

**APPLICATION FOR:** 29665/APP/2022/2534  
THE BUNGALOW NEWYEARS GREEN LANE  
HAREFIELD

**COMMITTEE:** Minor Apps PC

**DATE:** 17th January 2024

- I confirm:-
- All consultations have been completed
  - 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

<b>Item No.</b>	<b>Report of the Head of Development Management and Building Control</b>		
<b>Address:</b>	THE BUNGALOW NEWYEARS GREEN LANE HAREFIELD		
<b>Development:</b>	Demolition of existing bungalow, all stable structures and outbuildings. Erection of staff facilities, recycling stalls and recladding of the existing barn. Widening of the vehicular access, formation of link access to Civic Amenity site, installation of new boundary fence, gates and associated external works.		
<b>LBH Ref Nos:</b>	29665/APP/2022/2534		
<b>Drawing Nos:</b>	2022/D/334/P/01 2022/D/334/P/02 Rev A 2022/D/334/P/03 Rev. E 2022/D327/P/04 Rev. C 2022/D327/P/05 Rev. B 2022/D327/P/06 Rev. A 2022/D/334/P/07 Rev. B  Design Rationale & Planting Specification, Date: 16th March 2023 Ref: TH 3858 LSCP, Trevor Heaps  Planning, Design and Access Statement v.3, MZA Planning, August 2023 Arboricultural Impact Assessment, Method Statement & Tree Protection Plan (prepared by Trevor Heaps Arboricultural Consultancy Ltd dated 21-02-2023, ref.TH 3858)  Phase I Geo-environmental Report, ref: M44477-JNP-XX-XX-RP-G-1001 P02, date: November 2023, JNP Group  Ecology File Note, Plowman Craven, date: 28/09/2023  Flood Risk Assessment, ref. 5138-NEWY-ICS-XX-RP-C-07.001B, dated: 25-07-23, Infrastruct CS Ltd  Hydraulic Modelling Report, Ambiental, ref: 933-RHD-ZZ-XX-RP-Z-0001 Revision S3, dated 04-09-2023  Preliminary Ecological Appraisal and Preliminary Roost Assessment, v1.0, Plowman Craven, dated October 2023		
<b>Date Plans received:</b>	08-08-2022	<b>Date(s) of Amendment(s):</b>	12-08-2022
<b>Date Application valid</b>	25-08-2022		19-12-2023
			21-09-2023
			22-02-2023
			28-09-2023
			29-11-2023

## 1. SUMMARY

The application proposes the demolition of the existing bungalow, all stable structures and outbuildings on site. It is proposed to erect two single storey buildings which would be used for staff facilities and recycling stalls associated with the adjacent Harefield Civic Amenity site. The proposed works also include the formation of a gravel finished pedestrian link from the development to the Civic Amenity site, recladding the existing barn, widening the existing vehicular access from Newyears Green Lane, installing new boundary treatment and gates and associated landscaping works.

The location of the site is considered optimal for the proposed use which would be connected to the adjacent Civic amenity site. The development would not impact on the openness of the Green Belt or harm the character, appearance or the amenity of the area.

Very special circumstances exist that demonstrate significant public benefits. The development would provide facilities necessary to ensure that the Borough can continue to make a full and uninterrupted contribution to sustainable waste management and civic functions.

The development includes a comprehensive landscape scheme and highway improvements by way of access and visibility improvements. There is no objection from the Highway Authority or the Environment Agency and no concerns are raised with regards to air quality.

Conditions would be attached in the event of an approval to secure the implementation of vehicle and cycle parking, including electric vehicle charging points; the implementation of the landscaping scheme and tree protection; details of exterior materials; and other relevant reports relating to ecology, land contamination and drainage.

The application is recommended for approval subject to conditions.

## 2. RECOMMENDATION

**APPROVAL** subject to the following:

### 1. SP01 Council Application Standard Paragraph

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall ensure only for the benefit of the Council.

### 2. 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.

### **3. 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:

- 2022/D/334/P/01
- 2022/D/334/P/03 Rev. E
- 2022/D327/P/04 Rev. C
- 2022/D327/P/05 Rev. B
- 2022/D327/P/06 Rev. A
- 2022/D/334/P/07 Rev. B
- Flood Risk Assessment, ref. 5138-NEWY-ICS-XX-RP-C-07.001B, Dated: 25-07-23, Infrastruct CS Ltd
- Hydraulic Modelling Report, ref: 933-RHD-ZZ-XX-RP-Z-0001 Revision S3, Dated: 04-09-2023, Ambiental
- Design Rationale & Planting Specification, Dated: 16th March 2023 Ref: TH 3858 LSCP, Trevor Heaps
- Arboricultural Impact Assessment, Method Statement & Tree Protection Plan, ref.TH 3858, Dated: 21-02-2023, Trevor Heaps
- Phase I Geo-environmental Report, ref: M44477-JNP-XX-XX-RP-G-1001 P02, Dated: November 2023, JNP Group
- Ecology File Note, Dated: 28/09/2023, Plowman Craven
- Preliminary Ecological Appraisal and Preliminary Roost Assessment, v1.0, Dated: October 2023, Plowman Craven
- Planning, Design and Access Statement v.3, Dated: August 2023, MZA Planning

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

#### **REASON**

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

### **4. NONSC Ancillary use only**

The facilities hereby permitted shall be used only for purposes ancillary to the existing civic amenity site operations.

#### **REASON**

To enable the Local Planning Authority to retain control over the use in terms of vehicle movements and waste input, to ensure that it complies with Policies DMT 1 and DMT 2 of the Hillingdon Local Plan Part Two 2 (2020).

### **5. COM7 Materials (details)**

Notwithstanding the approved plans, no development shall take place until details of all materials and external surfaces, have been 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 ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

## **6. COM26 Ecology (details)**

No development (including demolition and site clearance) shall take place until the following details have been submitted to and approved by the Local Planning Authority:

- a). A Dusk Emergence & Dawn Re-entry Bat Survey including details of any ecological mitigation and habitat enhancements and a site plan showing their location;
- b). In the event that the Dusk Emergence & Dawn Re-entry Bat Survey discovers any bat roosts, a copy of a European Protected Species Mitigation Licence (EPSML) (under the 2010 Regulations) issued by Natural England pursuant to Regulation 53 of The Conservation of Habitats and Species Regulations 2017 (as amended) with full details of mitigation requirements.
- c). A Construction Ecological Management Plan (CEMP); and
- d). A Landscape and Ecology Management Plan (LEMP).

Thereafter, the development shall be implemented only in accordance with the recommendations detailed in the approved Preliminary Ecological Appraisal and Preliminary Roost Assessment, v1.0, Plowman Craven, dated October 2023, and the approved details.

The development shall be carried out in accordance with the Natural England licence and all mitigation measures and habitat enhancements shall be fully installed before occupation and retained in full accordance with the approved details for the lifetime of the development.

