



Land at Former Rainbow Industrial Estate

Planning, Design and Access Statement

On behalf of **Troutbourne LLP**

Project Ref: 35321 | Rev: B | Date: April 2021

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For and on behalf of Stantec UK Limited				

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Appendix A Rainbow and Kirby Industrial Estates Site Plan

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1 Introduction

- 1.1.1 Stantec UK Limited are instructed by Troutbourne LLP to prepare a Planning and Design and Access Statement (PDAS) to support proposed development on land at the former Rainbow Industrial Estate.
- 1.1.2 The proposals follow a planning appeal against the refusal of planning permission by LB Hillingdon (LBH) on 6th December 2018 for '*Continued use of land for car parking (sui generis use) and retention of two portacabin units for 24 months*' under LPA Ref: 38058/APP/2018/3554 and subsequent enforcement notice appeal for the same development.
- 1.1.3 The conjoined planning appeal and enforcement notice appeals (PINS Ref: APP/R5510/C/19/3221239 & APP/R5510/W/19/3230443) were withdrawn in June 2020.
- 1.1.4 The airport parking use has now ceased, and an alternative temporary use of the site is now sought by the Applicant for,

'Installation and retention of two portacabins and entrance gates and proposed change of use to the site for Use Class Sui Generis including container storage; open and closed storage of building and scaffolding materials; storage of aggregate materials; vehicle storage and sales for a period of 36 months (part retrospective application)'
- 1.1.5 The proposed use is sought for a temporary period of three years as a meanwhile use of the site whilst a mixed use, residential-led scheme for the wider Rainbow and Kirby Industrial sites is discussed with the LPA during pre-application discussions and a formal planning application is then submitted and determined.
- 1.1.1 This PDAS should be read in conjunction with the following supporting documents submitted as part of the planning application:
 - i. Site location plan and proposed site plans prepared by Stantec;
 - ii. Air Quality Note prepared by Stantec;
 - iii. Flood Risk Assessment prepared by Stantec;
 - iv. Noise Technical Note prepared by Stantec;
 - v. Transport Assessment prepared by YES Engineering;
 - vi. Outline Fire Strategy prepared by Ashton Fire;
 - vii. Portakabin Technical Specifications document – Pacemaker 7 PK341
 - viii. Portakabin Technical Specifications document – Pullman PM484
 - ix. Textainer – 20ft Standard Container specifications
 - x. First Fence Gate Technical Specifications document
 - xi. CCTV Camera specifications (Hikvision)
 - xii. Flood lighting specifications (Smartwares)
- 1.1.2 This PDAS is structured as follows

- Section 2 details of the Site and surroundings and any relevant planning history;
- Section 3 sets out the proposals;
- Section 4 summarises the relevant development plan policies and other material considerations
- Section 5 details the key planning issues relating to the proposals; and
- Section 6 concludes.

2 Site and surroundings and relevant planning history

2.1 Site and Surroundings

Application Site

- 2.1.1 The Site comprises land at the former Rainbow Industrial Estate, Trout Road, West Drayton, UB7 7XT and extends to 1.25 ha.
- 2.1.2 The Site has two access points, one from Trout Road to the north west and the other off St Stephen's Road to the south. Vehicular and pedestrian access to the site is principally made from Trout Road with the secondary access from St Stephen's Road used as an emergency exit only. Access to both access points is gated.
- 2.1.3 Trout Road is a single carriageway with the western end providing a bridge access over The Grand Union Canal which is signalised at both ends as the bridge can only allow a single lane of traffic to pass. St Stephen's Road is a single carriageway road.
- 2.1.4 With the exception of a small area of hardstanding by the Trout Road entrance, the site comprises of unmade ground.
- 2.1.5 The Site is cleared of buildings and was previously used for airport parking pending redevelopment of the wider Rainbow and Kirby Industrial Estates Site (see below). Whilst the airport parking use has now ceased two portacabins, the Trout Road entrance gates, an area of hardstanding and CCTV and lighting associated with this use remains in situ.
- 2.1.6 The portacabins have been disconnected and are stored behind the existing substation by the boundary to the Trout Road bridge.
- 2.1.7 To the immediate north is a 4/5 storey residential block along with similar residential blocks opposite along Trout Road to the north west; to the east are small industrial units forming part of the Kirby Industrial Estate which range from 1 to 2 storeys which are accessed off Trout Road to the north east; to the south are residential properties along St Stephen's Road and the Al-Falah Islamic Centre; and directly to the west is The Grand Union Canal. Beyond the Canal and towpath are two-storey terraced residential properties and associated gardens located in Peplow Close and industrial units located in Bentinck Road.
- 2.1.8 Approximately half of the site is within PTAL3, with the remainder of the site within PTAL2. The closest bus stop is located on Yiewsley High Street (Stop A) approximately 0.16km (2 minutes' walk from the site). The nearest rail station is West Drayton Station, approximately 0.65km (7 minutes' walk) from the site.

