

Report of the Corporate Director of Planning & Community Services

Address 276 BATH ROAD SIPSON

Development: Demolition of all existing buildings and erection of an eight storey building comprising a 623 bedroom hotel (with ancillary restaurant/bar facilities) incorporating associated landscaping, parking for 367 cars (22 disabled spaces), 4 coaches and 20 cycles

LBH Ref Nos: 35293/APP/2009/595

Drawing Nos: Site Location Plan 2747-PL-100
7th Floor/Roof Plan 2747-PL-101
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Design and Access Statement prepared by Michael Sparks Associates dated March 2009
Planning Statement prepared by Cunnane Town Planning dated March 2009
Transport Assessment prepared by Waterman Boreham dated 17/03/09
Energy Statement prepared by DSA Engineering dated 19/03/09
Employment Report prepared by Cunnane Town Planning dated March 2009
Air Quality Assessment prepared by Waterman Energy, Environment and Design dated March 2009
Phase I Environmental Review prepared by Environ UK Ltd dated August 2007
Final Phase II Environmental Site Assessment prepared by Environ UK Ltd dated March 2008
Ground Water Quantitative Risk Assessment prepared by Environ dated July 2008
Water & Groundwater Resources Report prepared by URS dated March 2009
Flood Risk Assessment prepared by URS dated March 2009
Site Location Plan 2747-PL-101 B
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Letter dated 14/05/09 from Cunnane Town Planning to the GLA re AB/CJ/4608/BathRoad/GLA 140509
Proposed Staff Travel Plan prepared by Waterman Boreham dated 04/06/09
Photomontage showing indicative view from Bath Road ref: 2747-PR-01
Photomontage showing indicative view from Bath Road ref: 2747-PR-02
Photomontage showing indicative view from Green Belt ref: 2747-PR-03

Date Plans Received: 20/03/2009

Date(s) of Amendment(s): 20/03/2009

Date Application Valid: 20/03/2009

24/04/2009

14/05/2009

19/05/2009

04/06/2009

1. SUMMARY

This application seeks full planning permission for the demolition of the existing Technicolor building and the erection of an eight-storey 623 bedroom hotel with ancillary dining facilities and associated landscaping and parking. The building, which would be roughly 'H' shaped would be located towards the front of the site with the majority of the parking to the rear.

This is the third application to be submitted in the past couple of years for the redevelopment of this site for a hotel, the previous two schemes having been withdrawn in order to address various concerns raised by the Greater London Authority and Council officers, particularly with regards to the design of the building and the robustness of the Transport Assessment. Concerns have also previously been raised over air quality implications associated with the use of biomass on site, and use of the car park for long-stay car parking.

It is considered that this scheme addresses previous concerns and complies with relevant planning policies. As such, approval is recommended subject to referral of the application to the Government Officer for London and to the Mayor of London, and the applicant entering into an agreement with the Council under Section 106 of the Town and Country Planning Act 1990 as amended to secure contributions towards highway improvements, air quality monitoring, improvements to the public realm, and construction and hospitality training initiatives.

2. RECOMMENDATION

That delegated powers be given to the Director of Planning and Community Services to grant planning permission, subject to the following:

- 1. That the application be referred to the Mayor under Article 5 of the Town and Country Planning (Mayor of London) Order 2008.**
- 2. That the application be referred to the Secretary of State as a departure from the provisions of the Development Plan, in accordance with paragraph 3 of the Town and Country Planning (Development Plan and Consultations) (Departures) Directions 1999.**
- 3. That the Council enter into a legal agreement with the applicant under Section**

106 of the Town and Country Planning Act 1990 (as amended) to secure the following:

- (i) A financial contribution of up to £35,000 towards the upgrading of bus stops in the area and the provision of a pedestrian crossing, consisting of dropped kerbs and tactile paving, feeding onto an existing traffic island.**
- (ii) The provision of a Green Travel Plan to be prepared in accordance with TfL guidance and to include a bond of £20,000.**
- (iii) A contribution of £40,000 towards public realm improvements within the area.**
- (iv) A financial contribution of £25,000 towards air quality monitoring initiatives.**
- (v) A financial contribution of £14,500 towards hospitality training initiatives in the borough.**
- (vi) A scheme detailing how construction training will be provided throughout the construction phase of the development.**

4. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.

5. That the officers be authorised to negotiate the terms of the proposed agreement.

6. That, if the S106 agreement has not been finalised within 6 months, the application be referred back to the Planning Committee for determination at the discretion of the Director of Planning and Community Services.

7. That should the Secretary of State not call in the application, and subject to the Mayor of London not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or issue a direction under Article 7 of the Order, that the Mayor of London is to act as the local planning authority for the purpose of determining the application, and on completion of the S106 Agreement, the application be deferred for determination by the Director of Planning and Community Services under delegated powers.

8. That if the application is approved, the following conditions be attached:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 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).

3 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).

4 M3 Boundary treatment - details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the screened and secure storage of refuse and recycling at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

6 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,

- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

9 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are

shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

10 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 OM14 Secured by Design

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

12 NONSC Non Standard Condition

Prior to the commencement of the development, details of covered and secure cycle storage provision for 20 cycles (for use by staff and visitors) shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed in accordance with the agreed scheme prior to the first residential occupation of the building hereby permitted and thereafter permanently retained for so long as the development remains in existence. The cycle parking should be regularly monitored and additional storage provided if demand dictates.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in

the Council's cycle-parking standards in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

13 H10 Parking/Turning/Loading Arrangements - Commercial Devs.

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

14 NONSC Non Standard Condition

No building or structure of the development hereby permitted shall exceed 60m AOD. For further information please refer to Advice Note 1 'Safeguarding an Overview' (available at www.aoa.org.uk/publications/safeguarding.asp).

REASON

Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome contrary to Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

15 NONSC Non Standard Condition

No trees or shrubs planted on the application site as part of the approved landscaping scheme shall be permitted to grow above a height of 60 metres AOD.

REASON

If the trees or shrubs exceed this height they will penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger the movements of aircraft and the safe operation of the aerodrome, contrary to Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

16 NONSC Non Standard Condition

Obstacle lights shall be placed on cranes or other construction equipment above 60m AOD to be used in the development. The obstacle lighting scheme shall be implemented for the duration of the construction period. These obstacle lights must be steady state red lights with a minimum intensity of 2000 candelas. Periods of illumination of obstacle lights, obstacle light locations and obstacle light photometric performance must all be in accordance with the requirements of 'CAP168 Licensing of Aerodromes' (available at www.caa.co.uk/srg/aerodrome). Further information is available in Advice Note 4 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp).

REASON

Permanently illuminated obstacle lighting is required for the duration of construction and on construction equipment to avoid endangering the safe movement of aircraft and the operation of Heathrow Airport, contrary to Policy A6 of the Hillingdon Unitary Development

17 NONSC Non Standard Condition

The development is close to the aerodrome and/or aircraft taking off from or landing at the aerodrome. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal. For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp).

REASON

To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare and in compliance with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

18 NONSC Non Standard Condition

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- details of the areas subject to construction activity and the storage of materials and equipment.
- height of storage areas for materials of equipment.
- details of cranes and other tall construction equipment (including the details of obstacle lighting) - such items shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp).
- control and dispersal of putrescible waste to prevent attraction of birds.

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON

To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome, and to comply with Policy A6 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

19 NONSC Non Standard Condition

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

- management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design' available at www.aoa.org.uk/publications/safeguarding.asp).

The Bird Hazard Management Plan shall be implemented as approved and shall remain in

force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON

It is necessary to manage the flat/green roof in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

20 NONSC Non Standard Condition

No development shall take place until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

REASON

To safeguard the borough's archaeological heritage in accordance with Policy BE3 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

21 NONSC Non Standard Condition

Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include:

- * Confirmation of the proposed maximum surface water run off rate of 10 litres per second, as stated in the 'Bath Road, Heathrow Technicolor Site' FRA compiled by URS Corporation, reference 49326321.05050 (Final) dated March 2009.
- * A clearly labelled drainage layout plan showing pipe networks and any soakaways and drainage storage tanks. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- * Confirmation of the critical storm duration.
- * Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- * Where on site attenuation is achieved through over sized pipes or tanks, calculations showing the volume of these are also required. Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- * Calculations should demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

REASON

To prevent the increased risk of flooding to the site and third parties in compliance with Policy OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

22 NONSC Non Standard Condition

Prior to the commencement of development approved by this planning permission (or

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

- 1) A preliminary risk assessment which has identified:
all previous uses
potential contaminants associated with those uses
a conceptual model of the site indicating sources, pathways and receptors
potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because the site is located on a major aquifer and there is a very shallow depth to groundwater, this makes the groundwater (controlled water) at the site very susceptible to contamination. The existing and previous uses of the site and surrounding land has potentially caused land and groundwater contamination. Initial investigations have revealed contamination on site and as there are still buildings present on these areas will need to be investigated once the buildings are accessible.

23 NONSC Non Standard Condition

Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the reporting of this to the local planning authority.

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because the site is located in a sensitive location with regards to contamination of groundwater and initial investigations at the site have shown the site to be contaminated.

24 NONSC Non Standard Condition

Reports on monitoring, maintenance and any contingency action carried out in accordance with a long-term monitoring and maintenance plan shall be submitted to the local planning authority as set out in that plan. On completion of the monitoring programme a final report demonstrating that all long- term site remediation criteria have been met and documenting the decision to cease monitoring shall be submitted to and approved in writing by the local planning authority.

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because the site is located in a sensitive location with regards to contamination of groundwater and initial investigations at the site have shown the site to be contaminated.

25 NONSC Non Standard Condition

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

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because the existing and previous uses of the site and surrounding land has potentially caused land and groundwater contamination, which may be overlooked during the site investigation.

26 NONSC Non Standard Condition

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because surface water infiltration would provide a potential pathway for contamination at the surface to reach the major aquifer that underlies the site.