### **REASON**

In order to comply with the Conservation of Habitats and Species Regulations 2017 (as amended) and encourage a wide diversity of wildlife and to manage any impacts on biodiversity and protected species in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy G6 of the London Plan (2021).

## **7. TL6 Landscaping Scheme**

All hard and soft landscaping and biodiversity enhancements shall be carried out in accordance with the approved landscaping scheme (Drawing number 2022/D/334/P/07 Rev. B) and the approved Design Rationale & Planting Specification (Ref: TH 3858 LSCP, Trevor Heaps, Dated: 16th March 2023) and shall be completed within the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)' and shall include pollution absorbing species.

Notwithstanding the approved plans, the hedging in front of the 1.8 metre high palisade fencing along the boundary with Newyears Green Lane shall be maintained at a height of at least 1.8metre in perpetuity. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of the development dies, is removed, or in the opinion of the Local Planning Authority becomes seriously damaged or diseased, shall be replaced

in 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), in the next planting season with another such tree, shrub, area of turfing or seeding of similar size and species.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

### **8. COM8 Arboricultural Method and Tree Protection**

The development shall be carried out in accordance with the Arboricultural Method Statement & Tree Protection measures detailed in the approved Arboricultural Impact Assessment Method Statement & Tree Protection Plan, Ref: TH 3858, Trevor Heaps, Dated: 21st February 2023. The tree protection measures for the site will be monitored and supervised by an arboricultural consultant at key stages of the development including during demolition and records of the site inspections/meetings shall be submitted to the Local Planning Authority.

#### REASON

To ensure that retained trees and other vegetation will not be damaged during construction work and to ensure that the development conforms with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

### **9. COM10 Trees to be retained**

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

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority. These 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 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 DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

## **10. OM19 Demolition and Construction Management Plan (details)**

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. No demolition works to the buildings or removal of trees should be carried out within the bird breeding season (March-August). This should be carried out in conjunction with any timing recommendations set out in the approved Preliminary Ecological Appraisal and Preliminary Roost Assessment, v1.0, Plowman Craven, dated October 2023 and additional bat surveys required by Condition 4.
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (iv) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (v) a dust risk assessment, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).
- (vi) 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 BE1 of the Hillingdon Local Plan Part 1 (2012) and Policy DMHB 11, DMEI 7, DMEI 11 and DMEI 12 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

## **11. RES22 Car Parking**

The development hereby approved shall not be occupied until the car parking spaces have been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available.

### **REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

## **12. H15 Cycle Parking**

The development hereby permitted, shall not be occupied until the cycle parking spaces have been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available.

### **REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the

availability of sustainable forms of transport to the site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T5 of the London Plan (2021).

### **13. SUS8 Electric Vehicle Charging Points**

The development hereby approved shall not be occupied until 1 'active' and 19 'passive' electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, have been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available.

#### **REASON**

To encourage sustainable travel and to comply with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

### **14. COM30 Contaminated Land and Remediation (details)**

(i) The development hereby permitted (excluding demolition, site clearance and ground investigation works) shall not commence until a scheme to deal with any unacceptable contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A desk-top study carried out by a competent person to characterise the site and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site:

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

(c) 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 the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical

contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

#### REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policies DMEI 11 and DMEI 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **15. NONSC SuDS Infiltration of surface water into ground**

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority, in consultation with the Environment Agency. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

#### REASON

To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants in accordance with Paragraph 174 of the National Planning Policy Framework.

#### **16. RES15 Sustainable Water Management (details)**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Part B Policy SI 13 of the London Plan (2021).

Should the proposed sustainable drainage system include the infiltration of surface water to the ground, then the Environment Agency must be consulted. Any proposals for such systems must be supported by an assessment of the risks to controlled waters.

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 the development does not increase the risk of flooding in accordance with Policy SI 13 of the London Plan (2021).

#### **17. NONSC Landfill Gas Survey & Monitoring (details)**

A scheduled landfill gas survey and monitoring programme shall be carried out at the development site, with particular emphasis placed to include (but not limited to) areas beneath the proposed footprint of new building/s and potential preferential pathways created by the proposed development.

The surveys and monitoring shall be conducted to the satisfaction of the Local Planning Authority in consultation with the Environment Agency, and due to the proximity of proposed new buildings to the landfill site, the results should provide appropriate data to ascertain the most acceptable gas

protection measures to be applied, and the selection shall be installed regardless of whether landfill gas is detected or not during the survey and monitoring processes.

The details of the selected protection measures shall be submitted to the Local Planning Authority for approval prior to installation, in consultation with the Environment Agency.

This condition will not be discharged until the selected gas protection measures have been fully installed and validated, and appropriate verification information has been submitted to the satisfaction of the Local Planning Authority, in consultation with the Environment Agency.

**REASON:**

The development site is immediately adjacent to a historic landfill site. Land at the landfill site has previously demonstrated the presence of unacceptable pressures and flows of landfill gas detected within monitored wells, and the associated risks have required to be managed and addressed in accordance with Environment Agency guidance.

**18. NONSC Non-mains drainage environmental permit (details)**

The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Environment Agency. The scheme shall be implemented as approved and completed prior to the development being brought into use.

**REASON**

To ensure that the proposed non-mains drainage system does not harm groundwater resources in accordance with Paragraph 174 of the National Planning Policy Framework and the 'The Environment Agency's approach to groundwater protection'.

**INFORMATIVES**

**1. I15 Control of Environmental Nuisance from Construction Work**

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

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

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

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

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

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

## 2.

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing [trade.effluent@thameswater.co.uk](mailto:trade.effluent@thameswater.co.uk). Application forms should be completed on line.

## 3.

The applicant is advised that their development boundary falls within a Source Protection Zone for groundwater abstraction. These zones may be at particular risk from polluting activities on or below the land surface. To prevent pollution, the Environment Agency and Thames Water (or other local water undertaker) will use a tiered, risk-based approach to regulate activities that may impact groundwater resources. The applicant is encouraged to read the Environment Agency's approach to groundwater protection.

## 4. IT05 **Wildlife and Countryside Act 1981**

Wildlife and Countryside Act 1981: Note that it is an offence under this act to disturb roosting bats, nesting birds or any other protected species.

## 5.

Clear signage for the accessible toilet, such as 'Accessible WC' or 'Unisex', or the use of the 'wheelchair' symbol accompanied by 'Ladies', 'Gentlemen', or 'Unisex' should be provided to ensure adherence to the Equality Act 2010.

## 6.

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from 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. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

## 7. I52 **Compulsory Informative (1)**

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

discrimination).

## **8. I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The Council-owned site known as 'The Bungalow' is situated on the northern side of Newyears Green Lane in Harefield. It is designated within Green Belt, showcasing a mix of open land and existing structures. The site primarily consists of a bungalow and additional outbuildings and stables, previously used for farming/agricultural purposes. The outbuilding and stables, now in a state of disrepair, are located to the rear of the bungalow.

