

APPLICATION FOR: 13226/APP/2012/2185

FORMER POWERGEN SITE NORTH HYDE GARDENS HAYES

COMMITTEE: Central South PC

DATE: 4th April 2013

I confirm:-

- All consultations have been completec
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- _____
Case Officer

Signed:- _____
Team Manager

Signed:- _____
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- _____
DC Tech Admin

Item No.	Report of the Head of Planning, Building Control, Sport & Green Spaces
Address	FORMER POWERGEN SITE NORTH HYDE GARDENS HAYES
Development:	Redevelopment of the site to provide an aggregate recycling and processing plant, asphalt plant and storage facility, gully waste recycling plant, aggregate storage facility, and term maintenance depot, with ancillary offices, structures and facilities, car and lorry parking, regrading, and landscaping.
LBH Ref Nos:	13226/APP/2012/2185
Drawing Nos:	Site Location Plan Existing Site Photographs Drainage Strategy (LUK11-18423) CWY14-105 Rev P3 - Site Drainage Design and Access Statement Drainage Assessment (UK14-17916 08/12) Sustainability Statement (UK11-17199 08/12) Ground Conditions Assessment and Land Remediation Strategy (UK11-17199 08/12) Transport Assessment (May 2012) Workplace Travel Plan (May 2012) Arboricultural Impact Assessment Report (211205-PD-11A 07/12) Noise and Vibration Impact Assessment Report (UK11-17199 08/12) Townscape and Visual Impact Assessment (UK11-17199 08/12) Air Quality Impact Assessment Report (UK11-17199 08/12) CWY14-005 Rev A2 - Aggregate Store FMC-PLAN-BB-02 Rev A - Aggregate Recycling Plant CWY14-004 Rev A2 - Asphalt Plant CWY14-007 Rev A1 - Existing Site Sections CWY14-006 Rev A1 - Survey FAIR-BB-OFF-003 Rev B - Office CWY14-002 Rev A3 - Site Elevations CWY14-003 Rev A1 - Section CWY14-001 Rev A1 - Site Layout SL810-24.08.12 - Washing Plant FAIR-BB-WB-001 Rev A - Weighbridge Block Plan A3-14687-A - Low Level Silo Flood Risk Assessment (August 2012) TS-GA-01 - Gully Waste Plant TS-GA-02 - Gully Waste Plant TS-GA-06 - Gully Waste Plant 662/DHA1 Rev C - Landscape Strategy Heritage Report (11137 08/12) Planning Statement (11137/MW/sh 08/12) Ecological Impact Assessment (UK11-17199 08/12) Energy Statement (UK11-17199 08/12)

Environmental Site Assessment (11/07)
Transport Assessment Addendum (Dec 2012)
Response to TfLs Further Comments (11012840/LH)
CWY14-010 Rev P2 - Delivery and Service Plan

Date Plans Recieved:	05/09/2012	Date(s) of Amendment(s):	05/09/2012
Date Application Valid:	06/09/2012		21/03/2013
			31/12/2012
			15/02/2013
			07/01/2013

1. SUMMARY

The application seeks permission for the construction and operation of an Aggregate Recycling Plant; Asphalt Storage and Production Plant; Gully Waste Recycling Plant; together with associated ancillary structures and facilities, car and HGV parking, regrading and landscaping. The redevelopment proposals provide for the clearance and spreading of the existing bund material across the site capping of the site with concrete and/or asphalt as appropriate for circulation and parking, the construction of administration offices, the construction of an Aggregate Recycling Plant, the construction of a Gully Waste Recycling Plant, the construction of an Asphalt Production Plant, and the implementation of landscaping.

The proposal fully complies with the aims of the National Planning Policy Framework (NPPF), PPS10, London Plan policies 5.16, 5.17 and 5.20, the draft West London Waste Plan and Local Plan policy EM11 and saved Policy MIN16. These policies seek to encourage the reduction of waste going to landfill by the treatment processes involved and will help the borough and its West London Waste Plan colleagues meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London. It also provides an employment use in an Industrial and Business Area (IBA).

It is considered that the proposed development would not, on balance, result in an unacceptable visual impact on the visual amenities of adjacent Conservation Area, or the wider area in general. The proposal would not have any detrimental impact on the amenities of the occupiers of neighbouring residential units and it is not considered that the development would lead to such a significant increase in traffic that refusal could be justified on highway grounds.

The proposal is therefore considered to comply with relevant Local Plan and London Plan policies and, accordingly, approval is recommended subject to referral of the application to the Mayor of London.

2. RECOMMENDATION

That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of

Planning, Sport and Green Spaces to grant planning permission, subject to any relevant amendments agreed by the Head of Planning, Sport and Green Spaces and also those requested by the Greater London Authority and the following:

A) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or other appropriate legislation to secure:

1. Transport: a contribution of £10,000 to Transport for London (TfL) toward a feasibility study of the Parkway and Bulls Bridge Roundabout, and a contribution of £20,000 to TfL towards improvements at this junction.

2. Travel Plan: the submission of a revised Travel Plan, including baseline mode share, targets for all modes, a clear monitoring program, how the travel plan will be secured, and an air quality assessment of the environmental benefits of traffic management proposals.

3. Air Quality: a contribution in the sum of £25,000 towards air quality initiatives in the area.

4. A financial contribution of £15,000 towards improving the Grand Union Canal frontage.

5. A feasibility study to assess the potential for moving freight by water during the occupation of the development. The use of waterborne transport shall be maximised unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

6. Project Management and Monitoring: a contribution equal to 5% of the total cash contributions secured under s106 to enable the management and monitoring of the resulting agreement.

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

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

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this Committee resolution, delegated authority be given to the Head of Planning, Sport and Green Spaces to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of highway safety and air quality). The proposal therefore conflicts with Policies AM2, AM7 and R17 of the adopted Local Plan and the Council's Planning Obligations SPG and Air Quality SPG.'

E) That subject to the above, the application be deferred for determination by the

Head of Planning, Sport and Green Spaces under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning, Sport and Green Spaces prior to issuing the decision:

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 CWY14-001 Rev A1 - Site Layout; CWY14-002 Rev A3 - Site Elevations; CWY14-003 Rev A1 - Section; CWY14-004 Rev A2 - Asphalt Plant; CWY14-005 Rev A2 - Aggregate Store; CWY14-006 Rev A1 - Survey; CWY14-007 Rev A1 - Existing Site Sections; CWY14-010 Rev P2 - Delivery and Service Plan; CWY14-105 Rev P3 - Site Drainage; FAIR-BB-WB-001 Rev A - Weighbridge; FAIR-BB-OFF-003 Rev B - Office; FMC-PLAN-BB-02 Rev A - Aggregate Recycling Plant; SL810-24.08.12 - Washing Plant; A3-14687-A - Low Level Silo; TS-GA-01 - Gully Waste Plant; TS-GA-02 - Gully Waste Plant; TS-GA-06 - Gully Waste Plant; 662/DHA1 Rev C - Landscape Strategy, 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 Hillingdon Local Plan (November 2012) and the London Plan (2011).

3 COM5 General compliance with supporting documentation

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

Design and Access Statement

Drainage Assessment (UK14-17916 08/12)

Sustainability Statement (UK11-17199 08/12)

Ground Conditions Assessment and Land Remediation Strategy (UK11-17199 08/12)

Transport Assessment (May 2012)

Workplace Travel Plan (May 2012)

Transport Assessment Addendum (Dec 2012)

Response to TfLs Further Comments (11012840/LH)

Arboricultural Impact Assessment Report (211205-PD-11A 07/12)

Noise and Vibration Impact Assessment Report (UK11-17199 08/12)

Townscape and Visual Impact Assessment (UK11-17199 08/12)

Air Quality Impact Assessment Report (UK11-17199 08/12)

Flood Risk Assessment (August 2012)

Heritage Report (11137 08/12)

Planning Statement (11137/MW/sh 08/12)

Ecological Impact Assessment (UK11-17199 08/12)

Energy Statement (UK11-17199 08/12)

Environmental Site Assessment (11/07)
Drainage Strategy (LUK11-18423)

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan (November 2012) and the London Plan (2011).

4 COM7 Materials

No development shall take place until details, including samples, of all materials and external surfaces, including details of canopies, skips, and silos shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

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 area in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. 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.

Thereafter, the development shall be implemented in accordance with the approved

details. 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:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and.
- 2.e 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 can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 COM9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal and River Trust. The scheme shall include: -

- 1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
 - 2.a Refuse Storage
 - 2.b Cycle Storage
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as play equipment and furniture)
- 3. Living Walls and Roofs
 - 3.a Details of the inclusion of living roofs
- 4. Details of Landscape Maintenance
 - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities

of the locality and provide adequate facilities in compliance with policies BE4, BE13, BE38, AM14 and AM18 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 5.11 and 5.17 of the London Plan (2011).

8 COM10 Tree 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 3998:2010 'Tree work - Recommendations' 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 Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 COM26 Ecology

Prior to the commencement of development, an ecological improvement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the provision of bat and bird boxes in appropriate locations, suitable additional planting and green roofs on the 12 aggregate storage bays (shown as yellow to the eastern boundary of the site, drawing no. CWY14-001). Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EM7 of the Hillingdon Local Plan: Part One (November 2012) and policy 7.19 of the London Plan (2011).

10 NONSC Buffer Zone

No development shall take place until a scheme for the provision and management of a buffer zone alongside the Yeading Brook and Grand Union Canal, as indicated on drawing CWY14-105 Rev P3 Site Drainage dated 7 Jan 2013, is submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme, and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping. The scheme shall include:

- (i) plans showing the extent and layout of the buffer zone. The widths of the buffer zone must be as specified in drawing CWY14-105 Rev P3: Site Drainage dated 7 Jan 2013.
- (ii) details of any proposed planting scheme (for example, native species).
- (iii) details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy EM7 of the Hillingdon Local Plan: Part One (November 2012) and policy 7.19 of the London Plan.

11 NONSC 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, in particular the arrivals and departures of construction related traffic.
- (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) A Traffic Management Plan detailing the management of access and egress to the site, access arrangements (vehicular and pedestrian), measures to control impacts on the free flow of traffic resulting from construction access (including measures to reduce the numbers of construction vehicles accessing the site during peak hours), and parking provisions for contractors during the development process.
- (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 Local Plan: Part Two Saved UDP Policies (November 2012).

12 NONSC Secured by Design

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure

environment in accordance with policies 7.1 and 7.3 of the London Plan (2011).

13 NONSC Surface Water Drainage

Prior to the commencement of the development hereby approved, a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (August 2012) shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall include a restriction in run-off and surface water storage on site as outlined in the FRA and shall incorporate sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Additionally it will:

- i. provide details of the surface water design and how it will be implemented to ensure no increase in flood risk from commencement of construction and during any phased approach to building.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

The scheme shall also demonstrate the use of methods to minimise the use of potable water, and will:

- iv. incorporate water saving measures and equipment.
- v. provide details of water collection facilities to capture excess rainwater;
- vi. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to policy EM6 of the Hillingdon Local Plan: Part 1 Strategic Policies (Nov 2012), and policy 5.12 of the London Plan (2011), and that it be handled as close to its source as possible in compliance with policy 5.13 of the London Plan (2011), and to conserve water supplies in accordance with policy 5.15 of the London Plan (2011).

14 NONSC Photovoltaics

Prior to construction of the building hereby approved, full details of the proposed photovoltaic installation, including measures as to how the energy savings produced will be monitored, shall be submitted to and approved in writing by the Local Planning Authority. The photovoltaic panels shall thereafter be retained, maintained and monitored for the lifetime of the development.

REASON

To ensure a sustainable approach to energy efficiency and carbon reductions is met across the site, in accordance with policies 5.2 and 5.3 of the London Plan (2011).

15 COM29 Lighting and CCTV

Prior to the commencement of the development hereby permitted, full details of any

proposed lighting and a CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. 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. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development. No floodlighting or other form of external lighting shall be installed.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and to protect the ecological value and canal setting of the area in accordance with policy EM7 of the Hillingdon Local Plan: Part One (November 2012).

16 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 3.1, 3.8 and 7.2 of the London Plan (2011).

17 MCD11 Storage in Defined Areas

No raw materials, finished or unfinished products, parts, crates, packing materials or waste shall be kept on the site except within the buildings or storage areas specified on the approved plans.

REASON

In order to safeguard the amenities of the area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policy 7.1 of the London Plan (2011).

