

## Report of the Head of Planning & Enforcement Services

**Address** FORMER NATIONAL AIR TRAFFIC SERVICES HEADQUARTERS SITE  
PORTERS WAY WEST DRAYTON

**Development:** Reserved matters (appearance and landscaping) in compliance with conditions 2 and 3 for Phase 1, third application (10 dwellings to north of site) of planning permission ref: 5107/APP/2009/2348 dated 01/10/2010: Proposed mixed-use redevelopment comprising: 773 dwellings; Class D1 Primary Healthcare facility including room for joint community use; Class C2 Nursing Home (up to 3630sqm gea); Classes A1-A3 Shop units to complement Mulberry Parade (up to 185sqm gea, depending on size of Primary Healthcare facility); Class B1 Business units including site management office (up to 185sqm gea); Energy Centre (up to 220sqm gea) with combined heat and power unit; foul water pumping station; associated access roads from Porters Way (and excluding all access including pedestrian and bicycle access from Rutters Close); 1085 car parking spaces; cycle parking; public open space areas; cycleways and footpaths; and landscaping works.

**LBH Ref Nos:** 5107/APP/2012/129

**Drawing Nos:** 1627/01  
1627/02A  
1627/03A  
1627/04A  
1627/05A  
1627/06  
1627/07A  
1627/08A  
1627/09A  
1627/10  
1627/11  
1627/12  
Landscape Management & Maintenance Plan  
Landscape Specification  
1144/01  
INL18005-11  
INL18005-12  
E-mail dated 23rd April 2012 Re: Material:  
Materials Schedule (Part superseded by e-mail dated 23rd April 2012)

<b>Date Plans Received:</b>	20/01/2012	<b>Date(s) of Amendment(s):</b>	24/01/2012
<b>Date Application Valid:</b>	07/02/2012		06/02/2012
			23/04/2012

### 1. SUMMARY

Outline Planning Permission for the comprehensive, mixed-use re-development of the former NATS site was granted 1 October 2010 (LBH Ref: No. 5107/APP/2009/2348). The outline application was for consideration of 'Means of Access', 'Layout' and 'Scale'. Matters which were reserved were 'Appearance' and 'Landscaping'.

Condition 2 of this consent relates to the approval of Appearance and Landscaping

'Reserved Matters'. Condition 3 requires the approval of the details of the landscaping and appearance of individual phases of the development. Condition 3 also describes the extent of the information required. This application is for consideration of part of Phase 1, which proposes 10 two storey terrace houses to the north of the site.

In respect of 'Appearance', the design of the two terraced houses is consistent with the design code in the approved supporting documents and the Design & Access Statement and other illustrative information considered as part of the outline application.

The appearance of the proposal is considered to be acceptable. The submitted plans align with the masterplan approved in outline and are considered to represent a suitable quality of design. The development accords with Policies 7.1, 7.2, 7.3, 7.4 and 7.6 of the London Plan (July 2011), and Policies BE13 and BE38 of the Council's Unitary Development Plan (Saved Policies 2007).

In respect of 'Landscaping', the proposal is consistent with the supporting documents and illustrative information considered as part of the outline application. As considered previously, it deals appropriately with the site features, landscaping for residential amenity, nature conservation, tree protection and landscape enhancement.

The scheme accords with policies 5.10, 7.1, 7.4 and 7.21 of the London Plan (July 2011), and Policies BE13 and BE38 of the Council's Unitary Development Plan (Saved Policies 2007).

This reserved matters application for part of Phase 1 accords with the outline scheme including and in respect of the following: development principle; development density; character and appearance; neighbour relationships and the consideration of potential impacts; amenity for future occupiers; traffic, parking and safety; urban design; access for people with a disability; affordable housing provision; landscaping; waste management; renewable energy; drainage; as well as noise and air quality.

The scheme remains consistent and in accordance with the relevant planning policies and guidance relating to these above mentioned issues, accordingly the application is recommended for approval.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

1627/01  
1627/02A  
1627/03A  
1627/04A  
1627/05A  
1627/06  
1627/07A  
1627/08A  
1627/09A  
1627/10  
1627/11  
1627/12

INL18005-11  
INL18005-12

and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

#### INFORMATIVES

##### **1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

##### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM16	Availability for public use of parking spaces in commercial developments in town centres and other areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.

BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The wider application site was previously occupied by the National Air Traffic Services (NATS) as the main air traffic control centre for the southern England and London airports. Since 2008, the NATS operation has relocated to the new London Area Control Centre at Swanwick, near Fareham in Hampshire. The application site is now unoccupied.

This Reserved Matters application relates to part of Phase 1 of the wider development. It comprises a small portion of land to the north east of the site adjacent to the Air Cadets site.

The site is located within a PTAL level of 1b and within the Site Specific Proposal 8: RAF West Drayton site as identified in the adopted Hillingdon Unitary Development Plan Proposals Map (Saved Policies 2007).

#### 3.2 Proposed Scheme

The proposal is for two terraces of five two storey houses and forms part of the rear boundary of the site to the north of the site. The housing mix is as follows:

4 x 3 bed houses  
6 x 2 bed houses

A total of 16 No communal car parking spaces have been provided within the red line site of and dedicated to the 10 houses together with associated landscaping.

#### 3.3 Relevant Planning History

##### Comment on Relevant Planning History

The most relevant planning history for the application site is the Outline Planning Permission for the comprehensive, mixed-use re-development of the former NATS site was granted 1 October 2010 (LBH Ref: No. 5107/APP/2009/2348), reserving matters of landscaping and appearance. It should be noted that the Committee has already approved Phase 1 and parts of Phase 2.

##### CONDITION 1

Condition 1 sets the time limit for implementation of the scheme.

Condition 2 of this consent relate to the approval of Appearance and Landscaping 'Reserved Matters'. Condition 3 requires the approval of the details of the landscaping and appearance of individual phases of the development. Condition 3 also describes the extent of the information required. These conditions in full are as follows:

#### CONDITION 2

Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of five (5) years from the date of this permission:

- (a) Appearance
- (b) Landscaping

PLANNING OFFICER COMMENT: Advice from the Council's Legal Team is that conditions 1 and 2 of the outline permission are worded such that further time limiting conditions are not required to be imposed on the reserved matters applications.

#### CONDITION 3

Approval of the details of the landscaping and appearance of individual phases of the development (hereinafter called the reserved matters) shall be obtained in writing from the Local Planning Authority for each phase of development, before development of that phase is commenced.

For each phase, the detailed drawings and supporting documentation to be submitted shall, as part of the reserved matters, accord with Design and Access Statement Part 2 - Masterplan Design Coding (Revised March 2010) and include the following:

(i) Hard and soft landscaping plans including drawings, specifications and supporting details which shall include:

- An accurate survey plan at a scale of not less than 1:200, showing:-
  - a) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
  - b) A clear indication of trees, hedges and shrubs to be retained and removed.
  - c) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained.
- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme,
- Proposed finishing levels or contours,
- Means of enclosure and boundary treatments including the positions, design, materials and type of treatments. Generally, the boundary treatment shall ensure that adequate pedestrian visibility splays are provided through the use of visually permeable rather than solid fencing unless otherwise agreed with the Local planning Authority,
- Car parking layouts (including landscaping around car parking areas),
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as furniture, refuse storage, signs and shall include lighting for amenity spaces and streets),
- The final design and specification of play equipment and play areas including the style of enclosure as well as any associated furniture and features applicable
- Existing and proposed functional services above and below ground (e.g. drainage, power

cables or communications equipment, indicating lines, manholes or associated structures),

- Retained historic landscape features and proposals for their restoration where relevant,  
- A schedule of landscape maintenance for a minimum period of 5 years. The maintenance scheme shall include details of the arrangements for its implementation.

(ii) Plans of the site showing the existing and proposed ground levels and the proposed finished height of all proposed buildings. Such levels shall be shown in relation to a fixed and known ordinance datum point,

(iii) Full plans of the buildings including roof form and details of photovoltaic, ecological roofs, lift overruns plant and any other features/installations/projections

(iv) Elevations of the buildings, including samples of materials to be used on external faces of the building shall be submitted on a materials palette board and drawings of appropriate scale;

(v) Details at an appropriate scale showing the provision of bat and bird boxes in the facade;

(vi) Design of lower floor elevations of commercial units including shopfronts at an appropriate scale;

(vii) Full elevations, plans and sections at an appropriate scale showing the future potential provision of intake/extract ventilation and ductwork for future Class A3 uses in Block F and if applicable, the future nursing home. Alternatively, plans showing the creation of voids through the building to roof level for the future potential provision of extract ventilation ductwork;

(viii) Plans and elevations of all boundary treatment and means of enclosure and incorporation of full details of height and materials;

(ix) Full plans and elevations of all buildings and any other structures, incorporating details of materials to be used for external surfaces, including samples of all such materials;

(x) Full drawings showing the siting, design and finish heights of obscure glazed privacy screens on all balconies and terraces.

