Report of the Head of Development Management and Building Control

Address:	HEATHROW FLIGHTPATH NCP CAR PARK BATH ROAD SIPSON
Development:	Demolition of existing car park and redevelopment for industrial (Use Class B2); storage or distribution (Use Class B8); and/or light industrial (Use Class E(g)(iii)) purposes, with ancillary office space, landscaping, car parking, servicing and access arrangements. (AMENDED PLANS 18.05.23)
LBH Ref Nos:	41632/APP/2022/2301
Drawing Nos:	002 22-008-004 Soil Specification 22-008-003 Soft Landscape Works Specification GLA Energy Spreadsheet July 2022 Rev 2 Air Quality Assessment Mayer Brown RT-MME-157814-02 31770 BREEAM Technical Note Sustainability Appraisal BREEAM Summary Tracker 13/07/22 Rev PL2 Draft Travel Plan July 2022 Sustainability & Energy Statement July 2022 23795-HYD-XX-ZZ-RP-FE-1001 31770 Lifecycle Assessment Mayer Brown Noise Impact Assessment July 2022 Planning statement July 2022 RT-MME-157814-01 Rev A Statement of Community Engagement July 2022 Transport Assessment July 2022 Biodiversity Survey Data Date submitted 22-07-2022 03528R Daylight or sunlight assessment 23795-XX-XX-RP-FR-0001 23795-HYD-XX-XX-RP-GE-1000 JAC28471 Archeological Desk-based Assessment RT-MME-157814 2022-09-30 ATZ Assessment NCP 23795-HYD-XX-XX-DR-C-7011-P04 23795-HYD-XX-XX-DR-C-7012-P04 23795-HYD-XX-XX-RP-C-7000-P04

Major Applications Planning Committee -

PART 1 - MEMBERS, PUBLIC & PRESS

S/NCPHeathrow.1.6
23795-HYD-00-ZZ-DR-C-7313 Rev P03
CGI of Site Entrance Revised
CGI front of Unit 110
CGI of Rear Elevation Between 47-49 Sipson Way
CGI of Rear Elevation View from 47 Sipson Way
CGI of Rear Elevation Distant View From Blunts Ave
03528P_TPP_05 Rev D
5110-CA-00-00-A-DR-00301 PL10
5110-CA-00-00-A-DR-00301 PL3
5110-CA-00-00-A-DR-00301 PL11
5110-CA-00-00-DR-A-00100 PL4
5110-CA-00-00-DR-A-00101 PL2
5110-CA-00-00-DR-A-00102 PL3
5110-CA-00-00-DR-A-00103 PL3
5110-CA-00-00-DR-A-00103 PL7
5110-CA-00-00-DR-A-00251 PL6
5110-CA-00-00-DR-A-00351 PL4
5110-CA-00-RL-DR-A-00121 PL3
5110-CA-00-RL-DR-A-00122 PL3
5110-CA-00-RL-DR-A-00123 PL3
5110-CA-00-RL-DR-A-00124
5110-CA-00-XX-DR-A-00150 PL7
5110-CA-00-XX-DR-A-00150 PL7
5110-CA-00-XX-DR-A-00152 PL4
5110-CA-00-XX-DR-A-00153 PL5
5110-CA-00-XX-DR-A-00154 PL5
5110-CA-00-XX-DR-A-00155 PL7
5110-CA-00-XX-DR-A-00201 PL10
5110-CA-00-XX-DR-A-00202 PL6
5110-CA-00-XX-DR-A-00203 PL7
5110-CA-00-XX-DR-A-00204 PL7
5110-CA-00-XX-DR-A-00350 PL4
5110-CA-00-ZZ-DR-A-00110 PL4
5110-CA-00-ZZ-DR-A-00111 PL2
5110-CA-00-ZZ-DR-A-00112 PL3
5110-CA-00-ZZ-DR-A-00113 PL3
22-008-01 Rev E
22-112-EX-001 PL3

External Light Assessment 18.05.2023
23795-HYD-00-ZZ-DR-C-7310-P04
23795-HYD-00-ZZ-DR-C-7311-P04
23795-HYD-00-ZZ-DR-C-7312-P04
23795-HYD-00-ZZ-DR-C-7312-P04

Date Plans received:	21-07-2022	**Date(s) of Amendments(s):**	07-10-2022 18-05-2023 01-11-2022 21-07-2022 14-11-2022 22-07-2022
Date Application valid	21-07-2022		

1. SUMMARY

The application seeks to redevelop the existing NCP car park for industrial (Use Class B2); storage or distribution (Use Class B8); and/or light industrial (Use Class E(g)(iii)) purposes, with ancillary office space, landscaping, car parking, servicing and access arrangements. The development would comprise of the construction of one new building segregated into 4 commercial units. It is proposed that the site would be operational 24 hrs per day 7 days per week.

The site is located within the Bath Road Employment Area of the Hilingdon Local Plan Part 1 and the Heathrow Opportunity Area within the London Plan (2021) which seek to support applications for development which would result in an increase in employment floorspace. The designation demonstrates that Bath Road is an appropriate location for industrial and logistics uses and the principle of development is considered to be acceptable.

In terms of the design, initial concerns were raised regarding the bulk, scale and massing of the building and the proposed redundancy of the access bridge across the M4 spur road upon the character and appearance of the area and the amenities of neighbouring properties. In response to these concerns the applicant has submitted a set of revised drawings which reduce the height of the building, introduce additional planting along the boundary shared with the properties in Sipson Way and have agreed to retain the use of the access bridge for employees.

In addition to the Design Officers concerns, National Highways raised concerns with the safety of the bridge if it were to become redundant following the provision of a new access off Bath Road which would serve the development. Whilst the access benefits from it's own planning consent the retention of the vehicle access bridge for employee use has addressed the concerns raised by National Highways.

Turning to highway matters, the development features a new access, albeit the access was granted approval in 2021 when there was an intention from NCP to retain the land as a long stay car park. As the proposal seeks consent for a change to the land use to provide B2, B8 and E(g) (iii) floor space, naturally the types of trips associated with these industrial uses are likely change to predominantly larger vehicles. Concerns were raised by Officers relating to vehicle routing and the suitability of the new access for Other Goods Vehicles (OGV) use. The applicant has submitted revised drawings, a road safety audit and has agreed to a number of improvements to ensure pedestrian and cyclist

safety is maintained and the development would not result in significant harm upon the local highway network. These improvements are to be secured as part of a s106 legal agreement.

With regards to noise, it is proposed that the site would be operational 24 hrs per day 7 days per week however the Noise Assessment highlights that the site is located adjacent to, 2 major roads in the Bath Road and the M4. The industrial use of the site would not give rise to a noticeable increase above existing levels of Bath Road and the M4. The submitted Noise Impact Assessment (NIA) has been reviewed by the Councils Noise Officer who has raised no objection subject to a condition restricting noise levels in comparison with background noise levels.

The proposed development would deliver enhancements in terms of biodiversity, urban greening, and drainage. More importantly the proposal would result in an increase in employment of up to 360 new jobs thus meeting the objectives of both the Bath Road Employment Area and the Heathrow Opportunity Area. Furthermore the application would also deliver contributions towards air quality, highway safety improvements, carbon reduction, heatlhy streets and construction & employment training.

Whilst the proposed development would present some change to the streetscape when viewed from within surrounding streets such as Sipson Way and there would be a notable change in the type of trips generated by the development, it is clear that the benefits of the scheme outweigh the potential harm. As such the proposal is considered to be acceptable on-balance and is recommended for approval.

2. RECOMMENDATION

1.That delegated powers be given to the Director of Planning, Regeneration and Public Realm to GRANT planning permission subject to:

A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:

1. A s278 agreement for the access works required for highway works required to deliver the new access and any works on land owned by Transport for London (TFL)

2. TFL Healthy Streets Contribution £50,000

3. Highway Contribution towards the delivery of Active Travel Zone works which include:
(i) Tactile Pavement and Dropped Kerbs at 14no. Locations £77,000
(ii) Supply and Install 5no New Street Benches £10,000
(iii) Supply and Plant 20no Street Trees £6,400
(iv) Fees £9,340
(v) Contingencies £9340
Total: £112,080

4. Employment Strategy and Construction Training.

3.Carbon Offset for non-delivery on site £83,672

4. Air Quality damage cost of £417,930

5.Full Workplace Travel Plan and Travel Plan bond of £20,000

6. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the review and preparation of the Unilateral Undertaking and any abortive work as a result of the agreement not being completed.

C) That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) If the Legal Agreements have not been finalised by 31/08/23 (or such other timeframe as may be agreed by the Director of Planning, Regeneration and Public Realm), delegated authority be given to the Director of Planning, Regeneration and Public Realm to refuse the application for the following reason:

'The applicant has failed to provide measures to mitigate the impacts of the development through enhancements to the highways necessary as a consequence of demands created by the proposed development. The proposal therefore conflicts with the Town and Country Planning (General Permitted Development) (England) Order 2015, policies DMCI 7, DMEI 2, DMEI 14, DMT1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), the Council's Planning Obligations SPD and the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), the London Plan (2021) and the NPPF.'

E) That subject to the above, the application be deferred for determination by the Director of Planning, Regeneration and Public Realm under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be imposed subject to changes negotiated by the Director of Planning, Regeneration and Public Realm prior to issuing the decision.

1. COM3 **Time Limit**

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. COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on Drawing No.

002
22-008-01 Rev E
5110-CA-00-00-DR-A-00100 PL4

5110-CA-00-00-DR-A-00102 PL3
5110-CA-00-00-DR-A-00103 PL3
5110-CA-00-00-DR-A-00103 PL7
5110-CA-00-00-DR-A-00251 PL6
5110-CA-00-00-DR-A-00351 PL4
5110-CA-00-RL-DR-A-00121 PL3
5110-CA-00-RL-DR-A-00122 PL3
5110-CA-00-RL-DR-A-00123 PL3
5110-CA-00-RL-DR-A-00124 PL3
5110-CA-00-XX-DR-A-00150 PL7
5110-CA-00-XX-DR-A-00150 PL7
5110-CA-00-XX-DR-A-00152 PL4
5110-CA-00-XX-DR-A-00153 PL5
5110-CA-00-XX-DR-A-00154 PL5
5110-CA-00-XX-DR-A-00155 PL7
5110-CA-00-XX-DR-A-00201 PL10
5110-CA-00-XX-DR-A-00202 PL6
5110-CA-00-XX-DR-A-00203 PL7
5110-CA-00-XX-DR-A-00204 PL7
5110-CA-00-XX-DR-A-00350 PL4
5110-CA-00-ZZ-DR-A-00110 PL4
5110-CA-00-ZZ-DR-A-00111 PL2
5110-CA-00-ZZ-DR-A-00112 PL3
5110-CA-00-ZZ-DR-A-00113 PL3
23795-HYD-XX-XX-DR-C-7011-P04
23795-HYD-XX-XX-DR-C-7012-P04
5110-CA-00-00-A-DR-00301 PL10
5110-CA-00-00-A-DR-00301 PL3
5110-CA-00-00-A-DR-00301 PL11
5110-CA-00-00-DR-A-00101 PL2
22-112-EX-001 PL3
23795-HYD-00-ZZ-DR-C-7313-P06
23795-HYD-00-ZZ-DR-C-7310-P04
23795-HYD-00-ZZ-DR-C-7311-P04
23795-HYD-00-ZZ-DR-C-7312-P04

REASON
To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

3. COM5 **General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Mayer Brown Noise Impact Assessment July 2022
23795-HYD-XX-XX-RP-GE-1000
RT-MME-157814
03528P_TPP_05 Rev D
31770 BREEAM Technical Note

23795-HYD-XX-XX-RP-GE-1000
2022-09-30 ATZ Assessment NCP
23795-HYD-XX-XX-RP-C-7000-P04
S/NCPHeathrow.1.6
13/07/22 Rev PL2
22-008-004 Soil Specification
GLA Energy Spreadsheet Date submitted 22-07-2022
22-008-003 Soft Landscape Works Specification
BREEAM Summary Tracker
RT-MME-157814-02
115771-100/16/BSC/JoS
31770 Lifecycle Assessment
Planning Statement July 2022
Biodiversity Survey Data Date submitted 22-07-22
Statement of Community Engagement July 2022
Air Quality Assessment Mayer Brown July 2022 Rev 2
03528R
Draft Travel Plan July 2022
Sustainability & Energy Statement July 2022
23795-XX-XX-RP-FR-0001
RT-MME-157814-01 Rev A
Transport Assessment July 2022
External Light Assessment 18.05.2023

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON
To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

4. NONSC **Radar Mitigation Plan**

Prior to the commencement of any development, a radar mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority in consultation with NATS and HAL.

The approved Strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented in full and in accordance with the approval.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment In the interests of aircraft safety in accordance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan : Part 2 - Development Management Policies (2020).

5. RES9 **Landscaping (car parking & refuse/cycle storage)**

No development shall take place beyond the suprerstructure, until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1.a Hard Surfacing Materials
1.b Other structures (such as play equipment and furniture)

2. Living Walls and Roofs
2.a Details of the inclusion of green roofs and/or living walls
2.b Justification as to why no part of the development can include living walls and roofs

3 Urban Green Factor
3.a Details to demonstrate the delivery of the UGF score of at least 0.34

4. Parking Layouts
a. 63 Car Parking Spaces of which 7 shall be constructed to disabled accessible standards, 13% (8 spaces) shall be served by active EVCP points.
b. 40 long stay and 10 short stay cycle parking spaces
c. 5 motor cycle parking spaces which shall be provided with anchor points
d. 1 lorry parking space

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON
To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

6. RES10 **Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON
To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

7. NONSC **Demolition and Construction Logistics Plan**

Prior to the commencement of the development hereby approved (including demolition), a Demolition and Construction Logistics Plan (DLP/CLP) and a Demolition and Construction Management Plan

(DMP/CMP) shall be submitted to, and approved in writing by, the Local Planning Authority, to minimise impacts to the local highway network, and to control noise, vibration, dust and air pollutants generated as a result of the construction process. These documents shall be prepared in accordance with the London Freight Plan, 'The Control of Dust and Emissions from Construction and Demolition' Supplementary Planning Guidance, BRE Pollution Control Guides 'Controlling particles and noise pollution from construction sites' and 'Controlling particles, vapour and noise pollution from construction sites'.

