raised no objection subject to conditions regarding the noise impact of the proposed development on the existing environment, as well as an informative regarding external noise. An appropriate condition and informative are recommended as part of the planning assessment and planning recommendation.
- 7.26 A further Construction Management Plan condition is recommended to mitigate and manage potential disturbance to residents.
- 7.27 The proposal complies with Policies D13 and D14 of The London Plan.

#### Accessibility

- 7.28 The supporting Design and Access Statement, and plans demonstrate inclusive access; however, it is unclear how the Applicant would achieve means of escape for older and disabled people from the proposed first floor. The installation of fire evacuation lifts to ensure acceptable means of escape is secured by condition.
- 7.29 Each of the proposed two units would have 12 car parking spaces located solely within their service yards. This car parking provision includes one disabled person parking space per unit. This level of disabled person parking is supported.
- 7.30 The Council's Accessibility Officer has reviewed the proposal and raised no objection subject to a condition requiring a minimum of one fire evacuation lift per each of the two units. An appropriate accessibility planning condition is recommended as part of the planning assessment and planning recommendation.
- 7.31 Subject to compliance with the recommended conditions, the proposed development complies with Policies D5 and D12 of The London Plan.

#### Urban Greening, Landscaping, and Public Realm

- 7.32 The existing site suffers from an evident lack of greening. It consists of buildings and hardstanding encircled by paladin fencing.
- 7.33 During the planning process, the Council worked with the Applicant to secure revised landscaping, namely additional planting to the south of the Site and removal of car parking from the north of the Site. The Applicant proposes greening around the Site's edge, including hedgerow, traditional meadow wildflower, and native scrub mix. The proposed plans would be a notable improvement on the existing Site. Notwithstanding, the proposed 2.4-metre-tall paladin fence would not

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

be appropriate around the entire Site, nor would the large, paved staff amenity area enclosed by an Armco barrier (which replaced previously propose car parking). Accordingly, a revised landscape plan condition is recommended to secure appropriate revised boundary treatment and additional soft landscaping. Additionally, a Landscape Management Plan to ensure appropriate landscaping and urban greening maintenance is recommended by condition.

- 7.34 Policy G5 of The London Plan (2021) sets a target Urban Greening Factor Score (UGF) score of 0.3 for predominately commercial development. The Plan explicitly states that this UGF target excludes B2 and B8 uses, which the Site is within. The initial proposed UGF was 0.05. The Applicant submitted a revised scheme, following collaboration with the Council. The revised plan proposed an UGF of 0.06. The UGF is acceptable given the Site's industrial use and the proposed increase in green cover.
- 7.35 Policy DMEI 1 of the Local Plan Part 2 requires all major development to incorporate living roofs and/or walls. The proposal would not incorporate these features and would not be strictly in accordance with Policy DMEI 1. Notwithstanding, on balance, the omission of green roof and living walls is accepted given the site's constraints, considered planting proposal, and improved onsite urban greening.
- 7.36 Subject to conditions, the proposal would comply with the aims Policy G5 of The London Plan and Policy DMHB 14 of the Hillingdon Local Plan - Part 2.

#### Biodiversity

- 7.37 The Applicant submitted an Ecological Impact Assessment (Rev-01, report number 17240\_R01\_CS\_CC\_TC, prepared by Tyler Grange Group Limited, dated 08.10.2024), which details that the existing Site comprises developed land of negligible ecological importance.
- 7.38 The proposal would result in a gain of 0.03 habitat units and 0.15 hedgerow units. This would be a Biodiversity Net Gain of 40.41 per cent, exceeding requirements for onsite biodiversity gain requirements.
- 7.39 The Applicant identified roosting bats onsite following three surveys. The ecology report identifies the roost as being of local ecological importance. It further states that 'a detailed bat mitigation strategy will need to be designed with the client to compensate for the loss of the roost. If Natural England grants a licence, and a maternity roost is confirmed present the works to demolish the building will need to be timed to be outside of maternity season and only carried out between March-April and September-October. Appropriate mitigation will be put in place pre- and post-development, such as bat bricks and boxes and/or offsite compensation. Full planning permission will be needed prior to a licence being applied for and a licence application typically takes a minimum of 30 working days to process.' As recommended within the Applicant's report, the Applicant has proposed an external bat structure. Provision of this structure is recommended by condition.

