

Report of the Head of Planning, Sport and Green Spaces

Address TEMPORARY CAR PARK SITE SEALAND ROAD HEATHROW AIRPORT

Development: Installation of a multi-deck car park to provide 9 levels of parking to provide 21 staff car parking spaces for the neighbouring Gate Gourmet Building and the remainder of spaces to be a commercial car park (Outline Application seeking approval of access, appearance, layout and scale).

LBH Ref Nos: 65688/APP/2015/142

Drawing Nos: 048-EL-500
048-EL-501
048-EX-20C
048-GA-10C
048-GA-301-A
048-GA-302-A
048-GA-303-A
048-GA-304-A
048-GA-305-A
048-GA-306-A
048-GA-307-A
048-GA-308-A
048-SE-400
Covering Letter - Sealand Road
Design and Access statement - Sealand Road
048-GA-300-E
Air Quality Assessment
Transport Assessment
Planning Statement
Archaeological Assessment dated April 201

Date Plans Received: 14/01/2015 **Date(s) of Amendment(s):** 14/01/2015
Date Application Valid: 11/02/2015

1. SUMMARY

Outline planning permission is sought for the erection of a ground plus 8 level multideck airport car park, comprising a total of 2,077 spaces. The ground floor of the car park would be for the exclusive use of the adjacent Gate Gourmet flight catering business workers. The upper floors would be used for airline passenger parking and would be operated as a meet and greet car park, whereby passengers hand over their car keys at the airport terminal and the car is driven to the car park by an employee of the parking company, with the process reversed on the return journey.

The application is made in outline with all matters included, apart from landscaping.

The principle of a car park use on the site is considered consistent with Policy A4 (New Development Directly Related to Heathrow Airport) of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The proposal is not considered to raise specific amenity or environmental issues and is

compatible with airport safeguarding.

The scale and specific design of the proposed building are considered, on balance, acceptable for this location within the Cargo area at Heathrow, which is dominated by large commercial buildings, including the larger British Airways Cargo Centre warehouse and the more recent Heathrow biomass plant.

Heathrow car parks are subject to a cap of 42,000 spaces, imposed at the time of the Terminal 5 permission. The cap condition is complex. However, it is considered that the condition applies to Heathrow Airport as a whole and not just to the airport operator (Heathrow Airport Limited). There is spare capacity within the cap for the proposed parking spaces and officers consider that whether or not the airport operator should retain a monopoly control over any additional parking at the airport is not a planning matter.

The development falls within the airport boundary and under the T5 cap. The development is not considered to be subject to the usual air quality/sustainability concerns associated with off airport car parking.

The applicant refers to exceptional circumstances applying to this particular site, involving a disputed legal requirement to provide a car park for Gate Gourmet workers, which effectively sterilises the considerable development potential of the site. The applicant considers that the provision of a multi-deck car park is the only practical option available in the circumstances to ensure an efficient use of this brownfield airport site.

The proposed development is considered to comply with relevant planning policies and approval is recommended subject to conditions.

2. RECOMMENDATION

Approval, subject to the following conditions:

1 COM1 Outline Time Limit

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

2 COM2 Outline Reserved Matters

Details of the landscaping (hereinafter called "the reserved matters" shall be submitted to the local planning authority before the expiry of three years from the date of this permission and approved in writing before any development begins. The submitted details 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 (the species and coverage being acceptable in not attracting birds)

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

2.b Car Parking Layouts including demonstration that:

For the employee parking at ground level, 64 of all parking spaces are served by electrical charging points (43 active and 21 passive); 21 disabled parking bays; and 10 motorcycle bays.

For airline passengers on the upper floors, 131 of all parking spaces are served by electrical charging points (37 active and 94 passive spaces).

2.c Hard Surfacing Materials

2.d External Lighting

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

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

REASON

(i) To comply with Sections 91 and 92 of the Town and Country Planning Act 1990 (As Amended).

(ii) To ensure that the proposed development will preserve and enhance the visual amenities of the locality, to avoid endangering the safe operation of aircraft through the attraction of

birds and provide adequate facilities, in compliance with policies A4, BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015).

3 COM27 Traffic Arrangements - submission of details

Notwithstanding the submitted plans, development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2015)

4 OM2 Levels

The total height of the development hereby approved, including the lift overruns, shall not exceed 47.94 metres above ordinance datum.

REASON

To avoid endangering the safe operation of aircraft, in accordance with Policy A4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM29 No floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered.

REASON

(i) To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012);
(ii) To avoid endangering the safe operation of aircraft, in accordance with Policy A4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 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

- i) information relating to make, product/type, colour of and photographs/images
- ii) The parapet enclosure to the new car park deck

REASON

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

7 NONSC Sustainable parking strategy

None of the development hereby permitted shall be commenced until a scheme for a sustainable parking strategy has been submitted to and approved in writing by the Local Planning Authority. The approved strategy shall then be implemented as soon as the facility hereby permitted are brought into use and the strategy shall remain in place thereafter, unless otherwise agreed in writing by the Local Planning Authority.

REASON

In order to reduce carbon emissions and improve air quality across the airport in compliance with policy 5.2 of the London Plan (2015).

8 NONSC Design and construction method statements

None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-

- (i) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works,
- (iii) Accommodate ground movement arising from the construction thereof,

(iv) Mitigate the effects on Crossrail, of ground movement arising from development

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs C1(i), (iii) and (iv) of this condition shall be completed, in their entirety, before any part of the building hereby permitted is occupied

REASON

To ensure that strategic transport infrastructure proposals are not prejudiced, in accordance with Policies 2.8 and 6.4 of the London Plan (2015).

9 NONSC Parking for Airline Passengers / Gate Gourmet Staff only

The parking spaces, disability standard spaces, and electric charging bays shown on the approved plans shall be marked out prior to the commencement of use of the car park. No more than 2,077 in total shall be provided, of which a maximum of 1,862 car parking spaces shall be used for airline passenger parking only, such parking to be pre-booked and not available on a turn up and park basis. The remainder of 215 car parking spaces shall only be used by employees at Heathrow Airport.

REASON

To control the level of parking of cars by employees at Heathrow Airport and ensure that all parking is directly related to the operation of Heathrow Airport in accordance with Policies A4, AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 NONSC Low energy lighting scheme

No development shall commence until details of a low energy lighting scheme have been submitted to and approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

REASON To ensure the development contributes to a reduction in carbon emissions in accordance with Policy 5.2 of the London Plan (2015).

11 NONSC Construction training scheme

Development shall not commence until a construction training scheme to secure employment strategies to maximise employment opportunities for local residents has been submitted to and approved in writing by the Local Planning Authority. The approved scheme and timescale of providing the proposed strategy shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development contributes to community and social infrastructure to cater for the needs of the existing community and future populations in compliance with Policy C11 of the Hillingdon Local Plan Part 1.

12 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
P01 048-GA-100 - Location Plan
048-EX-200 - Site plan as existing
048-GA-300B - Ground floor / site plan as proposed

048-GA-301A - First floor plan as proposed
048-GA-302A - Second floor plan as proposed
048-GA-303A - Third floor plan as proposed
048-GA-304A - Fourth floor plan as proposed
048-GA-305A - Fifth floor plan as proposed
048-GA-306A - Sixth floor plan as proposed
048-GA-307A - Seventh floor plan as proposed
048-GA-308A - Eighth floor plan as proposed
048-EL-500 - South and east elevations as proposed
048-EL-501 - North and west elevations as proposed
048-SE-400 - Section AA, BB & CC as proposed
Design & Access Statement
Air Quality Assessment
Transport Assessment
Planning Statement
Archaeological Assessment dated April 2015

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

13 COM15 Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
 - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
 - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
 - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

REASON

- (i) To ensure that surface water run off is controlled to ensure the development does not

increase the risk of flooding in accordance with Policy EM6 (Flood Risk Management) of the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012), Policy 5.12 (Flood Risk Management) of the London Plan (July 2011) and the Planning Practice Guidance (ii) To ensure that surface water is handled as close to its source as possible in compliance with Policy 5.13 (Sustainable Drainage) of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 (Water use and supplies) of the London Plan (2015).