Thereafter and prior to occupation of each phase, the scheme shall be completed in strict accordance with the approved details and thereafter maintained for the life of the development.

Matters relating to access, layout and scale were approved under the outline consent.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -

(i) Dial-a-ride and mobility bus services

(ii) Shopmobility schemes

(iii) Convenient parking spaces



	(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM16	Availability for public use of parking spaces in commercial developments in town centres and other areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **15th March 2012**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

A total of 1625 neighbouring properties were consulted. One response was received raising no material planning issues.

NATS  
No Objection.

THAMES WATER  
No Objection.

## CRIME PREVENTION DESIGN ADVISER

No objection.

### **Internal Consultees**

#### TREES & LANDSCAPE

No objection.

#### ACCESS

No objection.

#### DESIGN & CONSERVATION

The design and appearance of the scheme has been amended to address earlier concerns (in particular relating to roof form). The scheme is considered to enhance this part of West Drayton, through provision of a building that is contemporary in feel. The external materials are appropriate for the site and this setting. No objection is raised to this scheme.

#### HIGHWAYS

No objection.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The development principle was considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant on 25th May 2010 and the decision was issued on the 1st October 2010 following the Mayoral Stage II approval and completion of the s106 legal agreement.

The current reserved matters application for 'Landscaping' and 'Appearance' is consistent with the principles and illustrative information of Outline Planning Permission. Therefore, the scheme for this part of Phase 1 remains acceptable in principle.

### **7.02 Density of the proposed development**

The proposal does not alter the overall density of the scheme considered acceptable at outline stage.

### **7.03 Impact on archaeology/CAs/LBs or Areas of Special Character**

The site is not located within a Conservation Area, Area of Special Local Character or Archaeological Priority Area, and there are no Listed Buildings on the site. As such, it is considered that the scheme would not impact on the heritage of the borough.

### **7.04 Airport safeguarding**

BAA Safeguarding have reviewed the application and raise no objection to the Reserved Matters application from an airport safeguarding perspective. As such, it is considered that the proposal would not impact on the safe operation of any airport.

### **7.05 Impact on the green belt**

The site is not located within or near to the Green Belt. As such, it is considered that the scheme would not impact on the Green Belt.

### **7.07 Impact on the character & appearance of the area**

The objectives for the wider site which are set out in the master plan, include amongst other things, the promotion of a high quality scheme reflective of the area's general character as well as reinforcing local distinctiveness.

This part of Phase 1 concerns Blocks A and B (10 two storey dwelling houses in the form of two terraces of 5 houses) with landscaping and associated parking. It should be noted that the layout and means of access to and around these spaces were considered acceptable at the outline stage and consideration is limited to appearance and landscaping.



The reserved matters are consistent with the details and principles considered at the outline stage. The buildings are two storeys in height, which is in line with the parameter plan approved under the outline permission. The massing of the building complements the proposed buildings adjacent to this reserved matters site.

As part of the Outline planning permission, the supporting information included a Design and Access Statement, Design Coding and 3D perspective drawings, an Environmental Statement, and a Townscape and Visual Analysis. These provided an analysis of the scheme from vantage points around and within the development. Illustrative building elevation drawings were provided as a suggestion of the future detailed design of buildings. The Council's Urban Design Officer was supportive of the scheme in respect of its appearance and character and no impacts were identified to neighbours or the area in general in this regard. Along with details of buildings, comprehensive information pertaining to landscaping was considered at the outline stage by a range of consultees including Council's Landscape architect.

The proposed external finishing palette is the same as that used on other elements of phases 1 and 2. It focuses on a yellow multi stock face brick with an off white colour render and an Anthracite (dark) colour concrete roof tile. The Council's Urban Design and Conservation Officer considers that the external materials are appropriate for the site and this setting.

