

# **RIGBY LANE WASTE TRANSFER STATION, RIGBY LANE, HAYES, GREATER LONDON, UB3 1ET**

Proposed partial re-build of fire damaged Waste Transfer Station  
Building (retrospective)

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## Project quality assurance information sheet

RIGBY LANE WASTE TRANSFER STATION, RIGBY LANE, HAYES, GREATER LONDON,  
UB3 1ET

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## **1 INTRODUCTION**

- 1.1** This statement supports a planning application made by SUEZ Recycling and Recovery UK Ltd (SUEZ), to partially rebuild the Waste Transfer Station that was damaged by fire at Rigby Lane Waste Transfer Station, Rigby Lane, Hayes, UB3 1ET.
- 1.2** The site has been in operational waste use for many decades. Planning permission was issued for the reconfiguration of the site in 2007 (permission reference 643/APP/2002/1592). The site was redeveloped in 2010 and the waste transfer station, which is the subject of this application, was constructed at that point.
- 1.3** Due to a fire at the facility, SUEZ is seeking retrospective planning permission to partially re-build the Waste Transfer Station building.
- 1.4** The following provides a description of the site and its surroundings, a description of the development, an assessment of the development against national and local planning policy and an assessment of the key issues that need to be considered when determining the application.
- 1.5** It should be noted that this application does not include a design and access statement as the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Section 9 paragraph 4) details that the requirement for such “does not apply to an application for planning permission which is — “(e)for development which is waste development.”
- 1.6** The proposed development is not considered to be EIA development.

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## **2 THE APPLICANT**

**2.1** SUEZ Recycling and Recovery UK Limited (SUEZ) is a recycling and resource management company that has been managing the waste from households and businesses in the UK since 1988. With over 5,000 employees in the UK, SUEZ operates a network of facilities including: recycling, composting, refuse derived fuel production, solid recovered fuel production, wood processing, energy-from-waste and landfill.

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### **3 SITE DESCRIPTION**

- 3.1** The site has operated as a waste facility for many decades. Planning permission was issued for the reconfiguration of the site in 2007 (permission reference 643/APP/2002/1592 attached as Appendix A). The site was redeveloped in 2010 and the waste transfer station, which is the subject of this application, was constructed at that point.
- 3.2** The wider site is comprised of a depot parking area for waste collection vehicles, an office building, car parking, external waste bays, weighbridge and weighbridge office, refuelling area, vehicle wash and the (now rebuilt) waste transfer station building and associated sprinkler tank and pump station. None of the infrastructure on the site other than the waste transfer station building was impacted by the fire and therefore does not form part of this application. The planning unit area relevant to the application is clearly shown on the attached site location plan Rbl-PLN-0224-01.
- 3.3** The site is located within an established industrial estate approximately 1.3 kilometres southwest of Hayes town centre and 1.3 kilometres north of the M4 Motorway in Greater London at National Grid Reference TQ 082 798. The site is surrounded immediately to the north, east and west by commercial/industrial units. To the north of the site is the Grand Union Canal and to the south is the railway line leading from the Hayes and Harlington railway station. The closest residential properties are to the south of the site beyond the railway line approximately 110 metres from the site boundary.
- 3.4** The location of the site is outlined on Figure 1 below.

