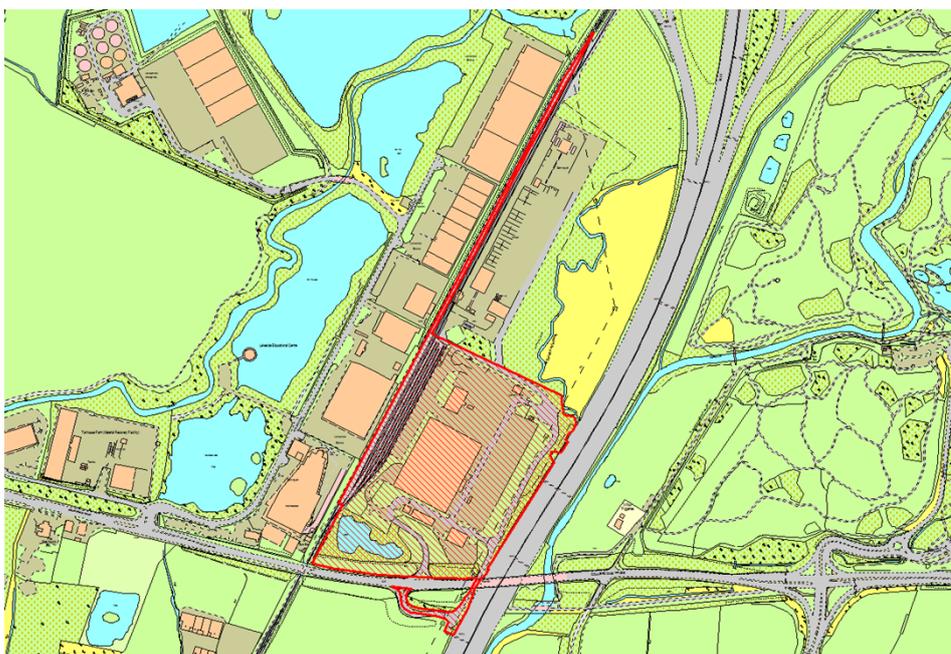


Registration Date:	08-Dec-2017	Application No:	P/12244/009
Officer:	Neil Button	Ward:	Colnbrook-and-Poyle
Applicant:	Devon Nominees (No,1) Limited	Application Type:	Major
		13 Week Date:	9 March 2018
Agent:	Mr. Benjamin Taylor, Barton Willmore 9th Floor, Bank House, 8, Cherry Street, Birmingham, West Midlands, B2 5AL		
Location:	Colnbrook Logistics Centre, Colnbrook Bypass, Slough, SL1 0EB		
Proposal:	Temporary logistics centre for the testing, screening, delivery, storage and assembly of materials and components related to the construction of Heathrow related development projects, incorporating administration buildings, rail sidings, gantry crane, cement building, and car and lorry parking. The provision of a temporary remote goods screening centre for goods entering Heathrow airport and secure screening of passengers prior to their entering of Heathrow Airport with associated storage. Means of access, drainage infrastructure, boundary treatments, landscaping and other ancillary works. (Change in Application Description - Revised Plans and Documents Received 15/01/2019)		

Recommendation: Delegate to the Planning Manager for approval subject to finalising conditions and any other minor changes.



1.0 **SUMMARY OF RECOMMENDATION**

- 1.1 Having considered the relevant policies set out below, and comments that have been received from consultees and neighbouring occupiers, and all other relevant material considerations it is recommended the application be delegated to the Planning Manager for approval subject finalising conditions and any other minor changes.
- 1.2 This application is to be determined at Planning Committee as it is an application for a major development.

PART A: BACKGROUND

2.0 **Proposal**

- 2.1 The proposed development comprises an application for retention of the temporary logistics centre for the testing, screening, delivery, storage and assembly of materials and components related to the construction of Heathrow related development projects, incorporating administration buildings, rail sidings, gantry crane, cement building, and car and lorry parking. The proposals also include the provision of a temporary remote goods screening centre for goods entering Heathrow airport and secure screening of passengers prior to their entering of Heathrow Airport with associated storage. Means of access, drainage infrastructure, boundary treatments, landscaping and other ancillary works.
- 2.2 Further to an initial planning assessment, the Application Description was amended to ensure that all of the current land uses, structures, operations and buildings were included within the scope of the application. Revised Plans and Documents were received by the Local Planning Authority on 15/01/2019.
- Use and Amount**
- 2.3 The proposals are for the retention of the Colnbrook Logistics Centre and the Remote Goods Screening Centre, which is currently let to Heathrow Airport Limited and contains 16,929m² GEA of existing floorspace within a range of buildings and structures (up to 10m in height) falling within Class B8 (storage and distribution) of the Use Classes Order (as amended).
- 2.4 **Colnbrook Logistics Centre:** The CLC is used for the delivery, storage, screening and assembly of construction materials for Heathrow-related construction projects occurring within Heathrow's Airport Boundary. At any one time, it is advised that Heathrow development may comprise 40-50 construction projects and this requires the reliable screening and storage function that the CLC provides in close proximity to the Airport. The storage and screening function takes place within the main warehouse building located in the centre of the site.
- 2.5 The applicant confirms that approximately 95% of materials for the construction programme pass through the CLC for safety checks,

consolidation and screening. In addition, approximately 95% of the storage on Site is used for construction-related activities. The applicant suggests that approximately two thirds of the area in the main warehouse is currently used for construction purposes, with bulky goods laid down and smaller ones kept on racking. Some 'contingency space' is left to accommodate new materials and provide manoeuvrability for vehicles that transfer them. All materials need to be screened in line with tight security regulations imposed by the Civil Aviation Authority (CAA) and Department for Transport (DfT). The corresponding screening area has been designed to ensure appropriate sized vehicles to pass through it.

- 2.6 **Remote Goods Screening Centre:** The Remote Goods Screening Centre (RGSC) is located within the main warehouse alongside the construction logistics operations. The RGSC screens materials for alternative airport-related uses, to ensure the safe and efficient operation of the Airport. All goods screened at the RGSC go to Heathrow Airport. All items go through screening machines before they are consolidated and loaded on to lorries and secured so that no one can tamper with them before they go airside.
- 2.7 The proposed RGSC also includes a secure passenger screening area where individuals and their baggage/goods are screened before they are taken airside onto the aircraft. The secure passenger screening is carried out in Bay 6 within the RGSC and screens approximately 400-450 passengers per month, before passengers are moved on to detention centres located elsewhere. The screening process for secure passengers and their goods is similar to construction goods, which the applicant contends is why these are rationalised at the Site.
- 2.8 **Rail Sidings and Gantry Crane:** The rail sidings and gantries were first developed as part of the Terminal 5 construction strategy to deliver as much construction material by rail as possible. These were again brought into use with the development of Terminal 2. The applicant suggests this infrastructure will again be needed for the future planned expansion of Heathrow Airport Limited's construction strategy (including for the Third Runway). Although this infrastructure is not in use, the applicant advises that it serves an important function for major construction activity both in terms of the site preparation works and when the construction activities are underway at the Airport.
- 2.9 **Cement Building:** The cement building is currently used for the storage of bags/luggage for the airport baggage system testing and the Applicant has agreed to remove the bags from the cement store but is seeking the retention of the building. The applicant advises that the cement building will be critical to the expansion of the airport and will be used for the construction of the expanded airport infrastructure as well as the significant amount of new road and utility infrastructure required to be replaced.
- 2.10 **Welfare Building:** The welfare building is used for staff welfare, communal changing rooms and dining facilities, briefing sessions, by all shift staff. The facilities contain staff lockers, showers, toilets. The applicant suggests this facility will be upgraded and used to a greater extent than seen today due to the increased number of construction operatives on site. The building is located at the front of the site adjacent to the Integrated Test Facility and Administration Buildings. This building was not on the site at the time the previous temporary permission was issued, and therefore, it comprises a new structure associated with the site wide development, and as such, it forms a part of the planning application.