27 NONSC Non Standard Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and because piling or the construction of boreholes would provide a potential pathway for contamination at the surface to reach the major aquifer that underlies the site.

28 NONSC Non Standard Condition

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 contaminants 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).

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

REASON

To comply with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and to ensure that the occupants of the development are not subjected to any risks from land contamination.

29 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur.
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto adjoining roads (wheel cleaning/washing).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality through minimising emissions throughout the demolition and construction process.
- (vii) Measures for reducing dust.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

30 N11 Control of plant/machinery noise

No plant and/or machinery shall be used on the premises until a scheme for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20

of the London Plan (February 2008).

31 N12 Air extraction system - noise and odour

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

32 N15 Hours restriction for audible amplified music/sound

No music and/or other amplified sound shall be audible from the site inside surrounding or adjacent premises between 2300 and 0700 hours.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

33 NONSC Non Standard Condition

The premises shall not be used for the delivery and loading or unloading of goods outside the hours of 0700 and 2300, Monday to Friday, and between the hours of 0800 and 2200 on Saturdays. No deliveries shall take place on Sundays or Bank Holidays.

REASON

To safeguard the amenity of surrounding areas in compliance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

34 NONSC Non Standard Condition

Prior to commencement of the development hereby approved, details of the installation (including location and type) of at least two secure electric vehicle charging points within the car park must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed prior to occupation of the development and retained for the lifetime of the building.

REASON

To comply with London Plan Policy 4A.3 and to encourage sustainable travel.

35 NONSC Non Standard Condition

Prior to the commencement of development details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local

congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

36 SUS1 Energy Efficiency Major Applications (full)

The measures to reduce the energy demand and carbon dioxide emissions of the development and to provide at least 20% of the site's energy needs through renewable energy generation contained within the submitted Energy Statement (ref: 08.11901.00) shall be integrated into the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

37 NONSC Non Standard Condition

Prior to the commencement of development full details of the gas fired CHP, ground source heat pumps, boreholes and energy efficient measures, as detailed in the Energy Statement, shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to first occupation of the site and thereafter permanently retained and maintained.

REASON

To provide at least 20% of the development's energy needs from on-site renewable energy sources in compliance with the requirements of Policy 4A.7 of the London Plan 2008.

38 NONSC Non Standard Condition

The car parking facilities provided at the hotel shall be used by hotel guests only and strictly for the duration of their stay at the hotel. They shall not be used for long-stay parking by staff or visitors using Heathrow Airport. Prior to occupation of the development a parking management strategy shall be submitted to demonstrate how this will be managed and to ensure the efficient operation of the car park, especially at peak demand periods. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

The use of the site for long-stay parking for Heathrow Airport passengers is directly related to the operation of Heathrow Airport but is located outside the airport boundary, contrary to Policy A4 of the Hillingdon Unitary Development Plan Saved Policies September 2007. Furthermore, this would provide airport related car parking in addition to the 42,000 car parking spaces that have been 'capped' at Heathrow Airport as a condition of the Terminal 5 approval and is contrary to Policies AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies Sept 2007, Policies 3C.1 and 3C.23 of the London Plan and to advice in PPG13 to restrain the use of private cars and encourage travel by alternative modes.

39 NONSC Non Standard Condition

Prior to commencement of development full details showing how rainwater harvesting

facilities will be built into the design of the building shall be submitted to and approved in writing by the Local Planning Authority. The approved rainwater harvesting facilities shall be maintained and retained for the lifetime of the building.

REASON

In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.9, 4A.11 and 4A.14 of the London Plan (Consolidated with Alterations since 2004).

40 NONSC Non Standard Condition

Notwithstanding the submitted plans, prior to commencement of development further details of the treatment of windows in the corners of the internal courtyard on all levels of the hotel shall be submitted to and approved in writing by the Local Planning. The approved details shall thereafter be implemented in accordance with the approved plans.

REASON

To ensure the privacy of occupiers of the rooms in the development, in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

2 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

3 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).

4 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

5 I11 **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 commission 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).

6 I12 **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 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 or Bank 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 I19 **Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

9 I25 **Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate

consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

10 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:-

- 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.

11 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.

12

Your attention is drawn to the Air Navigation Order 2005, Article 135, which states that, "A person shall not exhibit in the United Kingdom any light which: (a) by reason of its glare is liable to endanger aircraft taking off or landing at an aerodrome; or (b) by reason of its liability to be mistaken for an aeronautical ground light is liable to endanger aircraft." The Order also grants the Civil Aviation Authority power to serve notice to extinguish or screen any such light which may endanger aircraft. Further information can be found Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp).

13

The Bird Hazard Management Plan, referred to in condition 19, must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

The breeding season for gulls typically runs from March to June. The owner/occupier must obtain the appropriate licences where applicable from Natural England before the removal of nests and eggs.

14

With regards to condition 21 you are advised that if infiltration systems are to form part of the proposed storm water system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365. It should be noted that the design procedure contained within BRE digest 365 states that the 10 year return period should be used to determine the size of a soakaway. Therefore, any application proposing to use soakaways will have to demonstrate how the system operates during a 1 in 100 year critical duration storm event. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths.

15

Contaminated soil that is excavated, recovered or disposed of, is controlled waste. Therefore, its handling, transport, treatment and disposal is subject to waste management legislation, which includes:

- i) Duty of Care Regulations 1991
- ii) Hazardous Waste (England and Wales) Regulations 2005
- iii) Environmental Permitting Regulations 2008

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed off site

operations is clear. If in doubt, the Environment Agency should be contacted for advice at an early stage to avoid any delays.

16 I52 **Compulsory Informative (1)**

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

17 I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
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
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
LE2	Development in designated Industrial and Business Areas

T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

18

This application relates to land that is affected by the Government's policy decision to support a third runway at Heathrow Airport. The construction of the runway is subject to a number of environmental preconditions being met. Further information on the government's decision is available at: <http://www.dft.gov.uk/pgr/aviation/heathrowconsultations/heathrowdecision/> and <http://www.hillingdon.gov.uk/index.jsp?articleid=12957>.

19 I28 Food Hygiene

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

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You are advised that should a scheme for Closed Circuit Television (CCTV) be proposed for the site, you should liaise with the Metropolitan Police Crime Prevention Officer to ensure that this is compatible with the Council's CCTV system.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a roughly rectangular shaped plot of just over 2 hectares,

located on the north side of Bath Road, Sipson. The site currently comprises a large industrial building, which has been used by Technicolor Limited, a company which specialises in film processing and other cinematic services. The building, which has been considerably extended to the side and rear over time, varies in height from single to four storeys and also comprises a 30m high chimney. The rear of the site is mainly used for car parking with access to the site achieved via an entrance to the west of the main building from a private access road serving Heathrow Boulevard, off Bath Road.

The site is bounded to the west and north by office buildings/warehouses within Heathrow Boulevard estate, beyond which is Green Belt land. The site is bounded to the east by industrial warehouses falling within Airport Gate Business Centre beyond which, is a recreation ground also designated as Green Belt, and residential properties in Blunts Avenue. To the south the site is bounded by the A4 Bath Road dual carriageway, beyond which are airport related buildings and car parks falling within the Heathrow Airport boundary.

The site falls within the Heathrow/A4 Industrial and Business Area as shown on the Hillingdon Unitary Development Plan Proposals Map. Bath Road is designated as a Strategic Route and open land beyond the commercial/industrial units to the north, east and west is designated as Green Belt. It should be noted that the site also falls within the area earmarked for a proposed third runway at Heathrow.

3.2 Proposed Scheme

This application seeks full planning permission for the demolition of the existing Technicolor building and the erection of an 8-storey hotel with ancillary café/dining facilities and associated parking and landscaping. The building, would accommodate 623 bedrooms and would roughly form an 'H' shape with elongated east and west wings stretching northwards into the site would have a floor area of approximately 22,870m² and would be laid out as follows:

- Ground Floor - reception, lobby and concourse area, toilets, bar and restaurant with associated kitchen, and 35 hotel rooms.
- First to sixth floors - 98 hotel rooms per floor, plus associated plant and linen rooms and a glazed atrium above the ground floor concourse area.
- Seventh floor - plant stores for air conditioning and other equipment.

Parking for 367 cars, including 37 disability standard spaces, would be provided to the north and east of the hotel. 4 coach parking spaces would also be provided to the rear of the main building, and 20 cycle parking spaces, for use by both staff and guests, would be provided towards the front of the site, adjacent to the eastern boundary. Vehicular access and egress from the site would be via the existing entrance/exit off Heathrow Boulevard with the main vehicular circulation route within the site passing the front of the building and running parallel with the eastern façade of the building to provide access to the rear. A coach and taxi drop-off area and turning area would be provided at the front of the site as well as two disability standard parking spaces, and appropriate landscaping.

The service area and bin stores would be located alongside the western elevation of the hotel, and accessed via the main circulation route within the site, as described above.

It is proposed to provide a formal landscaped buffer along the Bath Road frontage, which includes the planting of large trees. Tree planting would also take place along the northern

most boundary and along parts of the east and west boundary. Tree and ornamental shrub planting would be provided in the car park.

3.3 Relevant Planning History

Comment on Relevant Planning History

The most relevant planning history is as follows:

35293/APP/2008/2463 - Erection of part 7, part 8-storey 611 bedroom hotel with ancillary restaurant, bar and café, landscaping, parking for 500 cars and 4 coaches, and ancillary development (including demolition of existing buildings) - Withdrawn 06/11/08 following concerns raised by the Greater London Authority regarding design, climate change mitigation, transport and parking, and loss of employment land.

35293/APP/2008/3437 - Demolition of existing buildings and erection of an 8-storey building comprising a 611 bedroom hotel with ancillary restaurant/bar facilities, landscaping, parking for 430 cars, 4 coaches and 20 cycles, and ancillary development - Withdrawn 03/03/09 following an officer recommendation for refusal due to concerns over design, highway safety, long-stay parking and air quality.