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**



- 7.40 The Council's Environmental Specialist (Energy and Biodiversity) reviewed the submitted biodiversity details and raised no objection regarding the proposed development. A condition has been recommended regarding BNG and habitat management.
- 7.41 The proposed development complies with Policy 15 of the NPPF, Policy G6 and Paragraph 8.6.6 of The London Plan, and Policy DMEI 7 and Paragraph 6.28 of the Hillingdon Local Plan - Part 2.

#### Flooding and Drainage

- 7.42 The Site is in Flood Zone 1 (lowest flood risk). It is not within a Critical Drainage Area or impacted by Surface Water Flooding.
- 7.43 The Applicant submitted a Sustainable Urban Drainage Strategy and Flood Risk Assessment (Rev-P01, report number 8393-FUR-ZZ-XX-RP-D-0901, prepared by Furness Consulting Engineers, dated 04.10.2024).
- 7.44 The site's location within Flood Zone 1 means it is unlikely to be affected by fluvial flooding. The existing site comprises buildings and hardstanding. As such, there are no natural forms of attenuation within the site boundary. The submission states that 'the proposed surface water drainage strategy comprises a series of siphonic rainwater pipes, linear drains and gullies which pick up the surface water from the roof and external hard landscaping area, respectively. The collected surface water would then be stored within the proposed below ground attenuation tank located to the south of the building under the parking and service yard area. The water from the tank would be pumped at a rate of 3L/s to an SDS Aqua Filter (or similar) before discharging to the public sewer under Eskdale Road to the west of the site. This sewer then outfalls to the River Colne.' During the application's assessment, the volume of the attenuation tank has increased to 465 cubic metres. There would still be some flooding in the 1 in 100-year event (+40 per cent climate change); however, this is acceptable.
- 7.45 The Council's Flood Risk and Drainage Consultant has reviewed the submission and raised no objection subject to Sustainable Water Management and Sustainable Drainage Scheme Evidence planning conditions. Appropriate drainage conditions are recommended as part of this planning recommendation.
- 7.46 Subject to the recommended conditions, the proposed development complies with Policies SI12 and SI13 of The London Plan, Policy EM6 of the Hillingdon Local Plan - Part 1, and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan - Part 2.

#### Water Efficiency

- 7.47 To ensure the development would minimise the use of mains water, a compliance planning condition is recommended for it to achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent (commercial

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

development), and incorporate measures such as smart metering, water saving, and recycling measures, including retrofitting.

- 7.48 Subject to the recommended condition, the proposal complies with Policy SI 5 of The London Plan.

#### Energy and Sustainability

- 7.49 The Applicant has submitted an Energy and Sustainability Statement (Rev-B, prepared by Envision, dated October 2024).
- 7.50 Air Source Heat Pumps (ASHP) would be used to generate heating, cooling, and hot water for the proposed development. 340 sq. m. of photovoltaic roof-mounted panels are also proposed. To bring the development's carbon savings up to 100 per cent, the remaining carbon emissions are to be offset through a carbon offset payment. A carbon offset payment, priced at £95 per tonne of CO2 per year (over 30 years) to be paid via a Section 106 to the Council is £41,850.
- 7.51 The Council's Environmental Specialist (Energy and Biodiversity) reviewed the submitted details and raised no objection subject to a carbon offset contribution of £41,850 and 'be seen' energy monitoring obligation secured by a S106 Agreement and condition regarding energy.
- 7.52 Subject to legal agreement and the recommended conditions, the proposal would comply with Policies SI2 and SI3 of The London Plan, Policy EM1 of the Hillingdon Local Plan - Part 1, and Policies DMEI 2 and DMEI 3 of the Hillingdon Local Plan - Part 2.

#### Waste Management

- 7.53 The Applicant proposes sufficient provision for waste and recycling within timber-clad bin enclosures towards the vehicle entrance/exit of each of the two service yards.
- 7.54 The Council's Waste Services Team has reviewed the submitted documents and raised no objection to the proposed development.
- 7.55 Subject to condition, the proposal would comply with Policy SI 7 of The London Plan and DMHB 11 of the Hillingdon Local Plan - Part 2.

#### Land Contamination

- 7.56 The Site is within a Potentially Contaminated Land area.
- 7.57 The Applicant submitted a Contamination Assessment (Desk Study/Preliminary Risk Assessment Report, prepared by Jomas Associates LTD, dated 21.08.2024) that concluded 'an intrusive investigation is recommended to confirm the preliminary geo-environmental risks identified and to provide geotechnical information for use in design. The investigation should assess the thickness of any

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

Made Ground and allow samples of Made Ground and natural soils to be taken for laboratory analysis. A programme of soil gas monitoring should be undertaken due to the proximity of historic landfill sites.'