- 2.11 **Integrated Test Facility (ITF) and Administration Buildings:** The ground floor of the admin building is used for the Integrated Test Facility (ITF) with ancillary office floorspace. The ITF provides IT control systems and testing facilities for development projects at the Airport. HAL is currently working on major redevelopment projects to increase passenger capacity prior to the expansion of the third runway. For example, Terminals 3 and 5 are required to be redeveloped to increase passenger capacity. This project requires extensive remodelling of facilities such as the baggage systems, check-in and security systems. All of these areas have material technology implications that have to be tested and assembled at the ITF prior to being first installed on site. Therefore, the ITF at the Site is a component for the early expansion works and will aid design, testing and assembly of important components when installed at the Airport. The first floor of the admin building is used as ancillary office space to support the Logistics Centre and Remote Goods Screening Centre. These buildings were not on the site at the time the previous temporary permission was issued, and therefore comprise new structures, linked to the development and as such, they now form a part of this planning application.
- 2.12 **Access and Parking Provision :** Access to the Site will remain as existing via left in/left out slip roads on the Colnbrook Bypass (A4) in both directions. There are also two internal accesses within the Site which will be retained as part of the proposed development and provide separate access to the Colnbrook Logistics Centre and the Remote Goods Screening Centre. There is a holding area on Site where vehicles wait to be escorted to the Airport. The vehicle parking will remain as existing on Site and other than deliveries, the only car parking is for employees working at the Site and visitors to the Site. It is understood that no changes to this provision are sought in the application.
- 2.13 **Landscaping:** Landscaping is provided on the Site's eastern and southern boundaries which helps filter views of the buildings and this will be retained and managed through the continued use of the Site. Drawing no. 24968 APP-E10-03 illustrates 2.0-3.2m high boundary fencing and 1.2m high metal railings which also forms a part of the development and permission is sought for their retention.
- 2.14 **Drainage:** A Flood Risk and Surface Water Drainage Technical Note (July 2017) has been prepared by Peter Brett Associates which contains details of the site drainage. The FRA assesses the Site's flood risk and existing drainage strategy. The Technical Note confirms that there will be no change to the existing peak surface water runoff rates or volume of runoff.
- 2.15 **Hours of Use:** The Site will operate on a 24-hour basis with limited night-time deliveries and vehicle movements. The night-time deliveries are required to be made to the retail units at Heathrow Airport that can only accept deliveries when the terminals are closed to passengers at night.
- 3.0 **Application Site**
- 3.1 The Site occupies approximately 9.78 hectares of land on the north side of the Colnbrook By-pass. Heathrow Airport lies to the east separated from the Site by the M25. The Site falls wholly within SEGRO's ownership and is currently let to Heathrow Airport Limited (HAL).

- 3.2 The Colnbrook Logistics Centre comprises existing buildings (with a cumulative floor area of 16,929m² GEA) as well as a Remote Goods Screening Centre (RGSC); administration buildings, rail sidings, cement building, and car and lorry parking areas.
- 3.3 Whilst the Site and immediate surroundings are located within the Green Belt, Strategic Gap and Colne Valley Regional Park on Slough's Local Development Framework Proposals Map, the construction of the CLC and ancillary works means that the site has a developed character. The applicant sought to apply for a new temporary planning permission in December 2017 to extend the timeframe for the operations of the logistics facilities, in advance of the expiry of the former temporary permission. However, under Condition 1 of the now expired temporary planning permission, the Site's permitted use has ceased and all buildings, equipment and hard surfaces were scheduled to be removed by 31st December 2018 under the terms of the extended temporary permission. The purpose of this application, which was submitted before the planning permission expired, is to retain all of the buildings and uses on the site for a further 5 year period.
- 3.4 The Site is connected to the strategic road network and is located with access to the Colnbrook By-pass, M25 and M4. The facility has been located in close proximity to Heathrow Airport to support operations, including construction works at the airport.
- 3.5 The Environment Agency Flood Maps indicate that the Site falls within Flood Zone 1 (Low Probability – land assessed as having a less than 1 in 1,000 annual probability of flooding from rivers and sea). However, maps provided as part of Slough's Strategic Flood Risk Assessment show a small area of Flood Zone 3 (High Probability – land assessed as having a 1 in 100 or greater annual probability of river flooding) within the Site, associated with Bigley Ditch that flows along the eastern boundary. The submitted Flood Risk and Surface Water Drainage Technical Note advises that as this was based on historic modelling undertaken in 2010 and it is superseded by the Environment Agency data.
- 3.6 There are no designated heritage assets located within the Site or within its immediate vicinity.
- 3.7 With regards to the immediate surrounding area, an Asphalt-Plant Industrial site to the north east of the Site was granted permanent planning permission in 2007 (Ref: P/11133/010). In 2011, a new permission was granted (Ref: P/11133/013) to replace the existing planning permission for the erection of an Asphalt Plant, reconfiguration of storage bays, office block, workshop and associated pack up. Both developments are within the Green Belt.
- 3.8 The Grondon Waste to Energy Plant is located to the west of the Site and beyond this lies the Poyle Industrial Estate, designated as an Existing Business Area on Slough's Local Development Framework Proposals Map.
- 4.0 **Relevant Site History**
- 4.1 The relevant planning history for the site is set out below and this demonstrates that the Site has an extensive and complex planning history. The Site has been in use as a B8 Storage facility under the temporary planning permission since 2003.

- Ref: P/12244/000
- 4.2 The Site was originally granted temporary planning permission in 2003 by the Secretary of State. This related to the erection of a logistics centre for the delivery, storage and assembly of materials and components related to the construction of Terminal 5, incorporating, inter alia, rail sidings, bulk powder storage facility, steel reinforcement fabrication facility, administration buildings with car and lorry parking.

- Ref: P/12244/006
- 4.3 Conditions 7, 8 and 18 of Temporary Planning Permission P/12244/000 were varied in January 2007 to enable the use of the site for other Heathrow-related projects (i.e. not just Terminal 5) as well as allowing a limited number of night-time road movements from the Site.

- Ref: P/12244/007
- 4.4 In 2010, Temporary Planning Permission P/12244/007) was permitted to extend the period of the temporary use. This requires all buildings, equipment and hard surfaces to be removed not later than 31st December 2018.

Nearby Planning History

- 4.5 With regards to the immediate surrounding area, an Asphalt-Plant Industrial site to the north east of the Site was granted planning permission in 2007 (Ref: P/11133/010) but remains in the Green Belt. In 2011, a new permission was granted (Ref: P/11133/013) to replace the existing planning permission for the erection of an Asphalt Plant, reconfiguration of storage bays, office block, workshop and associated pack up. For the avoidance of doubt, this is a permanent planning permission for industrial use in the Green Belt.

5.0 **Neighbour Notification**

- 5.1 In accordance with Article 15 of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) a site notice was displayed outside the site on 18th December 2017 and a press release was published in the Slough Express. The application was subsequently advertised again in the Slough Express on 18th January 2019 and 3 x further site notices were placed outside the site on the 18th January 2019. The application has been advertised as being a Major Development which is a departure from the Development Plan.

- 5.2 No objections have been received.