To the north and east of the site is open countryside, providing a natural and serene backdrop. The southern border of the site is flanked by the highway (Newyears Green Lane). Adjacent to the west of the site is the Harefield Civic Amenity Site and Reuse Centre, a facility which was granted temporary permission to occupy 'The Bungalow' site in the early 2010s during its redevelopment (albeit this permission was not implemented, reference 29665/APP/2010/617). Further south, beyond New Years Green Lane, lies the Dog's Trust complex, which contains a Grade II Listed Building.

The site is located within Flood Zone 3, indicating a high probability of flooding. The site is also designated within a Surface Water Management Zone. The site does contain trees; however, none of them are protected by any Tree Preservation Orders. According to the Council's GIS, the site falls within a Landfill and Landfill Buffer Zone. It also has a Public Transport Accessibility Level (PTAL) rating of 1a (very poor), where 0 is the lowest rating and 6 is the highest.

### **3.2 Proposed Scheme**

The application proposes the following scheme -

Demolition of existing bungalow, all stable structures and outbuildings. Erection of staff facilities, recycling stalls and recladding of the existing barn. Widening of the vehicular access, formation of link access to Civic Amenity site, installation of new boundary fence, gates and associated external works.

### **3.3 Relevant Planning History**

29665/APP/2010/617      The Bungalow Newyears Green Lane Harefield

Construction of a temporary Civic Amenity Facility for use during redevelopment of the Harefield Civic Amenity Site, including temporary change of use of bungalow to office and staff welfare facility.

**Decision:** 23-07-2010      Approved

### **Comment on Relevant Planning History**

The relevant planning history attached to this site is referenced above.

## **4. Planning Policies and Standards**

Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The Local Plan: Part 2 - Site Allocations and Designations (2020)  
The West London Waste Plan (2015)  
The London Plan (2021)

Material Considerations:

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

### **Local Plan Designation and London Plan**

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

Part 1 Policies:

PT1.BE1              (2012) Built Environment

Part 2 Policies:

DMCI 7              Planning Obligations and Community Infrastructure Levy

DMEI 10             Water Management, Efficiency and Quality

DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP G1	(2021) Green infrastructure
LPP G2	(2021) London's Green Belt
LPP G7	(2021) Trees and woodlands
LPP SI1	(2021) Improving air quality
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP SI8	(2021) Waste capacity and net waste self-sufficiency
LPP SI9	(2021) Safeguarded waste sites
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: **28th September 2022**

5.2 Site Notice Expiry Date: **5th October 2022**

## 6. Consultations

### External Consultees

#### CADENT GAS:

After receiving the details of your planning application at The Bungalow New Years Green Lane Harefield UB9, we have completed our assessment. We have no objection to your proposal from a planning perspective.

#### PLANNING OFFICER COMMENTS:

Cadent Gas' comments are noted.

#### ENVIRONMENT AGENCY (FINAL COMMENTS):

Following a discussion with the LB Hillingdon Senior Land Contamination Officer, whereby we had the opportunity to discuss the adjacent Contaminated Land Special Site, we are now satisfied that the gas risks can be adequately managed by relevant planning conditions and support those recommended by the Senior Land Contamination Officer. We do, however, recommend the following addition to the Landfill Gas condition (proposed by the Council's Senior Land Contamination Officer). Without this addition we feel that the condition wouldn't adequately cover the risks associated with the development site. This addition has been incorporated into the Landfill Gas Condition as follows:

#### "Landfill Gas Condition

A scheduled landfill gas survey and monitoring programme shall be carried out at the development site, with particular emphasis placed to include (but not limited to) areas beneath the proposed footprint of new building/s and potential preferential pathways created by the proposed development. The surveys and monitoring shall be conducted to the satisfaction of the Local Planning Authority..."

Despite this, we note that the proposed development will be served by "other" foul drainage, as indicated on the application form. The site is situated in source protection zone 2-3 which is designated for the protection of potable water used for human drinking water supplies. Furthermore, an environmental permit will be required for this development. The permit will restrict the type and location of the non-mains drainage system to be employed on-site. Therefore, we have included a condition which will ensure that the planning permission complies with the requirements of the environmental permit.

Considering the above, we are now in the position to remove our objection subject to the inclusion of the following conditions on any grant of decision notice.

Without these conditions we would object to the proposal in line with paragraph 174 of the National

Planning Policy Framework because it cannot be guaranteed that the development will not be put at unacceptable risk from, or be adversely affected by, unacceptable levels of water pollution.

We ask to be consulted on the details submitted for approval to your authority to discharge these conditions and on any subsequent amendments/alterations.

#### Condition 1 - SuDS Infiltration of surface water into ground

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the local planning authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason To ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

#### Condition 2 - Non-mains drainage - secure implementation of the non-mains drainage assessment - environmental permit required

The development hereby permitted may not commence until a foul water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved and completed prior to the development being brought into use.

Reason To ensure that the proposed non-mains drainage system does not harm groundwater resources in line with paragraph 174 of the National Planning Policy Framework and the 'The Environment Agency's approach to groundwater protection'.

#### PLANNING OFFICER COMMENTS:

The Environment Agency's comments and suggested conditions and amendment to the landfill gas condition are noted. The conditions and amended conditions would be included in the event of an approval.

#### THAMES WATER:

##### WASTE:

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.

##### WATER:

With regard to water supply, this comes within the area covered by the Affinity Water Company.

#### PLANNING OFFICER COMMENTS:

Thames Water's comments are noted. In the event of an approval, a condition requiring the submission of a sustainable water management scheme would be attached. Other relevant informatives would also be attached.

## Internal Consultees

### ACCESS OFFICER:

The Council's Access Officer initially expressed concerns regarding the dimensions and design of the accessible toilet as shown on the original floor plan (now superseded), noting non-compliance with approved Document M of the Building Regulations 2010 (2015 edition). Additional comments from the Access Officer included:

- A recommendation for the clear signage for the accessible toilet, such as 'Accessible WC' or 'Unisex', or the use of the 'wheelchair' symbol accompanied by 'Ladies', 'Gentlemen', or 'Unisex' to ensure adherence to the Equality Act 2010.

- The Equality Act 2010 seeks to protect people accessing goods, facilities and services from 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. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

The revised plan 2022/D327/P/04 Rev. C now shows a reconfigured accessible toilet with internal dimensions of circa 1700 x 2200mm. This plan overcomes the previous accessibility objection.

### PLANNING OFFICER RESPONSE:

A revised floor plan, submitted on 25.09.23, now shows an accessible toilet with adjustable internal dimensions of at least 1.7m x 2.2m, meeting the standards and addressing the concerns previously highlighted. Following a review of the updated plan, the Council's Access Officer has expressed satisfaction with the proposal in terms of accessibility and inclusive design.

An informative would be secured that outlines the recommendations regarding toilet signage and adherence to the Equality Act 2010, as advised by the Council's Access Officer.