- 7.58 The Council's Land Contamination Officer has been consulted and advised that they have no objection to the proposed development. The Officer recommended a land contamination condition which has been attached.
- 7.59 Subject to condition, the proposal complies with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan - Part 2.

#### Fire Safety

- 7.60 The Applicant submitted a Fire Safety Statement (prepared by The Ratcliffe Groves Partnership, dated 11.10.2024), detailing the key fire safety features of the building. This is based on compliance with Approved Document B (fire safety) Volume 2: Buildings other than dwellings, 2019 edition incorporating 2020 and 2022 amendments and incorporates additional amendments not yet in use typically 2025 and 2026 amendments to Volume 2.
- 7.61 The technical aspects of the materials to be used in any development, in relation to fire safety, are considered under the Building Act (1984) and specifically the Building Regulations, Approved Document B amended version (2022). These require minimum standards for any development, although the standards would vary between residential and commercial uses and in relation to new build and change of use/conversions. The Regulations cover a range of areas including structure and fire safety. Any person or organisation carrying out development can appoint either the Council's Building Control Service or a Private Approved Inspector to act as the Building Control Body (BCB), to ensure the requirements of the Building Regulations are met. The BCB carry out an examination of drawings for the proposed works and make site inspections during construction work to ensure the works are carried out correctly. On completion of work the BCB would issue a Completion Certificate to confirm that the works comply with the requirement of the Building Regulations.
- 7.62 The fire strategy will be subject of further review during the detailed design stages to ensure compliance with relevant building design requirement including the relevant Building Regulations and other recommendations, including BS 9999: 2017, Fire safety in the design, management and use of buildings - Code of practice.

- 7.63 The proposal complies with the aims of Policy D12 of The London Plan.

#### Archaeological Impact

- 7.64 The Site is within an Archaeological Priority Areas – Colne Valley.

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

- 7.65 Accordingly, the Applicant submitted a Desktop Archaeological Statement, (prepared by First Plan, dated November 2024) and an Archaeological Desk-Based Assessment, (prepared by Compass Archaeology, dated 31.01.2025).
- 7.66 The Local Planning Authority consulted Historic England's Greater London Archaeological Advisory Service (GLAAS), which reviewed the submission and stated that 'the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.' GLASS concluded they had no objection to the proposed development subject to condition and informative regarding a Written Scheme of Investigation.
- 7.67 A Written Scheme of Investigation condition and informative is recommended.
- 7.68 Subject to condition, the proposal complies with the NPPF, Policy HC1 of The London Plan, and Policy DMHB 7 of the Hillingdon Local Plan - Part 2.

#### Planning Obligations

- 7.69 Policy DMCI 7 of the Local Plan Part 2 states 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). Planning obligations will be sought on a scheme-by-scheme basis to secure the provision of affordable housing in relation to residential development schemes, where development has infrastructure needs that are not addressed through CIL, and to ensure that development proposals provide or fund improvements to mitigate site-specific impacts made necessary by the proposal. Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.
- 7.70 The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6 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
- 7.71 The effect of the Regulations is that the Council must apply the tests much more strictly and can only request planning obligations that are genuinely necessary and directly related to the development. Should the Council request planning

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**



obligations that do not meet the policy tests, the Council would have acted unlawfully and could be subject to a High Court challenge.

7.72 Section 106 Heads of Terms are as follows:

1. Air Quality Mitigation contribution of £91,413.
2. A Carbon Offset contribution of £41,850.
3. An Employment/Construction Training Scheme secured in accordance with the Council's Planning Obligations SPD.
4. 'Be Seen' post-construction energy monitoring to be carried out in accordance with the GLA 'Be Seen' Energy Monitoring Guidance London Plan Guidance Documents (2021).
5. A Project Management and Monitoring Fee, equalling 5% of the total financial contributions to be paid under this agreement.

Environmental Impact Assessment

- 7.73 No EIA Screening Opinion Request was submitted to the Council; however, given the scale, nature, and location of the proposal an EIA would not be required as its impact would be local.

## **8 Other Matters**

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Local Finance Considerations and CIL

- 8.3 As of 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100 sq. m. or more were liable for the Mayoral Community Infrastructure Levy (CIL), as legislated by the CIL Regulations 2010 and The CIL (Amendment) Regulations 2011. From April 2019, the liability payable is £60 per sq. m. The MCIL2 charging schedule rate, including indexation for calendar year 2025, is £71.09 per sq. m.

