

3 May 2024



Michael Briginshaw
Principal Planning Officer
Planning Department
London Borough of Hillingdon
2E/10 Civic Centre
High Street
Uxbridge, UB8 1UW

Mia Scaggiante
E: MScaggiante@savills.com
DL: +44 (0) 7976 415 803

33 Margaret Street
W1G 0JD
London

savills.com

Via Planning Portal

15-17 UXBRIDGE ROAD, HAYES, UB4 0JN
APPLICATION FOR TEMPORARY PLANNING PERMISSION
Planning Portal Reference: PP-12681486

Introduction

Further to our discussions, on behalf of Aventex Properties S.A. (the Applicant), please find enclosed a planning application for temporary planning permission for your consideration in relation to the site at 15-17 Uxbridge Road, Hayes, UB4 0JN “the Site” within the London Borough of Hillingdon (LBH).

Temporary planning permission is sought for the following:

“Temporary use of 15-17 Uxbridge Road for storage/builders merchants and associated temporary structures”

LBH is invited to impose an appropriate condition that the aforementioned temporary use and associated temporary structures would cease on or before 18 October 2025.

Application Documents

The documents submitted for approval are as follows:

- Site Location Plan;
- Proposed Drawings, prepared by Matthew Lloyd Architects, comprising:
 - Existing Ground Floor Plan, Drawing No. (URM 100);
 - Proposed Ground Floor Plan (URM 200);
 - Proposed Roof Plan (URM 201);
 - North Elevation Section A-A (URM 220);
 - East Elevation Section B-B (URM 221);
 - South Elevation Section C-C (URM 222); and
 - West Elevation Section D-D (URM 223).

This application is supported by the following documents:

- Transport Note, prepared by i-Transport; and
- Planning Statement (this letter), prepared by Savills (UK) Limited (Savills Planning).

In addition to the above, a completed **Application Form/Ownership Certificate** and **Community Infrastructure Levy Form** have also been supplied. The relevant application fee is being paid under separate cover.

All necessary information in which to validate the application are listed above.

Site Context

The Site is located on the southern side of Uxbridge Road (A4020), Hayes, in the London Borough of Hillingdon, with an area of approx. 2,408sqm or 0.2408 hectares – as illustrated in **Figure 1** below. It is approximately 300m east of the municipal boundary of Ealing.

It is subject to Public Transport Accessibility Level (PTAL) rating of 2 ('moderate') on a scale of 1 to 6, where 6 is the most accessible, and is designated as a Preferred Industrial Location within the Springfield Road Strategic Industrial Location.

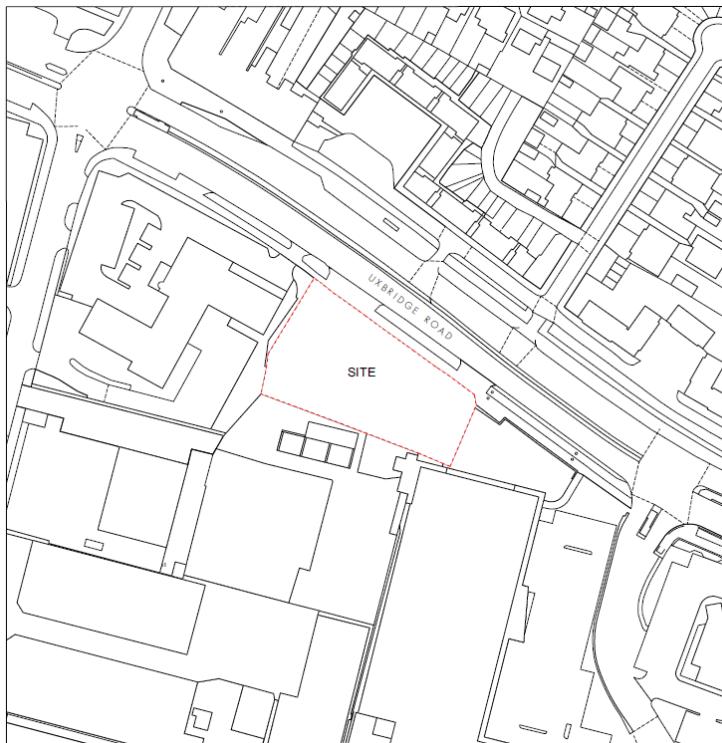


Figure 1: Site Location Plan

Background

The site has been a vacant plot for many years. On 13 September 2016, planning permission was granted for a ground plus 12 storey apart-hotel (ref. 69827/APP/2015/4719) ("the 2016 Permission"). A subsequent Certificate of Lawful Development ("the CLD") was granted on 3 June 2020 (Ref. 69827/APP/2020/1090) confirming that the 2016 Permission had been commenced via a material operation, and therefore the 2016 Permission has been commenced / implemented.