14 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 excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to 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 London Plan (2015) Policies 7.1 and 7.3.

INFORMATIVES

1

Please note that the proposed development sits directly above London Underground (LUL) operational railway infrastructure, namely the Piccadilly Line. The Developer should consult LUL on their development proposals and of the potential impacts upon the operational railway.

You may inspect and/or purchase copies of Plans, Sections, Environmental Statements, Explanatory Notes and Non-Technical Summaries pertaining to the Crossrail proposals at specified Libraries, Local Authority Offices or directly from Crossrail Limited at 28th Floor, 25 Canada Square, Canary Wharf, London E14 5LQ.

2 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).

3 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.

A4	New development directly related to Heathrow Airport
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
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 4.5	(2015) London's Visitor Infrastructure
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.17	(2015) Waste capacity
LPP 5.21	(2015) Contaminated land
LPP 6.10	(2015) Walking
LPP 6.13	(2015) Parking
LPP 6.6	(2015) Aviation
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.5	(2015) Public realm
LPP 7.6	(2015) Architecture
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
NPPF	National Planning Policy Framework

4 I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

5 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

6 13 Building Regulations - Demolition and Building Works

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

7

With regard to condition 8 (Sustainable parking strategy), possible initiative could include:

- . The priority pricing for customers using electric zero emission cars
- . Provision for the future provision of electric charging points
- . Free charging facilities

8

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, and 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).

9 161 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.

10 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 refer to Advice Note 3 'Potential Bird Hazards from Amenity Landscaping and Building Design'.

11 I6 Property Rights/Rights of Light

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

12

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £86,488.61, which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a 0.67 hectare roughly rectangular shaped plot, located on the west side of Sealand Road, towards the southern side of Heathrow Airport. The site is currently vacant and appears to be informally used for car parking for airport employees.

The site is bounded to the north by an electricity substation, beyond which is Southampton Road East and British Airways' World Cargo Centre; to the west by the Gate Gourmet Catering Centre; to the east by Sealand Road, beyond which is car parking; and to the south by the Southern Perimeter Road.

The site falls within the Heathrow Airport boundary as shown on the Hillingdon Unitary Development Plan Proposals Map. The Duke of Northumberland and Longford Rivers are located to the south of the Southern Perimeter Road, beyond which is Green Belt land falling within the jurisdiction of Spelthorne Borough Council. The site also falls within an Air Quality Management Area.

3.2 Proposed Scheme

Outline planning permission is sought, with all matters included, apart from landscaping, for the erection of a ground plus 8 level multideck airport car park, comprising a total of 2,077 spaces. The ground floor of the car park would be for the exclusive use of Gate Gourmet workers, who currently park in the P5 airport car park, on the east side of Sealand Road, under an agreement with the airport operator (Heathrow Airport Limited).

The upper floors of the proposed car park would be used for airline passenger parking and would be operated by a specialist airport car park company. It is proposed, given its location close to Terminals 4 and 5, that it would operate as a meet and greet car park, whereby customers hand over their car keys at the airport terminal and the car is driven to the car park by an employee of the parking company, with the process reversed on the return journey.

The ground floor includes a pedestrian security gate on the western boundary, to provide users with a direct pedestrian access to the adjoining Gate Gourmet catering facility site. The first floor comprises 215 parking spaces and a staff facility area comprising toilets / a disabled toilet, control office, rest room / kitchen, lifts and stairs. The upper floors each contain 234 parking spaces.

The car park would be constructed of reinforced concrete with steel frame and a circulatory system, incorporating a central ramp between each floor level. The elevations of the car park would comprise vertical metal louvers to the ground and first floors, with each of the upper floors comprising 4 horizontal banded metal cladding panels, with widths of 100mm and 300mm, with colour graded from darker at the bottom to lighter at the top. A steel mesh would infill between the lower banded cladding on each floor, to act as a vehicle crash barrier with open spaces above.

Existing landscaping around the road frontages would be largely retained, with the existing hedge to Sealand Road retained and reinforced as necessary, together with retention of the better trees / shrubs along the southern boundary fronting the Southern Perimeter Road, with additional tree planting as required. Access into the site would be from Sealand Road, a few metres further north from the existing access.

Energy efficient LED lighting would be provided within the car park and via reduced height illuminated bollards on the top level. Vehicular access and egress would be via electronic vehicle security barriers requiring swipe card and / or ANPR access.

Vehicular access into the site is proposed via modification of the site's existing access on Sealand Road with 2 entry barriers and 1 exit barrier. A further exit barrier is proposed further along the Sealand Road frontage that would be solely for use by the ground floor Gate Gourmet workers.

The applicant advises that their previous development proposals for this site, which included a 2009 permission for a Whitbread Premier Inn hotel plus 2 drive-through fast food

restaurants, have been prevented, partly due to an on-going legal dispute concerning a long-standing requirement to provide parking for Gate Gourmet workers. It is understood that failed mediation means the matter is scheduled to be heard at the High Court later this year and it is principally for this reason that the applicant seeks to incorporate the Gate Gourmet car park into a larger development that is compatible with it, rather than an inefficient use of the site as solely a surface level car park.

3.3 Relevant Planning History

Comment on Relevant Planning History

The site was previously vacant land used for various temporary purposes, but has been used for several years for temporary car parking by an airport car park operator. Having examined the aerial photographs of the application site, it appears that it was cleared between 1999 to 2011. The site appears to have been used as a temporary car park since 2011.

65688/APP/2009/86

Erection of a 300 bedroom seven storey hotel with 67 ancillary car parking spaces (outline application). -Withdrawn 9 April 2009.

65688/APP/2009/1274

Erection of 240 bedroom 6 storey hotel and two drive through restaurants. Outline application with details of access, appearance, layout and scale. (Restaurant details comprise access and layout). -Approved 9 September 2009.

65688/APP/2011/2990

8,751m² Gross External Area (GEA) 240 bedroom 6 storey hotel including access, car parking and ancillary works to the northern section of the site. Full Planning Application Site Area: 3,122 m²/0.3122 Hectare. Outline planning permission for 2 approx 325m²(Gross internal area (GIA)) Fast Food retail outlets to the southern section of the site. Outline application site area: 3,642m²/0.3642 hectare. Restaurant/Fast Food retail outlets details comprise access and layout (Hybrid Application.) - Withdrawn 30 October 2013.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.E3 (2012) Strategy for Heathrow Opportunity Area
- PT1.HE1 (2012) Heritage
- PT1.T1 (2012) Accessible Local Destinations
- PT1.T4 (2012) Heathrow Airport

Part 2 Policies:

- A4 New development directly related to Heathrow Airport

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
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 4.5	(2015) London's Visitor Infrastructure
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.17	(2015) Waste capacity
LPP 5.21	(2015) Contaminated land
LPP 6.10	(2015) Walking
LPP 6.13	(2015) Parking
LPP 6.6	(2015) Aviation
LPP 7.13	(2015) Safety, security and resilience to emergency
LPP 7.14	(2015) Improving air quality
LPP 7.15	(2015) Reducing noise and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.5	(2015) Public realm
LPP 7.6	(2015) Architecture
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th March 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The Notice of Proposed Development was advertised under Article 13 of the Town and Country Planning (Development Management Procedure) (England) 2010 and 2 adjoining occupiers were consulted in the surrounding area. Site Notices were posted at the site.