4. Planning Policies and Standards

Unitary Development Plan Saved Policies September 2007
London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Guidance 13 (Transport)
Planning Policy Guidance 21 (Tourism)
Planning Policy Statement 22 (Renewable Energy)
Planning Policy Guidance 24 (Planning & Noise)
Council's Supplementary Planning Guidance - Noise
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Guidance - Community Safety by Design
Council's Supplementary Planning Guidance - Planning Obligations
Supplementary Planning Document - Accessible Hillingdon

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|---|
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.12 | To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere. |
| PT1.28 | To encourage the provision of a range of hotel and conference facilities provided development does not harm the environment. |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |

- PT1.32 To encourage development for uses other than those providing local services to locate in places which are accessible by public transport.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- OL5 Development proposals adjacent to the Green Belt
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE35 Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- 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
- R16 Accessibility for elderly people, people with disabilities, women and children
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- LE2 Development in designated Industrial and Business Areas
- T2 Location of tourist accommodation and conference facilities
- T4 Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway

	improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **22nd April 2009**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 102 local owner/occupiers and the Harmondsworth and Sipson Residents' Association. The application was also advertised as a major development by means of press and site notices.

One letter of objection has been received from the Harmondsworth and Sipson Residents' Association (HASRA) which raises the following concerns:

- i) There are a number of planning applications for new hotels in Sipson and yet many staff from existing hotels are being made redundant.
- ii) There may be chemicals at the Technicolor site and extreme caution should be taken during the demolition.

A letter of objection has also been received on behalf of the owners of Heathrow Boulevard. The following concerns are raised:

- i) Due to its size and height, especially compared to existing buildings in the vicinity, the building would significantly dominate views along Bath Road. The north, east and west elevations of the building would be massive in scale and appearance and would be particularly monotonous, adding to the prominence of the building.
- ii) Loss of light to Heathrow Boulevard.
- iii) The Design and Access Statement does not fully analyse the character and appearance of the area or sufficiently justify the selection of materials and architectural styling or height of the building. The development is over scaled and represents an over development of the site, particularly because there is little opportunity for peripheral and on-site landscaping.
- iv) Not all of the floor space within the adjoining Heathrow Boulevard is occupied and approved extensions of 600sq.m are still to be constructed. The traffic movements from the site will significantly increase when Heathrow Boulevard is at full occupancy, as such, the 2007 traffic counts provided by the applicant are out of date.

- v) There is a potential that many guests will wish to take advantage of long stay parking whilst only staying in the rooms for one night.
- vi) A major concern for Heathrow Boulevard is that of potential overspill car parking and blockage of the main access point particularly as this will be shared access. If many guests leave their cars for a longer period of time than their stay then there is a significant danger that car parking will be even more inadequate given the increase in bedrooms and reduction in car parking spaces. This would have knock on effects for traffic circulation around the hotel and adjacent roads.
- vii) The Council's retained policies in the UDP suggest that one car parking space should be provided per bedroom. A provision of less than this is unacceptable.
- viii) The Transport Assessment shows less traffic within the proposed development than currently exists. This is proven by CCTV footage in relation to the entrance to Heathrow Boulevard which shows that, excluding Technicolor site traffic in September 2008, there was significantly more traffic entering/exiting the site during peak hours than shown.
- ix) There is insufficient justification for the increase in the level of traffic and the impact this would have on the Heathrow Boulevard/Bath Road junction.
- x) Concern is raised over the detailed operations of the junction just within the Heathrow Boulevard site where traffic to the Technicolor site diverges from the main office park at the rear of the Heathrow Gatehouse, which is currently occupied. It is unclear how the existing car parking arrangements for the gatehouse will continue to work given the likely traffic flow.
- xi) The site is designated as being an industrial and business area in the UDP.
- xii) The proposed development would be visible from the Green Belt. It is contrary to Policy OL5 due to its height, prominence and the materials used.
- xiii) Policy BE13 requires developments to harmonise with the existing street scene but due to its prominence and scale the proposed development fails to do this.
- xiv) The development, due to its scale and intensive use of the site, fails to provide adequate landscaping and circulation space contrary to Policy BE25 of the UDP.
- xv) The development, due to its scale, design, layout and landscaping detailing, is contrary to the aims of Policy BE35.
- xvi) Policy LE2 does not normally allow the loss of land in industrial and business areas to other uses unless there is no realistic prospect of the land being used for such use. The Employment Study fails to provide information regarding how long the site has been marketed for. Given that the Airport Gate redevelopment to the east let to quickly after completion, it is likely that the application site may also be attractive to such uses. There was market interest in the application site when it was up for sale.
- xvii) The proposal would be contrary to Policy T4 of the UDP as it is not in a mixed use area, would be likely to result in loss of amenity through noise and disturbance, and parking is inadequate.

HEATHROW AIRPORT LIMITED

The Department for Transport White Paper 'The Future of Air Transport' (2003) supports the provision of a third runway at Heathrow in the period 2015-2020. On 15th January 2009, the Secretary of State confirmed policy support for a third runway and additional passenger terminal facilities at the airport.

The White Paper requires the airport operator to take the appropriate steps to safeguard the land needed for a third runway option and Heathrow's Draft Interim Master Plan (2005) provides an interim land boundary for a third runway proposal. Moreover, the DFT's 2007 consultation document "Adding Capacity at Heathrow" also provides an indicative 2030 layout for a third runway development. The site of the proposed development falls within these third runway boundaries.

The White Paper states that land outside existing airports that is needed for future expansion will need to be protected against incompatible development in the intervening period. It is noted that land is only formally protected once it is either reflected in the local development plan or when planning permission is granted for the airport development.

BAA have, since 2005, made a number of representations to Hillingdon's emerging Local Development Framework to have a safeguarding policy incorporated within the Core Strategy. However, the delay to the publication of the Council's Core Strategy and Proposals Map means that such requirements have yet to be formally adopted. Notwithstanding this, the Council's most recent consultation document, the Revised Core Strategy Preferred Options (Feb 2007) makes specific reference to the third runway land boundary within Heathrow's Draft Interim Master Plan and states that "the local planning authority acknowledges the need to safeguard airport sites in the Heathrow Airport Interim Master Plan". DfT "Guidance on the Preparation of Airport Master Plans" (2004) confirms that one of the key purposes of master plans will be to enable the future development of airports to be given due consideration in statutory regional and local planning processes, including informing the preparation of local development frameworks.

PPG 13: Transport (paragraph 6) reinforces the above policy and states that local authorities should identify and where appropriate protect sites and surface access routes, both existing and potential, which could help to enhance aviation infrastructure serving the regional and local area, and avoid development at or close to an airport or airfield which is incompatible with any existing or potential aviation operations.

We would urge the Council to have regard to the provisions of the White Paper and the Government's policy confirmation in favour of a third runway at Heathrow. Permitting the proposed hotel development, which falls within the interim land boundary for a third runway, would clearly be inconsistent with the Government's aviation policy.

We would draw the Council's attention to the Secretary of State's Proposed Changes to the South East Plan, which provides a policy for the safeguarding of land at Gatwick Airport for a possible second runway. Additionally, the adopted Crawley Core Strategy accepts the information contained within the Gatwick Interim Master Plan as adequate justification for inclusion of the safeguarded boundary in its Proposals Map and a policy for safeguarding the land from incompatible development in its Core Strategy. The Inspector appointed to conduct the Examination on the Crawley Core Strategy states at paragraph 110 of his report that: "In my view the clear implication of a policy protecting land from 'incompatible development' is that planning permission will be refused for most forms of development, other than minor changes of use and small-scale building works. Otherwise there is a clear risk that substantial development could be built on land which (perhaps only a few years later) has to be compulsorily purchased in order to implement national policy. I cannot see that this would be in the public interest."

It is considered that the point of principle established above is equally relevant to the current requirement to safeguard land for a third runway at Heathrow. We would also draw the Council's attention to paragraph 12.5 of the White Paper which states that where land protection and safeguarding arrangements prove inadequate, directions by the Secretary of State under Article 14 of the Town & Country Planning (General Development Procedure) Order may be used. In the absence of any adopted safeguarding policy or planning permission for the proposed runway, we will clearly be urging the Government to protect its policy position for the future expansion of Heathrow through the above means.

The Council is urged to give appropriate weight to the Government's aviation policy in its determination of this application and the principles established in incorporating this within the regional and local planning process in the Gatwick context.

BAA SAFEGUARDING

The proposed development has been examined from an aerodrome safeguarding perspective. The location of the site falls within both the indicative map published by the Department of Transport (DfT) in the White Paper 'The Future of Air Transport' and the interim land boundary for a three

runway development that BAA Heathrow has published in its draft Interim Masterplan.

We believe that the request from the DfT, published in the White Paper, for BAA to safeguard land for a third runway requires us to make both the Local Planning Authority and the owner of the site aware of the potential implications for this development should a third runway proposal proceed. If the runway proposal does proceed it is likely that BAA would seek to compulsorily purchase this site.

Notwithstanding the above, there are a number of other aerodrome safeguarding issues, associated with the existing airport, which would need to be considered should this development proceed. The proposed development could conflict with safeguarding criteria unless any planning permission granted is subject to conditions regarding height limitations on cranes, construction equipment, trees and shrubs; lighting; construction management; and bird hazard management.

NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection

TRANSPORT FOR LONDON

The site is bounded to the south by the A4 Bath Road which forms part of the Transport for London Road Network (TLRN) and the London Cycle Network (LCN). Vehicular and pedestrian access to the site is achieved to the west of the front of the main building via Heathrow Boulevard.

Due to close proximity to the Airport this site is well served by buses. 7 services are within an acceptable walking distance of which 3 (105, 111, 140) are 24-hour. The closest London Underground stations, Hatton Cross and Heathrow Terminals 1, 2 and 3 (Piccadilly Line) are well beyond an acceptable walking distance from the site. Correspondingly, the Public Transport Accessibility Level (PTAL) of the site is 2 (on a scale where 6 is high and 1 is low).