18 NONSC Use of Canal

Within 3 months of the date of this permission, a feasibility study to assess the potential for moving freight by water during the construction cycle of the development shall be submitted to and approved in writing by the Local Planning Authority, in consultation with the Canal and River Trust. The use of waterborne transport shall be maximised unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance with policy 7.26 of the London Plan (2011).

19 DRC6 Contamination

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning

Guidance Document Land Contamination and approved by the Local Planning Authority. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified, including how to deal with the risks associated with contamination of controlled waters, shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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 Local Plan: Part Two Saved UDP Policies (November 2012).

20 NONSC Imported Soils

All imported soils used for landscaping purposes including soils shall be clean and free of contamination.

REASON

To ensure that the users of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

21 N5 Control of noise emission from the site

The development shall not be occupied until the noise mitigation measures outlined in the Noise and Vibration Impact Assessment Report (UK11-17199 08/12) have been implemented, and thereafter shall be retained and maintained in good working order for so long as the site remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.15 of the London Plan (2011).

22 NONSC Noise monitoring

Prior to the occupation of the development, a scheme for the monitoring of noise emissions from the site shall be submitted to and approved by the Local Planning Authority, and thereafter the scheme shall be implemented for so long as the development is available for use.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.15 of the London Plan (2011).

23 NONSC Fleet management

Before any part of the development is occupied an environmental fleet management plan shall be submitted for approval to the Local Planning Authority. The scheme shall include details of the use of low emission vehicle technologies (e.g. use of electric and/or hybrid vehicles where appropriate, installation of electric charging points), environmentally aware driver training scheme (e.g. no idling), and fleet servicing and maintenance regime. The said scheme shall be implemented for so long as the development is available for use.

REASON: In order to protect the amenities of local residents, in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.14 of the London Plan (2011).

24 NONSC Air quality mitigation

Before the development is commenced, details of all mitigation measures to off-set the identified deterioration in air quality as a result of the development shall be submitted to and approved by the Local Planning Authority. The submitted details should include the impact of the final energy provision at the site and impacts on the road junction. The mitigation measures shall be integrated within the area affected by the development and thereafter permanently retained and maintained.

REASON: In order to protect the amenities of local residents, in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.14 of the London Plan (2011).

INFORMATIVES

1 I52 Compulsory Informative

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

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 (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

AM12	Promotion of traffic management measures which give priority to buses
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE25	Modernisation and improvement of industrial and business areas
BE34	Proposals for development adjacent to or having a visual effect on rivers
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally acceptable facilities
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
>>	London Plan (2011) Policies
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.17	(2011) Strategic Industrial Locations
LPP 4.1	(2011) Developing London's economy
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.5	(2011) Decentralised energy networks
LPP 5.7	(2011) Renewable energy

LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 5.20	(2011) Aggregates
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
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LPP 6.12	(2011) Road Network Capacity
LPP 6.13	(2011) Parking
LPP 6.14	(2011) Freight strategy
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LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.7	(2011) Location and design of tall and large buildings
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
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LPP 7.26	(2011) Increasing the use of the Blue Ribbon Network for freight transport
LPP 7.28	(2011) Restoration of the Blue Ribbon Network
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

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).

5 I11 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

6 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 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.

7 I19 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE. Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804).

8 I20 **Land Drainage**

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

9 I24 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

10 I32 Trees in a Conservation Area

As the application site is within a conservation area, not less than 6 weeks notice must be given to the Local Planning Authority of any intention to cut down, top, lop or uproot or otherwise damage or destroy any trees on the application site. Please contact the Trees & Landscape Officer, Planning & Community Services, 3N/02, Civic Centre, Uxbridge, UB8 1UW for further advice.

11 I34 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.

· Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804.

12 I58 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk.

13

Flood Defence Consent:

Please note that in addition to planning permission, under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank/foreshore of the Yeading Brook, designated a main river .

The applicant is advised to contact PSO-Thames@environment-agency.gov.uk for more information regarding Flood Defence Consents.

14

Environmental Permitting:

This development will require a permit from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010. The operator of a permitted site must have appropriate measures in place to prevent pollution to the environment, harm to human health the quality of the environment, detriment to the surrounding amenity, offence to a human sense or damage to material property. Further guidance is available on our website.

The proposed development is not eligible for a standard rules permit (our reference SR2010No12) because the site is located within three Air Quality Management Areas: Ealing, Hillingdon and Hounslow. The site operator must apply for a bespoke permit before commencing operations at this location. The site is in a very sensitive area and a full environmental risks assessment must be completed in support of the permit application.

Guidance on our application procedure is available on our website. We use operational risk appraisals to determine the charges applicable to a bespoke permit. The applicant is advised to contact Richard Cattan (Environment Officer) on 01707 632480 to discuss the issues likely to be raised.

15

Abstraction License:

If the applicant intends to abstract more than 20 cubic metres of water per day from a

surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose e.g. dust suppression, then an abstraction license from us will be needed. There is no guarantee that a license will be granted as this is dependent on available water resources and existing protected rights. The applicant is advised to contact our National Customer Contact Centre on 03708 506 506 for more information regarding abstraction licenses.

16

Canal and River Trust:

The applicant/developer should refer to the current Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>).

17

Cranes:

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

18

Landscaping:

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.

Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

19

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

3. CONSIDERATIONS

3.1 Site and Locality

The site is triangular in shape forming part of the former Powergen power station site at Bulls Bridge, Hayes adjacent to Yeading Brook. The land lies approximately one kilometre to the east of Hayes Station and is wedged between the Paddington to Bristol railway line to the north, the Hayes By Pass to the west, the main arm of the Grand Union Canal to the south, and the Paddington Branch of the canal to the west.

The site is approximately 3.1 hectares in area. It is a brown-field site and has no buildings. An existing access road follows the western boundary of the site adjacent to Yeading Brook and provides access to the DHL Lorry Park, which is located to the north-west of the site and the British Waterways and Volvo sites located to the south. The A312 flyover spans part of the western side of the site.

The Bulls Bridge Conservation Area covers the British Waterways site to the south and the Paddington Branch of the Grand Union Canal along the eastern boundary of the site. Significant vegetation on the site is limited to a row of trees along the eastern boundary and the landscaped corridor of Yeading Brook.

Access to the site is via North Hyde Gardens beneath the A312 flyover. North Hyde Gardens has junctions with North Hyde Road to the south and Nestles Avenue from the west.

The site is located within an Industrial and Business Area within the Hayes /West Drayton Corridor on the eastern boundary of the Borough. Two other notable installations nearby include the British Airways Engineering base and the Nestles factory on North Hyde Gardens. Adjoining the site to the south is the Volvo Vehicles Maintenance Depot and the British Waterways site. The Volvo site is a maintenance centre for Volvo trucks and buses. The British Waterways site is currently largely undeveloped with three dilapidated old dwellings on the site, one of which is the former Canal Toll House. This site has permission for a coach parking operation.

3.2 Proposed Scheme

The development proposals are for the construction and operation of an Aggregate Recycling Plant; Asphalt Storage and Production Plant; Gully Waste Recycling Plant; together with associated ancillary structures and facilities, car and HGV parking, regrading and landscaping.

The redevelopment proposals provide for:

- clearance and spreading of the existing bund material across the site, capping of the site with concrete and/or asphalt as appropriate for circulation and parking;
- construction of administration offices;
- construction of an Aggregate Recycling Plant;
- construction of a Gully Waste Recycling Plant;
- construction of an Asphalt Production Plant; and
- implementation of landscaping.

Upon completion, the Aggregate Recycling Plant will have a maximum process and recycle capacity of approximately 300,000 tonnes per annum (tpa) of waste material extracted from pavements that would otherwise have been landfilled. Some of this material will be used within the Asphalt Production Plant which will at completion, have a production capacity of 300,000 tpa. In addition, the Gully Waste Recycling Plant will accept material from road sweepers and gully suckers (that would otherwise have been sent to landfill) to recycle up to 20,000 tpa. The recycled water and the recovered solid materials from this process will be redirected back into the Aggregate Recycling Plant.

The proposed development's key objective will be to recycle all the waste materials that arise from the delivery of the Applicant's wide ranging services. These include asphalt, road and pavement sub base, paving, concrete and wet wastes such as gully waste and road sweepings.

The proposed development will also serve as an operating centre for the Applicant's Term Maintenance Division by providing parking for vehicles and storage for equipment and materials.

The existing bund material is to be re-spread across the site, and following this, together with the capping layers, the current site levels are to be raised by up to a maximum of 1.2m. The fill materials will be retained by means of a 1.2m high retaining wall around the site perimeter. The following boundary treatment will be implemented on top of this retaining wall:

- North-west: 2.4m palisade fence
- North-east: 6m acoustic boundary wall
- East: 7m acoustic boundary wall
- South-east: 3-5m acoustic boundary wall with 1.2m high landscaping planters
- South: 2m acoustic boundary wall with 1.2m high landscaping planters
- West: 2.4m palisade fence

Vehicle access will be provided from two points along the existing road - one access point to the main facility and one access point to the staff car parking located beneath the A312 Parkway.

The proposed development layout would comprise the following:

Northern and North-Eastern Site Area:

- Aggregate Recycling Plant including Washing Plant and Inbound Material Stockpile (up to 5 m high). The Aggregate Recycling Plant will comprise a processing plant, screens, washing plant, hoppers, conveyors, fines treatment equipment, control cabins, inbound storage bays (of block wall or sleeper construction) and other ancillary plant, equipment and structures.
- Low level cement silo. The low level cement silo will comprise a 100-tonne capacity, prefabricated steel constructed silo. Cement from the silo will be taken by the Applicant's fleet of concrete mixer trucks as required, to facilitate the mixing of concrete at the point of use. No concrete will be produced on-site.
- Water storage tank.
- Staff welfare and storage facilities.

Eastern Site Area:

- Inbound storage bays.
- Covered aggregate storage bays.
- Site storage and/or parking (comprising hardstanding areas, enclosed as necessary).
- Water storage tank.

Southern Site Area:

- Asphalt Plant. The Asphalt Plant will comprise the production unit, an asphalt hot storage facility (with six x 80 tonne capacity bins), twelve covered aggregate storage bays and ancillary plant, equipment and structures, including three sea-container style units for the storage of equipment.
- Asphalt HGV tracking lanes and parking spaces.
- Site storage.

Western Site Area:

- Landscaped car park with 70 car parking spaces, five cycle and five motorcycle spaces.
- Staff welfare facilities. Up to six Portacabin style units will be provided along the perimeter of the site to provide changing, washing, toilet, drying and seating areas.

- Office building and visitor car parking spaces. Two buildings will be provided on-site, a two-storey weighbridge office from where site access and plant control will take place, and a three-storey administrative office that will provide for general site and contract management and control.
- Term Maintenance Yard (enclosed as necessary) and fuel storage areas. The Term Maintenance Yard will comprise the following: Open storage of plant, equipment and materials (such as paving slabs, setts, lighting, street furniture etc); Low-level enclosed storage of plant equipment and material items (such as power tools, PPE, high value items and items requiring inside storage); Vehicle parking; and Security fencing.
- Main site entrance point with entry and exit roads, incorporating weighbridges, on either side of the weighbridge office.
- Gully Waste Recycling Plant. The Gully Waste Recycling Plant comprises a shallow sloping concrete pad (10 x 24 m), filters and two below ground tanks for the treatment and recycling of gully sucker waste and road sweeper waste arising from street cleansing activities. At maximum output, up to 20,000 tpa of waste will be treated and recycled.
- Concrete washout bay. The proposed Concrete Washout Bay, or settlement bay, will be used to wash down volumetric concrete mixers at the end of each working day.
- Water storage tank.
- Diesel fuel tank with 60,000 litre capacity and bunded containment of 110%.

Central Site Area:

- Hardstanding and circulation routes.
- Drive-through wheel wash.

3.3 Relevant Planning History

Comment on Relevant Planning History

The site was previously used for the storage of fuel tanks for the former Bulls Bridge Power Station and as a creosote works, involving the application of wood preservation substances on a commercial scale.

13226/G/96/0250/OUT - Planning permission was granted on 03/09/97 for the Redevelopment for the erection of buildings for use within Classes B1, B2 and B8 (involving demolition of disused power station) (outline application).

13226/T/98/0120 - Planning permission was granted on 23/4/98 for the erection of replacement bridge over Yeading Brook.

13226/AD/98/2346 - Planning permission was granted on 2/2/99 for the erection of services plant compound and relocating fourteen parking spaces in western portion car park.

13226/AG/99/0457 - Planning permission was granted on 7/6/99 for Remedial treatment of on site with associated landscaping.

