

Report of the Head of Planning & Enforcement Services

Address EASTERN APRON, CENTRAL TERMINAL AREA, HEATHROW AIRPORT
HOUNSLOW

Development: Baggage Connectivity component of Eastern Apron Subsurface Works comprising T2A early bag store basement, T2A to T2B baggage tunnels, T2B northern and southern baggage basements and safeguarded baggage tunnel connections towards any future T2C (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).

LBH Ref Nos: 64110/APP/2010/1567

Drawing Nos: 12159-XX-GA-200-000001 version 1.0
12159-XX-GA-200-000002 version 1.0
12159-XX-GA-200-000003 version 1.0
12159-XX-GA-200-000004 version 1.0
12159-XX-GA-200-000005 version 1.0
12159-XX-GA-200-000007 version 1.0
12159-XX-GA-200-000008 version 1.0
12159-XX-GA-200-000009 version 1.0
12159-XX-SE-200-000001 version 1.0
12159-XX-SE-200-000002 version 1.0
12159-XX-SE-200-000003 version 1.0
12159-XX-SE-200-000004 version 1.0
12159-XX-SE-200-000005 version 1.0
12159-XX-SE-200-000006 version 1.0
Design and Access Statement
Phase I Environmental Risk Assessment
Assessment of Potential Survival of Archaeological Deposits
Flood Risk Assessment

Date Plans Received: 29/06/2010 **Date(s) of Amendment(s):**
Date Application Valid: 29/06/2010

1. SUMMARY

The application is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order) 1995 for baggage connectivity infrastructure to allow transportation of baggage between T2A and T2B. It should be noted that the development is integrated with passenger connectivity proposals currently under consideration (Application 64110/APP/2010/1569).

The proposals are directly related to the operational needs of the airport and are considered to represent permitted development.

The proposals would not result in any adverse impacts on the appearance or character of the airport or have any impacts on existing landscaping. Nor would the development give rise to any detrimental impacts on the amenity of residential properties or on the safe operation of the airport.

Subject to appropriate considerations there would be no detrimental impacts or

conditions arising from the development in terms of contamination or flood risk.

Accordingly, no objection is raised to the proposal subject to considerations.

2. RECOMMENDATION

No objection subject to the following considerations:

1 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 NONSC EA Consideration 1

The development shall be carried out in accordance with the approved Eastern Apron Subsurface Works Flood Risk Assessment (FRA) June 2010, the following specific monitoring and mitigation measures shall also be implemented:

1. Ongoing groundwater monitoring shall take place throughout the construction period and for one year following completion of the development; and

2. Quarterly reports on groundwater monitoring shall be prepared, including both implemented and recommended contingency actions shall be submitted to the Local Planning Authority throughout the construction period and for one year following completion of the development.

Should the Local Planning Authority advise you that the contingency actions contained within any submitted groundwater monitoring report are inadequate, revised details shall be submitted for approval in writing by the Local Planning Authority. Thereafter the amended contingency actions shall be implemented on site.

REASON

To prevent groundwater flooding and resource depletion in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policies 4A.16 and 4A.17 of the London Plan.

3 NONSC EA Consideration 2

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 remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

The site is located on a Principal Aquifer in the Taplow Gravel and there is a very shallow depth to groundwater, accordingly measures are necessary to prevent risk of contamination of the aquifer in accordance with Policy 4A.17 of the London Plan.

4 NONSC EA Consideration 3

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

REASON

To prevent pollution of surface and/or ground waters in accordance with Policy 4A.17 of The London Plan.

5 NONSC LPA Gas Protection

The results of any further gas and vapour monitoring and the details of the gas protection measures proposed shall be submitted to and approved by the Local Planning Authority. The agreed gas protection measures to prevent gas or vapour ingress to the buildings and tunnels particularly at enclosed spaces and service ducts shall be implemented at the development to the satisfaction of the Local Planning Authority.

REASON

To prevent risk to any future users from gas and vapour within the vicinity of the location in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 152 Compulsory Informative (1)

The decision to raise NO OBJECTION 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 to raise NO OBJECTION 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.
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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE10	Phasing of development in areas of potential flooding or inadequate sewerage capacity
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
A2	Developments at Heathrow airport likely to increase demand for off-airport development or have significant adverse environmental

	impact
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
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.