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

- 8.4 The London Borough of Hillingdon Council is a collecting authority for the Mayor of London, and this liability shall be paid to the London Borough of Hillingdon Council in the first instance.
- 8.5 In addition to MCIL2, the development represents Chargeable Development under the Hillingdon CIL, which came into effect on 1 August 2014. The liability payable is as follows:
- Industrial - £5 per sq. m.
- 8.6 This CIL liability is in addition to the Section 106 planning obligations.
- 8.7 The proposed development consists of the following floor areas:
- 8.8 Commercial/general industrial/storage and distribution (Use Class E(g)(iii)/B2/B8) – 2,850 sq. m. (721 sq. m. less than the existing Site in the same use).
- 8.9 As there would be a 721 sq. m. loss of Use Class E(g)(iii)/B2/B8 floor space, there would be no CIL charge required.

## **9 Conclusion / Planning Balance**

- 9.1 The principle of redeveloping commercial buildings for use within Classes E(g)(iii)/B2/B8 within a Strategic Industrial Location (SIL) is supported. The building's height, scale, and mass are well-suited to the surrounding industrial estate context. The Local Planning Authority has worked with the Applicant to refine the development's design during the full planning application process, securing additional planting and relocation and reduction of car parking to ensure highway safety. Following receipt of revisions, there are no objections from the Council's Urban Design Officer, Landscape Officer, or Highways Officers. While located on Potentially Contaminated Land, the Council's Land Contamination Officer has no concerns subject to the recommended condition. Similarly, whilst within an Archaeological Priority Area (Colne Valley), Historic England's Greater London Archaeological Advisory Service (GLAAS) has no objection subject to the attached conditions. Noting the Air Quality Management Area (AQMA), which the Site is within, the Council's Air Quality Officer has no objections subject to an air quality mitigation contribution of £91,413 (contained within the Section 106 Heads of Terms) and planning conditions, which have been recommended.
- 9.2 The proposal is acceptable and would be consistent with the National Planning Policy Framework, The London Plan, and Hillingdon Local Plan.
- 9.3 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1 and Section 106 Heads of Terms detailed on the previous page.

## **10 Background Papers**

**Hillingdon Planning Committee – 17.07.2025**

**PART 1 – Members, Public & Press**

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the Council's website here, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillington.gov.uk](mailto:planning@hillington.gov.uk).

# **APPENDICES**

## **Planning Application**

**957/APP/2024/2765**

## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 1. COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

#### 2. COM4 Accordance with Approved Plans

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

11565-P-100-Rev-H  
11565-P-101-Rev-C  
11565-P-102-Rev-C  
11565-P-103-Rev-C  
11565-S-101-Rev-C  
11565-E-101-Rev-D  
11565-E-102-Rev-D  
11565-M-101  
11565-P-109-Rev-A

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

#### REASON

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

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

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted documents, references:

Planning Statement-V2, reference 24322/MM/TH, prepared by First Plan, dated 14.10.2024;  
Environmental Noise Assessment, Project No 2422643, prepared by Sharps Redmore, dated 26.11.2024;  
SuDs Strategy and Flood Risk Assessment-Rev-P01, report number 8393-FUR-ZZ-XX-RP-D-0901, prepared by Furness Consulting Engineers, dated 04.10.2024;  
Fire Safety Statement, prepared by The Ratcliffe Groves Partnership, dated 11.10.2024;  
The Statutory Biodiversity Metric, prepared by C Stewart, dated 08.10.2024;



Air Quality Assessment-Rev-P02, reference ISU-BWB-ZZ-XX-LA-RP-0001\_AQA, prepared by BWB Consulting, dated 11.10.2024;  
Transport Statement, prepared by ttp Consulting, dated October 2024;  
Framework Travel Plan, prepared by ttp Consulting, dated October 2024;  
Energy and Sustainability Statement-Rev-B, prepared by Envision, dated October 2024;  
Ecological Impact Assessment\_Rev-01, report number 17240\_R01\_CS\_CC\_TC, prepared by Tyler Grange Group Limited, dated 08.10.2024;  
Desk Study/Preliminary Risk Assessment Report, prepared by Jomas Associates LTD, dated 21.08.2024;  
Archaeological Desk-Based Assessment, prepared by Compass Archaeology, dated 31.01.2025;  
Letter, reference 8393/HP/HC-P1:12.02.25, RE Drainage, prepared by Furness Consulting Engineers, dated 12.02.2025;  
Letter, reference: 8393/HP/HC-P1:03.04.25, RE Drainage, prepared by Furness Consulting Engineers, dated 04.04.2025;

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

#### REASON

To ensure that the development complies with the objectives of The London Plan (2021) and the Local Plan Parts 1 (2012) and 2 (2020).

