

Report of the Head of Planning, Sport and Green Spaces

Address FORMER TECHNICOLOR SITE 276 BATH ROAD SIPSON

Development: Erection of 2 industrial/warehouse units incorporating 9,160sqm GIA within B1(c)/B2/B8 Use Classes with ancillary office space, associated car parking, landscaping and service yards.

LBH Ref Nos: 35293/APP/2013/2709

Drawing Nos: Design and Access Statement - January 2013
Energy Strategy Rev P2 - Hoare Lee
Letter from Environment Agency (x3)
Phase II Environmental Site Assessment - Environ UK
Planning Statement - MSA/30545
Tree Survey - 12602/DP/TS001
Tree Survey Plan - 12-62-01
Microdata - 021HI
Landscape Strategy - 12062/DP/LS001A
Travel Plan - 120824-TP
30545-PL-100
11389-PD-OGL Rev 4
12-62-02 Rev B
12-62-03 Rev B
30545-PL-120
30545-PL-121
30545-PL-122
30545-PL-123
30545-PL-124
30545-PL-125
Remediation Strategy - UK11-14942
Transport Statement - 121200-TS
Drainage Calculations - January 2013 Revision B
Annual Monitoring Report - UK11-14942
Air Quality Assessment - EED13152
Flood Risk Assessment and Drainage Strategy - 12/12/2013
3055-50 Rev P5

Date Plans Received:	17/09/2013	Date(s) of Amendment(s):	10/12/2013
Date Application Valid:	01/10/2013		01/10/2013
			13/12/2013
			05/12/2013

1. SUMMARY

The proposal seeks permission for the construction of two commercial buildings with a total of 9,160sqm (GIA) to be used for employment purposes (Use Classes B1c, B2 and B8). Both units include an area of ancillary office space on two levels located on the southern elevation.

Given the site's context the scheme raises no adverse amenity issues to residential neighbours nor would the new building prejudice the existing developments on the adjacent sites in terms of outlook. The car parking provision and highway access arrangements are considered consistent with planning policy and acceptable including

the arrangements for service delivery and guest drop off/collection.

The height of the development is consistent with the surrounding development and in visual appearance terms the treatment of the elevations is considered appropriate. The proposed landscaping to the street is acceptable. In summary the scheme is considered to comply with relevant London Plan and Hillingdon Local Plan Part 1 and Part 2 policies and, accordingly, approval is recommended subject to appropriate conditions and planning obligations, seeking highways measures to secure all necessary works and the provision of a Travel Plan, including Sustainable Transport Measures; Construction Training; Air Quality monitoring, and Project Management and Monitoring.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to the following conditions:

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

1. Highways: to secure all necessary works and the provision of a Travel Plan, including Sustainable Transport Measures.

2. Construction Training: either a financial contribution, or an in-kind scheme delivered during the construction phase of the development, should be secured.

3. Air Quality: a contribution in the sum of £25,000.

4. 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 preparation of the Section 106 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) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 31/01/2014, or such other date as agreed by the Head of Planning, Green Spaces and Culture, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of construction training and air quality). The proposal therefore conflicts with Policy R17 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG.'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the 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:

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 the submitted plans, numbers 30545-PL-100; 30545-PL-120; 30545-PL-121; 30545-PL-122; 30545-PL-123; 30545-PL-124; 30545-PL-125; 12-62-02 Rev B; 12-62-03 Rev B; 11389-PD-OGL Rev 4; 3055-50 Rev P5, and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

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:

Design and Access Statement - January 2013
Energy Strategy Rev P2 - Hoare Lee
Letter from Environment Agency (x3)
Phase II Environmental Site Assessment - Environ UK
Planning Statement - MSA/30545
Tree Survey - 12602/DP/TS001
Tree Survey Plan - 12-62-01
Microdata - 021HI
Landscape Strategy - 12062/DP/LS001A
Travel Plan - 120824-TP
Remediation Strategy - UK11-14942
Transport Statement - 121200-TS
Drainage Calculations - January 2013 Revision B
Annual Monitoring Report - UK11-14942
Air Quality Assessment - EED13152
Flood Risk Assessment and Drainage Strategy - 12/12/2013

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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

4 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the

development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM9 Landscaping (car parking & refuse/cycle storage)

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

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Motorcycle/Cycle Storage (including 44 cycle spaces and 16 motorcycle spaces)

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including the provision of 89 car parking spaces, including 12 disabled spaces, and including the demonstration that 20% of all parking spaces are served by active electrical charging points, with the provision for 10% of spaces to be passive spaces)

2.e Hard Surfacing Materials

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

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 BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 and 5.17 of the London Plan (July 2011).

6 NONSC Living Walls

No individual phase of the outline development shall commence until a scheme for the inclusion of living walls, roofs and screens has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

REASON

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan and policies EM1 and EM8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 NONSC Height Limitation on Trees & Shrubs

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

REASON

To ensure the development does not prejudice airport operational safety in accordance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

8 NONSC Lighting Near Aerodromes

Prior to the commencement of the development, an overall lighting scheme shall be submitted to and approved in writing by the local planning authority. The lighting scheme shall confirm compliance with the Civil Aviation Authority Advice Note 2 'Lighting Near Aerodromes'. The details shall be implemented in full prior to the occupation of the development and retained in full thereafter.

REASON

To ensure the development does not prejudice airport operational safety in accordance with Policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

9 NONSC 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 roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Advice Note 8 'Potential Bird Hazards from Building Design'.

The Bird Hazard Management Plan shall be implemented as approved upon completion of the roofs 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

To comply with policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and because it is necessary to manage the roof areas in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport.

10 OTH2 Archaeology

A) No development shall take place until the applicant has secured the implementation of a programme of archaeological works in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority.

B) No development or demolition shall take place other than in accordance with the Written Scheme of Investigation approved under Part (A).

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON

The site is of archaeological interest and it is considered that all evidence of the remains should be recorded in accordance with policy BE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

11 COM15 Sustainable Water Management

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall proceed in accordance with the approved scheme.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (July 2011) Policy 5.12.

12 NONSC Water Recycling

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet

flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

REASON

To ensure that the development adopts a sustainable management system for the use and disposal of water/grey water on site in accordance with policies 5.13 and 5.14 of the London Plan (July 2011).

13 NONSC Energy Efficiency

Prior to the commencement of development a detailed energy assessment shall be submitted showing how the development will reduce carbon emissions by 40% from a 2010 Building Regulations compliant development. The assessment shall clearly show:

- 1) The baseline energy demand (kwhr and kgCO₂) for each element of the regulated energy use (e.g. space heating, hot water and electricity) for all the relevant uses.
- 2) The methods to improve the energy efficiency of the development and how this impacts on the baseline emissions and where they will be included within the development.
- 3) Full details, specification and location of renewable energy.
- 4) How the technology will be maintained and managed throughout the lifetime of the development.