SPELTHORNE BOROUGH COUNCIL

No response received.

LONDON UNDERGROUND

I can confirm that London Underground Infrastructure Protection has no comment to make on this planning application. However, the site above is within the area subject to the Department of Transport's Safeguarding Directive for the proposed Crossrail route.

CROSS RAIL

Crossrail is a proposed new railway that will link Heathrow and Maidenhead in the west to Shenfield and Abbey Wood in the east using existing Network Rail tracks and new tunnels under Central London. The Crossrail Bill which was introduced into Parliament by the Secretary of State for Transport in February 2005 was enacted as the Crossrail Act on the 22nd July 2008. The first stage of Crossrail preparatory construction works began in early 2009. Main construction works have started with works to the central tunnel section to finish in 2018, to be followed by a phased opening of services. Crossrail Limited administers a Direction issued by the Department for Transport on 24th January 2008 for the safeguarding of the proposed alignment of Crossrail. The site of this planning application is identified within the limits of land subject to consultation under the Safeguarding Direction.

The implications of the Crossrail proposals for the application have been considered and the detailed design of the proposed development needs to take account of the construction of Crossrail. Therefore if, as the Local Planning Authority, you are minded to grant planning permission for the development, Crossrail Limited are of the view that the following condition should be applied:

Crossrail condition for foundation design, noise, vibration and settlement C1

None of the development hereby permitted shall be commenced until detailed design and construction method statements for all of the ground floor structures, foundations and basements and for any other structures below ground level, including piling (temporary and permanent), have been submitted to and approved in writing by the Local Planning Authority which:-

- (i) Accommodate the proposed location of the Crossrail structures including tunnels, shafts and temporary works,
- (iii) Accommodate ground movement arising from the construction thereof,
- (iv) Mitigate the effects on Crossrail, of ground movement arising from development

The development shall be carried out in all respects in accordance with the approved design and method statements. All structures and works comprised within the development hereby permitted which are required by paragraphs C1(i), (iii) and (iv) of this condition shall be completed, in their entirety, before any part of the building[s] hereby permitted is/are occupied.

INFORMATIVE: Please note that the proposed development sits directly above London Underground (LUL) operational railway infrastructure, namely the Piccadilly Line. The Developer should consult LUL on their development proposals and of the potential impacts upon the operational railway.

You may inspect and/or purchase copies of Plans, Sections, Environmental Statements, Explanatory Notes and Non-Technical Summaries pertaining to the Crossrail proposals at specified Libraries, Local Authority Offices or directly from Crossrail Limited at 28th Floor, 25 Canada Square, Canary Wharf, London E14 5LQ.

GREATER LONDON AUTHORITY (GLA)

No response.

(Officer Note: The GLA has taken the view in the past that free-standing car park applications are not referable under category 3F of the Mayor of London Order 2008, as there has to be a development associated with the car parking, not just a car park application on its own. Officers have raised the lack of response with senior management at the GLA, who have verbally indicated that the GLA do not consider it a referable application).

TRANSPORT FOR LONDON (TfL)

The following comments are made by Transport for London officers on a 'without prejudice' basis only and are intended to ensure that this development is successful in transport terms and in line with relevant London Plan policies.

It should also be noted that any grant of planning permission would not discharge any requirements under the Traffic Management Act 2004 and additional notifications and approvals may be needed for any highway works that might arise from the proposals.

The site is bounded to the east by Sealand Road and to the south by the Southern Perimeter Road. Both of these roads are private and managed by BAA as part of Heathrow Airport. To the north is an electricity sub-station and infrastructure associated with the Heathrow Express railway, and to the west is a service yard. The nearest part of the Transport for London Road Network (TLRN) is the A30 Great South West Road 1.4km to the east.

The 482 and 490 bus routes stop immediately to the south of the site. However, as these are relatively low frequency routes, the site records a very poor Public Transport Accessibility Level (PTAL) of 1b, on a scale from 1a to 6b where 1 is lowest. The closest rail or underground services are located at Heathrow Terminal 4, approximately a 1.4km walk to the east of the site.

It is understood that the site is currently used as temporary airport car parking, but it is not clear whether this use benefits from a planning consent, or how the current car parking counts towards to Terminal 5 cap referenced below. It is also understood that a covenant exists to provide up to 280 car parking spaces for staff at the adjacent Gate Gourmet factory on the site.

However, these spaces are currently provided in a car park opposite the site on the eastern side of Sealand Road and this relationship should also be clarified.

A previous planning application for a hotel and drive through restaurants (65688/APP/2009/1274) was permitted but has since lapsed, and a subsequent application for similar uses (65688/APP/2011/2990) was withdrawn in 2013.

Airport capacity is of great importance to the London economy and plays a central place in London's international competitiveness and status as a world city. The London Plan however notes that Heathrow's location results in negative impacts to local communities. As such, London Plan policy 6.6, focusing on aviation, states:

'The Mayor supports improvements of the facilities for passengers at Heathrow to ensure the availability of viable and attractive public transport options to access.'

This position is also mirrored in the planning permission for Heathrow Terminal 5 which opened in March 2008. Following an inquiry into the proposal, the inspector concluded that a cap of 42,000 car parking spaces should be imposed on any consent for the terminal, of which no more than 17,500 spaces should be made available for staff. This was formalised through planning condition A85 of the relevant planning permission which imposes this cap on identified airport car parking sites only and specifically states that on sites elsewhere in the airport that are available for airport related development, the local planning authority's car parking standards should apply. The reason given for the imposition of this condition is 'to limit traffic generation and promote the use of sustainable transport modes'.

This is reinforced in your council's Development Management Policies in the Local Plan Part 2, consultation on a proposed submission version of which has recently concluded and therefore carries significant weight. Policy DMAV2 states:

'Development proposals within the Heathrow Airport boundary will only be supported where (ii) there is no intensification of noise and aircraft movements or increase in car parking numbers beyond the currently permitted levels in the Secretary of State's decision on planning application 47853/93/246'

It is our understanding that as the proposed car park is not located on a site identified for airport car parking, and would not be under the direct control of the airport that any car parking spaces delivered on it would not count towards the cap imposed by the inspector as part of the Terminal 5 decision and secured via condition A85.

We would be grateful if you could confirm whether this is also your view.

That being the case, we note from the applicant's submission that as of 2013 (the latest available data) there were 36,849 spaces provided within the airport and the addition of 2,087 spaces now proposed would not exceed that cap. We believe however, that the airport would also be able to build out the remaining 5,151 spaces without regard to these 2,087 spaces. In this case, the net effect would be a parking provision within the airport boundary greater than that considered appropriate by the inspector at the time of the Terminal 5 enquiry.

The National Planning Policy Framework confirms that the transport system should be balanced in favour of sustainable transport modes. It also references the government's Framework for UK Aviation, the latest draft of which states that 'All proposals for airport development must increase the use of public transport by passengers to access the airport, and minimise congestion and other local impacts'. Similarly, in addition to the above referenced aviation policy, London Plan Policy 6.13 states that

'The Mayor wishes to see an appropriate balance being struck between promoting new development and preventing excessive car parking provision that can undermine cycling, walking and public transport use'.

