

Report of the Head of Planning & Enforcement

Address SITE OF FORMER SHELTERSPAN BAGGAGE BUILDING, T3
HEATHROW AIRPORT HOUNSLOW

Development: Erection of a part three, part four-storey Integrated Baggage Building (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).

LBH Ref Nos: 27277/APP/2010/741

Drawing Nos: 13148-XX-SK-200-0000038 Rev: 1A - T3 IB Site Indicating 'Shelterspan' Building now demolished - outlined in red
13148-00-GA-200-000018 Rev: 1.B
13148-00-DE-200-000002 Rev: 3.0B - T3 Integrated Baggage New Substation North - East
Letter from Merebrook Consulting relating to surface water drainage
13148-XX-SK-200-0000038 Rev: 1A - T3 IB Site outlined in red
13148-00-GA-200-000017 Rev: 1.C - T3 Integrated Baggage Planning Submission Main Building GA, Level 00
13148-10-GA-200-000009 Rev: 1.C - T3 Integrated Baggage Planning Submission Main Building GA, Level 10
13148-20-GA-200-000009 Rev: 1.C - T3 Integrated Baggage Planning Submission Main Building GA, Level 20
13148-30-GA-200-000010 Rev: 1.C - T3 Integrated Baggage Planning Submission Main Building GA, Level 30
13148-40-GA-200-000007 Rev: 1.B - T3 Integrated Baggage Planning Submission Main Building GA, Level 40
13148-XX-SE-200-000055 Rev: 3.B - T3 Integrated Baggage Planning Submission Elevations North & South
13148-XX-SE-200-000056 Rev: 3.B - T3 Integrated Baggage Planning Submission Elevations East & West
13148-XX-SE-200-000057 Rev: 3.B - T3 Integrated Baggage Planning Submission Sections
13148-XX-SE-200-000073 Rev: 1.C - T3 Integrated Baggage Planning Submission Link Bridge Cross Sections BB & FF
13148-XX-SE-200-000074 Rev: 1.B - T3 Integrated Baggage Planning Submission Link Bridge Proposed Long Elevations
13148-00-GA-200-000019 Rev: 1.C - T3 Integrated Baggage Planning Submission Main Building Site Plan
Phase 1 and 2 Geo-Environmental Assessment Report by WSP

Date Plans Received: 30/03/2010 **Date(s) of Amendment(s):** 21/10/2009
Date Application Valid: 30/03/2010 30/10/2009
30/03/2010

1. SUMMARY

BAA has submitted this proposal for consultation under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995.

It is proposed to erect an Arrivals, Departures and Transfer baggage building located to the north east of Terminal 3, replacing the existing Shelterspan building. The proposed

building is referred to as the T3 Integrated Baggage Building (T3 IBB) within the building and this name will be utilised throughout this report.

It is considered that there would be no increase flood risk or increased risk of issues relating to contamination, subject to appropriate measure being implemented.

It is considered that the proposed works would not have any detrimental impact on the character or appearance of this part of the airport.

The proposal complies with the relevant UDP and London Plan policies.

A response from BAA 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 subject to no objections being received from BAA Safeguarding, that delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to the following conditions, and any additional conditions and/or informatives which may be required by BAA Safeguarding:

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

Before any part of the development is commenced, the applicant should submit details of methods to provide sustainable urban drainage and a reduction of run off rates from the development to the satisfaction of the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

REASON

To avoid adverse impact on flood risk associated with Heathrow in accordance with Policies OE7 and OE8 of the London Borough of Hillingdon Unitary Development Plan Saved Policies (September 2007) and PPS25.

3 NONSC Ground Gas

Before any part of the development is commenced, the applicant shall carry out and submit further 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 gas investigation submitted identified low levels of gas and potential vapour issues. 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 to ensure the development complies with Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and 4A.17 of the London Plan.

INFORMATIVES

1 I52 **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 I53 **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
A4	New development directly related to Heathrow Airport
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures

3 I14C **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.

4 I46 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.

Use of the Energy Centre, approved as part of the Heathrow East development, to provide part of the site's energy needs through renewable technology should be thoroughly investigated.

5 I58 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 .

6

As the value of the construction project will be in excess of £300,000, a responsible and appropriate party (e.g. the developer or construction firm) must write a Site Waste

Management Plan, explaining how waste arising from the building works will be reused, recycled or otherwise handled. This document should be prepared before building works begin. Further guidance and specific legislation is available here: <http://www/netregs.gov.uk/netregs/businesses/construction/62359.aspx>

Other Waste Management informatives include:

* Waste arising from day to day operations of the building is to be managed by existing arrangements and systems in place for the airport.