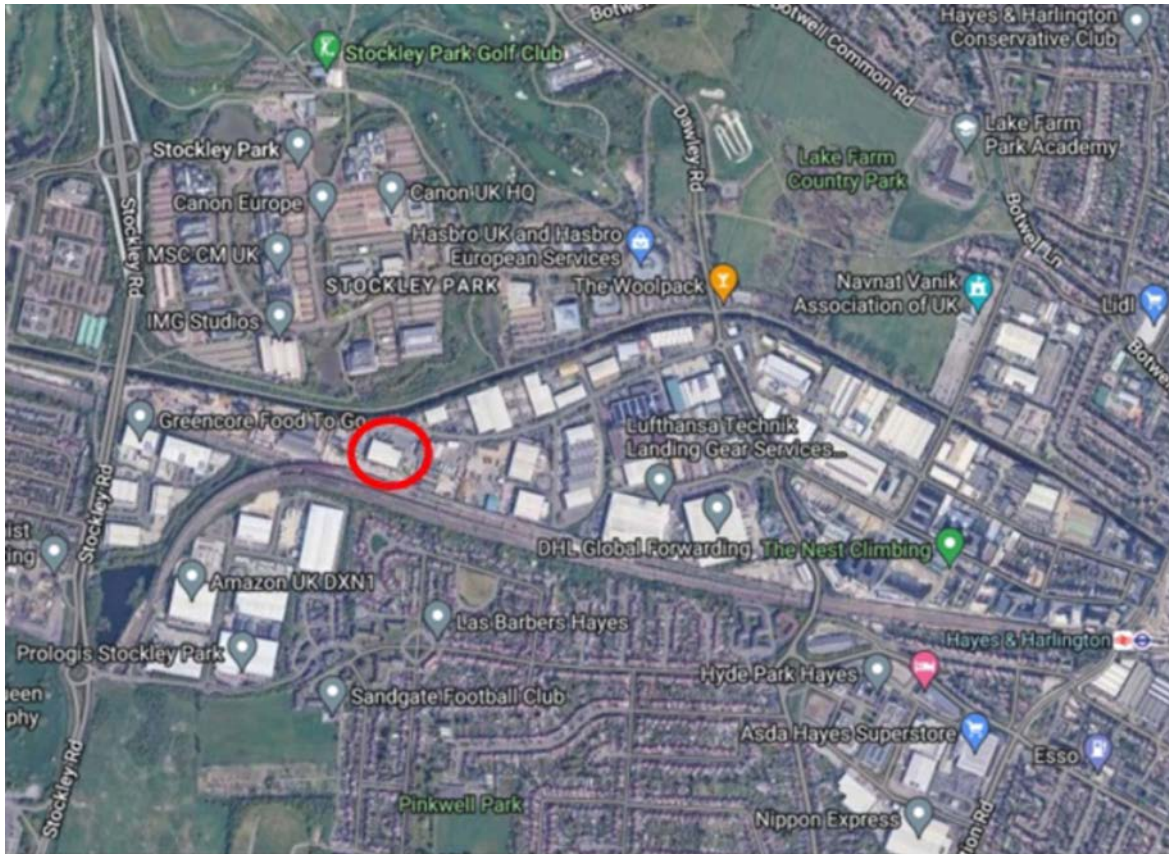


Figure 1 – site location (source: Google maps)

- 3.5** The site is not located near any internationally or nationally designated sites. As shown on Figure 2 below, the closest SSSI and Ramsar site at Staines Moor SSSI, Wraysbury Reservoir SSSI and Southwest London Waterbodies (RAMSAR) are 6.6km to the south west of the site. The Yeading Meadows Local Nature Reserve is located 3km to the northeast. The closest listed building is Enterprise House a Grade II listed building 1.1 km to the east of the site. The proposed development would not impact upon any of the designated sites.