If these proposals would result in a car parking provision above that set by the inspector in order to limit car trips and promote the use of sustainable modes, TfL is concerned that the application may not be compliant with national, London or local planning policy.

TfL's concerns in that respect are pertinent given the work currently being undertaken on the UK's airport capacity by the Airports Commission. Three options for additional capacity have been shortlisted, of which two involve the provision of additional capacity at Heathrow. Through the Mayor

of London's response to the Commission's consultation, we have raised concerns that the analysis of the two Heathrow options assumes a significant shift from road to rail, in part based on a number of uncommitted and unfunded surface access schemes. It should also be noted that as part of this work, the airport have stated that expansion can be achieved with 'no more Heathrow-related vehicles on the roads than today' ('A New Approach - Heathrow's options for connecting the UK to growth', January 2014). Clearly, the provision of additional car parking outside of a strategic approach to minimise congestion in the area round the airport is not compatible with these aims.

Given the issues outlined above, TfL have concerns over these proposals. The GLA will be providing a more detailed response in due course. I hope this is useful and please do not hesitate to contact me if I can be of any further assistance.

(Officer Note: It is considered that the parking spaces would count towards the cap, and would not result in a car parking provision above that set by the T5 Inspector in order to limit car trips and promote the use of sustainable modes).

HIGHWAYS AGENCY

No objection.

HEATHROW SAFEGUARDING

No objections to the proposed development. The following observations are however provided:

Birds:

The development is close to the airport and the landscaping may attract birds which may in turn create an unacceptable bird strike hazard. Any such landscaping should therefore be carefully designed to minimise its attraction to hazard bird species. Your attention is drawn to Advice Note 3 - Potential Bird Hazards: Amenity Landscaping and Building Design.

Lighting:

Lighting The development is close to the aerodrome and the approach to the runway. We draw your attention to the need to carefully design lighting proposals.

Cranes:

Given the nature of the proposed development it is possible that a crane may be required during construction. We would therefore draw the applicants 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.

NATS SAFEGUARDING

No safeguarding objections.

HEATHROW AIRPORT LTD

Background to the T5 car parking cap

As you are aware, the site falls within the Heathrow Airport boundary as identified within the Council's Local Plan. That same boundary formed an important basis for the Terminal 5 Inquiry in defining the extent to which we were able to control the use of 'on -airport' land to address the needs of an expanded airport. In particular, it set the effective boundary for Heathrow in providing additional employee and passenger car parking on land within its control. This of course is to be managed within an overall car parking cap of 42,000 spaces as set out in condition A85 of the 2003 Terminal 5 S.73 planning consent (or condition A88 of the original 2001 Terminal 5 decision).

The condition makes reference to a car parking plan T5/COND/PLAN15 which highlights those areas of Heathrow controlled parking to which the condition relates. This continues to broadly reflect the current geography of Heathrow controlled parking on-airport. The condition precludes us from transferring any car parking from those sites to other land on airport (comprising leased areas and sites for airport related development) without prior agreement and where a direct substitution is proposed.

Heathrow's approach to managing car parking

We continue to carefully manage our employee and passenger parking within the car parking cap, bearing in mind that the 42,000 spaces were intended to meet the needs of an airport serving 90-95mppa. Our annual car park count submission under part 3 of condition A85 illustrates how we manage our parking to meet the needs of passengers, employees and our construction workforce. You will see that spaces have broadly increased as passenger numbers have increased.

As part of this, we make considerable effort to promote sustainable travel choices and reduce parking demand. This includes:

- investment in Heathrow Express and commuter rail services (inc. Crossrail);
- investment in public transport initiatives, including funding support for bus routes and early morning services;
- heavily discounted staff travel on rail and bus;
- maintaining the largest car share scheme in the world; and
- promoting improved rail links to the airport from the west and south.

The parking that we provide on airport plays an important role in part-funding many of the above initiatives through the Public Transport Levy. At the same time, we look to ensure that the parking products we offer are sustainably located and provide a proportionate balance in the type of product offered and the locations that they serve.

All of the above is critical in maintaining and improving our public transport mode share - an objective which the Council strongly support through many of its local policies and its engagement in the Heathrow Area Transport Forum. It is also consistent of course with the T5 Inspector's reasoning for imposing the cap so Heathrow could make a real effort to minimise the use of the car.

Implications of third party public car parking on airport

Our efforts to manage and reduce car use reflect the whole purpose for which the condition was imposed - "to limit traffic generation and promote the use of sustainable transport modes ". Third party public parking on airport, presents us with challenges in meeting this objective:

- it does not contribute to funding the initiatives needed to drive down car use;
- the 'beneficial competition' that Arora points to in its application actually has the potential to encourage more trips to the airport through cheaper additional parking, rather than encouraging more

sustainable travel modes (which remains one of our primary objectives) through careful management of parking demand and supply; and

- it does not reflect our strategy to provide an efficient and balanced range of passenger parking product (short stay, long stay, valet) in convenient locations on airport which helps minimise traffic and emissions.

Only where we control the provision of and type of parking on airport, together with the incentivisation, funding and provision of other sustainable travel opportunities, can we properly achieve this objective in a coordinated and consistent manner.

It is our firm view, and previously the Council's view, that any third party parking on airport cannot be included within Heathrow's car parking cap. This is for the simple fact that it is not within our control. Approving the additional parking now and including it within our parking cap will simply increase supply at a disproportionate rate, meaning that our careful management of demand and supply for on airport parking will be frustrated. As above, if the parking is not within our control, the objectives and requirements of the condition cannot be achieved.

We are limited in our ability to prevent our tenants from operating public car parks on leased areas of the airport. It is clearly not our intention, however, that leased areas are utilised for this purpose bearing in mind our comments above. It was originally envisaged that the applicant, Arora, would utilise the application site for airport related development as per T5/COND/PLAN16 (also referenced under condition A85). The previous consent for a hotel and two drive-thru restaurants was essentially acceptable in that context.

Implementation of the current proposal for a multi-deck would effectively preclude any use of the site for airport related development. This goes against the requirements of the condition, particularly since Arora has no ability to substitute other airport land for airport related development.

It is the Council's responsibility to ensure that the spirit and requirements of planning condition A85 are being applied. Allowing third party parking on-airport does little to assist Heathrow and the Council in achieving its objectives of reducing traffic generation and promoting the use of sustainable transport modes.

Precedent

As highlighted in Arora's planning application, the Council, in approving the construction of a multi-deck car park off the A4 Bath Road to the east of the airport (adjacent to the Premier Inn), clearly accepted that the proposal was not subject to the Terminal 5 parking cap since it was one of the few sites not in our control. Moreover, the committee report notes that the additional parking was contrary to the spirit of the T5 condition but significant other considerations existed at the time to justify relaxing on airport parking restrictions (i.e. the fact that this parking was effectively replacing a number of unauthorised sites in the green belt).

Heathrow's overall position on the proposed application

We object to the application for the following reasons:

- The proposed parking cannot be included in Heathrow's car parking cap since it is not within our control;
- The proposed parking will inhibit our ability to achieve the objective of limiting traffic generation at the airport and promoting sustainable transport modes;
- The proposed parking will not contribute towards the funding of sustainable transport initiatives that help achieve this objective.

HISTORIC ENGLAND

Letter dated 24 August 2015

Recommend No Archaeological Requirement Recommend No Archaeological Requirement

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

A predetermination archaeological evaluation has been carried out as requested by this office as part of the application. The investigation has been a very useful exercise and provided sufficient information on the nature and significance of the archaeological remains which would be impacted by the proposed works. The Evaluation Report produced by Allen Archaeology Limited and dated August 2015 indicates that parts of the site have been subjected to significant truncation. Towards the southern end of the site, the truncation appears to be less however the only feature identified in this area comprised an undated pit/ditch terminus.