The DLP/CLP and DMP/CMP shall include details of (but shall not necessarily be limited to):
(i) a programme of works, including hours of construction;
(ii) the measures for traffic management and encouragement of sustainable modes of transport for workers, including prohibition of construction vehicles parking on the local highway network within the vicinity of the application site;
(iii) the haulage routes and details of a vehicle booking system including use of a banksman (if applicable), ensuring construction deliveries are received outside peak hours;
(iv) any closures of public routes and diversions, demonstrating how time spent closed to the public has been minimised;
(v) the provision of secured restricted access as the sole means of entry to site for cyclists along with a secured turnstile entrance for pedestrians;
(vi) a site plan identifying the location of the site entrance, exit, visibility zones, wheel washing, hard standing, hoarding (distinguishing between solid hoarding and other barriers such as heras and monarflex sheeting), stock piles, dust suppression, location of water supplies and location of nearest neighbouring receptors;
(vii) the loading, unloading and storage of equipment, plant, fuel, oil, materials and chemicals;
(viii) details of cranes and other tall construction equipment (including the details of obstacle lighting);
(ix) the means to prevent deposition of mud on the highway and chemical and/or fuel run-off from into nearby watercourse(s);
(x) a dust risk assessment, including means to monitor and control dust, noise and vibrations, following the published guidance by The Institute of Air Quality Management (IAQM) on how to assess impacts of emissions of dust from demolition and construction sites.
(xi) the likely noise levels to be generated from plant and construction works and the precautions set out to eliminate or reduce noise levels where the operational risk levels illustrated within The Control of Noise at Work Regulations 2005 could be exceeded;
(xii) confirmation that a mobile crusher will/won't be used on site and if so, a copy of the permit and intended dates of operation;
(xiii) confirmation of all Non-Road Mobile Machinery (NRMM) to be used, or a statement confirming that NRMM will not be used. All Non-Road Mobile Machinery (NRMM) and plant to be used on site of net power between 37kW and 560 kW shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" and must be registered at http://nrmm.london/;
(xiv) an asbestos survey and management plan; and
(xv) the arrangement for monitoring and responding to complaints relating to demolition and construction.

and, for the avoidance of doubt:
- all Heavy Goods Vehicles associated with the development shall comply with the Direct Vision Standard, with a rating of 3 stars (or more).
- all deliveries to the site, particularly Heavy Goods Vehicles, shall be made using vehicles which have a Class VI mirror fitted in accordance with EU directive 2007/38/EC;

The development hereby approved shall be implemented in accordance with the approved DLP/CLP and DMP/CMP.

REASON
To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway, to ensure the development process does not have a significant adverse impact on the amenities of nearby residential properties, in accordance with Policies DMT 1, DMT 2, DMHB 11 and DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D14, SI 1, T4, and T7 of the London Plan (2021). Also, to ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems, in accordance with Policy DMAV 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

8. NONSC **Low Emission Strategy**

Prior to the occupation of the building (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:

1) secure compliance with the current London Plan (March 2021) and associated Planning Guidance requirements in terms of air quality.
2) consider the implementation of a FAST electric vehicle charging bay for cars. This is to be implemented above the minimum number of charging points required in the London Plan.
3) Develop a robust Travel Plan to make it ambitious with a clear and effective strategy to encourage staff / users of the site to
a) use public transport;
b) cycle / walk to work where practicable;
c) enter car share schemes;
d) purchase and drive to work zero emission vehicles.
The measures in the agreed scheme shall be maintained throughout the life of the development.

REASON
As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, Policies SI1 and T4 of the London Plan (2021), and paragraphs 174(e), 186 and 188 of the National Planning Policy Framework (2021).

9. NONSC **Noise**

For the lifetime of the development hereby permitted the rating level of noise caused by its operation shall be at least 5 dB below the minimum background noise level, or 35 dB(A), whichever is higher, measured one metre external to any window of any dwelling, or similarly noise sensitive premises, determined in accordance with the procedures set out in BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

REASON
To ensure the development accords with the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy D14 of the London Plan (2021).

10. NONSC **Contaminated Land**

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of a required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(b) A site investigation, including where relevant soil, soil gas, surface water and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by suitably qualified person/s. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

11. NONSC **Energy**

Prior to commencement of development (excluding demolition), a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall accord with the requirements of the London Plan (policy SI2) and the GLA Energy Assessment Guidance (April 2020 or as amended) and demonstrate that the energy and sustainability statement target of 61% reduction will be achieved in the development. The assessment shall clearly identify the baseline energy demand and associated carbon emissions in accordance with the prevailing building regulation requirements. The assessment shall then clearly define (including plans and

specifications) the 'be lean', 'be clean' and 'be green' measures to demonstrate that the development will meet the minimum onsite carbon savings of 61%

The Energy Assessment shall also provide details of the 'be seen' recording and reporting measures to be agreed in writing by the Local Planning Authority. The 'be seen' measures must comply with the requirements of London Plan Policy SI2 and demonstrate that the 'onsite saving' is being achieved in perpetuity.
The development must proceed and be operated in accordance with the approved details.

Reason
To ensure the development's regulated energy demand doesn't contribute to CO2 emissions in accordance with Policy SI2 of the London Plan.

12. NONSC **Ecological Enhancement Plan**

Prior to the occupation of the development an ecological enhancement plan shall be submitted to and approved by the Local Planning Authority.

The development shall thereafter be implemented and retained in accordance with these details.

REASON
In order to encourage wildlife in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

13. NONSC **Flooding**

(i) Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations to the Lead Local Flood Authority for review and approval, aligned with the revised Drainage strategy (08/11/2022) and associated drawings. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.

(ii) No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.

REASON
To prevent the risk of flooding to and from the site in accordance with rthe Non-Statutory Technical Standards for Sustainable Drainage Systems and Hillingdon Council's Local Plan Policy EM6 and To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), along with associated guidance to these policies and Hillingdon Council's Local Plan Policy EM6.

14. NONSC **Fire Safety Strategy**

A) Prior to the commencement of the development hereby approved (excluding demolition), the principles of a Fire Statement shall be submitted to, and approved in writing by, the Local Planning Authority. The statement shall detail how the development will function in terms of:

(i) the building's construction: methods, products and materials used, including manufacturers' details
(ii) the means of escape for all building users: suitably designed stair cores, escape for building users who are disabled or require level access, and associated evacuation strategy approach
(iii) features which reduce the risk to life: fire alarm systems, passive and active fire safety measures and associated management and maintenance plans
(iv) access for fire service personnel and equipment: how this will be achieved in an evacuation situation, water supplies, provision and positioning of equipment, firefighting lifts, stairs and lobbies, any fire suppression and smoke ventilation systems proposed, and the ongoing maintenance and monitoring of these
(v) how provision will be made within the curtilage of the site to enable fire appliances to gain access to the building
(vi) ensuring that any potential future modifications to the building will take into account and not compromise the base build fire safety/protection measures.

B) Prior to occupation of the development hereby approved, the final comprehensive Fire Statement shall be submitted to and approved in writing by the Local Planning Authority. This should be accompanied by the Building Control Decision Notice or equivalent. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON
To ensure the safety of all building users in accordance with Policy D12 of the London Plan (2021).

15. NONSC **Servicing and Delivery Plan**

Prior to the occupation of the development hereby approved, a Delivery, Servicing and Refuse Management Plan, including tracked vehicle movements where necessary, shall be submitted to, and approved in writing by, the Local Planning Authority.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON
To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy T7 of the London Plan (2021) and Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

16. RES24 **Secure by Design**

The buildings shall achieve '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). No building shall be occupied until accreditation has been achieved.

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 excising 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 ensure the development provides a safe and secure environment in accordance with policy DMHB 15 of the Local Plan Part 2 (2020) and London Plan (2021) D12 .

17. RES22 **Parking Allocation**

Prior to the occupation of the development a parking management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall include details of how the proposed parking spaces will be allocated and managed.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON
To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy DMT 6 of the Hillingdon Local Plan Part Two 2 (2020) and Policy T6 of the London Plan (2021).

18. NONSC **Bird Hazard Management**

Prior to above ground works, a Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority in consultation with Heathrow Airport Limited and the Ministry of Defence. The submitted plan shall include details of:

- management of any flat roofs 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'

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building.

REASON
In the interests of aircraft safety in compliance with Policy DMAV 1 of the London Borough of Hillingdon Local Plan Part 2 - Development Management Policies (January 2020).

19. NONSC **Data Centre Restriction**

Notwithstanding the Town and Country Planning (Use Classes) Order (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification, the units shall not be used as a data centre.

REASON
To ensure compliance with the air quality, energy and sustainability details hereby approved and to accord with policies EM8 of the Hilingdon Local Plan Part 1 (2012) and policies DMEI2, DMEI 14 of the Hillingdon Local Plan Part 2 (2020) and policies SI1 and S!2 of the London Plan 2021.

20. NONSC **Section 55**

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace or mezzanines shall be created in excess of that area expressly authorised by this permission.

REASON
To enable the Local Planning Authority to assess all the implications of the development with regard to highways and visual impacts in accordance with policies DMHB 11 and DMT1, 2 and 6 of the Hillingdon Local Plan: Part 2 (2020).

21. NONSC **PD Restriction**

Notwithstanding the provisions of Part 7, Class H of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building(s) shall not be extended.

REASON
To enable the Local Planning Authority to assess all the implications of the development with regard to highways and visual impacts in accordance with policies DMHB 11 and DMT1, 2 and 6 of the Hillingdon Local Plan: Part 2 (2020).

22. NONSC **External Space Use Restriction**

Materials shall not be stacked or deposited to a height exceeding 2 metres above existing ground level within the external spaces which include the yard areas and car park illustrated on approved drawing reference 5110-CA-00-00-A-DR-00301 PL11.

REASON
In order to safeguard the visual amenities of the local area in accordance with Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan : Part 2 - Development Management Policies.

23. NONSC **Archaeological Survey**

(i) No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority, in consultation with the Greater London Archaeological Advisory Service. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

(ii) If heritage assets of archaeological interest are identified by the stage 1 WSI then for those parts of the site which have archaeological interest, a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. Where appropriate, details of a programme for delivering related positive public benefits.

C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI. Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

REASON
To secure the provision of archaeological investigation and the subsequent recording of the remains prior to development, in accordance with Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), Policy HC1 of the London Plan (March 2021) and Chapter 16 of the National Planning Policy Framework (February 2021).

INFORMATIVES

1. 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).

2. 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

3. I47 **Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

4. I70 **LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

5.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk. Application forms should be completed on line. Please refer to the Wholsesale; Business customers; Groundwater discharges section.

As per Building regulations part H paragraph 2.21, Drainage serving kitchens in commercial hot food premises should be fitted with a grease separator complying with BS EN 1825-:2004 and designed in

accordance with BS EN 1825-2:2002 or other effective means of grease removal. Thames Water further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Please refer to our website for further information.

Water Comments
With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

I53 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D5	(2021) Inclusive design
LPP D8	(2021) Public realm
LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG5	(2021) Growing a good economy

LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI3	(2021) Energy infrastructure
LPP T2	(2021) Healthy Streets
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land
NPPF15	NPPF 2021 - Conserving and enhancing the natural environment
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

3. CONSIDERATIONS

3.1 Site and Locality

The site is currently operated by NCP as an open air car park, providing circa 630 parking spaces, operating on a 24hour basis. The site extends to circa 1.64 Hectares in size.

The site is currently accessed via a bridge from the Raddison Hotel and Conference Centre to the west, with Sipson Road providing access to the A4(Bath Road).

The site is bound by the A4(Bath Road) to the south, and the M4 spur - Tunnel Road West to the east of the site. A former Metropolitan Police facility is located to the north of the site, and is vacant (site is also known as Douglas Webb House). Residential uses along Sipson Way are located to the west of the site. A small parade of shops, including a convenience store and a takeaway/cafe is located to the north west corner of the site.

The site is identified as being located within the Bath Road Employment Area with the Hilingdon Local Plan Part 1 (2012) and the Heathrow Opportunity Area within the London Plan (2021)

The site is located within the Hillingdon Air Quality Management Area, the A4 Corridor Air Quality Focus Area, the Heathrow Archaeological Priority Area, a Critical Drainage Area and Flood Zone 1. The northern half (approximately) of the site has a Public Transport Accessibility Level (PTAL) of 2 and the southern half (approximately) of the site has a PTAL of 3.

3.2 Proposed Scheme

The proposals comprise the construction of an industrial and logistics warehouse building, providing a total of 4no individual units. The proposed building will comprise a total of 8,563sqm of floorspace, which includes mezzanine floorspace and ancillary office floorspace at first floor within each unit.

3.3 Relevant Planning History

41632/APP/2021/1301 Ncp Heathrow Flight Path Bath Road Sipson

Provision of a new vehicular access to existing NCP car park via A4 Bath Road

Decision: 28-06-2021 Approved

Comment on Relevant Planning History

41632/APP/2021/1301- Provision of a new vehicular access to existing NCP car park via A4 Bath Road. Conditional Permission 28/06/2021
41632/APP/2010/2301 - New vehicular access to A4. Conditional Permission 02/02/2011
41632/APP/2010/2428 - Part U Use of land as car park (Application for a Certificate of Lawful Development for an Existing Development)
Approved 04/01/2011
41632/APP/2002/147 - RELO Relocation of existing entrance from rear of the Excelsior hotel to the Bath Road - Conditional Permission 26/03/2004

4. Planning Policies and Standards

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The London Plan (2021)
The West London Waste Plan (2015)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

Part 2 Policies:

DMEI 14	Air Quality
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 12	Streets and Public Realm
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D5	(2021) Inclusive design
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D8	(2021) Public realm
LPP E4	(2021) Land for industry, logistics and services to support London's economic function
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP GG5	(2021) Growing a good economy
LPP SI1	(2021) Improving air quality
LPP SI3	(2021) Energy infrastructure
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage

LPP SI2 (2021) Minimising greenhouse gas emissions

LPP T2 (2021) Healthy Streets

LPP T6 (2021) Car parking

LPP T5 (2021) Cycling

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF13 NPPF 2021 - Protecting Green Belt Land

NPPF15 NPPF 2021 - Conserving and enhancing the natural environment

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: **15th June 2023**

5.2 Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

Letters were sent to 104 neighbouring properties which includes residential and commercial properties, a site notice was displayed outside of the site for a period of 21 days and the application was advertised in the local press. A further 21 day consultation was issued following the receipt of amended plans. All method of consultation expired 09-06-23, 11 objections were received raising the following concerns:

- Over-development of the site
- Inappropriate use
- Noise impacts upon local residents
- Traffic and congestion
- Parking
- Road safety
- Increase in HGV trips
- Additional pollution
- Unacceptable tree loss
- The proposed access is unsuitable for HGV use
- The proposal would result in disruption to east-bound traffic movements
- Inconsistencies between the proposed plans and supporting documentation relating to highway safety
- Inadequate turning circle for HGV's accessing the site which would result in vehicle stacking along the Bath Road and associated highway safety concerns resultant of this
- The Site could not be accessed as the layout does not connect to the internal access arrangements
- The validity of the RSA as it is nearing the end of its shelf life, and will likely exceed its shelf life by the time of determination; and
- The inaccuracies and incompleteness of the RSA which does not contain details of the Audit Brief; it

relies upon a simple priority junction which is inadequate for industrial land uses, the types of vehicles entering the site, and for the speed of the Bath Road (50mph); and it pre-dates current national planning and local transport policies, and current highway design requirements
- The highway related concerns would result in negative implications for efficiency of cargo, freight and other airport related operations.