MAGIC

Rigby Lane

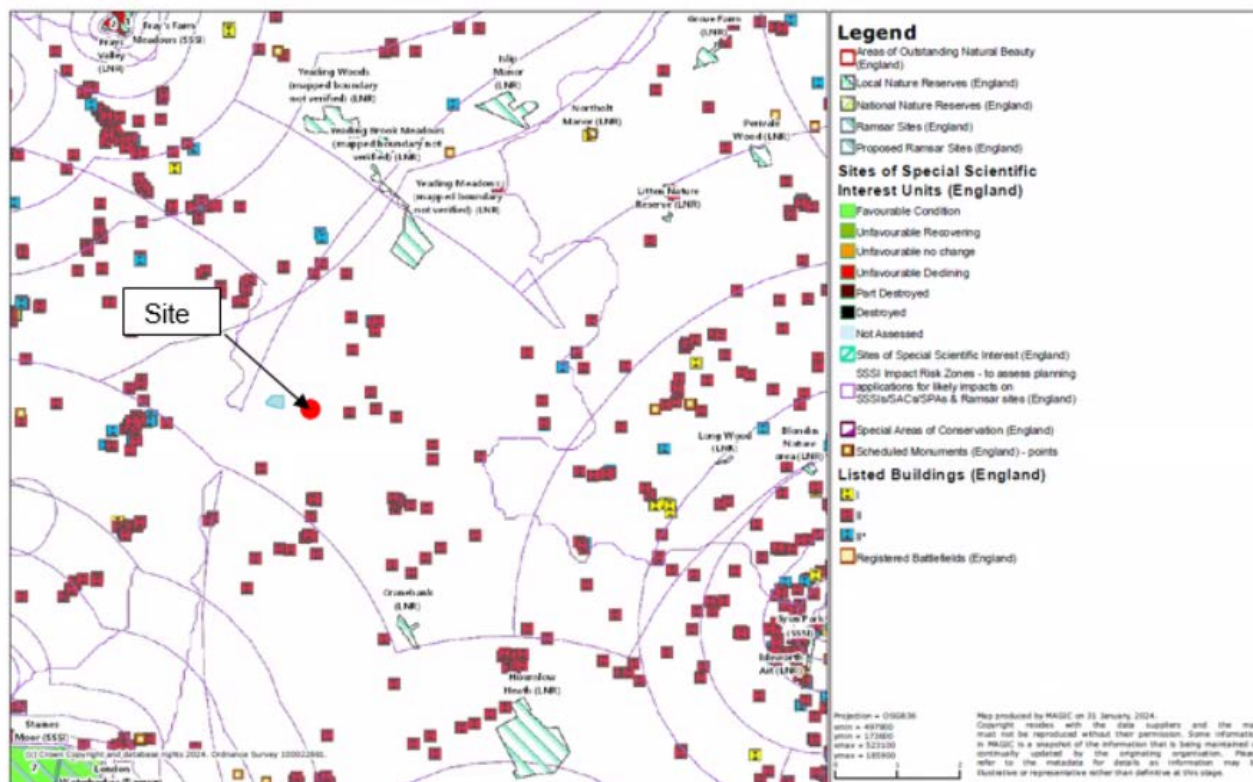


Figure 2 – Designation Areas (source: Magic Map)

**3.6** As shown on figure 3 below, the site is located in flood zone 1 an area with a low probability of flooding.



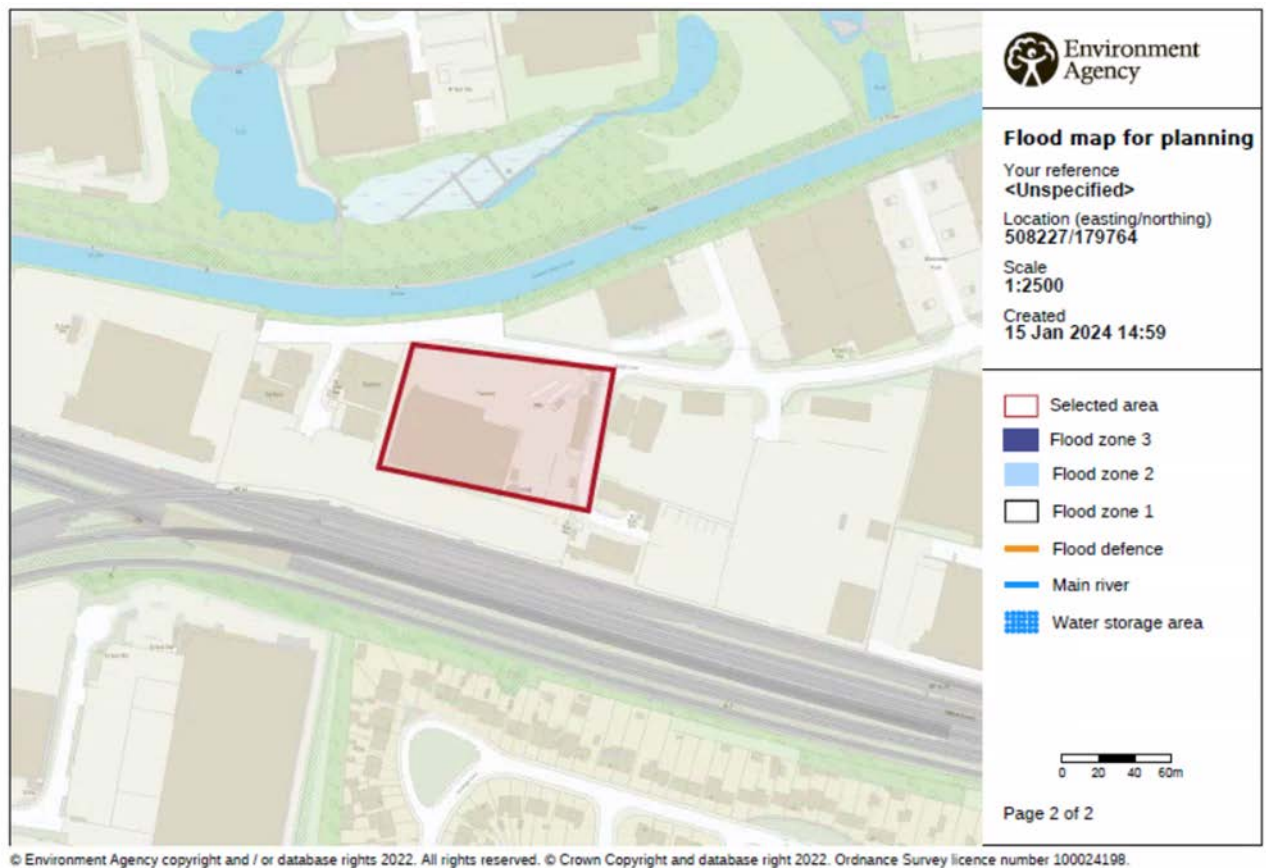
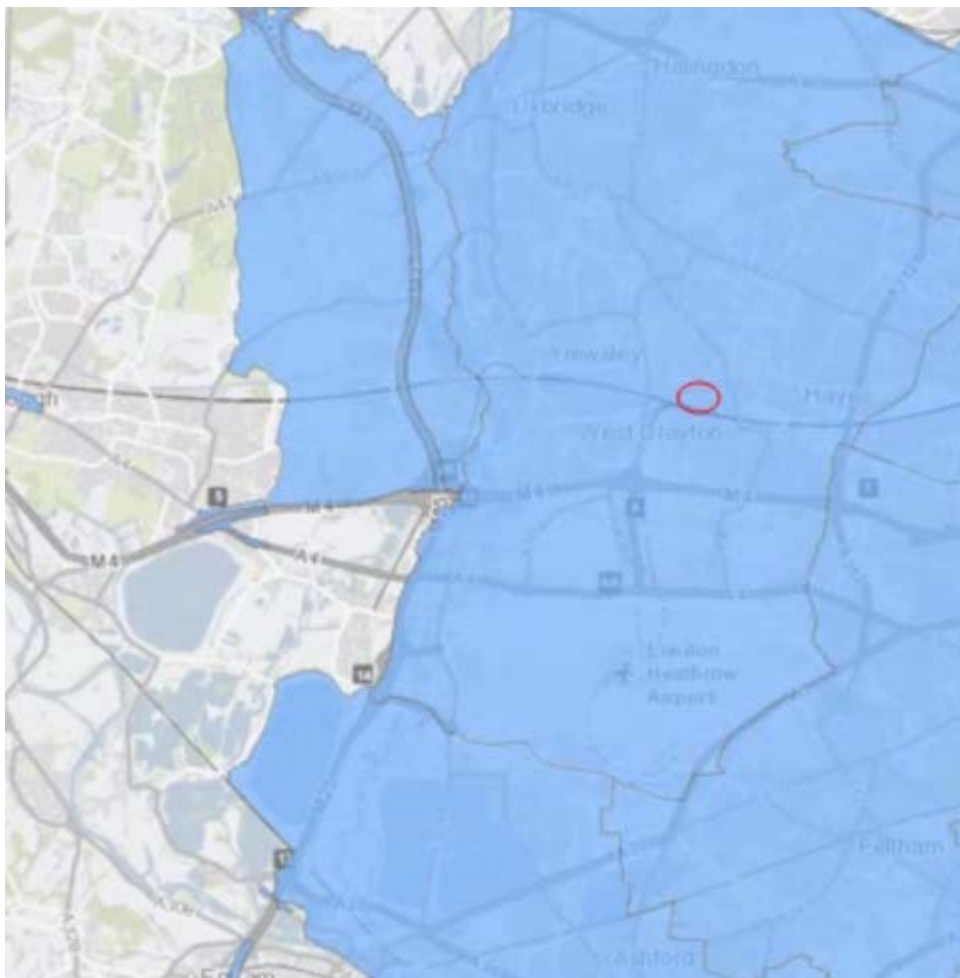