13226/APP/1999/2592 - Planning permission was granted on 23/6/2000 for the erection of a workshop for coach and bus servicing and ancillary offices and stores and an enclosure for coach washing together with car and coach parking and landscaping.

13226/APP/2000/1673 - Planning permission was refused on 6/12/2000 for the construction of a recycling centre with ancillary offices and car parking (part reserved matters of siting design and external appearance) pursuant to Condition 1 of Planning Permission Ref. 13226G/96/250 dated 03/9/97.

13226/APP/2000/1902 - Planning permission was granted on 26/9/2000 for the parking of trailers, lorries and cars, provision of a lorry wash and fuel areas and erection of a security office (duplicate application).

13226/APP/2000/2441 - Planning permission granted on 27/3/01 for the erection of a workshop for coach and bus servicing and ancillary offices and stores and an enclosure fore coach washing together with car and coach parking and landscaping.

13226/APP/2000/2743 - No further action taken on 9/3/01 for the part reserved matters (Details of siting, design and external appearance) in compliance with Condition 7 of Planning Permission Ref. 13226G/96/250 dated 03/09/97; construction of a recycling centre with ancillary offices and car parking.

13226/APP/2001/527 - Application withdrawn for the erection of a building for use within Class B1(c), B2 or B8 of the Town and Country Planning (Use Classes) Order 1987 as a waste recycling centre.

13226/APP/2001/849 - Planning permission granted on 18/11/08 for the erection of a building for use within Class B1(c), B2 or B8 of the Town and Country Planning (Use Classes) Order 1987.

4. Planning Policies and Standards

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

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan (July 2011)

National Planning Policy Framework

PPS10: Planning for Sustainable Waste Management

Draft West London Waste Plan

Hillingdon Supplementary Planning Document - Accessible Hillingdon

Hillingdon Supplementary Planning Document - Noise

Hillingdon Supplementary Planning Document - Planning Obligations

Hillingdon Supplementary Planning Guidance - Air Quality

Hillingdon Supplementary Planning Guidance - Community Safety by Design

Hillingdon Supplementary Planning Guidance - Land Contamination

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.E1	(2012) Managing the Supply of Employment Land
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM3	(2012) Blue Ribbon Network
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise

PT1.EM11	(2012) Sustainable Waste Management
PT1.HE1	(2012) Heritage
PT1.T3	(2012) North-South Sustainable Transport Links

Part 2 Policies:

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM12	Promotion of traffic management measures which give priority to buses
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE25	Modernisation and improvement of industrial and business areas
BE34	Proposals for development adjacent to or having a visual effect on rivers
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
MIN16	Waste recycling and disposal - encouragement of efficient and environmentally

	acceptable facilities
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
>>	London Plan (2011) Policies
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 2.17	(2011) Strategic Industrial Locations
LPP 4.1	(2011) Developing London's economy
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.5	(2011) Decentralised energy networks
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 5.20	(2011) Aggregates
LPP 5.21	(2011) Contaminated land
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LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
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LPP 7.7	(2011) Location and design of tall and large buildings
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.14	(2011) Improving air quality
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LPP 7.28	(2011) Restoration of the Blue Ribbon Network
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th October 2012**

5.2 Site Notice Expiry Date:- **24th October 2012**

6. Consultations

External Consultees

Consultation letters were sent to 33 local owner/occupiers on 14/09/2012, and again on 10/01/2013. The application was also advertised by way of site and press notices. Three letters of objection have been received which raise the following concerns (in summary):

- i) Air pollution
- ii) Odour
- iii) Noise
- iv) Impact on Minet County Park
- v) Traffic congestion
- vi) Impact on wildlife/landscape
- vii) Impact on amenity
- viii) Scale of building works
- ix) Loss of canal moorings
- x) Inappropriate site for proposed use

In addition, an objection has also been received from the Local MP, which states:

I am concerned that this development will have a seriously deleterious impact on the environment of the local area. The scale of the development and the considerable height of the buildings and chimney stack would result in a considerable loss of amenity for Minet Country Park and would have a domineering visible impact on the local area. The significant increase in traffic generated would increase congestion and air pollution to an unacceptable level in an area that is already heavily congested and suffering from air pollution to such an extent that it is designated as an air quality management zone. There are concerns about the potential emissions and smell from this type of operation on the site, which is located so close to a centre of population including residential and park activity areas. There are worries about the loss of valuable canal mooring sites and the impact on wildlife and flora and fauna in the area. If the council is minded to approve this application it is proposed that strict conditions applied that secure investment in the Minet park to minimise the impact of the development, traffic calming and management plans are determined to

reduce traffic generation, including the predominant use of the canal for transporting materials, an air pollution strategy is agreed and any canal moorings affected are replaced in the centre of Hayes Town as residential moorings.

GREATER LONDON AUTHORITY:

London Plan policies on waste, employment, design, noise, air quality, energy and transport are relevant to this application. The application complies with some of these policies but not with others, and on balance does not comply with the London Plan; the reasons and the potential remedies to issues of non-compliance are set out below:

Waste: The proposal supports the London Plan policies for waste management. Further clarification is required on how waste is being moved up the waste hierarchy.

Employment: The proposed use is consistent with the site designation as part of a Preferred Industrial Location and supports the relevant London Plan policies.

Urban design: Although there is a tall building proposed at the site, it is considered appropriate within this industrial setting, and is not unreasonably detrimental from a balanced strategic perspective.

Noise: Clarification of the sampling methodology, noise indicators and time periods is required to ensure that suitable agreed noise limits can be met with reasonable certainty. A more detailed noise mitigation scheme and a more detailed delivery noise assessment are required. The Council will need to impose relevant local conditions, which require monitoring by the applicant to ensure the conditions are not breached.

Air quality: Conditions relating to Non-Road Mobile Machinery will need to be applied to comply with the forthcoming SPG and the Council should ensure that these are imposed. Clarification should be provided as to how emissions will be reduced. The provision of natural gas to the site, together with hydrogen and bio-methane vehicles for deliveries should be explored.

Energy: The potential for recovering waste heat from the process is crucial and should be addressed. Outstanding district heat opportunities and links need to be specified.

Transport: Various transport related plans and conditions stated in the report need to be undertaken and secured. To ensure compliance with the London Plan, cycle parking figures need to be provided, a delivery servicing plan (DSP), and construction logistics plan (CLP), travel plan, pedestrian environment review (PERS), and electrical vehicle charging points (EVCP), should all be secured by condition.

Officer Comment: The applicant has submitted additional details to address these concerns. It is considered that the additional details address these concerns.

TRANSPORT FOR LONDON:

Transport for London (TfL) write following receipt of a letter dated 15th February from the applicant's consultants WSP in response to TfL's comments sent to you on 7th February 2013 related to the above application. This follows up the transport concerns raised by TfL within the GLA Stage 1 planning report which was considered by the Deputy Mayor on 31st October 2012.

The following transport comments are based on information provided by WSP within their letter. Should this application be granted planning permission, the developer and their representatives are

reminded that this does not discharge their requirements under the Traffic Management Act 2004.

Car Parking:

TfL accepts the applicant's confirmation that the removed spaces will be transformed either into landscaping and/or additional cycle parking. TfL would however recommend that this would be subject to a planning condition and that the final design would need to be agreed with the Borough. TfL welcomes that the applicant would investigate possible further reductions in parking numbers in line with the outcomes of the Travel Plan.

TfL is now content with the proposed parking numbers.

Impact on Highway Network:

TfL welcomes the agreement in principle for a contribution of £10,000 towards the feasibility study at Bulls Bridge Roundabout. The feasibility study will look at the cumulative impact of developments in the vicinity of Bulls Bridge Roundabout, including Ealing, Hounslow and Hillingdon, on both the local and strategic highway network.

Given the existing level of congestion on The Parkway and Bulls Bridge Roundabout and the significant amount of planned developments in the area which is expected to exacerbate this situation, TfL is actively seeking contributions from developers in the area towards associated highway improvements to this specific part of the network. The aim of these improvements is to mitigate the cumulative impact of those developments through potential junction redesign and associated highway and/or signal improvements. TfL will therefore be seeking a contribution of £20,000 from this development towards improvements at this junction through s106. This is consistent with the approach previously adopted for other sites.

Cycle and Walking:

TfL welcomes that the applicant will give further consideration to pedestrian and cycling improvements on the local highway network. Any proposed improvements would need to be agreed with the Borough and included in the s106 agreement.

Travel Plans:

TfL welcomes the submission of a Travel Plan. This has been reviewed through the ATTrBuTE tool and has unfortunately failed the assessment. To improve the Travel Plan the following will need to be included, namely baseline mode share (% and numbers), targets for 3 and 5 years for all modes, clear standardised monitoring programme and how the travel plan will be secured. However, TfL is content for this to be secured, monitored, reviewed, and enforced through the s106 agreement.

Summary:

TfL welcomes the additional information provided in the letter. Apart from the requested contribution to highway improvements at Bulls Bridge, TfL has no further comments to make other than those contained above which can be included as planning conditions and /or part of s106 agreement.

ENVIRONMENT AGENCY:

Further to our letter dated 10 October (reference NE/2012/115935/01) we have since received additional information by email (dated 7 January 2013) from Environ to address our objection.

We are pleased to advise that the information submitted is sufficient to overcome our previous objection. We now have no objections to the application, subject to the inclusion of conditions, to any subsequent planning permission granted. Without the inclusion of these conditions we

consider the development to pose an unacceptable risk to the environment.

We have reviewed the following additional information, which you have confirmed you have also received:

- Letter from Environ ref SG/LUK11-18423_Bulls Bridge Drainage Strategy_1 dated 7 Jan 2013.
- Drawing CWY14 - 105 Rev P3: Site Drainage dated 7 Jan 2013.

Condition 1:

No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the Local Planning Authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

The scheme shall also include:

- SuDS features detailed on Drawing CWY14 - 105 Rev P3: Site Drainage dated 7 Jan 2013.
- All surface water up to the 1 in 100 year plus climate change event to be infiltrated to ground using soakaways.
- Details of how the scheme shall be maintained and managed after completion.

Reason:

To prevent the increased risk of flooding, both on and off site. To improve and protect water quality, and improve habitat and amenity.

Please see advice under drainage strategy for information required in order to discharge this condition.

Condition 2:

No development approved by this planning permission shall take place until a written method statement providing:

- details of the current remediation scheme including how the remediation will be verified to deal with the risks associated with contamination of controlled waters.
- details of how the current remediation scheme will be maintained and ongoing monitoring programmes.

The method statement shall be submitted to and approved, in writing, by the Local Planning Authority.

Reasons:

To protect controlled waters from contamination.

The site already benefits from having a site-wide remediation system installed to prevent the contamination of controlled waters. It is a funnel and gate system in which infiltrating surface water flushes contamination through a permeable carbon barrier where the hydrocarbon contamination is removed. The proposed work must not have impact on the existing funnel and gate system, and the funnel and gate system should be subject to an ongoing maintenance programme.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing

development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Condition 3:

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 a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The remediation strategy shall be implemented as approved.

Reasons:

The site lies on an historic landfill and has previous contaminative uses including a power station and a creosote works. This condition is required in order to protect controlled waters from unsuspected contamination.

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels water pollution. Government policy also states that planning policies and decisions should ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Condition 4:

No development shall take place until a scheme for the provision and management of a buffer zone alongside the Yeading Brook and Grand Union Canal is submitted to and agreed in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved scheme and drawing CWY14 - 105 Rev P3: Site Drainage dated 7 Jan 2013, and any subsequent amendments shall be agreed in writing with the Local Planning Authority. The buffer zone scheme shall be free from built development including lighting, domestic gardens and formal landscaping; and could form a vital part of green infrastructure provision. The scheme shall include:

- plans showing the extent and layout of the buffer zone. The widths of the buffer zone must be as specified in drawing CWY14 - 105 Rev P3: Site Drainage dated 7 Jan 2013.
- details of any proposed planting scheme (for example, native species).
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term including adequate financial provision and named body responsible for management plus production of detailed management plan.
- details of any proposed footpaths, fencing, lighting etc.

Reasons:

Development that encroaches on watercourses has a potentially severe impact on their ecological value. Artificial lighting in particular disrupts the natural diurnal rhythms of a range of wildlife using and inhabiting the river and its corridor habitat. Land alongside watercourses is particularly valuable for wildlife and it is essential this is protected.