3

Discharge of dewatering effluent back into groundwater will be subject to limits and conditions via the Environmental Permitting Regulations (EPR) 2010. Please note the following:

1. Treating/remediating contaminated groundwater may require authorisation under the EPR 2010, for instance as a mobile treatment plant. <http://www.environment-agency.gov.uk/business/topics/permitting/36112.aspx>

2. Discharging treated effluent (from the mobile plant) back into the groundwater will also require an environmental permit for a groundwater activity under the EPR 2010 <http://www.environment-agency.gov.uk/business/topics/water/117697.aspx>

4

Some gas and vapours have been found at this location, and there may be a risk to the users of enclosed spaces. Therefore gas protection measures are required as a precaution in case any gases or vapours in the ground migrate to the building structures or tunnels. Advice on this condition can be obtained from the Environmental Protection Unit on 01895 250155.

5 160 **Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

6 112 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

7 115 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and

Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

8 113 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

9 134 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

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.

10 146 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.

11 158 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 falls within an airside location, approximately 0.6km to the north of Hatton Cross and to the east of terminal 2A, at Heathrow Airport. The site has a total area of 4.9 hectares.

The site area above ground level currently comprises aircraft taxi ways (Lima and Link 29), aircraft stand positions and grassed areas (such as Area 28). The immediate surrounding area comprises concrete aircraft taxiways and grass verges.

The nearest residential property is over a kilometre from the site.

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 for baggage connectivity infrastructure to allow transportation of baggage between T2A and T2B. It should be noted that the development is integrated with passenger connectivity proposals currently

under consideration (Application 64110/APP/2010/1569).

The Baggage connectivity proposals consist of four main parts:

Early Bag Store (EBS) - The EBS would be a baggage holding area for early arriving bags and transfer baggage, providing capacity for up to 5500 bags, and will be utilised for early arriving bags, problem baggage requiring resolution and bags which need to be re-flighted. The EBS would be constructed below ground level (with the floor slab being 12m below ground level) and located immediately to the north east of T2A and be 190m by 95m in area.

T2A to T2B Baggage Tunnels - The tunnels would contain moving conveyor lines for the transportation of bags between the T2A baggage basements (approved under the reserved matters application for T2A) and the T2B southern and northern baggage basements (proposed).

T2B northern and southern baggage basements - This aspect of the proposal relates to two linked baggage basements located underneath terminal T2B. The basements will be constructed so as to form the foundation of the T2B superstructure, which already benefits from permission, and would measure approximately 80m by 65m and 180m by 65m. Both basements would accommodate mezzanines for baggage equipment plant, rest areas and workshops.

T2B to future T2C baggage tunnel - This aspect of the proposal includes some additional tunnel construction to enable future potential operational development at the airport.

3.3 Relevant Planning History

62360/APP/2009/2232 T2, Queens Bldg, P/O T1, Cta & P5 Car Park, Sealand Rd Heathrow
Variation of condition 27 (Building dimensions) of planning permission
ref.62360/APP/2006/2942 dated 02/07/2007: Development of a replacement passenger
terminal building in the Central Terminal Area.

Decision: 08-02-2010 Approved

62360/APP/2010/648 T2, Queens Bldg, P/O T1, Cta & P5 Car Park, Sealand Rd Heathrow
Reserved Matters (details of layout, scale, appearance, access and landscaping) in respect of
the proposed terminal building and forecourt site, in compliance with condition 2 of planning
permission ref:62360/APP/2009/2232 dated 08/02/2010: Variation of condition 27 of outline
planning permission ref:62360/APP/2006/2942 dated 02/07/2007 (Development of a
replacement passenger terminal building in the Central Terminal Area.)

Decision: 22-06-2010 Approved

64110/APP/2008/299 Eastern Apron, Central Terminal Area, Heathrow Airport Hounslow
ERECTION OF MIDFIELD PIER COMPRISING GATE LOUNGE SEATING, RETAIL
FACILITIES, BUSINESS LOUNGES AND RAMP ACCOMMODATION (CONSULTATION
UNDER SCHEDULE 2, PART 18 OF THE TOWN AND COUNTRY PLANNING (GENERAL
PERMITTED DEVELOPMENT) ORDER 1995).