HEATHROW SAFEGUARDING:

The proposed development has been examined from an aerodrome safeguarding perspective and could conflict with safeguarding criteria unless any planning permission granted is subject to the conditions detailed below:

1. H10 Radar Mitigation Condition
No Development can take place until:
- mitigation has been agreed and put in place to ensure that the proposed development will have no impact on the H10 Radar at Heathrow Airport.

Reason: To ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

2. Submission of a Bird Hazard Management Plan
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 3 'Wildlife Hazards' (available at http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-3-Wildlife-Hazards-2016.pdf).
- reinstatement of grass areas
- maintenance of planted and landscaped areas, particularly in terms of height and species of plants that are allowed to grow
- physical arrangements for the collection (including litter bins) and storage of putrescible waste, arrangements for and frequency of the removal of putrescible waste
- signs deterring people from feeding the birds.

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 development in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.
Information

The Bird Hazard Management Plan 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 Heathrow Airport Ltd Airside Operations staff. In some instances, it may be necessary to contact Heathrow

Airport Ltd 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.

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 in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

We will need to object to these proposals unless the above-mentioned conditions are applied to any planning permission.

We would also make the following observations:
Cranes
Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at http://www.aoa.org.uk/wp-content/uploads/2016/09/Advice-Note-4-Cranes-2016.pdf. And CAA CAP1096 Guidance to crane users on aviation lighting and notification (caa.co.uk).

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Heathrow Airport Ltd, or not to attach conditions which Heathrow Airport Ltd has advised, it shall notify Heathrow Airport Ltd, and the Civil Aviation Authority as specified in the Town & Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosive Storage Areas) Direction 2002.

GLAAS

Recommend Pre-Determination Archaeological Assessment/Evaluation

Thank you for your consultation received on 2022-07-27.

The Greater London Archaeological Advisory Service (GLAAS) give advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

Assessment of Significance and Impact
The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified in the Local Plan: Heathrow Area.

The applicaton site lies within the Heathrow Archaeological Priority Zone defined in the Hillingdon Local Plan but is not supported by an archaeological desk-based assessment despite covering 1.6 hectares. The Heathrow APZ covers and area of extensive prehistoric and Roman rural landscape, mainly comprising field systems and farmsteads but also ceremonial and ritual monuments. I note from the ground conditions assessment that the site has been developed but not quarried so whilst archaeological remains are likely to have been impacted by modern development they may not have been destroyed.

Bearing in mind the high archaeological potential of the Heathrow gravels and brickearth geologies the archaeological impact should be assessed.

Planning Policies
NPPF Section 16 and the London Plan (2021 Policy HC1) recognise the positive contribution of heritage assets of all kinds and make the conservation of archaeological interest a material planning consideration. NPPF paragraph 194 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest. A field evaluation may also be necessary.

NPPF paragraphs 199 - 202 place great weight on conserving designated heritage assets, including non-designated heritage assets with an archaeological interest equivalent to scheduled monuments. Non-designated heritage assets may also merit conservation depending upon their significance and the harm caused (NPPF paragraph 203). Conservation can mean design changes to preserve remains where they are.

NPPF paragraphs 190 and 197 and London Plan Policy HC1 emphasise the positive contributions heritage assets can make to sustainable communities and places. Applicants should therefore expect to identify appropriate enhancement opportunities.

If preservation is not achievable then if you grant planning consent, paragraph 205 of the NPPF says that applicants should record the significance of any heritage assets that the development harms.

Recommendations
I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two-stage condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary by a full investigation.

I therefore recommend attaching a condition as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and program and methodology of site evaluation and the nomination of a component person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works.
B. Where appropriate, details of a programme fir delivering related positive public benefits
C. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI

THAMES WATER:

Waste Comments
With regard to SURFACE WATER drainage, Thames Water would advise that if the developer follows the sequential approach to the disposal of surface water we would have no objection. Management of surface water from new developments should follow Policy SI 13 Sustainable drainage of the London Plan 2021. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website.

There are public sewers crossing or close to your development. If you're planning significant work near our sewers, it's important that you minimize the risk of damage. We'll need to check that your development doesn't limit repair or maintenance activities, or inhibit the services we provide in any other way. The applicant is advised to read our guide working near or diverting our pipes.

Thames Water would recommend that petrol / oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol / oil interceptors could result in oil-polluted discharges entering local watercourses.

Thames Water would advise that with regard to WASTE WATER NETWORK and SEWAGE TREATMENT WORKS infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.

We would expect the developer to demonstrate what measures will be undertaken to minimise groundwater discharges into the public sewer. Groundwater discharges typically result from construction site dewatering, deep excavations, basement infiltration, borehole installation, testing and site remediation. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. Should the Local Planning Authority be minded to approve the planning application, Thames Water would like the following informative attached to the planning permission: "A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 020 3577 9483 or by emailing trade.effluent@thameswater.co.uk . Application forms should be completed on line .

Water Comments
With regard to water supply, this comes within the area covered by the Affinity Water Company. For your information the address to write to is - Affinity Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

MOD

Thank you for consulting the Ministry of Defence (MOD) on the above proposed development. Consultation correspondence was received by this office on 27 July 2022.

The Defence Infrastructure Organisation (DIO) Safeguarding Team represents the Ministry of Defence (MOD) as a consultee in UK planning and energy consenting systems to ensure that development does not compromise or degrade the operation of defence sites such as aerodromes, explosives storage sites, air weapon ranges, and technical sites or training resources such as the Military Low Flying System.

The applicant seeks full planning permission for the demolition of existing car park and redevelopment for industrial (Use Class B2); storage or distribution (Use Class B8); and/or light industrial (Use Class E(g)(iii)) purposes, with ancillary office space, landscaping, car parking, servicing and access arrangements.

The application site is within statutory safeguarding zones drawn to preserve the operation and capability of RAF Northolt. Specifically, the application site falls within zones where the height of development, the potential for the development to introduce or exacerbate birdstrike risk, and the impact of development on the operation of technical assets and equipment are of particular concern. The application site is located approximately 8.65km from the centre of the aerodrome at RAF Northolt.

Aerodrome height and technical safeguarding zones
The proposed development site occupies the statutory height and technical safeguarding zones that ensure air traffic approaches and the line of sight of navigational aids and transmitters/receivers are not impeded. The airspace above and around aerodromes is safeguarded to maintain an assured, obstacle free environment for aircraft manoeuvre.

Birdstrike safeguarding zone
The site identified falls within a birdstrike safeguarding zone, within which the principal concern of the MOD is that the creation of new habitats may attract and support populations of those large and/or flocking bird species that can be hazardous to aviation safety.

After reviewing the documents, I can confirm that the MOD has no objections or requirements in respect of this development.

NATS

We refer to the application above. The proposed development has been examined from an en-route infrastructure technical safeguarding perspective and the findings show that it will infringe NERL safeguarding criteria for the following reason:

The proximity, physical size and relative orientation of the development, is sufficient to generate false tracks on the Heathrow 10c approach radar.

Accordingly, NATS (En Route) plc objects to the proposal.

We would like to take this opportunity to draw your attention to the legal obligation of local authorities to consult NATS before granting planning permission. The obligation to consult arises in respect of certain applications that would affect a technical site operated by or on behalf of NATS (such sites being identified by safeguarding plans that are issued to local planning authorities).

In the event that any recommendations made by NATS are not accepted, local authorities are obliged to follow the relevant directions within Planning Circular 2 2003 - Scottish Planning Series: Town and Country Planning (Safeguarded Aerodromes, Technical Sites and Military Explosives Storage Areas) (Scotland) Direction 2003 or Annex 1 - The Town And Country Planning (Safeguarded Aerodromes, Technical Sites And Military Explosives Storage Areas) Direction 2002.

These directions require that the planning authority notify both NATS and the Civil Aviation Authority ("CAA") of their intention. As this further notification is intended to allow the CAA to consider whether further scrutiny is required, the notification should be provided prior to any granting of permission.

It should also be noted that the failure to consult NATS, or to take into account NATS's comments when determining a planning application, could cause serious safety risks for air traffic.

Should you have any queries, please contact us using the details below.

CASE OFFICER COMMENT:

The applicant has engaged with NATS in order to resolve there concerns, the applicant has submitted evidence which has resulted in the agreement to a condition pertaining to the submission and implementation of a radar mitigation scheme.

TRANSPORT FOR LONDON (TFL)

Healthy Streets - as highlighted in TfL's previous response, a site-specific contribution towards improving the active travel and sustainable travel environment should be secured to support facilitating a strategic modal shift in line with Policy T1. The requirement is particularly important noting TfL's concerns about the quantum of parting, as detailed below. From our telephone call, it is understood that you are currently in discussions with the Council to determine the exact amount of the contribution towards delivering improvements to sustainable travel beyond the red line boundary.

Within TfL's previous response, it was identified that a contribution towards a scheme to at Harlington Corner/Bath Road junction, in which improvements the walking, cycling and public transport environment is being looked at, would be appropriate. It is noted that you have stated that this junction does not fall on any of the key active travel routes previously identified. However, Appendix F (Vehicle Trip Distribution) of the submitted Transport Assessment includes a vehicle trip generation profile which identified that 30.6% of vehicle trips to this site are assigned to/pass through the Harlington High Street area. It is likely that such trips will need to pass through the aforementioned junction, travelling westwards along Bath Road to access this site; these additional trips and their impact need to be mitigated.
Improvements to the active travel environment within this region of Bath Road could support shifting these vehicle trips to more sustainable and active travel modes, reducing the requirement for parking at this site and the dominance of cars and air quality issues in this area, and supporting a strategic modal shift in line with Policy T1.

In light of the aforementioned, it is considered that a contribution of £50,000 towards improving the sustainable travel environment along Bath Road, including at the Harlington Corner/Bath Road junction, would be appropriate and in line with London Plan policy. This contribution would be in addition to what the Council is seeking to secure.

Impact of the proposed development and car parking - thank you for the additional information provided for the trip generation at this site. During our discussion, it was identified that B1c represents the worse-case scenario. Based on the trip generation assessment for this use, there will only be 72 vehicles at this site at any one time. Whilst the further reduction in the quantum of parking is welcomed, noting the trip generation the provision of 86 parking spaces seems excessive and facilitating a modal share of 64.1%, as identified in Table 5.3 of the Transport Assessment, which will not support achieving a strategic modal shift as detailed in Policy T1 .

London Plan policy is clear that the development should be designed to provide the minimum necessary parking ('car-lite'). As highlighted in previous comments, the site is in proximity to public transport, with a bus stop providing access to 8 routes adjoining the site boundary. The applicant should therefore be

focusing on encouraging workers to access the site via modes of sustainable and active travel, rather than private vehicles. It is considered that the current quantum of car parking at this site will not support achieving a strategic modal shift in line with Policy T1 of the London Plan.

In addition, the site is located within an Outer London Opportunity Area. Policy T6.2 of the London Plan states that car parking provision at Use Classes Order B2 (general industrial) and B8 (storage or distribution) employment uses should have regard to the parking standards and take account of the significantly lower employment density in such developments. For Outer London Opportunities Area, Table 6.2 identifies that the maximum parking provision is 'Up to 1 space per 600 sq.m. gross internal area (GIA). For this development, when applying the aforementioned standard this is equivalent to 14 spaces.

Based on the above, TfL requests that there is a further reduction in the quantum of car parking at this site in line with Policy T1 and T6.

Road Safety - it should be ensured that the Road Safety Audit for the proposed access is completed prior to the determination of this application.

Cycle Parking - It is noted that you have stated that showers and lockers can be accommodated within the buildings. The provision of these facilities should be secured through the appropriate mechanism.

Delivery and Servicing - it is understood that delivery and servicing is to take place on site, which is in line with Policy T7. A Delivery and Servicing Plan (DSP) should be secured through condition.

Construction - a Construction Logistics Plan (CLP) should be secured through condition in line with Policy T7. This must contain detail on the measures that will be implemented to ensure that the proposed development does not impact on the safety and function of the surrounding highway network, in particular that of the Bath Road and the adjoining bus stop.

NATIONAL HIGHWAYS:

We have been appointed by the Secretary of State for Transport as strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the strategic road network (SRN). The SRN is a critical national asset and as such, we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity. We are interested in the potential impacts that the development might have on the SRN, in this case the M4 carriageway itself and the vehicular bridge over the M4. We are interested as to whether there would be any adverse safety implications for the SRN as a result of this proposal.

We have undertaken a review of the documents accompanying the outline planning application, particularly the Transport Assessment (TA) dated July 2022 as prepared on behalf of the applicant by Mayer Brown.

The development proposals include proposed demolition of existing 630 space NCP car park used for Heathrow parking and its redevelopment for employment purposes. The existing car park currently takes vehicular access from a bridge that spans the M4 carriageway, positioned to the south of M4 J4. This existing bridge is to remain open for staff access to and from the site, following the redevelopment. The proposals seek flexibility in the site being used for industrial (Use Class B2); storage or distribution (Use Class B8); and/or light industrial (Use Class E(g)(iii)) purposes, with ancillary office space and a total of 91 parking spaces. The proposals also include the creation of a new primary site access/egress on the A4 Bath Road.

Whilst it is accepted that the proposals do not generate any traffic impacts that are of a concern for the SRN, a planning condition has been identified related to some employee access movements utilising the M4 overbridge. This currently has low guard railing and raised footways, which have the potential to become magnets for people in crisis, should appropriate measures not be taken. The applicant team have attempted to mitigate these concerns by restricting access to authorised staff access only through barriers with appropriate signage and keypad or proximity card/fob operation. With a suitable condition referencing the barrier included, and a further condition related to site drainage, we accept that the proposals would not affect the safety, reliability and/or operation of the SRN (the tests set out in DfT Circular 01/2022 and MHCLG NPPF para 111). Our comments and conditions are set out in the NHPR attached.