REASON

To ensure a sustainable approach to energy efficiency and carbon reductions is met across the site, in accordance with Policies 5.2 and 5.3 of the London Plan (2011).

14 COM30 Contaminated Land

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.
- (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.

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

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with

any such requirement specifically and in writing.

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 policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

15 NONSC Contaminated Land

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

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 policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

16 NONSC Contaminated Land

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

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 policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

17 NONSC Contaminated Land

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

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 policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

18 NONSC Contaminated Land

No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved 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 policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

19 COM17 Control of site noise rating level

The rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

20 NONSC Air Quality - Energy Provision

Before the development is commenced, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include suitable pollutant emission rates with and without mitigation technologies, which needs to be considered as part of a wider air quality assessment, as set out in the EPUK CHP Guidance 2012 (September 2007).

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

Note: This condition relates to the operational phase of residential and commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the assessment of CHPs is available from EPUK at: http://www.iaqm.co.uk/text/guidance/epuk/chp_guidance.pdf. An area up to a distance of 10 times the appropriate stack height needs to be assessed. They should contact the Environmental Protection Unit if they have any queries.

21 NONSC Fleet Management

Before any part of the development is occupied an environmental fleet management plan shall be submitted for approval to the Local Planning Authority. The scheme shall include details of the use of low emission vehicle technologies (e.g. use of electric and/or hybrid vehicles where appropriate, installation of electric charging points), environmentally aware driver training scheme (e.g. no idling), and fleet servicing and maintenance regime. The said scheme shall be implemented for so long as the development is available for use.

REASON

In order to protect the amenities of local residents, in accordance with policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policy 7.14 of the London Plan (2011).

22 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), and policies 3.1, 3.8 and 7.2 of the London Plan (2011).

23 COM31 Secured by Design

The building(s) 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 exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan (July 2011).

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 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies

(September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.2	(2011) Offices
LPP 4.3	(2011) Mixed use development and offices
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach

LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.16	(2011) Green Belt
LPP 8.2	(2011) Planning obligations
LPP 8.3	(2011) Community infrastructure levy

3 11 Building to Approved Drawing

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

4 115 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works 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.

5 134 Building Regulations 'Access to and use of buildings'

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

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804.

6 118 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans. For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

7 160 Cranes

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

8 I61 **Lighting Near Aerodromes.**

The development is close to the aerodrome and the approach to the runway. The applicant is advised that there is a need to carefully design any lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

9 I62 **Potential Bird Hazards from Buildings**

The applicant is advised that any flat/shallow pitched or green roof on buildings have the potential to attract gulls for nesting, roosting and loafing and loafing purposes. The owners/occupiers of the building must ensure that all flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar.

The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The contact would be Gary Hudson, The Development Assurance Deliverer for Heathrow Airport on 020 8745 6459.

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. For further information please see the attached Advice Note 8 - 'Potential Bird Hazards From Building Design'

10 I58 **Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

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

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You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development. A separate liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a roughly rectangular shaped plot of just over 2 hectares, located on the north side of Bath Road in Sipson. The site is designated on Map 5.1 of the Hillingdon Local Plan as a Proposed Locally Significant Industrial Sites (LSIS).

The site is currently vacant and was previously occupied by Technicolor Limited, a company which specialises in film processing, and other cinematic/theatrical services. The building which previously occupied the site was subject to considerable extensions and varied in height from single to four-storeys, also comprising a 30m high chimney. The rear of the site was used for parking.

Access to the site is achieved via an entrance to the west of the main building from a private access road known as Heathrow Boulevard, off Bath Road.

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

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

The site falls within the Heathrow/A4 Industrial and Business Area as shown on the Hillingdon Unitary Development Plan Proposals Map. Bath Road is designated as a Strategic Route and open land beyond the commercial/industrial units to the north and west is designated as Green Belt.

3.2 Proposed Scheme

The proposal seeks permission for the construction of two commercial buildings with a total of 9,160sqm (GIA) to be used for employment purposes (Use Classes B1c, B2 and B8). Both units include an area of ancillary office space on two levels located on the southern elevation.

Unit 1 comprises a total of 6,000sqm, measuring 81m in length and 65m wide. Unit 2 comprises 3,160sqm measuring 61m in length and 47m wide. The proposed maximum height of each building will be 15.5m.

Unit 1 is proposed to be located in the southern part of the site fronting Bath Road and would be set back by approximately 34m from the edge of the Bath Road boundary at its closest point. Unit 2 is proposed to be located adjacent to the northern of the site, approximately 34m from the northern boundary.

Each unit will have a separate service yard which would be located to the rear of each unit, and would be accessed off a shared internal access road running north from the main site access. Car parking spaces are proposed to be provided in front of each unit; Unit 1 would have 50 spaces and Unit 2 would have 39 spaces.

The Planning Statement suggests that the development will provide an average of 219 jobs on the site, split between the B1c, B2 and B8 uses.

3.3 Relevant Planning History

35293/APP/2009/1938 276 Bath Road Sipson

Erection of a part four, part five, part six storey, 623-bedroom hotel with ancillary restaurant/bar facilities, landscaping, parking for 354 cars and associated works.

Decision: 27-05-2010 Approved

Comment on Relevant Planning History

Ref: 35293/APP/2013/2016 - Non-Material Amendment to alter timescales for approval and improve clarity of conditions 22 (Surface Water Drainage Scheme), 23 (Contamination), 29 (Contamination Site Survey & Remediation Scheme) and 38 (Sustainable Urban Drainage) of planning permission ref: 35293/APP/2009/1938 dated 28th May 2010. Granted on 05/08/2013.

Ref: 35293/APP/2013/1127 - Non-Material Amendment to alter timescales for approval and improve clarity of conditions 22 (Surface Water Drainage Scheme), 23 (Contamination), 24 (Verification Report), 29 (Contamination Site Survey & Remediation Scheme) and 38 (Sustainable Urban Drainage) of planning permission ref: 35293/APP/2009/1938 dated 28th May 2010. Granted on 08/05/2013.

Ref: 35293/APP/2012/2287 - Erection of 2 industrial/warehouse units incorporating 10,961sq.m of Use Class B1(c)/B2/B8 floorspace and ancillary office space, associated car parking, landscaping and service yards. Application withdrawn.

Ref: 35293/APP/2009/1938 - Erection of a part four, part five, part six storey, 623-bedroom hotel with ancillary restaurant/bar facilities, landscaping, parking for 354 cars and associated works. Granted on 28/05/2010.