This condition is supported by the National Planning Policy Framework (NPPF), paragraph 109 which recognises that the planning system should aim to conserve and enhance the natural and local environment. The impacts on biodiversity should be minimised and opportunities to provide net gains should be achieved where possible, contributing to the Government's commitment to halt the overall decline in biodiversity. The Natural Environment and Rural Communities Act which

requires Local Authorities to have regard to nature conservation and article 10 of the Habitats Directive which stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity.

Paragraph 118 of the NPPF also states that opportunities to incorporate biodiversity in and around developments should be encouraged.

Annex B of the Thames River Basin Management Plan shows that the Yeading Brook is currently classed as 'poor' status and is heavily modified. Therefore we encourage any ecological enhancements in order to work towards improving the status and increasing connectivity along the watercourse as a whole

Advice to LPA/Applicant:

The letter from Simon Gaskell states that an 8 metre buffer will be provided along the Yeading Brook as far as practically possible as well as a 5 metre buffer along the Grand Union canal, with native planting. To provide mitigation for the section of watercourse where only a 4 metre buffer strip can be provided we would like to request the following:

- The existing tree lined screens should be retained in order to maximise connectivity along the river and canal corridors.
- Any fly-tipping and rubbish should be cleared along the river corridor and channel.
- Removal of any non-native invasive species. We understand that Japanese Knotweed has been identified on site. A survey should be undertaken to see if Giant Hogweed is also present.

Drainage strategy:

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation ponds, soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- d) Where on site attenuation is achieved through attenuation ponds or tanks, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

Informatives:

Flood Defence Consent:

Please note that in addition to planning permission, under the terms of the Water Resources Act 1991, and the Thames Region Land Drainage Byelaws 1981, prior written consent of the Environment Agency is required for any proposed works or structures, in, under, over or within 8 metres of the top of the bank/foreshore of the Yeading Brook, designated a 'main river'.

The applicant is advised to contact PSO-Thames@environment-agency.gov.uk for more information regarding Flood Defence Consents.

Environmental Permitting:

This development will require a permit from the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2010. The operator of a permitted site must have appropriate measures in place to prevent pollution to the environment, harm to human health the quality of the environment, detriment to the surrounding amenity, offence to a human sense or damage to material property. Further guidance is available on our website.

The proposed development is not eligible for a standard rules permit (our reference SR2010No12) because the site is located within three Air Quality Management Areas: Ealing, Hillingdon and Hounslow. The site operator must apply for a bespoke permit before commencing operations at this location. The site is in a very sensitive area and a full environmental risks assessment must be completed in support of the permit application.

Guidance on our application procedure is available on our website. We use operational risk appraisals to determine the charges applicable to a bespoke permit. The applicant is advised to contact Richard Cattin (Environment Officer) on 01707 632480 to discuss the issues likely to be raised.

Abstraction License:

If the applicant intends to abstract more than 20 cubic metres of water per day from a surface water source (e.g. stream or drain) or from underground strata (via borehole or well) for any particular purpose e.g. dust suppression, then an abstraction license from us will be needed. There is no guarantee that a license will be granted as this is dependent on available water resources and existing protected rights. The applicant is advised to contact our National Customer Contact Centre on 03708 506 506 for more information regarding abstraction licenses.

CANAL AND RIVER TRUST:

The British Waterways Board (Transfer of Functions) Order 2012 has substituted references to British Waterways in the Town and Country Planning (Development Management Procedure) (England) Order 2010 to the Canal & River Trust. As such, local planning authorities are now required to consult the Canal & River Trust on applications for planning permission in the same way as British Waterways was previously consulted. In addition, under the British Waterways Board Transfer Scheme 2012 (also made under the Public Bodies Act 2011) all the property of British Waterways in England and Wales has now vested in the Trust.

The Canal & River Trust is a company limited by guarantee and registered as a charity. It is separate from government but still the recipient of a significant amount of government funding. The Trust has a range of charitable objects including:

- To hold in trust or own and to operate and manage inland waterways for public benefit, use and enjoyment;
- To protect and conserve objects and buildings of heritage interest; To further the conservation, protection and improvement of the natural environment of inland waterways; and
- To promote sustainable development in the vicinity of any inland waterways for the benefit of the public.

After due consideration of the application details, the Canal & River Trust has the following

comments to make:

Proposed Use:

The proposed use of the site is not ideal in terms of potential for enhancing the environment of the Grand Union Canal, but we accept that it is within an existing industrial area, and that planning permission was previously granted for an industrial use (albeit one with potentially less impact on the canal environment, B1, B2 and B8). We would therefore seek to mitigate any adverse impact on the canal environment, and for the proposed use to include utilising the canal where possible.

Adjacent Moorings:

The site borders a Canal & River Trust leisure mooring site, currently occupied by 11 craft, and with capacity for 15 (a further 4 berths). A leisure mooring is generally defined as a long-term mooring where the boat is used for leisure or recreational purposes. This may include occasional overnight use. There is significant demand for moorings in London, so we are keen to ensure the mooring site is not adversely affected by the proposal. This is supported by Policy 7.27 of the London Plan which requires that development proposals should enhance the use of the Blue Ribbon Network, in particular proposals should, amongst other things, protect waterway support infrastructure such as boatyards, moorings, jetties and safety equipment etc.

Whilst the site is designated as a leisure mooring site we are aware that at least some of this site may be being used for full-time residential use and that some of the moorings may even have 10 years of established use for this purpose. We discussed this with FM Conway during our pre-application discussions, and advised that we could potentially re-locate the moorings, with appropriate compensation. However, nothing further was discussed with the applicant, and we note the application does not recognise this situation. We are concerned that the use of the mooring site, as leisure or otherwise, could be adversely affected by the proposed aggregate plant, particularly by virtue of noise. We would therefore request that the views of the council's Environmental Health team are sought to establish whether the proposal is likely to affect users of the mooring site and to ensure that any necessary mitigation measures are identified and secured by the scheme.

Ecology:

Lighting should not spill onto the canal environment, which could impact on the important role of the canal as a bat feeding corridor. We would suggest a condition.

Sustainability:

We understood from our pre-application consultation, that consideration was being given to moving materials by water as part of the site's operations. We would support this should the moorings be relocated, although this is not referenced within the transport assessment.

There may be an opportunity to utilise the canal water for site operations, such as dust suppression. Our Utilities team would be able to advise further on this (Lesley Inwards, Lesley.inwards@britishwaterways.co.uk or 07801 049844). It does not appear that surface water is planned to be drained into the canal, but we would welcome measures to ensure no pollutants can reach the canal or the Trust's land and moorings.

If the Council is minded to grant planning permission, it is requested that further consideration is given to the sound level limits at the boundary with the adjacent moorings, and that the following conditions and informatives be attached to the decision notice:

Conditions:

i) Prior to the commencement of the development hereby permitted, full details of the proposed landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority

in consultation with the Canal & River Trust. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, any signage and information boards together with the means of on-going maintenance for a five year period. The approved landscaping scheme shall be implemented by the first planting scheme after the development commences.

Reason: In the interest of preserving views to and from the canal, the living environment for future residents and the canal setting.

ii) Prior to the commencement of the development hereby permitted, full details of any proposed lighting and CCTV scheme shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Canal & River Trust. The approved lighting and CCTV scheme should be implemented prior to first occupation of the development.

Reason: In the interest of crime prevention, ecology, visual amenity and the canal setting.

iii) Before development is commenced, a feasibility study shall be carried out to assess the potential for moving freight by water during the construction cycle and following occupation of the development. The use of waterborne transport shall be maximised unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

Reason: To encourage the use of the canal for transporting waste and bulk materials in accordance with the London Plan.

Informatives:

i) The applicant/developer should refer to the current Canal & River Trust 'Code of Practice for Works affecting the Canal & River Trust' to ensure that any necessary consents are obtained (<http://canalrivertrust.org.uk/about-us/for-businesses/undertaking-works-on-our-property>).

In addition, in order for the Canal & River Trust to monitor our role as a statutory consultee, please send me a copy of the decision notice and the requirements of any planning obligation.

INLAND WATERWAYS ASSOCIATION:

It is noted that the application documents make no reference to the use of the canal other than a single comment in the Sustainability Statement that 'the applicant is assessing the feasibility of using the adjoining canal network for future freight movements'. It would seem that the proposed operation use of the site would be ideally suited to the use of waterway freight movement as the site is on the non-towpath side of the canal and has links to central and east London, as well as to the Thames. The use of water transport would assist in the mitigation of the adverse impacts of fuel use and emissions identified in the applicant's planning submission.

We would strongly urge your authority to put in place suitable planning conditions requiring the applicant to make use of sustainable waterway freight carriage. We have, otherwise, no particular comments to make on the application.

NATURAL ENGLAND:

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.

This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. It appears

that Natural England has been consulted on this proposal to offer advice on the impact on a protected species.

Natural England's advice is as follows:

We have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made.

The protected species survey has identified that bats, a European protected species may be affected by this application.

We used the flowchart on page 10 of our Standing Advice Species Sheet: 'Bats' beginning at box (i) and came to the following conclusion:

Box (i) - Using Nature on the Map we determined that No, the application is not within/close to a SSSI or SAC notified for bats. This took us to Box (v).

Box (v) - We looked at the survey report and determined that No, it did not highlight that there are suitable features for roosting within the application site (eg buildings, trees or other structures) that are to be impacted by the proposal. This took us to Box (vi).

Box (vi) advises the authority to accept the findings, consider promoting biodiversity enhancements for bats (eg new roosting opportunities, creation of habitat linkages or species rich feeding areas) in accordance with the NPPF and Section 40 of the NERC Act.

Natural England supports the mitigation measures recommended in the ecology report.

CROSSRAIL:

The site of this planning application is identified outside the limits of land subject to consultation under the Safeguarding Direction. Crossrail Limited do not wish to make any comments on this application as submitted.

NATS SAFEGUARDING:

No safeguarding objections.

MOD SAFEGUARDING:

No safeguarding objections.

BAA SAFEGUARDING:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development. However, we would like to make the following observations:

Cranes:

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in

Advice Note 4, 'Cranes and Other Construction Issues' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

Landscaping:

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.

Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at <http://www.aoa.org.uk/policy-safeguarding.htm>).

LONDON BOROUGH OF HOUNSLOW:

No objection in principle. However, this Authority has some concerns regarding the amenity of the houseboats located along the Grand Union Canal in terms of noise and disturbance. This concern needs to be fully addressed.

LONDON BOROUGH OF EALING:

The London Borough of Ealing object to the proposal on the grounds the proposed development would:

- i) have a negative impact on air quality, by virtue of additional Nitrogen Dioxide emissions in an area that is already close to the annual Air Quality Objective concentration level, which would detrimental to current and future residents of the Borough.
- ii) cause significant increase in traffic flows in the form of heavy good vehicles from Hayes Road eastbound on to Western Road and that the trip generation for vehicular movements to and from the site have been underestimated in the information supplied by the applicant. As such this is considered to be detrimental to the living conditions of residents within the Borough.
- iii) result in proposed structures associated with the development, specifically the Asphalt Plant, which would have a negative impact on the setting of the Canalside Conservation Area and the Green Corridor, to the detriment of the visual amenity of these important features of the Borough.

HAYES CONSERVATION AREA ADVISORY PANEL:

We cannot question the statistics provided in the new documentation, but note that the volume of lorry traffic, ambient noise and air pollution the operation of the proposed plant would produce would all increase, albeit mainly only by a small amount. This is a serious matter as the existing air quality at the site and in the immediate surroundings already exceeds Air Quality Objectives. As all these factors have a negative impact on the area and its residents we are still opposed to the proposed use of the site.

We accept that an industrial use needs to be found for this site, but we have concerns relating to the scale of the present proposal. The applicants compare its impact on the adjacent Conservation Area to that of the previous gas works - but that blot on the landscape has long gone and we should be holding onto these environmental gains rather than allowing new development to re-introduce past eyesores. Even if the comparison is accepted, the very tall but relatively slender chimney of the old works had far less visual impact on its surroundings than the very large masses of the proposed main asphalt plant structures, which would be well over twice the height of the former gas storage tanks and turbine generator halls.

The new large structures, together with the very high boundary wall along the Paddington branch of the canal would have an oppressive and overbearing effect on the Bulls Bridge area and the views north from the Bridge. This would be counter to the Council's recently-adopted Local Development Framework Core Strategy which identified the rivers and canals that form a 'Blue Ribbon' as a key part of Hillingdon's green and open spaces. Indeed, this is not just a local issue but a London-wide one as the London Plan identifies the Blue Ribbon Network as a policy element that has an essential role to play in delivering all the key elements of the Mayor's vision of an exemplary, sustainable world city.

