

Our Ref: 22479/MM/TH
Your Ref: PP-11741643
Email: thumphries@firstplan.co.uk
Date: 19 January 2023

Planning Department
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW

Dear Sirs,

**PLANNING APPLICATION FOR NEW PLANT EXTRACT AND ASSOCIATED DUCTWORK AT
4 ESKDALE ROAD, UXBRIDGE UB8 2RT**

We are instructed by our client, Cloud IX Kitchens Ltd, to submit the enclosed planning application at the above site in association with the use of the site as a commercial kitchen facility.

This application has been submitted via the Planning Portal under reference PP-11741643. It seeks retrospective consent for new plant installed onsite following discussions with a member of the council's enforcement team, who was of the view that a submission would be needed to confirm that the level of noise control would be sufficient for the operation. Accordingly, the following documents are submitted in support of this application:

- Completed Application Forms including Certificate B;
- Design and Access Statement (prepared by Firstplan);
- Planning Statement (including in this covering letter);
- Completed CIL form 1;
- The following plans:
 - Location and block plans (ref: LT01);
 - Pre-existing and existing plans (refs: LT02, LT03, PT04 & PT05);
 - Pre-existing and existing elevations (refs: LT06 & LT07);
 - Pre-existing and existing sections (refs: LT08 & LT09);
- Kitchen and Ventilation Plans, prepared by Mullins Associates Group;
- Noise Impact Assessment, prepared by Sharps Acoustics; and
- Odour Assessment, prepared by Michael Bull and Associates Ltd.

The requisite application fee of £462 has been paid via the planning portal, together with the £32.20 admin fee. The remainder of this letter sets out our supporting statement regarding the application proposals.

Site and Surrounding Area

The site consists of a mid-terraced warehouse building accessed off Eskdale Road to the north. The Estate forms part of the wider Uxbridge Industrial Estate, which is designated as a Strategic Industrial Location (SIL). Photographs of the site and surrounding area have been provided at [Appendix 1](#).

The online planning history for the site is limited. Consent was granted in 2016 (ref: 71691/APP/2016/975) for works to Units 3a and 4, to include the part redevelopment of the site together with a first-floor rear extension. Whilst this development is understood to not have been implemented, the case officer, in their report, refers to the existing use of the buildings being as food preparation and supply facilities for the catering industry. They go on to recognise there being 2no. industrial scale extractor flue units associated with this use along the rear wall.

This corresponds with historic satellite imagery of the site, which shows this plant, depicted at figure 1, to have been in place since circa 2008, as shown at figure 2. They are therefore considered to be established development.



Figure 1. Extract along rear elevation

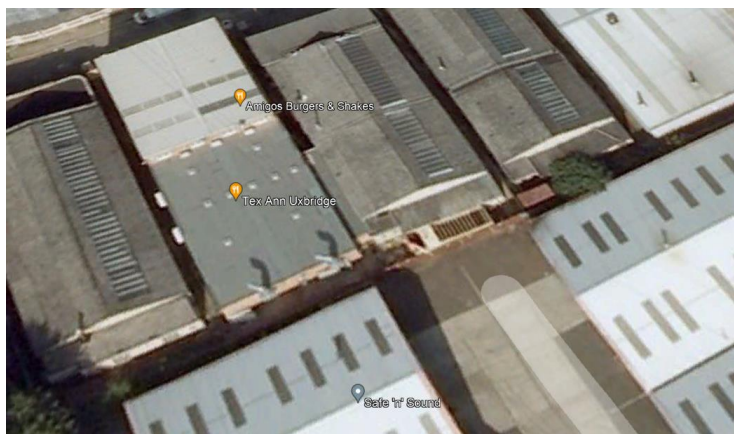


Figure 2. Aerial view of site from October 2008 (Google Earth)

Application Proposals

This application only seeks planning permission for the external extract equipment and minor modifications required to facilitate the use of this building as a commercial kitchen. The application proposals are detailed on the architectural drawings, prepared by Nasrt Abdelsaid Architects.

