

Report of the Head of Planning & Enforcement Services

Address MCKENZIE HOUSE BURY STREET RUISLIP

Development: Erection of replacement warehouse and alteration to existing parking layout (involving demolition of existing warehouse).

LBH Ref Nos: 19033/APP/2010/1088

Drawing Nos: Design Statement, dated January 2011
Ecological Appraisal, April 2010
Arboricultural Report
Phase 1 Flood Risk Assessment Report, December 2010
Interpretive Report on Ground Investigation, dated April 2008
2706/1 REV A
2706/2 REV A
2706/3 REV A

Date Plans Received: 13/05/2010 **Date(s) of Amendment(s):**
Date Application Valid: 24/01/2011

1. SUMMARY

The scheme is for a replacement warehouse at the rear of existing buildings on a commercial site to the east of Bury Street. The building would have a slightly larger footprint, height and bulk. It is considered that it would present a satisfactory appearance in the context of the surrounding commercial buildings. With the amendment made to the building on the side of the building facing residential properties on Dell Farm Road, it would now have an acceptable impact upon these properties. There are many constraints on site involving the adjoining Ruislip Woods SSSI, contamination over a major aquifer and flood risk, but it is considered that these could all be ameliorated with the recommended conditions. The scheme is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

3 M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

5 HLC5 Industrial and Commercial Development

The premises shall not be used except between 08:00 hours and 18:00 hours Mondays to Fridays, between 08:00 hours and 13:00 hours on Saturdays and at no time on Sundays and Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 N12 Air extraction system - noise and odour

No air extraction system shall be used on the premises until a scheme for the control of

noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

7 H16 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 10 bicycles and internal shower facilities have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

8 NONSC Non Standard Condition

The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) (Ambiental, December 2010) and the following mitigation measures detailed within the FRA:

1. Under floor voids up to 1 metre above ground level.
2. Identification and provision of safe route(s) into and out of the site to an approved safe haven.

REASON

To prevent flooding elsewhere by ensuring that compensatory storage of flood water is provided and to ensure safe access and egress from and to the site, in accordance with PPS25 and Policy OE7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 NONSC Non Standard Condition

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved in writing, by the Local Planning Authority:

- 1) A preliminary risk assessment which has identified:
 - * All previous uses
 - * Potential contaminants associated with those uses
 - * A conceptual model of the site indicating sources, pathways and receptors
 - * Potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the Local Planning Authority. The scheme shall be implemented as approved.

REASON

To protect groundwater and surface water quality, in accordance with Policy 4A.17 of the London Plan (February 2008) and PPS25.

10 NONSC Non Standard Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

To protect ground water and surface water quality, in accordance with 4A.17 of the London Plan (February 2008) and PPS25.

11 NONSC Non Standard Condition

Prior to the occupation of the development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plans to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the Local Planning Authority.

REASON

To protect ground water and surface water quality, in accordance with 4A.17 of the London Plan (February 2008) and PPS25.

12 NONSC Non Standard Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

To protect ground water quality as piling/foundations can cause vertical migration of contaminants by their construction and presence, in accordance with 4A.17 of the London Plan (February 2008) and PPS25.

13 NONSC Non Standard Condition

No infiltration of surface water drainage into the ground shall be carried out other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

REASON

To protect groundwater and surface water quality within a Source Protection Zone 1, where only clean roof drainage can discharge to infiltration systems and no infiltration system drainage system can be constructed in land affected by contamination, in accordance with Policy 4A.17 of the London Plan (February 2008) and PPS25.

14 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

REASON

To enable the Local Planning Authority to assess the impact of the proposed development on existing trees and vegetation and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

15 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard

Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

16 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

17 NONSC Non Standard Condition

Prior to the commencement of any site clearance or construction work, detailed drawings showing details of the existing and proposed piling/foundations shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the works shall be carried out in strict accordance with the approved details.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

18 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 DIS1 Facilities for People with Disabilities

Details of a toilet to meet the needs of people with disabilities shall be submitted to and approved by the Local Planning Authority prior to the commencement of works on site and the works shall be completed in strict accordance with the approved details.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

20 NONSC Non Standard Condition

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works, which form part of this remediation scheme, shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works. Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

21 NONSC Non Standard Condition

Prior to commencement of development a detailed construction method statement shall be submitted to and approved in writing by Local Planning Authority. This statement shall set out the methods to be adopted to reduce the pollution impacts of the development on the adjacent Ruislip Woods Site of Special Scientific Interest. The construction and development works must proceed in accordance with the approved statement.

REASON

To minimise the impacts on an important biodiversity feature in accordance with Policies EC1 and EC3 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

22 NONSC Non Standard Condition

Prior to commencement of development, details of ecological enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall incorporate the recommendations made within the supporting ecological appraisal to enhance biodiversity on the site as well as setting mitigation measures for the long term protection of the SSSI such as lighting (to mitigate harm to

bats) and pollution control (to minimise harm to the SSSI). The development must be completed in accordance with the approved details.

