

Report of the Corporate Director of Planning & Community Services

Address LAND TO THE NORTH OF TERMINAL 3 CENTRAL TERMINAL AREA
HEATHROW AIRPORT

Development: Erection of a transfer baggage building (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order 1995).)

LBH Ref Nos: 66456/APP/2009/2350

Drawing Nos: 13134-XX-SE-200-000025 Version 2.0
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13134-00-GA-200-000253 Version 8.0
13134-05-GA-200-000001 Version 2.0
13134-10-GA-200-000002 Version 7.0
13134-20-GA-200-000001 Version 7.0
13134-30-GA-200-000001 Version 8.0
13134-35-GA-200-000001 Version 3.0
13134-XX-SE-200-000001 Version 6.0
13134-XX-SE-200-000002 Version 6.0
13134-XX-SE-200-000003 Version 6.0
13134-XX-SE-200-000004 Version 6.0
13134-XX-SE-200-000009 Version 4.0
13134-XX-SE-200-000016 Version 5.0
13134-XX-SE-200-000017 Version 5.0
13134-XX-SE-200-000018 Version 5.0
13134-XX-SE-200-000019 Version 5.0
Design and Access Statement
Contaminated Land Assessment Report
Phase 1 Environmental Assessment
Ground Investigation Report

Date Plans Received: 26/10/2009 **Date(s) of Amendment(s):**

Date Application Valid: 26/10/2009

1. SUMMARY

The application is a consultation under Schedule 2 Part 18 of the Town and Country Planning (General Permitted Development Order 1995) relating to the erection of a transfer baggage building. The proposed building is referred to as the Western Interface Building (WIB) within the application and this name will be utilised throughout this report.

The proposed development is directly related to the provision of services and facilities at Heathrow Airport on operational land. It is therefore Permitted Development in accordance with Class A of Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and does not require planning permission. However, in accordance with the Order, the airport operator must consult with the local planning authority before commencing any development.

The design of the buildings are considered appropriate for the context of the application site.

There would be no increased flood risk or increased risk of issues relating to contamination subject to appropriate measure being implemented.

BAA Safeguarding have raised no airport safeguarding concerns.

A response from NATS Safeguarding is outstanding, however subject to this raising no safeguarding concerns the proposal does not give rise to any material planning concerns and it is recommended that no objection is raised.

2. RECOMMENDATION

THAT DELEGATED POWERS BE GIVEN TO THE CORPORATE DIRECTOR OF PLANNING AND COMMUNITY SERVICES TO

(i) RAISE AN OBJECTION SHOULD NATS OBJECT.

(ii) SHOULD NO OBJECTIONS BE RECEIVED FROM NATS RAISE NO OBJECTION TO THE APPLICATION SUBJECT TO THE CONSIDERATIONS AND INFORMATIVES SET OUT BELOW:

1 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 NONSC Surface Water Drainage

Prior to the commencement of development the surface water discharge rates must be agreed in writing by the Local Authority. The works must be carried out in accordance with the agreed rates.

REASON

To manage flood risk by ensuring the satisfactory storage and disposal of surface water from the site.

3 NONSC Contamination Groundwater

Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1. A preliminary risk assessment which has identified:

- * all previous uses
- * potential contaminants associated with those uses
- * a conceptual model of the site indicating sources, pathways and receptors
- * potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON

The site is on a principle aquifer and there is a shallow depth to groundwater. Some contamination was identified during the initial site investigation.

4 NONSC Contamination

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

The site is on a Principle aquifer and there is a shallow depth to groundwater. The previous use of the site and the surrounding land may have resulted in contamination.

5 NONSC Drainage/Contamination

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

No infiltration of surface water drainage into the ground is permitted unless where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON

The site is on a Principle aquifer and there is a shallow depth to groundwater. Some contamination was identified during the initial site investigation. Surface infiltration would provide potential pathways for contamination at the surface to migrate into the Principle aquifer.

6 NONSC Drainage/Contamination

The development hereby permitted shall not be commenced until such time as a scheme to describe the drainage system (including location of any additional interceptors/settlement tanks, use of chemical additives etc) has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

REASON

There is an existing Storm Water Drainage System (as quoted in the Drainage Letter within the application documents) for run off from Heathrow airside, however the

occupancy, storage and use of the development have not been defined, therefore it is not possible to adequately assess the impacts (if any) on the existing system. This lack of information could cause pollution and/or overloading of the system.

7 NONSC Ground Gas

Before any part of the development is commenced, the applicant shall carry out and submit details of a ground gas survey for the ground at the development site. If ground gas is found, the applicant shall carry out an appropriate risk assessment and install remediation measures to prevent gas ingress to any buildings and substructures at the development site, to the satisfaction of the Local Planning Authority. The condition will not be discharged until verification information has been submitted for the remedial works.

REASON

The limited gas investigation information submitted identified methane and carbon dioxide in the vicinity of BH5 and 6 near the older terminal buildings. A gas survey is required to clarify the risk to the new development, in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). Advice on this condition can be obtained from the Environmental Protection Unit on 01895 250155 or the Building Control Officer.