Ref: 35293/APP/2009/595 - Demolition of all existing buildings and erection of an eight storey building comprising a 623 bedroom hotel (with ancillary restaurant/bar facilities) incorporating associated landscaping, parking for 367 cars (37 disabled spaces), 4 coaches and 20 cycles. Refused on 20/07/2009 for the following reason:

i) The development by reason of its height, bulk and massing is considered to be an overdevelopment of the site and fails to harmonise with the existing streetscene and openness of the surrounding area. The proposal is therefore contrary to Policies BE13 and BE25 of the Hillingdon Unitary Development Plan Saved Policies September 2007 and Policy 4B.1 of the London Plan 2008.

Ref: 35293/APP/2008/3437 - Demolition of existing buildings and erection of an 8-storey building comprising a 611-bedroom hotel with ancillary restaurant/bar facilities, including associated landscaping, parking for 430 cars (18 disabled spaces) and 4 coaches as well as cycle spaces. Application withdrawn.

Ref: 35293/APP/2008/2463 - Erection of a part 7, part 8 storey 611-bedroom hotel with ancillary restaurant, bar and cafe, landscaping, parking for 500 cars and 14 coach spaces and ancillary development (including demolition of existing building). Application withdrawn.

Ref: 35293/APP/2003/1528 - Use of third floor as ancillary Class B1 floorspace (Application for a Certificate of Lawfulness for and existing use or operation or activity). Lawful Development Certificate issued on 18/08/2003.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment
PT1.E1 (2012) Managing the Supply of Employment Land
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.EM11 (2012) Sustainable Waste Management
PT1.T1 (2012) Accessible Local Destinations
PT1.T3 (2012) North-South Sustainable Transport Links

Part 2 Policies:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7 Consideration of traffic generated by proposed developments.
AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14 New development and car parking standards.
AM15 Provision of reserved parking spaces for disabled persons
BE13 New development must harmonise with the existing street scene.

BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.2	(2011) Offices
LPP 4.3	(2011) Mixed use development and offices
LPP 4.4	(2011) Managing Industrial Land & Premises
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.10	(2011) Urban Greening
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.21	(2011) Contaminated land
LPP 6.1	(2011) Strategic Approach
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.13	(2011) Parking
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime

- LPP 7.4 (2011) Local character
- LPP 7.6 (2011) Architecture
- LPP 7.14 (2011) Improving air quality
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 7.16 (2011) Green Belt
- LPP 8.2 (2011) Planning obligations
- LPP 8.3 (2011) Community infrastructure levy

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **1st November 2013**

5.2 Site Notice Expiry Date:- **1st November 2013**

6. Consultations

External Consultees

Consultation letters were sent to 44 local owner/occupiers on 09/10/13. The application was also advertised by way of site and press notices. One letter of objection has been received which raise the following concerns:

- i) Access point unsuitable.
- ii) Transport Assessment outdated.
- iii) Poor on-site manoeuvring.
- iv) Over-development of the site.
- v) Impact on adjacent office development.
- vi) Poor design.
- vii) Inadequate landscaping.

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

BAA/HEATHROW:

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:

Height Limitation on Trees & Shrubs - Application Site:

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

Reason: If trees or shrubs exceed this height they will penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger the movements of aircraft and the safe operation of the aerodrome.

Control of Lighting on the Proposed Development:

The development is close to the aerodrome and/or aircraft taking off from or landing at the

aerodrome. Lighting schemes required during construction and for the completed development shall be of a flat glass, full cut off design, mounted horizontally, and shall ensure that there is no light spill above the horizontal.

Reason: To avoid endangering the safe operation of aircraft through confusion with aeronautical ground lights or glare. For further information please refer to Advice Note 2 'Lighting Near Aerodromes' (available at www.aoa.org.uk/publications/safeguarding.asp).

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

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

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

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 BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

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

We would also make the following observation:

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/policy->

safeguarding.htm

We, therefore, have no aerodrome safeguarding objection to this proposal, provided that the above conditions are applied to any planning permission.

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.

ENGLISH HERITAGE GLAAS:

The above planning application has been noted by the Greater London Archaeological Advisory Service (GLAAS) as potentially affecting a heritage asset of archaeological interest.

The National Planning Policy Framework (Section 12) and the London Plan (2011 Policy 7.8) emphasise that the conservation of archaeological interest is a material consideration in the planning process. Paragraph 128 of the NPPF says that applicants should be required to submit appropriate desk-based assessments, and where appropriate undertake field evaluation, to describe the significance of heritage assets and how they would be affected by the proposed development. This information should be supplied to inform the planning decision.

Appraisal of this planning application using the Greater London Historic Environment Record and information submitted with the application indicates a need for further information to reach an informed judgment of its impact on heritage assets of archaeological interest.

The application lies within the proposed Heathrow Archaeological Priority Zone, an area of demonstrated archaeological interest. No archaeological assessment or evaluation has been submitted with this application but a previous archaeological evaluation of nearby sites to the north and east identified prehistoric and Saxon remains - the latter indicating the presence of a settlement. Further information is necessary to establish the site's archaeological potential, the significance of any heritage assets on the site and the impact of development upon them. A written scheme for such an evaluation was in fact agreed by my predecessor in February 2013 but to my knowledge has not yet been implemented.

I therefore recommend that the following further studies should be undertaken to inform this application:

Evaluation:

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

The nature and scope of assessment and evaluation should be agreed with GLAAS and carried out by a developer appointed archaeological practice before any decision on the planning application is taken. The consultant's report will need to establish the significance of the site and the impact of the proposed development. Once the archaeological impact of the proposal has been defined a recommendation will be made by GLAAS.

The NPPF accords great weight to the conservation of designated heritage assets and also non-

designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation.

If archaeological safeguards do prove necessary, these could involve design measures to preserve remains in situ or where that is not feasible archaeological investigation prior to development. If planning permission is to be refused without the provision of a satisfactory archaeological assessment/evaluation then we recommend that the failure of the applicant to provide an adequate archaeological assessment be cited as a reason for refusal.

ENVIRONMENT AGENCY:

Further to our letter dated 29 October 2013 we have since received additional information from Steven Nuth at Waterman Group, which you were also copied into, dated 13 December 2013 with the following attachment:

- Drainage strategy dated 12 December by Waterman Group, reference SN/JSM/Y/CIV13585, 6th draft.

We are pleased to advise that the information submitted above is sufficient to overcome our objection in our letter dated 29 October 2013 (reference NE/2013/118948/01), subject to the inclusion of the following conditions.

Condition 1

The development hereby permitted shall not be commenced until a detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) 'Flood Risk Assessment & Drainage Strategy, Technicolor Site, Bath Road, Heathrow, 12 December 2013, 6th Draft' has been submitted to and approved in writing by the local planning authority. The drainage strategy shall include a restriction in run-off and surface water storage on site as outlined in the FRA, and SuDS including permeable paving where feasible. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

Reason

To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity.

Condition 2

No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

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

Reason:

To ensure protection of controlled waters.