When the earlier applications for a hotel on this site were considered, TfL welcomed the provision for taxis, coaches and pedestrian footways within the site. Subsequently the applicant has committed to provision of a formal crossing facility on Bath Road which can be secured through the section 106 agreement. This is also welcomed. However TfL also expressed a number of concerns regarding the trip generation, the level of car parking, bus stop contributions and the travel plan.

The Transport Assessment provided does not currently follow TfL's Best Practice Guidelines (2006) although based on the assessment presented, TfL does not expect there to be a significant adverse impact on the operation of the TLRN.

The revised proposals provide for a lower level of car parking compared to the previous scheme. The proposed 367 spaces represent a car parking ratio of 0.59 spaces per room. Although evidence has been presented that this is lower than comparable hotels located on Bath Road, TfL believes that there may be scope to reduce this further and would support a reduction. TfL understands that in refusing the previous application, Hillingdon had raised concerns that the site would provide for long-stay airport related parking. TfL would also want to avoid this and so as well as supporting a reduction in the level of parking, TfL would expect a parking management plan to be drawn up as part of the Travel Plan to ensure that use of the car park is restricted to hotel staff and visitors staying overnight at the hotel. The proportion of disabled parking spaces should be increased to 10% of the total. The 20 cycle parking spaces proposed are welcomed - these should be made available for visitor use as well as staff and additional spaces provided if warranted by demand.

In discussions on the previous applications TfL had requested that nearby bus stops should be

made fully accessible in accordance with TfL's Accessible bus stop design guidance. The applicant committed to upgrading nearby bus stops in a letter to TfL dated 22nd January 2009 although no mention is made of this in the transport assessment for the current scheme. TfL would expect the commitment to be carried forward as part of the latest application.

The travel plan contains interim targets and the proposed measures are welcomed. However, given that the end use is known, the travel plan could be developed further to include more site specific objectives. Commitments as part of the previous applications to provide a construction management plan, a delivery and servicing plan and to fund the travel plan with a £20,000 bond financed by the hotel operator were all welcomed and again TfL would like written confirmation that these will be carried forward. In addition the applicant should provide charging points for electric vehicles in line with the essential standard set out in the Mayor's Sustainable Design and Construction SPG.

GREATER LONDON AUTHORITY (GLA)

London Plan policies on hotel use, urban and inclusive design, sustainable development, transport, employment and training are relevant to this application. The application complies with some of these policies but not with others, for the following reasons:

- i) Hotel Use: The principle of hotel use is acceptable, subject to the resolution of concern related to the government's third runway proposal on the site (though the site is not yet safeguarded for aviation/transport use).
- ii) Urban design: the proposal complies with London Plan policies 4B.1 'design principles for a compact city' and 4B.10 'large-scale buildings - design and impact.'
- iii) Inclusive Design: the number of wheelchair accessible rooms and the disabled parking spaces need to be increased.
- iv) Climate Change mitigation and adaptation: the lack swales, green roofs and specific measures in relation to water conservation or rain water harvesting is currently unacceptable and conflicts with policies 4A.9, 4A.10, 4A.11 and 4A.14 of the London Plan. The approach to energy strategy is acceptable, but further clarification is required.
- v) Employment and training: the scheme complies with policies 3B.1 and 3B.11 of the London Plan.
- vi) Transport: the applicant needs to strengthen the travel plan and ensure that use of the car park is restricted to hotel staff and visitors staying overnight at the hotel. Confirmation in writing is required for the applicant's commitment towards the provision of electric vehicle charging points, upgrading of the nearby bus stops and to fund the travel plan with a £20,000 bond.

On balance, the application does not comply with the London Plan. However, the following changes might remedy the above-mentioned deficiencies, and could possibly lead to the application becoming compliant with the London Plan:

- i) Inclusive Design: increase wheelchair accessible rooms and disabled parking spaces.
- ii) Climate change mitigation and adaptation: provide swales, green roofs, rain water harvesting and water conservation measures. Provide further clarification on the energy strategy.
- iii) Transport: revisit the travel plan particularly on the use of the car parking. Confirm in writing commitment towards the provision of electric vehicle charging points, upgrading of bus stops and funding the travel plan.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING

- Land-Use

In establishing the principle for a hotel, the key issues are the Aviation White Paper, the appropriateness of a hotel in an IBA, the suitability of the proposed hotel and the impact on the adjoining Green Belt.

- Aviation White Paper

The Aviation White Paper (2003) and the 'Adding Capacity at Heathrow' consultation document (2007) have included the site as part of an expansion of Heathrow relating to a proposed third runway. Even with the government's announcement of the 15 January 2009 supporting a third runway at Heathrow (Britain's Transport Infrastructure Adding Capacity at Heathrow: Decisions following consultation January 2009), the land would need to be formally safeguarded and an airport expansion application would need to meet a number of pre-conditions.

To date the area has not been formally safeguarded and, as such, would under normal circumstances be available for appropriate redevelopment. Indeed redevelopment of brownfield sites is strongly supported by the Government in Planning Policy Statement 1.

Whilst you are advised to seek the Government Office for London's view with regards to the determination of this application, especially as this application is interconnected to the recently enacted Planning Act 2008 and the establishment of the Infrastructure Planning Commission, if you are minded to grant approval based on current Plan policies, the decision would require an informative relating to the Government's policy decision to support a third runway at Heathrow and that the applicant's site is within the indicative proposal area for Heathrow third runway expansion.

- Loss of the B2 Employment Use

The proposal site is in a designated Industrial Business Area. These sites are among the most suited locations in Hillingdon for industrial and B class type employment activities. Re-use of these sites has to meet the requirements of UDP Saved Policy (2007) LE2. The accompanying employment land report has considered the Heathrow industrial and warehouse premises market in detail and finds that there is a strong local supply with only limited take-up. Whilst the timescales considered are limited, this would be generally consistent with Hillingdon's own studies. One of the key findings of the study is that Heathrow's industrial/commercial accommodation market is already well served to meet any recovery after the economic down turn.

However, in considering the release there is an issue as to the longer term viability of the remaining portion of the designated IBA. The Bath Road IBA is divided into three components. The application site is in the eastern component. Already part of the site is an office park though the eastern neighbours retain an industrial character. As a result it is considered that adequate justification has been demonstrated to release the existing employment site. However it should be noted that the proposal would have a higher employment density than a possible logistic operation.

- Hotel Need and Sequential Approach

Part 1.28 of the UDP Saved Policies (2007) and Policy T4 establishes the principle for hotel and conference facility provision. With the move towards the 'Plan, Monitor and Manage' approach to planning, the recently published GLA Hotel Demand Study (2006) identifies an indicative need for 3,800 new hotel rooms in Hillingdon (of which 800 would replace older accommodation) during the period 2007-2026. It is further forecast that the majority of this estimate will be required by 2012. Since the GLA study, 733 hotel rooms have been completed and 120 have been lost. There is a current pipeline of approximately 1,328 rooms in Hillingdon, mainly in the Heathrow area with a further 259 rooms under construction. The principle for a large hotel can be established provided site specific issues are addressed including the criteria of policy T4.

PPS6 identifies hotels as an appropriate use in a town centre. A sequential approach to the location of new hotels is supported. However Heathrow airport is considered a very specific out of centre destination where it would be considered appropriate to locate a hotel as demand for accommodation is related to the airport.

- Green Belt

Whilst the scheme is not within the Green Belt, officers would need to be satisfied that the proposal

complies with Policy OL5 which requires that proposals adjacent or conspicuous from the green belt should not injure the visual amenities of the Green Belt as a result of the siting, materials, design, traffic and activities generated.

- Air Quality

The proposal site is located in an Air Quality Management Area and given its close proximity to Heathrow Airport the affects of any potentially polluting uses in this location need to be considered. Environmental Protection would need to assess the accompanying air quality assessment.

- Contaminated Land

Officers would need to be satisfied that ground contamination is adequately addressed in accordance with UDP Saved Policy OE11.

- Renewable Energy

The 2008 London Plan Policy 4A.7 requires that schemes should reduce carbon emissions by 20% through the use of renewable technologies. The Energy Strategy supports a 20% reduction in Carbon Emissions through the use of 64 ground source heat pumps and therefore complies with policy.

- Highways

The proposed scheme would potentially result in an intensification of the site. Highways should be satisfied that the scheme would not have a detrimental effect on highway safety or present capacity issues. The scheme would be required to have a transport plan, which includes measures for transporting visitors to/from Heathrow Airport.

- Staff Accommodation

It is noted that up to 130 jobs will be provided with the scheme. London Plan paragraph 3.294 notes the labour market constraints facing the hotel industry and the wider need for affordable housing. The paragraph states that 'Boroughs should seek agreements to provide staff accommodation as part of hotel development and encourage better staff training'. No staff accommodation has been provided on site. It is worth noting that hospitality training is available locally. These issues should be addressed through the Planning Obligations negotiations.

- Conclusion

PEP has no objection to the re-use of the former industrial site for a hotel as it has been demonstrated that there is a surplus of industrial sites and premises in the Heathrow Area. However following the recent Government announcement supporting a Third Runway at Heathrow Airport you are advised to consult the Government Office with regard to the suitability of the proposal.

HIGHWAY ENGINEER

The trip generation now includes vacant and committed developments within the Heathrow Boulevard estate and the revised assessments are acceptable. TfL who are the highway authority for the A4 Bath Road have confirmed that they do not expect there to be a significant adverse impact on the operation of the Transport for London Road Network.

The traffic signals on the airport gyratory will continue to operate within capacity post development with degrees of saturation below 80%. No mitigation measures are therefore required as a result of this development.