Wider Rainbow and Kirby Industrial Estate

- 2.1.9 The appeal site is located within the wider Rainbow and Kirby Industrial Estates site which extends to 2.15 hectares on an irregularly shaped plot (see plan at **Appendix A**).
- 2.1.10 Parts of the site front the south east side of Trout Road, the western side of Yiewsley High Street, and the north west side of St Stephen's Road, with the entire south west boundary bordered by the Grand Union Canal.
- 2.1.11 Access to the site can be made via the High Street, Trout Road, and St Stephen's Road.

- 2.1.12 The Rainbow and Kirby Industrial Estate site previously accommodated a range of single-storey and two-storey industrial and commercial buildings with the former office building fronting the High Street falling within the town centre boundary and is now allocated in the Local Plan.
- 2.1.13 The Hillingdon Local Plan Part 2 (2020) contains an allocation policy (ref. SA 39 Trout Road, Yiewsley) for a residential-led mixed-use development of 217 dwellings. Development is allocated across three sites – A, B, and C. Sites B and C have now been constructed and falls outside the wider Rainbow and Kirby Industrial Estates. Site A relates to the Rainbow and Kirby Industrial Estates with the current application site comprising over half of the area of Site A within this policy allocation. The policy states that Site A should be developed in accordance with the broad parameters of an earlier approved scheme (Ref: 38058/APP/2013/1756), subject to site-specific constraints. More information on this scheme is provided under Section 2.2 Planning History.

Surrounding area at Yiewsley / West Drayton

- 2.1.14 The surrounding area is of mixed character. Trout Road and land adjoining the eastern boundary of the site along Yiewsley / West Drayton High Street is residential and commercial whilst St Stephen's Road to the south is predominantly residential.

2.2 Planning History

Application Site

- 2.2.1 The relevant planning history includes:

- **LPA Ref: ENF/214/14** - Planning Contravention Notice was issued by London Borough of Hillingdon (LBH) on 15th July 2016 (Ref: ENF/214/14) which identified that the site was being used for off-airport car parking and that this unauthorised use should cease with all vehicles, mobile units and machinery associated with off-airport car parking removed within 14 days.

A planning application to regularise use of the site for car parking for a temporary period of 12 months was submitted in August 2016. The application was not validated by LBH as the LPA considered that a Flood Risk Assessment and drainage strategy was required.

- **LPA Ref: 3E04/VA/10341** - Enforcement Notice - The breach of planning control as alleged in the notice was '*Without planning permission the use of the Land for car parking (Sui generis Use Class on Land at Rainbow Industrial Estate, Trout Road, West Drayton UB7 7XT ("the breach")*' - issued on 16 October 2016.

The requirements of the Notice were (a) cease the use of the Land for car parking; (b) cease the use of the mobile cabin in connection with the use of the Land for car parking and remove same structure from the Land; and (c) remove from the Land all vehicles and all fixtures and fittings that facilitate the use of the Land for car parking.

PINS Refs: APP/R5510/C/16/3163200 and APP/R5510/C/16/3163365 - Appeal against the Enforcement Notice 3E04/VA/10341 - Allowed on 8th June 2017. Planning permission was granted for use of the land for car parking for 12 months from the date of decision i.e. from 8th June 2017 until 8th June 2018.

- **LPA Ref: 38058/APP/2018/3554** - Planning application for '*Continued use of land for car parking (sui generis use) and retention of two portacabin units for 24 months*' - Refused 6th December 2018. An appeal against the refusal was lodged in June 2019 and was conjoined with the appeal below.

- **LPA Ref: 3E04/HS/014587** - Enforcement Notice - The breach of planning control alleged on the Notice is stated as '*Without planning permission the mixed use of land for car parking and the stationing of mobile cabins (sui generis use) ("the breach").*' An appeal was lodged June 2019.
- The conjoined planning appeal and enforcement notice appeals (PINS Ref: APP/R5510/C/19/3221239 & APP/R5510/W/19/3230443) were withdrawn in June 2020 and the airport parking use has ceased.