The applicants point out in their submission that planning permission should not be refused because of concerns about compatibility with an existing townscape "unless the concern relates to a designated heritage asset". In this case we do not consider the concerns have been adequately mitigated by good design, and although there should be some economic benefits, we believe these do not outweigh the negative social and environmental effects of the proposed development. We therefore hope it will not be approved.

FRIENDS OF MINET COUNTY PARK:

This proposed development has been discussed at the public meeting of the Friends of Minet Country Park and after considering the information submitted with the planning application, the Friends wish to lodge their emphatic opposition to the proposal.

Minet Country Park is a close neighbour of this development site and the Friends consider that it will be seriously adversely impacted by this proposal, as will surrounding and wider areas beyond the development site. The immediate and wider areas surrounding the development site experience existing high concentrations of noise and atmospheric pollutants, including particulates and odours. Any additional emission or discharge from operation of the plant and storage areas, including associated vehicular traffic to and from the site would further exacerbate these currently unacceptable conditions.

The proposal would degrade the amenity and environment of areas surrounding and beyond the development site and thereby compromise the beneficial, appropriate and productive occupation, utilisation and enjoyment of open areas, heritage assets, residences (including those on the canal) and industrial, service and business premises, including those sites likely to come forward for development.

The visual impact of the development, particularly the 30m high stack and nearly as high building (27.8m) would adversely affect and detract from the visual and other amenities of Conservation Areas and the Green Belt which includes Minet and Cranford Country Parks and significant open areas in the LB of Hounslow.

Internal Consultees

HIGHWAYS:

Further to receiving additional information in relation to the above, Highways would comment as follows.

Capacity Assessment:

An assessment has been undertaken within the TA in relation to the vehicle trips that would be generated by the proposed use at the site, which has demonstrated that there will be less than 20 (two way) trips generated in the AM and less than 10 (two way) trips generated in the PM peak hours. When considering the total daily trip generation over a 24 hour period, this will be less than 250 (two way) trips.

Despite the low number of trips, an assessment of the signal controlled junction of North Hyde Road/North Hyde Gardens and the signal controlled roundabout of North Hyde Road/The Parkway has been undertaken for the future year - 2016, with and without development traffic assigned to the highway. This has demonstrated that during the highway peak hours, the proposals will not have a material impact in terms of capacity.

Additionally, the applicant was requested to undertake a sensitivity test at both junctions for a further 5 years beyond the future year in 2016, which has not been provided. Nevertheless, based on the low traffic generation associated with the development, it is considered that the assessment of the future year - 2016 is acceptable in this instance.

Car Parking:

It is noted that 63 on site car parking spaces will be provided that will be allocated for the use of staff and visitors. As a result, this level of car parking is considered acceptable.

Cycle Parking:

It is noted that there are no specific cycle parking requirements for this type of land use within either the London Plan or the adopted Hillingdon Local Plan. However, the applicant will provide 8 cycle parking spaces, secured and undercover within the site. Additionally, changing areas, lockers and shower facilities will be provided, which is considered acceptable.

Travel Plan:

A staff Travel Plan has been produced in relation to the development proposals, which has identified a number of measures to encourage a modal shift away from private car use to sustainable modes of transport. While the identified measures will assist in achieving the aims and objectives of the plan, clear targets and a monitoring programme is required to be provided, which should be secured under a suitable planning condition/S106 Agreement. Additionally, the Council's Travel Plan Officer should be consulted on the document.

PERS Audit:

At the request of Transport for London, a Pedestrian Environment Review System (PERS) Audit has been undertaken by the applicant to assess the quality of the area adjacent to the site for the use by pedestrians. As a result, the audit has not identified any major issues and the pedestrian environment was found to be acceptable, with only minor improvements that would be considered in the context of routine highway maintenance.

Therefore, based on the above, it is considered that the development would not be contrary to the policies of the adopted Hillingdon Local Plan, 2012, (Part 2) and an objection in relation to the highway or transportation aspect of the proposals is not raised in this instance.

POLICY AND ENVIRONMENTAL PLANNING:

The nature of the use is primarily one for waste aggregates recycling and re-use. The proposal appears to meet with the objectives of the UK Waste Strategy, draft waste plan and the London Plan re the recycling of waste materials for re-use. The manufacturing of asphalt will be a part of the proposal. Providing the recycling of aggregates and gully waste remain the predominant activities, it meets our requirements in terms of providing a suitable use for locating on a site identified in the draft Waste Plan.

As such it accords with both the draft policy in the West London Waste Plan regarding this site (identified as number 244 at Yeading Brook) and with policy EM11 in Part One of the Hillingdon Local Plan (formerly the Core Strategy). It entails the reduction of waste going to landfill by the treatment processes involved and will help the borough and its West London Waste Plan

colleagues meet the London Plan policies (5.16 & 5.17) regarding waste self-sufficiency and increasing waste management capacity in London.

ENVIRONMENTAL PROTECTION UNIT:

The following document was submitted with the application in relation to air quality:

- Air Quality Impact Assessment Report (Project No. UK11-17199, issue 2 05/09/2012) for FM Conway Ltd by Environ dated August 2012.

The following document was submitted with the application in relation to land contamination:

- Ground Conditions Assessment and Land Remediation Strategy (Project No. UK11-17199, issue 3 30/08/2012) for FM Conway Ltd by Environ dated August 2012.

The following EPU comments relate to air quality and land contamination only. We would recommend the following comments to be taken into account when considering the planning application. It is our opinion the proposed development will worsen air quality in an area that is already exceeding the EU limit value for Nitrogen Dioxide (NO₂). The number of receptors adversely affected by the development is limited. However, we would not recommend allowing a development to go ahead, that will bring almost an extra 500 HGVs a day past existing residential receptors in an area of exceedance, unless there are appropriate mitigation measures in place to protect the residents. There is insufficient information to determine if this is possible.

Although it is noted that avoiding peak hours is a measure to improve traffic congestion which is accepted, careful examination is needed in regard to any adverse impacts this may have in relation to noise during quieter hours, especially at night. The main mitigation measure which would bring about improvement in local air quality for residents would be a re-evaluation of the current traffic management and operation of the junctions and access road to the site. The current layout allows the most heavily polluting vehicle-type (i.e. HGVs), to pass in close proximity to residents and to idle at traffic lights close to residents. It is recommended that an evaluation of the traffic management in the area to optimise its operation in regards to easing congestion and moving polluting traffic away from residents should be sought. Any such evaluation should include an assessment of the impact on the local air quality levels. It is understood the transport (assessment) has yet to be agreed at this time. The air quality assessment would need to be reassessed in line with any changes to the transport requirements/assessment.

The attached conditions need to be included if permission is granted. The development needs to incorporate as many measures as possible to ensure pollution emissions are limited and work towards being 'air quality neutral' at a local level (i.e. for the receptors impacted).

Air Quality:

The proposed development is within the declared AQMA and in an area that currently appears to be exceeding the European Union limit value for annual mean nitrogen dioxide. With the development operational in 2016 the residential receptors considered within the London Borough of Hillingdon all exceed the EU limit value of 40 mg/m³.

The air quality impact assessment indicates at worst a medium impact of moderate adverse significance to the residential receptors along North Hyde Gardens (the assessment indicates an increase in NO₂ of greater than 5 per cent above the EU limit value at the two locations assessed which are indicated to be above the EU limit value) and small impact of slight adverse significance to some of the Leisure Moorings (the assessment indicates a slight breach of the EU limit value as

a consequence on the development, in two out of the three locations assessed). It should be noted the impact on North Hyde Gardens is primarily due to traffic emissions (it is the only access road onto the site) and the impact on the Leisure Moorings is primarily due to the plant emissions due to their proximity to the site.

North Hyde Gardens:

The proposed development is likely to have a significant impact in terms of worst case NO₂ levels on the residential receptors in the vicinity of the junction of North Hyde Road and North Hyde Gardens (up to an additional 2.7 mg/m³ to the annual mean from this development). This area appears to be a hotspot, and therefore is difficult to accurately model. We have 2011 air quality monitoring data from a automatic monitoring station immediately adjacent to the junction which indicates NO₂ at 55 mg/m³, with similar results in the previous couple of years, with the lowest level of 50 mg/m³ measured in the first year of monitoring in 2008. A NO_x tube was also used for monitoring up to 2010 and placed on the rear facade of 1 North Hyde Gardens. This was at 39 mg/m³ in 2010, therefore an exceedance of the EU limit value at the front facade of the residential properties near the junction cannot be ruled out.

Based on London Council's Planning Guidance (2007), where the annual mean is more than 5 per cent above the national objective (APEC - C), refusal on air quality grounds can be expected, unless the Local Authority has a specific policy enabling such land use and ensure best endeavours to reduce exposure are incorporated. No significant drop in the background NO₂ levels have been anticipated for future years (based on monitoring data to date). The traffic emission component of the proposed development is likely to result in a breach of the EU limit value (the same value as the national objective), by 5 and greater than 5 per cent of the limit value along parts of North Hyde Gardens and North Hyde Road based on the air quality assessment, although in terms of exposure, it is likely to impact a limited number of residential receptors.

Leisure Moorings:

It is understood the Leisure Moorings have been used as residential moorings. The air quality assessment indicates the worst case maximum impact from the asphalt plant of an additional 1.3 mg/m³ of NO₂ along the canal and its contribution is sufficient to take it above the EU limit value at locations where it was close to exceeding the limit. Based on London Council's Planning Guidance (2007), (APEC B) where the annual mean is between 5 per cent below or above the national objective (same as the EU limit value), may not be sufficient air quality grounds for refusal, however appropriate mitigation must be considered. Again, it is likely the impact of the development will be on a limited number of receptors.

The assessment also identified particulates PM_{2.5} concentrations as medium impact, slight adverse significance to some of the leisure moorings, although the levels remained well below the annual mean of 25 mg/m³. As there are potential health implications with regard to fine particulates, every effort should be made to reduce emissions at the site.

Proposed Mitigation Measures: Roads

It is estimated that there will be nearly 500 additional daily HGV movements along North Hyde Gardens once the development is fully operational in 2016. It is not clear if this figure includes fuel deliveries (gas oil for the 23,720 kW burner and diesel for the vehicles). The air quality impact assessment indicates 80-90% of the HGV vehicles accessing the site will be from the applicant's vehicle fleet and are Euro 5 standard certified, and Low Emission Zone compliant. Environmentally Friendly Plant Replacement Policy is also indicated to be in use, resulting in the replacement of vehicles when newer engine technologies become available, so that nearly all vehicles are no more

than six years old.

With regard to the above, it is understood that the vehicle fleet as it exists has been already considered within the air quality assessment and a significant impact has been identified. Although we welcome the use of low emission vehicles and practices, it is unlikely a reduction of NO_x/NO₂ will be achieved by diesel fuelled vehicles given the number of likely vehicle movements and local driving conditions. No mitigation measures to address this have been provided.

The air quality assessment refers to the Transport Assessment which outlines the applicant's commitment to avoiding peak traffic periods on the highway network. The Transport Assessment also indicates the junction of North Hyde Road and North Hyde Gardens were observed to be operating within capacity, generating mainly HGV traffic by nature, it is evident the existing junction is able to accommodate significant HGV movements into and out of North Hyde Gardens. The Travel Plan also identifies measures which may be implemented if suitable for the site under proposals for a Delivery and Servicing Plan (chapter 7) alongside a staff travel plan.

We would welcome vehicles avoiding peak driving times at the junction to reduce congestion in the area, although noise implications should also be considered. However, from an air quality point of view, it should be noted the NO₂ level in the locality of the junction is currently exceeding the EU limit value (annual mean), and additional vehicle movements, however well managed, are unlikely to result in the reduction of the NO₂ annual mean.

Proposed Mitigation Measures: Operational Plant

It should be noted no indication of NO₂ emission levels exiting the stack have been provided in the air quality assessment. Further information on how this was incorporated into the air quality assessment is required.

It is indicated the emissions from the asphalt production plant will be passed through a bag filter prior to emissions to air via a stack at a height of 30 metres. It is estimated the bag will reduce the emissions to less than 20 mg/m³, (appears to be for all particulates rather than the respirable fraction), and therefore the emissions may be lower than modelled in the assessment to a degree.

The burner required for the plant is over 20 MW. No secondary measures to limit NO_x emissions have been identified in the assessment. The assessment indicates the dryers will be fitted with the latest design in burners to reduce fuel consumption, ensure efficient burn and optimum control, which should reduce NO_x emissions to a degree. The plant is assumed to be fuelled by gas oil at present, which is assumed to produce more NO_x than natural gas. The possibility of installing a gas supply may be investigated, and if it is implemented it should reduce NO_x levels to some degree.