The car parking provision has been reduced from 500 to 430 to 367 under the current application with 22 disabled parking spaces. The proportion of disabled spaces should be increased to 10% of 367 in order to comply with LBH standards. This needs to be conditioned.

The proposed use of the hotel parking for long stay airport related car parking was not acceptable with the previous application. In his decision to allow Terminal 5 The Secretary of State imposed a planning condition limiting the number of on-airport car parking spaces within BAA's car parks. The condition was imposed on the basis that off-airport car parking would not be permitted in order to encourage the required modal shift of airport users away from cars and on to public transport. The reduction in the level of parking to 367 is welcomed. However a condition is required prohibiting long stay car parking.

The 20 cycle parking spaces should be in a covered area and made available for staff and visitors and additional spaces if warranted by demand/travel plan.

ENVIRONMENTAL PROTECTION UNIT (EPU)

- Air quality

The development site is within an Air Quality Management Area (AQMA) where there are areas of NO₂ exceedences. Where NO₂ levels are above 40ugm³ then it is exceeding the health National Air Quality Objective set by the Government. In addition, in 2010, this level becomes a mandatory EU limit value which must be met at relevant locations. It should be highlighted that the measured levels of NO₂ within the AQMA are static (as also seen in a number of other London councils) where the levels are showing no significant decrease from year to year. This is highlighted in our Air Quality Action Plan Progress Report 2008, available at www.hillingdon-air.info and would appear to be in contrast to the assumption that there will be a 7-9ug/m³ drop in concentrations between 2007 and 2012 as outlined in tables 9 and 10 of the report.

The report indicates that the concentrations of NO₂ at the worst case locations are predicted to exceed the air quality objective in 2012 whether the scheme is developed or not and the resulting impact has been classified negligible to minor beneficial. However as the levels of nitrogen dioxide are already exceeding the national objective, and predicted to exceed the EU limit value, then mitigation measures should be put in place to address this.

The air quality assessment submitted can only be deemed to be valid if the traffic flow data used has been approved by the local authority. If the traffic flow data is considered to be incorrect then the air quality assessment may need to be reviewed.

The heating plant is stated as using natural gas as an energy source. It should be noted that should the energy source change then the applicant will need to contact the EPU to ensure there are no further air quality issues. For example some forms of renewable energy, whilst being beneficial for climate change emissions, can be detrimental in terms of local air quality. In these cases this must be assessed and mitigation measures put in place.

In terms of mitigation we would recommend the following conditions be placed:

A Green Travel Plan, for staff and guests, should be provided as part of the development and should include areas that look to offsetting any impact of the development on air quality. This can be done through the provision of onsite electric vehicle charging points, the provision of zero emission minibuses for guests etc.

A construction management scheme that includes minimising emissions to air through the demolition and construction phases of the development shall be submitted, prior to the commencement of any works, to the local planning authority for approval.

In addition, if improvements to the air quality cannot be identified as part of the development then consideration should be given to seeking a section 106 contribution towards the implementation of measures in relation to the Air Quality Action Plan and/or air quality monitoring in the vicinity of the

development.

- Noise

This application is for a hotel and, as such, no concern is raised over the noise levels for its residents as they are temporary. Concern is raised however over any likely noise or air quality impact the hotel development may have on the local residents in the nearby houses.

This area already suffers from a number of noise issues, that being the airport, the busy road and the other large business in the local vicinity. Should approval be granted suitable conditions should be added to ensure noise from the site is not an issue.

- Soil contamination

Seven boreholes were drilled and 20 soil samples were tested from made ground and natural deposits. A thin layer of made ground (0.4-0.6 metres depth) across the majority of the site was noted mostly consisting of either asphalt or reinforced concrete (concrete sub-base in the vicinity of BH3) underlain by reworked brown clay containing brick, asphalt and in a couple of boreholes slightly ashy deposits from 0.2-0.5 metres below ground level. Field evidence of potential contamination was noted in five of the boreholes (ash, black staining, potential for asbestos in rubble). Potential for the presence of volatile organic compounds (VOCs) was assessed by headspace testing in 54 samples containers taken at varying depths and measured using a photo ionisation detector (PID). Readings were generally below the background readings, except when gas readings were taken in BH1 and BH7, which were elevated for all three monitoring visits.

Generally contamination levels of both organic and inorganic contaminants were low with some slightly elevated lead, copper and barium results. Chrysene was also noted to be slightly elevated in one location to the southeast. These contaminants were not considered to be an issue where they were below areas of hard standing based on the current use of the site.

- Groundwater Monitoring

Groundwater contamination below the site was known previously (early 1990s) and a 'fountain' remediation system was installed at the site. Groundwater monitoring was carried out to monitor the effectiveness of the remediation system. (It was unclear if the contamination originated at this site or the Norman Hay site to the east. A bentonite wall was built around the Norman Hay site by way of remediation in the 1990s as agreed with the Environment Agency.) Although the remediation system appeared to be effective by enlarge some groundwater remained impacted at the site with tetrachloroethene (PCE), trichloroethene (TCE) and 1, 1, 1 trichloroethane (TCA) thought to be due to a combination of the 'fountain' system, drainage issues on site and the presence of the bentonite wall.

Three rounds of groundwater monitoring were carried out. Elevated vinyl chloride (a break down product) was noted in a couple of the boreholes to the south east of the site (where there are no buildings at present), with the other contaminants recorded above groundwater standards in some locations.

- Gas Monitoring

Ground gas monitoring was undertaken on three occasions in the seven boreholes at varying atmospheric pressures. Methane was not detected above the detection limit in all the boreholes during the three monitoring rounds. Slightly elevated concentrations of carbon dioxide were detected in all six boreholes, which were installed above the natural ground. BH1 and BH7 had slightly above 4% and 3% carbon dioxide, respectively. Flow rates varied quite a bit but were generally low with the 6.4 l/hr being the highest recorded. Oxygen levels across the site were generally depressed the lowest recorded being 10.4 %. Gas protection was not thought to be required at the site.

Further quantitative risk assessment of the groundwater contaminants were carried out to determine

the risk to the nearest off site controlled waters receptor. As vinyl chloride is a VOC and could theoretically volatilise from the groundwater into indoor air, off site human health risk assessment was also carried out for the nearest receptor, and warehouse building to the south east of the site on the Bath Road. The conclusion drawn based on the risk assessment modelling was that there were no unacceptable risks to the Duke of Northumberland river or the off site human health receptor.

- Outstanding Issues

Considering the size of the site and the extent of the ground investigation there is a possibility that some small areas of contamination may still be found after the site is cleared for redevelopment. Soil contamination found at the site to date is not considered to be of concern for any areas of the development to be covered by hard standing. Suitable soil may need to be brought in for any areas of soft landscaping.

The vinyl chloride groundwater contamination was considered a potential human health issue due to possible indoor volatilisation in the vicinity of BHB and BH7. Therefore this needs to be considered further with regard to any development proposals. The above needs to be considered in any remediation proposal for the site and final remedial works need to be agreed with the EPU. Based on the above a contaminated land condition is required.

URBAN DESIGN OFFICER

The scheme has undergone significant changes to the building design, character and appearance, and to the overall layout of the site. From an urban design point of view, the recent changes are considered to fully overcome previous raised concerns with regards to domineering visual impact from Bath Road, lack of articulation of external elevations, lack of balance between different user needs, especially for pedestrians, in the proposed layout and landscape proposal.

Layout

The layout of the entrance area now benefits from being more design-led, with formalised tree planting along the Bath Road frontage and a differentiation of different user ground which is reflected in the design of the open spaces. The main entrance to the hotel has been given a stronger visual presence in term of the layout, and the area now gives a more pedestrian-friendly approach. Bicycle-parking has now also been introduced into this zone. Similarly, tree planting has been incorporated into the scheme along the Eastern façade. The corners of the buildings have been better articulated with the assistance of vegetation which helps creating a more robust setting for this building.

Scale, massing, design

In terms of the main built elements, the scheme has been slightly amended with regards to the massing and the length of the different compartments. The central core area now benefits from being more compact, whilst the Eastern wing has been slightly extended for more balanced composition. As a result the Eastern plant now appears less visible on the main elevation. Extensive glazing has been introduced on the ground floor to lifts, lobbies, restaurants and bars, which visually results in a lighter, more coherent and more elegant front elevation.

The front facade has been significantly altered with regards to the proportion of the built elements, elevational treatment, building materials and design approach. One of the most important changes is the introduction of colour to the main tower elements, which gives more character to the building. An interesting yet subtle effect has been achieved by muted blue panels, which gradually become more translucent as the main façade rises, and integrate with the sky. Coloured elements re-appear along the side elevations and contribute to alleviate the scale and length.

From an urban design point of view the proposed scheme is now considered to fully respect the adjacent built context with regards to the scale, height and massing. The proposed contemporary materials such as metal cladding and curtain walling, as well as the colour scheme in blue and steel grey is considered to adapt well with the established material approach in the Heathrow Perimeter

area.

TREES/LANDSCAPE OFFICER

The proposal is an amended version of a previous application to demolish the existing Technicolor buildings and erect an eight storey hotel with 623 bedrooms and ground level external parking for 367 cars. The landscape proposal includes the provision of approximately 20No. trees to south of the building, on the Bath Road frontage. A further 70No. trees are proposed to the north of the building - associated with the car park and northern boundary. Elsewhere, the use of mass planting of robust ornamental shrubs is proposed to provide groundcover and an Escallonia hedge has been specified to soften, and clad, the boundaries.

The drawings include planting plans, schedules, specifications of planting and brief management / maintenance headings. The specified planting is very similar to the earlier proposal and has been refined compared with the site layout plan No. 101A.

The submission of an amended landscape plan includes an area in the north-west corner of the car park which now shows an area of soft landscape. Similarly the soft landscape to the front of the development has been re-inforced with a double staggered row of trees and bold blocks of shrub under-storey planting. It is considered that these landscape amendments will significantly improve the landscape setting of the building.