Wider Rainbow and Kirby Industrial Estate Site –

- **LPA Ref: 38058/APP/2013/1756** - '*Demolition of existing premises and erection of 99 residential units (C3), 50 unit extra care/dementia sheltered housing scheme (C3), 1,529.4sq.m light industrial floorspace comprising 17 business units (B1c) and 611.30sq.m of restaurant/cafe (A3) floorspace, associated open space, car parking and landscaping (Outline Application)*' - An application was submitted June 2013 and was granted on 23rd July 2014 and is referred to throughout this PDAS as the 2014 Outline permission.
- **LPA Ref. 38058/APP/2017/1340** - '*Reserved Matters relating to Appearance and Landscaping of outline planning permission ref: 38058/APP/2013/1756 dated 23-07-2014 for Demolition of existing premises and erection of 99 residential units (C3), 50 unit extra care/dementia sheltered housing scheme (C3), 1,529.4sq.m light industrial floorspace comprising 17 business units (B1c) and 611.30sq.m. of restaurant/cafe (A3) floorspace, associated open space, car parking and landscaping.*' – A Reserved Matters application was submitted on 12th April 2017 and was granted 6th December 2018 and referred to as the 2018 Reserved Matters.
- **LPA Ref: APP/ R5510/C/18/3195652** - Land at 133-137 High Street, Yiewsley, West Drayton UB7 7QL (to the east of appeal site along Yiewsley / West Drayton High Street) - Appeal against Enforcement Notice LPA Ref: VA/ENF/12705 was dismissed in June 2018.

The breach of planning control as alleged in the notice was the use of the land for the storage and distribution of scaffolding materials, building materials and quartz stone and associated portable cabins, enclosures, fencing, structures and vehicles which facilitate the said use as shown outlined in red on the plan attached to the notice.

The Notice was complied with and the use ceased.

- **PINS Ref: APP/R5510/C/18/3213712** - Land lying to the south east of Trout Road, Yiewsley West Drayton, UB7 7XT (to the south east of appeal site) – Appeal against Enforcement Notice HS/ENF/OI4O57 was lodged in October 2018.

The breach of planning control alleged in the Enforcement Notice was without planning permission the use of land for car repairs and the commercial storage of vehicles.

The appeal was dismissed, and the enforcement notice upheld by PINS in a decision dated 6 January 2020.

2.2.2 The redevelopment scheme of the wider site as approved under the 2015 outline and 2018 Reserved Matters applications is unimplemented but remains extant until 1st May 2021¹.

¹ In response to the covid-19 pandemic and acknowledgment by the Government that this may delay the delivery of sites, arrangements to temporarily extend planning permissions which have lapsed or are due to lapse between 23 March and 31 December 2020 were announced in Summer 2020. This was followed up with a letter to Chief Planning Officers in July 2020 and is incorporated into the Business and Planning Act 2020 which received Royal Assent on 22 July 2020 (c. 16). As condition 1 of the outline permission states '*The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the*

- 2.2.3 A new scheme for redevelopment is being pursued by the Applicant. A pre application request for this was submitted on 13th April (Ref: 38058/PRC/2021/90) and pre-application discussions with the Council will commence shortly. The new proposals will be GLA referable due to proposed scale.

expiration of two years form the date of approval of the last of the reserved matters, whichever is the later' it is considered that the existing permission is extant until 1st May 2021

3 Proposed Development

3.1.1 The application is made for:

'Installation and retention of two portacabins and entrance gates and proposed change of use to the site for Use Class Sui Generis including container storage; open and closed storage of building and scaffolding materials; storage of aggregate materials; vehicle storage and sales for a period of 36 months (part retrospective application)'

3.1.2 The proposed use is sought for a temporary period of three years as a meanwhile use of the site whilst a mixed use, residential-led scheme for the wider Rainbow and Kirby Industrial sites is discussed with the LPA during pre-application discussions and a formal planning application is then submitted and determined.

3.1.3 The proposed use will help maintain site security and deter flying tipping which has been occurring on site since the airport parking use ceased. The site has historically had a mixed commercial use and proposed uses are considered consistent with previous uses.

3.2 Retention of existing development

3.2.1 The proposals include the retention of some items installed as part of the previous airport parking use and includes:

Portacabins

3.2.2 Permission is sought to retain the two portacabins on site, first erected in mid-2016. These portacabins are manufactured by Portakabin (Refurbished) Ltd. Each is of a different model, one being a Pacemaker Series 7 (PK341), the other being a Pullman (PM484). Specifications for these models are provided in the submitted technical specifications documents.