### AIR QUALITY OFFICER:

I have evaluated the planning application and there are no constraints nor concerns for air quality.

### PLANNING OFFICER RESPONSE:

Comments noted.

### HIGHWAYS OFFICER: (SUMMARISED)

This semi-rural site, owned by Hillingdon council, is located adjacent to the 'Harefield Amenity' site (CA) in proximity to the junction with Harvil Road. The site although now vacant, was an agricultural holding and consists of a residential bungalow together with outbuildings and stables, all of which are now proposed for demolition and replacement with two separate blocks incorporating recycling stalls and staff facilities which would be supplementary to existing/neighbouring CA functions. An existing access road/barn are to be retained but with resurfacing/ refurbishment respectively. The new recycling facility will be physically connected to the adjacent CA site by a new 'Green Belt sympathetic' gravel surfaced

path link providing pedestrian bound CA patrons direct access to the new facility.

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Management Plan Policies - DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

#### PLANNING OFFICER RESPONSE:

The highways officer's comments are noted. The full comments are incorporated within the 'Traffic impact, Car/cycle parking, pedestrian safety' section at 7.10 of this report. An updated site plan has been received with the access details and electric vehicle charging points shown.

#### LAND CONTAMINATION OFFICER:

The proposed development site is surrounded on three sides by a former landfill site which has been determined by this Local Authority as Contaminated Land, and which was subsequently designated as a Special Site to be regulated by the Environment Agency.

We have significant information in records concerning ground conditions within and beyond the boundary of the former landfill.

However, we have no site-specific information for the proposed site, therefore I recommend the following conditions should be imposed if planning consent is awarded:

(i) The development hereby permitted (excluding demolition, site clearance and ground investigation works) shall not commence until a scheme to deal with any unacceptable contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of any required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) A desk-top study carried out by a competent person to characterise the site and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site

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

(c) 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 the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

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

(iii) Upon completion of the approved remedial works this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

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

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

#### Landfill Gas Condition:

A scheduled landfill gas survey and monitoring programme shall be carried out at the development site, with particular emphasis placed to include (but not limited to) areas beneath the proposed footprint of new building/s. The surveys and monitoring shall be conducted to the satisfaction of the Local Planning Authority, and due to the proximity of proposed new buildings to the landfill site the results should provide appropriate data to ascertain the most acceptable gas protection measures to be applied, and the selection shall be installed regardless of whether landfill gas is detected or not during the survey and monitoring processes. The details of the selected protection measures shall be submitted the Local Planning Authority for approval prior to installation.

This condition will not be discharged until the selected gas protection measures have been fully installed and validated, and appropriate verification information has been submitted to the satisfaction of the Local Planning Authority.

Reason: The development site is immediately adjacent to a historic landfill site. Land at the landfill site has previously demonstrated the presence of unacceptable pressures and flows of landfill gas detected within monitored wells, and the associate risks have required to be managed and addressed in accordance with Environment Agency guidance. Due to proximity of the landfill site to the proposed development site there is a possibility that some contaminating substances, including landfill gas and leachate, may be present in the ground at the proposed development site.

Therefore, on the grounds of Health and Safety of the workers and other persons (including any trespassers) at site during works, it is strongly recommended that the site is sufficiently secure and that persons working on site should take appropriate precautions in relation to any contamination and/or landfill gas they may identify/detect.

Furthermore, it is essential to note that the boundary of the proposed development is shared with the Newyears Green Closed Landfill site, which was determined as Contaminated Land and designated with Special Site status,

Due to the strict regulatory implications in place for the landfill site it is likely further advice will be required at some point before and/or during development if/when planning consent is awarded. Therefore, I request that I am contacted directly when any further details are required.

## PLANNING OFFICER RESPONSE:

The Council's land contamination officer's comments are noted. The recommended conditions would be attached in the event of an approval having regard to the Environment Agency's consultation response which suggests an amendment in the wording of the recommended landfill gas condition.

## PLANNING POLICY OFFICER:

The Council's Policy Officer has commented that the cumulative factors listed below suggest that the development would not satisfy the exceptions within the NPPF (2023), leading to inappropriate development in the Green Belt that would cause harm to the openness:

- Introduction of a new building in a currently undeveloped area.
- Replacement buildings that appear to have a larger footprint than the existing structures, with unknown volumes
- Creation of a new access road between the new and existing site, constituting development in an undeveloped Green Belt area.
- Installation of new 2 metre high fences adjacent to the highway, exceeding the limits allowed by permitted development.
- Road widening into the existing line of vegetation.
- Increase in trip generation.

In light of these points, a detailed written submission is required, explaining very special circumstances for the development and reasons why it cannot be accommodated on the existing site or a site outside the Green Belt.

## PLANNING OFFICER RESPONSE:

An updated Planning Statement has been submitted, detailing the applicant's argument for very special circumstances, which are discussed in section 7.01 of this report. An assessment of the impact on the Green Belt is discussed in section 7.05 of this report.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

#### PRINCIPLE OF DEVELOPMENT:

Policy SI 7 of the London Plan (2021) states - Part A) Resource conservation, waste reduction, increases in material re-use and recycling, and reductions in waste going for disposal will be achieved by the Mayor, waste planning authorities and industry working in collaboration to:

- 1) promote a more circular economy that improves resource efficiency and innovation to keep products and materials at their highest use for as long as possible
- 2) encourage waste minimisation and waste prevention through the reuse of materials and using fewer resources in the production and distribution of products
- 3) ensure that there is zero biodegradable or recyclable waste to landfill by 2026

- 4) meet or exceed the municipal waste recycling target of 65 per cent by 2030
- 5) meet or exceed the targets for each of the following waste and material streams:
  - a) construction and demolition - 95 per cent reuse/recycling/recovery
  - b) excavation - 95 per cent beneficial use
- 6) design developments with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.

Policy SI 8 of the London Plan (2021) states - Part F) When planning for new waste sites or to increase the capacity at existing sites the following should be considered:

- 1) job creation and social value benefits, including skills, training and apprenticeship opportunities
- 2) local need
- 3) accessibility of services for local communities and businesses.

The Council's Waste Management team have been looking at ways of increasing the waste recycling capacity for the past 4-5 years. As detailed in the planning statement submitted in support of the application, it is estimated that Hillingdon's population will increase by 14% by 2026, equating to 123,000 additional households. This projected rise is estimated to contribute an extra 50,000 tonnes in waste at the site.

Recent government strategies identify a need to improve resource productivity and eliminate avoidable waste of all kinds (including plastic waste) by 2050 and to separate Persistent Organic Pollutants (POPs) from waste.

The Harefield Civic Amenity Site caters for residential and pay per weight commercial waste. As a result of the development, approximately 500sqm of area would be freed up at the Civic Amenity Site which would allow at least 6 large containers for various household waste. In addition, the extra space would allow for an additional weighbridge which is much needed.