A separate application was granted planning permission on 18 November 2022 (ref: 69827/APP/2021/1565) for a different apart-hotel scheme with the following description of development ("the 2022 Permission"):

"Erection of a ground, mezzanine and 12 upper floors plus roof top plant and basement apart-hotel (Use Class C1) building to provide guest rooms and associated ancillary facilities, and associated landscaping/public realm works".

It is the Applicant's intention to implement the 2022 Permission in due course, prior to its expiry date of 18 November 2025.

On 11 August 2023 the Council issued a Planning Contravention Notice (PCN) in relation to an alleged breach of planning control for *"Unauthorised material change of use of land for the purposes of business activities"*. The PCN was subsequently completed and returned to the Council.

The Council was advised that the storage of scaffolding was undertaken in good faith as it was on a temporary basis only, providing an on-site presence to deter unauthorised persons trespassing the site, which has happened in the past. It should be noted that the removal of unauthorised persons and securing the site inevitably involved significant resources and time for the Applicant.

As soon as the Applicant is ready to begin the works (pursuant to implementing the 2022 Permission), the tenant will vacate the Site.

The Council subsequently invited the Applicant to submit an application for planning permission.

The Applicant wishes to positively work with the Council. As such, this application seeks to apply for a temporary planning permission for storage/builders merchant and associated temporary structures for a period up to 18 October 2025. This will ensure that the site is secure, and its activities and on-site presence will also seek to deter any future trespassing / unauthorised access to the site.

Proposed Temporary Use

It is proposed to use the Site on a temporary basis for storage/builders merchant. The site stores scaffolding, steel, wooden products, along with other building materials along with associated temporary structures.

There is access to the Site (from Uxbridge Road) via two existing crossovers at either end of the frontage. A central reserve on Uxbridge Road results in all vehicular traffic approaching from the east and exiting to the west.

There is a small number of vehicle movements to and from the site each day, with the tenant using pick-up vans to deliver to wholesale customers off-site.

The proposed operational hours are as follows:

- Monday to Friday from 7:30am to 5:30pm; and
- Saturday (7:30am until 1:00pm).

The operations would be closed on Sundays, Bank Holidays and Public Holidays.

Planning Policy Framework

In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004), planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

The development plan for the London Borough of Hillingdon comprises the following:

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

The National Planning Policy Framework (NPPF) 2023 does not form part of the development plan, but is a material consideration. The NPPF maintains the presumption in favour of sustainable development (paragraph 7) which is defined in paragraph 8 as incorporating economic, social and environmental objectives.

The London Borough of Hillingdon is currently undertaking a review of the Local Plan. The Council gathered evidence and prepared technical documents to support the review with a call for sites exercise taking place between 26 May 2023 and 29 September 2023. The next stage is the Regulation 18 consultation of the draft new Local Plan which has been approved by Cabinet on 21 March 2024. Draft Local Plan documents are expected to be released for public consultation imminently.

Planning Designations

Under the adopted Local Plan, the site is subject to the following designations:

- Within the Heathrow Opportunity Area (according to the indicative maps available from the GLA);
- Within the Ossie Garvin Air Quality Focus Area;
- Within Flood Zone 1; and
- Within the Springfield Road Strategic Industrial Location (Preferred Industrial Location).

Planning Considerations

Land Use Principle

Whilst the Site benefits from an extant permission via the 2016 Permission for an apart-hotel, and in due course intends to implement the 2022 Permission, this current application seeks temporary planning permission for use of the Site for use for storage/builders merchant. The background of the Site is outlined above.

The Site forms part of a wider designated Strategic Industrial Location (SIL) – Preferred Industrial Location.

Preferred Industrial Locations are defined in the adopted Local Plan Part 2 as follows:

“suitable for general industrial, light industrial, storage and distribution, waste management, recycling, some transport related functions and other industrial related uses (i.e generally Use Classes B1 (c), B2 and B8”.