No objections are raised subject to conditions.

ACCESS OFFICER

The Design and Access Statement and plans that accompany the proposal show that a good standard of access has been integrated throughout the development. However, further details are required on the emergency plan, horizontal evacuation and fire rated lift specification.

S106 OFFICER

Proposed heads of terms:

- A s278 agreement with TfL for the upgrading of bus stops in Bath Road and provision of a pedestrian crossing consisting of drop kerbs and tactile paving feeding into an existing traffic island. The contribution shall be capped at £35,000.
- A Green Travel to be prepared in accordance with TfL's guidance and to include a bond quantum of £20,000.
- A contribution of £40,000 towards public realm improvements within the vicinity of the site.
- A contribution of £25,000 towards the management of air quality within the vicinity of the site.
- A contribution of £14,500 towards hospitality training in the borough.
- Submission of a Construction Training Programme demonstrating how construction training will be delivered throughout the construction phase of the development.

It should be noted that a financial viability assessment has been submitted for this development, which demonstrates that the above noted obligations are at the maximum able to be drawn from the scheme. This is reflected in the resulting level of the public realm contribution and importantly the fact that there is no provision for a project management and monitoring contribution, which would normally be sought on a scheme of this nature.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Pt1.28 and Policy T4 of the Hillingdon Unitary Development Plan Saved Policies September 2007 encourage appropriate hotel and conference facility provision in the borough. In addition the London Plan 2008 identifies a need for a net increase of 40,000 hotel rooms across London, and the provision of new visitor facilities in London is encouraged by Policy 3D.7. The Greater London Authority Hotel Demand Study (2006) also identifies a need for additional hotel accommodation in London, the majority of which would be required by 2012. As such, providing site specific objectives can be met, the main issue is the loss of the existing industrial building on the site, which would be contrary to the aims of UDP Saved Policy LE2.

Policy LE2 states that the Local Planning Authority will not permit development for other uses in industrial and business areas unless it is satisfied that there is no realistic prospect of the land being used for industrial or warehousing purposes in the future, and the proposed alternative use does not conflict with the policies and objectives of the plan. The applicant has submitted an Employment Report in order to justify the loss of this industrial site. This report demonstrates that despite extensive marketing no industrial users have shown an interest in occupying the site over the past 18 months, and that the supply of industrial land in the local area significantly exceeds the current level of demand. Officers in the Council's Planning and Environmental Policy Team concur with the evidence provided and have confirmed that the change of use of the application site would not damage the employment demand/supply for Hillingdon. In addition it is likely that the proposed use of the site as a hotel would provide an increase in employment opportunities over the existing use. As such, there is no objection to the principle of the development, providing site specific issues can be satisfactorily addressed.

7.02 Density of the proposed development

The London plan density matrix, and HDAS guidelines relate specifically to residential properties. As such, the density of commercial and industrial schemes needs to be assessed on a case by case basis. Given the nature of the surrounding area, which is largely characterised by large scale hotels and offices to the north of Bath Road, and airport related industrial units and car parks to the south, it is considered that the size, scale and overall density of the proposed development is acceptable and makes efficient use of urban land in this location.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings, or Areas of Special Local Character within the vicinity. However, the site is located in a known area of archaeological potential and, as such, English Heritage have recommended that a condition, requiring the applicant/developer to undertake a programme of archaeological work, is attached to any approval.

7.04 Airport safeguarding

This application relates to land that is affected by the Government's policy decision to support a third runway at Heathrow. Any decision to proceed with that development will be market driven. While there is Government support for that proposal, a number of pre-conditions need to be met before the runway can go ahead. At this stage, there is no third runway and this application has been assessed based on current Council policies.

Whilst BAA Safeguarding have advised of the potential implications for this development should a third runway proposal proceed, they have raised no objections to the proposal on airport safeguarding grounds, subject to appropriate conditions and informatives. National

Air Traffic Services (NATS) have also confirmed that they have no objections to the proposed scheme.

7.05 Impact on the green belt

Policy OL5 of the UDP Saved Policies 2007 seeks to protect the Green Belt from nearby developments, which may prejudice its visual amenity. The proposed hotel, due to its height and scale would be visible from the Green Belt to the north, east and west. However, the building is located towards the front of the site, with parking to the rear, and commercial/industrial buildings within Heathrow Boulevard and Heathrow Gate Business Park, which border the site to the north, east and west, would provide a significant buffer between this land and the proposed building. The site is least screened from the north, however, the nearest part of the rear elevation would be located just under 200m away from the nearest part of the Green Belt in this direction. The applicant has submitted photomontages, which show the indicative views of the building from the surrounding Green Belt, and demonstrate that whilst taller than surrounding development, the proposed development would not have a significant visual impact on this land, over and above the existing industrial buildings, including the 30m high chimney, currently located on the site. As such, given the industrial nature of the existing buildings on the site, the distance from the Green Belt, and the screening provided from surrounding developments, it is not considered that the proposed development would have a significant impact on the open nature, or visual amenities of the surrounding Green Belt, sufficient to justify refusal.

7.07 Impact on the character & appearance of the area

The north side of this part of Bath Road is largely characterised by commercial office buildings, warehouses and hotels, interspersed with agricultural land falling within the Green Belt. There are several other hotels, including the Arora International and Holiday Inn, within the vicinity. The southern side of Bath Road tends to be more characterised by large airport car parks and development associated with Heathrow Airport.

The proposed building would sit on the southern side of the site with the majority of car parking located to the rear, accessed via a service road off Heathrow Boulevard, which crosses the front of the site and runs parallel with the eastern site boundary. The building would be characterised by a roughly 'H' shape with an approximately 15m wide by 75m long west wing, and an approximately 15m wide by 105m long east wing, connected by a central circulation area comprising the main entrance and reception area/lobby, restaurant/bar facilities and a central atrium. This area would also provide direct pedestrian access from the front of the building to the car parking to the rear.

At 8-storeys high (approximately 25m) and with unbroken facades of up to 105m long, the building would be considerably larger in scale, and taller than the existing Technicolor buildings (with the exception of the 30m high chimney) and those surrounding the site at Heathrow Boulevard and Heathrow Gate Business Centre. This was a major concern with the previous application and one of the proposed reasons for refusal.

Whilst the now proposed building would be of a similar size and scale to that proposed in previous schemes, significant changes have been made to the overall building design, and choice of materials and colours used, in order to lessen its impact on the surrounding area.

The previous scheme at this site proposed perforated and solid metal panels across the front elevation, which made the building, appear as bulky and over prominent. This has now been replaced with a calmer and more elegant façade treatment, which uses glass

panels with subtle graduations of colour (blue), starting darker towards the bottom of the building and progressively becoming lighter towards the top. Alterations have also been made to increase the height of the glazed atrium over the entrance. The use of coloured panels along the side elevations has been introduced in order to provide continuity with the main front elevation, and the overall permeability and transparency of the ground floor has been improved. The top storey has been better articulated to give further distinction to the building silhouette. Additional landscaping has also been provided in order to enhance the visual appearance of the site.

It is considered that the alterations significantly improve the overall visual appearance of the site, and the use of glass panels and graduations of colour to the front elevation give the perception of a much lighter, elegant and high quality development. The introduction of coloured panels along the side elevations help to break up their scale and length, and alterations to landscaping at the front of the site helps to create a welcoming high quality entrance to the building.

Whilst of the same size and scale as the previously proposed scheme, and clearly visible in the Bath Road street scene, and from surrounding areas, the design changes give the perception of a much lighter building with a reduced bulk and scale. It is not considered that the proposed hotel would be out of keeping with the character or appearance of other large scale developments along this part of Bath Road, or have a significant detrimental impact on the visual amenities of the surrounding area. The design changes have been positive in reducing the perceived bulk, height and scale of the building and, on balance, its visual impact is considered to be acceptable.

7.08 Impact on neighbours

The nearest residential properties to the site are located in Blunts Avenue, approximately 95m away to the east. Whilst, due to its height, some views of the proposed building may be available from the rear windows of these properties, it is considered that the large warehouse style buildings in Heathrow Gate Business Centre provide a significant barrier between these properties and the proposed development. Given the distance, and screening provided by the adjacent warehouses, it is not considered that the proposed development would have any significant impact on residential amenity sufficient to justify refusal.

7.09 Living conditions for future occupiers

Policies relating to living conditions largely relate to residential developments, and there are no specific guidelines relating to hotel guest accommodation. Nevertheless, issues such as overlooking and privacy should be considered.

Overlooking could occur from the inward facing windows in each wing. However, the nearest overlooking windows, located at the northern ends of the two wings, are approximately 18m apart. Given this distance, and the transient nature of hotel guests, this is not considered to be unacceptable. It should be noted that this does not fall significantly below the guidelines for residential properties, which require a separation distance of 21m, despite being a much less sensitive use.

There may also be potential for overlooking to occur between inward facing rooms along each wing with inward facing rooms in the central element. However, As stated above, given that guests would only be likely to stay at the hotel for short periods of time, this is not considered to be a significant concern sufficient to justify refusal in this instance.

Some of the room windows may potentially have overlooking and privacy impacts due to their position. However, it is likely this would be very limited and nevertheless, the windows could be treated to prevent direct overlooking into the affected rooms. As such, should approval be granted it is recommended a condition requiring the submission of details to prevent privacy impact, is attached.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

It is proposed to provide 367 car parking spaces, the vast majority of which would be located to the rear of the building. 20 cycle parking spaces would be provided towards the front of the site, in close proximity to the main staff entrance, which would be located in the eastern elevation. 4 coach parking spaces would be provided to the rear of the building.

Previous schemes proposed 500 spaces and 430 spaces respectively, although, it should be noted that in the final stages of the previous application (ref: 35293/APP/2008/3437) the applicant reduced the number of spaces to 367 in an attempt to address officer concerns over the high number of spaces proposed. Regardless of this however, in assessing that application officers also raised a number of concerns regarding the Transport Assessment, potential long-stay parking and impact on traffic flows on the surrounding road network.