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

Prior to the commencement of development (including demolition, site clearance, and initial ground investigation works), a Construction Management Plan shall be submitted to, and approved by the Local Planning Authority. The plan shall detail:

- (i) The phasing of development works.
- (ii) The hours during which development works will occur.
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.
- (ix) Measures to demonstrate compliance with the GLA's Control of Dust and Emissions from Construction and Demolition SPG.

The approved details shall be implemented and maintained throughout the demolition and construction process.

## REASON

To reduce the impact on air quality during construction, protect amenity, and ensure highways safety and to ensure that construction work and construction equipment on the site in compliance with Policies T7, GG3, and SI 1 of The London Plan (2021) and the GLA's Control of Dust and Emissions during Construction and Demolition SPG.

### **5. NONSC Construction Logistics Plan (CLP)**

Prior to the commencement of development (including demolition, site clearance, and initial ground investigation works) a Detailed Construction Logistics Plan (CLP) shall be submitted to and approved by the Local Planning Authority. The approved CLP shall be implemented and monitored throughout the demolition and construction programme.

## REASON

To protect amenity and ensure highways safety in compliance with Policy T7 of The London Plan (2021).

### **6. NONSC Delivery and Servicing Plan**

Prior to the first use of the development hereby approved, a Delivery and Servicing Plan shall be submitted to, and approved in writing by the Local Planning Authority. The approved Plan shall be adhered to throughout the lifetime of the development.

## REASON

To ensure appropriate delivery and servicing arrangements in compliance with Policy T7 of The London Plan (2021).

### **7. NONSC Cycle Parking**

Prior to the first use of the development hereby approved, at least 16 cycle parking spaces (eight per unit) shall be installed in accordance with the approved plans and shall be made available for use. The 16 cycle parking spaces shall thereafter be permanently retained on site, maintained, and be kept available for use.

## REASON

To ensure appropriate cycle parking provision in accordance with Policy T5 of The London Plan (2021) and Policies DMT 2 and DMT 5 of the Local Plan Part 2 (2020).

### **8. NONSC Electric Vehicle Charging Points**

(i) Prior to the first use of the development hereby approved, active electric vehicle charging facilities shall be installed and made available for use at eight car parking spaces (four per unit). The active electric vehicle charging infrastructure shall thereafter be permanently retained on site, maintained, and be kept available for use.

(ii) Prior to the first use of the development hereby approved, passive electric vehicle

charging facilities shall be installed at 16 car parking spaces (eight per unit). The passive electric vehicle charging infrastructure shall thereafter be permanently retained on site and be available for upgrading to active electric vehicle charging.

#### REASON

To ensure an appropriate level of onsite electric vehicle charging facilities are provided in accordance with Policy T6 of The London Plan (2021).

### **9. NONSC Disabled Person Parking**

Prior to the first use of the development hereby approved, two disabled person car parking spaces (one per unit) shall be provided in accordance with the approved plans and made available for use. The two disabled person parking spaces shall be available for use upon first use and thereafter be permanently retained on site and be kept available for use.

#### REASON

To ensure an appropriate level of onsite disabled person parking is provided in accordance with Policy T6 of The London Plan (2021).

### **10. NONSC Landscape Plan**

Notwithstanding the details shown on plans hereby approved:

(a) Prior to the first use of the development hereby permitted, a revised Landscape Plan shall be submitted to and approved by the Local Planning Authority. The Plan shall include:

- (i) a pedestrian refuge in the centre of the vehicular site accesses to the south of the Site.
- (ii) a speed hump across the full length of the vehicular Site accesses to the south of the Site.
- (iii) revised boundary treatment.
- (iv) revised staff amenity area to the north of the Site.

The approved landscaping scheme (except planting, seeding, and turfing) shall be implemented prior to the first use and thereafter retained as such in perpetuity.

(b) All planting, seeding, and turfing in the approved landscaping scheme shall be implemented in the nearest planting season (1 October to 28 February inclusive) following first use of the approved development. The new planting and landscape operations shall comply with the requirements specified in BS3998:2010 - 'British Standard Recommendations for Tree Work'.

