Report of the Head of Planning & Enforcement Services

Address LAND AT WESTERN END OF HEATHROW AIRPORT HEATHROW

AIRPORT HOUNSLOW

Development: Erection of a single storey building for hold baggage screening to the south

of Terminal 5 (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995) (as

amended.)

LBH Ref Nos: 47853/APP/2010/2338

Drawing Nos: Photos of existing site

Location Plan as existing 539-001 Rev A

Elevations looking North & East as existing 539-002 Rev A Location Plan Proposed HBS Facility as proposed 539-500 Rev A

Site Plan as proposed 539-501 Rev A

Ground Floor Plan as proposed 539-502 Rev A

Roof Plan as proposed 539-503 Rev A

Elevation looking North & East as proposed 539-504 Rev A

Elevation as proposed 539-505 Rev A Sections as proposed 539-506 Rev A Covering letter from BAA 4-10-10 Design & Access Statement 28-09-10

Date Plans Received: 05/10/2010 Date(s) of Amendment(s):

Date Application Valid: 05/10/2010

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 a single storey building for hold baggage screening for VIP passengers to the south of Terminal 5.

The proposal is considered to be visually acceptable in this location and complies with relevant UDP and London Plan policies.

The Council's Environmental Protection Unit raises no objection, subject to appropriate contamination and ground gas considerations.

Accordingly, it is considered that the proposal does not give rise to any material planning concerns and it is recommended that no objection is raised subject to the considerations set out in this report.

2. RECOMMENDATION

That NO OBJECTION be raised 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 Site survey and remediation scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminates from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The consideration will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

To ensure that the occupants and users of the development are not subject to any risks from contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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 consideration will not be discharged until verification information has been submitted for the remedial works.

REASON

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 consideration can be obtained from the Environmental Protection Unit on 01895 250155 or the Building Control Officer.

INFORMATIVES

1 l52 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 I53 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.

BE′	13	New development must harmonise with the existing street scene.
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
OL′	1	Green Belt - acceptable open land uses and restrictions on new development
OL4	4	Green Belt - replacement or extension of buildings
OE	1	Protection of the character and amenities of surrounding properties and the local area
OE.	7	Development in areas likely to flooding - requirement for flood protection measures
A2		Developments at Heathrow airport likely to increase demand for off- airport development or have significant adverse environmental impact
AM	2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM	7	Consideration of traffic generated by proposed developments.

3 I60 Cranes

DE40

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)

The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commision construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

5 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.

6 I15 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.

7 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

8 I34 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:-

- \cdot The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- \cdot 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.

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.

10 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 contace: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: petersale@hillingdontraining.co.uk

3. CONSIDERATIONS

3.1 Site and Locality

The development relates to an area to the south east of the Terminal 5 building, within the

existing Windsor Suite car park.

The proposed site is bound by T5 to the north, airside operational areas to the east and south and Wayfarer Road, a BAA Heathrow road, to the east.

The entire site is located within the Heathrow Airport boundary, is designated Green Belt and falls within a flood zone 2, as shown on the Hillingdon Unitary Development Plan Proposals Map. The airside/landside boundary forms part of the southern boundary of the application site.

3.2 Proposed Scheme

It is proposed to erect a single storey airport operational facility serving the Windsor Suite at the southern end of Terminal 5. Its purpose is to provide for scanning of bags belonging to VIPs using the Windsor Suite (which is located in the adjoining main Terminal 5 building) and those of their staff and retainers, rather than the current arrangements where the bags are handled within the main terminal baggage facility.

The development would consist of a small stand-alone building with covered vehicle ports at both ends, associated hard landscaping and alterations to the airside fence. The facility would be used by operational staff only and most of the site would be designated as airside. Two sides of the building envelope would form part of the airside/landside boundary and the only landside components would be a pair of projecting input conveyors and their associated vehicle ports and canopies. These would also likely be used by VIPs' staff and delivery drivers under the instruction of VIPs' staff and Windsor Suite operational staff.