Figure 3 – EA Flood map for planning

- 3.7** The Department of Environment, Food & Rural Affairs UK Air Information Resource Air Information Resource UK AIR AQMA Details identifies that the site falls within the Hillingdon AQMA, as shown on Figure 4 below.



*Figure 4 - Department of Environment, Food & Rural Affairs UK Air Information Resource AQMA interactive map*

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## 4 PLANNING HISTORY

- 4.1** The site was developed in ad hoc phases under a series of permissions approved in the late 80s and early 90s. In April 2007 planning permission was granted for 'Erection of new buildings for waste transfer facility, recycling and civic amenity activities, workshop/office buildings, weighbridges, office and lorry parking and washdown area (involving demolition of existing buildings on site)' under permission reference: 643/APP/2002/1592. This permission remains the extant permission for the wider site and is included at **Appendix A** of this application. The waste transfer station was constructed as part of this permission.

## **5 THE DEVELOPMENT**

- 5.1** SUEZ is seeking retrospective planning permission for the partial re-build of the Waste Transfer Station building that was damaged in a fire which occurred in August 2022.
- 5.2** The fire caused significant damage to the WTS building. This has meant that all of the WTS building cladding and steelwork had to be removed and replaced. The building has been rebuilt to the same dimensions and configuration as the previously approved WTS building and has been reconnected to the existing sprinkler system for future fire suppression.
- 5.3** The other buildings and infrastructure on the site were not damaged in the fire.
- 5.4** The previously existing site layout and the proposed site layout are shown on drawings Rbl-PLN-0224-02 and Rbl-PLN-0224-03 respectively. These drawings, along with the previously existing and proposed elevation drawings and floor plans demonstrate that there has been no change to the layout of the wider site as the waste transfer station building has been reconstructed to the same layout and dimensions and in the same location as the previous building.