Bins are proposed to be moved from the main civic amenity site to the existing barn within the bungalow site. The staff building would be moved to the bungalow site and provided with improved staff facilities and an educational hub. The development would therefore free up some much needed space within the main civic amenity space to raise capacity, increase waste streams and improve operational efficiencies. This would allow the civic amenity site to keep up-to-date with current environmental legislative requirements and keep up with increasing waste demand in the Borough.

The proposed recycling stalls would also be used for promoting the re-use of waste, such as the reclamation of bicycles and other items which can be repaired and restored. This would reduce the amount of waste going to landfill and promote the re-use of waste in line with broad aims of achieving a circular economy.

The development would result in the creation of up to 15 FTE (fulltime equivalent) jobs. In addition, the proposed Educational Hub would help to increase awareness of re-use and recycling and waste management to the wider community. The site is located adjacent to an existing civic amenity site and the development would be associated with that facility.

There is a clearly defined need for the development which provides significant public benefits. The principle of the development is therefore considered acceptable in accordance with Policies SI 7

and SI 8 of the London Plan (2021), subject to wider planning considerations discussed throughout this report.

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

Not applicable.

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

Not applicable.

#### **7.04 Airport safeguarding**

Not applicable.

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

IMPACT ON THE OPENNESS OF THE GREEN BELT:

Paragraph 152 of the National Planning Policy Framework (NPPF) (2023) states that inappropriate development, is by definition, harmful to the Green Belt and should not be approved except for very special circumstances.

Paragraph 153 of the NPPF (2023) states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 154 of the NPPF (2023) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
  - not have a greater impact on the openness of the Green Belt than the existing development; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The NPPF Annex 2: Glossary defines previously developed land as - Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should

not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

Policy G2 of the London Plan (2021) states:

Part A) The Green Belt should be protected from inappropriate development:

1) development proposals that would harm the Green Belt should be refused except where very special circumstances exist,

2) subject to national planning policy tests, the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported.

Part B) Exceptional circumstances are required to justify either the extension or de-designation of the Green Belt through the preparation or review of a Local Plan.

Policy DMEI 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

Part A) advises that inappropriate development in the Green Belt will not be permitted unless there are very special circumstances.

Part B) states that extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

i) the height and bulk of the existing building on the site;

ii) the proportion of the site that is already developed;

iii) the footprint, distribution and character of the existing buildings on the site;

iv) the relationship of the proposal with any development on the site that is to be retained; and

v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

The definition of 'previously developed land' is set out in the glossary to the NPPF and the relevant text is copied above for reference. The site being occupied by buildings that were used for agricultural purposes in the past, is not considered to represent previously developed land. Therefore the proposal would not fall within the exception outlined in provision (g) of paragraph 154 (or any other categories in the exceptions list), and very special circumstances need to be demonstrated.

In accordance with Paragraphs 152 and 153 of the NPPF (2023) and as detailed in the 'The principle of the development' section of this report at 7.01, there are significant public benefits that are considered to amount to very special circumstances that would weigh in favour of the application. As such, an assessment follows of whether the development would result in a greater impact on the openness of the Green Belt relative to the existing development.

The siting of the proposed new staff facilities would overlap the footprint of existing buildings and structures to be removed. The new recycling stall buildings are in a location where there is currently no development. Whilst there is a duty to preserve the openness of the Green Belt, logic dictates that the erection of a new building could be permitted whilst preserving openness. Therefore, 'preservation' should not be interpreted as meaning any new development in the Green belt is precluded. An assessment of the spatial and visual aspects which are relevant to openness is

therefore required on a case-by-case basis.

In this case, the proposed buildings would be sited within an area that already houses a collection of buildings and structures. The existing building floor area at the application site is 564.4 sqm, of which only the barn building (127.5 sqm) would be retained. The proposed new staff building /education hub would have a floor area of 500sq.m and the new recycling building a floor area of 155sq.m. In total the development would have a net increase in footprint of 217.5 square metres (equating to an increase of 38.5%). Whilst there would be a net increase in footprint and volume, the proposed buildings would all be single storey in height which is appropriate given the existing buildings and structures to be removed are also single storey.

A new 1.8 metre high palisade fencing would be erected along the site frontage, adjoining the highway on Newyears Green Lane. Additionally, the proposal would involve widening the existing access to accommodate the Civic Amenity use of the site. The revised landscape plan indicates the palisade fencing would be installed behind hedging which would provide a green visual buffer along the frontage in a similar way to the existing hedging along the boundary of Newyears Green Lane. A condition has been recommended requiring the maintenance of this soft landscaped visual buffer.

The site is relatively well enclosed by the presence of existing trees and vegetation. The landscape scheme would further supplement the natural enclosure and screening through the planting of hedges and trees which further limits the visual impact of the development on the openness of the site. The buildings are contained within the existing built area of the site which limits the spatial impact of the development.

Taking the aforementioned factors into account, it is considered cumulatively that the proposal would not have a harmfully greater spatial and visual impact on the openness of the Green Belt than the existing development. Very special circumstances have also been demonstrated in section 7.01 of this report.

The development is not considered to impact on the openness of the Green belt and as there are very special circumstances, the development is considered to be in accordance with Policy DMEI 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy G2 of the London Plan (2021) and Paragraphs 153 and 154 of the NPPF (2023).

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

### **CHARACTER AND APPEARANCE:**

Policy D3 of the London Plan (2021) states that: Development proposals should: D1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design.

The new single storey recycling building would be 5.2 metres in height. The single storey staff and education hub building would be 5.7 metres in height. There would be an increase in footprint as discussed in the 'Impact on the green belt' section of this report at 7.05, however the overall scale of the development, when read in the context of the existing buildings and in connection with the adjacent main civic amenity site, is considered to be appropriate.

The existing barn that would be retained would have its exterior re-cladded. In the event of an approval, a suitable condition would be attached to secure details of appropriate exterior materials for the existing barn and the new buildings, in addition to any surfacing materials. It is considered that through the approval of a suitable colour scheme, the development would suitably assimilate into the surroundings.

Subject to the above condition, the development is not considered to be impact on the character and appearance of the area in accordance with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

## **7.08 Impact on neighbours**

### **NEIGHBOURING RESIDENTIAL AMENITY:**

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The proposed facility would be over 95 metres away from the nearest residential property. It is therefore considered that the proposal would not result in an over dominant form of development which would detract from the amenities of neighbouring occupiers.

Similarly, it is not considered that there would be a material loss of privacy, daylight or sunlight to neighbouring properties, as the proposed building would be sited a sufficient distance away from neighbouring residential properties.

In terms of activity, the facility would be used in a similar but less intense manner to the existing Civic Amenity site. There have been no reported noise complaints from local residents relating to the existing site activities.