6.0 **Consultations**

- 6.1 Colnbrook with Poyle Parish Council
Objection (to original consultation). Terminal 5 is already built and there is no need to extend the permission. CLC is located in green belt in strategic gap and there needs to be a national need to support the development.
- 6.2 Aircraft Safeguarding (Heathrow Airport)
No comment
- 6.3 Thames Water
No comment

- 6.4 London Borough of Hillingdon
Objection to proposals on the grounds of inappropriate use in the Green Belt
- 6.5 Network Rail
Network Rail has no objection in principle to the above proposal but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway, planning conditions are recommended to ensure the asset protection. The site plan suggests that track is being recovered as part of the scheme. This needs to be removed and the connection to the removed sidings needs to be recovered and relayed in plain line so Network Rail is not left with redundant S&C.
- 6.6 Lead Local Flood Risk Authority:
No objections
- 6.7 Air Quality Officer
No objections subject to a reduced cap on the HGV movements, a damage cost contribution towards implementation of measures within the Local Air Quality Action Plan and a condition requiring use of Euro VI vehicles in accordance with the AQAP.
- 6.8 Environmental Protection
No objections
- 6.9 Transport and Highways
No objections subject to a reduced cap on the HGV movements.
- 6.10 Contaminated Land
No objections subject to a Watching Brief condition.

PART B: PLANNING APPRAISAL

- 7.0 **Policy Background**
- 7.1 National Planning Policy Framework (2019) and National Planning Policy Guidance:
- Paragraph 11 of the NPPF states that decisions should apply the presumption in favour of sustainable development which means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed (footnote 6); or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Footnote 6 (referred to above) notes that the policies referred to are those

in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 176) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change.

Paragraphs 80-84: A key aim of the NPPF is to build a strong and competitive economy.

Paragraph 80 states that '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.

Paragraph 82 further states that planning 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 suitable and accessible locations.

Paragraphs 102-111 (Section 9) of the NPPF relates to 'promoting Sustainable transport' and requires all developments that generate a significant amount of movement to provide a Travel Plan and be supported by a Transport Statement or Transport Assessment.

Paragraph 109 states that development should only be prevented or refused on highways grounds if there would be unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph 104 of the NPPF states that planning policies should provide for any large-scale transport facilities that need to be located in the area, and the infrastructure and wider development required to support their operation, expansion and contribution to the wider economy. Footnote 42 of the NPPF identifies that examples of large-scale transport facilities include ports, airports, interchanges for rail freight, public transport projects and roadside services.

Paragraphs 133-147 (Section 13) relates to 'protecting the Green Belt' and Paragraph 133 confirms that the Government attaches great importance to Green Belts.

Paragraph 143 identifies that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'.

Paragraph 144 states that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Paragraph 163 states that, where appropriate, applications should be supported by a site-specific flood risk assessment. Footnote 50 of the NPPF advises that a site-specific flood risk assessment should be provided for proposals involving sites of 1 hectare or more.

Paragraph 170 states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. In addition, planning decisions should prevent development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability.

Paragraph 181 identifies that planning decisions should sustain and contribute towards compliance with relevant limit values or national

objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement.

7.2 The Slough Local Development Framework, Core Strategy 2006 – 2026, Development Plan Document, December 2008

Core Policy 1 - Spatial Vision and Strategic Objectives for Slough
Core Policy 2 Green Belt and Open Spaces
Core Policy 5 - Employment
Core Policy 7 – Transport
Core Policy 8 – Sustainability and the Environment
Core Policy 9 – Natural and Built Environment
Core Policy 10 - Infrastructure
Core Policy 11 – Social Cohesiveness
Core Policy 12 – Community Safety

7.3 The Adopted Local Plan for Slough 2004 (Saved Policies)

Policy EN1 – Standard of Design
Policy EN3 – Landscaping Requirements
Policy EN5 – Design and Crime Prevention
Policy EN34 – Utilities Infrastructure
Policy T2 - Parking Restraint
Policy T8 – Cycling Network and Facilities
Policy T9 – Bus Services
Policy CG1 - Colne Valley Park
Policy CG9 - Strategic Gap

7.4 Other Relevant Documents/Guidance

Slough Borough Council Developer's Guide Parts 1-4
Proposals Map
Airports National Planning Policy Statement (June 2018)

7.5 The planning considerations for this proposal are:

- Principle of development
- Impact on the character of the area
- Highways/Transport and parking
- Environmental Impact
- Impact on amenity of neighbouring occupiers

8.0 **Principle of development**

8.1 The proposed temporary buildings and uses constitute inappropriate development within the Green Belt which is considered to be contrary to the Development Plan for Slough Borough Council (Core Strategy Policies CP1 and CP2 and Local Plan Policies CG1 and CG9). Notwithstanding this, Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission are determined in accordance with the development plan unless material considerations indicate otherwise. In this instance, it is considered that there are Very Special Circumstances which demonstrate there are other material

circumstances that need to be taken into account, notwithstanding the development plan provisions.

- 8.2 Of particular significance is the Airports National Policy Statement (NPS) approved by parliament in June 2018 which sets out the Governments preference for a new northwest runway at Heathrow. The emerging plans, which has the support of Slough Borough Council, would result in permanent development on the application site. This would result in the loss of the Green Belt as a result of the Heathrow Airport expansion and the need to decommission elements of the Logistics Centre. It would also result in the potential need to retain particular functions on the Logistics Centre to assist with the construction of the airport expansion. The NPS directing the creation of a Developments Consent Order (DCO) for the proposed expansion indicates that there is some degree of certainty that the expansion plans will take place, and that the CLC may be required to assist with construction of the third runway and associated infrastructure.
- 8.3 The Very Special Circumstances are set out in this report below and a Planning Balance has been carried out in order to consider how these Very Special Circumstances provide material considerations that lead officers to conclude that it is permissible to recommend approval, notwithstanding the provisions of the Development Plan.
- 8.4 The report below will set out an assessment against different aspects of the relevant planning policies, relevant to the determination of the application. However, in terms of the principle of development, the report confirms that the proposal will result in a number of positive, adverse and neutral impacts and the positive impacts are weighed against the adverse impacts in the planning balance.
- 8.5 In setting out the principle for the development, it is recognised that the proposals will provide significant benefits toward building a strong competitive economy by virtue of the contribution the site makes in the operation of Heathrow Airport which comprises infrastructure of a national and local importance (in terms of employment, economic growth and construction). The development provides short term benefits in terms of employment provided on the site, and off-the site associated with the construction projects at Heathrow Airport. These are referred to throughout the applicant's Very Special Circumstances Report and Planning Statement. The construction projects vary in size, however, the larger construction projects at Heathrow Airport are considered to create long term benefits in terms of economic growth (locally and nationally). Therefore, it is considered that the proposals would make an important permanent positive impact that is significant in NPPF terms.
- 8.6 The adverse impacts that weigh against the benefits relate to the actual and visual harm to the Green Belt and Strategic Gap, and the traffic impacts which result in some limited harm to air quality conditions (by reason of HGV movements).
- 8.7 In NPPF terms, there would be some harm to conserving the natural environment, preserving the Green Belt and achieving well designed places as a result of the development. Officers consider that the adverse impacts can be tempered by virtue of the non-permanent nature of the proposals, and therefore as the development would not result in lasting and permanent impacts to the Green Belt or Strategic Gap, and air quality

conditions, the level of harm reduces accordingly. It is concluded therefore, that the adverse impacts which weigh against the proposal are limited, and therefore not significant in NPPF terms, when weighed against the significant benefits to the local and national economy which the proposals would bring about. In consideration of the Very Special Circumstances identified by the applicant, it is considered that the proposed harm to the green belt and strategic gap are justified, in order to adhere to the overall guidance set out in the NPPF Chapter 13 (particularly paragraphs 143-146).