Site investigations have shown groundwater to be significantly impacted by chlorinated solvents. Based on recent data and previous remediation carried out we consider there is a significant contaminant source still remaining in soils which will require remediation to enable risks to controlled waters to be reduced to an acceptable level.

Condition 3

No occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason:

To ensure protection of controlled waters.

Condition 4

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason:

To ensure protection of controlled waters.

Condition 5

No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the local planning authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason:

To ensure protection of controlled waters.

Condition 6

No development should take place until a long-term monitoring and maintenance plan in respect of contamination including a timetable of monitoring and submission of reports to the Local Planning Authority, shall be submitted to and approved in writing by the Local Planning Authority. Reports as

specified in the approved plan, including details of any necessary contingency action arising from the monitoring, shall be submitted to and approved in writing by the Local Planning Authority. Any necessary contingency measures shall be carried out in accordance with the details in the approved reports. On completion of the monitoring specified in the plan a final report demonstrating that all long-term remediation works have been carried out and confirming that remedial targets have been achieved shall be submitted to and approved in writing by the Local Planning Authority.

Reason:

To ensure protection of controlled waters.

Advice to applicant on discharging surface water condition:

In order to discharge the surface water condition, the following information must be provided based on the agreed drainage strategy:

- a) A clearly labelled drainage layout plan showing pipe networks and any attenuation areas or storage locations. This plan should show any pipe 'node numbers' that have been referred to in network calculations and it should also show invert and cover levels of manholes.
- b) Confirmation of the critical storm duration.
- c) Where infiltration forms part of the proposed stormwater system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.
- d) Where on site attenuation is achieved through ponds, swales, geocellular storage or other similar methods, calculations showing the volume of these are also required.
- e) Where an outfall discharge control device is to be used such as a hydrobrake or twin orifice, this should be shown on the plan with the rate of discharge stated.
- f) Calculations should demonstrate how the system operates during a 1 in 100 chance in any year critical duration storm event, including an allowance for climate change in line with the National Planning Policy Framework Technical Guidance. If overland flooding occurs in this event, a plan should also be submitted detailing the location of overland flow paths and the extent and depth of ponding.

TRANSPORT FOR LONDON:

TfL is concerned with any application which could have an impact on the transport networks. Bath Road (A4) is part of the Transport for London Road Network (TLRN). Having reviewed the application TfL has a number of comments, namely:

1. The trip rates from the proposed use are less than that for the approved hotel which is accepted.
2. The applicant has confirmed that they will reduce to the level of parking to 109 spaces to conform to 1 space per 100sqm. It is not possible to say at present how many staff would be working shift patterns as the final occupier of the site is not yet known. However to reduce the impact on the local highway network the occupier of the site will be encouraged wherever possible to make shift changes of staff outside of the network peak periods, this will be also endorsed as part of the DSP. This approach is considered acceptable.
3. The applicant has confirmed that 20% of the spaces will be active for electric car charging and 10% will be passive spaces, which is agreed and will need to be secured by planning condition
4. Level of blue badge parking is acceptable.
5. Details have been provided with regard to the access, stating that it is an existing access and that there is no alternative arrangement that can be provided. Also swept path analysis of 16.5m vehicles has been issued demonstrating that vehicles of this size can easily manoeuvre into and

out of this access. TfL is satisfied that no alternative arrangement can be provided and that the existing access will be acceptable.

6. TfL is content that once the changes to the travel plan have been carried out this can be secured, funded, delivered and monitored through the s106 agreement.

Internal Consultees

TREE AND LANDSCAPE OFFICER:

Context:

The site was formerly occupied by an industrial unit situated on the north side of Bath Road, surrounded to the north, east and west by industrial / commercial units. The buildings have been demolished and the generally level site has now been cleared. There are no trees or other landscape features of merit which might constrain development on the site. However, there are some off-site trees and Cypress (conifer) hedges, notably along the north and west boundaries, which partly screen the site and contribute to the landscape setting of the adjacent industrial estate.

The off-site trees have been surveyed and assessed in a Tree Survey by BEA Landscape Design Ltd.

While the trees may be protected by virtue of their inclusion in former planning approvals, they are not protected by Tree Preservation Order or Conservation Area designation.

Considerations:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. No trees or other significant landscape features will be affected by the proposal. The Tree Survey (document ref. 12062/DP/TS001) confirms that all existing trees are outside the site boundary and are of low to medium quality - albeit, collectively, they contribute to the screening and visual amenity of the nearby offices.

- The proposal is supported by a Landscape Strategy, by BEA, document ref. 12062/DP/LS-1A, which describes the site and sets out the landscape objectives. The strategy highlights the need to retain, re-enforce and / or introduce screen planting to the boundaries. Other areas will be enhanced with soft landscape (planting), subject to the operational requirements of the site.

- BEA's Landscape Proposals drawing No. 12-62-02 Rev A, provides details of the new planting buffer along the front boundary. This has an average width of approximately 5 metres and features 5No London Plane trees underplanted with bold blocks of under-planting with shrubs which will return around the south-east corner of the site. A long strip of soft landscape will extend along the western edge of the building separating the service road and a footpath. Detailed planting notes and schedules are provided.

- Drawing No.12-62-03 Rev A, Landscape Proposals, provides planting details for the northern half of the site, featuring the re-enforcement of the northern and western boundary planting strips. Proposed planting includes 4No. specimen trees, ornamental shrubs and woodlands shrub mixes.

- No attempt has been made to provide planting on the eastern boundary which backs directly on to adjacent warehouse units.

- The submitted soft landscape proposals are comprehensive but the front boundary planting may benefit from minor amendments to provide a more robust frontage to this urban site. Hard landscape details are also required with regard to paving and boundary treatments and site furniture (lighting, bike stands and so on).

- Landscape conditions are necessary to preserve and enhance the visual amenities of the locality and to ensure that adequate facilities are provided.

Recommendation:

No objection, subject to the above considerations and conditions COM6, COM9 (items 1, 2, 4, 5 and 6).

(Officer Comment: Condition 5 (COM9) as drafted is considered sufficient in relation to the additional information requested relating to landscaping. Condition COM6 requests details of Site Levels. The site is cleared and generally level, therefore it is not necessary to be included on this planning permission.)

ENVIRONMENTAL PROTECTION UNIT:

Noise:

Please attach the following conditions:

Noise affecting residential property:

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Construction environmental management plan:

Before the development hereby approved commences, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to demolition and construction. All demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

Air Quality:

No objections to the proposed development. However, before development works commence, they need to submit details of the risk assessment and remedial works for the proposed development.