## **6 JUSTIFICATION FOR THE DEVELOPMENT**

- 6.1** SUEZ is seeking retrospective permission for the partial re-build of the waste transfer station building located within the boundary of the waste transfer facility at Rigby Lane, Hayes.
- 6.2** In August 2022 a fire broke out within the WTS building. The damage to the building was significant and large sections could not be repaired or were deemed unsafe and had to be immediately taken down and rebuilt with all of the steelwork and cladding having to be replaced. The foundations, floor slab and concrete lip around the building remained intact and have been incorporated into the rebuild. The pushwalls inside the building have also been retained and the building has been reconnected to the existing sprinkler system for future fire suppression.
- 6.3** Rigby Lane Waste Transfer Station provides waste transfer services for both commercial waste and residential kerbside collections. The site also supports the waste and recycling services for Hillingdon Borough Council as the site receives some of the kerbside residential waste collected from Hillingdon Borough Council residents.
- 6.4** SUEZ considers that permitting the retrospective rebuild of part of this essential facility is crucial to allow SUEZ to continue to receive and bulk up waste from Hillingdon Borough Council residents and commercial waste from the wider London area for onward transportation for recycling, processing and recovery and to ensure no medium to long term interruption to the ability for Hillingdon and London to manage its own waste.

## **7 ENVIRONMENTAL CONSIDERATIONS**

- 7.1** This section of the report outlines the key environmental considerations relevant to the application to repair and re-build the facility.

### **NOISE**

- 7.2** The WTS building has been rebuilt to the same specifications as the building previously in situ. The extant planning permission has no restrictions on hours and required that a noise control scheme be submitted under condition 6. This scheme was submitted and approved. The scheme included noise mitigation measures which remain in place.

### **TRAFFIC AND HIGHWAY**

- 7.3** The extant planning permission for the wider site does not restrict traffic movements in terms of vehicle numbers that arrive/leave the site.
- 7.4** A daily tonnage limit is placed upon the wider site under condition 5 which restricts the quantity of waste deposited at the facility to 1030 tonnes on any one day. It is proposed that this condition is replicated for the rebuilt WTS building.
- 7.5** The rebuild of the waste transfer station has been to the same dimensions as the dimensions of the building in situ before the fire. As shown for the 'previously existing floor plan' and 'proposed floor plan' the building has the same waste capacity as it did before the fire. Due to the like for like rebuild, there will be no change to the vehicle movements associated with the building.

### **ODOUR**

- 7.6** As previously stated, the building has been rebuilt to the same specifications as the previous building ensuring that there will be no impacts associated with odour from the operations.

## **DRAINAGE**

- 7.7** The building has been reconnected to the existing site drainage and no changes have been made.

## **ECOLOGY AND BNG**

- 7.8** The 'red line' boundary of the building is a previously constructed waste transfer station building that has been partially rebuilt. The wider site in which the building is situated is entirely laid to hardstanding with no vegetation present.

- 7.9** The Biodiversity Gain Requirements (Exemptions) Regulations 2024 set out at paragraph 4 that:

*De minimis exemption 4.—(1) The biodiversity gain planning condition does not apply in relation to planning permission for development which meets the first and second conditions.*

*(2) The first condition is that the development does not impact an onsite priority habitat.*

*(3) The second condition is that the development impacts—*

*(a) less than 25 square metres of onsite habitat that has biodiversity value (1) greater than zero; and*

*(b) less than 5 metres in length of onsite linear habitat.*

- 7.10** As per paragraph 4, the rebuilt WTS building falls into the exemption category and does not require a biodiversity gain planning condition.

- 7.11** Directly prior to the fire the building was operating as a waste transfer facility within a wider waste site laid to concrete surfacing. Given the location of the building, it is considered that an ecology survey is not required for this site.



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## **OTHER AMENITY IMPACTS**

- 7.12** The site operates under an environmental permit which controls the activities that can take place at the site. The waste transfer station operated successfully on the site for over ten years prior to the fire. The building has been constructed to the same dimensions and layout as the previous building. It is not considered that the rebuilt building will have any effects that have not been previously considered.

## **ENERGY USE**

- 7.13** The application is limited to the partial rebuild of the waste transfer station building which is a simple shed construction without offices or welfare. An energy statement has been produced and provided at Appendix B. The energy statement notes that the building has no windows and is not heated. The energy use for the building is limited to lighting. This energy requirement has been reduced through the installation of R32 step safe roof lights which cover 10 per cent of the area of the roof. These increase the natural light into the building and reduce the need for artificial lighting. All artificial lighting installed within the building is LED lighting to reduce energy use.

## 8 PLANNING POLICY CONSIDERATIONS

- 8.1 The following section reviews the appropriate planning policy guidance at national and local levels and considers the degree to which the proposal complies with guidance and policy.