Having considered the proposals with reference to the results of the evaluation, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

No further assessment or conditions are therefore necessary.

Internal Consultees

HIGHWAY ENGINEER

. Provision for electric vehicles should allow for 20% active and 10% passive bays. These should be proportionally distributed across standard and disabled parking bays.

b. Given that the Gate Gourmet parking for 215 vehicles is a replacement parking currently taking place on the adjacent site, no assessment has been undertaken of the potential additional traffic generation / impact of an equivalent number of parking bays continuing to remain on the adjacent site.

c. It is not clear how the car parking provision for Gate Gourmet compares with LBH maximum car parking standards, given that the parking on the adjacent site remains in place.

d. As previously indicated, the use of the non-Gate Gourmet parking should be conditioned to restrict use as a 'meet and greet' car park only.

e. The use of the replacement Gate Gourmet car parking should be conditioned to restrict use by employees of Gate Gourmet only. Some thought is required regarding control of this parking in the event that Gate Gourmet operations cease / relocate etc.

f. Given that Sealand Road is a private road, if it is acceptable, a condition should be attached requiring the design of the access junctions to be agreed. The northern access (exit only) shows an asymmetrical layout and the southern access shows the splitter island that should be set back from the edge of carriageway.

g. Motorcycle parking should be provided at a rate of 1/20 car parking spaces. The drawing appears to show 8 motorcycle parking bays only.

There are no highway objections to the proposed development subject to the above.

(Officer Note: The requirement for 10 motor cycle spaces has been secured by condition.)

ENVIRONMENTAL PROTECTION UNIT

No objections subject to a condition requiring a construction management plan and standard construction informative.

Air Quality

The scheme increases in road traffic along the southern perimeter road, contributes to exceedence of the air quality objective for annual mean nitrogen dioxide at two relevant receptors, albeit these receptors are located in Spelthorne, R1 and R2. The borough considers that any exceedence of the air quality objective will be deemed as significant given that it is a level set to protect human health. Local authorities have a duty to take action towards achieving compliance and to use mechanisms such as the planning process, to help achieve this aim.

There are no mitigation measures suggested to address the issue of the exceedences. Such measures could include a reduction in the number of car parking spaces and hence a reduction in the number of road traffic movements, priority pricing for customers using electric zero emission cars. The applicant should consider this.

A contribution towards monitoring in the area would be appropriate, £12,500 is equivalent to a year of automatic monitoring.

ACCESS OFFICER

The site is located on the west side of Sealand Road, on the southern side of Heathrow Airport. The Design & Access Statement refers to accessible parking being available in the adjoining Gate Gourmet site, and therefore proposes that accessible parking is not required as part of this proposal on the ground floor which is envisaged would be used exclusively for Gate Gourmet staff.

The other eight levels above ground would be used by airport staff operating a 'meet and greet' service. It is anticipated that the car park would not be used by members of the public, with a car park concierge collecting a car to be parked from the terminal and driving it back to the terminal upon the customer's return.

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from 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.

Given the intended use of the proposed car park, no fundamental objection is raised from an accessibility standpoint, provided:

1. Disabled and older customers would ordinarily not be required to park their vehicles, or otherwise use the car park independently.
2. A minimum of one parking space per car parking deck is provided with a 1.2 metre wide side transfer zone (hatched markings); to cater for instances where it may not be possible or desirable for airport staff to drive a vehicle adapted for the specific needs of a disabled person.

Conclusion: No objection provided the issues raised in points 1 and 2 above are secured by way of a suitable planning condition.

(Officer Note: Revised plans show additional disabled parking bays)

URBAN DESIGN AND CONSERVATION OFFICER

The site lies within the proposed Heathrow Archaeological Priority Zone. It is noted that GLAAS has requested further work on this matter. No other historic assets appear to be likely to be affected by this application.

TREE AND LANDSCAPE OFFICER

LANDSCAPE 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. Saved policy OL1 and 2, and the National Planning Policy Framework seek to restrict inappropriate development and retain the openness, character and appearance of the Green Belt.

- It is assumed that the hedge along the Sealand Road frontage will be removed to facilitate the construction of the car park.
- The Design & Access Statement confirms (4.3) that the most recent application submitted for the site (2011/2990) was for a 6-storey hotel (now expired). At 5.4 the report states that the overall height of the car park will be 23.8 metres to the top of the parapet (25.3 metres at the stairwells). The parapet height will be 2 metres(+) higher than the plant room height of the consented hotel scheme.
- Landscaping is referred to at 5.7, where it confirms that the landscape buffers to the south and east of the site will be either retained or re-inforced, to 'create a more pleasing environment at ground level'. The landscape should also be designed to part-screen / filter views of the new building.
- Unum's drawing No. 048SE-400 provides sections through the 9 level car park decks. - While some existing local street views have been photographed, there is no landscape or visual impact analysis to assess the effects of the development. Visualisations / computer generated images would have been useful.
- Unum's drawing No. 048-GA-300 Rev A indicates the retention of the roadside vegetation to the south of the site. It also indicates new buffer planting - a mix of trees, shrubs and grass areas - on the Sealand Road frontage.
- Although landscaping is a reserved matter, the siting and layout of the development safeguards space and opportunity for landscape retention and /or enhancement in accordance with BE38.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS:

No objection, subject to the above observations and COM9 (parts 1,2,3,4,5, and 6).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site falls within the Heathrow Airport boundary. Policy A4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) requires development directly related to Heathrow Airport to be located within the airport, and development not directly related to Heathrow Airport to be located outside the airport boundary. Airport car parking is directly related to the operation of Heathrow Airport and the proposal is therefore considered to be in accordance with Policy A4.

The proposed use of the ground floor area of the car park for Gate Gourmet workers is also considered to be in accordance with Policy A4, as Gate Gourmet provides in-flight meals for airlines and is located in large commercial premises adjoining the site's western boundary and is itself within the airport boundary.

The site is located within the airport's cargo area where it is surrounded by commercial airport activities largely comprising airport warehousing; commercial units; the airport's major new biomass plant; and car parking. However, the applicant points out that the size of the site and its vehicular access off Sealand Road limit its ability to physically accommodate an airport sized warehouse or air cargo transit sheds. Previously, the site has been used for airport car parking, but the planning permission granted for a hotel in September 2009 (ref: 65688/APP/2009/1274), which included 2 drive through restaurants has not been implemented, due to commercial issues. Accordingly, the applicant submits that the size of the site and its location within the cargo area militate against its use for traditional airport cargo purposes.

The applicant further submits that the requirement for use of the site to provide parking for Gate Gourmet workers sterilises use of the site for alternative development such as the previously permitted hotel and drive through restaurants. The legal requirement also effectively precludes a mixed use development at the site and consequently, the applicant submits that a multi-deck car park is considered the only practical development option that makes efficient use of the site, whilst accommodating the necessary Gate Gourmet car park.

Heathrow Airport Car Parking

The issue of Heathrow Airport car parking was considered in great detail at the Terminal 5 planning Inquiry. In his decision to permit Terminal 5 in November 2001, the Secretary of State placed a condition upon the permission, limiting the number of on-airport car parking spaces to 42,000 (including a maximum of 17,500 staff spaces). This condition places a strategic limit on the level of parking at Heathrow Airport and helps secure the required long-term modal shift of airport users onto public transport.