Decision: 23-04-2008 NO

Comment on Relevant Planning History

Heathrow Airport has an extensive planning history, however the most relevant decisions relate to terminals T2A and T2B which are included above.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.
- 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.
- 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
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- OE10 Phasing of development in areas of potential flooding or inadequate sewerage capacity
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- A2 Developments at Heathrow airport likely to increase demand for off-airport development or have significant adverse environmental impact
- 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
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 30th July 2010

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

BAA SAFEGUARDING

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal.

NATS

The proposed development has been examined from a technical safeguarding aspect and does not conflict with safeguarding criteria.

ENVIRONMENT AGENCY

No objection subject to the imposition of requested considerations.

ENGLISH HERITAGE ARCHAEOLOGY

The site lies in an Archaeological Priority Area as defined in the Borough UDP.

The submission includes an archaeological statement, prepared by Framework Archaeology. This has demonstrated that the application area has been subject to extensive truncation as a result of previous airport activity. It is extremely unlikely that archaeological remains will be affected by the present proposals.

It is therefore advised that any requirement for pre- or post-determination archaeological assessment/evaluation of this site in respect to the current application could be waived.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT - CONTAMINATION

The consultation involves the submission of a letter by HAL explaining the contaminated land and groundwater issues supported by a report by AMEC.

The AMEC Phase 1 report assesses previous investigations in the area, and the letter summarises the ground conditions including paragraphs on gas, soil and groundwater contamination. It appears that there are issues with a fuel hydrant leak at Stand 124 that is being cleaned up by HAL, and fuel vapour was found at Tier 1, Pier 3.

It appears that some hydrocarbon vapours and ground gases (CH₄ / CO₂) are present in the area of T2B, and this may present a risk to site users and structures.

The report and summary letter recommends some further monitoring of gas and the implementation of gas remediation on enclosed spaces (ie; enclosed chambers, tunnels and service ducts).

Measures (membrane, ventilation etc) to prevent gas / vapour ingress should be included in the design and implemented. This seems a necessary precautionary measure.

As above some further gas monitoring is recommended to check the status of the ground gas regime. However it also seems that no further site investigation is planned for soil contamination although groundwater monitoring is planned due to the presence of free phase hydrocarbons on the groundwater from the fuel spill.

There appear to be groundwater issues which are being dealt with by the Environment Agency. These are explained in the letter and it is possible that the Environment Agency may require a condition to effect the clean up of groundwater.

No objection, subject to a consideration regarding contamination.

ENVIRONMENTAL PROTECTION UNIT - NOISE

The contents of the letter, dated 24th June 2010 from the applicant, submitted in support of the consultation, have been considered. According to the letter, the Council has issued a screening opinion stating that an Environmental Impact Assessment is not required. Also, the Design and Access statement claims that it has been demonstrated that there are no significant environmental effects.

The letter states that the proposed baggage connectivity and associated passenger connectivity component are for use in the context of existing approvals for a revised airfield layout and new passenger terminal facilities. These existing approvals include the new Terminal T2A, and associated aircraft stand, taxiways and aprons. The letter claims that the baggage connectivity component and associated passenger connectivity component only relate to the manner in which passengers and their bags are moved around the Eastern Campus and do not affect the capacity of the airport in terms of its ability to process passengers or in terms of stand capacity for aircraft. There is no reason to dispute this and, consequently, there is no reason to believe that the proposals would worsen air and ground noise impacts associated with aircraft flights at the airport.

The proposed baggage connectivity component comprises subsurface works in the central terminal area at considerable distance from residential properties situated outside the airport. It is therefore unlikely that noise from use of the baggage connectivity component will be a problem at the residential receivers.

In order to advise on environmental issues associated with demolition and construction work, it is recommended that the standard informative regarding construction work is added should no objections be raised.

No objection.

ACCESS OFFICER

No comments are raised on this development proposal.

HIGHWAYS

The proposal relates to the erection of underground baggage tunnels to meet the operational demands of Heathrow and falls within an airside location. Accordingly, no objections are raised on Highways grounds.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order).

The proposed development would provide facilities for the transfer of baggage between terminals within Heathrow and is therefore required for purposes directly related to the operation of the airport.

The proposal represents permitted development and accordingly, there is no objection to the principle of the development.

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 application site is not located in a Conservation Area, Area of Special Local Character

or in proximity to any Listed Buildings.