- 8.8 In coming to a view on the principle of development, it is also considered that there are a number of neutral considerations (in terms of the NPPF guidance) such as promoting sustainable transport, making effective use of land, meeting the challenge of climate change, conserving the historic environment, promoting healthy and safe communities and residential amenity (which amount to an absence of harm on these matters).
- 8.9 In conclusion, it is considered that the proposals which contribute towards the operations and expansion of nationally significant infrastructure and would not result in lasting and permanent damage to the environment (subject to appropriate environmental controls) in accordance with the NPPF when taken as a whole, and the limited adverse impacts (given the temporary nature with appropriate mitigation to reduce the overall extent of the impacts) are therefore capable of being outweighed by the significant benefits to arise out of the development. It is considered that although there are relevant policies which apply to the determination of the development (eg: policies in the Local Plan relating to Green Belt and Strategic Gap); on balance, the harm is capable of being minimised in the medium to long term (on expiry of the temporary permission); therefore the adverse impacts would not outweigh the significant benefits on the basis of a non-tilted balance thereby complying with para 11 of the NPPF which requires a presumption in favour of sustainable development. Once these factors are taken into account, it is considered that there are material circumstances which result in there not being a clear reason for refusal (in accordance with NPPF para 11(d) (i)).

Other Material Considerations

- 8.10 In addition to the above conclusions on the planning balance, it is considered that weight can also be given to other material considerations in the determination of the application. In this case, it is considered there are a combination of factors which together form valid material considerations that form the basis for determination of the planning application, in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

Very Special Circumstances

- 8.11 In line with the requirements of Core Strategy Policy CP1 and national planning policy guidance, a Very Special Circumstances Report (December 2018) has been prepared by the applicant, which sets out the justification for development in the Green Belt. The VSC report considers the following issues are of significance which are summarised as follows.

Heathrow Airport Expansion

- 8.12 Significant progress has occurred in the pre-planning stages in connection with Heathrow Airport's expansion including Parliamentary Approval in June 2018 which provides sufficient long term direction that the site is likely

to be required for (1) part of the third runway; and (2) for construction logistics facilitating the construction. Therefore, were the council minded to refuse the application, the buildings and structures would need to be demolished and the site restored to a green field which would also be temporary, given the site is required for part of the runway. In any case, it is the likelihood that the long term status of the site is to be 'developed' land, and therefore refusal of this application would be inconsequential in terms of achieving the long-term objectives of the council's Green Belt and Strategic Gap policies. It is also considered, were the site returned to its former condition, the works involved include removing parts of the rail lines and gantry cranes which are likely to be needed for the Heathrow Airport expansion construction. Therefore, by taking a stricter approach to applying green belt/strategic gap policies, and refusing the proposals, this would directly contradict and act as an impediment to the airport expansion plans by requiring the identification of a further site or sites to accommodate the construction logistics operations. Such further impediments are wholly unnecessary in officer's opinion, when there is an established site (in planning terms) for construction logistics operations.

Planning History and the Principle of Development

- 8.13 The principle of development for the facility within the Green Belt has been established by the planning history which permitted construction related activities and non-construction related activities – the applicant has provided evidence justifying the need for the newer on-site structures and uses which officers consider provides a satisfactory case for their need;

The Need for the Facility

- 8.14 An identified and significant need (for the functions to operate) at this location, close to the airport has been established and it is suggested the facility plays a crucial and highly specialised role servicing the Airport intrinsically linked to its location. The need for airport-related development at this location is evident from Spatial Option I of the emerging Slough Local Plan, which considers the release of Green Belt land in Colnbrook for such purposes even in a two runway 'business as usual' growth scenario.

Essential to 'this location'

- 8.15 It has been demonstrated that the facility is 'essential to be in this location' in line with Core Policy 2 of the Slough Core Strategy DPD and by moving the facility further away could make operations less effective and unsustainable due to the nature of its operation which requires that the facility must be sufficiently large in size to cope with the volumes of bulky goods that pass through the facility; within 3 miles of Control Posts 18 and 19 given the need for escort vehicles associated with screening, the need for responsiveness to the Airport's airside demands and aspirations to limit air quality and highways impacts and capable of operating 24 hours a day without unacceptable impacts on residential amenity.

Lack of Alternative Sites for the Uses

- 8.16 There is a demonstrable lack of alternative sites for the current functions and operations. An assessment of alternative locations in Slough Borough Council, Spelthorne Borough Council, and the London Boroughs of Hounslow and Hillingdon has been undertaken supplemented by specialist market agent advice. No suitable alternative locations have been identified and the conclusion drawn is that the facility is 'essential to be in this location.' For the avoidance of doubt, officers consider that both aspects of 'essentiality' referenced in the SIFE High Court Judgement are satisfied, i.e. (1) the facility is essential in itself and (2) it is essential to be in this

location by reason of its operational attributes, locational needs and market it serves, and a lack of suitable alternative locations.

Economic Benefits

- 8.17 The applicant has submitted evidence that the proposals would contribute towards the creation of significant economic benefits including job retention, multipliers and business rate income estimated at £5.4 million over the proposed five year period. Such economic benefits are encouraged within the NPPF (2019).

Green Belt and Landscape Impact

- 8.18 The temporary nature of the proposal limits any long-term impacts on the openness of the Green Belt. Furthermore, the Site is assessed as having low landscape sensitivity due to its predominantly developed character and existing urbanised context, and its physical attributes are considered appropriate for accommodating the type of proposed development without severely damaging the character of the area or the strategic functions of the Green Belt.

Use of Conditions

- 8.19 Through the appropriate imposition and adherence to planning conditions and planning obligations it would be possible to further reduce harm as a consequence of the temporary development by securing controls that reduce impacts on the long-term openness and permanence of the Green Belt, lighting impacts on the Green Belt and wider area, visual impact upon the Colne Valley, traffic impact upon nearby residential properties and air Quality impacts on receptors in the Brands Hill AQMA.

- 8.20 The applicant has provided a comprehensive explanation of the very special circumstances in the VSC report which has been reviewed by officers. It is considered sufficient evidence has been put forward by the applicant to justify the very special circumstances, which is recognised to be a high hurdle that needs to be overcome, before considering whether to permit inappropriate development in the Green Belt.

- 8.21 In summary and in light of the above, It is considered that the Applicant has provided a detailed and robust very special circumstances case that justifies this development within the Green Belt for a further five-year period. The existence of such very special circumstances provides sufficient grounds to determine the application, under other material circumstances in accordance with S38 of the Planning and Compulsory Purchase Act 2004.

9.0 **Design and Impact on the character of the area**

- 9.1 Local Plan Policy EN1 Development proposals are required to reflect a high standard of design and must be compatible with and/or improve their surroundings in terms of: scale, height, massing/Bulk, layout, siting, building form and design, architectural style, materials, access points and servicing, visual impact, relationship to nearby properties, relationship to mature trees; and relationship to water courses. Poor designs which are not in keeping with their surroundings and schemes which result in over-development of a site will be refused.

- 9.2 The design and landscaping proposed reflects what currently exists on site. The Colnbrook Logistics Centre has been in operation since 2003.

Additional ancillary floorspace has been introduced within the new Welfare Building, the Integrated Test Facility and Administration Buildings (although the new buildings are not subject to the previous approval). It is considered that the scale and external appearance of the buildings are not out of character with the surrounding commercial development that includes the Grondon Waste from Energy facility and other large units on Lakeside Road and Poyle Industrial Estate. Furthermore, the existing landscaping on Site will be retained and managed through the continued use of the Site.