The existing civic amenity site has been in operation for at least 30 years and is therefore a well established feature of the local environment. Traffic to the proposed development would utilise a widened existing vehicular access, which the Highways Authority expects the projected attendance to most likely occur outside of the morning and evening peak traffic periods. It is therefore considered that the traffic generation associated with the proposed development would not result in the residential occupiers of surrounding properties experiencing any significant additional noise, disturbance or visual intrusion.

Noise and air quality issues in relation to the construction and operational phase of the development are discussed in Section 7.18 of this report.

Having regard to the above, it is considered that the proposal would not adversely impact on the

residential amenities of neighbouring occupiers, in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

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

Not applicable.

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

##### **POLICY CONTEXT:**

Policy T4 of the London Plan (2021) states that development proposals should not increase road danger.

Policy T5 of the London Plan (2021) states that development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.

Policy T6 of the London Plan (2021) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided.

Policy DMT 5 Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity.

The following assessment incorporates the consultation comments received by the Council's Highways Authority who have raised no objection to the proposal, in terms of parking stress and highway safety.

##### **PROPOSAL:**

The access road leading to the 'bungalow' from Newyears Green Lane (NYGL) is proposed to be remodelled to incorporate 10 car parking spaces positioned perpendicular to the internal roadway together with resurfacing, all facilitated by the removal of the bungalow together with the provision of a gating arrangement located towards NYGL.

15 FTE (full time equivalent) office-based staff are anticipated (with no more than 10 on-site at any one time- Monday to Friday) with an anticipated customer patronage to the recycling stalls typically in the order of 30 visitors per week (over a 4-day weekday period) but open from Monday to Sunday in line with current Civic Amenity Site operating hours.

Car parking provisions are to increase from 10 to 20 spaces (including 3 disabled compliant) with provision for large goods vehicles (LGVs) increasing from 5 to 7 spaces. Motor/Pedal Cycle spaces would amount to 4/5 respectively.

The address scores a public transport accessibility level (PTAL) rating of 1a given its remote nature hence dependency on the use of private motor transport is elevated, also supplemented by the fact that the user profile does not lend itself to the use of alternative sustainable travel modes based on the need to ferry bulk items to the site operation.

Recycling stalls would facilitate the salvaging of household items such as furniture, small electrical items, bicycles etcetera, that are in good fettle but can be repaired and sold onto the general public.

#### VEHICULAR TRIP GENERATION:

Based on the anticipated customer attendance, the proposal would clearly produce an elevated level of traffic generation from the address of the bungalow, as compared to the current dormant use. However, as the projected attendance over the week (with lesser usage over the weekend period) would typically and occur mostly outside of the most sensitive and crucial morning and afternoon/early evening peak traffic base-line periods, there is no formal concern raised on this aspect of the proposal.

#### VEHICULAR ACCESS:

The existing road track from NYGL previously served site activities related to the agricultural use without known detriment. It is noted that the proposal site layout indicates conformity to the Department for Transport's (DfT) - Manual for Streets (MfS) (circa 2007) best practice for road and parking layouts by allowing vehicles using the proposal site to enter and leave in a forward gear without hindrance, which is welcomed on operational and safety grounds.

The Council's Highways Officer has recommended that a marginal loss of green shrubbery/vegetation on either side of the access point would be acceptable in order to achieve satisfactory sight-lines which should be in conformity with the relevant mutual inter-visibility sight-line requirements, as per guidance contained within "Highways England's" - Design Manual for Roads and Bridges (The Design of Crossovers and Changeovers - Appendix 1 Geometric Design Table), between vehicles leaving and entering the site and passing vehicles on Newyears Green Lane.

The applicant has acknowledged this aspect by confirming that the established access would be widened/enhanced by way of significant 'flaring' within the curtilage of the site envelope, resulting in the existing vegetation in vicinity of the access being removed to help achieve the above objective. This revision is therefore considered appropriate to the site scenario hence there are no further requirements imposed by the Highway Authority.

The Council's Highways Officer has assumed that that the proposed gated setback from the junction with NYGL would remain permanently open during operational hours and closed thereafter. This would be considered acceptable with no envisaged negative implications. There are no further observations. The proposed access is therefore considered acceptable.

#### ON-SITE CAR PARKING PROVISION:

There are no prescriptive parking standards that can be applied to this planning use type. However, it is considered that for the anticipated level of usage and PTAL rating, the provisions should prove to be sufficient in this case. Detail of parking arrangements have been depicted on plan and are considered satisfactory/fit for purpose.

#### **ELECTRIC VEHICLE CHARGING POINTS:**

In line with the Local Plan: Part 2 Policy DMT 6 (Appendix C), within any final parking quantum there is a requirement for a minimum of 5% 'passive' and 5% 'active' EVCP provision. In this case, it is recommended that 1 'active' and 19 'passive' spaces be provided - secured via planning condition.

#### **CYCLE PARKING:**

As there is no prescriptive standard that can be applied, a judgement needs to be made on adequacy of the level of provision (5 spaces). Given the staffing levels and likely patronage in the region of 30 visits per working week, it would be expected that the percentage modal split affiliated to cycle use could be catered for by the suggested level of provision. Hence, the quantum proposed is accepted.

#### **CONCLUSION:**

In light of the above, it is considered that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies T4, T5 and T6 of the London Plan (2021).

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

These issues have been dealt with elsewhere within the report.

### **7.12 Disabled access**

#### **INCLUSIVE ACCESS:**

Policy D5 of the London Plan (2021) states that development proposals should achieve the highest standards of accessible and inclusive design.

Given the nature of the proposed development, it is anticipated that visitors and staff will predominately use private vehicles for commuting. The proposed site plan allocates three parking spaces specifically for disabled individuals, strategically situated near the staff facilities and recycling stalls. The updated floor plan shows an accessible toilet with internal dimensions of at least 1.7m x 2.2m, aligning with the Council's Access Officer's recommendations.

The proposed development is therefore acceptable to inclusive access considerations in accordance with Policy D5 of the London Plan (2021).

### **7.13 Provision of affordable & special needs housing**

Not applicable.

### **7.14 Trees, landscaping and Ecology**

## TREES AND LANDSCAPING:

Policy G1 of the London Plan (2021) states that development proposals should incorporate appropriate elements of green infrastructure that are integrated into London's wider green infrastructure network.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that landscaping and tree planting should enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 -Development Management Policies (2020) which states:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The Arboricultural Impact Assessment Method Statement and Tree Protection Plan (to BS:5837 2012), dated 21st February 2023, undertaken by Trevor Heaps accompanies this application. This report identifies 34 trees, group of trees and hedges (7 x Category A, 9 x Category B, 18 x Category C), of which a total of 27 would be removed in order to facilitate the proposed development. Whilst 6 x Category A and 6 x Category B would be loss, these trees are not under a Tree Preservation Order and there is no substantive evidence to prove that they have an especially important effect on local character. Similarly, the Category C trees that are proposed to be removed are of low quality specimens and do not contribute significantly to the landscape value of the area.