REASON

To maximise the opportunities for wildlife in accordance with Policies EC1, EC2, EC3 and EC5 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and PPS9.

23 NONSC Non Standard Condition

Prior to commencement of development a scheme for the reduction of carbon dioxide will be submitted to and approved by the Local Planning Authority. The applicant should aim to maximise the reduction in CO2 emissions through a combination of renewable technology and improved building performance. The development must proceed in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

REASON

To comply with the broad aims of Policies 4A.1 and 4A.7 of the London Plan (February 2008).

24 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties and the ecological interest of the adjoining Ruislip Woods Site of Special Scientific Interest, in accordance with Policies BE13 and EC2 of the Hillingdon Unitary Development Plan Saved Policies (September 2007)

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS9	Biodiversity and Geological Conservation
PPS22	Renewable Energy
PPS23	Planning and Pollution Control
PPS25	Development & Flood Risk
PPG24	Planning and Noise
OL5	Development proposals adjacent to the Green Belt
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LE1	Proposals for industry, warehousing and business development
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LP	London Plan (February 2008)
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as -

the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

6 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

7 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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

8 I45 Discharge of Conditions

Your attention is drawn to condition(s) 4, 7, 9, 11, 14, 16, 17, 18, 19, 20, 21, 22 and 23 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of

this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

9

You are advised that in order to comply with condition 9, the submitted Interpretative Report on Ground Investigation at Bury Wharf, Ruislip, prepared by Structural Soils Ltd dated April 2008, Report No. 721149 does not mention that the minor aquifer lies over a major aquifer and that groundwater in the major aquifer is designated Inner Source Protection Zone 1 here. The submitted report should be reviewed and updated so that it reflects current legislation and good practice guidance. It should also be revised to consider the new proposed development and the risks it may pose to controlled waters.

The 2008 ground investigation identified contamination and recommended further site investigation which the Environment Agency agree is necessary. Further investigation must include groundwater monitoring and the contaminant analysis suite should include phenolic compounds.

10

In order to comply with condition 12, you are advised to follow the risk management framework provided in the Environment Agency's guidance for 'Piling into Contaminated Sites' and also refer to the document: 'Piling and Penetrative Ground Improvement Methods on Land Affected by Contamination: Guidance on Pollution Prevention'.

11

In order to comply with Condition 13, any drainage system and infiltration techniques must be protective of the groundwater and be in line with the Environment Agency's: 'Groundwater Protection: policy and practice (GP3)'.

12

The Environment Agency advise that developers should:

1. Follow the risk management framework provided in CLR11, Model Procedures for the Management of Land Contamination, when dealing with land affected by contamination.
2. Refer to the Environment Agency Guiding Principles for Land Contamination Reports for the type of information that the Environment Agency require in order to assess risks to controlled waters from the site.
3. Refer to the Environment Agency's website at www.environment-agency.gov.uk for more information.

The recovery, treatment and disposal or re-use of contaminated soils and groundwater is regulated by waste legislation and requires an Environmental Permit.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

It is recommended that developers should refer to the Environment Agency's position statement on the Definition of Waste: Development Industry Code of Practice.

13

Please be advised that the siting of the existing warehouse shown on Drw. No. 2706/1 Rev. A is not particularly accurate and should not be relied upon to place the proposed warehouse building.

14

Thames Water advise that there are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated on the eastern side of Bury Street, some 60m to the south of its junction with Reservoir Road and forms part of a larger office and warehouse development located off a private service road accessed from Bury Street. The 0.45 hectare site is of irregular shape and comprises a two storey office building known as McKenzie House which fronts Bury Street and a linked warehouse/laboratory building which extends along the southern side of the access road, with an older detached warehouse building at the rear of the site. Sharing the access to the north are predominantly three storey office buildings known as Cardinal House and Bellway House.

Adjoining the southern boundary of the site at the front of the site is a building occupied by Majestic Wine and to the rear, adjoining the warehouse buildings is Park Wood, which forms part of a larger National Nature Reserve and is also a Site of Special Scientific Interest. This also wraps around the Majestic Wine building to provide a wooded frontage onto Bury Street. At the rear of the site are terraced houses and flats which front onto Dell Farm Road. Beyond these is the embankment supporting the Ruislip Lido Reservoir. The application site forms part of the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and is also covered by TPO 530.