The proposed development is within the declared AQMA and in an area which currently appears to be over the European Union limit value for annual mean nitrogen dioxide, and most likely is exceeding the EU limit value adjacent to the Bath Road. The air quality assessment indicates the

magnitude of the impact from the development as 'imperceptible' for 2014 (based on estimates for background levels and traffic only), at the four receptor locations resulting in an increase of less than 0.1 mg/m³. The assessment indicates a fall in NO₂ levels at the nearest residential receptor in 2014 compared to 2011, where it is assumed the background NO₂ levels will be lower. DEFRA guidance indicates a fall in NO₂ has not been forthcoming as predicted in all areas. The air quality assessment includes 'sensitivity analysis' assuming no drop in background NO₂ levels which indicates the NO₂ levels will continue to exceed the EU limit value at the nearest residential receptor on Blunts Avenue.

It should be noted the air quality assessment is limited to background levels of pollution and traffic generated pollution with and without the proposed development only. The traffic data is noted as being provided by WSP. The Transport Statement compares the proposed development to the previous hotel development application with regard to parking provision and the number of vehicle movements. It is anticipated the new application proposal will have more HGV movements than the previous hotel development, and it is not clear if this has been accounted for fully in the air quality assessment. The air quality assessment indicates there will be a Gas powered CHP plant at the site which will be in line with the current Building Regulations, and therefore emissions from this source has not been considered within the assessment.

It is assumed this refers to a small boiler as the Energy Strategy indicates a CHP plant is not viable due to the low base load at the site. This is likely to add to the NO₂ emissions from the site, although it is anticipated it is likely to remain 'imperceptible'. No information relating to Part L 2010 of the Building Regulations has been submitted with the application (although there is a passing reference to ventilation design which has not been finalised as the tenant is unknown at this time). There is no mandatory requirement under the Building Regulations to use a low NO_x boiler. We would prefer they use an ultra low NO_x boiler at the site. Given the poor air quality at this location and depending on the final tenant/layout of offices within the buildings, they may also need to consider the ingress of polluted air at this site when considering ventilation, especially for offices fronting the Bath Road.

As the development is in and will cause increases in an area already suffering poor air quality the following are requested:

Section 106

A Section 106 obligation for £25,000 should be sought for contribution to the air quality monitoring network in the area.

The following conditions are suggested if it is unlikely NO_x/pollutant emissions and ingress of polluted air will be adequately addressed under the Building Regulations.

Air Quality Condition 1: Ingress of Polluted Air

Before the development is occupied a scheme for protecting any proposed offices from external air pollution shall be submitted for each unit and approved by the LPA. Any works which form part of such a scheme shall be completed before any part of the development is first occupied or used and measures put in place to ensure it is maintained for the life of the development.

Reason: To safeguard the occupants and amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan (September 2007).

Air Quality Condition 2 - Details of Energy Provision

Before the development is commenced, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted for each unit to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies.

Reason: To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition relates to the operational phase of residential or commercial development and is intended for the protection of future residents in a designated AQMA and Smoke Control Area. Advice on the types of authorised fuels and appliances can be found at www.defra.gov.uk.

A framework travel plan has been submitted with the application with regard to staff. It is not clear who will be acting as the travel plan co-ordinator. It notes a full detailed survey will be undertaken after 12 months. The tenants are unknown at this time. Therefore, it is recommended that full travel plans should be submitted for approval and implemented within 3 months of first occupation of each unit. The framework travel plan does not refer to a delivery and servicing plan in relation to the HGVs at the site, or work related vehicles/plant/machinery. The following conditions are recommended towards addressing travel and plant related emissions at the site.

Air Quality Condition 3 - Green Travel Plan

Within three months of the development being occupied a Green Travel Plan shall be submitted for approval to the Local Planning Authority for each unit. Due to the development being within the AQMA, the Travel Plan submitted should include the consideration of providing a personalised travel planning service to maximise the take up of more sustainable modes of transport.

Reason: To safeguard residential amenity in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: If the development is within the AQMA and close to public transport a more detailed Travel Plan should be sought. The provision of a personalised travel planning service can help to enhance the uptake of more sustainable modes of transport.

Air Quality Condition 4 - Environmental Fleet Management

Before any part of the development is occupied an environmental fleet management plan shall be submitted for each unit for approval to the Local Planning Authority. The said scheme shall include the use of low emission vehicle and plant technologies (e.g. use of electric and/or hybrid vehicles where appropriate, installation of electric charging points), environmentally aware driver training scheme (e.g. no idling), and fleet servicing and maintenance regime. The said scheme shall be implemented for so long as the development is available for use.

Reason: To safeguard the amenity of neighbouring properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Notes: This condition is used to ensure that the end development use does not increase pollutant emissions in the surrounding area. The environmental management plan should, where relevant, address issues such as environmental fleet management, travel plan etc.

Contamination:

Previous comments with regard to the site investigation at the site had been provided. Further to the 2009 comments in Appendix 1 the following remedial works have been undertaken at the site:

- i) The site has been cleared including the removal of most of the hard standing, buildings, foundations and drains, along with any visually identified contamination (no soil verification information was provided for these works).
- ii) Impacted soils in the vicinity of groundwater monitoring borehole BH115 was removed and some verification information for the excavation was provided. This area is thought to be the main source of the chlorinated solvents in the groundwater (and BH1 to the north of the site to a lesser extent).

iii) BH115 excavation was seeded with HRC (hydrogen release compound), and HRC was injected into the ground across the site to treat the chlorinated solvent plume and hydrocarbon contamination in the groundwater. HRC was injected in April 2010 and remains active for three to four years. Periodic groundwater monitoring has been undertaken to monitor the chlorinated solvent levels and the level of the breakdown products, some of which are more toxic. The Environment Agency need to decide if the level of the contaminants has dropped sufficiently with regard to groundwater (and remained below the remediation target for at least three consecutive rounds of groundwater monitoring) for the remedial works to be considered complete.

Outstanding Issues:

Feedback is required from the Environment Agency with regard to the groundwater remedial works, and if further monitoring is required at the site. It is indicated a post remedial works report will be issued on behalf of Technicolor at the site once groundwater remedial works are complete.

The remediation strategy submitted is for the earlier hotel application. It states that gas risk assessment will be undertaken which takes into account the progress of groundwater contaminants present at that time (such as break down product vinyl chloride) once planning permission is given, and goes onto say a gas risk assessment and recommendations for remedial measures will be provided for approval.

The above needs to be considered in any remediation proposal for the site and final remedial works need to be agreed with the EPU for the proposed new use. The level of vinyl chloride can fluctuate as the chlorinated solvents continue to breakdown while the HRC remains active. It is possible the levels may remain below the human health criteria for groundwater calculated for the site, provided the groundwater targets are met. (The Remediation Strategy does specify no DNAPL (this refers to a chlorinated solvent source that has sunk to the 'base' of the groundwater aquifer) had been identified to date at the site although some degree of uncertainty remains with regard to this. There is a possibility that levels of contaminants could go up as well as down due to changes in groundwater conditions.).