Tighter emission limits for the plant can be set using permit conditions, including for NO_x emissions where it is considered 'significant' within a poor air quality area. Requirements to control emissions can go beyond BAT (best available technique) based on the guidance note for road stone plants.

The above option will be considered, should planning permission be given, to reduce NO_x and particulate emissions. However, the biggest impact from the development is from road vehicles (HGVs). The proposed vehicle fleet meets the Low Emission Zone requirements, therefore it will be difficult to reduce the emissions further, outside of considering zero emission vehicles or exploring other mitigation measures to reduce NO_x/NO₂ levels in the vicinity of the junction. No mitigation measures to address this have been provided.

Energy Proposals:

The Energy Statement indicates the use of the gas oil fuelled burner on site for the provision of energy requirements. As it is part of the asphalt plant emissions can be limited using permit conditions, which can include NOx which has not been mentioned in the document. Further assessment of air quality may be required should the fuel type, energy capacity etc. change. Any assessment will need to be as transparent as possible.

Transport Assessment:

The air quality assessment refers to using data from the Transport consultants (WSP), however no further reference information has been provided, therefore it is not clear if the air quality assessment is consistent with the transport assessment and includes nearly 500 additional HGV movements a day along North Hyde Gardens by 2016.

As the key source and air quality exceedances are along North Hyde Road and North Hyde Gardens it is advisable that any traffic management scenarios proposed with the development do not exacerbate local air quality levels further in areas close to residential accommodation. The following condition is advised in the instance there are traffic management implications for air quality.

Air Quality Condition 1: Traffic Management and Air Quality

Any traffic management proposals for mitigation of the impact of the development must be accompanied by an (air quality) assessment of their environmental benefits. The said traffic schemes must also be monitored, for a specified time to be agreed by the LPA, both pre- and post-operation, to ensure the proposed scheme is effective.

REASON: This is of particular concern in areas already suffering from both poor air quality and traffic congestion. One of the main sources of air pollution from a development is the traffic arising from it. In a large number of cases, traffic management schemes are conditioned as part of the development in order to mitigate against these impacts. Any traffic scheme must look at both the impacts close to the development and, where relevant, assess any wider implication of the scheme from both a traffic congestion stance and also an air quality view. Care needs to be taken if any scheme has implications for bringing slower moving traffic closer to sensitive locations and/or changing the fleet composition and bringing more polluting vehicles such as HGVs closer to sensitive locations. To ensure mitigation is effective, automatic traffic counts should be obtained both pre- and post-operation, for a defined time period.

Travel Plans:

The Work Place Travel Plan identifies some mitigation such as looking at car sharing, but appears to be limited in scope. Potential measures that could form part of a Delivery and Servicing Plan are also provided. Should planning permission be granted, a detailed fleet management plan for the development site will be required including expected outcomes of the mitigation measures.

Air Quality Condition 2: Environmental Fleet Management

Before any part of the development is occupied an environmental fleet management plan shall be submitted for approval to the Local Planning Authority. The said scheme shall include the use of low emission vehicle technologies (e.g. use of electric and/or hybrid vehicles where appropriate, installation of electric charging points), environmentally aware driver training scheme (e.g. no idling), and fleet servicing and maintenance regime. The said scheme shall be implemented for so long as the development is available for use.

REASON: In order to protect the amenities of local residents, in accordance with policy OE1 of the Hillingdon Unitary Development Plan (September 2007) and in compliance with Policy 4A.19 of the London Plan (February 2008).

Notes: This condition is used to ensure that the end development use does not increase pollutant emissions in the surrounding area. The environmental management plan should, where relevant, address issues such as environmental fleet management, travel plan etc.

Given the potential local impact of the proposed development it is recommended as many of the possible mitigation measures identified are implemented at the site and further mitigation measures are considered to reduce emissions. It is unclear, as not all details have been finalised, what the actual emission impact of the final development would be or if the limited number of mitigation measures identified will be implemented or are sufficient to mitigate the deterioration in air quality. The following condition is advised to ensure all possible mitigation measures are considered together, identifying the measures that will be implemented at the site and what the outcomes of the mitigation measures will be.

Air Quality Condition 3: Mitigation Requirements in a Poor Air Quality Area

Before the development is commenced, details of all mitigation measures to offset the identified deterioration in air quality as a result of the development shall be submitted to and approved by the Local Planning Authority. The submitted details should include the impact of the final energy provision at the site and impacts on the junction. The mitigation measures shall be integrated within the area affected by the development and thereafter permanently retained and maintained.

REASON: In order to protect the amenities of local residents, in accordance with policy OE1 of the Hillingdon Unitary Development Plan (September 2007) and in compliance with Policy 4A.19 of the London Plan (February 2008).

Land Contamination:

Previous memorandum dated 13 May 2008 is appended below, to provide some background information, as it includes references to the previous reports appended in the submitted report.

The site was remediated in the late 1990s, early 2000s and the works included remediation of the bank to the Yeading Brook, a funnel and gate groundwater remediation system to remediate the groundwater migrating to the Yeading Brook (base flow) and groundwater monitoring wells to check on the effectiveness of the groundwater remediation system. The Environment Agency need to be consulted with regard to this application, especially as there may be piling into contaminated ground and to ensure there is a mechanism in place for the ongoing maintenance of the groundwater remediation system.

Polycyclic Aromatic Hydrocarbons (PAHs) and general hydrocarbon contamination in the made ground was also remediated to an extent, however there is still significant residual contamination remaining on site which could potentially generate vapours and ground gas.

The report indicates the Environment Agency have agreed the reuse of bund material at the site which will be spread across the site (approximately 1.2 metres thick). Occasionally elevated levels of lead and PAHs were indicated for the bund material. The Stockpile Investigation report (April 2009) indicates evidence of asbestos containing materials (ACM) has been identified, and Environment Agency are awaiting further confirmation and testing results. This information has not been provided to date. The report also indicates an Asbestos Management Plan will be provided in order to manage the risks posed by asbestos, presumably for the development works. This needs to be submitted

when available and/or addressed within the Construction Environmental Management Plan (CEMP).

The following remedial measures have been broadly identified as required in order to minimise the contamination risks and ensure the development is suitable for use. Details of the measures to be implemented at the site need to be agreed prior to the commencement of development works:

- Gas/vapour protection measures to be incorporated into the office buildings to mitigate the indoor air vapour pathway and reduce the risk of the build up of ground gases (also need to consider the implications of ventilation with regard to this in the office buildings as ingress of polluted air condition has been included for air quality);
- Adequate gas/vapour protection for the plant buildings. Due to the nature of the use, ventilation measures will be required, and this needs to consider the possible drawing out ground gas and vapours as well;
- Hard cover, buildings and the importing of clean fill for landscaping including a capillary break layer and/or geotechnical membrane to mitigate the direct contact pathway. Imported soils for landscaping would need to meet a stricter contamination criteria than the site specific soil targets agree previously; and
- Laying water pipes in clean corridors and installing drainage and utilities in such away as to prevent the creation of preferential pathways for the migration of contaminants.

Details with regard to the protection of controlled waters should also be included. The standard contaminated land condition is advised. A slightly amended version is provided below, as requirements for (a) and (b) of the standard condition have been provided with the planning application. A separate soil imports condition is advised.

Contaminated Land Condition:

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) 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 commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

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).

Imported Materials Condition:

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

Section 106:

A Section 106 obligation for £25,000 should be sought for contribution to the air quality monitoring network in the area.

If section 106 funding is sought for transport related studies/measures, please ensure it includes funding for reviewing the air quality implications for the area from transport as well. This is in addition to the monitoring obligation requirements.

ACCESS OFFICER:

The site, which seeks to provide an aggregate recycling and processing plant, with ancillary offices to support the business operations also occupying the site should be made accessible to disabled people. The office accommodation could conceivably provide unemployment opportunity for a disabled person using a wheelchair.

The Equality Act 2010 seeks to protect people from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

1. Details of level access into the proposed office building should be submitted. Plans should clearly demonstrate how level access would be achieved, including level threshold specifications and ground levels.

2. Details of the provisions to facilitate wheelchair access to the proposed open plan office at first floor level should be submitted.

Conclusion:

Additional details should be requested and re-evaluated prior to any grant of planning permission.

URBAN DESIGN AND CONSERVATION OFFICER:

Comments:

The site lies adjacent to the Bulls Bridge Conservation Area. This contains a section of the Grand Union Canal and tow path, the grade II listed Bulls Bridge, which is the focus of the conservation area and also a 19th century Toll House, associated with the canal and former dock basin. Together these features form an attractive and historically sensitive enclave. This site lies within an

industrial area, and indeed the character of this part of the canal is very much linked with its industrial past. The modern buildings that exist within the immediate area, whilst large, tend to be of only one or two commercial storeys in height but with expansive footprints. The taller industrial structures are located on the other side of The Parkway flyover, towards the west and closer to Hayes town centre.

Whilst there is no objection to the change of use of the site in principle, the concern is that the large asphalt plant, which is located towards the south east of the development site, would dominate views from Bulls Bridge. Whilst following earlier discussions, attempts have been made to reduce the bulk of this structure and to include more screening on the boundaries of the site, this structure remains very tall and bulky. Bulls Bridge and the neighbouring Toll House are of a very modest scale, and it is considered that the proposed structure because of its excessive size and height, and position close to the boundary with Bulls Bridge, would have an overbearing presence in views from the bridge and its immediate surroundings, and as such have a negative impact on the setting of the listed structure and also that of the wider conservation area.

In addition to this matter, further thought needs to be given to the colour and finish of the very high wall adjacent to the canal, which will be partially screened by the existing trees along the tow path. A dark colour and good quality finish should be sought, as it will be some time before the additional planting proposed along this boundary will partially clad and hence soften the visual impact of this structure.

Conclusion:

Para 133 of the NPPF, advises that where development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss.

In this case, the application could be considered for refusal on conservation/listed buildings grounds unless it can be argued that the public benefits of the scheme, particularly with regard to recycling/sustainability, outweigh the harm to the setting of the Bulls Bridge CA and associated historic assets.

Officer Comment: It is considered in this instance that the benefit of the proposal outweighs the impact of the development on the conservation area.

TREES AND LANDSCAPING:

Landscape Context:

The site is the land formerly occupied by Powergen, situated beneath and to the east of the elevated section of the Hayes By-Pass. A further site description was provided in the landscape comments for the same application on 25 October 2012.

Proposal:

The proposal is to redevelop the site to provide an aggregate re-cycling and processing plant with ancillary offices, structures, parking and landscaping. The current submission includes supplementary information relating to noise, air quality, drainage and traffic.

Considerations:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- The new information does not affect the previous landscape proposals.
- Landscape conditions are necessary to preserve and enhance the visual amenities of the locality

and to ensure that adequate facilities are provided.

Recommendations:

No objection, subject to the original landscape conditions specified in previous response.

SUSTAINABILITY OFFICER:

Ecology Comments:

I have no objections to the proposed development but have concerns about the loss of ecological value of the site with limited protection or enhancement. I accept that the site is brownfield with extant permissions, but the site had been left relatively unmanaged over time which would have resulted in a site of some value. The ecological assessment demonstrates there is limited potential for protected species, but nonetheless, the site still would have retained some value. Particularly as a link between the Yeading Brook, and both arms of the Grand Union Canal.

It cannot be expected that the value is retained on site given the industrial proposals, however, further enhancement opportunities should be made in the landscaping plan although. Even with additional boundary treatment, the site would not play the same role as it did previously.

As discussed at pre-application meetings, ecological enhancement and protection can be achieved through minimal onsite boundary treatment improvements, the inclusion of green roofs to the storage bays, and a financial contribution.

A financial contribution of £25,000 towards improving the Canal frontage or Cranford Park, both of which will be impacted by the development, would be acceptable. This is in accordance with the requirements of Policy EM7 of the Local Plan (Part 1). In addition, the following condition is considered appropriate:

Condition:

Prior to the commencement of development, an ecological improvement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall show the provision of bat and bird boxes in appropriate locations, suitable additional planting and green roofs on the 12 aggregate storage bays (shown as yellow to the eastern boundary of the site, drawing no. CWY14-001). The development must proceed in accordance with the approved scheme.

Reason:

To ensure the development delivers ecological benefits in accordance with Policy EM7 of the Local Plan (Part 1).