INFORMATIVES

1 152 Compulsory Informative (1)

The decision NOT TO OBJECT to the proposal 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).

2 153 Compulsory Informative (2)

The decision NOT TO OBJECT to the proposal 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 (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
A4	New development directly related to Heathrow Airport

3

Surface water discharge rates must be shown not exceed the current rates for the pre developed site.

If the development proposal will cost above £300k a responsible and appropriate party (e.g. the developer or construction firm etc) must write a Site Waste Management Plan. Further guidance and specific legislation is available here

<http://www.netregs.gov.uk/netregs/businesses/construction/62359.aspx>

4 114C Compliance with Building Regulations Access to and use of

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice.
AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

5 146 Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

6 158 Opportunities for Work Experience

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London

Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please refer to the enclosed leaflet and contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 0PD. Tel: 020 8897 7633. Fax: 020 897 7644. email: p.sale@btconnect.com .

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a constrained airside site to the north of Terminal 3, adjoining aircraft stands and Building 820. The site has been previously developed and formerly housed the Royal Mail sorting building which was demolished in 2006. Since demolition of the Royal Mail sorting building the application site has been utilised for airside storage.

3.2 Proposed Scheme

The application is a consultation under Schedule 2 Part 18 of the Town and Country Planning (General Permitted Development Order 1995) relating to the erection of a transfer baggage building. The proposed building is referred to as the Western Interface Building (WIB) within the application and this name will be utilised throughout this report.

The proposed WIB will act as an interface between Terminal 3 and the Terminal 5 to Terminal 1 transfer baggage tunnel which is currently under construction. The proposed WIB has an irregular shape, it is longer on the east-west axis than the north-south axis. It comprises 11,000sq.m of floorspace located over three floors and has a total footprint of 5,925sq.m. The maximum height of the building is 17.25m, although the stair wells extend to a height of 19.2m.

At ground level the proposed building is to be equipped to allow bags to be carried in and out of the tunnel with the upper two floors devoted to sorting bags to ensure they are forwarded to the correct terminal for collection/departure.

In general the building will be finished in silver grey cladding consistent with that used on similar surrounding structures.

The facades at ground floor level will be constructed from 1m wide flat, plain finish insulated composite panels powder coated in dark silver grey cladding. Doors, roller shutters, windows and louvre panels in this facade will be coloured to match the facade cladding.

The facades at first and second floor levels will be constructed from 1m wide flat, plain finish insulated composite panels powder coated in a light silver grey cladding. These panels will span from slab to slab and be attached to the building with hidden fixings. these panels will extend to a minimum of 1.1m above the perimeter roof gutters to form upstands ensuring safe access and concealing the roof from ground level.

The roof itself will be constructed from metal facade composite panels set to falls with peaks and troughs and walk-in gutters. Dedicated maintenance walkways will be provided to allow safe access.

Cladding to the two circulation towers will be formed from similar plain composite panels coloured light silver. These panels will have expressed recessed joints to differentiate from the main building facades. Doors, windows and louvre panels in the facades of these towers will be coloured to match the cladding.

3.3 Relevant Planning History

Comment on Relevant Planning History

4. Planning Policies and Standards

None.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.27 To ensure that development at Heathrow Airport for airport purposes mitigates or redresses any adverse effects on the environment.

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

OE1 Protection of the character and amenities of surrounding properties and the local area

OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

A4 New development directly related to Heathrow Airport

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 26th November 2009

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

ENGLISH HERITAGE

The present proposals are not considered to have an affect on any significant archaeological remains. Any requirement for pre- or post-determination archaeological assessment/evaluation on this site in respect of the current application can be waived.

BAA SAFEGUARDING

No objection - The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria.

NATS SAFEGUARDING

No response received at current.

ENVIRONMENT AGENCY

The proposed development would be acceptable subject to suggested conditions relating to flood

risk and contamination.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

No objection subject to a condition/consideration regarding ground gas.

TREES & LANDSCAPE

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed development is directly related to the provision of services and facilities at Heathrow Airport on operational land. It is therefore Permitted Development in accordance with Class A of Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and does not require planning permission. However, in accordance with the Order, the airport operator must consult with the local planning authority before commencing any development.

7.02 Density of the proposed development

N/A

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

English Heritage Archaeology were consulted on the application and have confirmed that they do not consider the proposals will have any affect on archaeological remains.

The application site is within the operational area of Heathrow Airport and is not in proximity of any Conservation Areas, Areas of Special Local Character or Listed Buildings.

7.04 Airport safeguarding

BAA Safeguarding were consulted on the application and have confirmed that they do not consider the proposals conflict with safeguarding criteria.

NATS Safeguarding have been consulted on the proposals, however no response has been received at current.

Subject to no objection being received from NATS Safeguarding it is not considered that the proposal would have any detrimental impacts on airport safeguarding.