In summary the proposed materials are as follows:

- i) Facing Brick -Terca Smoked Yellow Multi Gilt Stock
- ii) Roof Tile - Concrete plain Tile Marley colour Anthracite
- iii) Render - Thru coloured off white
- iv) UPVC Double glazed windows
- v) Juliet balcony - Painted metal
- vi) Brick feature detail
- vii) Eternit secret fixed boarding
- viii) GRP lead effect canopy

Overall, the scheme is considered to enhance this part of West Drayton, through provision of buildings that are contemporary in feel, with high quality design, detailing and materials. The proposal is considered to meet Policies BE13 and BE26 through a positive design response for this site, which will enhance the streetscape values of this part of the town centre.

This application provides supporting information pertaining to 'appearance' and 'landscaping', and in particular, building elevations and sections, as well as plans of the hard and soft landscaping arrangements.

The reserved matters are consistent with the details and principles considered at the outline stage. The scheme for this portion of Phase 1 is considered to be appropriate within the context of the locality. It integrates with and poses no harmful impact to the character and appearance of the area. The scheme is considered acceptable and to accord with London Plan Policies 3.5, 7.1 and 7.4 and Hillingdon's UDP Saved Policies BE13, BE19 in considering and posing no significant adverse impact upon the character and appearance of the surrounding area.

#### **7.08 Impact on neighbours**

The consideration of the amenity of surroundings and neighbours is specified by

Hillingdon's UDP Saved Policies Pt 1. 10, BE19, BE20, BE21, BE22, BE23, and BE24. Guidance is also provided by Hillingdon's HDAS - Residential Layouts.

It should be noted that the consideration of potential impacts upon neighbours formed part of the assessment of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision finally issued on 1st October 2010 following the Mayoral Stage II approval and completion of the s106. Matters considered include the following: construction impacts; traffic and car parking; noise and general disturbance; overlooking, outlook and overshadowing. The reserved matters are consistent with the details and principles considered at the outline stage which were considered acceptable on balance.

No additional or different issues have been identified as part of the consideration of this reserved matters application for phase 1, it being noted that considerable illustrative information on appearance and landscaping was offered in support of the outline application. As such, the scheme is considered to be acceptable on balance. The scheme accords with the UDP policies and design guidance which seek to protect the amenity of neighbours.

#### **7.09 Living conditions for future occupiers**

Living conditions for future occupiers were considered as part of the outline scheme. Details of the amenity spaces accord with the principles established by the outline planning permission and Design Code, all of which are a product of the extensive pre-application negotiations.

Internal floor areas comply with London Plan (July 2011) policies. Daylight into the residential units meets BRE standards.

The level of private external space for the units is consistent with those set out at outline stage.

No additional or different issues have been identified as part of the consideration of this reserved matters application for this part of phase 1, it being noted that considerable illustrative information on appearance and landscaping was offered in support of the outline application. As such, the scheme is considered to be acceptable.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

As part of the consideration of the outline application (LBH Ref. No. 5107/APP/2009/2348) including means of access for the entire site, the Council's Highways Engineer and TFL have considered the traffic and parking impacts of the scheme on the surrounding area. The outline application was specifically supported by a transport assessment and travel plan along with drawings detailing access, turning (refuse vehicle swept paths) and parking (cars, bicycles, car club, motorcycle allowance, 10% accessible parking provision allowance). Transport has also been considered as part of the EIA, particularly in chapters 5 Construction and Phasing (which contains the framework Construction Management Plan) and 9 Transport Accessibility and Movement of the Environmental Statement. It is also noted that appropriately worded conditions of approval in respect of traffic management, parking numbers and allocation for example were imposed on the outline consent.

Condition 47 of outline permission ref: 5107/APP/2009/2348 required that a Car Park Management Plan covering the entire site be submitted to and approved in writing by the LPA. These details were submitted and the condition discharged (ref: 5107/APP/2011/1236).

It should be noted that matters relating to access and layout were approved under the outline consent. The car parking locations, road layout and widths as well as access are consistent with the outline proposal. The Highways Officer has reviewed this reserved matters application and has not raised an objection.

#### **7.11 Urban design, access and security**

The subject application for reserved matters of 'landscaping' and 'appearance' is considered to accord with the principles established in the supporting documents and illustrative material of the outline application. The Council's Landscape architect, Trees Officer and the Metropolitan Police Crime Prevention Officer are all satisfied with the details of the reserved matters, noting that they are consistent with the outline.