To mitigate the tree loss, the proposal includes planting 39 new trees and hedging around the site's perimeter. Additionally, a new wildflower meadow is planned for the site's eastern section and around the new staff building and recycling building.

It is proposed to erect palisade fencing along the frontage and it is noted that there currently exists a section of palisade fencing across the existing access. The gates behind the widened access would be set back 10metres from Newyears Green Lane which would represent a visual improvement. In addition, the new green buffer along the site frontage, as shown on the landscape plan, would help to maintain a suitable visual aspect to the site and screen the proposed palisade fencing set behind the hedging.

Whilst there would be a loss of trees and temporary loss of hedging along the frontage, this would be balanced by a comprehensive landscaping scheme (which would include new replacement trees and hedging). Such planting would be a long term strategy, and would, in numerical terms, compensate for the trees that would be lost. The new trees would include pollution absorbing species to improve air quality.

Subject to the implementation of the landscaping scheme which would be secured by condition, the development would not have a significantly adverse effect on the verdant character of the area. As such, the development would comply with Policy G1 of the London Plan (2021) and Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 -Development Management Policies (2020).

## IMPACT ON PROTECTED SPECIES:

Policy G7 of the London Plan (2021) states that development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

Whilst located in the Green belt and Colne Valley Regional Park, the application site itself is not subject to any ecological designations. Ruislip Woods which is designated as a Nature Conservation Site of Metropolitan or Borough Grade I Importance and a SSSI (Site of Special Scientific Interest) is located 600metres to the northeast. Dews Farm, also a Nature Conservation Site of Metropolitan or Borough Grade I Importance is located 170metres west of the application site.

An ecology File Note (dated 28th September 2023) has however been submitted by the applicant in support of the application. It identifies the need for a Preliminary Ecological Appraisal (PEA) and a Preliminary Roost Assessment (PRA) to be carried out. This information has been compiled into a single report that has been submitted during the course of the application.

The Preliminary Ecological Appraisal (PEA) and a Preliminary Roost Assessment (PRA) identifies no impacts to any ecological designated site and no impact to habitats and flora.

The ecology report makes recommendations for various species (amphibians, reptiles, bats, badgers, dormice, hedgehogs, water voles, birds and invertebrates) including precautionary working methods, mitigation measures, limiting the use of exterior lighting, clearance and development timings.

Bats are a protected species under the Wildlife and Countryside Act 1981 and the Conservation of Habitats and Species Regulations 2010. The ecology report identifies high habitat value for roosting bats in the bungalow (referred to as B1 in the report) and as such, recommends three bat emergence and re-entry surveys to be carried out during the optimal survey period (May - August inclusive).

The test in planning is whether there is a reasonable likelihood of bats being present to warrant further survey work. Where bats are reasonably likely to be present, the Local Planning Authority needs to have consideration to the protection tests set out in the Habitat Regulations. Prior to making a positive determination on a planning application, the Local Planning Authority must:

- make sure any mitigation or compensation conditions imposed do not conflict with the requirements of a bat mitigation licence
- be confident that Natural England will issue a licence

Part of the requirements for a Natural England licence is to apply three derogation tests to ensure that impacts to bat populations are unavoidable. The LPA does not need to strictly apply these tests at decision making stage but must have confidence that if applied, a positive determination would be made by Natural England.

In this instance it is highly likely that if bats were found to be in building B1 that a licence would be able to be granted due to a) the ability to ensure the conservation of the species, b) to mitigate the impacts and c) because there is a clear need for the development (i.e. an unsafe and unused building being redeveloped).

As a means to ensuring a robust assessment of the potential implications of the proposed works on bat species, the recommendations made in the Preliminary Ecological Appraisal (PEA) and a Preliminary Roost Assessment (PRA) would be conditioned in the event of an approval.

As discussed above, in the event of bats being identified in subsequent surveys, a licence would be required from Natural England authorising the works. Should a licence be required from Natural England, this has been conditioned to be submitted to the local planning authority prior to commencement, including demolition.

The updated landscape plan also indicates the provision of a bird box and a bat box on the west elevation of the existing barn, as biodiversity enhancements, which would also be secured by condition.

A Construction Ecological Management Plan (CEMP) and a Landscape and Ecology Management Plan (LEMP) would also be secured by condition to ensure the development can be carried out in a suitable manner whilst managing any effects on habitats and the landscape.

Subject to the above conditions, the proposal would have an acceptable impact on biodiversity interest, in terms of protected species. This would be compliant with Policy G7 of the London Plan (2021), Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the NPPF (2021).

### **7.15 Sustainable waste management**

#### **SUSTAINABLE WASTE MANAGEMENT:**

Policy SI 7 of the London Plan (2021) seeks to increase material re-use and recycling and reduce waste going for disposal.

Policy SI 8 of the London Plan (2021) requires the allocation of sufficient sites for waste management facilities.

Policy SI 9 of the London Plan (2021) states that existing waste sites should be safeguarded and retained in waste management use.

This proposal would provide a recycling pathway for household or commercial items that are not eligible for collection under the standard weekly waste collection service, as facilitated by the Council pursuant to the Refuse Disposal (Amenity) Act 1978.

The proposal would streamline operations at the primary Civic Amenity site, thus enhancing the facility's capability to provide essential services. This would ensure the Borough can meet its full contribution to sustainable waste management within its administrative limits and in alignment with London's self-sufficiency goals, in compliance with Policies SI 7, SI 8 and SI 9 of the London Plan (2021).

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

## CARBON REDUCTION:

Policy SI 2 of the London Plan (2021) requires Major developments to be net carbon zero and achieve a minimum on-site reduction of at least 35% beyond Building Regulations.

The aforementioned policy measures are not applicable as the proposal does not qualify as a major development. Nevertheless, the new staff facilities and recycling stall buildings will adhere to the minimum energy performance standards as stipulated in Part L of the Building Regulations.

The submitted Planning Statement explains that the volume uplift is due to dual pitched roof design to maximise the roof's building integrated photovoltaic capacity, in line with the Council's carbon neutrality commitment.

The development would comply with Policy SI 2 of the London Plan (2021).

## 7.17 Flooding or Drainage Issues

### FLOODING AND DRAINAGE:

Policy SI 12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.

Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that applications for all new build developments (not conversions, change of use, or refurbishment) are required to include a drainage assessment demonstrating that appropriate sustainable drainage systems (SuDS) have been incorporated in accordance with the London Plan Hierarchy.

Policy DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants.

As previously stated, the Environment Agency initially objected to the proposal on two grounds:

- 1) It had not been demonstrated that the the proposal would be safe from fluvial flood for its lifetime, without increasing the risk of flooding elsewhere.
- 2) Insufficient information determining the risks of groundwater contamination

A) Addressing the Environment Agency's concerns on flood risk:

In response to the EA's first objection, the applicant submitted an updated Flood Risk Assessment (Rev. B, dated 24th July 2023) and a Hydraulic Modelling Report (dated 4th September 2023). The flood zone mapping published by the Environment Agency indicates that the site lies within Flood one 3a (high risk- 1 in 100 or greater chance of flooding). However, the Hydraulic Modelling Report

demonstrates that the proposed development site is unaffected in all modelled fluvial events, suggesting that the site maybe outside Flood Zones 2 and 3. The site access on Newsyears Green Lane to the south has a viable access/egress route from the west, despite potential flooding to the east of the access point in several return periods.