### NATIONAL POLICY

#### National Planning Framework 2023

- 8.1 The National Planning Policy Framework (NPPF) was updated in December 2023 and sets out the government's planning policies for England and how these are expected to be applied. The NPPF focuses on encouraging sustainable development and states at paragraph 38 that *"...decision-takers at every level should seek to approve applications for sustainable development where possible."* The NPPF sets out the government's planning policies for England and how these should be applied and is a material consideration in the determination of planning applications.
- 8.2 Paragraph 7 states that the purpose of the planning system is to contribute to the achievement of sustainable development. The document outlines three dimensions to sustainable development which the planning system seeks to perform; an economic role, a social role and an environmental role.
- 8.3 Paragraph 9 goes on to state that *"These objectives should be delivered through the preparation and implementation of plans and the application of the policies in this Framework; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area"*.
- 8.4 The partially rebuilt waste transfer station building has been constructed to the same dimensions using the same profiled steel grey cladding as the previous building. The re-

built structure assists in ensuring continuity of waste capacity within Greater London to allow the waste to be collected and bulked up for onward transfer.

- 8.5** Paragraphs 85-89 sets out the Government's commitment to building a strong, competitive economy. They identify that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. They identify that significant weight should be placed on the need to support economic growth and productivity. The rebuild of the waste transfer building is an example of a need to adapt to an unplanned issue that has arisen and responds to the need to continue to effectively receive, and transfer waste collected within the local area.
- 8.6** Paragraphs 108 – 117 seeks to promote sustainable transport and identifies at paragraph 115 that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The site has already been operating a waste transfer station for over 10 years. The rebuilt structure is to the same dimensions as the previously constructed building and will take the same volume of waste. No change to vehicle movements will occur.
- 8.7** Paragraphs 123 - 127 identifies that decisions should promote effective use of land and emphasises that substantial weight should be given to the use of brownfield land. The rebuild of the WTS building is the most effective use of this site. Prior to the fire, the building worked effectively as a transfer station to receive and bulk up waste from Hillingdon Borough Council residents along with commercial and industrial waste from the wider London area for onward transportation for recycling, processing and recovery and the rebuild has allowed this activity to continue.
- 8.8** Paragraphs 157- 174 identify the need to meet the challenge of climate change and flooding and sets out that new development should undertake measures that reduce energy consumption. The site is located in Flood Zone 1 and due to its use as a waste transfer building has limited requirements for energy consumption as the building has no welfare facilities or heating.

## LOCAL POLICY

**8.9** This section reviews relevant waste management strategies and the appropriate planning policy at local and national levels and considers the degree to which the proposals comply with guidance and policy.

#### **The London Plan 2021**

**8.10** The London Plan is the overall strategic plan for London and sets out an integrated economic, environmental, transport and social framework for the development of London over the next 20-25 years. The London Plan is part of each of London's Local Planning Authorities' Development Plan and must be taken into account when planning decisions are taken in any part of Greater London. Planning applications should be determined in accordance with it, unless there are sound planning reasons (other material considerations) which indicate otherwise.

**8.11 Policy GG2 Making the Best Use of Land** – seeks to create successful, mixed-use places that make the best use of land. The site is an operational waste site allocated for waste management use and is within a strategic industrial location. The rebuild of the previously constructed building is the best use of land at this site.

**8.12 Policy GG3 Creating a Healthy City** – seeks to improve Londoners' health and reduce health inequalities. The site has operated as a waste transfer facility with this configuration of building for over 10 years with no environmental or amenity impacts. The building is a like for like replacement of a previously approved development.

**8.13 Policy GG6 Increasing efficiency and resilience** - To help London become a more efficient and resilient city seek to improve energy efficiency and support the move towards a low carbon circular economy, ensure buildings and infrastructure are designed to adapt to a changing climate, making efficient use of water, reducing impacts from natural hazards. As detailed in the enclosed Energy Statement at **Appendix B** the building is a simple shed used as covered storage for waste material which is then bulked up for transfer to other facilities. The building has limited energy requirements which have been reduced through roof lighting and LED lighting.

- 8.14 Policy D3** Optimising site capacity through the design-led approach – *“All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site’s context and capacity for growth, and existing and planned supporting infrastructure capacity...”*. The building was constructed in 2010 and operated effectively for over 10 years before it was damaged by fire. It is not considered that any changes to the buildings design were necessary for the partial rebuild.
- 8.15 Policy D11** Safety, security and resilience to emergency – *“Development proposals should maximise building resilience and minimise potential physical risks, including those arising as a result of extreme weather”*. The site is not open to the public and is securely fenced. The building is construction as a simple shed structure without office or welfare facilities and has ventilation and air flow resulting from the roller shutter doors that are open for vehicle and plant movement.
- 8.16 Policy D12** Fire Safety – Requires all development proposals to achieve the highest standards of fire safety. The subject of fire safety is covered in Building Regulations and the building accords with the relevant elements of the regulations and any other legislation. The site is covered by an Environmental Permit and has a fire prevention plan in place – provided at Appendix C which has been provided to the Environment Agency. The building also has a fire suppression system that has been reinstated following the re-build.
- 8.17 D14** Noise – seeks to reduce, manage and mitigate noise. **The** site has been operating in its capacity as a waste transfer station for over 10 years prior to the fire with no noise complaints received. The previous permission included noise mitigation requirements that remain in place.
- 8.18 Policy E4** Land for Industry, Logistics and Services to Support London’s Economic Function. Seeks to ensure that a sufficient supply of land / premises to meet current and