3.2.3 The model Pacemaker Series 7 (PK341) measures 10,257mm (w) by 2,688mm (d) by 2,637mm (h). The larger model, Pullman (PM484), measures 14,514mm (w) by 3,904mm (d) by 3,039mm (h).

3.2.4 The proposed locations of these portacabins is shown on the Proposed Site Plan and Proposed Site Plan - Storage Areas.

3.2.5 The portacabins were disconnected on 27th April 2021 and moved off site and returned. They have now been repositioned temporarily from the centre of the site to the corner of the site behind the substation and the boundary adjacent to the bridge by Trout Road and they are not widely visible from surrounding development. When the application is granted they will then be to the proposed location shown on the submitted plans.

3.2.6 The portacabins are used for site monitoring and security and staff welfare, and this use is proposed to be continued.

Front gates and fencing

3.2.7 The palisade fencing and gate around the site entrance off Trout Road will be retained to ensure site security and will serve as the principal access to the site. The St Stephen's Road access will be used as an emergency exit only (and as operated during the airport parking use).

3.2.8 The palisade fencing and gate was erected in June 2020 and is set back from Trout Road and is located within the site to limit the potential for queueing onto the highway. The gate is

operated by fobs for tenants and includes an intercom which links to one of the portacabins for site security and access required by delivery and tenant vehicles.

- 3.2.9 The model of fencing is described in the submitted First Fence technical specifications document. For clarity, this palisade fencing is made of galvanised steel and the pales are 2400mm in height.

Other installations

- 3.2.10 There is an area of hardstanding in the approximate area between the portacabins and the Trout Road site entrance, which is proposed to be retained.
- 3.2.11 The proposals seek to retain existing CCTV cameras and flood lighting. The locations of these are shown in the submitted Proposed Site Plan and are required for site security.
- 3.2.12 The existing CCTV cameras comprise two at the gated Trout Road entrance to the site, and six on the larger of the two cabins (Hikvision model DS-2CD2T42WD-18 lens 4mm) – see attached specifications. The CCTV cameras are positioned in order to prevent overlooking on neighbouring dwellings. The extent of the cameras' field of view, or splay, are shown in the submitted photos document and covers the site only.
- 3.2.13 Flood lighting is located at the Trout Road entrance (4 x 50Hz 20W LED), around both portacabins (4 x 140W LED; 3 x 150W 50 Hz LED), and on the northern part of the central paved area around the entrance to the site (9 x 50/60Hz 50W LED).

3.3 Proposed uses and site operation

Open and closed storage of building, scaffolding and aggregate materials

- 3.3.1 Flexible use of the site is sought for the following:
- Up to thirty containers for general closed storage within the site. The containers on site would be standard shipping containers, measuring 8ft (w) by 20ft (l) by 8.5ft (h), manufactured by Textainer (see submitted Textainer specifications document). The number of the containers will be flexible depending on tenant demand and these will be located in the two closed storage areas shown on the Proposed Site Plan - Storage Areas.
 - Vehicle storage and vehicle sales will be located on the hardstanding area by the Trout Road entrance - see Proposed Site Plan - Storage Areas.
 - Two areas of open storage - these will be used for storage of building materials (marble stone, bricks etc) and scaffolding materials (poles, scaffolding canopy and decked planks and associated fittings). The indicative areas for these uses are shown on the Proposed Site Plan - Storage Areas.
 - Open steel racks will be used for proposed open storage and no fencing or internal delineation of plots for each sub-tenant is proposed.
 - The southern open storage area will also be used for the storage of aggregates. The aggregate storage comprises of 10mm to 20mm shingle and sharp sand, with one load of 20 tonnes of each. Vehicles will be cleaned on site. There is no mixing of aggregates/ concrete on site but dry aggregates will be stored on site until placed on trucks and the trucks then taken away to be mixed at the designation
 - Proposed use are generally set back from the site boundaries or towards the southern boundary furthest away from residential uses. The central area will be kept open to

enable the circulation of vehicles through the site and to provide appropriate surveillance from the CCTV and portacabins and will continue to comprise of unmade ground.