Condition A85 of the T5 Permission provides, at paragraph 1:

"No more than 42,000 car park spaces shall be provided of which no more than 17,500 spaces shall be available to employees at Heathrow Airport on the land shown as yellow on T5/Cond/Plan 15 ('Car parking land identified in connection with 46,000 proposed car parking cap') or such substituted land as may from time to time be notified in writing to the Local Planning Authority."

Paragraphs 2-5 make further provision in relation to car parking at Heathrow Airport.

The application site is within the red line boundary of Heathrow Airport depicted on the plans accompanying the T5 Permission.

The issue that has arisen in relation to the current application is firstly, whether there is capacity for the proposed 2,077 parking spaces under the T5 cap. The current total stands at 38,448 spaces (as stated in the 2014 A85 Terminal 5 car park count submission), which is well within the cap limit, despite the airport's runways effectively operating at full capacity. The latest annual count referred to above had the following commentary, which is considered by officers to marry completely with the on ground observations and planning records:

"Since the submission last year (2013), the total number of HAL parking spaces has increased from 37,649 spaces to 38,448, which represents a 2% increase. This increase can primarily be attributed to the opening of MSCP2. Some additional capacity at T1 Business Car Park and Click Park on Sanctuary Road also contribute to the increase.

Staff parking has seen a reduction in parking from 15,605 last year to 13,496 this year, representing a 14% decrease. This drop in parking is mainly due to the change in the Parking Express (PEX) site switching from staff to public parking.

Construction parking has increased slightly from 800 to 839 spaces. This change has been balanced by the conversion of the N2 car park from part staff, part construction to a wholly construction car park and loss of the construction parking in the E2 car park to staff parking

Tenanted parking has seen an increase of 440 spaces, from 11,555 last year to 11,995 this year. Most of the increase is due to British Airways re-opening spaces in their TBC car parking block which were out of use during 2013 due to construction work."

The second issue is whether the new parking spaces proposed by the applicant would count towards the cap, so that if permission was granted, the 2,077 further new spaces could be provided at Heathrow Airport without breaching condition A85.

Having sought legal advice, it is officers view that the proposed parking spaces would count towards the cap, as the intention and effect of paragraph 1 of Condition A85 is that the total amount of parking spaces within the red line boundary of Heathrow Airport (as shown on the plans accompanying the T5 permission) must not exceed the 42,000 cap (no more than 17,500 of which must be staff parking), and the application site falls within that red line boundary.

It is also noted that paragraph 15.6.1 of the T5 Inspector's Report arising out of the Terminal 5 inquiry states that the parking cap was intended to apply to "the whole airport if terminal 5 were approved."

The consequence of this is that the total amount of parking within the red line boundary of Heathrow Airport, inclusive of the current application scheme, would not exceed the 42,000 cap and condition A85 would not be breached.

In light of the above mentioned considerations, no objections are raised to the principle of passenger and staff parking at this location within the Heathrow airport boundary.

7.02 Density of the proposed development

The London Plan density matrix, and HDAS density guidelines relate specifically to residential developments. As such, the density of commercial and industrial schemes needs to be assessed on a case by case basis taking into account issues such as urban design, landscaping, parking, traffic impact, etc. These issues are all discussed later in the report.

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

The site does not fall within close proximity to any listed buildings, conservation areas, or areas of special local character.

The site is within the Heathrow Archaeological Priority Zone, a designated area of archaeological interest particularly, but not exclusively, for pre-roman remains. In this case GLAAS required the submission of a desk based assessment and consequent on-site

investigations which were carried out in June 2015. The site investigations confirmed that no evidence of significant archaeological remains remain at the site and the archaeological potential of the site is low.

Historic England (GLAAS), having considered the proposals with reference to the results of the evaluation, conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and no further assessment or conditions are therefore necessary.

7.04 Airport safeguarding

BAA Safeguarding and National Air Traffic Services (NATS) have both confirmed that they have no objections to the proposal, subject to appropriate conditions and informatives.

7.05 Impact on the green belt

Policy OL5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to protect the Green Belt from nearby developments which may prejudice its visual amenity. Whilst the proposed multi deck car park would be visible from Green Belt land, the nearest of which is located approximately 140m to the south in Spelthorne, the Southern Perimeter Road, Duke of Northumberland and Longford Rivers, and Bedfont Road to the south, provide a buffer between this land and the proposed building. Hoardings along Bedfont Road also limit these views to an extent and extensive tree planting within and on the boundary of the Green Belt land would also restrict any long distance views from here.

In addition, the proposed car park would be seen in context with other large scale airport related developments. As such, and the distance of approximately 140m, it is not considered that the proposal would have such a detrimental impact on the visual amenity of the Green Belt sufficient to justify refusal.

It should be noted that no objections have been received from Spelthorne Borough Council

7.07 Impact on the character & appearance of the area

The northern side of the Southern Perimeter Road is dominated by Heathrow's main cargo area and, as such, is characterised by large scale functionally designed warehouses, hangars and industrial buildings. Sealand Road provides access to the large British Airways World Cargo buildings and associated office buildings and car parks, and the adjacent Gate Gourmet catering facility. The southern side of the Southern Perimeter Road is bounded by the Duke of Northumberland and Longford River corridors and associated landscaping and footpaths, which run parallel with the road. Beyond the rivers is Green Belt land falling within the jurisdiction of Spelthorne Borough Council.

Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new development complements and improves the character and amenity of the area. London Plan Policy 7.6 further requires new development to be of the highest architectural quality, enhance, activate and appropriately define the public realm, meet the principles of inclusive design and incorporate best practice in resource management and climate change mitigation.

The proposed car park would be 8 stories high but each storey is only 2.72m high (apart from the 3.6m ground floor) making the total height only 23.8m (excluding an extra 1.5m for lift overruns). This is comparable with the height of the hotel previously permitted on the site (6 levels plus roof plant) although it would have a greater mass than the hotel and would be sited further south within the site. The proposed car park would be one of the tallest buildings in this area, but would be smaller than the approximately 35m high BA World Cargo

building to the north west and lower in height than the 34.8m high flue stacks on the 18.6m high main building of the airport's biomass power station, on part of the P5 car park on the opposite side (east side) of Sealand Road.

Neither NATS or Heathrow Safeguarding have raised objections to the height of the proposed car park. However, given the location of the development close to the approach to the runway, a condition is recommended, to ensure that the height of the building does not exceed that shown on the submitted plans.

The proposed elevational treatment for the car park seeks to limit the perceived mass of the building by using a mix of different width hit and miss cladding panels interspersed with 300mm gaps to create a geometric rhythm to the facades. The shading of these blue panels with lighter grading relative to height "lightens" the facade and its resultant visual impact. In contrast to the upper floors, the ground and first floor would be clad with vertical louvres with limited windows to stair cores and the first floor operator's office area. This treatment will present a better appearance to pedestrians by providing appropriate screening to parked cars inside and providing the building with a commercial character, that would be different to standard multi-deck car parks. It is not considered that the size, height or scale of the proposed building would be out of keeping with the many existing, large scale, and eclectic airport buildings that characterise Heathrow in general and specifically the Cargo area.

The proposed provision of enhanced boundary screening to the site's 2 road frontages not only reflects the existing landscape screening but enables the planting of trees which would provide improved visual greening compared to the existing.

On balance, it is not considered that the proposed development would be out of keeping with the character or appearance of the surrounding area sufficient to justify refusal. In view of these considerations, and subject to appropriate conditions, the proposed multi-deck car park is considered to comply with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.6 of the London Plan.

7.08 Impact on neighbours

The site is bordered by commercial development within Heathrow Airport and, as such, it is not considered that that the proposal would have any significant detrimental impact on the neighbouring uses in terms of overlooking, overshadowing or noise.