3.2 Proposed Scheme

The proposed warehouse building would replace the older warehouse building with a footprint of approximately 385m² (providing 787m² of floor space on two floors) at the rear of the site with a 560m² building, with an attached pallet store adding a further 40m² of floor space. The proposed building would be approximately 30.1m wide by 18.5m deep and be attached to the newer warehouse/laboratory building on site. It would have a shallow pitched ridged roof with an average eaves height of 7.1m on the front (north west) elevation, increasing to 8.1m at the rear due to the changing levels and a ridge height (as measured from the front) of 10.1m, approximately 800mm higher than the ridge roof of the attached warehouse/laboratory building. The height of the building would step down by 1.7m over a 6m width adjoining the residential properties at its north western end. Amended plans have also been received which show the stepped down element of the building set back by 3.3m from its front elevation. Immediately adjoining this residential boundary would be the single storey pallet store sited centrally on the building's flank which would be 13.2m deep, a maximum of 3.2m wide and 2.4m high to the top of its flat roof (as viewed from the front (3m high as measured from the rear).

The building would have a brick ground floor with brown plastic coated cladding on the first floor and a profiled steel sheet roof to match the existing building. Two service doors are located in the front elevation.

Other buildings on the site comprise the retained warehouse - 1,264m², front offices, canteen and toilets - 336m² and laboratory - 160m².

The car parking layout at the front of the warehouse building would provide a total of 9 car parking spaces, one of which would be a disabled person space.

A number of reports have been submitted with the application, namely,-

Design and Access Statement:

This sets out the context for the proposal. It advises that the applicant, a pharmaceutical company have recently moved from Wembley Park to allow their business to expand. Since occupying the premises, their business has expanded to the point now that additional warehouse facilities are needed as planning applications have been submitted to extend the office facilities. The maximisation of the existing site will enable much needed employment to be created within the borough. It concludes with an assessment of the accessibility of the site.

Ecology Appraisal:

This describes the site and relevant legislation, the appraisal's methodology and its findings. The relevant conclusions are considered at Section 6.0 of this report.

Flood Risk Assessment Report, December 2010:

This advises that the site is within Flood Zone 3a, with a high probability of flooding by the River Pinn and close to the drainage channel of the Ruislip Lido Reservoir. Probability of flooding is assessed and mitigation measures proposed, including secured underground voids beneath the ground floor of the building.

Arboricultural Report:

This assesses surrounding trees, the impact of the proposal and suggests possible mitigation measures to deal with these impacts.

Ground Investigation Report:

This assesses the potential contamination of the underlying ground conditions.

3.3 Relevant Planning History

Comment on Relevant Planning History

19033/APP/2007/3269 - Erection of a part two storey, part three storey office building (involving demolition of existing warehouse) - Approved 24/01/2008.

19033/APP/2010/533 - Erection of a second floor level for use as B1(b) Research and Development) to existing laboratory/warehouse building, erection of new ground floor canopy and associated parking - Approved 20/05/2010.

19033/APP/2010/534 - Erection of a second floor for use as B1(a) office to existing office building fronting Bury Street and provision of additional parking spaces - Refused on 19/05/2010 due to the lack of a tree survey regarding protected trees at the front of the site.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| PT1.6 | To safeguard the nature conservation value of Sites of Special Scientific Interest, Sites of Metropolitan Importance for Nature Conservation, designated local nature reserves or other nature reserves, or sites proposed by English Nature or the Local Authority for such designations. |
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.12 | To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere. |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |

Part 2 Policies:

- | | |
|-------|------------------------------------------|
| PPS1 | Delivering Sustainable Development |
| PPS4 | Planning for Sustainable Economic Growth |
| PPS9 | Biodiversity and Geological Conservation |
| PPS22 | Renewable Energy |

PPS23	Planning and Pollution Control
PPS25	Development & Flood Risk
PPG24	Planning and Noise
OL5	Development proposals adjacent to the Green Belt
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LE1	Proposals for industry, warehousing and business development
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LP	London Plan (February 2008)
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **25th February 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

EXTERNAL CONSULTEES

30 surrounding properties have been consulted and a site notice has been displayed on site. No

responses have been received.

Dell Farm Residents' Association: No response received.

Ruislip Residents' Association: No response received.

Ickenham Residents' Association: No response received.

ENVIRONMENT AGENCY:

The site for the replacement warehouse is partially situated within Flood Zone 3 based upon our national scale mapping. This means that there is a 1% probability that the site will flood in any one year. We usually require compensatory storage on a level for level floor basis as this ensures that the storage comes into effect at the same stage of a flood event. As the redevelopment is only 189 square metres larger than the existing warehouse, we see that the measures detailed in the Flood Risk Assessment are acceptable. There is unlikely to be any increase in flood risk downstream and that with the incorporation of an evacuation plan the development will be safer than the current situation.

The site lies also located over a minor aquifer which lies over a major aquifer and the groundwater in the major aquifer is designated Inner Source Protection Zone 1. This is the most sensitive zone with only a 50 day travel time from any point below the water table to the source. As the groundwater is sensitive to superficial pollution this water quality resource, which is used for public supply, must be protected from contamination.