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future demands for industrial functions. This policy seeks to ensure that there is a sufficient supply of employment land to meet current and future demand for industrial related functions including retention of waste management facilities. The site is a waste management site and located within a SIL. Proposed development is for the retention of a previously existing waste transfer station facility.

**8.19 Policy E5** Strategic Industrial Locations (SIL) seeks to proactively manage SIL's, and supports industrial, logistic and related type activities within them. The site is located within a SIL. The proposed rebuild is of a facility that has previously operated at the site without issue.

**8.20 Policy E11** Skills and opportunities for all. Development proposals should support employment, skills development, apprenticeships, and other education and training opportunities in both the construction and end-use phases. The site is already operational and the WTS building has been constructed to the dimensions of the previous structure with no change in staff.

**8.21 Policy SI3** Energy Infrastructure. Requires all major development within Heat Network Priority Areas to explore opportunities to link to an existing or planned decentralised energy network. Where an existing decentralised energy network is not present, an assessment of the feasibility of establishing a decentralised energy system for the proposed development should be undertaken, including an assessment of the feasibility of a communal heating system. The Mayor of London Heat Map identifies the site as being more than 500 metres from existing and planned DEN. The building has no welfare or office facilities with no heating or energy requirements other than lighting. Given the minimal energy requirements of the building it is considered that establishing a decentralised energy network is not necessary in this instance.

**8.22 Policy SI4** Managing heat risk seeks to minimise internal heat gain and impacts of the urban heat island effect. It also identifies that major developments should provide an energy strategy stating how overheating and reliance on air conditioning will be reduced. As identified previously, the building is a simple shed structure with no heating or cooling.

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Air flow is naturally occurring through the opening of the roller shutter doors for access of plant and vehicles.

**8.23 Policy SI5** Water Infrastructure. This seeks to protect and conserve water supplies and resources. The rebuild is of a simple shed design with no welfare and therefore no water requirements.

**8.24 Policy SI8** Waste Capacity and Net Waste Self-sufficiency. This policy identifies that: existing waste management sites should be safeguarded and the waste management capacity of existing sites should be optimised. The policy goes on to set out the criteria that material and waste management proposals should be evaluated against. The site is a designated waste site and the rebuild of the waste transfer building has been to the dimensions of the previously constructed building. The building had operated effectively prior to the fire and the building dimensions are considered to be the appropriate size for the wider site activity.

**8.25 Policy SI9** Safeguarded waste sites. This policy seeks to safeguard existing waste sites. The site is a recognised waste site that is therefore safeguarded under this policy.

**8.26 Policy SI12 and SI13** Flood Risk Management and Sustainable Drainage. SI12 seeks to manage flood risk from all sources across London and SI13 requires developments to achieve greenfield run off rates and manage surface water run-off. The site is in flood zone 1 and under 1 hectare in size. The building is reconnected to existing surface and foul water drainage already in situ at the site with no changes.

**8.27 Policies T1, T2, T3 and T4** relate to transport and identify that all development should make the most effective use of land / sustainable transport and ensure that any impact on London's transport networks is mitigated. The policies seek to deliver patterns of land use that facilitate shorter, more regular trips by walking or cycling, and reduce the dominance of vehicles and requires development proposals to provide adequate transport functions. The policies also require the submission of Transport Assessments and Travel Plans. Mitigation will be required to address any adverse impacts.



- 8.28** The building is a like for like replacement of a previously constructed WTS within the boundary of a designated operational waste site. The wider site has permission to receive 1030 tonnes of waste per day and there is no proposal to change this as part of this application. The rebuilt waste transfer building provides the infrastructure to accommodate the waste tonnage permitted. The wider site permission has no restriction on vehicle movements. No additional transport implications will result from the application as the building had previously been in operation for over 10 years.

#### **Hillingdon Borough Council Local Plan**

- 8.29** The Hillingdon Borough Council Local Plan is comprised of two documents, the Local Plan Part 1 and the Local Plan Part 2. These two documents form the council's future development strategy for the borough and sets out a framework and detailed policies to guide planning decisions. As this application is for the retrospective partial rebuild of an existing building, which was previously connected to existing utilities, it is considered that only a limited number of the policies apply in this instance.