Specifically, this application is for the:

Installation of external plant, including 12no. new extract ducts and 3no. air intake vents, together with installation of an 18sqm storage unit to the rear.

As far as practically possible the plant equipment has been fully integrated into the design of the building, with the majority of the equipment routed and located internally. The external equipment is limited to the air intake vents and extract ducts along the rear and side elevations. The two extract ducts along the rear elevation, which continue to be used, have been present onsite since 2008 and accordingly consent is not required for these features.

The remaining works to the building are very minor and are required to facilitate the proposed use. They are located to the rear of the building and involve the creation of an 18sqm single-storey extension used for storage.

The proposed scheme has been designed to reflect the location of the site within a designated Strategic Industrial Location. The layout has been clearly set out in the proposed plans.

Planning policy considerations

The statutory development plan relevant to this planning application consists of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) together with the London Plan (2021). The National Planning Policy Framework (NPPF) (2021) is also a material consideration.

The NPPF (2021)

The NPPF provides overarching planning policy guidance for development across England. **Section 2** discusses Sustainable Development, which is defined as meeting the needs of present generations without compromising that of future ones. Indeed, the inherent purpose of the planning system is noted as contributing to the achievement of such development, with **Paragraph 10** stating that at the heart of the NPPF lies the presumption of favour of sustainable development. **Paragraph 11** affirms that in terms of decision-making, this is to equate to “*approving development proposals that accord with an up-to-date development plan without delay*”.

Paragraph 38 sets out that Local Planning Authorities should approach decisions in both a positive and creative manner and that they should work with applicants to secure development that will work to improve the economic, social and environmental conditions of an area, thereby setting the precedent that applications for sustainable development should be approved wherever possible.

Paragraph 47 further stipulates that applications are determined in line with the relevant development plan, unless material considerations indicate otherwise.

Section 6 contains guidance of achieving a strong and competitive economy. **Paragraph 81** states that:

“Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential”. (our underlining)

Paragraph 83 goes on to say that:

“Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations”. (our underlining)

In respect of design principles, **Paragraph 126** establishes that the creation of high-quality buildings and places is a pivotal component of the planning and development process, with good design forming a central facet of sustainable development. In line with **Paragraph 130**, proposals should: function well and contribute to the overall quality of an area; be visually attractive and responsive to the local character of an area whilst optimising the potential of the site.

The London Plan (2021)

Policy GG1 identifies the need to help deliver strong and inclusive communities within which a wide range of economic and other opportunities continue to be supported. **Policy GG2** goes on to emphasise the need to make the best use of land whilst also maximising the development potential of sites.

Design principles are provided at **Policy D4**, with **Policy D5** requiring development to achieve the highest standards of accessible and inclusive design. **Policy D12** requires that all developments ensure the safety of all building users with regards to fire safety.

Policy E5 states that SILs should be managed proactively, and opportunities should be explored to intensify and make more efficient use of land here. Development proposals within or adjacent to SILs should not compromise the integrity or effectiveness of these locations in accommodating industrial type activities and their ability to operate on a 24-hour basis.

Policy E7 identifies that development proposals should be proactive and encourage the intensification of business uses in Use Classes E(g)(iii), B2 and B8 occupying all categories of industrial land. This includes the introduction of small units and more efficient use of land.

Local Policy (Local Plan Parts 1 & 2)

Policy E1 sets out that the council will accommodate growth by protecting existing industrial land, including the SILs. **Policy DME1** goes on to say that the council will support employment proposals in SILs in accordance with the London Plan.

Policy BE1 defines that new development should achieve a high quality of design that reflects the local distinctiveness of the area. **Policy DMHB11** sets out that all development will be required to be designed to the highest standards of design.

Policy BE1 also identifies a need for development to protect the amenity of surrounding land and buildings, particularly residential properties.

Planning Considerations

Principle of the development

The application proposals comprise the necessary plant equipment and site modifications required to facilitate the occupation of this industrial building as a commercial kitchen for delivery with no public access. The building is located in an established and protected Strategic Industrial Location (SIL) and the use of the

site, which is facilitated by the works proposed under this application, is entirely consistent with the character of the surrounding area and its existing use. For these reasons the principle of the development is in accordance with guidance contained within the NPPF, London Plan and Local Policies E1 and DME1.