The site lies in an Archaeological Priority Area and the application is supported by an archaeological statement. English Heritage Archaeology have advised that the site has been subject to extensive truncation as a result of previous airport activity and it is extremely unlikely that archaeological remains will be affected by the proposal. Accordingly any requirements for further archaeological assessment can be waived.

7.04 Airport safeguarding

The application has been assessed by both NATS and BAA Safeguarding, both of which have confirmed that the proposal does not conflict with technical safeguarding criteria. Accordingly, the proposal would accord with Policy A6 of the Saved Policies UDP.

7.05 Impact on the green belt

The application site does not lie within, or in proximity to, any areas of designated Green Belt land.

7.07 Impact on the character & appearance of the area

The proposal would be located within the central terminal area of the airport and would be entirely subterranean. Accordingly, they would not impact on the character or appearance of the area and the proposal would accord with Policy BE13 of the Saved Policies UDP.

7.08 Impact on neighbours

The application site is located over 1km from the nearest residential property and it is not considered that the proposal would have any detrimental impacts on 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 proposal seeks the installation of subterranean baggage connectivity tunnels to facilitate the movement of baggage between terminals within the airport boundary. These tunnels would service the existing operational demands of terminals within the airport and accordingly would not result in additional traffic generation, detrimental impacts on highway or pedestrian safety, or any additional car or cycle parking demand. No objection is therefore raised on highways grounds.

7.11 Urban design, access and security

Design and access issues are dealt with elsewhere within this report.

The application seeks permission for baggage connectivity tunnels within the secure airside aspect of Heathrow airport, accordingly it would not give rise to any security issues.

7.12 Disabled access

The EBS and transfer tunnels would be fully automated and access to these areas would be required only on rare occasions or for maintenance purposes.

The T2B northern and southern baggage basements would include internal mezzanine levels to accommodate plant equipment, rest areas and workshops. The submitted floorplans indicate that lift access would be provided within these basements.

The Council's Access Officer considers that the proposals are acceptable and raises no objection.

7.13 Provision of affordable & special needs housing

The proposal relates to operational airport development and consideration of affordable or

special needs housing is not relevant to the application.

7.14 Trees, landscaping and Ecology

The application site is within the central terminal area of Heathrow airport. There is no existing landscaping in the vicinity nor is it considered that the proposal would necessitate any landscaping having regard to its context. It is considered that the proposal would comply with Policy BE38 of the Saved Policies UDP.

7.15 Sustainable waste management

The proposal would not necessitate any dedicated external waste storage. Any waste arising from use of the rest areas or workshops would be dealt with as part of the airport wide waste strategy. Accordingly it is considered that adequate provision would be made for waste and recycling provision.

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. Nevertheless the proposal would utilise modern construction techniques and would be linked to wider energy infrastructure at Heathrow, which would serve to reduce carbon dioxide emissions.

No objection is therefore raised to the proposal in terms of sustainability.

7.17 Flooding or Drainage Issues

The application is supported by a flood risk assessment which has been considered by the Environment Agency. Subject to the implementation of the measures within the flood risk assessment and other recommended considerations no objection has been raised to the proposal which is not considered to give rise to an increased risk of flooding.

Accordingly, the proposal would comply with Policies OE7 and OE8 of the Saved Policies UDP.

7.18 Noise or Air Quality Issues

NOISE

The proposal consists of sub surface works within the central terminal area and is over 1km from the nearest residential property. Accordingly, it is not considered that it would give rise to noise which would have detrimental impacts and would accord with Policy OE1 of the Saved Policies UDP.

AIR QUALITY

The proposal consists of a baggage connectivity tunnel, which would enable the transfer of baggage via motorised conveyor belts between terminals T2A and T2B and is associated with the operational requirements of the airport. It is not considered that the proposal would give rise to any detrimental impacts on local air quality.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

N/A.

7.21 Expediency of enforcement action

N/A

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

The application is a consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development Order) 1995 for baggage connectivity infrastructure to allow transportation of baggage between T2A and T2B. It should be noted that the development is integrated with passenger connectivity proposals currently under consideration (Application 64110/APP/2010/1569).

The proposals are directly related to the operational needs of the airport and are considered to represent permitted development.

The proposals would not result in any adverse impacts on the appearance or character of the airport or have any impacts on existing landscaping. Nor would the development give rise to any detrimental impacts on the amenity of residential properties or on the safe operation of the airport.