The proposal would comprise a footprint of 201sqm of which 73sqm (GIA) would be enclosed and the remainder covered external area. Below ground service connections and parking bay repainting would extend the development area to 1804sqm. The building would be 26 metres in length, 10.7 metres in width, with a maximum height of 3.7 metres, with the canopies extending to 5 metres in height.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is an extensive planning history for the airport and the Terminal 5 site, however none is considered directly relevant to the current application.

4. Planning Policies and Standards

The proposal involves development directly related to the operation of the airport and is situated within the airport boundary, on operational land. Accordingly, the development complies with Policy A4 of the Hillingdon UDP.

In addition, the proposed development will have no external environmental impacts and therefore complies with retained Policies A2 of the adopted UDP.

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.
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
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
A2	Developments at Heathrow airport likely to increase demand for off-airport development or have significant adverse environmental impact
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: - Not applicable
- 5.2 Site Notice Expiry Date:-Not applicable

6. **Consultations**

External Consultees

BAA Safeguarding:

BAA Safeguarding have reviewed the application from an aerodrome safeguarding perspective and consider that the proposal does not conflict with safeguarding criteria. As such, no objection is raised, subject to a Cranes Informative.

Environment Agency:

The Environment Agency has assessed the application and has no comment to make.

In addition, the applicant has discussed the proposal with a number of internal stakeholders within BAA such as Design, Environment, Baggage, Water Services and IT and has incorporated requirements discussed.

Internal Consultees

Environmental Protection Unit:

The Council's Environmental Protection Unit have reviewed the application and have requested the following additional information from the applicant:

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- * Confirmation that the 'Stevro area' (area of stockpiled sewage sludge) was remediated as part of the main T5 clean up of Perryoaks Sewage Works.
- * Confirmation that there would be no problems in this area with regard to fuel leakage
- * Confirmation that a Preliminary Risk Assessment has been prepared detailing any contamination issues and confirming that they have been dealt with at the T5 development
- * Confirmation whether there are issues (fuel in groundwater etc) requiring gas / vapour protection on the buildings.

The Council's Environmental Protection Unit raises no objection, subject to the submission of the above information. However, the Council's Environmental Protection Unit also considers that if these details are not provided prior to Committee, their no objection to the development would remain, subject to appropriate contamination and ground gas considerations.

Highways:

The Council's Highways Officer has review the application and raises no objection.

Accessibility

The Council's Accessibility Officer has reviewed the application and raises no objection.

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 see an improvement to airport operations by way of providing improved scanning of bags facilities belonging to VIPs using the Windsor Suite (which is located in the adjoining main Terminal 5 building) and those of their staff and retainers, rather than the current arrangements where the bags are handled within the main terminal baggage facility. As such, the proposed works are 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.

7.04 Airport safeguarding

The application has been assessed by BAA Safeguarding, to consider whether the proposal would conflict with technical safeguarding criteria. BAA Safeguarding raised no objection, subject to a Cranes Informative.

7.05 Impact on the green belt

The location of proposed building is currently designated as Green Belt.

The principle of developing Terminal 5 within the Green Belt and other designated areas was thoroughly tested at the Terminal 5 Inquiry and found, by the Secretary of State, to be

acceptable due to a range of very special circumstances.

The proposed hold baggage screening building is located very near to Terminal 5, as such it is considered that Green Belt policy has nominal relevance to the proposed development. This is largely on the basis that the Terminal 5 site, is now incorporated into Heathrow Airport and no longer fulfils a Green Belt function.

7.07 Impact on the character & appearance of the area

The proposed development is located within the operational area of Heathrow Airport to the south of Terminal 5, and would be partially screened from public vantage points by existing buildings to the north and east and the Wayfarer Road overpass to the west. The restricted airside is located to the immediate south of the site.

The design and built form of the development, including the proposed materials palette, are considered to be consistent with the design rational of other operational buildings within the airport.

The building has been designed in accordance with the T5 Campus Design Guidelines which require that ancillary buildings adjoining the main terminal complex should be subordinate to the main terminal building and finished within a defined palette of materials. This has been incorporated into the design of the proposed new building.