- 9.3 Notwithstanding the above, it is considered the warehouses, structures, infrastructure (including the rail line sidings and gantry), site fencing and hardstanding areas combine to create a distinctly industrial character which would not normally be considered sympathetic to the character of the Green Belt or Strategic Gap, in terms of materials, scale, layout and appearance. The additional structures added post 2010 are located at the south-western part of the site and sit at a lower level to the main warehouse building. These buildings would be read alongside the warehouse building and surrounding structures but would not significantly affect the overall appearance of the site. The visual impact would not worsen as a result of the new structures and therefore, no concern is raised in regards to the additional buildings.
- 9.4 A Landscape and Visual Appraisal (LVA) and Green Belt Review (September 2017) has been prepared by the applicant which details the landscape character, landscape value and visual envelope of the Site. The Appraisal considers that the Site is considered to be of low sensitivity due to its low value and low susceptibility to the type of development proposed. The Appraisal notes that the Site is strongly influenced by the surrounding urban context; not least the Lakeside Waste to Energy building to the west, with the audible intrusion of planes overhead substantially reducing any perceived level of tranquillity.
- 9.5 The LVA notes that the Site has a flat topography and views of the Site are limited to the immediate vicinity. Officers acknowledge there are limited views of the site from surrounding public areas and views of the Site are obstructed by intervening built forms. As such, notwithstanding the Green Belt/Strategic Gap location, there is an established urban context to the surrounding area. Where the Site is visible, it is seen in the context of existing development, including the M4 and M25 Motorways, Heathrow Airport and the large-scale built forms adjacent on Lakeside Road.
- 9.6 Notwithstanding the above, the functional design and appearance of the site (in its current form) does not contribute in a positive way to the setting (or Green Belt or Strategic Gap designation), although the harm is tempered given the nearby urban features such as the M25, nearby raised highways and industrial sites. Although the buildings do not create good quality architecture, their form is functional and this does not appear wholly out of context. It cannot be said therefore that the buildings are poor quality in the context of Local Plan Policy EN1. Turning to Policy CG1 which requires a presumption against permitting development within the countryside or open areas within the Colne Valley Park, it is considered that the development does not fall within either of these criteria. Therefore, strict adherence to the policy need not apply. Notwithstanding this, the proposals include some limited landscape mitigation on the site. The landscape provisions are basic and rudimentary but assist softening the built appearance at the boundaries which is consistent with the former planning approvals. Circumstances are not considered to have changed

(from when the previous temporary permission were issued) to a degree which requires additional landscaping and therefore, the landscaping provisions is considered to be in accordance with Local Plan Policy EN3, and CG1.

- 9.7 It is considered that the appearance only results in a temporary minor adverse impact to the surrounding environment given the development is temporary, and the adverse impact is capable of being reduced to a neutral overall effect when the uses cease (on expiry of permission), the buildings are removed and the site is restored to a field (which can be conditioned).
- 9.8 Notwithstanding the temporary nature of the proposals, it is also noted that the site is allocated as part of the Heathrow Airport expansion with parts of the potential third runway protruding into the site. Therefore, there are unlikely to be any long term impacts and no lasting effect on the character of the area as a result of the development (if the airport expansion takes place). Furthermore, and as this report has noted in earlier sections, parts of the site (such as the cement building, the rail line and gantry cranes) may be required to assist the development of the airport expansion and therefore, providing valuable functions and operational purposes to a nationally significant infrastructure project.
- 9.9 Although there are considerations which are capable of addressing design and landscape policies in the local plan, there remains a fundamental conflict with Policy CG9 of the Local Plan and Policies CP1 and CP2 of the Core Strategy (2006-2026). In respect of the Local Plan, policy CG9 states that any proposal which threatens the clear separation or the role of open land within the strategic Green Belt gap between the Slough urban area and Greater London will not be permitted. Core Strategy Policy CP1 states that all development will take place within the built up area, predominantly on previously developed land, unless there are very special circumstances that would justify the use of Green Belt land. It also states that a strategic gap will be maintained between Slough and Greater London. Core Strategy CP2 states that Development will only be permitted in the Strategic Gap between Slough and Greater London and the open areas of the Colne Valley Park if it is essential to be in that location.
- 9.10 As noted in paragraph 8.1, it is considered that the proposals are contrary to the thrust of these policy provisions, although it is noted (1) there are very special circumstances to justify the use of the Green Belt land (established in this report) and (2) there are strong arguments for the proposed temporary uses within the location in the strategic gap (in light of the operational requirements of Heathrow Airport). Notwithstanding these matters, it is considered there is a conflict with the Local Plan and therefore in accordance with S38 of the Planning and Compulsory Purchase Act 2004, it is necessary to consider whether there are any other material planning considerations which exist to justify permitting the development.
- 9.11 With regards to Local Plan Policy EN5, the Site has a number of manned gatehouses with access to CCTV images. CCTV cameras are fixed to see images of the whole site and keep it secure. The staff car park has a manned security box which monitors vehicles on entry and leaving the Site. HGV's must pass through rise and fall barriers and gatehouses. The above provisions ensure the site is appropriately designed to minimise risk of crime in accordance with Local Plan Policy EN5.

9.12 In conclusion, the proposals are considered to be in compliance in with 'saved' Policies EN1, EN3 and EN5 of the Local Plan for Slough; Core Policies 8 and 12 of the adopted Core Strategy DPD; Section 12 of the NPPF (2019) and the relevant design guidance in the PPG in respect of design and the impact on the area. The short term harm which occurs as a result of the adverse impacts is considered to be outweighed by the Very Special Circumstances established in this report, and provides justification to depart from the Local Plan policy CG9 and Core Strategy policies CP1 and CP2 in respect of the elements of non-compliance arising from the harm to the green belt and strategic gap.

10.0 **Highways/transport and parking**

10.1 Paragraph 108 of the NPPF 2019 states that in assessing specific applications for development, it should be ensured that:

- a) Appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
- b) Safe and suitable access to the site can be achieved for all users; and
- c) Any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree

10.2 Paragraph 109 of the NPPF states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

10.3 Paragraph 110 of the NPPF states development should give priority first to pedestrian and cycle movements and second to facilitating access to high quality public transport and appropriate facilities that encourage public transport use. It also states applications for development should create places that are safe, secure and attractive, minimising conflicts between pedestrians, cyclists and vehicles and allow the efficient delivery of goods and access by service and emergency vehicles. Development should also be designed to enable charging of plug-in and other ultra-low emission vehicles in safe, accessible and convenient locations.

10.4 The applicant has submitted a Transport Statement (October 2018) in line with Paragraph 109 of the NPPF (2019), which has also had regard to Slough Borough Council's 'Transport and Highways Guidance' Interim Document (November 2008).

10.5 The Transport Statement confirms that the proposed development will continue to use the existing access via the Colnbrook Bypass (A4), which provides a direct link to the M4 Motorway. It also highlights that the proposed development will not create additional HGV movements over and above that currently generated at the Site. Given this statement, it is recommended that condition 8 of Planning Permission P/12244/007 could be modified to ensure the HGV movements are limited to ensure the use continues to operate as it has done in recent years.

10.6 Car parking on Site will remain as per the existing site layout which provides for 140 car spaces and 86 trailer spaces and will not be increased as part of its continued use. Notwithstanding this, it is recommended that 10% of all parking spaces comprise electrical charging points to enable compliance with the Low Emission Strategy. The HGV turning and

servicing areas will also remain as existing as these appear to operate satisfactorily. The Council's Transport Officer raises no objections to the proposals, subject to conditions.