The applicant also needs to consider the building design with regard to the ingress of gas and vapours from the ground where it may impact on office areas, and the implications of any ventilation systems where air is drawn out of the building when considering gas and vapour risk, alongside ingress of polluted air for air quality. It is noted that the tenants are unknown at this time and final internal layouts may not be known.

The standard contaminated land condition given below is still advised for any permission that may be given. They can submit the documents listed above as part of the site survey requirement and towards some of the remedial works at the site. However, further risk assessment and recommendations for remedial works to make the site suitable for use is still required prior to development works commencing. There is recent groundwater monitoring information available, which has not been provided as part of the application. The groundwater monitoring is to determine the effectiveness of the groundwater treatment set out in the remediation strategy. Advice on the kind of information that may be required can be found in the SPG on land contamination. A separate soils condition is also advised for landscaped areas.

SUSTAINABILITY:

I have no objections to the proposed development subject to the following:

Energy Comments

The energy strategy submitted is broadly sufficient but is not yet detailed enough at this stage to understand the final design solutions. The strategy includes a number of recommendations but it is not clear how or if these will be included within the final design. Of particular concern is the extent

to which fabric improvements help deliver the final CO2 reduction targets. These are unusually high and not adequately detailed. The following condition is therefore essential:

Condition:

Prior to the commencement of development a detailed energy assessment shall be submitted showing how the development will reduce carbon emissions by 40% from a 2010 Building Regulations compliant development. The assessment shall clearly show:

- 1) The baseline energy demand (kwhr and kgCO2) for each element of the regulated energy use (e.g. space heating, hot water and electricity) for all the relevant uses.
- 2) The methods to improve the energy efficiency of the development and how this impacts on the baseline emissions and where they will be included within the development.
- 3) Full details, specification and location of renewable energy.
- 4) How the technology will be maintained and managed throughout the lifetime of the development.

The development must proceed in accordance with the approved details.

Living Walls and Roofs

The development is within an air quality management area and needs to improve opportunities for wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

Condition:

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans.

Water Efficiency

The Council is in a severely water stressed area and is therefore mindful of the additional burdens placed on water consumption by new development. The following condition is therefore necessary:

Condition:

Prior to the commencement of development a scheme for the reduction in water use including the harvesting and recycling of grey water and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is designated on Map 5.1 of the Hillingdon Local Plan as a Proposed Locally Significant Industrial Sites (LSIS). The Hillingdon Local Plan (Part 1 and 2) Strategic Policies (November 2012) are relevant. The site is designated as an Industrial Business Area (IBA) in the saved policies of the UDP.

Part 1 Policy E1 (Managing the Supply of Employment Land) states that the Council will accommodate growth by protecting Strategic Industrial Locations and the designation of Locally Significant Industrial Sites (LSIS) and Locally Significant Employment Locations (LSEL). Policy E2 of Part 1 of the Local Plan states that the Council will accommodate 9,000 new jobs during the plan period. Most of this employment growth will be directed towards suitable sites in the Heathrow Opportunity Area, Strategic Industrial Locations LSEs, etc. The policy specifically highlights that the designated employment areas along Bath Road will be protected as Locally Significant Industrial Locations, while the Heathrow

perimeter, specifically Bath Road, etc, will continue to be a key location for offices.

Policy LE2 of Part 2 of the Local Plan states that the Local Planning Authority will not permit development for other uses in industrial and business areas unless it is satisfied that there is no realistic prospect of the land being used for industrial or warehousing purposes in the future, and the proposed alternative use does not conflict with the policies and objectives of the plan.

The proposal is for the construction of two commercial buildings with a total of 9,160 sqm (GIA) to be used for employment purposes (Use Classes B1c, B2 and B8). It is anticipated that the development will provide an average of 219 jobs on the site, split between the B1c, B2 and B8 uses.

As such, the proposed development is in accordance with the employment and economic growth policies for this area and there is no objection to the principle of the development, providing site specific issues can be satisfactorily addressed.

7.02 Density of the proposed development

The application seeks to construct a light industrial warehouse and offices. As such, residential density is not considered relevant to the proposal.

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

The site does not fall within an Archaeological Priority Area, Conservation Area or Area of Special Character. English Heritage GLAAS have reviewed the application and raise no objection, subject to a condition being imposed on any consent with regard to archaeology, which is recommended.

7.04 Airport safeguarding

With regards to the height of the development proposed, BAA/Heathrow Safeguarding raises no concerns against the proposed development, subject to a number of conditions being imposed on any planning permission.

NATS was consulted on the development and raised no objections.

7.05 Impact on the green belt

Policy OL5 of the Hillingdon Local Plan Part 2 Strategic Policies (November 2012) seeks to protect the Green Belt from nearby developments, which may prejudice its visual amenity. The proposed units, due to their height and scale would be visible from the Green Belt to the north, east and west. However, the building is located in an area associated with similar commercial/industrial buildings within Heathrow Boulevard and Heathrow Gate Business Park, which border the site to the north, east and west. These existing buildings would provide a significant buffer between this land and the proposed building. The building is similar in height and scale compared to surrounding buildings and would therefore not appear overly dominant or intrusive as seen from the Green Belt. As such, given the industrial nature of the existing buildings on the site, the distance from the Green Belt, and the screening provided from surrounding developments, it is not considered that the proposed development would have a significant impact on the open nature, or visual amenities of the surrounding Green Belt, sufficient to justify refusal.

7.07 Impact on the character & appearance of the area

Policy BE25 of the Hillingdon Local Plan Part 2 Strategic Policies states that the Local Planning Authority will seek to ensure modernisation and improvement of Industrial and Business Areas through careful attention to the design and landscaping of buildings and external spaces. Where appropriate it will seek improved vehicular and pedestrian access and circulation routes through the area, and environmental improvements.

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

Although the site is currently vacant, it was previously occupied by buildings of various size and heights, particularly the Bath Road facade which featured a building with a height of approximately 13m.

The application proposes a modern industrial building on this vacant site to enhance this part of the Proposed Locally Significant Industrial Sites.

With regards to its siting and layout, the proposed development has been split into two plots with units located to the front and the rear of the site. Each unit has a separate service yard located at the rear of the building accessed off a shared access road running north from the main site access. Car parking and offices are located to the front of each unit. The building facing Bath Road would be set back by approximately 34m from the edge of the Bath Road boundary at its pinch point. Parking and landscaping would create a buffer between the building and the Bath Road boundary.

The site layout includes allocated hard standing to service the units and provide car parking. Pedestrian footpaths have been delineated and space allowed for all required vehicle movements within the site. Refuse bins and cycle parking will be located within the warehouse units.