* Although beyond the direct influence of the Council, the operators of the airport should be encouraged to divert as much waste to recycling as possible.

* The area allocated for the waste storage should have walls and ceiling made from fire retardant materials to BS: 476-22 standard.

* Any drainage from the waste storage area should be by means of a trapped gully connected to the foul sewer.

* The applicant should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

7

Advice from a suitably qualified Fire Safety Officer concerning emergency egress for disabled people from the proposed office accommodation should be sought at an early stage.

8

The applicant is reminded of the duties set out in the Disability Discrimination Act 1995, with regard to employment and service provision. Whilst an employer's duty to make reasonable adjustment is owed to an individual employee or job applicant, the responsibility of service providers is to disabled people at large, and the duty is anticipatory. The failure to take reasonable steps at this stage to facilitate access will therefore count against the service provider, if/when challenged by a disabled person. It is therefore recommended that the applicant takes full advantage of the opportunity that this development offers, to improve the accessibility of the premises to people with mobility and sensory impairments.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located in the Central Terminal Area to the north east of the Terminal 3 (T3) Arrivals building, adjacent to the Western Interface Building, which was recently approved under planning reference: 66456/APP/2009/2350.

The site was until recently occupied by the Shelterspan baggage facility which also served T3 and handled transfer baggage.

3.2 Proposed Scheme

It is proposed to erect a three and four storey Integrated Baggage Building (T3 IBB) at the former Shelterspan building site.

The proposed building would consist of a double height baggage hall at ground level with vehicular access, two double height floors above to accommodate baggage sortation systems and hold baggage screening (HBS) facilities. An additional part floor would accommodate the problem bag area and ancillary accommodation (baggage control room, HBS screening rooms and mess areas) at the western end of the building.

The building would be used to accommodate the baggage functions formerly housed in the Shelterspan building as well as replacing the time expired equipment for baggage handling currently provided within Terminal 3. Departures baggage would feed into this stand-alone building from the existing T3 check-in area through a demolished section of the existing Hillingdon Suite, then on a raised baggage link over the Hillingdon Crescent roadway and into the main building at the first floor level. The Hillingdon Suite is to be re-provided in a consolidated suite through a subsequent GPDO Consultation. The new hall also receives baggage from the adjoining Western Interface Building (WIB), which was recently approved under planning reference 66456/APP/2009/2350. The WIB will also feed bags into the T3 IBB as necessary from the other terminals via the transfer baggage tunnel.

The total area affected by the development is 15,300m², of which 7,600m² is taken up by the main building footprint (200m long x 51m wide) while the remaining area consists of circulation roads around the building. The bridge area is 850m². Internally the building provides 34,272sqm of floorspace, which would predominantly be occupied by baggage sortation and HBS equipment and includes 2800m² of office and mess. The typical maximum height of the building to the parapet will be 28.8m increasing to 31.2m at the stair tower.

Two electricity sub stations are also proposed, one incorporated into the eastern end of the building and one free standing adjoining the northern side of the building.

A Soil Contamination Assessment and Surface Water Drainage and Flood Risk Assessment were submitted with the application as supplementary technical information.

3.3 Relevant Planning History

Comment on Relevant Planning History

On the 29th April 2009 the Council issued a screening opinion for an Integrated Baggage building and a Western Interface Building at Terminal 3, with a determination that the proposed did not require a full environmental impact assessment.

This T3 IBB proposal follows on from the screening opinion, in respect of the integrated baggage element of the project as a whole. The western interface building is already approved (66456/APP/2009/2350 dated 12 January 2010) as part of an earlier submission for a transfer baggage tunnel between T5, T3 and T1 (47853/APP/2007/3538 dated 18 February 2008), which is currently under construction.

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies September 2007
London Plan (Consolidated with Alterations since 2004)

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

A4 New development directly related to Heathrow Airport

A6 Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports

OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

BAA SAFEGUARDING

No response received at current. Their comments will be reported at Committee if received in time, otherwise a consideration will be attached to ensure no development takes place until a response, raising no objection, has been received.

NATS SAFEGUARDING

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

ENVIRONMENT AGENCY

Flood risk would not increase as a result of this development. We would like the applicant to consider use of Sustainable Urban Drainage (SUDs) to reduce run-off rates.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

No objection subject to a condition/consideration regarding ground gas and any related risk assessment.

WASTE MANAGEMENT

No objection subject to a condition/consideration regarding waste management.

URBAN DESIGN

No objections to the scale, height, massing and character of the proposed building.

ACCESS OFFICER

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The 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 Part 18 of Schedule 2 of the Town and Country Planning (Permitted Development) Order 1995 and does not require planning permission. However, in accordance with the Order, the airport must consult with the Local Planning Authority before commencing any development.