Subject to appropriate considerations there would be no detrimental impacts or conditions arising from the development in terms of contamination or flood risk.

Accordingly, no objection is raised to the proposal subject to considerations.

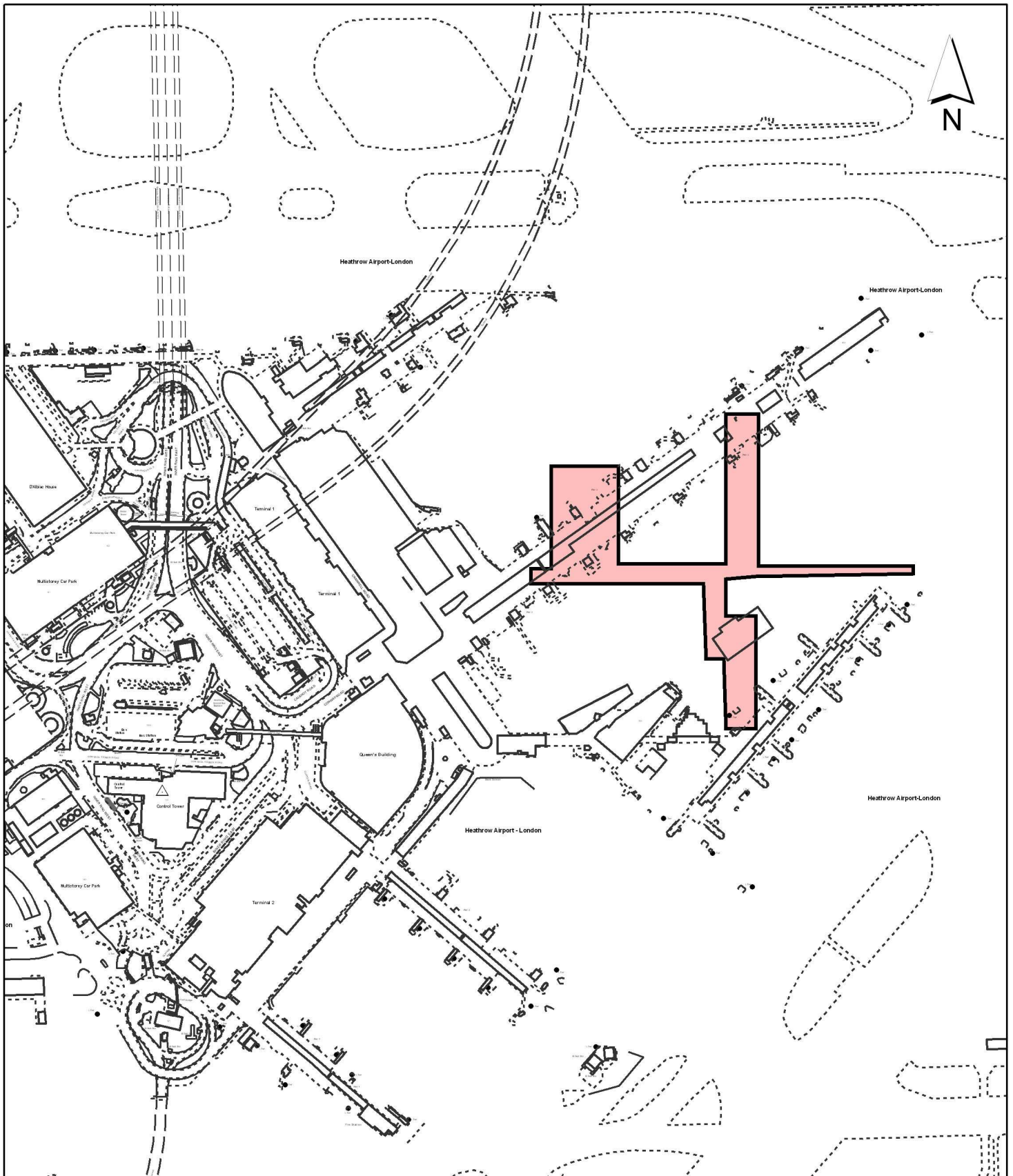
11. Reference Documents

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

amended)

Contact Officer: Adrien Waite

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Eastern Apron,
Heathrow**

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

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:
64110/APP/2010/1567

Scale
1:5,000

Planning Committee

Date

Central and South September 2010



HILLINGDON
LONDON