The dimensions of the building have been governed by operational needs and by the need to minimise loss of space for other functions locally. The height of the building has been governed by transportation constraints as it would be manufactured off site.

Accordingly, it is considered that the proposed development would appropriately harmonise with the character of the surrounding Airport development in accordance with Policy BE13 of the Saved Policies UDP.

7.08 Impact on neighbours

The application site is located over 500m from the nearest residential property and it is not considered that the proposal would have any detrimental impacts on residential amenity.

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 site is located within the existing Windsor Suite car park. Vehicles would access the site via Wallis Road. The proposed development and the access roads lie entirely within the boundary of the airport, roads that are under the control of the airport authority.

The proposed facility would not in itself generate any additional vehicular trips to the airport.

The Council's Highways Engineer has reviewed the proposal and raises no objection on grounds of either traffic generation or highways safety.

7.11 Urban design, access and security

DESIGN

As mentioned in section 7.07 of this report, the design of the building and canopies have been governed by existing T5 Campus Design Guidelines for ancillary buildings in the T5 curtilage, and is to include T5 palette Sinusoidal cladding finished silver, flat roof and flat form canopies.

- Roof: Euroclad Secret fix roofing system + folded metal cladding
- Walls: Sinusoidal cladding system flashings/ roof fascia trim/ external corners/ panel joint trim/ plinth
- Doors & windows: Aluminium Powder Coated doors + windows frames
- Fences: airside fence extended (Galvanised weldmesh) to match existing fence
- Canopies: Galvanized steel structure + white self finished ceiling soffit

ACCESS

Exterior working areas would be at road level or pavement level and appropriate drop curbs would be provided. Entry to the building would have level access. Full-height glazing would be provided to improve visibility and any handrails etc will be provided in contrasting colours. WC and other welfare facilities are provided off site and do not form part of the development. The Council's Accessibility Officer has reviewed the application and raises no objection.

SECURITY

The proposal has been developed to comply with operational and security requirements which dictates the need for a height of 5m high for the airside fence and adjacent structures.

7.12 Disabled access

This has been addressed in section 7.11 of the report.

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

Hard landscaping new pavement would match the existing, being asphalt for landside and concrete for airside. No change in soft landscaping is proposed as part of the development. Accordingly, it is considered that no landscape considerations are necessary in this instance.

7.15 Sustainable waste management

Not applicable to this application.

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.

7.17 Flooding or Drainage Issues

The site falls within a flood zone 2. The application has been assessed by the Environment Agency, to assess whether the proposal would result in increased impacts on flooding or drainage issues. The Environment Agency has responded noting no comment.

7.18 Noise or Air Quality Issues

It is not considered that the proposal would result in noise or air quality issues. Contamination issues are discussed in section 7.22 of this report.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

Not applicable to this type of development.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

CONTAMINATION

The Council's Environmental Protection Unit raises no objection, subject to appropriate contamination and ground gas considerations.

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) relating to the erection of a single storey building for hold baggage screening to the south of Terminal 5.

The proposal is considered to comply with relevant UDP and London Plan policies. The application would maintain an appropriate visual appearance having regard to the surrounding built context of the airport and screening/separation from the public realm. Furthermore, it would not result in the loss of any landscape features of merit. The proposal is considered to provide for an appropriate level of accessibility.

The Council's Environmental Protection Unit raises no objection, subject to subject to appropriate contamination and ground gas considerations.

Accordingly, it is considered that the proposal does not give rise to any material planning concerns and it is recommended that no objection is raised subject to the considerations set out in this report.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies (September 2007)

London Plan (Consolidated with Alterations since 2004)

Planning Policy Guidance 13: Transport

Planning Policy Guidance 24: Planning and Noise

Planning Policy Statement 1: Delivering Sustainable Development Planning Policy Statement 5: Planning for the Historic Environment

Planning Policy Statement 22: Renewable Energy

Planning Policy Statement 25: Development and Flood Risk

Council's Supplementary Planning Guidance - Noise

Council's Supplementary Planning Guidance - Air Quality

Supplementary Planning Document - Accessible Hillingdon

Contact Officer: Tabitha Knowles Telephone No: 01895 250230