Internal Consultees

NOISE OFFICER COMMENT:

The noise assessment provided in support of the Application is considered sufficient to make a recommendation. It is recommended that no objection is made on noise grounds subject to a suitable condition hence: 'For the lifetime of the development hereby permitted the rating level of noise caused by its operation shall be at least 5 dB below the minimum background noise level, or 35 dB(A), whichever is higher, measured one metre external to any window of any dwelling, or similarly noise sensitive premises, determined in accordance with the procedures set out in BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound'

PLANNING POLICY OFFICER COMMENT:

There is no in principle objection from a policy perspective. The proposal is supported by Policy E4 and E7 of the London Plan (2021).

AIR QUALITY COMMENT:

The proposed development is located within the LBH Air Quality Management area (AQMA), and within LBH A4 Corridor Focus Areas (FA), bringing additional traffic emissions which will add to current poor air quality.

As per the London Plan and LBH Local Action Plan 2019-2024, developments need to be neutral as minimum and positive in Focus Areas, contributing to the reduction of air pollutant emissions in these sensitive locations. LBH requires new developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DMEI 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality, especially within the Air Quality Management Area. Finally, the London Plan (March 2021) requires development to be air quality neutral as minimum and air quality positive in certain circumstances, actively contributing to reduce pollutant emissions to the atmosphere.

The proposed development is NOT Air Quality Neutral. In addition, according to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) needs to be Air Quality positive and further action is required to reduce total emissions produced by its operation.

Therefore, the total emissions associated with these activities needs to be mitigated.

DAMAGE COST AND MITIGATION MEASURES

Mitigation measures to reduce emissions can be applied on-site or off-site. Where this is not practical or desirable, pollutant off-setting will be applied. The level of mitigation required associated with the operation phase of the proposed development is calculated using Defra's Damage Cost Approach.

The mitigation measures proposed were evaluated in terms of likely emission reductions onto local air quality. Wherever quantifiable, these are calculated and subtracted from the overall value due. When no quantification is possible, a flat rate discount is applied. Table 1 and 2 summarise the aspects of air quality and planning requirements for the proposed development. It is noted that the new (draft) Air Quality Neutral Guidance has benchmarks for B8 use, which is used as a conservative approach to ascertain the air quality status. Using both the 2014 Air Quality Neutral Guidance document (using B1 as a proxy for a conservative approach) and the draft Air Quality Neutral guidance document, the proposed development is not air quality neutral.

The level of mitigation required to the proposed development for traffic emissions is £557,240. Once all deductions were applied, the remaining value of mitigation due is £417,930. Flat rate deductions applied are as follow: Travel Plan (10%), Green Sustainable Measures (5%), contribution to long term LBH strategic long-term strategies (e.g. multimodal shift) (10%, in the instance a fast charging bay is deployed in addition to the minimum London Plan requirements), totalling a reduction of £139,310.

Therefore, if no further mitigation is offered by the applicant, a section 106 agreement with the LAP of £417,930 is to be paid for Hillingdon to deliver its air quality local action plan and or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

2Reason for Refusal (if objecting)

N/A

3Observations

In addition, two Air Quality conditions are required to develop and implement a Low Emission Strategy and manage construction emissions as required by the Mayor of London. See text below.

Condition Air Quality - Low Emission Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall address but be not restricted to:

1)secure compliance with the current London Plan (March 2021) and associated Planning Guidance requirements

2)the implementation of a fast electric vehicle charging bay. This is to be implemented above the minimum number of charging points required in the London Plan.

The measures in the agreed scheme shall be maintained throughout the life of the development.

Reason - As the application site is within an Air Quality Management Area, and to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), the London Borough of Hillingdon Air Quality Action Plan 2019-2023, London Plan (2021) policy SI1 and T4, and paragraphs 174(e), 186 and 188 of the National

Planning Policy Framework (2021).

Conditions - Reducing Emissions from Demolition and Construction
A No development shall commence until a Plan has been submitted to, and approved in writing by, the LPA. This must demonstrate compliance (drawn up accordance with) the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document).

Reason: Compliance with London Plan Policy SI 1 and in accordance with Mayor of London "The Non-road mobile machinery (standard condition recommended by Mayor of London, London Local Air Quality Management Policy Guidance 2019)

B All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up-to-date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at https://nrmm.london/."

Reason: Compliance with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy

Context
The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. This is supported by:
Local Plan Part 2 Policy DME1 14
A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
B) Development proposals should, as a minimum:
i) be at least "air quality neutral";
ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
iii) actively contribute towards the continued improvement of air quality, especially within the Air Quality Management Area.

CONTAMINATED LAND

I have reviewed a copy of the geo-environmental information within the following report submitted in support of the application:

Title: Phase 1 Desk Study report; Ref: 23795-HYD-XX-RP-GE-1000; Date: 6July 2022; Prepared by: Hydrock Consultants Limited

The report provides details of a phase 1 study of the former car park site, and it includes an initial conceptual site model and preliminary risk assessment for land at the site.

The report is comprehensive and structured in accordance with authoritative guidance.

Notwithstanding all of the relevant details and recommendations within the report, I now recommend the

following conditions should be imposed if planning permission is awarded:

Proposed conditions for land affected by contamination.

(i) The development shall not commence until a scheme to deal with contamination has been submitted to and approved by the Local Planning Authority (LPA). All works which form part of a required remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(b) A site investigation, including where relevant soil, soil gas, surface water and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by suitably qualified person/s. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping and/or engineering purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the factual results and interpretive reports of this testing shall be submitted to and approved in writing by the Local Planning Authority.

REASON
To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

2Reason for Refusal (if objecting):

N/A

3Observations:

The submitted phase 1 report is based on historical and current land use and it thereby provides Geo-environmental conclusions which indicate:

"· The overall risk from land contamination at the site is considered to be low for the current development, as it is covered by hard standing or buildings limiting the possibility of contact with the soils, as well as the risk of significant rainwater infiltration leading to leaching.

· The overall risk for a redeveloped site is assessed to be moderate, with some specific potentially high risks, but this would need to be confirmed by appropriate intrusive investigation, testing and assessment of the results of the investigation."

Section 6 of the report provides a comprehensive series of recommendations for further work involving intrusive ground investigation, those recommendations should be implemented accordingly.

ENERGY

The Energy Assessment is broadly acceptable but is lacking in details to allow for a final understanding of the zero carbon solutions. However, it has demonstrated an emissions saving of 61% which means the 39% (29.4tCO2) shortfall is required to be secured through a cash in lieu contribution

Condition
Prior to commencement of development (excluding demolition), a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall accord with the requirements of the London Plan (policy SI2) and the GLA Energy Assessment Guidance (April 2020 or as amended) and demonstrate that the energy and sustainability statement target of 61% reduction will be achieved in the development. The assessment shall clearly identify the baseline energy demand and associated carbon emissions in accordance with the prevailing building regulation requirements. The assessment shall then clearly define (including plans and specifications) the 'be lean', 'be clean' and 'be green' measures to demonstrate that the development will meet the minimum onsite carbon savings of 61%

The Energy Assessment shall also provide details of the 'be seen' recording and reporting measures to be agreed in writing by the Local Planning Authority. The 'be seen' measures must comply with the requirements of London Plan Policy SI2 and demonstrate that the 'onsite saving' is being achieved in perpetuity.
The development must proceed and be operated in accordance with the approved details.

Reason
To ensure the development's regulated energy demand doesn't contribute to CO2 emissions in accordance with Policy SI2 of the London Plan.

Section 106 Requirement
Prior to commencement of development (excluding demolition), the shortfall identified in the Energy and Sustainability Statement shall form a cash in lieu contribution to the Council's carbon offset fund at £95/tCO2 annualised over 30 years i.e. 29.4tCO2 x 30 x 95 = £83,672

ECOLOGY

No objections subject to the standard ecology enhancement condition.

URBAN DESIGN OFFICER COMMENT:

There are still concerns with the impact that the development would have on the houses to the west of the site along Sipson Way. The building would present a long blank elevation to the houses and as a consequence would create an oppressive outlook to the residents that overlook the site from the rear gardens / windows. The development would also be seen rising up above the houses with a monolithic silhouette against the skyline. It would appear that the majority of trees along the boundary are deciduous and views through the tree line would be experienced for significant periods during the autumn and winter months. The proposed application does not have much in the way of mitigation to help reduce the impact of the warehouse and incorporates standard cladding materials with nothing undertaken to help break up its mass or the incorporation of variation in the design detailing.

The hotel development permitted directly to the north of the site incorporated reduced massing to its eastern boundary. This coupled with the thick boundary of evergreen tree cover helped to reduce the hotels impact. A similar approach could also be taken on the redevelopment of the NCP carpark.

There are also concerns with the lack of a formal frontage with the Bath Road. The current elevation is rather stark and uninteresting turning its back on the primary road frontage. It is noted that much of the fenestration fronts east. It should be explored if fenestration could also be introduced to the Bath Road elevation to help break up the facade and help create a more formal elevation.

The submission is lacking in illustrative material which shows the development in context and makes its full impact difficult to assess. I would suggest a selection of verified views from Bath Road at eye level and also views from Sipson Road. A view between 47 and 49 Sipson Road would be helpful along with views of what would be experienced from within the rear gardens. It is considered that retaining as much of the established treeline to Bath Road would be important to help soften the development.

I understand clarification on this is currently being sought. As previously expressed with the pre-app concerns are raised regarding the ownership and possible abandonment of the existing access bridge. The current car park appears to be attached to the Raddisson Hotel and Conference Centre and accessed via a bridge over the M4. A new access is being proposed to the south of the site from Bath Road. If the bridge becomes surplus to requirements and not used, then it is likely to become neglected and will overtime become an eyesore. Clarification needs to be provided about what happens to the bridge as it is not included in the application. During the pre-application meeting it was stated that the bridge does not form part of the application site as it will no longer fall within the responsibility of the freeholder/leaseholder. However it remains a concern that the bridge, which will no longer serve the development, will no longer be maintained and fall within a state of disrepair.

CASE OFFICER COMMENT:

The Urban Design Officer raises two main concerns within the comments above which are (1) the impact the scale, bulk and massing of the building would have on the neighbouring properties within Sipson Road and the character and appearance of the street scene, and (2) the proposal would result in the redundancy of the access bridge across the M4 which would have a negative impact on the character and appearance of the area. In response to these concerns the applicant has submitted a revised proposal which includes a reduction in the height of the building and amendments to the design thus reducing the impact upon the visual amenity of the neighbouring properties within Sipson Road and the views of the development from within surrounding roads. The revised submission also includes the retention of the access bridge for employees only therefore the bridge would no longer become redundant. As such the applicant has satisfactorily responded to the Urban Design Officers concerns.

FLOODING OFFICER COMMENT:

Review Summary:
This application has changed from the previous application submitted in the following ways:
- Type of development: N/A
- Types of conveyance / attenuation features: Information has been provided to confirm that infiltration is not suitable for the site.
- Runoff rate restriction (l/s): N/A
- Runoff rate restriction per hectare (l/s/ha): N/A
- Runoff attenuation volume (m3): N/A
- Maintenance plan: N/A
- Any other previously identified outstanding matters: The greenfield and existing volumes have been provided for the 1 in 100 year 6 hour storm, and the applicant has explained where flooding will occur on site in the 1 in 100 year storm event.

Recommendations and requests:
We recommend approval of the application for the following reasons:

- The applicant has provided evidence to confirm that infiltration methods are not viable for the site.
- The applicant has provided the greenfield and existing runoff volumes for the 1 in 100 year 6 hour storm.
- The applicant has stated where on site the flooding will occur in the 1 in 100 year storm event, which will not occur to any buildings. An exceedance drawing has been provided.

Condition proposed:
- Prior to commencement of groundworks (excluding site investigations and demolition), the applicant must submit a final detailed drainage design including drawings and supporting calculations to the Lead Local Flood Authority for review and approval, aligned with the revised Drainage strategy (08/11/2022) and associated drawings. A detailed management plan confirming routine maintenance tasks for all drainage components must also be submitted to demonstrate how the drainage system is to be maintained for the lifetime of the development.
Reason: To prevent the risk of flooding to and from the site in accordance with relevant policy requirements including but not limited to London Plan Policy 5.13, its associated Sustainable Design and Construction SPG, the Non-Statutory Technical Standards for Sustainable Drainage Systems and Hillingdon Council's Local Plan Policy EM6.

- No building hereby permitted shall be occupied until evidence (photographs and installation contracts) is submitted to demonstrate that the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan for all of the proposed drainage components.
Reason: To comply with the Non-Statutory Technical Standards for Sustainable Drainage Systems, the National Planning Policy Framework (Paragraph 103), the London Plan (Policies 5.12 and 5.13) along with associated guidance to these policies and Hillingdon Council's Local Plan Policy EM6.

ACCESS OFFICER COMMENT:

Drawing number 5110-CA-00-00-DR-A-00251 PL6 received 18/05/2023 satisfies the previous accessibility concern with no further concerns raised. Conclusion: this proposal is now acceptable from an accessibility standpoint.

HIGHWAY OFFICER COMMENT:

Proposal
Planning permission is sought to redevelop a site situated on the northern side of the A4 Bath Road for industrial, storage or distribution and/or light industrial uses with ancillary office space. The proposed development seeks to build four industrial units with a total Gross Internal Area (GIA) of 8,362 sqm Gross External Area (GEA) of 8,767 sqm. The units would range in size from 1,772 sqm. GIA to 2,725 sqm. The smaller two units would have 2no. loading/unloading bays and the larger two units 3no loading/unloading bays. There would be 1no. shared lorry parking space. When a lorry is parked in one of the loading/unloading bays activity will be taking place, when a lorry is parked in the parking space the driver may be away from the vehicle. The development would provide 63no. standard car parking spaces including 7no. disabled person spaces and 8no. spaces with electric vehicle charge points. The proposal would include 40no. long-stay cycle parking spaces and 10no. short-stay. In addition to this would be 5no. motorcycle parking spaces.