Thereafter, areas of amenity space shall be permanently retained and any trees or other planting which die within a period of five years from the completion of development, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species in accordance with the details approved by the Local Planning Authority.

## REASON

To ensure the development delivers high-quality design to enhance visual amenities of the locality, improved landscaping and urban greening, a safe pedestrian environment, and mitigates transport impacts in accordance with Policies G5, G7, T5, and D8 of The London Plan (2021) and Policies DMHB 11, DMHB 12, and DMHB 14 of the Local Plan Part 2 (2020).

### **11. NONSC Landscape Management Plan**

Prior to first use of the development hereby approved, a Landscape Management Plan for a minimum period of five years from the implementation of final planting, shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter, the development shall be managed and maintained strictly in accordance with the approved details.

## REASON

To ensure landscaping and urban greening measures are appropriately maintained in accordance with Policy G5 of The London Plan (2021) and Policies DMHB 12 and DMHB 14 of the Local Plan Part 2 (2020).

### **12. NONSC Urban Greening Factor**

(a) Urban Greening Factor measures to achieve a minimum Urban Greening Factor score of at least 0.06 shall be implemented in the nearest planting season (1 October to 28 February inclusive) following first use of the approved development at the latest.

(b) Within six months of implementation of Urban Greening Factor measures, details of onsite green infrastructure shall be submitted to, and approved in writing by the Local Planning Authority to verify the UGF score of at least 0.06 has been attained.

The approved Urban Greening Factor measures to achieve a score of at least 0.06 shall permanently be maintained as such thereafter.

## REASON

To ensure appropriate levels of high-quality landscaping and urban greening measures are provided in accordance with Policy G5 of The London Plan (2021).

### **13. NONSC Ecology**

(a) Prior to the commencement of development (including demolition, site clearance, and initial ground investigation works), a Natural England licence confirming permission to demolish the buildings shall be submitted to and approved by the Local Planning Authority. Thereafter, demolition shall only occur outside of bat maternity season and be carried out between March to April and/or September to October.

(b) A Bat Mitigation Strategy shall be submitted to and approved by the Local Planning

Authority prior to the commencement of development (including demolition, site clearance, and initial ground investigation works). Approved mitigation measures shall be implemented in accordance with the Strategy and permanently retained thereafter.

(c) Any bird nesting clearance shall be carried out in accordance with Ecological Impact Assessment\_Rev-01, report number 17240\_R01\_CS\_CC\_TC, prepared by Tyler Grange Group Limited, dated 08.10.2024.

(d) At least two bird boxes shall be installed onsite prior to the first use of the development hereby permitted. Thereafter, the bird boxes shall be retained onsite in perpetuity.

#### REASON

To mitigate potential harm to bats and enhance the site for roosting bats in accordance with Policies G5 and G6 of The London Plan (2021), Policy EM7 of Hillingdon's Local Plan Part 1 (2012), and Policy DMEI 7 of Hillingdon's Local Plan Part 2 (2020).

#### 14. NONSC Biodiversity and HMP

(a) Biodiversity measures to achieve a 40.41 per cent onsite Biodiversity Net Gain Assessment shall be implemented in the nearest planting season (1 October to 28 February inclusive) following the first use of the approved development.

(b) Prior to the first use of the development hereby permitted, a 30-year site Habitat Management Plan (HMP) shall be submitted to, and approved in writing by the Local Planning Authority. The HMP shall include:

- (i) Description and evaluation of the features to be managed;
- (ii) Aims, objectives, and targets for management;
- (iii) Description of the management operations necessary to achieving aims and objectives;
- (iv) Prescriptions for management actions;
- (v) Preparation of a works schedule, including annual works schedule;
- (vi) Details of the monitoring needed to measure the effectiveness of management;
- (vii) Details of the timetable for each element of the monitoring programme; and
- (viii) Details of the persons responsible for the implementation and monitoring.

The approved HMP shall be strictly adhered to, and development shall commence and operate in accordance with it.

(c) The Applicant shall report the state of the Biodiversity Net Gain requirements of the development to the Council in years one (post-completion), three, five, ten, 20 and 30, with biodiversity reconciliation calculations at each stage.

#### REASON

To ensure the development delivers onsite biodiversity net gain and secures the protection and effective management of on-site habitat in accordance with Policy G6 of The London Plan (2021), Policy EM7 of the Local Plan Part 1 (2012), and Policies DMEI 7 and DMHB 14



of the Local Plan Part 2 (2020).