3.4 Hours of operation

- 3.4.1 Access to the site will be permitted for tenants and staff only. When fully let it is expected that the site will have 20-30 staff, however as this is mainly a storage use it is not expected that all staff will be on site all day, every day.
- 3.4.2 Access to the vehicle sales areas will be via appointment and no other public access will be permitted. This will be enforced by the secured gated entrance and intercom set up with the retained portacabin.
- 3.4.3 Proposed hours of use are 7am – 7pm on weekdays, 7am – 1 pm on Saturdays, and closed on Sundays, Bank and public holidays.
- 3.4.4 In terms of expected vehicles movements, the following will occur during days of operation:
- Cars – up to 40-50 per day
 - Vans – up to 20 per day
 - Lorries/ HGV – up to 10 per day
- 3.4.5 The number of vehicles entering the site is significantly reduced compared to the historic light industrial use, airport parking use and predicted traffic associated with the 2014 Outline permission (refer to section 5.3 for details).

3.5 Design and Access considerations

Scale

- 3.5.1 The proposed, temporary use of the site is for open and closed storage of building materials, aggregates and vehicles, and two portacabins, spread over a 1.25 ha site. The scale is proportionate to previous commercial uses of the site and activities within the surrounding context.

Amount

- 3.5.2 The temporary storage of materials will be limited to the types of materials detailed earlier in this section. There will be some fluctuation in the amount of stored materials on site at different times, as materials are removed and deposited and subject to tenant demand.
- 3.5.3 For open storage, the amount contained onsite will be limited by the constraints of the site and the need to keep areas open for circulation. Closed storage, in standard shipping containers, would be limited to a maximum of thirty containers.

Layout

- 3.5.4 The layout of the proposals is described in detail in Section 3 of this report and is shown in the submitted Proposed Site Plan and Proposed Site Plan - Storage Areas.
- 3.5.5 The layout has been determined by the requirements of the site, the storage materials, and the needs of transport and access. Generally, storage materials and car parking are located on the periphery of the site with a central reception and circulation area for vehicles collecting and depositing the stored materials.

Landscaping

- 3.5.6 The site is cleared off development and landscaping. No permanent or temporary landscaping works are proposed for this temporary use planning submission.

Appearance

- 3.5.7 The proposals are made for a temporary meanwhile use of the site.
- 3.5.8 The site is self-contained and is screened from the High Street. It should be noted that the site is highly contained with relatively few opportunities for the public to see the site, by virtue of visual screening. For example, the site is predominantly behind properties on St Stephen's Road, the High Street, and part of Trout Road. Although behind fencing, the site would remain visible in some areas of public realm, for example from part of Trout Road and the Grand Union Canal tow path.

Access

- 3.5.9 Trout Road will serve as the principal access with St Stephen's Road used as an emergency exit only as in place for the previous airport parking use.

4 Relevant planning policy

- 4.1.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that development control decisions must be made in accordance with the development plan unless material considerations indicate otherwise.
- 4.1.2 The Development Plan for the site comprises:
- i) The London Plan (2021)
 - ii) The LB Hillingdon Local Plan Part 1 (2012),
 - iii) The LB Hillingdon Local Plan Part 2 (2020)
- 4.1.3 Other material considerations include the Accessible Hillingdon SPD (2010), Hillingdon Air Quality SPG (2002), the National Planning Policy Framework (NPPF) (2019) and the National Planning Policy Guidance (NPPG) (2019).
- 4.1.4 Key policies include:
- London Plan (2021) - D14 Noise, SI 1 Improving air quality, T4 Assessing and mitigating transport impacts, Policy SI 12 Flood risk management.
 - Hillingdon Local Plan Part 1 (2012) - EM6 Flood Risk Management.
 - Hillingdon Local Plan Part 2 (2020) - DMHB 11 Design of New Development, DMEI 9 Management of Flood Risk, DMEI 14 Air Quality, DMT1 Managing Transport Impacts.

5 Key planning issues

- 5.1.1 Having regard to the Site's planning history and policy context, the key planning issues relating to the proposals are considered to be:
- i. The principle of development and impact on the character and appearance of the area; and
 - ii. Impact on highways, air quality and flood risk and drainage