Appropriately worded conditions have already been imposed on the outline planning permission to cover detailed design specifics prior to commencement of work.

This specific application for this portion of phase 1 is considered acceptable and in line with the aspirations of the Council's SPD and the abovementioned policies which seek high quality design in development proposals.

#### **7.12 Disabled access**

The Council's Access Officer has commented on the current application and stated that as the proposed alterations are in keeping with the design of the approved scheme, which is considered accessible, the application is acceptable from an accessibility viewpoint.

#### **7.13 Provision of affordable & special needs housing**

The proposed affordable housing and specialist housing components of the development were considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision finally issued on 1st October 2010 following the Mayoral Stage II approval and completion of the s106 legal agreement.

#### **7.14 Trees, landscaping and Ecology**

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

An Extended Phase 1 Habitat Survey was carried out by ACD Landscape Architects during the summer of 2009 and have since produced an Ecological Maintenance and Management Plan for the site.

The proposed development includes the planting of trees and grassed areas to the benefit of future occupiers and the appearance of the area. There are currently no trees within this location and therefore a high quality new landscaping scheme is required, as set out in the submitted Landscape Strategy.

There will be additional tree planting in the rear garden of each dwelling along with gardens laid to lawn. To the front there is low level soft landscape and additional tree planting in between parking spaces. These landscaping works will have a beneficial and lasting effect on the biodiversity of the site and its surroundings.

The contents of these plans and documents comply with the approved Masterplan for the site for a mixed use scheme and associated Landscape Masterplan Design Coding.

No new or additional issues have been raised as a consequence of the subject reserved matters proposal, with all matters having been sufficiently covered by the abovementioned

conditions of approval on the outline application (LBH Ref. 5107/APP/2009/2348).

#### **7.15 Sustainable waste management**

The sustainable waste features of proposed development were considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348). The application is supported by a Waste Strategy, Waste Management Plan as well as drawings describing waste vehicular access into the site. In the course of considering the outline scheme, the Highways and Waste teams confirmed that waste arrangements could be suitably accommodated on the site.

#### **7.16 Renewable energy / Sustainability**

The renewable/sustainable features of the development were considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision finally issued on 1st October 2010 following the Mayoral Stage II approval and completion of the s106 legal agreement.

The renewable and sustainable measures imposed were considered acceptable by both the Council and the GLA and appropriately worded conditions and s106 undertaking agreed accordingly. The subject application for reserved matters of this part of Phase 1 is consistent with the principles established at the outline stage, and the permanent energy centre is now approved and is under construction.

#### **7.17 Flooding or Drainage Issues**

Whilst the application site is in an area of low risk (Flood Zone 1), a Flood Risk Assessment (FRA) was submitted as part of the Environmental Statement and flooding issues were considered as part of the Outline application. The assessment demonstrated that the proposal would not have an adverse impact to neighbouring properties as it will not increase flood risk through increased surface runoff.

#### **7.18 Noise or Air Quality Issues**

Noise and air quality aspects were considered as part of the outline application (LBH Ref. No. 5107/APP/2009/2348) which the Central and South Planning Committee resolved to grant 25th May 2010 and the decision finally issued on 1st October 2010 following the Mayoral Stage II approval and completion of the s106 legal agreement. The Environmental Statement submitted as part of the outline application considered the potential noise and air quality impacts associated with the development and appropriately worded conditions of approval were imposed on the outline planning permission. The Council's Environmental Protection Unit confirmed they would continue to control these detailed design aspects through the discharge of conditions and as such, there are no issues to consider in the subject application for reserved matters.

#### **7.19 Comments on Public Consultations**

None.

#### **7.20 Planning obligations**

Not relevant to this Reserved Matters application. Planning obligations were secured as part of the Outline permission.

#### **7.21 Expediency of enforcement action**

None.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **9. Observations of the Director of Finance**

## **10. CONCLUSION**

For the reasons provided throughout this report, the application for the Reserved Matters of Appearance and Landscaping is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Therefore, the application is recommended for approval.