The Environment Agency has given feedback on the flood modelling, highlighting the need to include a blockage scenario at the culvert entrance at Tarleton's Lake as a sensitivity test. The Environment Agency asked for the blockage scenario to be run at the 1 in 100-year 21% flood event. As per this request, the additional modelling has been conducted by the applicant (as detailed in the Hydraulic Modelling Report (dated 4th September 2023)). The results demonstrate that the proposed site is unaffected in the 100% blockage scenario for the critical 1 in 100 year plus 21% climate change event.

The Environment Agency has reviewed the updated Flood Risk Assessment (Rev. B, dated 24th July 2023) and a Hydraulic Modelling Report (dated 4th September 2023). They have formally removed their first ground of objection as the proposal has now adequately demonstrated that it would have a low risk of flooding from fluvial sources.

According to the Council's GIS, parts of the site lies within a Surface Water Management Zone. In the event of an approval, a condition would be secured requiring a surface water management plan, which incorporates sustainable urban drainage systems (SuDs), to be submitted to the Council for consideration.

B) Addressing the Environment Agency's concerns on risk of groundwater contamination:

Part of the proposed development (the link road) is located within the New Years Green Lane Landfill. The New Years Green Landfill was designated as Contaminated Land and a Special Site under Part 2A of the Environmental Protection Act 1990 by the London Borough of Hillingdon May 2011. A Special Site is a site that has been determined as Contaminated Land, where a source pathway- receptor contaminant linkage with respect to controlled water has been identified, and regulation has been transferred to the Environment Agency.

The Environment Agency's initial concerns were based on the the potential for contamination to be present at the site and possible risk to controlled waters, as no preliminary risk assessment has been submitted with the application.

In response to the Environment Agency's objection, the applicant submitted a Preliminary Risk Assessment. The LPA reviewed the report and in summary the Preliminary Risk Assessment concludes that there is a low risk to all receptors identified on site.

The Environment Agency have confirmed in writing (letter dated 17-11-23) that they are now in the position to remove their objection subject to the addition to the landfill gas condition recommended by the Land Contamination officer and the inclusion of the following conditions on any grant of decision notice relating to 1) SuDS Infiltration of surface water into ground; and 2) Non-mains drainage assessment and environmental permit.

Subject to the above conditions, it is considered that the ground water contamination issues can be addressed satisfactorily, there would not ben an increase in the risk of flooding on the site or elsewhere and that the statutory functions of the Environment Agency will not be comprised. The proposal is therefore considered to accord with Policies DMEI 9 and DMEI 10 of the Hillingdon

Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

## 7.18 Noise or Air Quality Issues

### NOISE:

Policy D14 of the London Plan (2021) states development proposals should avoid significant adverse noise impacts on health and quality of life.

The site would accommodate a new staff facility building and three recycling stalls. The existing barn building would be retained and be used for the storage of materials and equipment associated with the operations of the civic amenity site. The hours of use are understood to coincide with the main civic amenity site.

The activities and traffic movements associated with the operational phase of the development are not anticipated to generate any significant noise and vibration impacts, over and above that generated by the existing Council waste facility operations directly to the west of the site.

A Demolition and Construction Management Plan would be secured by condition, ensuring measures to minimise noise during the construction phase of the development.

Subject to such a condition, the proposal would not have adverse noise or vibration impacts, in accordance with Policy D14 of the London Plan (2021).

### AIR QUALITY:

Policy SI 1 of the London Plan (2021) requires: a) development proposals to be at least air quality neutral; and b) use design solutions to prevent or minimise increased exposure to existing air pollution and make provision to address local problems of air quality in preference to post-design or retro-fitted mitigation measures.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The impacts to air quality as a result of construction of the proposed development are likely to be limited to impacts from dust from construction activity and emissions from construction traffic. An informative would be attached in the event of an approval setting out legislative measures to control any environmental nuisance from construction work.

Operational traffic is not predicted to generate sufficient dust to cause an adverse impact on air quality. The surface of the roads that vehicles would be travelling along would be hard standing,

therefore minimising the likelihood of re suspension of dust.

The proposed recycling stalls building would accommodate items that could be re-used and not deemed as waste. Emissions from on-site equipment are expected to be insignificant, because of the typically small quantity of pollutants released from such sources and the distance to neighbouring residential properties.

Impacts to the amenities of neighbouring residential occupiers (the closest being 95m away) are expected to be negligible, provided that good practice regarding the minimising of the impact from construction dust. This would be secured by a condition requiring the submission of a Demolition and Construction Management Plan.

The Council's Air Quality Officer has evaluated the planning application and has confirmed that there are no constraints nor concerns for air quality. Therefore, in this instance, an air quality neutral assessment and mitigation measures is not required.

Subject to the above mentioned condition and informative, it is considered that the development would be able to adequately mitigate air pollution in accordance with Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy SI 1 of the London Plan (2021).

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

PUBLIC CONSULTATION:

4 neighbouring properties were consulted by letter dated 30-08-22. In addition, a site notice was displayed outside the site on 06-09-22. No comments have been received.

#### **7.20 Planning obligations**

PLANNING OBLIGATIONS AND COMMUNITY INFRASTRUCTURE LEVY:

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The proposal is not CIL liable and no planning obligations are required.

The development would accord with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

#### **7.21 Expediency of enforcement action**

Not applicable.

#### **7.22 Other Issues**

No other issues are identified.

### **8. Observations of the Borough Solicitor**

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in *Probity in Planning, 2009*.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

## **9. Observations of the Director of Finance**

Not applicable.

## 10. CONCLUSION

The principle of development is considered to be acceptable and as discussed in this report, the development is considered to comply with the development plan.

The overall scale and design of the development are considered to be acceptable and would not impact on the openness of the Green belt. Very special circumstances exist that demonstrate significant public benefits. The development would provide facilities necessary to ensure that the Borough can continue to make a full and uninterrupted contribution to sustainable waste management and civic functions.

The development would not lead to any significant harm to the amenity of the area, and the proposed parking provision is considered acceptable and proportionate to the scale of development, with designated bays for disabled vehicles, cycle parking and electric vehicle charging points.

Therefore, having regard to the material considerations, the application is recommended for approval, subject to the conditions detailed in this report.

## 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (2012)

Hillingdon Local Plan: Part Two - Development Management Policies (2020)

London Plan (2021)

National Planning Policy Framework (2023)

**Contact Officer:** Christos Chrysanthou      **Telephone No:** 01895 250230