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# Unit 4, Former Nestle Factory, Hayes

## Planning Statement

Prepared on behalf of the Occupier of Unit 4

May 2022

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## 1.0 INTRODUCTION

1.1 This Planning Statement has been prepared by Barton Willmore now Stantec on behalf of the occupier of Unit 4 ('the applicant') to be submitted in support of an application for a new refrigerator unit at Unit 4, Former Nestle Factory, Hayes ('the Application Site'). The description of development is as follows:

***"Installation of a refrigerator unit at Unit 4."***

1.2 This Planning Statement has assessed the proposed development against the relevant planning policy framework and provides information to support and justify the proposal in planning policy terms and is structured as follows:

- Section 2 – The Application Site;
- Section 3 – The Proposed Development;
- Section 4 – Planning Policy Context;
- Section 5 – Assessment of Relevant Planning Issues;
- Section 6 – Conclusion.

1.3 The planning application is supported by the following documents:

- Planning Application Form;
- CIL Form;
- Drawing Package:
  - Site Location Plan (drawing ref. drawing ref. EU.KDH.PH-P020);
  - Unit 4 Articulated vehicle tracking (drawing ref. 332110715/5501/001 P01);
  - Existing Ground Floor Plan (drawing ref. EU.KDH.PH-P010);
  - Proposed Ground Floor Plan (drawing ref. EU.KDH.PH-P011);
  - Proposed Site Block Plan (drawing ref. EU.KDH.PH-P021);
  - Existing Elevations (drawing ref. EU.KDH.PH-P030)
  - Proposed Elevations (drawing ref. EU.KDH.PH-P031);
  - Proposed Detailed Elevations (drawing ref. EU.KDH.PH-P032);
- Insulated Roof & Wall Panels Installation Guide (dated November 2017); and
- Plant Noise Impact Assessment (document ref. 332510957/100 Rev).

### Summary

1.4 Planning permission is sought for a new refrigerator unit at Unit 4, Former Nestle Factory. A full package of planning application documents is submitted in support of

the proposal that meets London Borough of Hillingdon's (LBH) local application validation requirement together with national validation requirements.

## 2.0 THE APPLICATION SITE AND PLANNING HISTORY

### Site Location and Description

- 2.1 The Application Site is located at the Former Nestle Factory, Nestles Avenue, Hayes, UB3 4RF, in the southern part of London Borough of Hillingdon (LBH), west London. It is located approximately 500 metres to the south-east of Hayes Town Centre, bounded to the north by the Great Western Rail Line and Grand Union Canal and to the south by Nestles Avenue. To the west is the existing Squirrels Industrial Estate, accessed from Vivesh Close and to the east is North Hyde Gardens, which is a public road. To the north-east of the Application Site is Hayes and Harlington Railway Station.
- 2.2 A residential area lies immediately south of the Application Site, on the opposite side of Nestles Avenue. The A312 (North Hyde Road) is located approximately 140m to the south of the Application Site and the M4 motorway is a further 1km.
- 2.3 The Application Site is located within the Botwell: Nestles, Hayes Conservation Area, which was first designated by LBH on 19 June 1988, partly in response to an increased amount of demolition on the Application Site which was considered to affect its special character.

### Planning History

- 2.4 Planning permission was granted on 28 June 2018 (ref. 1331/APP/2017/1883) for the following development:

***"Part demolition of existing factory buildings and associated structures and redevelopment to provide 1,386 dwellings (Class C3), office, retail, community and leisure uses (Class A1/A3/A4/B1/B8/D1/D2), 22,663sqm (GEA) of commercial floorspace (Classes B1c/B2/B8 and Data Centre (Sui Generis)), amenity and playspace, landscaping, allotments, access, service yards, associated car parking and other engineering works."***

- 2.5 Following this, two Section 73 (S73) applications were granted. The first (ref.1331/APP/2019/1666) for the residential land was granted on 19 May 2019. The description of development for this application is as follows:

***"Section 73 application to vary Condition 9 (residential condition – approved plans) of planning permission ref.1331/APP/2017/1883 dated 28/06/2018 (part demolition of existing factory building and associated structures and redevelopment to provide residential dwellings (class C3), office, retail, community and leisure uses (Classes A1/A3/A4/B1/B8/D1/D2), commercial floorspace (Classes B1c/B2/B8 and Data Centre (sui Generis)), amenity and playspace, landscaping, allotments, access, service yards, associated car parking and other engineering works) (as amended by application ref. 1331/APP/2020/50 dated 06/02/2020)."***

- 2.6 The second S73 application (ref.1331/APP/2021/751) was granted on 10 November 2021 for the following:

***"Section 73 application seeking a variation to Condition 61 (approved drawings) of planning permission ref.1331/APP/2019/1666 dated 11-09-20 (Section 73 application to vary Condition 9 (residential condition – approved plans) of planning permission ref.1331/APP/2017/1883 dated 28/06/2018 (part demolition of existing factory building and associated structures and redevelopment to provide residential dwellings (class C3), office, retail, community and leisure uses (Classes A1/A3/A4/B1/B8/D1/D2), commercial floorspace (Classes B1c/B2/B8 and Data Centre (sui Generis)), amenity and playspace, landscaping, allotments, access, service yards, associated car parking and other engineering works) (as amended by application ref. 1331/APP/2020/50 dated 06/02/2020))."***

- 2.7 This planning permission replaces the original and is the now the 'operational consent'.

**Unit 4**

- 2.8 Unit 4 was leased to a tenant in December 2020 to occupy the unit to operate its food logistics business. The building is almost complete and will be handed over to the tenant in July 2022 to that its fit out can commence. It is anticipated that the unit will be operational in December 2022.

**Summary**

- 2.9 The Application Site is a former factory located on brownfield land, which has recently been granted planning permission for residential and commercial uses.
- 2.10 The principle of industrial units has been established on the Application Site by virtue of the redevelopment of the Application Site, as being implemented by planning permission ref. 1331/APP/2021/751 (original application ref.1331/APP/2017/1883).



### **3.0 THE PROPOSED DEVELOPMENT**

- 3.1 This section provides an overview of the proposed development. This application seeks permission for the following:

***"Installation of a refrigerator unit."***

- 3.2 The refrigerator unit will be 5.1m in height and 20.06m in length and will be located on the eastern elevation towards the southern boundary of Unit 4.
- 3.3 The refrigerator unit will be screened on all four sides although will not be enclosed from above for fire safety and access reasons.
- 3.4 The proposed materials will match that approved under original planning permission ref. 1331/APP/2017/ 1883 and subsequent conditions discharges.
- 3.5 Further details of the proposed refrigerator unit are provided on the submitted drawings as well as the Installation Guide.

## 4.0 PLANNING POLICY CONTEXT

4.1 This sections sets out the planning policies that are relevant in considering the redevelopment of the Application Site.

4.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that applications must be determined in accordance with the relevant development plan, unless material considerations indicate otherwise. The planning application proposals will therefore need to be considered against the relevant development plan policy documents and other material considerations.

### **Development Plan**

4.3 The Development Plan comprises:

- The London Plan (2021);
- The Hillingdon Local Plan: Part 1 – Strategic Policies (2012);
- The Hillingdon Local Plan: Part 2 – Development Management Policies (2020); and
- The Hillingdon Local Plan: Part 2 – Site Allocations and Designations (2020)

### London Plan (2021)

4.4 Policy D5 'Inclusive Design' requires development proposals to be of a high-quality of design.

4.5 Policy D14 'Noise' requires developments to manage noise by mitigating and minimising the existing and potential adverse impacts of noise as well as improve and enhancing the acoustic environment and promoting appropriate soundscapes.

4.6 Policy HC1 'Heritage Conservation and Growth' requires development proposals affecting heritage assets and their settings to conserve their significance.

### Hillingdon Local Plan Part 1 – Strategic Policies (2012)

4.7 Policy HE1 'Heritage' requires developments to conserve and enhance the historic environment.

- 4.8 Policy BE1 'Built Environment' requires all new development to improve and maintain the quality of the built environment.
- 4.9 Policy EM8 'Land, Water, Air and Noise' states that developments should not cause deterioration in the local air quality levels and seeks to mitigate against noise.

Hillingdon Local Plan Part 2 – Development Management Policies (2020)

- 4.10 Policy DMHB1 'Heritage Assets' requires development proposals to avoid harm to the historic environment.
- 4.11 Policy DMHB4 'Conservation Areas' requires new developments, including alterations and extensions to existing buildings within a Conservation Officer to preserve and enhance the character or appearance of the area.
- 4.12 DMHB11 'Design of New Development' requires all development, including alterations and new buildings to be designed to the highest standards and incorporate.

**Material Consideration**

National Planning Policy Framework (NPPF) (2021)

- 4.13 The National Planning Policy Framework (NPPF) (2021) is a material consideration in the determination of planning applications and advises that the Framework should be read as a whole.
- 4.14 The NPPF (2021) confirms that it is the purpose of the planning system to contribute to the achievement of sustainable development of which there are three inter-related dimensions of which are identified as economic, social and environmental (Paragraph 8). These dimensions give rise to the need for the planning system to perform a number of roles; an economic role – contributing to buildings a strong, responsive and competitive economy; a social role – supporting strong, vibrant and healthy communities; and an environmental role – contributing to protecting and enhancing our natural, built and historic environment.
- 4.15 Paragraph 126 requires developments to be of a high-quality of design.