Whilst a builders merchant is not specified in the Town and Country Planning (Use Classes) Order 1987 (as amended), it is typically classed a B8 (storage or distribution) and/or 'Sui Generis' which is akin to a B8 use.

Having regards to the above, there is clear in principle policy support for storage or distribution that is proposed to be used on a temporary basis. Whilst it is intended that the 2022 Permission scheme will be implemented and delivered, it is considered that the temporary use of the site for the storage of scaffolding / builders merchant is an appropriate temporary use in planning land use terms.

Access, Transport and Servicing

London Plan Policy T4 Assessing and Mitigating Transport Impacts states where required by national or local guidance, transport assessments should be submitted alongside development proposals where required under national or local guidance. It further outlines that mitigation of adverse transport impacts arising from development proposals are required where appropriate, either through direct provision, highways improvements or financial contributions.

LBH Local Plan Policy DMT 1 outlines that development proposals should address transport impacts in a sustainable manner by being accessible by public transport, provide safe, inclusive access and have no significant adverse transport, air quality or noise impacts. It notes that a Transport Assessment or Travel Plan will be required where development proposals meet or exceed the appropriate thresholds.

Local Plan Policy DMT 2 highlights that new development proposals should provide safe and efficient vehicular access, as well as safe access and facilities for cyclists without contributing to the deterioration of air quality or noise, or local amenity. Suitable mitigation measures are needed to address any traffic impacts.

London Plan Policy T7 sets out that development plans and development proposals should facilitate sustainable freight movement by rail, waterways and road. It further states that they should facilitate safe, clean, and efficient deliveries and servicing, with adequate space for servicing, storage and deliveries made off-street, with on-street loading bays only used where this is not possible.

Table 1 of LBH Local Plan Part 2 states that with regard to servicing and loading arrangements:

- (a) *Sufficient space for the standing and manoeuvring of all goods and service vehicles likely to serve the development at any one time is essential.*
- (b) *Development layouts should allow all vehicles to load/unload and enter and leave the site in a forward gear.*

Traffic Survey

A Traffic Survey, carried out by i-Transport dated 8 February 2024, has been submitted in support of this application for temporary use. The survey sets out the transport impact relating to the temporary use and compares this with the previously accepted transport impact as a result of the 2022 Permission. The Survey report concludes that there will be a net fall in trip generation when compared to the 2022 permission, and that the change of use is not expected to give rise to any adverse transport impacts. The survey demonstrates that the proposed temporary use would comply with Local Plan Policy DMT 1, ensuring that there are no adverse transport impacts from the proposed use. Access for pedestrians and cycles is also ensured along the existing access points making the development compliant with Local Plan Policy DM2. The use will also be compliant with London Plan Policy T7 by facilitating adequate space for servicing, storage and deliveries, off street which is show in the associated

drawings. The Traffic Survey report therefore highlights that the proposed use of 15-17 Uxbridge Road is compliant with the aforementioned policies.

Air Quality

LBH Local Plan Policy DMEI 14 (Air Quality) states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants. The policy further states that as a minimum development proposals should be at least air quality neutral, mitigate unacceptable risk from air pollution to sensitive receptors, and actively contribute towards the improvement of air quality.

The proposed temporary use of the Site will have a minimal impact on air quality in comparison to the 2022 permission since the vehicle movements shown in i-Transport's traffic survey are much less. Given there are no other emissions taking place on site as it is primarily for storage, it is considered that there would be no adverse impacts on air quality, and would therefore comply with Local Plan Policy DMEI 14.

Noise

London Plan Policy D14 (Noise) requires proposals to reduce, manage and mitigate noise to improve health and quality of life through mitigating and minimising the existing and potential adverse impacts of noise on, from, within and as a result of new development without placing unreasonable restrictions on existing noise-generating uses.

Local Plan Policy DMT 1 states that development proposals must ensure that they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents.

Given that the proposed use is temporary in nature, and by virtue of the Site's location within a SIL, its relatively small size (0.2 hectare) and its proximity next to a major arterial road which is heavily trafficked, any noise/disturbances associated with the temporary storage/builders merchant activities would be proportionate and also align with what is expected of such activities taking place within a SIL.

Consideration has also been given to the nearest residential receptors (i.e. the terraced housing) which are located opposite the Site, approximately 40 metres from the Site, and separated by a major arterial road. The latter includes four vehicle lanes, a bus lane, plus cycle and pedestrian paths on either side of the road. Having regards to these factors, any noise/disturbances arising from the temporary use are very likely to be masked by the noise from traffic.

