

# ET Planning

## Planning, Design and Access Statement

Client:  
Mr Sharma

### Former Rainbow Industrial estate

Trout Road, West Drayton, UB7 7RU

**Retention of entrance gates and change of use for use class sui-generis including container and skip storage; open and closed storage of building, scaffolding and lighting materials; storage of aggregate materials; vehicle storage and sales; and associated installation of portacabins container stores, transportable silos and other structures for a period of 3 years (retrospective application).**

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**APPENDIX 1** Conditions details letter ET Planning Dated 28 September 2022 (approved under ref Ref 38058/APP/2021/1327)

**APPENDIX 2** Conditions details letter ET Planning Dated 28 September 2022 (approved under ref Ref 38058/APP/2021/132)

## 1. Introduction

- 1.1 This statement is produced to support a planning application for the *retention of entrance gates and change of use for use class sui generis including container and skip storage; open and closed storage of building, scaffolding and lighting materials; storage of aggregate materials; vehicle storage and sales; and associated installation of portacabins, container stores, transportable soils and other structures.*
- 1.2 This planning statement will cover the background to the application and provide the necessary information to enable its determination by officers at the Council. It will consider the proposal in light of relevant planning policies and other material considerations. The conclusion reached is that key material considerations and the wider objectives of National and Local planning policy support the grant of permission.
- 1.3 In addition to this planning statement, the application is accompanied by the appropriate planning application forms and ownership certificate, duly signed and completed, and the following documents:
  - 1:1250 Site Location Plan
  - Site layout plan with indicative areas identifying uses
  - Portakabin Technical Specifications document – Pacemaker 7 PK341
  - Portakabin Technical Specifications document – Pullman PM484
  - Textainer – 20ft Standard Container Specifications
  - First Fence Gate Technical Specifications document and drawing
  - Dansford Silo Brochure

- Sami Silo drawing

## Supporting reports

- Air Quality Assessment Hawkins Environmental 15 March 2022
- Flood Risk Note 12 July 2023
- Noise Assessment Hawkins Environmental 9 May 2022
- Transport Note 25 July 2023
- Outline Fire Safety Strategy
- Proposed boundary fencing
- As part of approval of conditions following the grant of temporary permission, the following details were approved under reference 38058/APP/2022/2992 and have been provided in support of this current application.
- Additional details pertaining to dust management, external lighting management, wheel washing strategy and site logistics plan as set out in letter dated 2 November 2022.

1.4 The relevant application fee will be submitted by the applicant separately.

## 2. Site Location and Description

2.1 The site is located to the south east of Trout Road and North west of St Stephens Road, made up of land at the former Rainbow Industrial Estate. It is bounded by residential properties which front onto St Stephens road, the canal to the south west and residential flats within

Caxton House immediately adjoining the north west corner and further residential flats on the opposite side of Trout Road and beyond.

### 3. Planning History

- 3.1 Application Ref 38058/APP/2021/1327 *Installation of two portacabins and retention of entrance gates and proposed change of use 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)* Refused 19<sup>th</sup> August 2021.
- 3.2 Application Ref 38058/APP/2022/64 *Retention of entrance gates and change of use for use class sui generis including container and skip storage; open and closed storage of building, scaffolding and lighting materials; storage of aggregate materials; vehicle storage and sales; and associated installation of portacabins, container stores, transportable silos and other structures for a period of 12 months (retrospective application)*. Approved for a temporary period of 12 months 31<sup>st</sup> August 2022.
- 3.3 Application Ref 38058/APP/2022/2992 *Details pursuant to conditions 4 (noise management plan), 7 (dust management plan), 9 (external lighting management plan), 15 (wheel washing strategy) and 17 (site logistics plan) of planning consent reference 38058/APP/2022/64 dated 31-08-2022 (Retention of entrance gates and change of use for use class sui generis including container and skip storage; open and closed storage of building, scaffolding and lighting materials; storage of aggregate materials; vehicle storage and sales; and associated installation of portacabins, container stores, transportable*

*silos and other structures for a period of 12 months). Approved 12 December 2022.*

## 4. Development Proposals

4.1 This application is to seek a further period of time for the temporary use of the site for a *sui generis* commercial use of the site. The current planning permission is due to end on 22 August 2023 and this application seeks the retention of entrance gates and change of use for use class *sui generis* including container and skip storage; open and closed storage of building, scaffolding and lighting materials; storage of aggregate materials; vehicle storage and sales; and associated installation of portacabins, container stores, transportable soils and other structures for a period of 12 months (retrospective application).