5.2 The principle of development and impact on the character and appearance of the area

- 5.2.1 The Site is cleared of buildings and was previously used for airport parking pending redevelopment of the wider Rainbow and Kirby Industrial Estates Site under the 2014 Outline and 2018 Reserved Matters. Whilst the airport parking use has now ceased two portacabins, the Trout Road entrance gates, an area of hardstanding and CCTV and lighting associated with this use remains in situ.
- 5.2.2 The Rainbow Industrial Estate, prior to its clearance and airport parking use, has historically provided approximately 5,934 sqm of employment floorspace (light industrial uses) within a range of single storey and two storey buildings.
- 5.2.3 The 2014 Outline and 2018 Reserved Matters remain extant however an alternative mixed-use scheme is also now being pursued by the Applicant and pre-application discussions will commence in April 2021. Following on from this a formal planning application will be submitted and determined, any conditions will need to be discharged and a principal contractor appointed.
- 5.2.4 The Site would currently be vacant were it not put to some temporary meanwhile use. The proposed use provides security benefits to the site, a deterrent from fly tipping activities that have been occurring and provides some local employment. Proposed activities will be located away from surrounding residential properties and will operate within restricted opening hours as set out in Section 3 compared to the 24-hour operation of the previous airport parking use and its earlier commercial/ industrial use.
- 5.2.5 The NPPG recognises the value of temporary meanwhile uses and notes '*Temporary uses can help improve the physical appearance of vacant or partially-utilised land or buildings, and provide space for local services and community spaces, businesses and residential accommodation, until more permanent development is delivered*' (Paragraph: 003 Reference ID: 66-003-20190722, Revision date: 22 07 2019).
- 5.2.6 The London Plan also recognises the value of temporary and meanwhile uses in town centres and for housing and cultural and creative industries. Whilst focused on cultural uses the supporting text at paragraph 7.5.7 - '*Meanwhile uses can also help prevent blight in town centres and reduce the risk of arson, fly tipping and vandalism. The benefits of meanwhile use also include short-term affordable accommodation for SMEs and individuals, generating a short-term source of revenue for the local economy and providing new and interesting shops, cultural and other events and spaces, which can attract longer-term business investment*' - would also apply to a short term commercial use.
- 5.2.7 Additionally, in determining 2017 Enforcement Notice Appeal decision for airport parking the Inspector noted at paragraph 39,
- '... In that context an active use is certainly no worse and in some senses better than an empty, derelict site. Use of the site for car parking appears to be in line with some of the car related activities that exist in the area, for example on Trout Road. In character terms this is a mixed*

use area in transition and I find no basis to conclude that the use is unacceptable. The vehicles are not prominent when viewed from public vantage-points around the perimeter of the site and so such a commercial use would not harm the appearance of the area, particularly in view of its historic employment use.'

- 5.2.8 The surrounding area is mixed use and the Kirby part of the wider Rainbow and Kirby Industrial site is still within commercial use and the proposed temporary use would not be out-of-keeping with this. Retained and proposed structures such as the portacabins and the proposed uses would cease at the end of the three year period sought and a permanent scheme for mixed use can then be implemented which would accord with the town centre and residential uses forming part of the site's context.
- 5.2.9 Overall, the principle of development is considered acceptable and would not harm the character and appearance of the surrounding area.

5.3 Impact on highways, air quality and flood risk and drainage

Highways

- 5.3.1 London Plan Policy *T4 Assessing and mitigating transport impacts* states transport assessments/statements should be submitted with relevant development proposals to ensure that impacts on the capacity of the transport network are fully assessed.
- 5.3.2 LB Hillingdon Local Plan Part 2 (LPP2) Policy *DMT1: Managing Transport Impacts* requires development to address its transport impacts sustainably, and under clause B to produce a Transport Assessment. Section 8.13 in the reasoned justification adds that the "Council will not support development which will unacceptably contribute to traffic movements".
- 5.3.3 The 2017 Enforcement Notice Appeal considered that the proposals for airport parking concluded at paragraph 19,
- 'In the circumstances I find no conflict with UDP Policy AM2 because the level of traffic generation and impact on the highway network is less than that which the Council has already permitted. I also find compliance with UDP Policy AM7 because the level of traffic generation is acceptable and the activity would not unacceptably increase the use of junctions at or near capacity or prejudice the free flow of traffic or conditions of highway or pedestrian safety.'*
- 5.3.4 A condition was attached to the appeal decision requiring '3. *The access from St Stephen's Road shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.*' This access arrangement was implemented as part of the airport parking use and is retained on site as part of the proposals.
- 5.3.5 The site has historically been in industrial and commercial use falling within Class B2 and B8 with a range of single-storey and two-storey industrial buildings. Many of these buildings suffered significant fire damage on 19 March 2011 and were subsequently demolished. When the site was fully operational there were a total of 88 inbound and 31 outbound vehicle trips expected during the AM peak hour for the light industrial land use. During the PM peak hour, a total of 24 inbound and 77 outbound vehicle trips were expected - these totals include HGV trips.
- 5.3.6 The Transport Assessment (2013) prepared by SKM Colin Buchanan as part of the 2014 Outline permission compared trip generation of the site when in use for light industrial and trip generation from the proposed mixed-use development. Trip generation for the proposals was predicted as 46 two-way car driver trips during the AM peak hour and 45 two-way trips during the PM peak hour. It was identified that the 2014 Outline scheme would likely reduce the two-

way vehicle trips at the site by 73 vehicles in the AM peak hour and 56 vehicles in the PM peak hour. Throughout a typical weekday, the development proposals would reduce the number of vehicle trips by 843 two-way trips (excluding coaches).