Due to the constraints above, planning permission should only be granted to the proposed development as submitted if the following 6 planning conditions are imposed set out below (set out as conditions 8 to 13 in the report). Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to this application.

NATURAL ENGLAND:

No response received.

THAMES WATER:

Waste Comments

There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can gain access to those sewers for future repair and maintenance, approval must be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted in some cases for extensions to existing buildings. The applicant is advised to contact Thames Water Developer Services on 0845 850 2777 to discuss the options available at this site.

Water Comments

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

Internal Consultees

INTERNAL CONSULTEES

TREE OFFICER:

TPO / Conservation Area: This site is covered by TPO 530, and is also adjacent to Ruislip Woods Site of Special Scientific Interest (SSSI).

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (on-site): There are three Norway Maples situated at the front of the site, which are protected by TPO 530 (T1, T2 and T3). These trees will not be affected by the construction of the proposed warehouse.

Much closer to the proposed warehouse, there appear to be several trees close to the boundary, three small Ash, a Cherry, two Oaks and a Hornbeam (these trees are not protected by the TPO, and several of the smaller trees are to be removed as part of the scheme).

Significant trees / other vegetation of merit in terms of Saved Policy BE38 (off-site): There are three large woodland trees, an Oak, an Ash and a Hornbeam, to the south-east of the site. The trees are high value and contribute to the arboreal / wooded character of the area. The submitted tree report suggests that some of the trees will require cutting back, however the trees are on land managed by the London Borough of Hillingdon (LBH) and are within Ruislip Woods SSSI so permission must be sought from English Nature and the Green Spaces department before any work is carried out to these trees.

The proposed warehouse falls within the root protection area (RPA) of the above-mentioned trees which are close to the site. The submitted tree report has suggested several construction methods that could be used to minimise damage to the adjacent trees, however the report has also highlighted the need for an arboricultural method statement (AMS). A tree protection plan will also be required. Whilst it would be preferable to address these issues at this stage, they can be dealt with by condition.

Recommendations:

* Given that the trees adjacent to the site could be affected by demolition of the building / foundations, construction-related activity and storage of materials, in accordance with BS5837:2005, a tree protection plan, AMS and details of the proposed foundations should be provided to show how the warehouse will be constructed without damaging the trees (from demolition of the existing warehouse through to construction of the proposed warehouse); where building materials are to be stored; and how the crowns of the adjacent trees will be protected during construction (and if tree surgery work is required, specific details should be provided).

Conclusion (in terms of Saved Policy BE38): Acceptable subject to conditions TL1 (services and levels only), TL2, TL3 (amended to also include a requirement to provide details of existing and proposed foundations, or by a separate and similar condition) and TL21.

HIGHWAY ENGINEER:

No objections, subject to a condition requiring covered and secure cycle parking and shower facilities.

SUSTAINABILITY OFFICER:

Proposal:

Erection of replacement warehouse.

I have no objections to the above development but the following conditions should be attached to any subsequent permission:

Condition

Prior to commencement of development a detailed construction method statement shall be submitted to and approved in writing by Local Planning Authority. This statement shall set out the methods to be adopted to reduce the pollution impacts of the development on the adjacent SSSI. The construction and development works must proceed in accordance with the approved statement.

Reason

To minimise the impacts on an important biodiversity feature in accordance with Policy EC1 of the Unitary Development Plan.

Condition

Prior to commencement of development, an ecological enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The details shall incorporate the recommendations made within the supporting ecological appraisal to enhance biodiversity on the site as well as setting mitigation measures for the long term protection of the SSSI such as lighting (to minimise harm to bats) and pollution control (to minimise harm to the SSSI). The development must be completed in accordance with the approved details.

Reason

To maximise the opportunities for wildlife in accordance with PPS9.

Condition

Prior to commencement of development a scheme for the reduction of carbon dioxide will be submitted to and approved by the Local Planning Authority. The applicant should aim for a 20% reduction in CO2 emissions through a combination of renewable technology and improved building performance. The development must proceed in accordance with the approved scheme unless otherwise agreed in writing with the Local Planning Authority.

Reason

To comply with the broad aims of 4A.1 and 4A.7 of the London Plan.

ENVIRONMENTAL PROTECTION OFFICER:

I do not wish to object to this proposal. Should this application be recommended for approval I would wish to see the following conditions applied;

Noise

Suitable hours of use should be applied;

Condition 1

H1 The premises shall not be used outside the following hours;
- 08:00 hrs and 18:00 hrs on Mondays to Fridays and 08:00 hrs and 13:00 hrs on Saturdays.
The premises shall be closed on Sundays and Bank Holidays.

Reason: To safeguard the amenity of surrounding areas.

Condition 2

N12 No air extraction system shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

Reason: To safeguard the amenity of surrounding areas.

I understand separate comments on contaminated land have been sent under separate cover.