Impact of the proposals on surrounding amenity

Local policy BE1 sets out that development needs to protect the amenity of surrounding land and buildings, particularly residential properties. In this regard, the key considerations relevant to this application is the impact of noise and odour associated with the plant equipment – these are considered in detail below.

The bulk of the plant equipment used is routed and located internally within the building. This system is bespoke and has given careful consideration to the demands of the commercial kitchen operation, the nature of the cooking and the location of the site. It will appropriately deal with noise, fumes and heat emanating from the cooking process, together with a strict maintenance programme in line with manufacturers recommendations.

The unit is located centrally within an industrial estate within the Uxbridge SIL. The closest residential properties are located away from the site, along Cowley Mill Road to the north-east and this, together with the nature of the surrounding uses, means there are no vulnerable receptors in the near vicinity.

Notwithstanding this, the impact of the development on offices in the locality of the site has also been considered. It is understood that these offices are in operation between 08:00 – 17:00 Monday to Friday and appropriate mitigation has been incorporated into the design accordingly.

The acceptability of the development in noise terms is confirmed within the attached Noise Impact Assessment, which concludes that:

“There would be no adverse effects on residential amenity. With the recommended noise mitigation in place, noise emitted from the mechanical plant at the site would result in no adverse effects at any nearby premises.”

The air capture and containment system is designed specifically to prevent the spread of cooking fumes and heat. Details of the system are provided on the submitted HVAC plans. The external extract ducts all finish at roof level to the rear of the site in an area away from vulnerable receptors and therefore the filtered extract air is dispersed without any issues. To assess the acceptability of this system, an odour assessment has been attached, which concludes that:

“The vents provided are mounted at roof level and are over 250m from the nearest sensitive receptors. This separation distance is considered to provide adequate dispersion to result in a Low risk of odours at the residential properties.”

This conclusion is supported by the IAQM SPR approach that concludes that the potential odour risk for this proposed development would be Low

It is therefore concluded that the odour impacts from the operation are not significant.”

In the light of the above, the proposed extract has been appropriately designed, sited and specified to comprehensively treat and extract air emanating from the cooking process. The system has been installed, and will be maintained, to ensure that it meets the Council’s standards in regard to amenity, in accordance with Policy BE1. The application should therefore be considered acceptable in this regard.

Impact on the character and appearance of the building

Planning policy at all levels requires development to be of a high-quality that responds to the site's setting. In this case the application site is located centrally within a SIL.

The plant and ground floor rear extension have been suitably positioned within the existing massing of the building and accordingly are entirely in keeping with the character and appearance of the application building and its immediate context within the SIL.

In the light of this, it is clear that the application proposals are entirely suitable for the location, and are entirely in accordance with local policies in relation to design.

Conclusions

The principle of providing new plant equipment on the building is entirely acceptable given the industrial use of the building.

The applicant has commissioned a bespoke extraction system designed specifically for this site by their plant engineers, which has given careful consideration to the demands of the commercial kitchen operation, nature of the cooking and the location of the site. This includes highly-specialised plant equipment which appropriately deals with noise, fumes and heat emanating from the cooking process. As a result, the application proposals safeguard the amenity of the surrounding area and are consistent with national, London-wide and local planning guidance.

In the light of the above, the application proposals are consistent with all of the relevant planning policies and guidance at national, London-wide and local levels. This application should, therefore, be considered acceptable by the Council.

I trust that you have sufficient information in order to validate the application, however, should you have any queries then do not hesitate to contact me. Otherwise, I look forward to discussing the application proposals with you in due course.

Yours faithfully,



TIM HUMPHRIES

Associate

Enc.

Appendix 1 – Photographs of site and surrounding area



Image 1. Site frontage



Image 2. Rear of site



Image 3. View of site from Eskdale Road



Image 4. View of industrial estate along Eskdale Road



Image 4. View of industrial estate, looking down Arundel Road