- 10.7 It is considered that subject to conditions securing the electrical charging points and the HGV movement cap, the proposed development will not result in an unacceptable impact on highway safety or a residual cumulative server impact, and is therefore acceptable from a transport and highways perspective. As such, the development accords with Section 9 of the NPPF (2019), the relevant transport guidance in the PPG; Policies T2, T7, T8 and T9 of the Local Plan for Slough; and Core Policies 5, 7 and 10 of the Slough Core Strategy DPD; and Slough's Interim Transport Guidance.

11.0 Environmental Impacts

Air Quality

- 11.1 The applicant submitted an Air Quality Assessment (November 2018) which describes the existing air quality within the study area and assesses the impact of traffic associated with the development on air quality in the surrounding area.
- 11.2 The Assessment confirms that the Site is outside existing Air Quality Management Areas (AQMA) in Slough but is adjacent to the AQMA in the neighbouring Borough of Hillingdon. The Assessment considers that the air quality effect of road traffic generated by the scheme is considered to be not significant, as there are no predicted exceedances of the relevant air quality strategy objectives at any of the existing receptor locations in 2019 with the proposed scheme in place and the impact is negligible on all receptors. The Assessment also identifies that the effects of the Site on local air quality, particularly within the Borough's Brands Hill AQMA, will not be significant.
- 11.3 Air Quality Officers and Transport Officers have reviewed the Air Quality Assessment and have raised a number of concerns about the accuracy of the results and of the adopted methodology which sought to use recorded trip generation levels from the last few years to base the forecasted emissions on. It was noted by Air Quality/Transport Officers that the previous temporary permission included a cap on HGV movements which approved the number of two way HGV lorry movements to and from the site not exceeding on average 2000 lorry movements two way per calendar month when calculated on an annual basis and not exceed a total of 2750 lorry movements during any one calendar month. Therefore, the Air Quality Assessment and Transport Assessments were not based on this worst case scenario (in terms of the reported impacts) when the recorded HGV movements were considerably less than the cap imposed by the former condition which could facilitate far high levels of movement.
- 11.4 Notwithstanding the traffic levels, Air Quality Officers have advised that as air quality has deteriorated since the original temporary permission was issued and an AQMA has been created at Brands Hill, that the circumstances are different, materially in 2019 than they were in 2003 (and in 2010 when permission was renewed). The Guidance in the current NPPF (2019) also requires:

Planning policies and decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan.

- 11.5 The test arising from 181 is whether a planning decision sustains and contributes to compliance with pollutant objectives. It is considered that, without mitigation, adding more pollutants to already high levels would not pass this test. In this case, the proposals (on the basis of the applicant's findings) would add to the level of NOx in areas which already have sub-standard air quality levels. In light of this concern, it is considered necessary to reduce the level of HGV movements by way of amendment to the condition. This minimises vehicle movements and the overall effect on air quality in the area, without curtailing the logistics operations from being operational 24 hours a day. The applicant has produced evidence of the level of HGV movements in the Transport Assessment to demonstrate that operationally, the facility and its uses can function without needing the former movement cap. Air Quality Officers raise no objections to the proposals on the basis of the amendment to the former condition.
- 11.6 It is also noted that the second test of 181 is that planning decisions should ensure that any new development affecting an AQMA is consistent with the Air Quality Action Plan - The Low Emission Strategy forms part of the AQAP. As such, it is recommended that a condition is secured that requires all commercial vehicles 'traveling to and from the facility' should comply with Euro 6/VI Emission Standards as a minimum and electric vehicle charging should be provided in line with the requirements of the Low Emission Strategy; ie 10% of parking spaces should have access to a charging point.
- 11.7 It is concluded that subject to the above mitigation measures secured by condition that the development would sustain and contribute to compliance with pollutant objectives in accordance with Paragraph 181 of the Revised NPPF and Policy CP8 in the Core Strategy.

Noise

- 11.8 A Noise Technical Note (December 2017) has been submitted which considers the existing noise climate in the area and the likely noise emissions from the Site. A 'worse case' Noise Impact Assessment has been undertaken for the Technical Note, to establish the likely night-time (23.00–07.00 hours) noise impacts associated with HGV pass-bys at dwellings in Brands Hill. The Noise Impact Assessment found that the change in ambient sound level as a result of the additional HGV movements associated with the development is not likely to be significant. The Noise Technical Note concludes that the proposed 24-hour operation of the Site should be considered acceptable with respect to the likely noise impact on the nearby sensitive noise receptors. The Council's Environmental Health Officer raises no objections with regards to noise impacts. It is noted that there are no residential receptors in close proximity to the site.

- 11.9 In light of this, the development accords with Core Policy 8 of the Slough Core Strategy DPD and Paragraph 170 of the Revised NPPF.

Ground Conditions

- 11.10 A Phase I Environmental Assessment (February 2017) has been undertaken which considers the potential for land contamination to be present on the Site. The report describes the current situation at the site and briefly summarises the previous works carried out at the site.
- 11.11 The Council's Contaminated Land officer acknowledges the findings of the report in that "*Whilst landfill material is present beneath the Site, long-term monitoring of the ground gas in the south has identified a declining gassing regime, and contamination test results for soils were considered unlikely to pose a risk to human health. Also, it is considered that the installed gas protection measures (within the southern buildings and at the western boundary) will significantly constrain associated pathways from ground gas to valid receptors. It should be noted that limited information regarding the area in north of the Site has been identified.*" The Council's Contaminated Land officer considers that the conclusions are acceptable whilst the site is proposed to be used as a temporary logistics centre for Airport-related uses, without any additional ground works. Additional environmental monitoring and assessment will be required if future major redevelopment of the Site is to be proposed.
- 11.12 It is not considered necessary to impose a condition as no further construction work is planned as part of this application.

Ecology

- 11.13 An Extended Phase 1 Habitat Survey (July 2017) was undertaken which assessed the ecological importance of the Site. The Survey identifies that the amenity grassland, ruderal herbs, scrub and waterbodies have potential to support a range of species including common reptiles, common amphibians, hedgehogs, nesting birds, and foraging and commuting bats.
- 11.14 Although the proposals involve retention of temporary buildings on the site (The Welfare Office, the Integrated Test Facility and Administration Buildings) which did not benefit from permission previously, there could have been a minor impact on habitats within these areas. Nonetheless, there are no known protected species identified on the site, or nearby, and any habitats have now been displaced and relocated. Therefore, no further survey work is necessary.
- 11.15 Subject to the maintenance of the existing surrounding landscape and amenity grassland, the development accords with NPPF (2019) and the development is unlikely to have an adverse impact on the levels of biodiversity in the area. Through the on-going maintenance and management of the landscaping areas, it is considered that net-gains in biodiversity could be secured in accordance with the NPPF (paragraph 170).

Flood Risk, Water Resources and Drainage

- 11.16 The application site area exceeds the one-hectare threshold referred to in Footnote 50 of the NPPF (2019) and consequently a Flood Risk and Surface Water Drainage Technical Note (July 2017) has been submitted in

support of the temporary planning application. A Full Flood Risk Assessment is not required as the information provided in the Technical Note is sufficient for the purposes of the planning assessment.