Please add the construction times informative;

Construction Site Informative:

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday

- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

(iii) No bonfires on the site shall be allowed to take place at any time.

ENVIRONMENTAL HEALTH OFFICER (LAND CONTAMINATION):

I refer to your consultation regarding the above application and the contamination investigations submitted with the application.

The submitted details comprise a ground investigation as referenced above. The ground investigation report incorporates the desk study information such as research on the former uses. There is a nearby canal feeder and water drains. The soil is a minor aquifer. The site is shown as 'Works' on the historic maps. The main contaminative use was as a timber yard. This use was for a long period and chemicals for preservation will most likely have been used. I can comment as below.

The report has involved the drawing up of a conceptual model to show the potential contamination issues at the site. This is modified later in the report after the results of the soil and water testing have been considered.

The site investigation has confirmed the presence of contamination. This is from Petroleum Hydrocarbons and a number of individual Polyaromatic Hydrocarbons, 'PAH'. Metals were not identified as a concern given the end use. As regards the petroleum hydrocarbons they are generally in the heavier diesel / lube oil fractions rather than the lighter more toxic compounds such as BTEX. PAH levels are elevated for a number of individual compounds. This hydrocarbon

contamination was found in all of the boreholes and there was some olfactory and soil staining evidence. There are only 4 boreholes with one soil testing sample from each borehole. Therefore the coverage is not extensive. There is also a water sample which has some low levels of hydrocarbon contamination. It is thought by the consultants that perhaps the PAH contamination in the near surface made ground is from a pyrogenic source, and the hydrocarbons in the gravels and water may be from the north as there are potential sources in the area such as garages. The advice of the EA is required on any water issues.

As regards human health the landscaped area of the development is particularly important. This requires a capping of clean soil, 500 mm is recommended. There are no current proposals to remediate the other areas given the hard standing office use. It is not thought by the consultant that vapours are a problem. However no gas or vapour monitoring has been carried out, and given that there is made ground to a variable depth (1 to 2 metres) this should be assessed.

The report submitted is incomplete as the appendices are missing. Therefore we do not have the tables of chemical testing results, borehole logs and a map showing the locations of testing. A full copy should be presented with the Committee report for consideration.

I would advise that the details submitted will support the planning application however there are further details required if a planning permission is given. In particular the area below the demolished building will need to be assessed, a remediation strategy will need to be agreed and implemented. Gas will also need to be assessed by a few rounds of gas monitoring and it may be that the drinking water pipes will require protection due to the hydrocarbons in the soil and water.

I would advise adding the condition below to any permission given the past industrial use of the site and results of the initial investigation.

Condition

L1 Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works, which form part of this remediation scheme, shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: The Environmental Protection Unit should be consulted when using this condition. The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the soil, water (ground/surface) and gas within the land or exist on the surface of the land.

WASTE SERVICES:

a) The proposal is for an industrial unit. The occupiers would have to make an arrangement with

either the Council or a licensed waste carrier for the collection of the waste produced from the premises.

b) As the producers of waste from an industrial premises the occupiers have a Duty of Care to contain the waste safely until it is collected by the Council or a licensed waste carrier. They can best comply with this through the use of bulk bins - 1,100 litre or large front end loader 10 cubic yard bins, or possibly skips.

c) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

d) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

General Points

i) If the value of the construction project is in excess of £300,000, the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

j) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

Green Spaces:

It looks as if all of the surveys etc and proposed mitigation for bats have been carried out.

As site is so close to the NNR, have Natural England been consulted?

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There are no in principle objections to this scheme as it is for a replacement warehouse.

7.02 Density of the proposed development

Not applicable to this application.

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

The application site would not affect any historical listed buildings, archaeological remains or conservation areas or areas of special local character.

7.04 Airport safeguarding

The application is not within a safeguarding zone.

7.05 Impact on the green belt

Policy OL5 of the saved UDP advises that development adjacent to or conspicuous from the Green Belt would only normally be acceptable if it would not injure the visual amenities of the Green Belt.

The proposed warehouse building would be sited immediately adjacent to the Green Belt boundary. However, in this instance, the building would replace an existing warehouse building with an identical siting in terms of the Green Belt boundary. Although the majority of the building would be some 1.8m taller than the existing building, given the context, sited immediately adjacent to mature woodland, the difference in height would have no material impact upon the openness of the adjoining Green Belt. The proposal is considered to be in compliance with Policy OL5 of the saved UDP.

7.06 Environmental Impact

This is considered in Section 7.14 below.

7.07 Impact on the character & appearance of the area

The proposal would replace an existing warehouse building which is of little architectural merit and somewhat dilapidated and overgrown, giving this part of the site an unkempt appearance.

As such, the proposal, sited at the rear of the site and largely screened by surrounding buildings would have little impact upon the visual amenities of Bury Street.