7.09 Living conditions for future occupiers

Not relevant to this type of application. Guidelines referring to living conditions relate to residential developments.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

TRAFFIC IMPACT:

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that proposals for development will be assessed against their contribution to traffic generation and impact on congestion, having regard to the present and potential capacity of public transport and that the traffic generated by proposed developments would need to be accommodated on principal roads without increasing access demand along roads or at junctions already used to capacity, not prejudice the free flow of traffic, nor diminish environmental benefits brought about by other road improvement schemes or infiltrate local roads.

All roads surrounding the site are Airport Roads and are not therefore under the control of

the highway authority. However, the anticipated traffic generation is not considered to have an adverse impact on the road network on the basis of an average stay of 4 days for the airport car parking and continuous 8 hour shift changes for the ground floor Gate Gourmet staff. Gate Gourmet parking already takes place in the Airport's P5 employee car park on the opposite side of Sealand Road although it should be noted that the proposed ground floor provision of 215 spaces for Gate Gourmet would be less than the 350 car park spaces issued to each shift of Gate Gourmet workers to park in the airport's P5 car park. So there would be a reduction in parking provision available to Gate Gourmet.

All of the vehicles using the car park can only access the site via the dual carriageway Southern Perimeter Road only. There should be no measurable adverse impacts on any local authority controlled roads or any local roads as the dual carriageway Southern Perimeter Road does not pass any residential properties and is designed to cater for airport cargo and T4 traffic. In addition, predicted traffic generation levels are significantly below the level of trips predicted for the previously approved hotel and drive through restaurants.

It is considered that the proposed airline passenger parking on the upper floors ought to be calculated as part of the airport's T5 Car Park Cap Condition (maximum 42,000 spaces). The mechanics of the T5 Car Park Cap Condition are complex and it is considered it should apply to all land at Heathrow Airport, whether under the ownership of the airport operator or not. Ownership of land is not normally a material planning consideration and it is not considered that the T5 Car Park Cap Condition should enable the airport operator to construct a car park on this site but at the same time prevent a different owner from doing so.

The current car park cap total stands at 38,448 spaces (as stated in the 2014 A85 Terminal 5 car park count submission), which is well within the cap limit of 42,000, despite the airport's runways effectively operating at full capacity. This condition places a strategic limit on the level of parking at Heathrow Airport and helps secure the required long-term modal shift of airport users onto public transport. The 1,862 spaces to be used for airline passenger parking would represent an additional 5% of spaces compared to the current level on airport (including the recent additions at the T5 Business & N2 car parks) and would be over 3,000 spaces short of the 42,000 cap figure.

In addition to the Gate Gourmet legal dispute, the applicant has put forward a number of arguments in support of the proposed car park, including the future loss of 7,500 airport car parking spaces at the Southall Gas Works site once it is redeveloped, which is likely to result more airline passengers using friends, family and mini cabs to be dropped-off when taking flights and when picked up again on their return which normally results in 4 separate road trips to and from the airport compared with only 2 trips if a passenger drives and parks their own car at the airport.

Figures provided by the applicant derived from 2008 CAA survey data from Heathrow indicate that taxis comprise 26% of passenger journeys, kiss and fly 23.5% and park and fly only 11.3%, the remaining percentage being via public transport and other modes. Significantly, the Heathrow Airport Limited's Sustainable Transport Plan 2014 - 2019 states that:

The highest demand is from passenger drop-off modes (taxi and kiss & fly) and from staff in single occupancy cars. Therefore our approach to managing traffic growth and congestion will be to focus on reducing these elements of Heathrow-related traffic. There are also on-

airport capacity challenges, with terminal forecourts and the Heathrow road network subject to peak-period congestion. We need to improve the resilience of our network, for example in the Central Terminal Area, where there is a single point of access. Some of our car parks are also approaching capacity, and are often full during the busiest periods of the year. Lack of on-airport parking space can cause passengers to shift to drop-off and taxis, which increases traffic volumes and emissions.[Page 23]

Accordingly, there is some merit to ensuring an appropriate level of passenger parking at Heathrow as a method of limiting the extent of vehicle drop-offs which involve a doubling of the number of trips to and from the airport.

CAR/CYCLE PARKING:

At the request of the Highway Engineer amendments have been made to the ground floor plan to provide disabled spaces, electric charging bays and amend a dual exit barrier lane to a single lane. The upper levels of the car park would only be accessed by car park employees and not by members of the public. Meet and Greet parking enables customers to drive direct to the airport terminal drop-off where their car is then parked by a car park employee so avoiding the need for customers to transfer from the car park to the terminal.

7.11 Urban design, access and security

The surrounding area is characterised by large scale industrial buildings and associated car parking associated with Heathrow Airport. This includes the very large scale, approximately 300m by 90m by 35m high BA World Cargo building, which is located approximately 180m to the north west of the site, and its ancillary approximately 110m by 57m by 10m high Premium Products Cargo building and 2-storey car park located beyond Southampton Road immediately to the north of the site. There is also the recently completed biomass power station on part of the P5 car park on the opposite side (east side) of Sealand Road, which has a main building height of around 20m with the main flue stacks at 34.8m.

The proposed decked car park would be 23.8 metres high (excluding lift overrun). Given the large scale nature of nearby buildings, and the site's on airport location, it is not considered that the size, scale, mass or height of the proposed building would be out of keeping with that of surrounding development in this location or around the airport.

The design approach to the proposed car park is considered reasonable in seeking to break down the perceived scale of the building by using horizontal banding with lightening blue colour in relation to height. This approach has been used successfully on a range of large building such as warehouses and is necessary given the scale of the proposed building. The provision of enhanced landscaping will also help soften the lower levels of the building in contrast to nearby airport sites the generally have less landscaping to the Sealand Road and Southern Perimeter Road frontages.

The airport's cargo area is strongly commercial in character and the existing Cargo multi-deck car park located approximately 350m to the west of the site also fronts onto the Southern Perimeter Road and provides a precedent for multi-decked parking along the airport's southern perimeter road. Accordingly, it is considered the proposed design is satisfactory.

ACCESS:

Addressed in Section 7.10.

SECURITY:

It is proposed that the car park will be provided with external and internal CCTV coverage as part of the process to obtain Park Mark accreditation. This can be secured by condition.

7.12 Disabled access

The car park would have level lift access to every floor along with 10% disabled parking bays on the ground floor. 10% of the staff parking at ground floor level would be suitable for use for mobility impaired persons.

7.13 Provision of affordable & special needs housing

Not relevant to this application. There is no requirement for this type of development to contribute towards the borough's affordable or special housing needs.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

The site currently benefits from a tall evergreen hedge along its eastern boundary, and a mix of tall shrubs and trees along the southern boundary, although the quality of the existing vegetation is relatively poor.

The existing operational site area is fenced and comprises a compacted hardcore surface with areas of tarmac and concrete but no landscaping. The wider site ownership area benefits from a mature hedge and grassed verge along most of its eastern boundary frontage to Sealand Road, and a mix of tall shrubs and trees along the road frontage to the Southern Perimeter Road although the quality of the existing vegetation is relatively poor. The other northern and western boundaries do not front onto roads and contain no landscaping, only security fencing. Whilst landscaping is reserved for future consideration, the indicative landscaping plan proposes an appropriate landscaped green edge to both reinforce / improve or replace the existing landscaping. The provision of hedge planting interspersed with appropriate tree planting along the site's road frontages would help to mitigate the impact of the car park building.