In terms of number of parking spaces, there are no specific guidelines within the UDP Saved Policies September 2007 or the London Plan 2008 and, as such, it is for the applicant to justify the number of spaces in their Transport Assessment. Transport for London have confirmed that whilst they would encourage a further decrease in the number of spaces provided, particularly given that there are examples of other comparable schemes nearby which have a lower parking ratio, they have no specific objections to the proposed car parking and state that the proposed development would not have an adverse impact on the Transport for London road network. The Council's Highway Engineer has also confirmed that the proposed number of parking spaces is acceptable and that it has been sufficiently demonstrated that the development would not have an adverse impact on the surrounding road network. It is considered that a further reduction in the number of spaces could increase the pressure for parking on the surrounding area, particularly on the main access roads into the Heathrow Boulevard Estate and the adjacent Heathrow Gate Business Centre, where there are no parking restrictions. This has been raised as a concern by the owners of Heathrow Boulevard. As such, on balance it is considered that the proposed parking is acceptable.

Amended plans have been submitted which show a total of 37 disability standard spaces would be provided. Two of these would be provided at the front of the site, adjacent to the main entrance, and the remainder would be provided at the rear, close to the rear entrance. This complies with Council Policy which requires 10% of parking spaces to be disability standard.

In assessing the previous application concern was raised that the Transport Assessment did not fully consider vacant and committed developments within the adjacent Heathrow Boulevard estate, and the associated traffic flows if the site were at full occupancy. The Council's Highway Engineer has confirmed that the Transport Assessment now fully considers this and sufficiently demonstrates that the development will not have a significant adverse impact on the local road network.

Concerns were previously raised over the intention to allow guests to use the car park whilst on holiday or business abroad, thus, essentially providing off-airport car parking,

albeit not available to members of the public. This was considered to be contrary to the aims of Policy A4 of the UDP Saved Policies September 2007, which requires directly related airport development, such as car parking for airport users, to be located within the Heathrow Airport boundary. It was also considered to be contrary to the aims of the Heathrow Airport car parking cap, imposed by the Secretary of State in his decision to allow Terminal 5. The condition, limiting the number of on-airport car parking spaces ensures, for the first time, a limit on the level of parking at Heathrow and helps encourage the required modal shift of airport users away from cars and onto public transport. Whilst the applicant has now omitted any references to long-stay parking in their submission, should approval be granted, a condition is required to prohibit long-stay parking at the site.

An Interim Travel Plan has been submitted which seeks to encourage staff and visitors to use sustainable modes of travel to and from the development, and reduce the number of single occupancy trips to and from the site. TfL and the GLA suggest that this could be further developed, however, the provision of an appropriate final Green Travel Plan would be a requirement of the S106 agreement should approval be granted and, as such it is not considered that refusal could be justified on this basis.

7.11 Urban design, access and security

Significant concerns were raised over the previous applications (refs: 35293/APP/2008/2463 & 35293/APP/2008/3437) on design grounds, with specific reference made to the height and scale of the development. Whilst the overall height and size of the hotel has not significantly changed, following detailed discussions with the Council's Urban Design Officer several changes have been made to address those concerns.

The building would essentially form a rough 'H' shape, comprising a central core element and two elongated wings. The central element, containing reception, lobby and concourse area, bar, restaurant, bedrooms and ancillary facilities, would represent the main entrance to the building and provide a link through to the car parking area at the rear and the bedrooms in the wings at either side. The entrance to the hotel has been refined and a calmer more elegant façade treatment incorporating coloured glass in subtle graduations of blue would be provided. The height of the atrium at the front of the building would also be increased from three to four storeys. Coloured elements would appear along the side elevations to reflect those used in the front of the building, and help to alleviate the scale.

In addition to the above, amendments to the landscaping and tree planting across the site, including more formalised tree planting at the hotel frontage and along the eastern and western boundaries of the site, are considered to create a more robust setting for a building of this size.

Whilst the overall size and scale of the building has not actually significantly changed, it is considered that the amendments create a more balanced composition and the lighter, more subtle colours and treatment of the facades contribute to what would appear as a much lighter, more elegant building. As such, it is not considered that the building would be perceived as unduly prominent or out of keeping with the character or appearance of the surrounding area in this location.

7.12 Disabled access

Policy R16 of the Unitary Development Plan Saved Policies states that the Local Planning Authority will only permit proposals for shops, business uses, services, community and other services open to the public if they include adequate provision for accessibility, in

particular to meet the needs of elderly people, people with disabilities, women and children. Policy AM15 requires car parks for new developments to contain conveniently located reserved spaces for disabled persons. Furthermore, Policy 3D.7 of the London Plan, with regard to visitor accommodation and facilities, requires boroughs, amongst other things, To support and increase in the quality and quantity of fully wheelchair accessible accommodation in light of integrated strategic and local assessments.

The applicant has submitted an Access Statement, which confirms that the development would be fully inclusive. All primary access areas would be step and ramp free and lifts would be provided to upper floors. Commitment is also given to careful consideration of lighting, colours, signage, communication systems, and the provision of assistive technical devices at the detailed design stage. The GLA requested the number of wheelchair accessible rooms and parking spaces be increased. The applicant has responded to this by providing amended plans which show 94 (15%) of all rooms and 37 (10%) of all parking spaces would be to disability standard. The Council's Access Officer has raised no objections to the proposed scheme, subject to further details regarding the emergency evacuation plan for those with disabilities, and specification of the lifts. This would be covered by building control regulations and, as such, it is not considered necessary to add a condition requesting this information.

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, landscaping and Ecology

The current site is dominated by industrial buildings with external spaces used for parking and the operational needs of the business. There are no trees or elements of soft landscaping within the site or along the boundaries. The plans indicate that a formal landscaped buffer, including the provision of approximately 20 large trees, would be provided to the south of the building along the Bath Road frontage. Tree and ornamental shrub planting would also be provided in front of the building entrance. A formal paved footway would provide a pedestrian link from Bath Road to the main entrance and a paved concourse area with seating and planting would be provided to the rear of the building. A hedge would be provided along the eastern and western site boundaries and additional tree planting would take place on the northern boundary. Tree and ornamental shrub planting would also be provided in the car park and concourse area. In addition areas of soft landscaping would be provided in the north west corner of the car park and adjacent to the north elevation of the hotel. The Council's Trees/Landscape Officer has advised that the proposed landscaping is acceptable subject to conditions.

7.15 Sustainable waste management

As the application is for a commercial development, the hotel occupier ultimately has discretion over which waste management methods are used. The plans indicate that bin stores would be provided at the rear of the hotel adjacent to the western boundary, although limited details have been provided at this stage. Sufficient space appears to have been provided for a suitably sized bin store, however, it is considered that there is ample space on site should a larger facility be required. Full details of waste and recycling facilities would be required by way of condition should approval be granted.

7.16 Renewable energy / Sustainability

The applicant has submitted an Energy Statement which demonstrates that a number of measures have been incorporated into the design of the hotel to reduce its energy demand

by up to approximately 19%. These include using efficient boilers, lighting and cooling systems, and providing a thermally efficient building fabric with improved air tightness. The Greater London Authority have confirmed that the proposed measures are acceptable. However, they have suggested that rainwater harvesting, green roofs and swales be incorporated into the development.

The applicant has submitted additional information which confirms that in this instance the installation of a green roof would provide limited water attenuation and, as such, would not significantly reduce flood risk on the site. It is also likely that the use of green roofs in this location would attract birds to the site, contrary to airport safeguarding advice. Given the limited benefits of a green roof in this location in terms of reducing flood risk, the potential to increase the risk of bird strike, and that the Environment Agency have raised no objections in this respect, it is not considered that a reason for refusal could be justified on this basis.

With regard to the use of swales, the Environment Agency have advised that the site is located on a major aquifer and there is a very shallow depth to groundwater, making it particularly susceptible to contamination. As such, the provision of swales, is unlikely to be acceptable. Notably, whilst the Environment Agency have raised no objections to the proposal, should approval be granted, they have requested conditions requiring full details of an appropriate surface water drainage scheme, a scheme to demonstrate how contamination of the site will be dealt with, and advising that no infiltration or surface water drainage into the ground is permitted. These conditions are required in order to ensure no groundwater contamination occurs. In addition to this it is likely that the installation of swales would be attractive to birds, which would conflict with aircraft safeguarding advice on this matter.

In terms of rainwater harvesting, the applicant has now confirmed that this will be included, however, no details have been provided at this stage. This could be required by way of condition should approval be granted.

Policy 4A.7 of the London Plan (Renewable Energy) requires major developments to show how a portion of the site's electricity or heat needs would be generated from renewables, wherever feasible. In line with advice from the Greater London Authority, the Council requires major developments to meet the 20% renewable target. The Energy Statement demonstrates that the applicant has investigated the use of a number of renewable energy sources in order to reduce carbon emissions. It is proposed to install a combined heat and power (CHP) system to meet the hotel's domestic hot water requirements. This is estimated to reduce carbon emissions by 33%. It is also proposed to install ground source heat pumps, which would require the drilling of 38 boreholes, to provide part of the heating and cooling requirements of the hotel. This would provide a further reduction in carbon emissions of 20%. Through the use of the above mentioned energy efficient design measures, and use of renewable energy sources, in total the scheme would achieve a reduction of approximately 46.72% in annual carbon emissions. This exceeds London Plan standards.

7.17 Flooding or Drainage Issues

The applicant has submitted a Flood Risk Assessment and a Water and Groundwater Resources Report. The Environment Agency have confirmed that they have no objections to the proposed development subject to conditions regarding drainage and contamination. As mentioned in part 7.16 of this report the GLA have requested that the applicant investigate the incorporation of green roofs and other features which could be incorporated into landscaping to reduce the risk of flooding, however, given that the Environment Agency

have raised no objections relating to flood risk, and that due to its proximity to Heathrow this could conflict with aircraft safeguarding criteria, it is not considered that refusal could be justified on this basis.