4.2 The site comprises of the following uses and development;

- vehicle storage and sales area
- closed container storage area
- storage of skips and associated vehicles and a container store
- Aggregates storage area with silos
- Conway street lighting storage area with palisade fencing, two stacked portacabins, overhead lighting and CCTV
- General open storage area with portacabins used as ancillary site security units and welfare, storage of marble and timber and other building materials
- Front gates and fencing, to secure the site and provide access from Trout Road

Internal hardstanding/haul road

## 5. Design and Access

- 5.1 **Use and amount** – storage will be limited to the uses described and the constraints of the site to allow for appropriate vehicle access and turning. No buildings are proposed and therefore activity is limited to that which can take place within containers or temporary structures.
- 5.2 **Layout and scale** – the layout has been carefully considered to ensure the uses which create more noise generation are sited away from neighbours where possible and to minimise impact upon the canal from dust, noise and lighting.
- 5.3 **Scale, height and mass** – there are no new buildings proposed. Containers and portakabins are used on site. There are double stacked cabins used in connection with the street lighting facility and silos which represent the tallest structures on site. Given the urban location and the height of the surrounding buildings, the proposals appear as an appropriate scale, height and mass.
- 5.4 **Landscaping** – no landscape features are proposed to be altered and given the use of the site and the temporary nature, no proposed landscaping is required.
- 5.5 **Appearance** – the uses are well screened by the existing site boundary treatments and appear appropriate to the historic commercial use of the site and urban surroundings. Some taller elements such as double stacked containers will appear visible, but given the heights of surrounding buildings and the amount proposed, these would not appear unacceptably out of keeping.
- 5.6 **Access and Parking** – it is proposed that access from Trout Road would continue to be used.

## 6. Policy Assessment

- 6.1 **National Guidance:** The National Planning Policy Framework (NPPF) is a relevant material consideration to the application.
- 6.2 The purpose of the planning system is to contribute to the achievement of sustainable development. So that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. Paragraph 38 of the NPPF states that "Local planning authorities should approach decisions on proposed development in a positive and creative way" and "at every level should seek to approve applications for sustainable development where possible". Paragraph 119 of the NPPF comments that planning should "make effective use of land".
- 6.3 Paragraph 8 identifies the three objectives of sustainable development, as economic, environmental and social.
- 6.4 Section 6 of the NPPF at paragraph 81 sets out how planning policies and decisions should help create the conditions in which business can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity.
- 6.5 Paragraph 83 of the NPPF states planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for ....storage and distribution operations at a variety of scales and in suitably accessible locations.
- 6.6 The proposal seeks to utilise a redundant piece of land for a temporary 'meanwhile' use whilst the redevelopment of the site is planned. The site provides much needed premises to a number of operators that overall make a significant contribution to the

construction industry in the borough and the wider London Area. The NPPF fully supports such a use.

- 6.7 **Principle of Development:** Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined in accordance with the Development Plan unless material considerations indicate otherwise.
- 6.8 **The London Plan:** This recognises the value of temporary and meanwhile uses in town centres. Policy H3 encourages councils to consider proposals for meanwhile uses which it says can prevent blight in town centres and reduce the risk of arson, fly tipping and vandalism. The previous approved mixed residential scheme has not been delivered and there is no indication that a new planning application will be forthcoming. As such, there is a real risk that this site would become derelict and open to anti-social behaviour or other unacceptable uses that would result in unacceptable harm to the character of the area and neighbouring amenity, unless a meanwhile use is supported. The Council and Planning Committee have previously accepted and acknowledged the sites' historical industrial and storage uses and the appropriateness of a short-term use whilst a long term residential led redevelopment is progressed. As such, the proposal is also supported by the London Plan.
- 6.9 **Hillingdon Local Plan:** The Hillingdon local Plan is split into 2 parts. Local Plan Part 1- Strategic policies and Local Plan Part 2 – Development Management Policies. The site is an allocation SA39 and is recognised as a historically industrial site which has had a consent for mixed use in 2013 (no longer extant). Policy E6 of the Local Plan Part 1 states that Hillingdon will encourage the development of affordable accommodation for small and medium sized businesses in appropriate sustainable locations throughout the borough. The annual monitoring report states that across the