The application is for the reconfiguration of existing facilities at the airport, and fully complies with Policy A4 of the UDP which seeks to contain directly related airport uses on airport. Accordingly, no objections are raised to the principle of the proposed development in this location, subject to BAA Safeguarding also raising no objection.

7.02 Density of the proposed development

Not applicable to this type of development.

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

The proposed development is not located within or near to an Archaeological Priority Area, Conservation Area, listed building, or Area of Special Local Character.

7.04 Airport safeguarding

BAA Safeguarding and National Air Traffic Services (NATS) have been consulted. NATS have no safeguarding objections to this proposal.

A response from BAA Safeguarding has not yet been received. Their comments will be reported at Committee if received in time, otherwise a consideration will be attached to ensure no development takes place until a response, raising no objection, has been received.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of the site.

7.07 Impact on the character & appearance of the area

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. There would be only limited views of the development from areas outside the airport. The visual impact is considered to be acceptable in this location.

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

Not applicable to this type of development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed operational building would be accessed via the airside road network and would be staffed by airport employees travelling to Heathrow by existing means. No additional parking, or alterations to existing car parking layouts at the airport, are proposed as part of this application. As such, the proposal would not give rise to any concerns regarding traffic impacts, car/cycle parking or pedestrian safety.

7.11 Urban design, access and security

The scale, height, massing and character of the building is considered to be similar in appearance to other large buildings located in this part of Heathrow Airport. It is considered that the proposed building is responsive to the site constraints, and of a comparable height to Terminal 3 and the nearby Airfield Office Building 820. A consistent design aesthetic is proposed for the T3 IBB to that of the neighbouring WIB. The building will be finished in the standard BAA silver/grey cladding. The visual impact of the building is considered to be acceptable in this airport location and the proposal would comply with UDP Policy BE13.

The development would be located in the airside aspect of Heathrow Airport and accordingly there are no concerns relating to safety.

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.

An informative is recommended 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

Not applicable. The proposal is for the reconfiguration of an airside area. No landscaping will be lost as part of the works, no new landscaping will be provided.

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, there is no requirement for the development to comply with policies relating to renewable energy and sustainability.

It should be noted that, in compliance with the S106 requirements for T2A, BAA have been working on a Heathrow Wide Energy Strategy aimed at reducing carbon dioxide

emissions across the airport by 34% by 2020 (based on a 1990 base figure), and providing a more integrated system of energy supply. Proposals for a new energy centre, to serve T2A and other buildings within the CTA with a portion of their energy needs through renewable sources, have recently been submitted and are being assessed by the Council.

7.17 Flooding or Drainage Issues

A technical Surface Water Drainage and Flood Risk Assessment supporting document was submitted with the application and reported on results design and mitigation.

The site is currently hard surfaced. No additional catchment is proposed over and above the existing situation. As such, it is considered that flood risk would not increase as a result of the development.

The proposal and technical drainage and flood risk assessment has been reviewed in detail by the Environment Agency, who raise no objections to the proposal subject to appropriate detailed work relating to sustainable urban drainage being undertaken and implemented.

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

It is not considered that the proposal would lead to any increase in noise or air quality issues over and above the existing layout and facilities at the site.

7.19 Comments on Public Consultations

Not applicable.

7.20 Planning obligations

The proposal represents permitted development and accordingly considerations relating to planning obligations are not applicable in this instance.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Soil Contamination & Ground Gas/Vapours

A technical Geo-Environment Assessment supporting document was submitted with the application and reported on results from ground contamination investigations and ground gas monitoring.

No significant ground contamination was identified in the samples tested when considering the proposed end use for the development.

Ground gas monitoring indicated low levels of gas present underground and the technical report concludes that there may be areas of undiscovered contamination at the site. It also states that buried fuel lines to the east of the site may be considered potential future source of contamination, and care may be required with regard to this and other services in the area during development works. As the landscaping for the development will consist

entirely of hard standing, therefore the highest risk identified is to construction workers, primarily through direct exposure to contaminant. The potential for gas generation also remains due to historical fuel contamination under the site, and possible future contamination.

The proposal and technical Geo-Environment Assessment has been reviewed in detail by the Council's Environmental Protection Unit team. No objections to the proposal have been raised subject to appropriate detailed work relating to gas and any risk related assessment being undertaken and implemented, and any subsequent verification information provided.

No objection should be raised subject to recommendations being set out as considerations for the applicant to address.

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

It is not considered that the proposed development would have any detrimental impacts on this part of the airport. The Integrated Baggage Building would be in keeping with the

character and appearance of the adjacent airport buildings and there would be no views of the building from the airport boundary. The proposal complies with relevant UDP and London Plan policy and, accordingly, it is recommended that no objections are raised, subject to BAA Safeguarding also raising no objection.