#### **Local Plan Part 1 (2012)**

- 8.30 Policy E1** Managing the Supply of Employment Land. The Council will accommodate growth by protecting Strategic Industrial Locations. The site is located within a Strategic Industrial Location.

#### **Hillingdon Local Plan Local Plan: Part 2 Development Management Policies (2020)**

- 8.31 Policy DM11** Sustainable Waste Management. The Council will safeguard existing waste sites unless compensatory provision can be made. The Council will seek to maximise the use of existing waste management sites through intensification or co-location of facilities. The site is an existing waste site and is therefore safeguarded. The rebuilt waste transfer station building provides the appropriately sized facility for this activity. The rebuilt building does not restrict any potential future opportunities for intensification or co-location.

**8.32 DMEI 3** Decentralised Energy. *"All major developments required to be designed to be able to connect to a DEN. Major development located within 500 metres of an existing DEN... required to connect to that network, including provision of the means to connect to that network and a reasonable financial contribution to the connection charge, unless a feasibility assessment demonstrates that connection is not reasonably possible...C) Major developments located within 500 metres of a planned future DEN, which is considered by the Council likely to be operational within 3 years of a grant of planning permission, will be required to provide a means to connect to that network and developers shall provide a reasonable financial contribution for the future cost of connection and a commitment to connect via a legal agreement or contract, unless a feasibility assessment demonstrates that connection is not reasonably possible."*

**8.33** The site is not within 500 metres of either an existing or future DEN. Energy requirements of the building are limited due to the nature of activities as previously outlined.

#### **West London Waste Plan (2014)**

**8.34 Policy WLWP 1** Safeguarding and Protection of Existing and Allocated Waste Sites. This policy states that land accommodating existing waste management uses will be protected for continued use for waste management. The policy also states that to ensure no loss in existing capacity, re-development of any existing waste management sites must ensure that the quantity of waste to be managed is equal to or greater than the quantity of waste which the site is currently permitted to manage, or that the management of the waste is being moved up the waste hierarchy.

**8.35** The site is an existing waste site and therefore safeguarded for existing and future waste use. As required by policy, the re-build of the WTS building has been to the same dimensions as those previously approved which will ensure that the quantity of waste managed is equal to that previously received at the site.

**8.36 Policy WLWP 2** Location of Waste Development. This policy identifies that waste development proposals on existing waste management sites and the sites listed in Table 5-2 will generally be supported, provided that the proposals comply with the other WLWP

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policies and the boroughs' adopted development plans. The site is an existing waste site and due to the nature of the proposed development, a partial rebuild of an existing facility, is considered to comply with the Local Plan Policies.

**8.37 Policy WLWP 3** Ensuring High Quality Development. This policy identifies that waste development proposals will be required to demonstrate for both the construction and operational phases of the development, that any impacts of the development can be controlled to achieve levels that will not significantly adversely affect people and the environment. The policy lists the criteria required to be met. The site is an existing waste site and the waste transfer building that is the subject of this application was in operation for over 10 years before the damage sustained in the August 2022 fire. The impacts of this site have been considered in section 7 above and the development is considered to meet the criteria detailed in the policy.

**8.38 Policy WLWP 6** National Planning Policy Framework: Presumption in Favour of Sustainable Development. This policy identifies that when determining planning applications, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. As demonstrated in this Planning Statement, and in the review of the NPPF earlier within this section, the rebuilt WTS building constitutes sustainable development that provides an essential facility which is crucial to allow SUEZ to continue to provide waste services to Hillingdon Borough Council residents and the wider London area.

## **9 SUMMARY AND CONCLUSION**

- 9.1** Rigby Lane Waste Transfer Station is a long-established waste site which provides waste transfer services for both commercial waste and residential kerbside collections. The site also supports the waste and recycling services for Hillingdon Borough Council as the site receives some of the kerbside waste collected from residents in Hillingdon.
- 9.2** In August 2022 a fire broke out within the waste transfer station building. The damage to the building required the removal and replacement of all the steelwork and cladding of the previous building structure
- 9.3** This planning supporting statement accompanies a full planning application seeking retrospective permission to partially re-build the waste transfer station building which previously occupied the same footprint within the wider Rigby Lane site.
- 9.4** As detailed in Section 8, SUEZ has considered the planning policy implications of this application and confirms that the proposed development complies with both existing and emerging planning policy at national and local level, including the National Planning Framework.
- 9.5** It is not considered that this application will result in any adverse effects upon residential amenity or upon statutory designations.
- 9.6** Taking the above into account it is considered that the proposed development should be approved at the earliest opportunity.