In any event, any noise/disturbances could be ameliorated via a planning condition to restrict the operational hours. As noted earlier, the proposed hours of operation would be limited to between Monday to Friday from 7:30am to 5:30pm and Saturday (7:30am until 1:00pm). These hours of operation will mitigate any impact of the site's temporary use during peak times of day. The Applicant is happy to accept an appropriate planning condition.

Having regards to the above, it is not considered that there would be any adverse impacts on the amenities of the nearest residential properties, and the proposed temporary use of storage/builders merchant would therefore comply with London Plan Policy D14 and Local Plan Policy DMT 1.

Design and Amenity

LBH Policy DMHB 11: Design of the New Development states that all development will be required to be designed to the highest standards and incorporate principles of good design. Development proposals

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

The surrounding non-residential properties comprise of large scale warehouse type retail units and large parking areas to the South and East. The temporary structures reflect the storage/builders merchant activities. In this context, and by virtue of the Site's location within a SIL, the design is considered to be appropriate for its function.

Hoarding also encloses the temporary activities, which would therefore seek to reduce any visual impacts to residential neighbours who are located opposite. Given that the hoarding is some 2 metres high and located approximately 40 metres from the Site, there would also be no adverse loss of daylight/sunlight, and no adverse loss of privacy for the neighbouring residential occupiers.

The temporary use/associated structures would therefore comply with LBH Policy DMHB 11.

Summary

A temporary permission is sought for use as storage / builders merchant for a period up until 18 October 2025. It is considered the temporary use would be supported in planning policy terms by virtue of the Site's location within a SIL.

The proposed temporary use of the Site would also ensure that the site remains in active use in the interim period prior to the 2022 Permission is implemented. During periods left vacant, the Site has previously been subject to unauthorised access, which has resulted in unnecessary time and resources to remedying the matter. Therefore, the use of the site for storage/builders merchant for a temporary period would also provide natural surveillance and security.

There would be no adverse impacts in terms of noise and air quality and other disturbances, and any potential impacts to neighbouring occupiers can be ameliorated by a planning condition to restrict the operational hours. There are no other adverse impacts on residential amenity since the nearest residential occupiers are located approximately 40 metres away, and are separated by a major arterial road.

In accordance with section 38(6) of the Planning and Compulsory Purchase Act 2004, planning applications should be determined in accordance with the development plan unless other material considerations indicate otherwise.

For the reasons set out above, the temporary use and associated temporary structures would accord with the relevant policies, and we would respectfully request that temporary planning permission be granted. LBH is invited to attach an appropriate condition that the temporary use and associated structures would cease on or before 18 October 2025.

Should you require any further information, please do not hesitate to contact me at MScaggiante@savills.com or via phone on +44 (0) 7976 415 803.

Sincerely



Mia Scaggiante
Associate Director

Appendix A

Planning History

LBH Application Ref.	Description of Development	Decision Date
69827/APP/2021/1565	<i>Erection of a ground, mezzanine and 12 upper floors plus roof top plant and basement apart-hotel (Use Class C1) building to provide guest rooms and associated ancillary facilities, and associated landscaping/public realm works</i>	Approved 18/11/22
69827/APP/2020/1090	<i>Certificate of Lawful Development for an Existing Development to show that the Planning Permission granted under Ref: 69827/APP/2015/4719 (dated 13 September 2016) had commenced by 13 September 2019</i>	Approved 04/06/20
69827/APP/2015/4719	<i>The erection of a 2 to 12 storey (ground plus 12 storeys) apart-hotel (use Class C1), plus a basement level; 131 guest rooms; 38 car parking spaces; 23 cycle spaces; and associated facilities including a hotel lounge, meeting room space and gym.</i>	Approved 13/09/16
5519/APP/2009/2437	<i>Erection of part five and part nine storey mixed use building comprising of 44 residential units and 462m² of Class B1 floorspace, including ancillary amenity space, landscaping and car parking.</i>	Appeal Withdrawn 02/08/10
5519/F/85/0775	<i>Alterations to existing public house to form additional seating and bar areas, external alts.</i>	Approved 03/07/85
5519/D/80/0021	<i>Single storey extension and internal alterations [to the Waggon & Horses PH]</i>	Approved 06/02/80