5.3.7 A Transport Assessment prepared by YES Engineering is submitted as part of this application. It concludes:

- As shown in Table 3.3 the proposed sui generis uses generates 239 less daily movements than the consented 2014 Outline and 2018 Reserved Matters mixed-use scheme and 158 less daily movements than the former airport parking use.
- It has been demonstrated that the movements associated with the consented scheme can be accommodated (and are permitted) on the local highway network and this permission can be implemented at any point. Therefore, given the car park would generate significantly less traffic than the extant permission there is no need to consider the impact of any committed developments.
- NPPF paragraph 109 states that 'development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.'. As demonstrated within this TA impacts are not severe and below the accepted traffic flows associated with the 2014 Outline and 2018 Reserved Matters
- Overall, it is concluded that there is no highway or transportation reasons to object to the proposed development.

Air Quality

5.3.8 London Plan Policy SI 1 Improving Air Quality states (under B1) that development proposals should not lead to further deterioration of existing poor air quality, create new areas where air quality limits are exceeded, or create unacceptable risk of high levels of exposure to poor air quality. Clause B2c adds major development proposals must be submitted with an Air Quality Assessment, and that air quality assessments should show how the development will meet the requirements of B1.

5.3.9 LB Hillingdon LPP2 Policy DME1 14: Air Quality states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with EU limit values and national air quality objectives for pollutants. As a minimum, development should be air quality neutral. DMT1: Managing Transport Impacts adds (clause v) that in order for development to be acceptable it must have no significant adverse transport or associated air quality impacts on the local and wider environment.

5.3.10 The 2017 Enforcement Notice Appeal decision considered air quality as an issue and concluded that emissions from the cumulative impact of vehicle movements from the airport car parking use would be below those which the Council had already permitted in the 2014 Outline Permission. The Inspector concluded on air quality at paragraph 26 and 29,

"In the circumstances, since I have already found that the trip generation from the unauthorised use would be materially less than that which the Council has permitted, I am unable to find a policy conflict. In the context of the evidence base that led the Council to permit the redevelopment of the site, the Council has not explained why it has reached a different conclusion in respect of a use that generates fewer trips, when tested against the same policy framework."

"On the second main issue, since NO2 emissions would be below those which the Council has permitted on the site, the use would not be detrimental to the character of surrounding properties or the area, and so I conclude that the use would not have a harmful effect on air quality or conflict with UDP Policy OE1."

5.3.11 An Air Quality Technical Note prepared by Stantec forms part of the application submission. It reviews whether the findings of the previous 2019 AQA prepared in support of the 2019 airport planning appeal is applicable to the current proposed temporary use of the site. The key issues that are considered in this Note includes changes to:

- Any changes to relevant development plan policy or air quality guidance;
- The potential development related emissions, primarily relating to traffic generation and/or distribution; and
- The surrounding environment (receptor type, locations and baseline air quality).

5.3.12 It is considered that the 2019 AQA remains an appropriate (if worst-case) basis for assessing the potential air quality impacts of the current proposals and that the following conclusions continue to apply:

- There are no predicted exceedances of the PM₁₀ or PM_{2.5} objectives or limit values at any of the receptor locations.
- Whilst the baseline NO₂ concentration is considered likely to potentially exceed the annual average NAQO at some locations along the High Street (i.e. R8, R9 and R10), using the criteria set out in Table 3.2, the impact on annual mean NO₂ concentrations are classified as 'negligible' at all receptor locations.
- Short term duration of the proposed operations including reduced operating hours and reduced predicted traffic movements compared to the previous airport parking use of the site.
- The air quality impacts of road traffic generated by the Site are not considered to represent an unacceptable risk of significantly contributing to concentrations of air pollutants in excess of the NAQO or preventing compliance with the NAQO.