The site layout is considered acceptable and achieves a good balance between hard and soft landscaping. Service areas and parking are evenly spread across the site and sufficient soft landscaping is proposed on the boundaries of the site. The development will have a sufficient set back from those boundaries where a set-back would be required in order to reduce the dominance of the buildings.

With regards to its overall bulk, scale and height, the previous Technicolour building was approximately 13m in height although the facade facing Bath Road was broken up with a number of set-backs. The existing offices west of the site (No. 286 Bath Road) vary in height from 13m to approximately 17m. Directly east of the site, the Airport Gate buildings measure approximately 12m in height. The proposal in this instance would have a maximum height of 15.5m. It is considered that the overall bulk, scale and appearance of the building would be consistent with existing surrounding development, in particular the buildings at Airport Gate, east of the site.

In terms of its design and external appearance, a combination of metal cladding profiles and colours are incorporated in the warehouse to allow large areas of cladding to be broken down. Vertical flashings visually break the panels into smaller components whilst a recessed horizontal flashing reduces the apparent height of the units. Ancillary offices will be positioned to face onto Bath Road or the shared access road and will incorporate windows and curtain walling.

The proposed industrial buildings, in particular as viewed from the street scene are not considered to be out of keeping with the character or appearance of other large scale developments along this part of Bath Road, or have a significant detrimental impact on the visual amenities of the surrounding area. The development will be of modern, high quality appearance which is considered appropriate within this location. Full details can be

secured by an appropriate planning condition.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Unitary Development Plan Saved Policies seek to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

The site is surrounded on three sides (east, north and west) by existing commercial uses ranging from approximately 3 - 5 storey high developments. The site's southern boundary abuts the Bath Road carriageway with Heathrow Airport boundaries south of the highway.

The nearest residential properties to the site are to the east on Blunts Avenue. The application site is separated from these properties by approximately 80m and in addition, screened by the existing Airport Gate Business Centre buildings.

In view of this it is not considered that the occupiers of these properties would be likely to suffer any undue noise and disturbance as a result of the activities proposed at the application site as it is synonymous with surrounding land uses.

The Council's EPU was consulted on the development and raised no concerns in respect of air pollution, subject to mitigation measures which can be controlled by means of a planning condition and a contribution as part of the S106 Legal Agreement.

7.09 Living conditions for future occupiers

The proposal is for an industrial building and ancillary offices, accordingly there will be no future residential occupiers. The internal layout is suitable for future users.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The development proposals are for the construction of 2 individual units that will be used for employment purposes under Use Classes B1c, B2 and B8. As part of the proposals 89 (including 12 disabled) car parking spaces will be provided, with 18 spaces supplied with electrical charging points. Additionally, parking will be provided for 44 cycles and 16 motorcycles.

In order to assess the proposals a Transport Statement has been submitted, which has demonstrated that there will not be an increase in the traffic generation sufficient to warrant a refusal in such a location. In addition, a swept paths analysis has been undertaken, which has demonstrated that vehicles can manoeuvre within the site and enter/exit the servicing areas.

The level of car and cycle parking to be provided is in accordance with the Council's and the GLA's parking requirements. Furthermore, an outline Travel Plan has been included as part of the application, which identifies a number of measures to reduce car usage and increase travel by sustainable modes of transport. This will be secured as part of any S106 legal agreement.

Transport for London, the highway authority for this road, has confirmed that they have no objection to the proposal, subject to appropriate conditions and obligations included within a legal agreement. Therefore, it is considered that the development proposals would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012, Part 2, subject to the imposition of appropriate highways and car parking conditions.

7.11 Urban design, access and security

Issues of design and access are addressed elsewhere within this report.

The application relates to an existing industrial site, which benefits from appropriate boundary treatments and security measures in the existing situation. It is therefore not considered that the proposal would give rise to any concerns in relation to security.

7.12 Disabled access

Policies R16 and AM13 of the Saved Policies UDP seek to ensure that developments of this type incorporate inclusive design, as do Policies 7.1 and 7.2 of the London Plan. Further detailed guidance is provided within the Accessible Hillingdon SPD. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from direct discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

The layout as proposed incorporates an acceptable number of disabled parking spaces, direct access from the car park for disabled users, and acceptable corridor width and acceptable widths for all internal doors.

Subject to appropriate conditions it is considered that the proposal would provide an inclusive environment for future users in accordance with Policies R16 and AM13 of the Saved Policies UDP and Policies 7.1 and 7.2 of the London Plan.

7.13 Provision of affordable & special needs housing

The proposal seeks permission for an industrial building and ancillary offices, accordingly considerations relating to affordable or special needs housing are not relevant to the application.

7.14 Trees, landscaping and Ecology

The Council's Trees and Landscape Officer raises no objection to the proposed landscaping scheme for the site subject to conditions relating to tree / landscape protection, supplementary / replacement planting schedules, a landscape management / maintenance to ensure that the landscape is established and maintained in accordance with good practice.

Subject to appropriate conditions the scheme is considered to be in accordance with Policy BE38 of Hillingdon Local Plan Part 2 Strategic Policies (November 2012).

7.15 Sustainable waste management

As the application is for a commercial development, the future occupier ultimately has discretion over which waste management methods are used. Bin stores have not been indicated on the drawings however it is considered that there is ample space on site for such a facility. Full details of waste and recycling facilities would be required by way of condition should approval be granted.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (2011) advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 40% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible. Policy 5.4 of the London Plan requires submission of an assessment of the energy demand and carbon dioxide emissions from proposed major developments, which should demonstrate the expected energy and carbon dioxide emission savings from the energy efficiency and renewable energy measures incorporated in the development.

The Design and Access Statement has a section on Sustainability and Energy Efficiency

measures which will be incorporated as part of the development. The building(s) will be designed to meet legislation levels. Further details of the proposals are provided in the Energy Strategy that has been submitted in support of the application.

The proposals have been agreed with the Council's Sustainability Officer. A condition is recommended requiring an energy assessment to be submitted by the applicant to demonstrate that the measures proposed will reduce the CO2 emissions by a minimum of 40% from 2010 Building Regulations (Part L).

Subject to conditions to secure the installation of measures in accordance with the London Plan requirements the scheme complies with London Plan Policies 5.2.

7.17 Flooding or Drainage Issues

The application site is shown to be within a Flood Zone 1. This zone (zone 1) comprises land assessed as having a less than 1 in 1000 annual probability of river or sea flooding in any year (<0.1%).

The Environment Agency has been consulted on the application and raised no objection subject to conditions relating to a remediation strategy and surface water drainage.

Subject to conditions, the proposal is considered to comply with the intentions of the Hillingdon Local Plan Part 1 & 2 Strategic Policies (November 2012).