#### **15. NONSC Accessibility**

The development hereby approved shall include a minimum of one fire evacuation lift per unit, designed to meet the technical standards detailed in BS EN 81-76, BS 9991 and/or BS 9999, which shall be operational upon first use of the development and maintained and retained for the life of the development.

##### **REASON**

To ensure the development can accommodate robust emergency evacuation procedures, including measures for those requiring step-free egress in accordance with Policies D5 and D12 of The London Plan (2021).

#### **16. NONSC Energy Strategy**

Prior to first use of the development hereby approved, the development shall incorporate measures detailed within Energy and Sustainability Statement-Rev-B, prepared by Envision, dated October 2024. Thereafter, the approved measures shall be maintained in perpetuity.

##### **REASON**

In the interest of addressing climate change and to secure environmentally sustainable development in accordance with Policies SI2 and SI3 of The London Plan (2021).

#### **17. NONSC Photovoltaic Panels**

The 340 sq. m. of Photovoltaic Panels shall be installed and operational prior to first use of the development hereby approved, and thereafter shall be maintained in good working order in accordance with the manufacturer's instructions and cleaned at least annually unless self-cleaning panels are installed.

##### **REASON**

To ensure that the installed Photovoltaic Panels generate renewable energy at their full potential in accordance with Policy SI2 of The London Plan (2021).

#### **18. NONSC Non-Road Mobile Machinery**

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

## REASON

To ensure compliance with Policy SI1 and GG3 of The London Plan (2021), London's Low Emission Zone for non-road mobile machinery, the Mayor of London, London Local Air Quality Management Policy Guidance (2019), and The GLA's Control of Dust and Emissions during Construction and Demolition SPG.

### **19. NONSC Noise Impacts on Surrounds**

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 protect the residential amenity of neighbouring occupants with windows open for the purposes of ventilation and cooling in accordance with Policies D3, D13, and D14 of The London Plan (2021), Policy EM8 of the Local Plan Part 1 (2012), and Policy DMHB 11 of the Local Plan Part 2 (2020).

### **20. NONSC Land Contamination**

(a) Prior to the commencement of development hereby approved (excluding demolition, site clearance, and initial ground investigation works), a scheme to deal with unacceptable contamination, (including asbestos materials detected within the soil), shall have been submitted to, and approved in writing by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the LPA 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:

(i) A desk-top study carried out by a suitably qualified and accredited consultant/contractor to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site:

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

(iii) A written method statement providing details of the remediation scheme and how the

completion of the remedial works will be verified shall be agreed in writing with the LPA prior to the commencement development (excluding demolition, site clearance, and initial ground investigation works), along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(b) 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

(c) 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.

(d) 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 LPA.

#### REASON

To ensure that risks from land contamination are minimised and that the development can be carried out safely without unacceptable risks to workers, neighbours, and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Local Plan Part 2 (2020).

### **21. NONSC Digital Connectivity Infrastructure**

Prior to first use of the development hereby approved, sufficient ducting space for full fibre connectivity infrastructure shall be provided to all end users within the development, unless an affordable alternative 1GB/s-capable connection is made available to all end users. Thereafter, the Digital Connectivity Infrastructure shall be retained in perpetuity.

#### REASON

To ensure appropriate Digital Connectivity Infrastructure would be installed in accordance with Policy SI6 of The London Plan (2021).

### **22. NONSC Sustainable Urban Drainage**

Prior to the commencement of development hereby approved (except for demolition, ground and enabling work), a scheme for the provision of sustainable water management shall be submitted to and approved in writing by the Local Planning Authority in consultation with the relevant stakeholders. The scheme shall clearly demonstrate how it manages water and demonstrate ways of controlling the surface water on-site by providing information on:

(a) Sustainable Drainage features:

- (i) Surface water discharge - the submitted drainage strategy shall identify the proposed method and location of discharging collected surface water from the whole site area in accordance with the hierarchy detailed in Policy SI 13 of The London Plan (2021). Where the proposal does not utilise the most sustainable solution, justification shall be provided.
- (ii) Sustainable Drainage System (SuDS) - the submitted drainage strategy shall incorporate SuDS elements that are embedded, where practicable, within the landscaping plan for the development. Preference should be given to above-ground SuDS elements that control water at source and provide wider biodiversity, water quality, and amenity benefits.
- (iii) Runoff rates - provide the greenfield and proposed runoff rates for a variety of return periods, including one in one year, one in 30, one in 100, and one in 100 plus 40 percent climate change. The development shall aim to meet greenfield runoff rates unless a suitable justification can be provided and shall not exceed 13 l/s.
- (iv) Drainage calculations - include calculations to demonstrate that the volume of storage and size of drainage features provided is appropriate to control surface water for a range of storm duration and rainfall intensities for the entire site area for events up to and including the critical one in 100 plus 40 percent climate change rainfall event.
- (v) Exceedance routes - provide a plan showing the route surface water will take through the development for rainfall events exceeding the one in 100 year event. Where it is intended to store water on the ground surface, the maximum extent of overland flooding shall be mapped, and the depth of the flooding shall be confirmed. Safe access and egress for the site shall be demonstrated.