Energy Comments:

I have no objections to the proposed development subject to the development being carried out in accordance with the submitted energy assessment. This will require the final landscape and layout condition including the use of Photovoltaics in accordance with the assessment. The current plans do not show their inclusion.

Sustainability Comments:

A condition should also be imposed to reduce water consumption.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF sets out the Core Planning Principles which should underpin both plan-making and decision-taking. This includes proactively driving and supporting sustainable economic development and supporting the transition to a low carbon future, and encouraging the reuse of existing resources. The Government also encourages the effective use of land by utilising brownfield land.

With regard to delivering sustainable development, paragraph 21 states that investment in business should not be over burdened by the combined requirements of planning policy expectations. In addition, paragraph 22 goes on to state that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

Chapter 4 on promoting sustainable transport states that encouragement should be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Paragraph 32 sets out that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

In terms of Local Planning Policy the site is located within a designated Industrial and Business Area (IBA) and Policies LE1 and LE2 of the Hillingdon Unitary Development Plan (September 2007) seek to retain land within these areas for B1, B2, B8 and appropriate sui generis uses.

While certain types of waste management facility may be considered appropriate within an IBA, it should be noted that the London Boroughs of Brent, Ealing, Harrow, Hillingdon, Hounslow and Richmond upon Thames have prepared the draft West London Waste Plan (WLWP).

The draft plan establishes a framework of policies, including development control policies, and site identification to meet future waste capacity needs in West London up to 2026. There is a requirement on planning authorities to make provision for all types of waste. With regard to the proposed use, the WLWP states 'Construction, Demolition and Excavation waste is a large waste stream within London, although it is not included within the apportionment target assigned to boroughs. The issues and options consultation asked whether provision should be made for such wastes within the West London Waste Plan or assume that it is largely re-used and recycled on-site.'

Whilst there was strong support to make a provision for construction, demolition and excavation wastes within the plan it is difficult to do so without suitable data on how much of this type of waste is produced within the area. The preferred option is to ensure more on-site recycling and re-use takes place by using Policy WLWP 4 whilst ensuring that boroughs monitor the types and capacities of waste management facilities developed against any new waste arising data that is produced.

The nature of the use is primarily one for waste aggregates recycling and re-use. As such, the proposal appears to meet with the objectives of the UK Waste Strategy, WLWP, and the London Plan regarding the recycling of waste materials for re-use. The applicant has provided information which clearly demonstrates the need for the facilities. As providing the recycling of aggregates and gully waste remain the predominant activities, with the manufacturing of asphalt only a part of the proposal, the proposal meets the requirements in terms of providing a suitable use for locating on a site identified in the WLWP.

The site is proposed to provide a service to the western boroughs of London. As such, it

is considered that the recycling aspect of the development would assist in providing locally sourced recycled materials. The asphalt production would also provide this material locally.

As such the proposal is considered to accord with both the draft policy in the WLWP regarding this site (identified as number 244 at Yeading Brook) and with policy EM11 in Part One of the Hillingdon Local Plan. It entails the reduction of waste going to landfill by the treatment processes involved and will help the borough and its West London Waste Plan colleagues meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London.

7.02 Density of the proposed development

No residential units are proposed as part of this application. As such, density is not relevant to the application.

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

Policy BE4 requires any new development within or on the fringes of a Conservation Area to preserve or enhance those features that contribute to its special architectural and visual qualities, and to make a positive contribution to the character or appearance of the conservation area.

Whilst the site itself does not fall within a conservation area, the eastern boundary of the site adjoins the Paddington Branch of the Grand Union Canal. This part of the Canal is covered by the Bulls Bridge Conservation Area, which stretches to the south of the site and largely encompasses the adjoining British Waterways site. Within the Conservation Area are a section of the canal and tow path, the Grade II Listed Bulls Bridge, which is the focus of the conservation area and also a 19th century Toll House associated with the canal and former dock basin. This site lies within an industrial area, and indeed the character of this part of the canal is very much linked with its industrial past.

The modern buildings that exist within the immediate area, whilst large, tend to be of only one or two commercial storeys in height but with expansive footprints. The taller industrial structures are located on the other side of The Parkway flyover, towards the west and closer to Hayes town centre.

The Council's Conservation Officer has stated that whilst there is no objection to the change of use of the site in principle, concerns are raised that the large asphalt plant, which is located towards the south east of the development site, would dominate views from Bulls Bridge. It is noted that attempts have been made to reduce the bulk of this structure and to include more screening on the boundaries of the site, however this structure remains tall and bulky. Bulls Bridge and the neighbouring Toll House are of a modest scale, and the Conservation Officer raises concern that the proposed structure because of its excessive size and height, and position close to the boundary with Bulls Bridge, could have an overbearing presence in views from the bridge and its immediate surroundings, and as such have a negative impact on the setting of the listed structure and also that of the wider conservation area.

Whilst it is acknowledged that the proposal includes a large building that would be visible from the Conservation Area, the wider context of the site and surroundings also needs to be taken into account. The site sits within a large IBA, and large industrial and commercial buildings are a recognised element of such areas. In addition, views of the site also include The Parkway flyover, and the Nestle factory to the east. In addition, the site has been identified in the WLWP for waste use, a use that has the potential to involve

large buildings.

The comments of the Greater London Authority on this specific issue are also of particular note and the urban design, tall buildings and views section of the GLA report states:

'The development would replace an existing industrial site. The proposed tallest building would be clearly visible and a new element within the landscape. The appearance would be obviously industrial and visible within the view of the canal, from the listed Bulls Bridge.

This would create some visual harm within this particular view, and a small amount within other. The views presented within the application documentation are generally from within or include the surrounding industrial area and the elevated main road, which minimises the harm created by the new element. In other views, including those from the surrounding open land, the large scale of the consented development of Southall Gas Works would be visible. The new tall building would be significant within the Bulls Bridge view and it would be difficult to conceal this element of the scheme. However the proposed mitigation, which includes the use of light materials and colouring and the slender massing of the tower, would ensure that although there is an impact, it would be acceptable in a strategic context it would be acceptable in a strategic context.'; and

'The proposed layout is efficient and would meet the applicant's need in processing material on the site. The use of the land under the A312 viaduct is supported. GLA officers support the avoidance of new buildings in the north east corner of the site, adjacent to the railway line to protect the tree roots in this area. These trees also provide visual and noise screening from the railway line and the Southall Gas Works consented development.'

In determining planning application the Local Planning Authority is required to consider the balance of material considerations and support developments which are sustainable overall. In this instance the proposed use provides a sustainable use for the borough, which would ensure the recycling and re-use of locally sourced aggregates, bring back into use a vacant part of a designated industrial and business area, and provide for new jobs. Given this and the industrial nature of the site and wider area, it is considered in this instance, that on balance, the benefits of the provision of such a use outweigh the impact of the scheme on the Conservation Area.

7.04 Airport safeguarding

BAA and NATS Safeguarding have reviewed the application and raise no objection to the application from an airport safeguarding perspective. As such, it is considered that the proposal would not impact on the safe operation of any airport.

7.05 Impact on the green belt

The site is not located within or near to the Green Belt. As such, it is considered that the scheme would not impact on the Green Belt.

7.07 Impact on the character & appearance of the area

Any planning proposal would need to accord with the design policies set out within the Built Environment section of the Saved Policies UDP (September 2007) and relevant design guidance contained within HDAS Residential Layouts. In particular Policy BE13 requires that the layout and appearance of developments harmonise with the existing street scene and other features of the area.

As discussed above, it is acknowledged that the proposal includes a large building that would be visible from the Conservation Area. However, the wider context of the site within an IBA, means that large industrial and commercial buildings are a recognised element of such areas. In addition, views of the site also include The Parkway flyover, and the Nestle

factory to the east, and the site has been identified in the WLWP for waste use, a use that has the potential to involve large buildings.

While it is acknowledged that the proposal is for a large building, it is considered that the building would not have any unacceptable impacts on the character of the area.

The comments of the Greater London Authority on this specific issue are also of particular note and the urban design, tall buildings and views section of the GLA report states:

'The development would replace an existing industrial site. The proposed tallest building would be clearly visible and a new element within the landscape. The appearance would be obviously industrial and visible within the view of the canal, from the listed Bulls Bridge.

This would create some visual harm within this particular view, and a small amount within other. The views presented within the application documentation are generally from within or include the surrounding industrial area and the elevated main road, which minimises the harm created by the new element. In other views, including those from the surrounding open land, the large scale of the consented development of Southall Gas Works would be visible. The new tall building would be significant within the Bulls Bridge view and it would be difficult to conceal this element of the scheme. However the proposed mitigation, which includes the use of light materials and colouring and the slender massing of the tower, would ensure that although there is an impact, it would be acceptable in a strategic context it would be acceptable in a strategic context.'; and

'The proposed layout is efficient and would meet the applicant's need in processing material on the site. The use of the land under the A312 viaduct is supported. GLA officers support the avoidance of new buildings in the north east corner of the site, adjacent to the railway line to protect the tree roots in this area. These trees also provide visual and noise screening from the railway line and the Southall Gas Works consented development.'

In determining planning application the Local Planning Authority is required to consider the balance of material considerations and support developments which are sustainable overall. In this instance the proposed use provides a sustainable use for the borough, which would ensure the recycling and re-use of locally sourced aggregates, bring back into use a vacant part of a designated industrial and business area, and provide for new jobs.

Overall, it is considered that the proposed development would have an acceptable appearance within the area, and having regard to the benefits of the proposal the scale of the development is justified and appropriate.

7.08 Impact on neighbours

The nearest residential properties to the site are over 300m to the southeast of the site, at the southern end of North Hyde Gardens. However, it is noted that some leisure moorings exist in the canal along the eastern side of the site. The moorings are most likely to be affected by noise from the proposal, and the dwellings to the south by potential vehicle movements to and from the site. Both have the potential to be affected by air quality impacts.

The application is supported by detailed supporting documents addressing noise and air quality, and the Council's EPU are of the view that the development would not result in unacceptable impacts. It is noted that the proposal is for 24 hour use and the supporting information and view of the EPU reflects this proposal.

A number of conditions are recommended to mitigate the impacts of the proposal on the surrounding residential properties. These include conditions with regard to noise and air quality, and a S106 clause regarding a Travel Plan. Given that the site is located within an IBA, with such conditions and clauses in place, it is considered that the development would not unduly impact on nearby residential properties.

7.09 Living conditions for future occupiers

No residential units are proposed as part of this application. As such, this is not relevant to the application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Access to the site is via the existing service road off the eastern end of North Hyde Gardens. North Hyde Gardens also provides the main access to the Nestle factory, to a small number of residential properties, to a National Grid substation and to the existing Bulls Bridge Centre development sites. These sites are GE Capital (Orbit), BA components, Vodafone, the Volvo depot and the DHL Lorry Park site.

North Hyde Gardens currently joins North Hyde Road at a signalised crossroads with Watersplash Lane. Watersplash Lane is a very short cul-de-sac, which generates an insignificant amount of traffic. The North Hyde Gardens approach to the junction is a left turn out into North Hyde Road (east). This junction is in close vicinity to the intersection of North Hyde Road with the A312 known as the Hayes By Pass, which is a dual three lane highway with grade separation at most of its main intersections. However grade separation has not been provided at this junction, which is a large diameter roundabout controlled by traffic signals with controlled crossing facilities for pedestrians. The roundabout-junction is located within the London Borough of Hounslow, and is under the control of TfL.

The applicant has submitted a Transport Assessment, along with a Travel Plan as part of the application. Following consultation with the Council's Highways Officer and TfL, additional information has been submitted with regard to transport.

The amount of car parking has been reduced to 63, which satisfies the Council and TfL. Cycle spaces are also to be provided within the car parking area. A revised Travel Plan will be required to be submitted as part of the S106 agreement, to further assist in reducing the car parking requirement and trip numbers.

TfL has stated that given the existing level of congestion on The Parkway and Bulls Bridge Roundabout and the significant amount of planned developments in the area which are expected to exacerbate this situation, they are seeking contributions from developers in the area towards associated highway improvements to this specific part of the network. The aim of these improvements is to mitigate the cumulative impact of those developments through potential junction redesign and associated highway and/or signal improvements.

TfL is therefore seeking a contribution of £20,000 from this development towards improvements at this junction, which is consistent with the approach previously adopted for other sites. They are also seeking a contribution of £10,000 towards a feasibility study which will look at the cumulative impact of developments in the vicinity of the roundabout, including other boroughs, on both the local and strategic highway network. These contributions are considered justified in this instance.