11. Reference Documents

The Town and Country Planning (General Permitted Development) Order 1995 (as amended) - Part 18

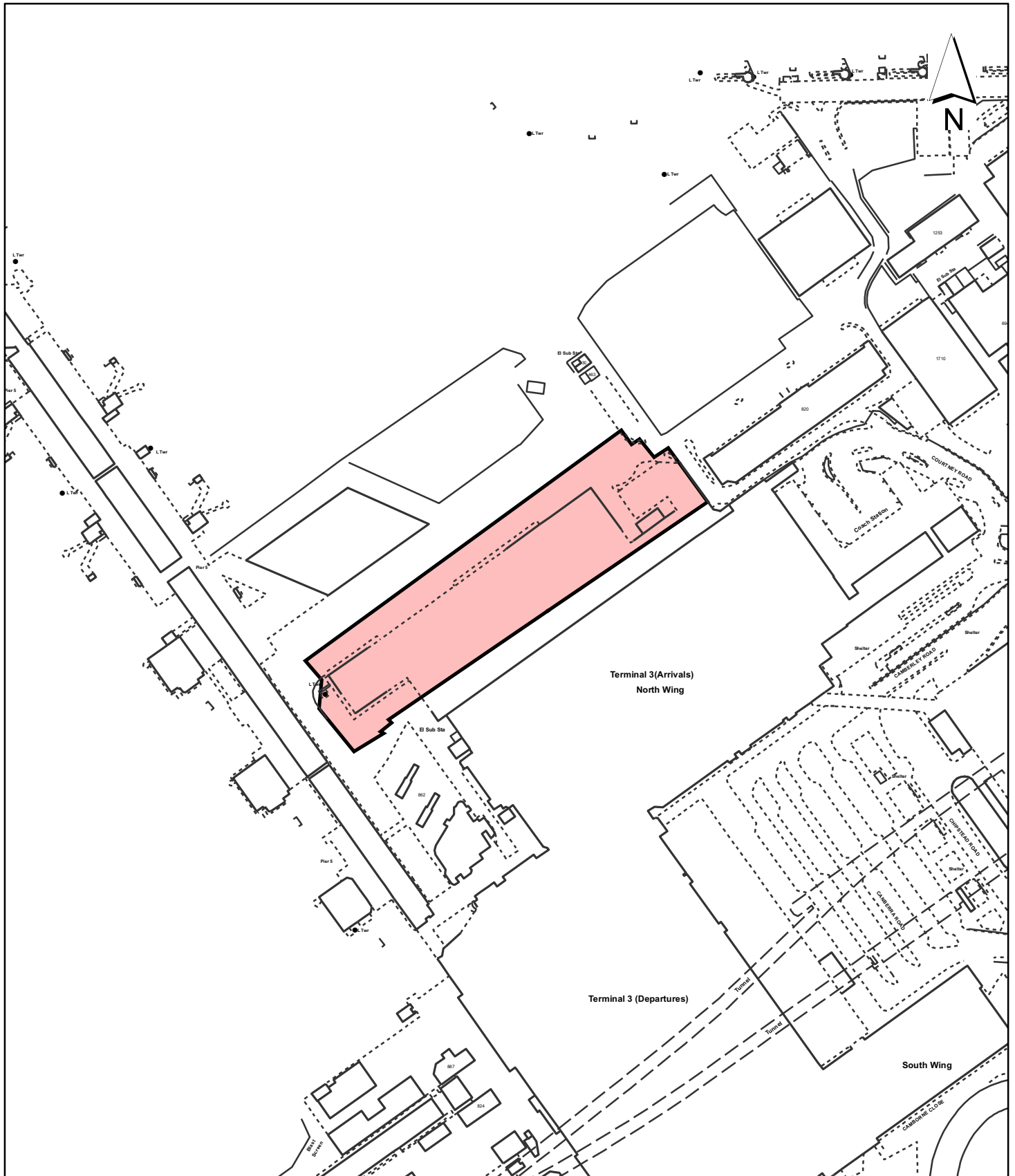
Hillingdon Unitary Development Plan Saved Policies (September 2007)

London Plan (Consolidated with Alterations since 2004)


Hillingdon's Land Contamination Supplementary Planning Guidance (SPG)

Contact Officer: Tabitha Knowles

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Site of former Shelterspan
Baggage Building,
Terminal 3, Heathrow**

Planning Application Ref:

27277/APP/2010/741

Planning Committee

Central and South

Scale

1:2,500

Date

May 2010

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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