Although the replacement building would be higher and extend the footprint of the existing warehouse building, and be 800mm higher than the adjoining laboratory/warehouse building, overall, it is considered that the footprint, height, scale and general massing of the proposed warehouse building would be appropriate within the context of the existing business area. The design and materials of the building, would also match the adjoining buildings on site. The proposal would accord with Policy BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The only neighbouring properties that would be affected by the proposed warehouse building are those located on Dell Farm Road. Design guidance concerning residential development, the spirit and purpose of which is applicable here, suggests that development of two or more storeys should be set back at least 15m from the main frontages of residential buildings.

There are two storey terraced houses which back onto the application site, which have small rear gardens, approximately 7m in depth so that the nearest property, No. 30 has its rear elevation sited just over 11m from the side elevation of the existing warehouse on site, the height of which is comparable to a two storey building. As originally proposed, the warehouse building, at 10.5m, would be moved slightly nearer to this rear elevation but more critically, would have projected forward of the existing warehouse building's footprint so that it would have extended across 3.3m of the width of No. 30's rear garden. Although it is considered that a previous scheme for an office scheme on this site which was approved at the North Committee meeting on the 13th December 2007 (ref. 19033/APP/2007/3269) would have had a greater impact upon these neighbouring properties, this permission is no longer extant. Following concerns raised by officers, amended plans have now been received which set back the first floor of the stepped down element of the building by 3.3m so that the first floor element of the building on the boundary with neighbouring properties would have a similar alignment and height as the existing warehouse building so that its impact upon adjoining properties would not be significantly greater than the current situation. The building would still extend forward at first floor level and increase to its full 7.2m eaves height, but this would be at a distance of

over 9m from the site boundary and 16m from the rear elevation of No. 30 where any impact would be acceptable. The single storey pallet store, at 2.4m high, would not have any significant greater impact than the existing close boarded fence on this boundary and the existing pallet store at the side of the existing warehouse. As such, it is considered that the scheme complies with Policy BE21 of the saved UDP, and complies with the spirit and purpose of the Council's design guidance.

For the above reasons, the scheme would not result in any significant increase in loss of sunlight to neighbouring gardens and no first floor windows are proposed that could result in a loss of privacy to adjoining residential properties. As such, the scheme complies with Policies BE20 and BE24 of the saved UDP.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal is for a replacement warehouse extension and the Council's Highway Engineer is satisfied that the proposal would not result in a significant increase in traffic generation.

Currently, there is an existing area of hardstanding at the front of the warehouse building, but this has not been laid out and appears to be used as an area of overspill parking.

The current proposal would formalise the existing situation by laying out a total of 9 off-street parking spaces in this area, one of which would be a disabled person space. A 4.8m by 4.8m shrub bed is also proposed in the corner of the site. The Council's Highway Engineer raises no objections to this car parking provision and proposed layout, although cycle parking spaces and facilities for cyclists need to be controlled by condition. As such, the scheme is considered to comply with Policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

The relevant issues are considered in Section 7.07 above.

7.12 Disabled access

The Access Officer advises that the scheme is acceptable, providing a condition is added to provide a disabled toilet facility.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

- Impact on existing trees

The Tree Officer advises that there are three Norway Maples to the front of the on site that are protected by TPO 530 but these would not be affected by the proposal. Much closer to the proposal is the adjoining Ruislip Woods SSSI. Close to this boundary are

three small Ash, a Cherry, two Oaks and a Hornbeam. The three small Ash and mature Hornbeam would be removed as part of this scheme. These trees are Category R and would have little amenity value after 10 years and should be removed in terms of sound arboricultural management. They are no significant in terms of the surrounding woodland and the ecology implications are discussed below. There are more significant trees to the south-east of the site that would need to be pruned. English Nature and Green Spaces approval would be needed for this work.

The submitted tree report suggests various construction methods that could be employed to minimise any damage. The Tree Officer does not raise any objection to the tree loss and works, subject to various recommended conditions, which would include the need for a tree protection plan and an arboricultural method statement. As such, the scheme complies with Policy BE38 of the saved UDP.

- Ecology

Policies EC2, EC3 and EC5 of the saved UDP relate to ecological considerations. PPS9: Biodiversity and Geological Conservation aims to protect and enhance biodiversity. London Plan Policy 3D.14 states that where development is proposed which would affect a site of importance for nature conservation or important species, the approach should be to seek to avoid adverse impact on the species or nature conservation value of the site and if this is not possible, to minimise such impact and seek mitigation of any residual impacts.

The site immediately adjoins Ruislip Woods, which is identified as a SSI, National Nature Reserve and site of Metropolitan Importance for Nature Conservation.