- 11.17 Updated information provided in the Flood Risk and Surface Water Drainage Technical Note (July 2017) demonstrates that the site is located within Flood Zone 1 (Low Probability – having less than 1 in 1,000 annual probability of flooding from rivers or sea). This information supersedes the mapping undertaken as part of the Council’s Development Framework Proposals Map (November 2010) which indicated the eastern part of the site was within Flood Zone 3 (1 in 100 annual probability of flooding). The Technical Note advises that the surrounding road and rail networks appear to informally protect the Site from flooding from surrounding watercourses. In conclusion, the Technical Note considers that the Site is also at very low to medium risk of surface water flooding.
- 11.18 The Technical Note confirms that there are a number of existing drainage features located within the Site, including a number of SUDs features. The existing drainage strategies have been assessed and the Technical Note identifies that no changes to the current surface water management strategy are deemed necessary.
- 11.19 The Flood Risk Assessment concludes there will be no change to the existing peak surface water runoff rates or volume of runoff and therefore additional surface water management measures are not required. The Lead Local Flood Risk Authority (LLFA) has reviewed the application documents and raises no objections to the proposals. As such, the development is considered to be in accordance with Section 14 of the NPPF (2019), the drainage sections of the PPG and Core Policy 8 of the adopted Slough Core Strategy.
- 12.0 **Impact on amenity of neighbouring occupiers**
- 12.1 The nearest residential occupiers to the site are over 600m from the site to the south in Poyle. There are intervening industrial areas and other landscape features (including woodlands) in between the site and the residential area. It is therefore anticipated that there will be no additional amenity impacts on the amenity of occupiers within the settlement, in terms of noise or visual disturbance from the development. It is considered that the proposal will not be detrimental to the amenity of neighbouring occupiers.
- 13.0 **Recommendation:**
- 13.1 The application is recommended to be delegated to the Planning Manager for **Approval** subject to paras 1.1 and 1.2 of this report. Although the recommendation does not seek to refer approval of the temporary permission to the Secretary of State for the Environment, as a Departure from the Development Plan (ie: to permit development within the Green Belt), it should be noted that the Secretary of State has already consented to the development and the principle (of development in the Green Belt) in granting permission for the temporary logistics centre back in 2003. It is therefore unnecessary to seek a further consent from the Secretary of State for this application, which is consistent with the previous decision made by the council in consenting further extensions to the temporary period in 2010 and varying the permission in 2007 to allow for non-construction related logistics operations.

14.0 PART D: LIST OF CONDITIONS AND INFORMATIVES

CONDITIONS:

1. The use hereby permitted shall be discontinued and all buildings, equipment and hard surfaces shall be removed no later than 5 years from the date of this planning permission.

REASON: To ensure the temporary use is discontinued and to ensure that the restoration of the site contributes to the enhancements of the Colne Valley Park in accordance Local Plan policies CG1, CG9, EN1 and EN3 and Core Policies 1, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

2. A scheme shall be operated so as to ensure that the number of cars of the construction workforce employed at the Principal, Subsidiary and Logistics Sites which are parked at locations designated for the purpose does not exceed 50% of the total construction workforce at the time. For this purpose:

(a) it shall be a requirement of any construction contract that no employee of the contractor who comes to work by car shall park other than at a location designated by BAA,

(b) it shall be a requirement of any such contract that no such employee shall park at a designated location unless he is the holder of a pass issued by BAA authorising the parking of that car at that location;

(c) records shall be maintained of the number of car parking passes issued and of the numbers of the construction workforce at work on each day at all of the Sites, and shall afford a duly authorised representative of the Local Planning Authority the opportunity to inspect such records during working hours, and

(d) compliance with requirements (a) and (b) above shall be monitored and all practicable steps taken to ensure that the contractors comply with the said requirements.

REASON: To restrict the number of car parking spaces in accordance with the principles of the integrated transport strategy and to ensure that the development is not detrimental to highway and pedestrian safety in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the Council's Development Plan Document – Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

3. All artificial lighting shall be designed to be directional and shall not spill light onto Bigley Ditch or any other waterbody on site.

REASON: To minimise any adverse impacts on the ecology of these waterbodies and to comply with Core Policies 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the Council's Development Plan Document – Developer's Guide (2008) and the National Planning Policy Framework (2019).

4. The use of the Colnbrook Logistics Facility for the delivery, storage and assembly of materials and components, and the temporary remote goods screening centre, shall be restricted solely to construction projects within the boundary of Heathrow Airport and no other market without the express consent of the Local Planning Authority.

REASON To ensure the earliest discontinuance of the use and restoration of the site, and for the avoidance of doubt, in accordance with Core Policies 1, 2, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

5. The landscaping scheme will be retained and managed in accordance with the landscaping scheme shown on Drawing APP-E10-03

REASON To ensure that the landscape proposals are compatible with the wider context of the Colne Valley as whole and to enhance the ecological value of the site in accordance Local Plan policies CG1, and EN3 and Core Policies 1, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the Council's Development Plan Document – Developer's Guide (2008) and the National Planning Policy Framework (2019).

6. Routes for HGV's to and from the Logistics Centre shall be restricted only to those routes identified on deposited plan 82980/002 Revision A dated 08/12/2009 forming part of the Transport Assessment prepared by W A Fairhurst & partners dated December 2009 reference 82980/005gnsRevB.rep. as hereby approved by the Local Planning Authority or in the case of emergencies or exceptional circumstances where the agreed routes can not be used.

REASON: To reduce traffic on the smaller residential roads within the local road network and to ensure that the development is not detrimental to highway and pedestrian safety in accordance with Core Policies 7 and 8 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the Council's Development Plan Document – Developer's Guide Part 3 (2008) and the National Planning Policy Framework (2019).

7. In line with the findings of the Transport Statement prepared by PBA (dated October 2018) as hereby approved the number of two way HGV lorry movements to and from the site shall not exceed on average 850 lorry movements two way per calendar month when calculated on an annual basis and shall not in any event exceed a total of 1200 lorry movements during any one calendar month. To ensure numbers of HGV movements do not exceed the stated figures six monthly statements shall be submitted, until the permitted use ceases demonstrating that the stated maximum HGV deliveries are not being exceeded. Should the average number of lorry movements two way exceed these monthly limits and it is projected that the maximum delivery numbers will continue to do so then the prior written consent of the Local Planning Authority shall be required to continue operating at these limits.

REASON: To ensure that the level of traffic generated by the continued use of the Logistics Centre does not result in a worsening of air quality management within the Brands Hill Air Quality Management Area in accordance with Core

Policy 8 of the Core Strategy 2006-2026 (2008) and the National Planning Policy Framework (2019).

8. Within one month of the date of the planning permission, details of the on-site mitigation measures within an Air Quality Mitigation Scheme to be incorporated as part of the development shall be submitted to and approved in writing by the local planning authority. The details shall confirm that all commercial vehicles should comply with Euro 6/VI Emission Standards as a minimum and 10% of the car parking spaces shall comprise of electric vehicle charging spaces to demonstrate compliance with the Council's Low Emissions Strategy 2018-2025. The air quality mitigation measures shall be fully implemented, in accordance within the Air Quality Mitigation Scheme no later than 3 months following approval of the details, and shall remain operational whilst the development remains in use for the temporary period specified in the consent.

Reason: In order to ensure the development sustains and contributes towards compliance with relevant limit values and national objectives for pollutants to minimize the air quality impacts upon the Brands Hill Air Quality Management Area, in accordance with Core Policy 8 of the Core Strategy 2006-2026 (2008) and paragraph 181 of the National Planning Policy Framework (2019).

9. A scheme for the restoration of the site to a condition capable of supporting grazing when the use hereby permitted has ceased shall be submitted for the written approval of the Local Planning Authority within 2 years prior to the expiry of this permission. The scheme shall include provision for:
 - (a) removal of all buildings, plant, structures and hard surfacing on the site ;
 - (b) the retention of perimeter landscaping provided pursuant to Condition 6;
 - (c) details of capping and soil placement. If importation of materials is required, the nature and quality of materials to be specified.
 - (d) the control of surface water run-off; and
 - (e) the control of polluted surface water.