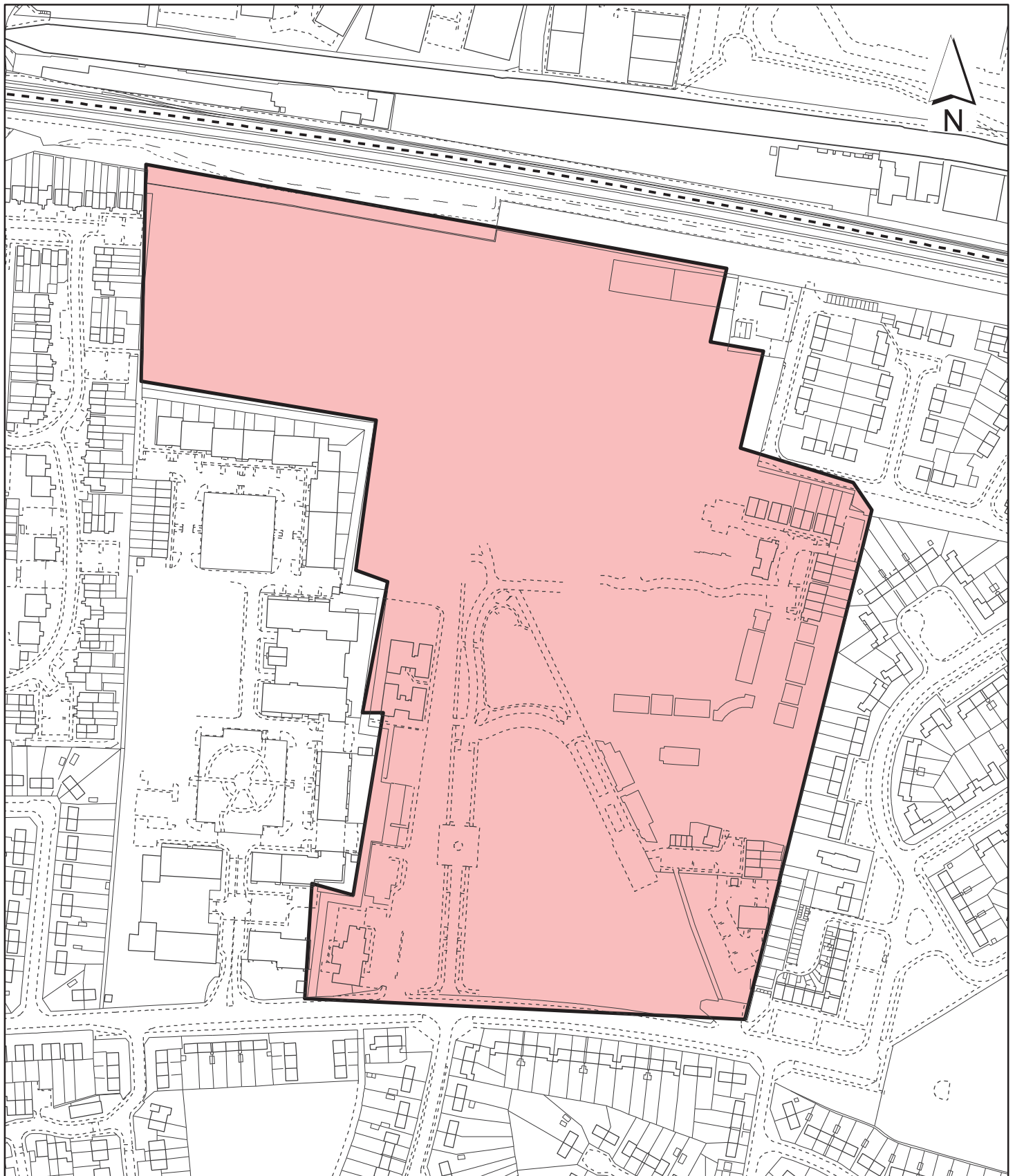
## **11. Reference Documents**



National Planning Policy Framework  
Hillingdon Unitary Development Plan Saved Policies September 2007  
Accessible Hillingdon' SPD: January 2010  
The London Plan (July 2011)

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230





<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p><b>Former National Air Traffic Services (NATS) Headquarters</b>  <b>Porters Way, West Drayton</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b>  <b>Planning, Environment, Education &amp; Community Services</b>          Civic Centre, Uxbridge, Middx. UB8 1UW          Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p><b>5107/APP/2012/129</b></p>	<p>Scale</p> <p><b>1:3,000</b></p>	 <p><b>HILLINGDON</b> LONDON</p>
	<p>Planning Committee</p> <p><b>Central and South</b></p>	<p>Date</p> <p><b>May 2012</b></p>	