The Ruislip Woods form an extensive example of ancient semi-natural woodland, including some of the largest unbroken blocks that remain in Greater London. A diverse range of Oak and Hornbeam trees are present, with large areas managed on a traditional coppice-with-standards system. The reserve is also unusual in Greater London for the juxtaposition of extensive woodland with other semi-natural habitats, notably acidic grass-heath mosaic and areas of wetland. These habitats and especially the woodland contain a number of plant and insect species that are rare or scarce in a national and local context. The woodland lies in four major blocks, known as Bayhurst, Mad Bess, Copse and Park Wood, of which the later immediately adjoins the application site. Park Wood is the only unbroken area of ancient semi-natural woodland larger than 100 hectares in Greater London.

PPS9: Biodiversity and Geological Conservation states that ancient woodland is a valuable biodiversity resource both for its diversity of species and for its longevity as woodland and that Local Planning Authorities should not grant permission for any development that would result in its loss or deterioration unless the need for, and benefits of, the development in that location outweigh the loss of the woodland habitat.

Policy EC1 of the saved UDP states that the LPA will not grant permission which would adversely affect the integrity of the SSSI, or be unacceptably detrimental to sites of Metropolitan or Borough Importance for Nature Conservation. Policy EC2 states that nature conservation will be taken into consideration and protected species will be a material consideration. Policy EC3 states that proposals close to sites of nature conservation importance will have regard to potential impacts and Policy EC5 advises that natural conservation and ecological features should be enhanced.

The proposal would involve the felling of 3 young Ash and 1 Hornbeam trees due to safety reasons and minimal pruning works will also be required. The Ecological Appraisal advises that the existing warehouse building and the trees to be removed were first surveyed for bats on 10th October 2007, with an update building survey carried out on 19th April 2010. This notes that no signs of bats or bat roosts were sighted during internal and external inspection of the building and none of the trees to be removed were noted as having any features suitable for roosting bats as they are generally young and thin, having grown rapidly within the closed woodland canopy. Bat foraging activity around the site was recorded. The appraisal also advises that there were no notable birds on site during the survey and no other protected species were present. The Council's Sustainability Officer raises no objection to the scheme and subject to various conditions, the scheme is acceptable and complies with Policies EC1, EC2, EC3 and EC5 of the saved UDP and PPS9.

7.15 Sustainable waste management

The proposal is for an extension to an existing facility so that no specific provision would be required for refuse storage.

7.16 Renewable energy / Sustainability

The London Plan clearly outlines the importance of reducing carbon emissions and the role that planning should play in helping to achieve that goal. The London Plan contains a number of policies relating to climate change.

The applicants advise that as this is a warehouse, the building would not be heated. The Council's Sustainability Officer advises that a condition should be attached to ensure that the building achieves a reduction in carbon dioxide generation.

7.17 Flooding or Drainage Issues

Policy OE8 of the saved UDP seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. Policy OE11 seeks to ensure that proposals which involve contaminated land involve appropriate amelioration measures. Policies 4A.13 and 4A.14 of the London Plan (February 2008) also seek to avoid the risk of flooding and Policy 4A.17 seeks to safeguard water supply.

A Flood Risk Assessment has been submitted as part of the application taking into consideration the principles of Planning Policy Statement 25 (PPS25) and other relevant regional and local policies.

The assessment identifies the site to be within Flood Zone 3, an area with a 1% probability that the site will flood in any one year. A submitted Ground Investigation Report also advises that contamination is present on the site.

The Environment Agency advise that as the proposal is only 189sqm larger than the existing warehouse, the measures detailed in the Flood Risk Assessment are acceptable. There is unlikely to be any increase in flood risk further down stream and with the incorporation of an evacuation plan, the development will be safer than the current situation. They also advise that the site is located over a minor aquifer which in turn lies over a major aquifer and this is in the most sensitive zone and the groundwater is used for public supply and must be protected from contamination. Due to these constraints, planning permission should only be granted with various conditions to safeguard flooding

and water supply concerns. These have been included in the Officer recommendation. The concerns raised by the Council's Environmental Health Officer concerning land contamination have also been dealt with by the recommended conditions. The scheme is therefore considered to be acceptable, in accordance with Policies OE8 and OE11 of the saved UDP, Policies 4A.13, 4A.14 and 4A.17 of the London Plan (February 2008) and PPS25.

7.18 Noise or Air Quality Issues

As regards noise, there would not be any significant change as compared to the existing situation. The Council's Environmental Health Officer does recommend controlling hours of use and details of any air extraction system to be agreed prior to installation to mitigate any adverse impact upon surrounding residents. As such, the scheme is considered to comply with policies BE19, OE1 and OE3 of the saved UDP.

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning Obligations

This scheme for a replacement warehouse does not generate any requirement for a S106 contribution.

7.21 Expediency of enforcement action

There are no relevant enforcement issues raised by this application.