7.05 Impact on the green belt

The application site is in the central operational area of Heathrow Airport and is not located in proximity to any Green Belt land.

7.07 Impact on the character & appearance of the area

There would be only limited views of the development from areas outside the airport. The size and siting of the building is considered to be appropriate for this busy airport location and its design would be in keeping with the character and appearance of nearby buildings and the surrounding area.

The visual impact is considered to be acceptable in this location and there are not considered to be any other adverse impacts associated with the proposed development.

7.08 Impact on neighbours

The application site is in the central operational area of Heathrow Airport and there are no nearby residential properties.

7.09 Living conditions for future occupiers

The proposal is for airport related development and accordingly this consideration is not

relevant.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed WIB building would provide a baggage sorting facility which is an operational requirement of the airport associated with the transfer of baggage between terminals by the transfer tunnel currently under construction (Permitted Development Consultation: 47853/APP/2007/3538).

The proposed building would be accessed via the airside road network and would be staffed by airport employees travelling to Heathrow by existing means. As such, the proposal does not give rise to any concerns regarding traffic impacts, car/cycle parking or pedestrian safety.

7.11 Urban design, access and security

Issues of design and access are dealt with elsewhere in this report.

The development would be located on the airside aspect of Heathrow airport and accordingly there are no concerns relating to security.

7.12 Disabled access

The proposed development does not require planning permission and accordingly, there are no relevant planning policies relating to disabled access. However, the development would be required to comply with the Building Regulations and it is considered that this would secure an appropriate level of accessibility for a facility of this type where the staff will be doing highly manual work.

Nevertheless, an informative is recommended in order to encourage the applicant to meet the highest standards of accessibility possible.

7.13 Provision of affordable & special needs housing

The proposal does not relate to residential development and accordingly this consideration is not relevant.

7.14 Trees, landscaping and Ecology

The proposed development would be accompanied solely by hard landscaped. Given the airside location of the development hard landscaping is considered to represent an appropriate treatment for this site.

7.15 Sustainable waste management

Detailed information relating to waste management has not been supplied, however buildings within Heathrow Airport are subject to a site wide waste management scheme and it is therefore considered that waste and recycling arising from the proposed building would be appropriately managed.

7.16 Renewable energy / Sustainability

The proposal represents permitted development and as such does not require planning permission and accordingly, there are no relevant planning policies relating to renewable energy or sustainability.

While, there is no requirement for energy efficiency or renewable technology above the minimum Buildings requirements and informative is recommended encouraging the applicant to meet the highest possible standards.

7.17 Flooding or Drainage Issues

The proposal has been reviewed in detail by the Environment Agency, who raise no objections to the proposal subject to appropriate detailed work relating to groundwater contamination and drainage being undertaken and implemented.

While conditions cannot be attached to this consultation response, it is considered that no objection should be raised subject to the recommendations of the Environment Agency being set out as considerations for the applicant to address.

7.18 Noise or Air Quality Issues

The proposed building would be located within the airside aspect of Heathrow Airport a significant distance from residential properties and it is not considered that the proposed baggage transfer facility would give rise to significant impacts relating to noise or air quality.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

The proposal represents permitted development and accordingly considerations relating to planning obligations are not relevant.

7.21 Expediency of enforcement action

Not applicable.

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

None.

10. CONCLUSION

The application is a consultation under Schedule 2 Part 18 of the Town and Country Planning (General Permitted Development Order 1995) relating to the erection of a transfer baggage building. The proposed building is referred to as the Western Interface Building (WIB) within the application and this name will be utilised throughout this report.

The proposed development is directly related to the provision of services and facilities at Heathrow Airport on operational land. It is therefore Permitted Development in accordance with Class A of Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and does not require planning permission. However, in accordance with the Order, the airport operator must consult with the local planning authority before commencing any development.

The design of the buildings are considered appropriate for the context of the application site.

There would be no increased flood risk or increased risk of issues relating to contamination subject to appropriate measure being implemented.

BAA Safeguarding have raised no airport safeguarding concerns.

A response from NATS Safeguarding is outstanding, however subject to this raising no safeguarding concerns the proposal does not give rise to any material planning concerns and it is recommended that no objection is raised.

11. Reference Documents

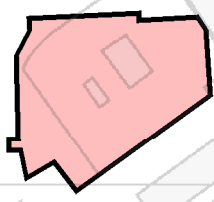
(A) The Town and Country Planning (General Permitted Development) Order 1995 (as amended)

Contact Officer: Adrien Waite

Telephone No: 01895 250230



Heathrow Airport-London



Terminal 3

Depot

FB

Sta
(LUL)


Bus &
Coach Sta

CONTROL TOW

SPW

INNER RING WEST

Notes

 Site boundary

For identification purposes only.

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London Borough of Hillingdon
100019283 2009

Site Address	
Land to the north of Terminal 3 Central Terminal Area Heathrow Airport	
Planning Application Ref:	Scale
66456/APP/2009/2350	1:4,000
Planning Committee	Date
Central and South	December 2009

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

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HILLINGDON
LONDON