REASON: To ensure that the restoration of the site contributes to the enhancements of the Colne Valley Park, and to prevent the increased risk of flooding and pollution of the water environment in accordance Local Plan policies CG10, EN1 and EN3 and Core Policies 1, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

10. The scheme for the restoration of the site as approved pursuant to Condition 9 shall be commenced within 6 months of the cessation of the use hereby permitted. Restoration works shall be completed within 1 year of commencement of restoration.

REASON To ensure that the restoration of the site contributes to the enhancements of the Colne Valley Park in accordance Local Plan policies CG1, CG9, EN1 and EN3 and Core Policies 1, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

11. If within a period of 2 years from the date of completion of restoration any tree is removed, uprooted or destroyed or dies, or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective, another tree of the same species and size as that originally planted shall be planted in the same place unless otherwise agreed in writing by the Local Planning Authority.

REASON In order to enhance the visual amenity of the restored site in accordance with Local Plan policies CG1, CG9, EN1 and EN3 and Core Policies 1, 2, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the Council's Development Plan Document – Developer's Guide (2008) and the National Planning Policy Framework (2019).

12. The annual Action Plan which is to be prepared pursuant to The Travel Plan for Heathrow 2008-2012 as produced by BAA Heathrow, (or such other plan or document which may supersede this) shall be extended to include the Colnbrook Logistics Centre (the application site) and shall be submitted to Slough Borough Council for its consideration on an annual basis, to allow the Council to submit its formal views to the Heathrow Area Transport Forum or any alternative successor in name. The operators of the Colnbrook Logistics Centre shall implement in full the requirements of the Heathrow Travel Plan insofar as the actions are relevant to the Colnbrook logistics Centre site.

REASON To ensure that the development is not detrimental to highway and pedestrian safety and to meet the objectives of Policy T1 of The Local Plan for Slough 2004 and objectives of the Slough Integrated Transport Strategy in accordance with Core Policy 7 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

13. The Integrated Test Facility, Administration Buildings, Welfare Buildings and other specified land uses including the passenger screening functions stated in the application description and set out in detail within the Barton Willmore Planning Statement and Very Special Circumstances Report shall be used in support of the operational running of Heathrow Airport (and construction projects associated with the airport) only, and for no other purpose for the duration of the temporary period which planning permission is in place.

Reason: For the avoidance of doubt and to ensure that the land uses are strictly controlled in accordance with the planning permission, and to comply with Policies CG1 and CG9 of the Local Plan, Core Policies 1, 2, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

14. The use of the cement building for baggage storage is not permitted in this application and all bags associated with the baggage system shall be removed from the cement building and site within 1 month of the date of this planning permission.

Reason: For the avoidance of doubt and to ensure that the land uses are strictly controlled in accordance with the planning permission, and to comply with Policies CG1 and CG9 of the Local Plan, Core Policies 1, 2, 8 and 9 of the Slough Local Development Framework Core Strategy 2006-2026 and to reflect the guidance contained in the National Planning Policy Framework (2019).

INFORMATIVE(S):

1. The applicant is advised that with regard to the proposed tree planting, should any excavation occur within the area of the landfill site, then all material should be removed from site, unless it is screened first to remove any contaminants. Any re-deposition of waste would require a waste management license from the Agency.

2. This decision has been taken having regard to the policies and proposals in the Local Plan for Slough 2004 and the Slough Local Development Framework, Core Strategy 2006 - 2026, as set out below, (to Supplementary Planning Guidance), the National Planning Policy Framework (2019) and to all relevant material considerations identified in the officer report.

Policies:- Planning Policy Statement 1 (Creating Sustainable Communities), Planning Policy Guidance 2 (Green Belts), Planning Policy Guidance 13 (Transport), Core Policy 2 (Green Belt and Open Spaces), Core Policy 7 (Transport), Core Policy 8 (Sustainability & the Environment) of The Slough Local Development Framework, Core Strategy, Development Plan Document, December 2008 and Policies EN1 (Standard of Design), EN3 (Landscaping), EN5 (Crime Prevention), T2 (Parking Restraint), CG1 (Colne Valley Park) and CG9 (Strategic Gap) of The Adopted Local Plan for Slough 2004.

This informative is only intended as a summary of the reasons for the grant of planning permission. For further detail on the decision please see the application report by contacting the Development Control Section on 01753 477340.

3. The Following Informatives are recommended by Network Rail:

FENCING: If not already in place, the Developer/applicant must provide at their expense a suitable trespass proof fence (of at least 1.8m in height) adjacent to Network Rail's boundary and make provision for its future maintenance and renewal without encroachment upon Network Rail land. Network Rail's existing fencing / wall must not be removed or damaged and at no point either during construction or after works are completed on site should the foundations of the fencing or wall or any embankment therein be damaged, undermined or compromised in any way. Any vegetation on Network Rail land and within Network Rail's boundary must also not be disturbed.

DRAINAGE: Soakaways / attenuation ponds / septic tanks etc, as a means of storm/surface water disposal must not be constructed near/within 5 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property/infrastructure. Storm/surface water must not be discharged onto Network Rail's property or into Network Rail's culverts or drains. Network Rail's drainage system(s) are not to be compromised by any work(s). Suitable drainage or other works must be provided and maintained by the Developer to prevent surface water flows or run-off onto Network Rail's property / infrastructure.

Proper provision must be made to accept and continue drainage discharging from Network Rail's property. (The Land Drainage Act) is to be complied with. Suitable foul drainage must be provided separate from Network Rail's existing drainage. Once water enters a pipe it becomes a controlled source and as such no water should be discharged in the direction of the railway. Full details of the drainage plans are to be submitted for acceptance to the Network Rail Asset Protection Engineer. No works are to commence on site on any drainage plans without the acceptance of the Network Rail Asset Protection Engineers: Network Rail has various drainage standards that can

be provided Free of Charge should the applicant/developer engage with Network Rail's Asset Protection Engineers.

SAFETY: Any works on this land will need to be undertaken following engagement with Asset Protection to determine the interface with Network Rail assets, buried or otherwise and by entering into a Basis Asset Protection Agreement, if required, with a minimum of 3months notice before works start.

assetprotectionwestern@networkrail.co.uk

LAYOUT: It is recommended that all buildings be situated at least 2 metres from the boundary fence, to allow construction and any future maintenance work to be carried out without involving entry onto Network Rail's infrastructure. Where trees exist on Network Rail land the design of foundations close to the boundary must take into account the effects of root penetration in accordance with the Building Research Establishment's guidelines.

EXCAVATIONS/EARTHWORKS: All excavations / earthworks carried out in the vicinity of Network Rail's property / structures must be designed and executed such that no interference with the integrity of that property / structure can occur. If temporary compounds are to be located adjacent to the operational railway, these should be included in a method statement for approval by Network Rail. Prior to commencement of works, full details of excavations and earthworks to be carried out near the railway undertaker's boundary fence should be submitted for approval of the Local Planning Authority acting in consultation with the railway undertaker and the works shall only be carried out in accordance with the approved details. Where development may affect the railway, consultation with the Asset Protection Engineer should be undertaken.

SIGNALLING: The proposal must not interfere with or obscure any signals that may be in the area.

ENVIRONMENTAL ISSUES: The design and siting of buildings should take into account the possible effects of noise and vibration and the generation of airborne dust resulting from the operation of the railway.

PLANT, SCAFFOLDING AND CRANES: Any scaffold which is to be constructed adjacent to the railway must be erected in such a manner that, at no time will any poles or cranes over-sail or fall onto the railway. All plant and scaffolding must be positioned, that in the event of failure, it will not fall on to Network Rail land.