5.3.13 Overall, it is concluded that the current proposals are not considered in conflict with the requirements of the Development Plan in relation to impacts on air quality.

Flood Risk and drainage

5.3.14 London Plan Policy SI 12 Flood risk management states (clause C) that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed.

5.3.15 Hillingdon Local Plan Part 1 Policy EM6 Flood Risk Management requires new development to be directed away from Flood Zones 2 and 3, and for all development to adopt the use of sustainable urban drainage systems (SUDS) unless demonstrated that it is not viable. Hillingdon LPP2 Policy DME1 9 Management of Flood Risk focuses on the management of flood risk within Flood Zone 2 and 3, but states generally (under clause E) 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"*.

5.3.16 A Flood Risk Assessment prepared by Stantec has been prepared to support this temporary planning application submission which demonstrates that:

- The proposals for use of the land as temporary storage as classified as 'Less Vulnerable' uses as defined in PPG Table 2. According to PPG Table 3, the land use is appropriate for Flood Zone 1. A NPPF Sequential Test is not required as the site is located within Flood Zone 1 and 'Less Vulnerable' uses are considered appropriate for Flood Zone 1 without the need to apply the Exception Test.

- Whilst the majority of the site is considered as being at a 'Very Low' susceptibility to surface water flooding, there are areas located within the site boundary which are considered as being at a 'Low' and 'Medium' susceptibility to surface water flooding. The site is considered as being at a moderate risk of groundwater flooding. The site is not located within a Critical Drainage Area (CDA) but is located immediately to the west of CDA Group 1_015.
 - The site is located adjacent to the Grand Union Canal and whilst in the event of bank overtopping or breach flood water may enter the site, the risk of canal breach is however considered to be low as the site sits at a higher level to the canal. The site is also considered as being at a moderate risk of sewer flooding.
 - The proposals are made for sui generis use of the site including open and closed storage uses and other commercial uses for a temporary period and as such, a surface water drainage strategy has not been prepared for the site. The site is a former industrial estate which is served by a positive drainage system. The proposed use of the site will not increase the impermeable area of the site and therefore, surface water runoff is not considered to increase as a result. Due to the temporary nature of the proposals, it is not proportionate to develop and implement a surface water drainage strategy for the proposed use and on this basis, the site will continue to drain as existing.
 - In conclusion, the future occupants and users of the proposed development will be at a low risk of flooding. It is demonstrated that the proposal complies with the NPPF, NPPG and the local planning policy with respect to flood risk and is appropriate development at this location
- 5.3.17 Overall, the proposals are considered to accord with development plan policies for flood risk and drainage.

6 Conclusion

- 6.1.1 This Planning Statement is prepared in support of proposals for,

'Installation and retention of two portacabins and entrance gates and proposed change of use to the site for Use Class Sui Generis including container storage; open and closed storage of building and scaffolding materials; storage of aggregate materials; vehicle storage and sales for a period of 36 months (part retrospective application)'

- 6.1.2 A previous temporary use of the site was allowed on appeal in June 2017 for a period of 12 months for airport parking and the proposals follows a planning appeal against the refusal of planning permission by LB Hillingdon (LBH) on 6th December 2018 for *'Continued use of land for car parking (sui generis use) and retention of two portacabin units for 24 months'* under LPA Ref: 38058/APP/2018/3554 and subsequent enforcement notice appeal for the same development. The conjoined planning appeal and enforcement notice appeals (PINS Ref: APP/R5510/C/19/3221239 & APP/R5510/W/19/3230443) were withdrawn in June 2020.
- 6.1.3 The airport parking use has now ceased, and an alternative temporary use of the site is now sought by the Applicant for a temporary period as a meanwhile use of the site whilst a mixed use, residential-led scheme for the Rainbow and Kirby Industrial sites is discussed with the LPA during pre-application discussions and a formal planning application is then submitted and determined.
- 6.1.4 The Site would currently be vacant were it not put to some temporary meanwhile use. The proposed use provides security benefits to the site, a deterrent from fly tipping activities that have been occurring and provides some local employment. Proposed activities will be located away from surrounding residential properties and will operate within restricted opening hours as set out in Section 3 compared to the 24-hour operation of the previous airport parking use.
- 6.1.5 The proposed use of the Site is considered to accord with the Hillingdon Development Plan and other material considerations. Planning permission should therefore be granted for a temporary three-year period.
- 6.1.6 Stantec look forward to working with LB Hillingdon during the application process.

Appendix A Rainbow and Kirby Industrial Estates Site Plan