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

- (i) Provide a Management and Maintenance Plan for the drainage system that includes clear plans showing all the drainage network above and below ground and identifies the responsibility of different parties for each component of the drainage network.
- (ii) Include details of the necessary inspection regimes and maintenance frequencies.

(c) 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 the proposed drainage components.

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

**REASON**

To ensure that surface water run off is controlled and the development does not increase flood risk, in compliance with the National Planning Policy Framework (2024), Planning Practice Guidance (Flood Risk and Coastal Change (2014), Policies SI12 and SI13 of The London Plan (2021), Policy EM6 of the Hillingdon Local Plan Part 1 (2012), and Policies

DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020).

### **23. NONSC Sustainable Drainage Evidence**

No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to and approved by the Local Planning Authority, which demonstrates 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 comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (2024), Policies SI12 and SI13 of The London Plan (2021), and Policy EM6 of Hillingdon Council's Local Plan Part 1 (2012).

### **24. NONSC Water Efficiency**

The development hereby approved shall achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent (commercial development), and incorporate measures such as smart metering, water saving, and recycling measures, including retrofitting.

#### **REASON**

To help to achieve lower water consumption rates and to maximise futureproofing in accordance with Policy SI5 of The London Plan (2021).

### **25. NONSC Use Restriction**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (or any order revoking and re-enacting that Order with or without modification) the permitted use shall solely be within Use Class E(g)(iii)/B2/B8.

#### **REASON**

To ensure no wider use within Use Class E is permitted other than light industrial and that the Council manages the quality, impacts, and provision of any change of use thereby safeguarding amenities of the occupants, occupiers of neighbouring properties, and transport capacity in accordance with Policies D14, T4, and T7 of The London Plan (2021).

### **26. NONSC Archaeology**

No demolition or development shall take place until a Stage 1 Written Scheme of Investigation (WSI) has been submitted to and approved by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the



agreed works.

If heritage assets of archaeological interest are identified by Stage 1 then for those parts of the site which have archaeological interest a Stage 2 WSI shall be submitted to and approved by the Local Planning Authority. For land that is included within the Stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed Stage 2 WSI which shall include:

- (i) The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
- (ii) Where appropriate, details of a programme for delivering related positive public benefits.
- (iii) Details of the foundation design and construction method to protect archaeological remains.
- (iv) The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the Stage 2 WSI.

#### REASON

To safeguard the archaeological interest on this site in accordance with Policy HC1 of The London Plan (2021) and Policy DMHB 7 of the Local Plan Part 2 (2020).

## Informatives

### 1. I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### 2. I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

### **3. I43 Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil, or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

### **4. 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.

### **5.**

It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that is reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as detailed in BS4142 to determine the rating level.

### **6.**

Written schemes of investigation will need to be prepared and implemented by a suitably professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

## 7.

Given the presence of bats onsite, a licence is required from Natural England before the demolition of the buildings.

### 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), including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DME 1	Employment Uses in Designated Sites
DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
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 E5	(2021) Strategic Industrial Locations (SIL)
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG3	(2021) Creating a healthy city
LPP HC1	(2021) Heritage conservation and growth
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI5	(2021) Water infrastructure
LPP SI6	(2021) Digital connectivity infrastructure
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

**Appendix 2: Relevant Planning History**



## Appendix 3: List of Relevant Planning Policies

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

### Part 1 Policies:

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

### Part 2 Policies:

DME 1	Employment Uses in Designated Sites
DME 2	Employment Uses Outside of Designated Sites
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 11	Protection of Ground Water Resources
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts

DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
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 E5	(2021) Strategic Industrial Locations (SIL)
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG3	(2021) Creating a healthy city
LPP HC1	(2021) Heritage conservation and growth
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI5	(2021) Water infrastructure
LPP SI6	(2021) Digital connectivity infrastructure
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