**Summary**

- 4.16 The planning policy framework identified above, provides the basis to determine the proposed development against the statutory development plan and other material considerations.

## **5.0 ASSESSMENT OF RELEVANT PLANNING ISSUES**

- 5.1 This section sets out how the proposed development complies with relevant national, regional and local planning policy identified in Section 4.

### **Principle of Development**

- 5.2 The general theme of national, regional and local planning policy is to secure sustainable development and regeneration through the efficient re-use of previously developed urban land and through concentrating development in accessible locations. This is set out in the NPPF at Paragraph 7, where it states there should be a presumption in favour of sustainable development and that proposals which accord with the development plan should be approved without delay.
- 5.3 The application seeks permission for a new refrigerator unit at Unit 4. The principle of the development has previously been established under planning permission ref. 1331/APP/2021/751 (and original application ref. 1331/APP/2017/1883).
- 5.4 LPP1 Policy NPPF1 of the LBH Local Plan: Part 1 Strategic Policies (2012), requires the Council to take a positive approach that reflects the presumption in favour of sustainable development contained within the NPPF.
- 5.5 The proposed development will help the occupier of Unit 4 to operate its business by providing refrigeration units for food storage for its logistics operations.
- 5.6 In land use planning terms, the proposed development is considered to be acceptable.

### **Design**

- 5.7 The proposed refrigerator unit at Unit 4, has been designed to be of a high-standard and within keeping of the industrial development at the Former Nestle Factory.
- 5.8 The original design of the building was designed in order to allow for flexibility for potential occupiers. The proposed development is catered to the tenant.

- 5.9 The proposed development has been designed with full regard given to the relevant planning policy framework, conforming to national, regional and local requirements.

### **Heritage**

- 5.10 The main Truscan façade will be retained.
- 5.11 The external finishes to the refrigerator unit will complement the Locally Listed structure and will be of the same colour / materials of Unit 4.
- 5.12 The proposals are consistent with the principles established by ref. 1331/APP/2021/751 and do not cause any additional harm to the heritage assets.

### **Noise**

- 5.13 As part of this application, a noise assessment has been submitted. The noise assessment concludes:

***"An environmental sound survey was undertaken to establish the existing environmental sound levels at positions considered representative of the nearest noise sensitive receptors. The results of the environmental sound survey have been used to establish background sound levels which form the basis of our assessment of plant noise emissions.***

***Assessment criteria have been proposed based on the results of the environmental sound survey and the requirements of the Local Authority.***

***The results of the assessment indicate that plant noise emissions associated with the operation of the proposed plant are likely to be at least 5dB below the background sound level.***

***Based on the context and mitigating factors outlined herein, it is not considered appropriate to adjust the results of the initial numerical assessment of sound levels associated with offsite the proposed plant.***

***Therefore, noise associated with the operation of the proposed plant is likely to meet the requirements of the Local Authority without further acoustic mitigation and should therefore be considered acceptable.”***

- 5.14 It is therefore considered that the proposed refrigerator unit is acceptable and complies with relevant noise policies.

### **Transport**

- 5.15 The proposed development will ensure that the delivery and servicing yard for Unit 4 remains operational.
- 5.16 A swept path analysis has been submitted as part of this application and confirms there will be no impact on delivery and service vehicles.
- 5.17 The proposed development is therefore considered to be acceptable in transport and highways terms.

### **Summary**

- 5.18 The planning issue topics identified above have been assessed against the relevant planning policy to demonstrate the acceptability of the scheme.
- 5.19 This planning application is supported by a number of statements / drawings which should be read alongside this Planning Statement.

## 6.0 CONCLUSION

- 6.1 This Planning statement has been prepared in support of a full planning application for the following development:

***"Installation of a refrigerator unit at Unit 4."***

- 6.2 The Application Site is located at the former Nestle factory, Nestles Avenue, Hayes, UB3 4RF, in the southern part of LBH. It is located approximately 500 metres to the south-east of Hayes Town centre, bounded to the north by the Great western Rail Line and Grand Union Canal and to the south by Nestles Avenue.
- 6.3 The proposed development has been designed with full regard given to the relevant planning policy framework, conforming to national, regional and local requirements.
- 6.4 The proposed development will enable to the occupier of Unit 4 to work more efficiently.

### **Summary**

- 6.5 This Planning Statement has assessed the proposed development against the relevant planning policy framework. The principle of development has previously been established under planning permission ref. 1331/APP/2021/751 and therefore the proposed development itself is compliant with the Development Plan. It is therefore considered to be acceptable in assessing the overall planning balance.