Site location
The A4 Bath Road is situated in the south of the borough and forms the northern boundary of Heathrow Airport. It is a strategic traffic route, an urban clearway and forms part of the Transport for London Route Network for which Transport for London are the Highway Authority. The section outside the application site is subject to a 50mph speed limit with a single offside traffic lane open to all vehicles and a nearside traffic lane open to buses, cyclists, and taxis only. The A4 benefits from street lighting and a shared use footway on the northern side for both cyclists and pedestrians to use, there are pedestrian guard rails in the central reservation to deter people from crossing this busy road. At present there is no direct access to the site from the A4 Bath Road, the main entrance is from the Park Inn Hotel service road via a single-track bridge over the M4 motorway spur. The land is a brownfield site, which has previously operated as a surface level car park providing around 630no. parking spaces.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 3 indicating access to public transport is reasonable compared to London as a whole, suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

Highways planning history

The proposal to create a dedicated access to the site from the Bath Road has a lot of planning history. In 2002 an application was received, reference 41632/APP/2002/147, seeking planning approval to create a new access but was refused in 2002 as it was recognised that the A4 Bath Road is a busy strategic route and the applicant had failed to advance any compelling evidence to justify the need for a new access point. A second highway reason for refusal was that the development would be contrary to the Policy AM7 of the UDP which seeks to prohibit developments whose traffic generation is likely to prejudice the free flow of traffic or road safety generally. The applicant appealed against this decision, reference APP/R5510/A/03/1125426, this appeal was upheld, and planning permission granted. The Inspector considered that the proposal would not conflict with the Development Plan. Nevertheless, this scheme was never implemented, and the planning permission eventually expired.

In 2010, a planning application for a new access was again submitted, reference 41632/APP/2010/2301, taking into account the site's planning history and all other relevant matters this application was approved.

In 2017 pre-application advice was provided for a further proposal to create a new access from the existing

NCP car park on to the A4 Bath Road, reference 41632/PRC/2017/142. Regarding highways the applicant was advised to submit the following documents alongside any forthcoming application thereby allowing the proposal to be fully assessed: -
·Stage 1 Safety Audit;
·Trip generation information;
·Details relating to the proposed access;
·A strong justification setting out the need for the access;
·Speed survey; and
·Accident records.

In 2018 the Council provided further pre-application advice under reference 41632/PRC/2018/249 again for a proposal to create a new access from the existing NCP car park on to the A4 Bath Road, this proposal was slightly different to those that had been considered before - the proposed access was to be located further west so as to avoid the disturbance of a number of utility boxes as well as removing a section of bus lane and re-introducing it as a taper. The applicant was advised that the proposal would not be supported as it would be contrary to Policies AM2 and AM7 of the Local Plan: Part Two (November 2012). The applicant was advised that any forthcoming application shall make use of up-to-date traffic flow data and provide a Road Safety Audit.

Under planning reference 41632/APP/2021/1301 planning permission was granted to create a new left in left out entry/exit from an existing car park north of the A4 Bath Road onto the eastbound carriageway of the A4 Bath Road. This application was approved but has not yet been implemented. This permission was subject to a planning condition requiring that prior to the use of the proposed access commencing, a Car Park Management Plan must be submitted to and approved in by the Local Planning Authority setting out how short-term parking will be prevented. The Highway Authority were mindful that if the car park was used as a short stay car park there would an increase in vehicle turn over, more vehicles would arrive and depart each day using the new access.

Proposal details
For this application, the applicant proposes that access to the site would be via a new bellmouth left-in left-out access onto Bath Road. The access will have footway provision on both sides of the access. This junction would have the same geometry as was approved under planning application 1632/4/APP/2021/1301, it would include dropped kerbs and tactile paving at the bellmouth and has been designed to accommodate HGV movements.

The new junction will lead into a 7.3m wide access road to serve the industrial units. Gates within the site will be set back so that HGV's can pull up clear of the footway on Bath Road. The internal access road runs alongside the eastern boundary of the site and will provide access to each unit along with cycle parking and car parking within the site. The development is proposed to operate for 24 hours a day, 7 days a week. The end users of the industrial units are currently unknown.

Car parking
Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise. The published London Plan 2021 Policy T6.2 Office Parking mentions that "car parking provision at Use Classes Order B2 (general industrial) and B8 (storage and distribution) should have regard to the office parking standards and take account of the significantly lower employment density in such developments".

Based on 8,362sq.m of gross internal floorspace the London Plan would allow up to 84no. car parking spaces. Given this is a maximum standard and that the site benefits from a PTAL ranking of 3 the 63no. proposed is considered acceptable.

The published London Plan 2021 Policy T6.5 Non-residential disabled parking requires that in workplaces 5 per cent of bays are designated blue badge/accessible bays and 5 per cent enlarged, given the development would have 63no. car parking spaces this equates to 4no. designated spaces and 4no. enlarged, the 7no. proposed is considered acceptable. The London Plan requires that in workplaces that all operational car parking spaces are provided with electric vehicle charge points, an operational car parking space is a parking space used to park a fleet car, pool car, delivery van etc overnight. As mentioned above the development would provide 8no. car parking space with electric vehicle charge points, this equals 13% of all car parking spaces which is considered satisfactory.

Trip generation
Trip generation is key to assessing the suitability of this development in the location proposed, as this has direct implications for road safety and the free flow of traffic. Trip generation during the weekday morning peak (08:00-09:00h) and weekday evening peak (17:00-18:00h) was assessed, the times during which the baseline network demand on the surrounding highway and transportation infrastructure is at its highest. In its existing use the applicant reports that in the AM Peak the development generates 10no. arrivals and 9no. departures.

As mentioned above the development would be a mix of B2, B8 and E(g) (iii) uses. Using the TRICS database, the applicant has calculated three trip generation rates for the site, assuming it was wholly in use for each of the three land use types. Some of the uses generate more trips that the others, therefore how many trips the site would generate if it was completely used for the highest trip generation type provides a useful worst-case scenario. The results of this work showed that the greatest number of trips the site would generate would be if it were exclusively occupied by a E(g)(iii) use (NOTE the applicant has provided the TRICS outputs for a B1c use which is comparable to an E(g)(iii) use and accepted). There would be 44no. vehicle arrivals in the AM Peak and 9no. departures, 53no. movements in total. In addition, in the AM Peak there would be 4no. ordinary goods vehicle (OGV) arrivals and 3no. departures, 7no. two-way OGV two-way movements in total. The applicant then goes on to calculate how many visitors would arrive by other modes. This has been calculated using 2011 population census data. This work found that in the AM Peak there would be 72no. arrivals across all modes, 44no. would arrive by car and 14no. by bus with all other modes accounting for the remainder of trips.

This work shows that the development would add a further 34no. vehicle trips to the network in the AM Peak, 44no. forecast vehicle trips in total less 10no. existing trips generated by the site in use as a car park. It should be borne in mind that the proposal would create a new access that does not currently exist, all 44no. forecast arrivals would arrive from the west and turn left into the site. The central reservation pedestrian guard rails prevent a right turn in or out of the site.

The applicant has provided the results of traffic counts undertaken along the Bath Road eastbound carriageway, from which the access would be taken. These flows ranged from 639no. in the AM Peak to 533no. The addition of a further 34no. vehicles on to the Bath Road and wider network is within daily fluctuations and can be considered insignificant.

As stated above, direct vehicular access into the site would be "left in" from the west only. The applicant has mentioned that vehicles arriving from the east must turn right from the Bath Road into A408 Sipson Road, proceed northbound and then turn left into Sipson Way. Sipson Way then intersects with the Bath Road westbound carriageway which in turn provides access into the site. Sipson Road forms part of the borough's classified route network whereas Sipson Way is a residential road also hosting a small parade of local shops and a children's play area. Sipson Way forms part of the H1 Parking Management Scheme which restricts on-street parking to permit holders only between 08:00 and 22:00h. Sipson Way is just c.5.9m wide, cars parked on-street within formal parking bay narrows the carriageway width to just 2.9m,

leaving enough room for one car to pass at a time.

According to the Transport Assessment provided in support of this planning application (% Distribution - Proposed Arrivals Diagram 1) 75.1% of traffic arriving at the site would drive along Sipson Way before turning left into Bath Road. The Transport Assessment reports that Use Class B1c would be the commercial use that would generate most arrivals. In the AM Peak 08:00 to 09:00h this would be 44no. vehicles three quarters of which 33no. would have arrived using Sipson Way. Across a 12-hour period 07:00 to 19:00h there would be 206no. vehicle arrivals of which 155no. would have used Sipson Way. If the site were to become Use Class B2 then 17no. would use Sipson Way in the AM Peak and 130no. over a 12-hour day. In a B8 Use 14no vehicles would use Sipson Way in the AM Peak and 119no. between 07:00 and 19:00h.

As already mentioned, Sipson Way is a narrow residential road unsuitable for use by ordinary goods vehicles. This raises highway concerns at the applicant reports that with the site in a B1c use, there would be 5no. two-way OGV movements in the AM Peak and 59no. two-way across the 12-hour period 07:00 to 19:00h. It is not clear from the information provided whether these OGVs would be OGV1 or OGV2, the Highway Authority notes that swept path drawing have been provided for 16.5 metre articulated lorries, OGV2, this would indicate that the applicant anticipates that this size of vehicle would visit the site.

The applicant suggests that an alternative route for traffic arriving from the east would be turn left into Nene Road then right into the Northern Perimeter Road West before joining the A4 eastbound carriageway via a right turn from Newport Road.

Whilst the applicants themselves have suggested that traffic arriving at the site from the east could enter the site via Sipson Way or using the Northern Perimeter Road the Highway Authority consider it probable that drivers would simply drive past the site and make a 'U' turn at a formal turning facility some 2km further along the Bath Road to the west. It is not anticipated that the drivers of OGV vehicles would opt to use Sipson Way given it is a tortuous route and that a convenient turning point is available on the Bath Road a short distance away. Nevertheless, to guard against a situation whereby OGV vehicles do assign to Sipson Way, increasing the risk to road safety and detracting from residential amenity, the Highway Authority require a planning condition obliging the applicant to deposit money with the Council to fund the introduction of physical and legal measures that would prevent OGV vehicles bound for the application site from using Sipson Way. The money could be used to finance traffic calming, width restrictions, weight restriction Traffic Orders, parking restriction Traffic Orders, road signs and road markings etc. These measures would only be introduced in response to requests from residents, if after 5 years the money has not been used it would be returned to the applicant.

Construction Logistics Plan and Service Delivery Plan
If the planning application is approved, then the Highway Authority requires that a Construction Logistics Plan, Service and Delivery Plan are submitted for approval; these documents shall be produced based on the guidance produced by TfL tailored to the development and local circumstances. These shall be secured by way of suitable planning condition.

Travel Plan
A Framework Travel Plan has been submitted alongside this planning application, overall this is judged to be satisfactory though the mode share targets would need to be revised and made more stretching. The Mayor of London Transport Strategy requires 80% of travel in London to be made by walking, cycling or public transport by 2041, as Hillingdon is an outer London borough the target is 56%. Using this as a guide the Highway Authority requires the Travel Plan to facilitate 46% of trips by these modes by 2024, 47% by 2026 and 48% by 2028. The targets proposed in the Travel Plan for Year 1 is 43%, Year 3 is 46% and

Year 5 is 49%. When the full Travel Plan is submitted the Highway Authority would require that the proposed targets for year 1 and year 3 must be revised to meet the active travel targets for the Borough as expected by Transport for London. As surety that the Travel Plan will be implemented and targets achieved, the Highway Authority requires that the developer provides a £20,000 bond. In the event of the Travel Plan not being delivered the Highway Authority will use this bond to implement the Travel Plan itself. This shall be secured by way of a s.106 agreement. If the Travel Plan is successful, the bond will be returned.

Active Travel Zone assessment
The finding of an Active Travel Zone assessment has been submitted alongside this application. This has been reviewed by the Highway Authority who consider a more thorough assessment could have been carried out. In response the Highway Authority has carried out a desktop ATZ of its own and produced a more comprehensive range of Healthy Streets interventions. These include dropped kerbs with tactile paving at 14no. locations, 5no. new waste bins, 10no. new benches and 20no. new street trees. The cost of these measures would be £112,080. The Highway Authority require the applicant to enter a 1990 Town and Country Planning Act s106 agreement with the Council to fund the delivery of these Healthy Streets works.

Road safety
The proposed development would create a new access onto the A4 Bath Road, this will create turning movements with a risk of collisions that does not currently exist. If these are not addressed the proposal would be contrary to the London Plan Policy T4 Assessing and mitigating transport impacts which requires that "development proposals do not increase road danger". A Stage 1 Road Safety Audit has been submitted alongside this application which shows that the requisite sightlines can be achieved.

The public consultation exercise has generated an objection based on highway matters. These highlight that some of the drawings provided are inconsistent with one another with some indicating that a 16.5 meter articulated vehicle could not safely and conveniently access the site. The Council and the applicant have discussed this planning application at length and there have been several reiterations of the site layout, the Highway Authority has of course used the final version of all plans when determining the application. A copy of the final set of plans from which the development would be built have undergone a swept path analysis the results of which show a 16.5 meter articulated vehicle can enter and leave the site without difficulty or heightening the road safety risk to all road users. The objector has raised concerns that a large vehicle would have to slow down to turn left into the site, this is the same situation as elsewhere along the Bath Road.
Bridge over M4 Spur

As mentioned above the site is currently accessed via a bridge over the M4 Spur, however the proposal would take access from the A4 Bath Road and the bridge access would be closed. This bridge is the responsibility of National Highways and their contractors Connect Plus. National Highways have requested that if the application is approved that there is a planning condition that allows National Highways/Connect Plus employees' access to the bridge at all times for maintenance and inspection purposes. The Highway Authority supports this request.

Decision
There are no highway objections to this proposal subject to the following planning conditions.