borough as a whole, the trend over the reporting years shows a significant gain in light space but losses in heavy industrial and storage/distribution space. Given the proposed *sui-generis* mixed use of the site, existing premises do not provide the right type of accommodation needed by these businesses due to their size, operating models and nature of their contractual obligations. As such, these businesses require the open and flexible nature that the site subject to this application provides.

6.10 **Sustainable Development and Economic Benefits:** The retention of the mixed-use development proposal makes effective use of previously developed land which would otherwise be left vacant which accords with paragraph 119 of the NPPF which outlines that preference will be given to development of previously developed land to avoid the loss of green spaces.

6.11 The site provides employment to operatives who work directly on the site and supports the employment of numerous colleagues associated with each business. The nature of the provision of the supplies of building materials means that it provides a valuable contribution to the local economy and the wider London economy as the builders have served a significant number of construction projects over the greater area since location on the site in 2021. Since the pandemic, the construction industry has generally faces headwinds and this site contributes to ensuring a buoyant construction economy which is supported in national and local planning policy. Being located within a town centre, close to good transport links makes it a suitable location for such a use and more appropriate than a greenfield countryside location.

6.12 The site also provides an operational base for the Council's street lighting contractor which provides essential public infrastructure to the borough. Key to the business model of these types of contractors

are the need to be located within good distance to their active projects to save on journey/vehicle times and to provide an agile and responsive service. All of these elements combined support a strong and prosperous economy which is a nationally supported aim and a key element of sustainable development.

- 6.13 **Character and Appearance of the Area:** The sites temporary use is not considered to significantly harm the character and appearance of the surrounding area. Residential and commercial buildings surrounding the site provide screening from the high street whilst limited views from Trout Road mean that the proposal is not largely visible from the street.
- 6.14 In addition, the temporary use of the site is not dissimilar to the previous industrial use of the site and the temporary use would be in keeping with the surrounding mixed-use area. There is no indication that a redevelopment of the site is to come forward imminently and as such, a meanwhile use of the site offers benefits to the character and appearance of the area compared with a vacant and derelict site open to anti-social behaviour and vandalism.
- 6.15 **Residential Amenity – overlooking, overbearing:** Due to the sites limited visibility from the road and the relationship to neighbouring dwellings, the proposal is not considered to result in overlooking nor be overbearing in nature. Additionally the development is not considered to adversely impact the daylight and sunlight of adjacent properties to comply with policy DMGB 11 part 2 of the Hillingdon Local Plan.
- 6.16 Furthermore the surrounding blocks, are significantly taller than the proposal, and there is no direct window to window overlooking that would harm privacy.

6.17 **Noise Management:** London Plan Policy D14 and Hillingdon Local Plan policies BE1, EM8, DMHB11, advise that in order to reduce, manage and mitigate noise development should avoid significant adverse noise impact. London Plan Policy also recognises there should not be unreasonable restrictions on existing noise-generating uses. The site has a historical use for commercial purposes which would have emitted some levels of noise different to that created by residential uses. Whilst there are some new residential uses, there are also some long standing residential uses surrounding the site which co-existed next to the commercial site for many years. Notwithstanding this, the noise assessment and noise mitigation details provided by Hawkins Environmental clearly demonstrate that the noise generated by the development would not impact unacceptably upon the living conditions of surrounding residents nor users of the canalside path. In addition, a noise management plan has been created and approved as part of the previous approved details application (provided within ET Planning Letter dated 28 September 22 which accompanies this submission). This includes the following measures;

6.18 All site operatives have been informed of the operational requirements and operating hours and requested to leave the site if it has been discovered that they have breached the planning conditions. (evidence provided at **appendix 1**)

6.19 A site controller monitors and updates the site management team accordingly.

6.20 An email address has been provided to the Council, to be shared with residents (and a sign placed on front fence/gates) so that any noisy or un-neighbourly activity can be reported directly to site management to be investigated and addressed.