A revised Travel Plan is also to be secured as part of the S106 agreement, which is

required to include details of baseline mode share, targets for all modes, a clear monitoring program, and how the travel plan will be secured.

7.11 Urban design, access and security

It is not considered that the development of the site would directly result in any security issues, safety concerns, or anti-social behaviour. Any of these issues resulting from the proposed use would be controlled and dealt with under legislation outside of planning controls.

Urban design and access are dealt with in other sections of this report.

7.12 Disabled access

Minimal information has been provided in the application with regard to access for people with disabilities. Disabled parking spaces have been provided, as has the provision of a space for a platform lift in the office buildings. It is considered that the site could be made accessible, and it is recommended that a condition ensuring details of how the scheme is accessible are submitted for approval be placed on any grant of planning permission.

7.13 Provision of affordable & special needs housing

No residential units are proposed as part of this application. As such, this is not relevant to the application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

The site is a large brown field site with a history of industrial use and contamination. It is largely devoid of vegetation with any trees of significance limited to the perimeter of the site. The two areas of greatest sensitivity are the eastern and western boundaries of the site to the Grand Union Canal Paddington Branch and Yeading Brook corridor respectively.

There are no trees or other landscape features of merit which might constrain development within the site itself. There are no landscape designations covering the site. Minet Country Park, to the north of the railway, is a Green Flag Open Space which is situated within the Green Belt. The canal-side trees on the Paddington Branch (along the east boundary) are protected by virtue of their location within the Bulls Bridge Conservation Area.

The tree belt along the eastern boundary comprises a mix of deciduous species. These trees have created a significant landscape buffer along the boundary and screen views between the canal branch (Conservation Area and SINC) and the site. The development has made provision for the safeguarding of these trees by permitting a spatial buffer between the boundary fence and the storage bays within the site. This space has been governed by the root protection area (RPA) required by the trees, as recommended in the arboricultural implications assessment.

The application has taken into account the desirability of preserving the off-site vegetation along the east boundary. It has also acknowledged the need to provide a landscape buffer along the southern boundary of the site, and the use of brown roofs over the storage bays. However, the areas (and opportunities) available for landscaping, or ecological, enhancement have, by necessity, been restricted to residual areas within the site, which are dictated by the operational requirements of the development. A comprehensive landscaping plan would be required by a condition on any grant of permission.

Whilst the retained trees and landscape buffers will serve to screen the majority of the buildings from the canal and from views from the conservation area, it is acknowledged that the larger buildings on the site would not be able to be readily screened by landscaping. However, given the industrial nature of the area, the small number of buildings that would remain visible are considered acceptable in this instance.

ECOLOGY:

The Council's sustainability Officer raises some concerns about the loss of the ecological value of the site without protection or enhancement. It is accepted that the site is a brownfield site with extant permissions, however, as the site had been left relatively unmanaged over time, it would have resulted in a site of some value. The ecological assessment demonstrates there is limited potential for protected species, but nonetheless, the site still would have retained some value, particularly as a link between the Yeading Brook, and both arms of the Grand Union Canal.

It is accepted that the value cannot be retained on site given the industrial proposals, however, further enhancement opportunities should be made in the landscaping plan. Even with additional boundary treatment, the site would not play the same role as it did previously. Ecological enhancement and protection can be achieved through minimal onsite boundary treatment improvements, the inclusion of green roofs to the storage bays, and a financial contribution.

A financial contribution of £25,000 towards improving the Canal frontage, which will be impacted by the development, is considered to be acceptable. This is in accordance with the requirements of Policy EM7 of the Local Plan (Part 1). In addition, it is recommended that a condition requiring the submission of an ecological improvement scheme, including bat and bird boxes, be imposed on any consent. However, given the applicant is to examine the feasibility of using the canal for transport, a figure of £15,000 is considered appropriate.

With regard to protected species, the applicant has supplied an ecology assessment, including mitigation measures for any bats on the site. Natural England has reviewed this assessment, and support the mitigation measures proposed.

7.15 Sustainable waste management

As discussed in the principle section above, this proposal is considered to accord with both the draft policy in the WLWP regarding this site and with policy EM11 in Part One of the Hillingdon Local Plan. It entails the reduction of waste going to landfill by the treatment processes involved and will help the borough and its West London Waste Plan colleagues meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (July 2011) requires development proposals to make the fullest contribution possible to reducing carbon emissions. Major development schemes must be accompanied by an energy assessment to demonstrate how a 25% target reduction in carbon dioxide emissions will be achieved, where feasible.

In accordance with this policy the applicant has submitted an Energy Statement and a Sustainability Checklist to demonstrate how the London Plan objectives will be met. In addition to energy efficient building measures, photovoltaic panels would be provided to provide a portion of the site's energy needs through the use of a renewable energy.

These measures would achieve a 26% reduction in carbon dioxide emissions above Part L of the Building Regulations in compliance with London Plan requirements. The applicant is also to include the capture of waste heat as requested by the GLA.

London Plan policy 5.11 states that major development proposals should provide green roofs. The development includes a green roofs on some of the proposed buildings where is it feasible.

As such, the proposed scheme is considered to comply with relevant London Plan policies, and the Council's Sustainability Officer does not raise any objections to the proposal, subject to the scheme being carried out in accordance with the submitted energy statement.

7.17 Flooding or Drainage Issues

A Flood Risk Assessment was submitted with the application, which was then supplemented with additional information. This was assessed by the Environment Agency, who concluded that, subject to conditions regarding drainage, contamination and the provision of a buffer along the canal, the development would not pose an unacceptable threat to the environment. With regard to surface water management, the Local Planning Authority's condition is considered to be more comprehensive and addresses the issues raised by the Environment Agency and, as such, this condition has been attached in this instance.

Given the scale of the development, it is considered that additional water efficiency measures should be incorporated into the scheme, in accordance with London Plan policy. This would be required by way of condition.

7.18 Noise or Air Quality Issues

NOISE:

A Noise Assessment Report has been submitted by the applicant. The Council's Environmental Protection Unit has reviewed the submission and raises no objections subject to conditions ensuring mitigation measures outlined in the Noise Assessment are carried out. Subject to these conditions, 24 hour use will not have unacceptable impacts on the amenity of residential occupiers.

AIR QUALITY:

An Air Quality Impact Assessment Report has been submitted as part of the application. The Report has been considered by the Council's EPU. They state that the proposed development is within the declared AQMA and in an area that currently appears to be exceeding the European Union limit value for annual mean nitrogen dioxide. With the development operational in 2016 the residential receptors considered within the London Borough of Hillingdon all exceed the EU limit.

The air quality impact assessment indicates at worst a medium impact of moderate adverse significance to the residential receptors along North Hyde Gardens (the assessment indicates an increase in NO₂ of greater than 5 per cent above the EU limit value at the two locations assessed which are indicated to be above the EU limit value) and small impact of slight adverse significance to some of the Leisure Moorings (the assessment indicates a slight breach of the EU limit value as a consequence on the development, in two out of the three locations assessed). It should be noted the impact on North Hyde Gardens is primarily due to traffic emissions (it is the only access road onto

the site) and the impact on the Leisure Moorings is primarily due to the plant emissions due to their proximity to the site.

Without mitigation the proposed development would be likely to have a significant impact in terms of worst case NO₂ levels on the residential receptors in the vicinity of the junction of North Hyde Road and North Hyde Gardens. The traffic emission component of the proposed development is likely to result in a breach of the EU limit value (the same value as the national objective), by 5 and greater than 5 per cent of the limit value along parts of North Hyde Gardens and North Hyde Road based on the air quality assessment, although in terms of exposure, it is likely to impact a limited number of residential receptors.

It is likely that the Leisure Moorings are used as residential moorings. The air quality assessment indicates the worst case maximum impact from the asphalt plant, where its contribution is sufficient to take it above the EU limit value at locations where it was close to exceeding the limit. Based on London Council's Planning Guidance (2007), (APEC B) where the annual mean is between 5 per cent below or above the national objective (same as the EU limit value), this is not sufficient to justify refusal on air quality grounds, however appropriate mitigation must be considered. Again, it is likely the impact of the development will be on a limited number of receptors. As there are potential health implications with regard to fine particulates, and conditions will ensure every effort should be made to reduce emissions at the site.

A number of mitigation measures are proposed to reduce the air quality impact of the scheme, including traffic management, travel planning, fleet management, and air quality mitigation measures. The Council's EPU states that as the development is in and will cause increases in an area already suffering poor air quality, and a number of mitigation measures are not sufficiently detailed, a number of conditions relating to air quality are recommended for inclusion on any grant of planning permission.

A contribution towards air quality monitoring is also recommended as part of the S106 Legal Agreement to ensure the scheme does not cause unacceptable increases to pollutant levels in the surrounding AQMA.

7.19 Comments on Public Consultations

The concerns raised by objectors are discussed in the above report, with the exception of the loss of moorings. This application does not directly propose any impact on the existing moorings, so consideration of this is not relevant to the application.

7.20 Planning obligations

Should the application be approved, a range of planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

1. Transport: a contribution of £10,000 to TfL toward a feasibility study of the Parkway and Bulls Bridge Roundabout, and a contribution of £20,000 to TfL towards improvements at this junction.
2. Travel Plan: the submission of a revised Travel Plan, including baseline mode share, targets for all modes, a clear monitoring program, how the travel plan will be secured, and an air quality assessment of the environmental benefits of traffic management proposals.

3. Air Quality: a contribution in the sum of £25,000 towards air quality initiatives in the area.

4. A financial contribution of £15,000 towards improving the Grand Union Canal frontage.

5. A feasibility study to assess the potential for moving freight by water during the occupation of the development. The use of waterborne transport shall be maximised unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

6. Project Management and Monitoring: a contribution equal to 5% of the total cash contributions secured under s106 to enable the management and monitoring of the resulting agreement.

In addition to S106 contributions and other requirements, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is £24,360.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

CONTAMINATION:

Due to the previous uses on the site, a number of reports have been submitted regarding the potential for contamination on the site. The proposal and submitted information has been assessed by the Environment Agency and Council's Environmental Protection Unit, who recommended a condition be imposed on any permission requiring a final agreed remediation strategy and a validation report on completion be required for this site.

An assessment and plan for the removal of noxious weeds on the site has also been submitted, and will be required to be complied with.

IMPACT ON THE CANAL AND RESIDENTIAL MOORINGS:

Saved Policy AM18 requires developments adjoining the Grand Union Canal, where appropriate, to secure canal side facilities for canal bourn freight, as well as for recreation, amenity and nature conservation. London Plan policy 7.26 states that new development close to navigable waterways should seek to maximise water transport for bulk materials, particularly during demolition and construction phases. Policy 7.28 seeks the restoration and enhancement of the Blue Ribbon Network, with measures taken to improve the habitat and amenity value of the waterways.

The Canal and River Trust (formally British Waterways) have stated that the proposed use of the site is not ideal in terms of potential for enhancing the environment of the Grand Union Canal, however, it is noted that the site is within an existing industrial area, and that planning permission was previously granted for an industrial use. The Trust would therefore seek to mitigate any adverse impact on the canal environment, and for the proposed use to include utilising the canal where possible. As such, conditions and a legal agreement are recommended on any grant of permission requiring details of

landscaping along the canal edge, details of lighting, and a feasibility study for the use of the canal for waterborne transit, both during construction and once the site is in operation.

Any noise impacts on the moorings will be dealt with by way of a condition on any grant of planning permission.

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'.

10. CONCLUSION

The proposed development is considered to fully comply with local, regional and national planning policies relating to the provision of new and/or enhanced waste and recycling facilities and aggregate production. The proposal would assist the reduction of waste going to landfill by the treatment processes involved and will help the borough meet the London Plan policies regarding waste self-sufficiency and increasing waste management capacity in London. It also provides an employment use in an Industrial and Business Area (IBA).

It is not considered that the proposed development would, on balance, result in an unacceptable visual impact on the visual amenities of adjacent Conservation area, or the wider area in general. The proposal would not have any detrimental impact on the amenities of the occupiers of neighbouring residential units and it is not considered that the development would lead to such a significant increase in traffic that refusal could be justified on highway grounds.

The applicant has demonstrated that the proposal will achieve high levels of accessibility

and London Plan standards relating to sustainability and carbon reductions have been achieved.

In view of the above, the proposal is considered to comply with relevant national, regional and local planning policy and, as such, approval is recommended, subject to referral of the application to the Mayor of London.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
PPS10: Planning for Sustainable Waste Management
Draft West London Waste Plan
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

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