Conditions
If the planning application is approved, then the Highway Authority requires the following conditions:-

1. All motorcycle parking spaces must be provided with anchor points. REASON to improve securing and

reduce the risk of theft.
2. No development shall take place, including any works of demolition, until a Construction Logistics Plan has been submitted to, and approved in writing by, the Local Planning Authority.
3. No development shall take place, including any works of demolition, until a Service and Delivery Plan has been submitted to, and approved in writing by, the Local Planning Authority.
4. Any works on Transport for London highway land would be subject to s.278 legal agreement of the Highways Act 1980 (as amended) and secured by a s.106 agreement legal of the 1990 Town & Country Planning Act.
5. The development shall not be put into use until a Parking Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. This shall include details regarding electric vehicle charge point provision, disabled parking and parking allocation. REASON to be in accordance with the published London Plan 2021 Policy T6 Parking.
6. The development shall not be put into use until a Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. As surety that the Travel Plan will be implemented and targets received a £20,000 bond shall be paid to the Council. This will be secured by a 1990 Town and Country Planning Act s.106 legal agreement.
7. The development shall not be put into use until a 1990 Town and Country Planning Act s.106 legal agreement has been signed obliging the applicant to fund a package of Healthy Streets Active Travel Zone works (ATZ) at a cost of £112,080. REASON to be in accordance with the published London Plan 2021 Policy T2 Healthy Streets

Tactile paving and dropped kerbs at 14no. locations £77,000
Supply and install 5no. new street benches £10,000
Supply and plant 20no street trees£6,400
Fees 10% £9,340
Contingencies 10%£9,340
Total £112,080

8. The development shall not be put into use until £19,800 has been paid to the Council to fund the implementation of physical and legal measures to stop OGV2 vehicles generated by the development from using Sipson Way. REASON to be in accordance with the published London Plan 2021 Policy T4 Assessing and mitigating transport impacts which requires that "development proposals do not increase road danger".

TREE OFFICER COMMENT:

Thanks for the updated plan which is now accurate as to the location of the trees and is clearer in its proposal of how much TG1 is to be removed.

No further concerns but I would like to see a replacement condition (even is space has limited opportunities).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy GG2 of the London Plan (2021) provides support for applications which propose the redevelopment of brownfield sites particularly in identified opportunity areas.

London Plan (2021) Policy E4 Land for Industry, Logistics and Services seeks to support London's economic growth and function, and requires sufficient supply of land and premises in different parts of London to meet current and future demand for industrial related functions and floorspace.

Part D of Policy E4 states that the provision of additional industrial capacity should be prioritised in locations that:
1) are accessible to the strategic road network and/or have potential for the transport of goods by rail and/or water transport
2) provide capacity for logistics, waste management, emerging industrial sectors or essential industrial-related services that support London's economy and population
3) provide capacity for micro, small and medium-sized enterprises
4) are suitable for 'last mile' distribution services to support large-scale residential or mixed-use developments subject to existing provision
5) support access to supply chains and local employment in industrial and related activities.

Policy E7 of the London Plan (2021) encourages the intensification of business uses in Classes B1c (now E(g)(iii)), B2 and B8 occupying all categories of industrial land through more efficient use of land through higher plot ratios having regard to operational yard space requirements (including servicing) and mitigating impacts on the transport network where necessary.

The acceptability of B2 uses on this site is dependent on their impact on the neighbouring residential properties and the Council should be satisfied that this is an appropriate location for general industrial uses.

Policy E8 of the London Plan (2021) promotes employment opportunities for Londoners across a diverse range of sectors. Strategic Objective 14 within the Council's development looks to deliver 9,000 new jobs and accommodate economic growth within the plan period, with the Council promoting development in accessible locations.

Paragraph 6.4.4 of the London Plan identifies a significant loss of industrial floorspace to other uses within London, in excess of the previously anticipated monitoring benchmarks over the period of 2001-2015. The GLA research identifies a positive net demand for industrial land in London between 2016 and 2041, mostly driven by the logistics sector to support the City's growing population and economy.

The proposed designation of the nearby sites for LSIS status demonstrates that Bath Road is an appropriate location for industrial and logistics uses proposed. The principle of land to the north of A4(Bath Road) providing industrial and logistics floorspace has therefore been supported by the Council.

The site also falls within the Bath Road Employment Area as per Map 4.1 of the Local Plan - Part 1 Strategic Policies Document. Table 5.3 of the Local Plan - Part 1 Strategic Policies Document states that "designated employment areas along Bath Road will be protected as Locally Significant Industrial Locations" and also within the Heathrow Opportunity Area as defined within the London Plan (2021).

The existing site is heavily dominated by hard surfacing and its current use as a car park offers very little in terms of employment. As noted in the applicants Planning Statement there is a growing demand for new high-quality distribution and industrial floorspace post the Covid-19 pandemic which is resultant of the shift in retail behaviour from face to face to online.

The applicants supporting documents refer to the site as providing much needed industrial and logistics floorspace within a suitable opportunity area. Furthermore it cites employment as being one of the main benefits of the scheme. The planning statement projects that the proposed scheme could deliver "122 FTE jobs (B8 - Last Mile Distribution) and 238 FTE jobs (B2 - Industrial & Manufacturing)". The document goes on to state
"Whilst at this stage it is too early to identify potential operators, end users and specific end uses for each unit, the above provides an indication of the significant uplift in employment that the proposed development will deliver for the local economy, as well as the associated spin off socio-economic benefits. The socio-economic benefits of the development are therefore considered to be material".

Given the London Plan and Local Development Plan policy position, supporting the development of additional Class B floorspace, the designation of the site as part of an Employment Area and its close proximity to other proposed LSIS locations, the proposals fully accord with the principle of delivering additional logistics and warehousing floorspace to support London's growth as set out within the overarching London Plan policies and could provide high quality industrial and commercial floorspace in response to modern occupier requirements. As such the principle of development is considered to be acceptable and the application complies with the relevant Development Plan Policies set out above.

In addition the LPA has reviewed the areas within the designated parking cap associated with Heathrow Airport and confirmed that this site does not fall within that area. As such, whilst it may well provide car parking for the Heathrow area it is not considered to solely serve the airport and the loss of the car park would is not considered to result in a significant impact upon airport parking.

Taking the above points into consideration, the principle of development is supported.

7.02 Density of the proposed development

Not applicable to this application

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

ARCHAEOLOGY

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 (2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

The application site lies within the Heathrow Archaeological Priority Zone. A desktop study has been submitted in support of the application and identified that the site could be subject to archaeological value and the proposed building could have had a potentially negative impact on this. GLAAS have been consulted and have requested additional information be submitted to establish the sites archelogical significance and details of appropriate mitigation which shall be secured by way of an appropriately worded condition.

CONSERVATION AREA AND LISTED BUILDINGS

The site is not located within a Conservation Area, Area of Special Local Character and there are no Listed Buildings on the site.

7.04 Airport safeguarding

Paragraph 95 of the National Planning Policy Framework requires that planning decisions promote public safety and take into account wider security and defence requirements by:
a) anticipating and addressing possible malicious threats and natural hazards, especially in locations where large numbers of people are expected to congregate. Policies for relevant areas (such as town centre and regeneration frameworks), and the layout and design of developments, should be informed by the most up-to-date information available from the police and other agencies about the nature of potential threats and their implications. This includes appropriate and proportionate steps that can be taken to reduce vulnerability, increase resilience and ensure public safety and security; and
b) recognising and supporting development required for operational defence and security purposes, and ensuring that operational sites are not affected adversely by the impact of other development proposed in the area.

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:
A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.
B) In consultation with the Airport Operator, the Council will ensure that:
i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is located within 100 metres of Heathrow Airport and given the 11.7 m height of the proposed building, there could be a potential risk to airport safeguarding. The relevant airport authorities have been consulted and have raised no objection to the proposal subject to conditions pertaining to the submission of a radar mitigation plan, bird hazard management plan, details of any cranes to be used.

7.05 Impact on the green belt

The application site is not located within the Green Belt or adjacent to it therefore this section of the report is not relevant.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Local Plan: Part One (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents.)

Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) re-emphasises the importance of good design in new development by requiring all new buildings and extensions to be designed to the highest standards, which incorporate principles of good design, such as harmonising with the local context by having regard to the scale, height, mass and bulk of surrounding buildings; using high quality materials and finishes; having internal layouts and design which maximise sustainability and the adaptability of the space; protecting features which contribute positively to the area and providing landscaping that enhances amenity, biodiversity and green infrastructure.

Policy DMHB 12: Streets and Public Realm
A) Development should be well integrated with the surrounding area and accessible. It should:

i) improve legibility and promote routes and wayfinding between the development and local amenities;
ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;
iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space;
iv) provide safe and direct pedestrian and cycle movement through the space;
v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;
vi) where appropriate, include the installation of public art; and
vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.
B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities.

The design proposes 4 x industrial sheds measuring up to 11.7 m in height. The eastern side of the site (front elevation facing) would be visible from the M4 motorway and the western elevation would be visable from within Sipson Road. The units form a terrace (effectively one large building) and features staggered front and rear building lines which follow the angles of the site boundary. The width of the entire building would extend to approximately 160 metres and the depth would measure approximately 56 metres. As stated above the height would measure 11.7 m and the building would be characterised by a pitched roof with a parapet finish. The building would be constructed using a steel frame and concrete floor. The external fabric would be constructed using an external cladding system and curtain walling.

The submission also provides some CGI views of the proposed building from within the surrounding roads. The views are taken from Bath Road looking west & east, within Sipson Way and from the M4. It is clear from these views that there would be an element of change to the streetscape, however a set of revised drawings were submitted in response to the Urban Design Officers initial objection to the impact the scale bulk and massing had on the character and appearance of the street scene. These revised plans propose a reduced height of 1.3 metres and an amendment to the roof design whereby the pitched roof falls away towards to the elevations which reduces the prominence of the views of the new buildings from within the surrounding streets. The revised CGI's and elevations were compared to the initial submission and whilst there is still and element of change to the street level views, the amendments and presence of green screening formed by trees along the boundary shared with the properties on Sipson Road, the change is much less significant. In addition the site is located within an area where industrial use developments are being supported and there are buildings of similar scale, bulk and massing within close proximity to the site.

With regards to the bridge which was used for vehicle access across the M4 into the site, it was initially proposed to install a gate within the site and provide a new access off Bath Road which would make the existing bridge access redundant. Concerns regarding the impact of this upon the character and appearance of the area were raised as the bridge would have fallen into disrepair, been open to antisocial behaviour such as grafitti, and therefore it would have become an eyesore and unsafe. The revised plans include the retention of this access bridge to provide access to the site for employees only and this would be managed by a fobbed gate either side of the bridge.

Given the reduction in height, the number of commercial buildings which can be seen from the road in this location, the significant amount of screening along the western boundary, the 11.7 m tall sheds would not result in significant harm to the character and appearance of the street scene. The potential

harm would be outweighed by the benefits of the scheme such as the provision of up to 366 new jobs. As such the proposal would comply with Policies Policy BE1 of the Local Plan: Part One (2012), DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two (2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Local Plan Part Two (2020) requires that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The site shares a boundary with the gardens of the residential properties to the west in Sipson Way. There are also 6 residential properties towards the front of the site which are adjacent to the proposed new access to be constructed off of Bath Road.

Daylight and Sunlight

The proposed site plan illustrates that the extent of the rear elevation would start from the rear garden of 95 Sipson Way and finishes at approximately 33 Sipson Way. A large part of the rear elevation extends between 95 Sipson Way and No 41 and given the height of the building concerns relating to the impact upon daylight and sunlight was raised at pre-application stage. The applicant has submitted a daylight and sunlight assessment to satisfy these concerns.

Visual amenity

In terms of visual amenity, the proposed new building would have a greater height than the residential properties which bound the site and therefore is likely to result in an impact upon the visual amenities of these properties. The proposed site plan indicates that the rear elevation of the new building would be set approximately 23 metres away from the rear elevation of the properties in Sipson Way when measured from the rear of Unit 110, this reduces down to approximately 14 metres when measured from the rear of Unit 140. The separation distance between the new and existing buildings is considered to be adequate, however, in order to reduce any potential impact the applicant has indicated on the proposed plans that the existing trees which line the boundary of the site would be retained thus providing a green screen to obscure views of the majority of the rear elevation. Furthermore, apart from the pinch point towards the boundary shared with No 37 Sipson Way, the rear elevation has been set in from the boundary by at least 8 metres and has a maximum separation distance of approximately 12 metres. This creates space to have a reasonably sized soft landscaped buffer between the gardens and the residential properties within Sipson Way and the proposed commercial building. An enhanced planting scheme has been provided and indicates that additional planting will be placed along this shared boundary to further improve the green screening.

As set out in sections 6.2 and 7.7 of this report the applicant has taken into consideration the design comments raised by the Councils Urban Design Officer and reduced the overall height of the proposed building by 1.3 m. The design of the pitch roof results in the bulk of the height being placed further away from the edge of the elevations which reduces the impact of the taller building which sits behind the wall of trees which line the boundary shared with the properties on Sipson Way. The revised plans also feature a tweak in the appearance of the building whereby a range of colours are now used on the elevations which include grey, green and white which soften the appearance of the elevation.

In addition to the revised elevations, the applicant has submitted a set of revised CGI's which give an indication of how the building would be viewed from the rear of the residential properties in Sipson Way. Whilst not completely obscure, the set back of the building, the change in elevation treatment,

the reduction in height and the planting enhancements all aid with reducing the impact which was identified by Officers when reviewing the initial submission.

External Lighting

An External Lighting Assessment and drawing has been submitted indicating the level of lighting required for the site to function.The residential properties within Dorton Villas and Sipson Way would be the main sensitive receptors to any light spillage. The proposed lighting plan indicates that the car park next to Dorton Villas would receive light from wall mounted and column mounted lights however the illumination levels remain low therefore the potential impacts of light disturbance would be minimal. With regards to the properties within Sipson Way these would be shielded from light spillage by the tree lined boundary therefore no concerns are raised. Overall the lighting levels are adequate for the site to function whilst protecting the amenities of neigbouring residential properties, as such the details are acceptable.

7.09 Living conditions for future occupiers

Not relevant to this application

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 1 of the Local Plan: Part Two (2020) requires development proposals to meet the transport needs of the development and address its transport impacts in a sustainable manner. Policy DMT 2 of the Local Plan: Part Two (2020) notes development proposals must ensure that safe and efficient vehicular access to the highways network is provided to the Council's standards.

Policy DMT 2 of The Local Plan: Part 2 - Development Management Policies (2020) ensures development proposal have safe and efficient vehicular access to the highway network and would provide a safe, secure and convenient access and facilities for cyclists and pedestrian.

Policy DMT 6 of The Local Plan: Part 2 - Development Management Policies (2020) requires development proposal to comply with parking standards unless it would not lead to a deleterious impact on street parking provision, congestion or local amenity.

The application site is located on the A4 Bath Road and forms the northern boundary of Heathrow Airport. It is a strategic traffic route, an urban clearway and forms part of the Transport for London Route Network for which Transport for London are the Highway Authority. According to the Transport for London WebCAT service the application site has a PTAL ranking of 3 indicating access to public transport is reasonable compared to London as a whole, suggesting that there are opportunities for some trips to be made to and from the site by modes other than the private car.