- 6.21 All received complaints are logged and actioned (no complaints have been received directly to the site management team)
- 6.22 The LPA has not needed to action condition 5 of the current temporary permission which requires additional sound monitoring where complaints are received by the LPA.
- 6.23 **Dust management and impact upon air quality:** The London Plan requires that development should not lead to deterioration of existing poor air quality. Policy DMEI of the Local Plan requires new development to avoid adverse impacts on amenity. The site is located within an Air Quality Management Area. The previous application identified that the development was not 'air-quality positive' although it acknowledged that vehicle trip generation arising from the development would be less than the previously granted temporary use and the consented mixed/residential scheme.
- 6.24 As part of the temporary approval, a S106 agreement was entered into to secure contributions towards mitigating air quality damage.
- 6.25 A dust management plan has been provided and approved under the conditions approval and has been implemented over the past year of operation of the site. This identifies a number of measures to be employed to limit and clear any dust through recognised dust management measures. These are set out in the submitted Air Quality Assessment dated 15 March 2022 and the Dust Management Plan as well as additional details within ET Planning Letter of 2 November 2022 which was approved as part of details approval ref 38058/APP/2022/2992. This detailed how lorries would be covered, a mechanical and manual road sweeper employed and wheel washing facilities available to each sub-tenant.
- 6.26 **External Lighting:** the minimum amount of external lighting has been provided to serve the development which is placed on a timer

to minimise impacts upon the canal and are concentrated within the central part of the site away from the canal and neighbouring residential areas. The lighting was approved as part of the approved details application pursuant to lighting details document V1.0 October 2022.

- 6.27 **Construction Method Statement:** The development is already in situ and operating as per temporary planning approval ref 38058/APP/2022/64. No further construction is to take place.
- 6.28 **Transport and Highway Impact:** The previous approval raised no objections to the volume of traffic generated by the development and it was found there would not be a severe impact upon the highway network. Key to the business model of the types of contractors operating from the site is the need to be located within good distance to active projects to save on journey/vehicle times and to provide an agile and responsive service. This also ensures less traffic movements and shorter journey times can be achieved which can have positive benefits overall.

## 7. Conclusion

- 7.1 This statement has demonstrated that the proposed development is acceptable in principle and makes an efficient use of land and is fully supported by the NPPF, London Plan and Local Policy.
- 7.2 The proposed development can be considered a meanwhile use that could be accommodated without unacceptable adverse effect on the character of the area or the amenity of neighbouring residents. The site has a historical use for commercial purposes and was granted permission for a mixed-use residential and commercial scheme which has unfortunately expired.

- 7.3 The principle of the use of the land for a temporary 'meanwhile' use has been established as acceptable through the previous grant of planning permission.
- 7.4 There is no indication that delivery of a redevelopment scheme for the site will be imminent and as such, the proposal to extend the meanwhile use for a further period of time makes an efficient use of land and prevents anti-social and undesirable uses of the land should it remain vacant.
- 7.5 The proposal therefore represents sustainable development through the effective use of previously developed land for a use which contributes to a key objective of sustainable development, to build a strong, responsive and competitive economy by providing land of the right type, in the right location to support growth and productivity in the construction industry, including the provision of infrastructure.
- 7.6 The proposal also enables significant economic benefits arising from the contribution to the local construction industry, the employment of site operatives which are not only of local significance but across wider London.
- 7.7 The development generates less vehicle movements than the previous consented mixed-use scheme and does not have a severe impact upon the highway network. Measures have been implemented to control and manage dust and noise emissions, as demonstrated through the approved conditions details which have been submitted as part of this application.
- 7.8 Reasonable and necessary conditions could be placed upon the grant of a further planning consent to control operating hours and ensure development accords with the dust and noise management details submitted with this application.