7.18 Noise or Air Quality Issues

AIR QUALITY

The site falls within an Air Quality Management Area and, as such, an Air Quality Assessment has been submitted. Whilst officers in the Council's Environmental Protection Unit have raised no objections to the scheme they have advised that the development could lead to a very minor increase in pollutants and, as such, given the existing poor air quality in the area, a number of mitigation measures should be put in place. The applicant has committed to providing a Green Travel Plan and agreed to contribute £25,000 towards air quality monitoring in the area. Submission of a Construction Management Scheme to demonstrate how emissions will be minimised during the demolition and construction phases of the development would also be required by way of condition should approval be granted. It is considered that these measures are sufficient to offset the impact of the development on local air quality.

NOISE

Whilst there are residential properties within 100m of the site, these are significantly screened from the development by existing large buildings within the adjacent Heathrow Gate Business Centre, and as such, the long-term impacts of the development on these properties, in terms of noise, is likely to be minimal. Nevertheless, a noise report detailing timings of deliveries, noise from site plant such as the CHP unit and air conditioning units, and details of construction works should be provided, and appropriate mitigation measures taken if necessary. It is considered that this could be required by way of condition should approval be granted.

7.19 Comments on Public Consultations

Point (i) of the concerns raised by the Harmondsworth and Sipson Residents' Association suggests that whilst there are a number of applications for new hotels in the area, many staff from existing hotels are being made redundant. It is anticipated that the proposed hotel would employ 145 full-time and 25 part-time employees. It is considered that this would increase employment opportunities in the area.

Point (ii) has been addressed in the report and by way of condition.

The concerns raised on behalf of Heathrow Boulevard essentially relate to the visual impact of the proposed hotel on the surrounding area, due to its scale and height, and highway/parking issues. It is also suggested that the proposed landscaping is inadequate and that the proposal is contrary to several UDP policies. These issues have all been addressed in the report. Point (ii) raises concerns over loss of light to Heathrow Boulevard. The Heathrow Boulevard development comprises commercial/industrial buildings which, unlike residential properties, are not considered to be uses which are particularly sensitive to daylight considerations. Nevertheless, the nearest buildings within Heathrow Boulevard (nos.286 and 284 Bath Road) are located approximately 23m to the east of the nearest part of the hotel building, at the opposite side of the main access road into the estate. They are both offset from the proposed hotel, no.286 located slightly further forward, closer to Bath Road, and no.284 located behind the rear elevation of the hotel, and the side elevations to both buildings would front the application site. As such, it is not considered that the proposed development would lead to any significant loss of light to adjacent properties.

The concerns raised by Heathrow Airport Limited relate to the third runway proposal. This has been addressed in the report.

7.20 Planning obligations

Policy R17 of the Unitary Development Plan Saved Policies September 2007 states that:

'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals'.

The applicant has agreed in principle to provide contributions towards air quality monitoring, hospitality training, provision of a comprehensive green travel plan, bus stop upgrading and provision of a new pedestrian crossing, improvements to the public realm, and management and monitoring. The applicant has also committed to providing construction training at its own expense. These will be secured by the proposed Section 106 agreement.

The GLA suggest that an appropriate relocation strategy should be put in place for the current occupiers (Technicolor) to ensure there are no job losses in the industry. However, the applicant's Employment Report confirms that Technicolor have vacated the site and relocated to new purpose built facilities at Pinewood. As such, it is considered unreasonable to require the applicant to provide a relocation strategy in this instance. It should also be noted that Technicolor have been operating at low employment at the site for some time and that the proposed hotel is likely to provide an increased amount of employment at the site.

The GLA also suggest that the applicant should be required to submit an employment and training scheme with a particular focus on construction and hospitality training. It is considered that this is appropriately addressed by way of the proposed S106 agreement.

7.21 Expediency of enforcement action

N/A.

7.22 Other Issues

CONTAMINATION

The applicant has submitted a Phase I Environmental Review Report, a Phase II Environmental Site Assessment and a Groundwater Quantitative Risk Assessment, which assess the potential for ground contamination at the site, and its implications. Whilst officers in the Council's Environmental Protection Unit have raised no objections to the details submitted, they have advised that there is a possibility that some small levels of contamination may still be found after the site is cleared for redevelopment and, as such, a relevant condition requiring the applicant to submit additional information should be added to any approval. The Environment Agency have also raised no objections subject to relevant conditions.

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

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

10. CONCLUSION

The principle of the proposed development is considered to be acceptable. Previous concerns regarding urban design issues have been overcome and the size, scale and design of the proposed building is considered to be appropriate in this location. Transport for London and the Council's Highway Engineer have confirmed that the proposed development would not have an unacceptable impact on the surrounding road network, and that previously raised concerns over the robustness of the Transport Assessment have also been overcome. A number of energy saving measures would be incorporated into the scheme as well as renewable energy sources, resulting in an approximately 46% reduction in carbon emissions. The proposal is considered to comply with relevant UDP and London Plan Policies and, as such, approval is recommended.

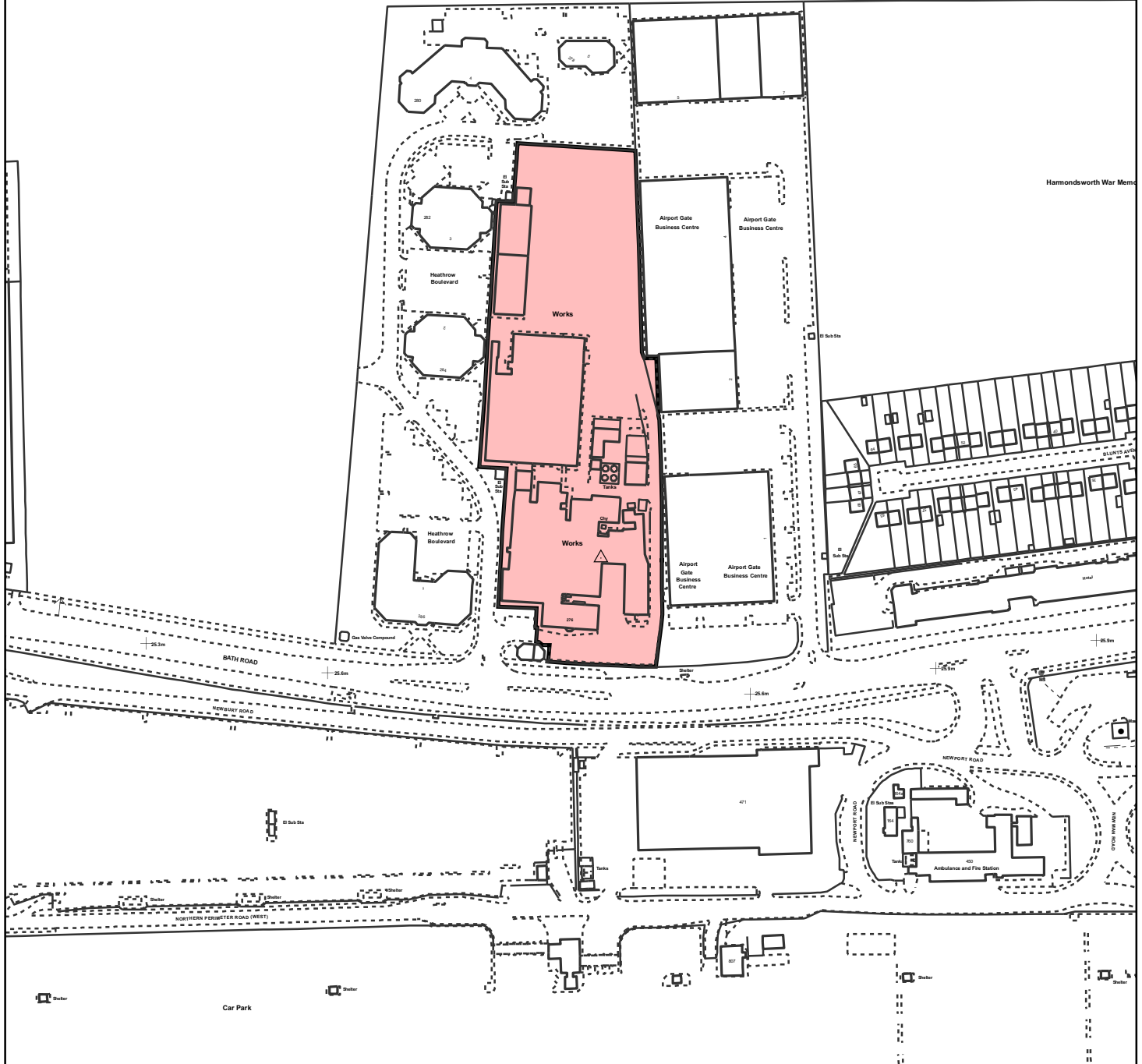
11. Reference Documents

- (a) Unitary Development Plan Saved Policies September 2007
- (b) London Plan (Consolidated with Alterations since 2004)
- (c) Planning Policy Statement 1 (Delivering Sustainable Development)

- (d) Planning Policy Guidance 13 (Transport)
- (e) Planning Policy Guidance 21 (Tourism)
- (f) Planning Policy Guidance 22 (Renewable Energy)
- (g) Planning Policy Guidance 24 (Planning & Noise)
- (h) Council's Supplementary Planning Guidance - Community Safety by Design
- (i) Council's Supplementary Planning Guidance - Noise
- (j) Council's Supplementary Planning Guidance - Air Quality
- (k) Council's Supplementary Planning Guidance - Planning Obligations
- (l) Supplementary Planning Document - Accessible Hillingdon

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Notes

Site boundary

For identification purposes only.

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Planning Committee
Central and South

Date
June 2009



HILLINGDON
LONDON