In terms of planning history, it should be noted that the site benefits from permission for a new access off of Bath Road which is in the same location as the proposed new access which would be constructed to facilitate this development. As such the principle of constructing a new access is considered to be acceptable. Notwithstanding this point, the use of the site is changing as are the associated trips therefore this must be robustly assessed to ensure that the development would not lead to pedestrian, cyclist and highway network concerns.

The new access proposes vehicles to turn left in and left out to access and egress from the site. Initial concerns were raised by the LPA regarding the routing of the vehicles and whether the access could safely withstand the types/volume of trips generated by the proposed new development. In terms of the vehicle routing, particular concerns were raised with the potential use of Sipson Way as

a route for vehicles to access the site. The submission indicates that direct vehicular access into the site would be "left in" from the west only that vehicles arriving from the east must turn right from the Bath Road into A408 Sipson Road, proceed northbound and then turn left into Sipson Way. Sipson Way then intersects with the Bath Road westbound carriageway which in turn provides access into the site. Sipson Way is a narrow residential road unsuitable for use by ordinary goods vehicles therefore concerns raised regarding the potential use of this road for site access by OGV's is a valid concern. As noted in the Highway Officer comments, the LPA consider it probable that drivers would simply drive past the site and make a 'U' turn at a formal turning facility some 2km further along the Bath Road to the west rather than using Sipson Way, particularly OGV vehicles. In order to reduce the potential highway safety concerns it is suggested that a suite of improvement works are undertaken to safeguard the road from use by OGV's such as traffic calming measures, width restrictions, weight restrictions, parking restrictions, road signs and markings at the cost to be paid by the applicant which will be secured by a s106 head of term.

In terms of trip generation, the existing use of the site when operational would have generated a significant number of trips and all of which would have accessed and exited from the site from the new consented Bath Road access. The change in the proposed trip generation has been assess by the Highway Authority and TFL who have stated that the number of additional trips to be generated by the development would result in an insignificant impact upon the local highway network. In order to reduce the number of trips made by employees the applicant has submitted a draft Travel Plan which has been assessed. No objection has been raised to the framework of the Travel Plan but a revised document is required to demonstrate that the development would meet the active Boroughs active travel targets expected by TFL. This and a bond to ensure the proposed targets are met are to be secured within the s106 legal agreement.

With regards to parking provision, the development would provide 63no. standard car parking spaces including 7no. disabled person spaces and 8no. spaces with electric vehicle charge points. The London Plan refers to officer parking standards for B2/B8 uses which is based on operational parking (the number of vehicles stored over night). As the site is proposed for use over 24 hours there would be no vehicles left overnight to charge thus it is appropriate to apply the Local Plan standards which would be 5% active and 5% passive. In this case the number 8 active spaces would equate to 13% thus exceeding the Local Plan standards which is acceptable.

The proposal would include 40no. long-stay cycle parking spaces and 10no. short-stay. In addition to this would be 5no. motorcycle parking spaces and 1no. lorry parking space. In addition each of the units would be provided with at least 2 loading and unloading bays with a total of 10 being provided across of all of the units. Concerns were raised regarding the relationship the proposed loading bays would have with the row of parking spaces which is sited in front of each individual unit. It would have been apparent that when a OGV was parked in the loading bay, the spaces adjacent to it would be blocked from use therefore either blocking people from getting in or out. The applicant has submitted a revised layout plan which illustrates a reduction in the overall number of parking spaces which is still policy compliant, a relocation of some of the spaces to the car park to the front of the site and a reduction in the number of loading bays. This has resolved the LPA's concerns on the parking layout.

An objection was received raising concerns with the inconsistencies between the proposed drawings and the Road Safety Audit and the Transport Assessment. More specifically the concerns related to the vehicle tracking plans and whether safe access, egress could be provided without vehicle stacking and whether the vehicle turning head is adequate. The applicant has submitted a set of revised vehicle tracking plans which demonstrate that vehicles could turn left into the site and right out of the site without obstruction. The revised vehicle tracking plans and the road safety audit have

been reviewed by the Councils Highways Engineer who has raised no objection and considers them to be robustly accurate.

Vehicle stacking hads also been raised as a concern, the transport assessment, revised tracking plans and the revised layout have all been reviewed by the Councils Highway Officer and Transport for London neither of which have raised a concern regarding potential vehicle stacking. As stated above, the application is subject to a Road Safety Audit which has resulted in a suite of improvements being suggested. A financial contribution towards healthy streets and the delivery of the highway improvement works resultant of the RSA is to be secured by a head of term within a s106 listed as ATZ works, which would reduce the potential impacts upon the local highway network, cyclist and pedestrian safety.

Finally, the initial design featured the provision of only 1 access in and out of the site which was the proposed new access off of Bath Road. This would have resulted in the existing bridge access road becoming redundant which raised concerns from a safety perspective as well as its potential harm upon the street scene and the character of the local area. The bridge starts on land within the adjoining hotel site which runs adjacent to the M4 and then lands within the application site. The main body of the bridge over sails the M4 and falls within the ownership of National Highways (NH). Similar to the Councils concerns an initial objection was raised by NH. As part of the applicants revised submission the bridge is now to be retained as an access for staff use only, this is proposed to be controlled by key fob entry. A gate will be placed at the foot of both sides of the bridge which falls within the applicants ownership. It is noted that the most recent comment from NH states that a condition should be added to any grant of consent to ensure gates and installed either side of the bridge to ensure that access to the bridge is controlled due to fears it may be used by those experiences mental health or suicidal thoughts. The revised plans indicate where the gates would be located and the type of gates which would be installed including the fact they would be key fob operated. As such no further condition is considered necessary.

In summary the LPA considers the highway implications of this development to have been robustly assessed. The Councils Highway Officer, National Highways and Transport for London are satisfied that upon securing the mitigation and improvements set out above, the development would not result in significant harm upon the local highway network, pedestrian or cyclist safety. As such the proposal would accord with Policies DMT 1, DMT 2 and DMT 6 of the Local Plan : Part 2 - Development Management Policies (2020) and London Plan (2021) Policies T4 and T6.

7.11 Urban design, access and security

URBAN DESIGN
Refer to Section 7.07 of this report.

SECURITY
Policy DMHB 15 of the Local Plan: Part 2 - Development Management Policies (2020) requires all new development to ensure safe and attractive public and private spaces.

No details have been provided to demonstrate how the development would accord with Policy DMHB 15 however it is noted that this could be dealt with by way of an appropriately worded condition.

7.12 Disabled access

Policy D3 of the London Plan (2021) seek to ensure that new development achieves the highest standards of accessible and inclusive design.

The application has been reviewed by the Councils Access Officer who has raised no objection in relation to the layout of the internal spaces. However a concern was raised with regards to level of DA spaces proposed and there location. The revised submission reduces the amount of DA spaces from 9 to 7 and relocates them to nearer to the entrance of the proposed units. As such the revised proposal addresses the concerns raised by the Councils Access Officer and now conforms with the relative accessible standards and therefore complies with Policy D3 of the London Plan (2021).

7.13 Provision of affordable & special needs housing

Not relevant to this application

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

The NPPF states that development proposals should seek to respect and retain, where possible, existing landforms and natural features of development sites, including trees of amenity value, hedges and other landscape features. It states that development should make suitable provision for high quality hard and soft landscape treatments around buildings.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states (amongst other things) that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit and that development proposals will be required to provide a landscape scheme. The policy also seeks to protect existing trees through tree root protection areas and an arboricultural method statement where appropriate. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

Policy G5 Urban Greening of the London Plan (2021) states that Major development proposals should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage.

The proposal offers the opportunity to significantly improve the urban greening and landscape of this site given it is dominated by hardstanding. A green buffer is proposed around the boundary of the site with larger pockets of landscaping towards the car park and new access from the Bath Road. Two trees are required to be removed to facilitate the development and these are located where the new access is to be constructed, however it should be noted that these would have been removed when the new access which has already been granted consent would have been constructed anyway. The Tree Survey notes there is one tree to be removed as it is dying and is noted as unsafe. The mature trees along the boundaries of the site fronting Bath Road apart from those located in front of the new access and the rear of the properties in Sipson Way are to be retained and will provide a green screen to the development which sits behind them.

The proposed landscaping buffer along the western and southern boundaries will both enhance the green space within the site and also help separate the proposed industrial use from the residential properties in Sipson Way. This landscaping will help breakup the level of hardstanding within the site,

provide a softer setting to the industrial shed type buildings, and provide natural screening between the proposed warehouse units and the street scene.

The landscaping enhancement plan indicates a total of 54 standard trees and 1,803 whip trees are proposed to be planted across the site, in addition to shrub planting, ornamental ground cover, and wildflower areas, while a total of 1,000 trees are proposed within the native hedgerow. This landscaping will result in an overall reduction in hard landscaping compared to the existing site. The landscaping scheme contributes to minimising, where possible, the urban heat island effect through the incorporation of green infrastructure, reflecting the aspirations of London Plan Policy SI4.

With regards to Urban Greening a potential UGF score of 0.34 has been calculated in the Ecology Report, subject to final details to be secured by way of condition. It is noted that the 0.34 score has been achieved however in realistic terms this should be relatively easy to achieve given that the existing landscape offering would be restricted to the existing trees/hedges which line the boundary of the site. The drainage strategy lacks detail in response to the non-provision of green / living walls and roofs for both drainage and biodiversity but it is safe to presume this is because the design of the roof would not be suitable. It is suggested that the applicant undertake a further review of the suitability of a green roof/wall within the site and if this cannot be delivered then more reasonable justification for why submitted and approved by the LPA prior to occupation. An appropriately worded condition has been suggested.

Whilst regrettable, the Tree Officer has raised no objection to the proposed tree loss and the proposed replacements are considered to be acceptable. As stated above the proposal offers significant landscaping enhancements for the site and retains the mature trees which add value both in terms of the contribution to the environment and the proposed development. As such, subject to the imposition of a condition pertaining to the submission of further landscaping details to demonstrate the delivery of the UFG score and the landscaping scheme as whole, the proposal complies with Policies DMHB 11 & DMHB 14 of the Hillingdon Local Plan Part Two and Policy G5 of the London Plan (2021).

ECOLOGY

Paragraph 174 of the NPPF (2021) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures. This is supported by Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

The existing landscape of the site is almost entirely dominated by hardstanding and given the site accommodates one relatively small temporary building used as a site office by the former car parking providers the sites ecological benefits are likely to be restricted to the foliage which lines the site boundaries.

The application is supported by an Ecological Impact Assessment authored by Middlemarch . The desk study exercise identified one European statutory site within 5 km of the survey area, no UK statutory sites within 2 km, and one non-statutory site within 1 km. The site is not located within 10 km of a statutory site designated for bats. The desk study also provided records of protected/notable species within 1 km, including: bats, hedgehog, birds, invertebrates, and plants. A walkover was also undertaken on 13th May 2022 by the ecological consultant.

The report takes into consideration the site features which are likely to provide reasonable ecological benefit (the foliage which lines the boundaries) and any sites of ecological benefit known within the area, which in this case are the South West London Waterbodies approximately 3.8 km south west and the Field Close Open Space Roughs approximately 520 m east. No results of the walkover and survey state that there is limited potential for bat roosting, badger sets, amphibian habitat or reptile habitat. The report recommends mitigation and enhancements for hedgehog foraging, birds, invertebrates and Jersey Cudweed which shall all be secured via a condition pertaining to the submission of a more detailed ecological enhancement plan.

Given the lack of existing ecological habitat on site, the increase in soft landscaping proposed and the recommendations set out in the Ecological Impact Assessment the proposed development would accord the NPPF (2021), Policy G6 of the London Plan (2021) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020).

7.15 Sustainable waste management

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020) states that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours. This is supported by policy EM11 of the Local Plan: Part 1 - Strategic Policies (November 2012).

A site waste management drawing has been provided and indicates there to be individual waste stores to the front of each of the units. A refuse truck tracking plan has been submitted indicating adequate space for a refuse vehicle to enter park next to the bin stores enabling them to be empties within the 10 m distance which is considered to be acceptable. Notwithstanding this point the site plan indicates that the bin store locations could be obstructed by HGV's parking within the docking/loading bays preventing access to the bin stores. A refuse management plan is therefore required to ensure that access to the bin stores is managed appropriately in order to prevent refuse vehicles having to park on the main access road which would block the access road and also lead to the bins having to be dragged over 20 metres to the vehicle which is an unacceptable distance. This shall be secured via an appropriately worded condition. As such, subject to the aforementioned condition the proposed waste management details are considered to be acceptable and would accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 Development Management Policies (January 2020).

7.16 Renewable energy / Sustainability

Policy SI 2 of the London Plan (2021) requires all major developments to be net zero carbon by employing the hierarchy of using less energy; supplying energy efficiently; and using renewable technologies. This is supported by LPP2 Policy DMEI 2 part B) and part c) states that where reasonable steps to achieve the required savings have been taken but the policy requirement cannot be delivered on-site, an off-site contribution to make up the shortfall will be necessary.

The applicant has submitted an Energy and Sustainability Statement which in summary states there to be a shortfall in onsite savings which will require an in lieu contribution. The documents refers to the relevant London Plan standards which are broken down into 3 sections (be leen, be seen, be green). On site savings are to be delivered via a number of tools which include, appropriate insulation, double glazing, low enegry LED lighting a VRF system and air source heat pumps (ASHP).

The report states that these tools will amount to a 61% carbon saving with the remaining 39% being offset by a financial contribution amounting to £83,672 which would be secured via a legal

agreement. The Councils Energy and Sustainability Officer has reviewed the document and stated that whilst it broadly conforms to the policy requirements there is a lack of detail to demonstrate that the proposed onsite targets will be met.

As such a condition pertaining to the submission of a revised Energy Assessment is to be attached to any grant of consent which will also allow the applicant an opportunity to consider additional measures for on-site savings. Subject to the aforementioned condition and agreement to the head of term to secure the offsite contribution, the proposal would meet the requirements of Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan : Part Two - Development Management Policies (2020)

7.17 Flooding or Drainage Issues

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

London Plan Policies SI 12 & SI 13 state that developments should respond to the flood risk constraints of the site by implementing a suitable SUD's scheme which deals with water within the boundaries of the application site.