7.22 Other Issues

There are no other relevant planning issues raised by this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

10. CONCLUSION

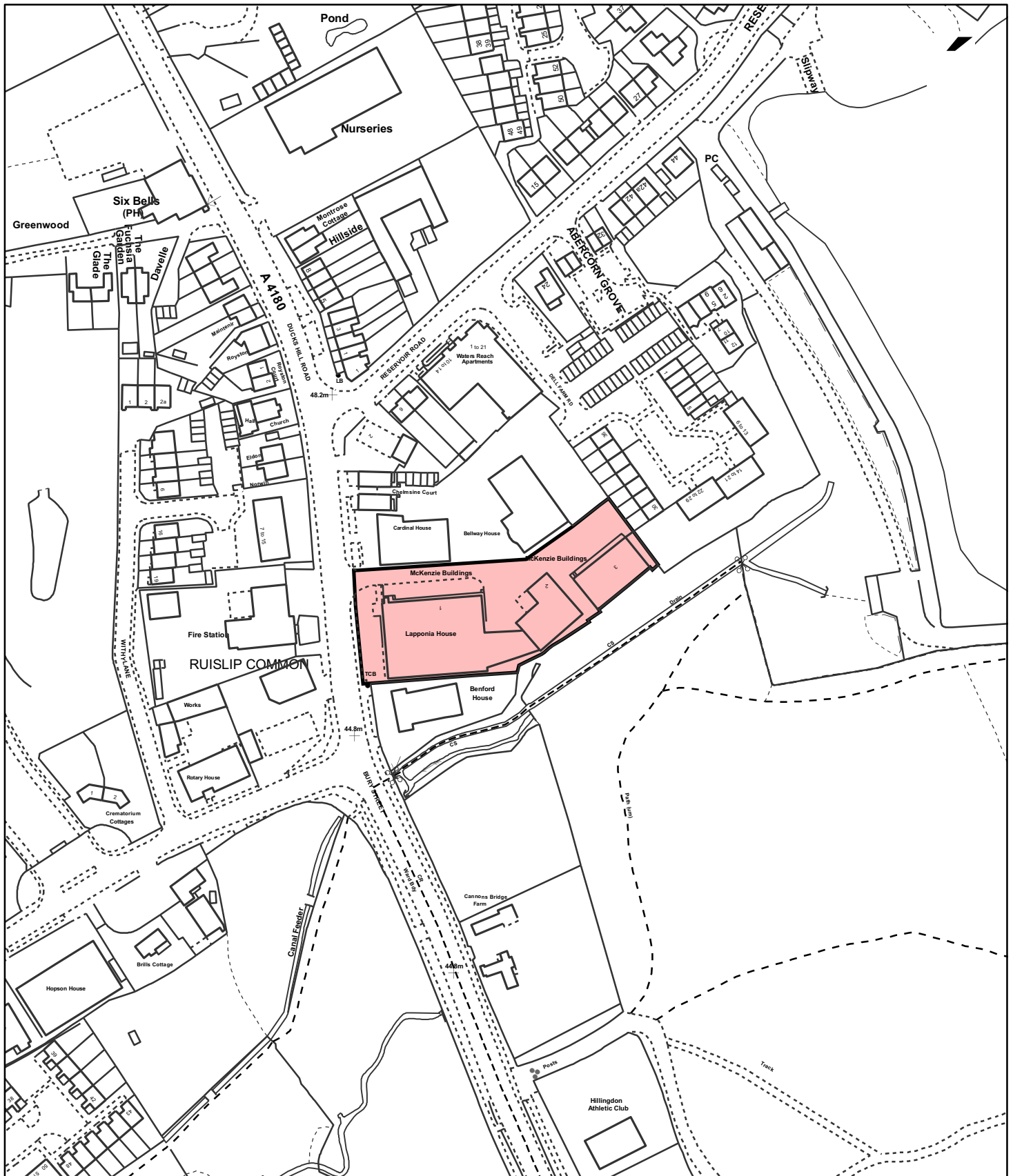
The scheme is for a replacement warehouse on a commercial site with a slightly larger footprint, height and bulk. It is considered that it would present a satisfactory appearance. With the amendment made to the building on the side of the building facing residential properties on Dell Farm Road, it would now have an acceptable impact upon these properties. There are many constraints on site involving the adjoining Ruislip Woods SSSI, contamination over a major aquifer and flood risk, but it is considered that these could all be ameliorated with the recommended conditions. It is recommended that the application be approved.

11. Reference Documents


PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Development
PPS9: Biodiversity and Geological Conservation
PPS22: Renewable Energy
PPS25: Development and Flood Risk
PPG24 Planning and Noise
London Plan (February 2008)
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
HDAS: Accessible Hillingdon

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
McKenzie House Bury Street Ruislip	
Planning Application Ref:	Scale
19033/APP/2010/1088	1:2,000
Planning Committee	Date
North	April 2011

**LONDON BOROUGH
OF HILLINGDON**

**Planning,
Environment, Education
& Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
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HILLINGDON

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