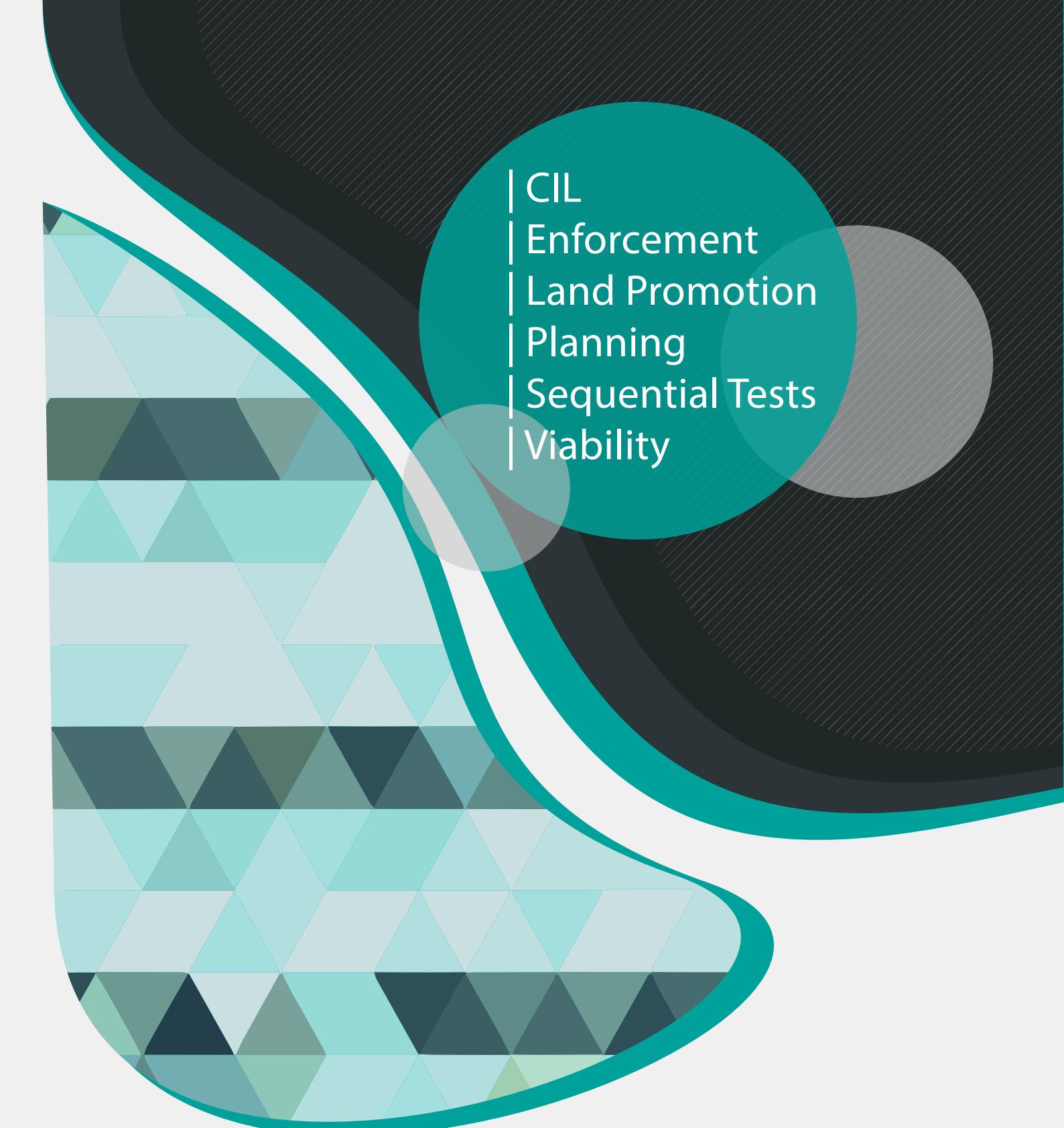
7.9 Therefore, it is respectfully requested that planning permission is granted.

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