The application is supported by a Flood Risk Assessment which confirms that the site is located within Floor Risk Zone 1 therefore not at risk of fluvial or tidal flooding. The site is almost entirely covered by hardstanding and the report confirms that whilst there is a very low risk of surface water flooding there have been no cases of this report to date. Notwithstanding this point, as a major application the applicant is required to demonstrate how water generated by the development will managed. The submitted Drainage Strategy sets out the various forms of mitigation and enhancements which include rainwater harvesting, filter strips and swales and the use of a geocellular tank located underneath the car park. It should also be noted that the scheme would bring forward a significant increase in soft landscaping which would offer natural attenuation which is not apparent on site at the moment.

Both the FRA and Drainage Strategy have been reviewed by the Councils Flood Consultant who has raised no objection to the proposed method of managing surface water subject to a condition pertaining to the submission of further drainage design details accompanied by an updated management plan and evidence to demonstrate that the agreed drainage design has been implemented prior to the occupation of the building.

Subject to these conditions the application is considered to comply with Policies EM6 of the Local Plan Part 1, DMEI 9 pf the Local Plan Part Two and the London Plan 2021 Policies SI 12 and SI 13.

7.18 Noise or Air Quality Issues

NOISE
Policy DMHB 11 of the Local Plan Part 2 Development Management Policies (2020) seeks to protect residential amenity.

The applicant has submitted a noise impact assessment authored by Mayer Brown. Within the report it details the conclusions of a survey undertaken to determine existing background noise levels.

modelling has been undertaken to assess the potential noise impact of external activities likely to be associated with the proposed employment uses, e.g. loading/unloading activities. This is based on traffic generation advised by Mayer Brown Limited's transport planning team; current site general arrangement drawings; and in-house noise data for typical loading/unloading operations. Assessments have been undertaken based on an absolute 'worst case' daytime scenario of all unloading bays operating simultaneously, and a night-time assessment reflecting the expected average use of the site.

It should be noted that the proposal seeks permission to allow the site to be operated over a 24 hour period with no suggestion of a restriction on operating hours included in the submitted documents. The submitted NIA refers to the background noise levels of the adjacent M4 and Bath Road as being the main source of noise within the local area and given that there would be limited vehicle activity after the hours of 8pm there would be no real noticeable increase in noise levels above those generated by surrounding major roads.

The assessment concludes that the proposed development should avoid any significant adverse effect on the existing neighbouring dwellings. It is also clear the proposed general arrangement of the site (i.e. placement of the industrial units along the western boundary of the site) accords with a good acoustic design process, enabling activities on the eastern side of the units to be spatially distanced from the dwellings, with acoustic screening provided by the massing of the buildings. It is therefore concluded that the proposed development mitigates and reduces noise to a minimum with resultant noise levels generally being assessed to have no observed adverse effect.

Consideration has also been given to the potential impact of noise on committed hotel development to the north of the site. Based on a review of the technical submissions supporting the planning application for the development, it is clear that the external fabric of the proposed hotel development will provide a high level of sound insulation which is necessary to protect hotel guests from the high environmental noise levels characterising the locality given the presence of the M4 spur and airport. The need for such control to be implemented is enforced through a planning condition attached to the permission. The proposed sound insulation scheme will also readily provide acoustic protection against operational noise that may be generated by the proposed industrial use of the NCP Flightpath car park.

An assessment of the potential change in road traffic noise levels due to additional traffic around the site has been undertaken. This concludes that the proposed development traffic would result in a "negligible" short term change in traffic noise associated with Bath Road, which would remain "negligible" in the long term. It is therefore concluded that additional traffic generated by the proposed development would not have a significant adverse impact on existing dwellings in the vicinity of the site as a result of increased road traffic noise from Bath Road.

The Noise Impact Assessment has been reviewed by the Councils Noise has reviewed the proposal and has raised no objection subject to the imposition of a condition pertaining to the restriction of noise levels to at least 5 dB below the minimum background noise level, or 35 dB(A), whichever is higher, measured one metre external to any window of any dwelling, or similarly noise sensitive premises, determined in accordance with the procedures set out in BS4142:2014 Methods for Rating and Assessing Industrial and Commercial Sound.

Subject to the imposition of the above condition, the proposed development would comply with the relevant noise policies within the Development Plan.

AIR QUALITY
Paragraph 186 of the National Planning Policy Framework (2021) states that planning decisions should sustain and contribute towards compliance with relevant limit values or national objectives for pollutants, taking into account the presence of Air Quality Management Areas and Clean Air Zones, and the cumulative impacts from individual sites in local areas. Opportunities to improve air quality or mitigate impacts should be identified, such as through traffic and travel management, and green infrastructure provision and enhancement. Planning decisions should ensure that any new development in Air Quality Management Areas and Clean Air Zones is consistent with the local air quality action plan. Policy SI 1 of the London Plan (2021) adds further weight to this.

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

Policy DMEI 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all development proposals are required to comply with the following:
i) All major development should incorporate living roofs and/or walls into the development. Suitable justification should be provided where living walls and roofs cannot be provided; and
ii) Major development in Air Quality Management Areas must provide onsite provision of living roofs and/or walls. A suitable offsite contribution may be required where onsite provision is not appropriate.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:
A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
B) Development proposals should, as a minimum: i) be at least "air quality neutral"; ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The proposed development is within an Air Quality Management Area and will affect identified Air Quality Focus Areas. Air Quality Focus Areas are defined by the GLA as areas already suffering from poor air quality where prioritisation of improvements is required. The submitted Air Quality Assessment fails to demonstrate that the proposed development would be air quality neutral or air quality positive. The proposal would result in an uplift in vehicle trip generation as well as a change in the type of trips which contribute heavily to the air quality assessment.

The proposal includes limited mitigation consisting of additional tree planting, a commitment to shifting travel to more sustainable modes and the provision of electric vehicle charging points. Given the shortfall in on site mitigation an air quality damage cost of £417,930 is required to be paid by the applicant and will contribute to the delivery of the Councils Air Quality Action Plan. In addition to the damage cost which will need to be secured via a legal agreement the Councils Air Quality Officer has requested conditions pertaining to the submission of a Low Emissions Strategy and a plan demonstrating compliance with GLA standards for reducing emissions during demolition and construction and the restriction on the type all non-road machinery to be used are to be attached to any grant of consent.

The applicant has agreed to the suggested conditions and damage cost. Therefore subject to the signing of a s106 legal agreement to secure the financial contribution to cover the damage cost and imposition of the above conditions, the proposal complies with Policy EM8 of the Local Plan Part 1, Policies DMEI 1 & DMEI 14 of the Local Plan Part 2, Policy SI 1 of the London Plan (2021) and para 186 of the NPPF (2021).

7.19 Comments on Public Consultations

See section 6.1

7.20 Planning obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

i. necessary to make the development acceptable in planning terms
ii. directly related to the development, and
iii. fairly and reasonable related in scale and kind to the development
The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

At a regional level, the London Plan (2021) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

Policy DMCI 7 of the Local Plan: Part Two (2020) seeks to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Planning obligations are sought on a scheme-by-scheme basis to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

The following contributions or planning obligations are required in order to mitigate the impacts of the development as required by Policy DMCI 7 (Planning obligations and CIL) of the Local Plan Part 2 Development Management Policies (2020):

1.A s278 agreement for the access works required for highway works required to deliver the new access and anyworks on land owned by Transport for London (TFL)

2. TFL Healthy Streets Contribution £50,000

3. Highway Contribution towards the delivery of Active Travel Zone works which include:
(i) Tactile Pavement and Dropped Kerbs at 14no. Locations £77,000
(ii) Supply and Install 5no New Street Benches £10,000
(iii) Supply and Plant 20no Street Trees £6,400
(iv) Fees £9,340
(v) Contingencies £9340
Total: £112,080

4. Employment Strategy and Construction Training.

3.Carbon Offset for non-delivery on site £83,672

4. Air Quality damage cost of £417,930

5.Full Workplace Travel Plan and Travel Plan bond of £20,000

6. Project management and monitoring fee: A financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

The Applicant has agreed in principle to the above proposed Heads of Terms, which could be secured by way of the S106

Contributions towards education, health, libraries and community facilities are now covered by the Hillingdon Community Infrastructure Levy.

CIL : £62,626.79
Mayor CIL: £539,729.09

It is considered that the level of planning benefits sought in the event of an approval would be reasonable, adequate and commensurate with the scale and nature of the proposed development, in compliance with Policy DMEI 7 (Planning obligations and CIL) of the Local Plan: Part 2 - Development Management Policies (2020).

7.21 Expediency of enforcement action

Not applicable to this application

7.22 Other Issues

CONTAMINATED LAND

Policy DMEI 12 of the Local Plan: Part Two (2020) requires proposals for development on potentially contaminated sites to be accompanied by at least an initial study of the likely contaminants. Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

The phase 1 contaminated land report has been submitted in support of the application which assesses the preliminary risks of developing the site. The report identifies the overall risk from land contamination to be low and risk for a redevelopment of the site to be moderate. The report has been reviewed by the Councils Contaminated Land Officer who has suggested that further and more intrusive investigation/testing is required to ensure the potential risks are resolved through appropriate mitigation. As such a revised assessment is required and shall be secured by an appropriately worded condition.

FIRE SAFETY

Policy D12 (Fire safety)the London Plan 2021 says that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire

safety. The applicant has submitted a comprehensive Fire Safety Strategy which has been compiled by a Iceni. The opening section provides details of the background of the individuals who have compiled and ratified the document thus satisfying the London Plan requirements for the Strategy to be compiled by a suitably qualified individual. The strategy is robust and covers evacuation strategies for both able and less bodily able individuals. Notwithstanding this as it does not include an assessment of the materials to be used to construct the development which are required. As such a condition relating to the submission, agreement and implementation of a detailed Fire Strategy for all parts of the development in accordance with Policy D12 (Fire safety)the London Plan (2021) us required.

8. Observations of the Borough Solicitor

General
Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions
Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations
Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights
Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise,

members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The proposal is for the redevelopment of the existing site which seeks to provide industrial sheds in an appropriate location which B8 use is supported by policy. As such development would result in a better use of the land therefore the principle of development is strongly supported.

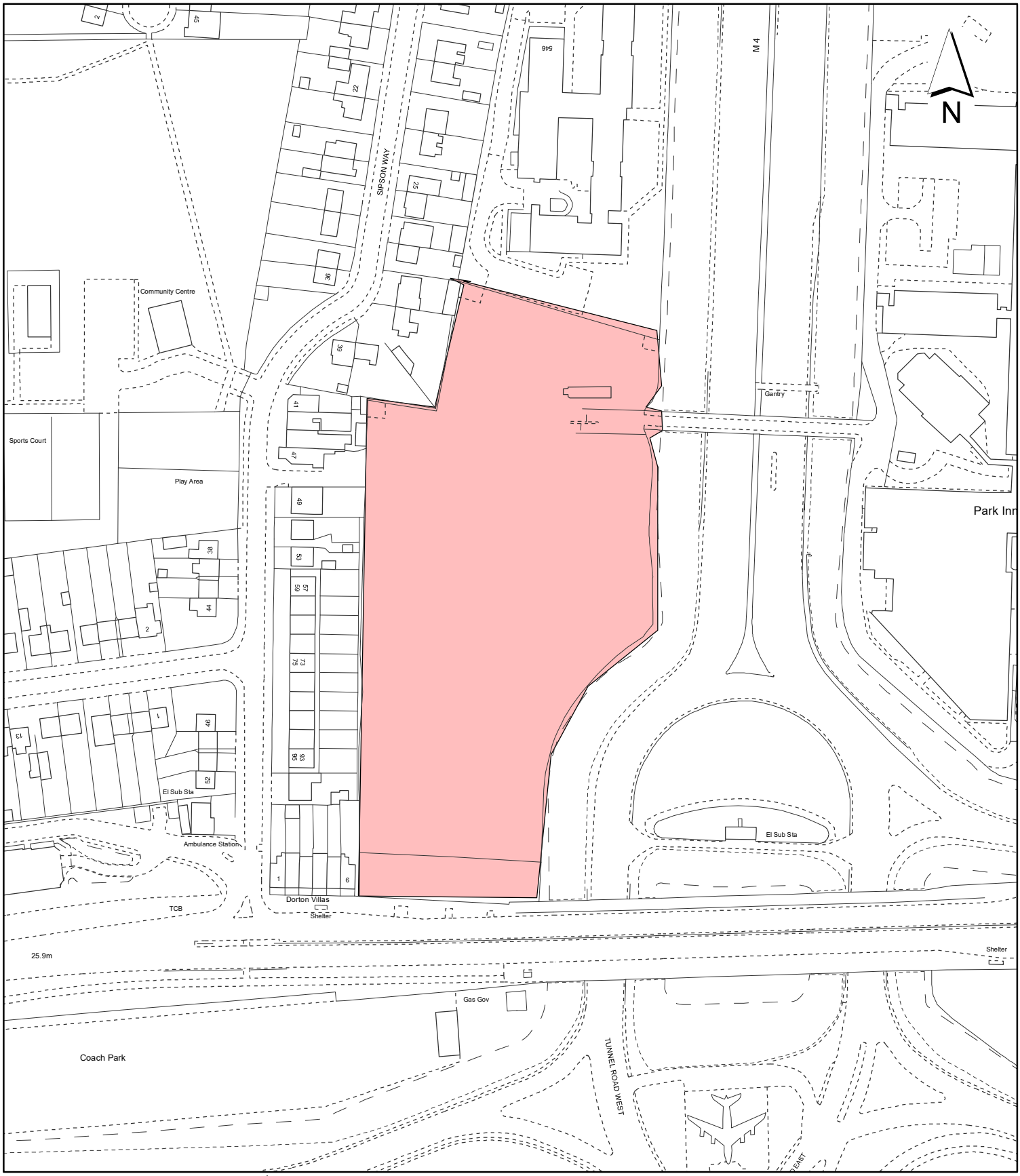
The proposal is considered acceptable in terms of its design, impact on neighbouring amenity and highway matters. Where limited harm is identified, the proposed benefits which include a significant increase in local employment are considered to outweigh the potential harm.

Subject to appropriate conditions, the development is considered to accord with the Development Plan and is recommended for approval.

11. Reference Documents

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)
NPPF (2021)

Contact Officer: Christopher Brady **Telephone No:** 01895 250230



Notes:

Site boundary

For identification purposes only.

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Site Address:

Former NCP Car Park

LONDON BOROUGH OF HILLINGDON
Residents Services
Planning Section
Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 01895 250111

Planning Application Ref:
41632/APP/2022/2301

Scale:
1:1,750

Planning Committee:
Major

Date:
June 2023

HILLINGDON
LONDON