7.18 Noise or Air Quality Issues

AIR QUALITY

With regards to air quality, the Council's EPU indicated the the application site is within an area declared as having nitrogen dioxide levels over the European Union limit for annual mean nitrogen dioxide. It is anticipated that the development will cause an increase in air pollution in an area which is already suffering poor air quality. As such, the Council's EPU requests a monetary contribution which will be secured via a S106 Legal Agreement. In addition, conditions are suggested relating to a scheme for protection from external air pollution, details of any plant / machinery, a Green Travel Plan and an environmental fleet management plan.

NOISE

No concerns were raised in respect of noise issues.

7.19 Comments on Public Consultations

The objections raised during the public consultation are addressed in the report above.

7.20 Planning obligations

Should the application be approved, a range of planning obligations would be sought to mitigate the impact of the development, in line with saved policy R17 of the Council's Unitary Development Plan.

The obligations sought are as follows:

1. Highways: to secure all necessary works and the provision of a Travel Plan, including Sustainable Transport Measures.
2. Construction Training: either a financial contribution, or an in-kind scheme delivered during the construction phase of the development, should be secured.
3. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £25,000.

4. 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.

In addition to S106 contributions and other requirements, the Mayor of London's Community Infrastructure Levy (CIL) has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail. This application is CIL liable with respect to new floorspace being created, and the sum calculated for this application based on the floor area proposed is currently £381,914.66.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

CONTAMINATION

The Council's EPU indicates that the land on the application site is contaminated. Should planning permission be granted, conditions should be imposed relating to further risk assessment and recommendations for further remedial works prior to commencement of works.

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

None.

10. CONCLUSION

There is no objection to the principle of the development involving the construction of two commercial buildings with a total of 9,160sqm (GIA) to be used for employment purposes (Use Classes B1c, B2 and B8).

The general size, height and massing of the proposed buildings is considered acceptable echoing the height and scale found on the surrounding buildings. It is not considered that the development would have any detrimental impact on the street scene, or upon anyone's residential amenity or upon the setting of the Green Belt land nearby.

Consideration has been given to the principal issue of traffic generation and vehicles servicing the site, and these matters taken together are not considered would have any significant detrimental impact on the existing highway network or highway safety.

The National Planning Policy Framework is clear that there should be a presumption in favour of sustainable economic development and that the key priority is the delivery of new jobs. The application proposals would deliver on these objectives, bringing a number of full time equivalent jobs on site (plus additional job creation in off site hotel servicing role) and secure the regeneration of a site that presently is unused and does not presently positively contribute to the street scene and with little prospect that the existing building being brought back to active life.

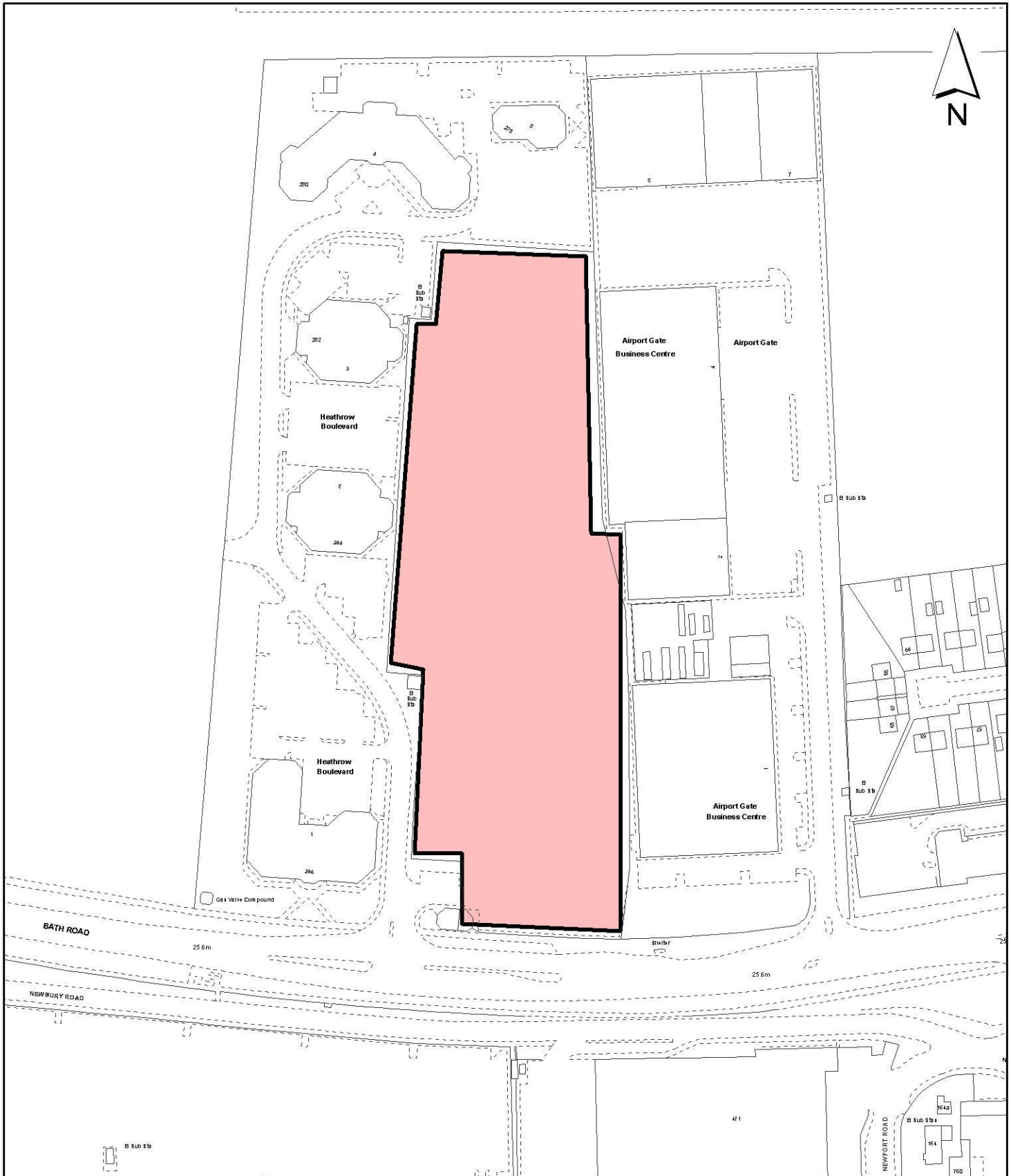
The scheme is considered to be visually acceptable and is considered to comply with relevant London Plan and Hillingdon Local Plan policies accordingly, approval is recommended subject to appropriate conditions and planning obligations.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Former Technicolor Site
276 Bath Road**

**LONDON BOROUGH
OF HILLINGDON
Residents Services**

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

Planning Application Ref:
35293/APP/2013/2709

Scale
1:2,000

Planning Committee
Major Application

Date
January 2014



HILLINGDON
LONDON