The tree and Landscape Officer raises no objections. Subject to necessary conditions, including reserved matters landscaping requirements, the scheme is considered to comply with Policy BE38.

7.15 Sustainable waste management

Not applicable to this car park.

7.16 Renewable energy / Sustainability

The only energy consumed by the car park would be electricity, primarily for lighting. The building has no roof and it is recommended that a planning condition ensuring an energy efficient lighting scheme would be adequate to limit energy use. Accordingly the development is considered to comply with relevant London Plan energy / sustainability policies in this regard.

30% of the airport staff parking spaces at ground level (20% active and 10% passive) would be required to be served by electric charging bays in order to comply with London Plan

standards. It is also proposed to provide 2% active electric charging bays (37 spaces) and 5% passive spaces (94 spaces) for use on the upper floors. This level of provision is considered appropriate in this case, as charging would be carried out by the car park operator, enabling electric cars to be moved once charged; which enables more efficient use to be made of charging bays, compared to standard car parks, where vehicles are parked on a daily basis. This has been secured by condition.

In addition a condition is recommended requiring a sustainable parking strategy. Amongst the measures that could be incorporated include the priority pricing for customers using electric zero emission cars, measures for the future provision of electricity charging points as demand increases and subsidised/free electricity for the charging of electric vehicles.

It is also noted that in the HAL Sustainable Transport Plan 2014 - 2019, it is stated that it will look at ways of reducing passenger kiss and fly mode share as the 'empty' return trip made after drop-off is an inefficient use of road capacity. The key benefit of providing adequate car parking at major airports is that without it the most likely alternative is the use of mini-cabs or drop offs by friends and relatives. Both options have negative highway capacity implications as they result in 4 movements, rather than 2 movements, when passengers use Heathrow Airport.

7.17 Flooding or Drainage Issues

The site is located within Flood Zone 1 and is less than 1ha in size such that no Flood Risk Assessment is required. London Plan policies 5.12 and 5.13 require development proposals to use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding. Conditions are proposed requiring the provision of site drainage which should be SUDs appropriate.

Subject to conditions, it is considered that the proposal would comply with the intentions of the Hillingdon Hillingdon Local Plan: Part One and Part Two Saved UDP Policies (November 2012) in respect to water management and London Plan policies 5.12 and 5.13

7.18 Noise or Air Quality Issues

NOISE:

The Council's Environmental Protection Unit has been consulted on the application and raises no objection.

AIR QUALITY:

The site falls within an Air Quality Management Area and an Air Quality Assessment has been submitted. The Air Quality Assessment concludes that the proposed development will have an insignificant effect on local air quality in terms of its operation or dust from the construction phase.

The Environmental Protection Unit advises that scheme increases in road traffic along the southern perimeter road, contributes to exceedence of the air quality objective for annual mean nitrogen dioxide at two relevant receptors, albeit these receptors are located in Spelthorne.

The Borough considers that any exceedence of the air quality objective will be deemed as

significant, given that it is a level set to protect human health. There are no mitigation measures suggested to address the issue of the exceedences in the submitted Air Quality Assessment. The Environmental Protection Unit therefore recommends a scheme for the priority pricing for customers using electric zero emission cars. This could be secured by way of a condition in the event of an approval.

Whilst the proposed increase in parking spaces would be likely to have some impact on air quality compared to the current situation, it is noted that the overall parking provision would fall well within the 42,000 space cap set by the Terminal 5 Planning Inspector, which could be considered to be the lawful base line in respect of this matter. Accordingly, subject to the above mentioned mitigation measures, it is not considered that the proposal would have such a significant impact on air quality so as to raise an objection to the scheme.

7.19 Comments on Public Consultations

The main issues raised by TfL and HAL have been dealt with in the main body of this report and are summarised below:

TfL

There is uncertainty about whether the site falls within the Heathrow Airport Terminal 5 Car Park Cap Condition. If it does not then TfL objects on the basis that it will potentially add to the number of car parking spaces at Heathrow that exceed the cap.

Response:

Officers take the view that the parking spaces would count towards the cap, and would not result in a car parking provision above that set by the T5 Inspector in order to limit car trips and promote the use of sustainable modes.

Heathrow Airport Ltd (HAL):

HAL raise no planning objection to the provision of car parking at this particular site at Heathrow Airport in relation to traffic congestion on adjacent roads, visual amenity, impact on airport operations or adjacent sites etc. The concerns may be commercially led, but they do touch on planning matters.

Use of the site for airport related development:

HAL seem to suggest that airport car parking is not an airport related development and therefore, the current planning application precludes any use of the site for airport related development. It is considered that a car park (for passengers and employees) is an airport related use or development.

Implications of third party public car parking on airport

HAL believe that any third party parking cannot be included in the Cap as it is land not within HAL's control thereby preventing them achieving the objectives and requirements of Condition A85. HAL argue that they are limited in their ability to prevent tenants from operating car parks on leased areas of the airport.

Planning permission runs with the land and therefore, any current or future freeholder (whether HAL or not) will be required to abide by the condition and they too would need to ensure they promote sustainable modes of transport and ensure traffic is limited.

Sustainable travel choices

Reference is made to the promotion of sustainable travel choices. The Public Car Park Levy that helps to part-fund such sustainability initiatives is simply a funding mechanism devised by the airport. The levy funding comes directly from HAL's income and from HAL's car park revenues. It is totally at the discretion of HAL to determine how it funds such initiatives and there is no requirement for it to use a notional car park levy to raise revenue.

Competition:

Monopoly control of Heathrow car parks and the ability of HAL to control the airport car park operators and the types of parking products in order to maximise parking revenues is not a planning matter.

Precedent:

A precedent for granting planning permission for airport parking outside the Heathrow Car Park Cap was previously established at the former Budget Rent a Car site on Bath Road (ref: 975/APP/2006/164). This site is inside the airport boundary but the Council permitted a 2,275 space airport car park on 5 June 2006 that was excluded from the car park cap. The site had not been owned by the airport operator at the time of the Terminal 5 decision (unlike the Sealand Road site) as it was one of the few sites at the airport that had been in separate private ownership.

Permission was granted due to exceptional circumstances. These were that the car park was proposed as a replacement for extensive areas of airport parking that had been taking place over many decades on a number of Green Belt sites on land within the Crane Valley just to the east of the airport. Much of this parking was unauthorised or disputed and proposed enforcement action would have been compromised by this complex situation and the uncertainty as to the lawfulness of much of the parking. A section 106 agreement therefore secured the transfer of this Green Belt land to the London Wildlife Trust and its subsequent restoration for nature conservation purposes.

7.20 Planning obligations

CIL

The development will be liable for the Mayoral CIL but not Hillingdon's own CIL. The ground floor Gate Gourmet worker's parking is ancillary to the existing B2 General Industrial use of the main Gate Gourmet facility and therefore is not subject to the Hillingdon CIL.

7.21 Expediency of enforcement action

Not relevant to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

Material considerations are those which are relevant to regulating the development and use

of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The principle of the proposed development is in accordance with Local Plan Part 2 Policy A4, being directly related to the operation of Heathrow Airport. The total amount of parking within the red boundary of Heathrow Airport, inclusive of the current application scheme, would not exceed the 42,000 parking cap imposed by condition A85 at the T5 Inquiry. As

such, no objections are raised to the principle of passenger and staff parking at this location within the Heathrow Airport boundary.

The scale and design of the proposed building are considered, on balance, acceptable for this location within the Cargo area at Heathrow Airport.

The anticipated traffic generation is not considered to have an adverse impact on the local road network.

The proposal complies with relevant planning policy and accordingly, approval is recommended.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

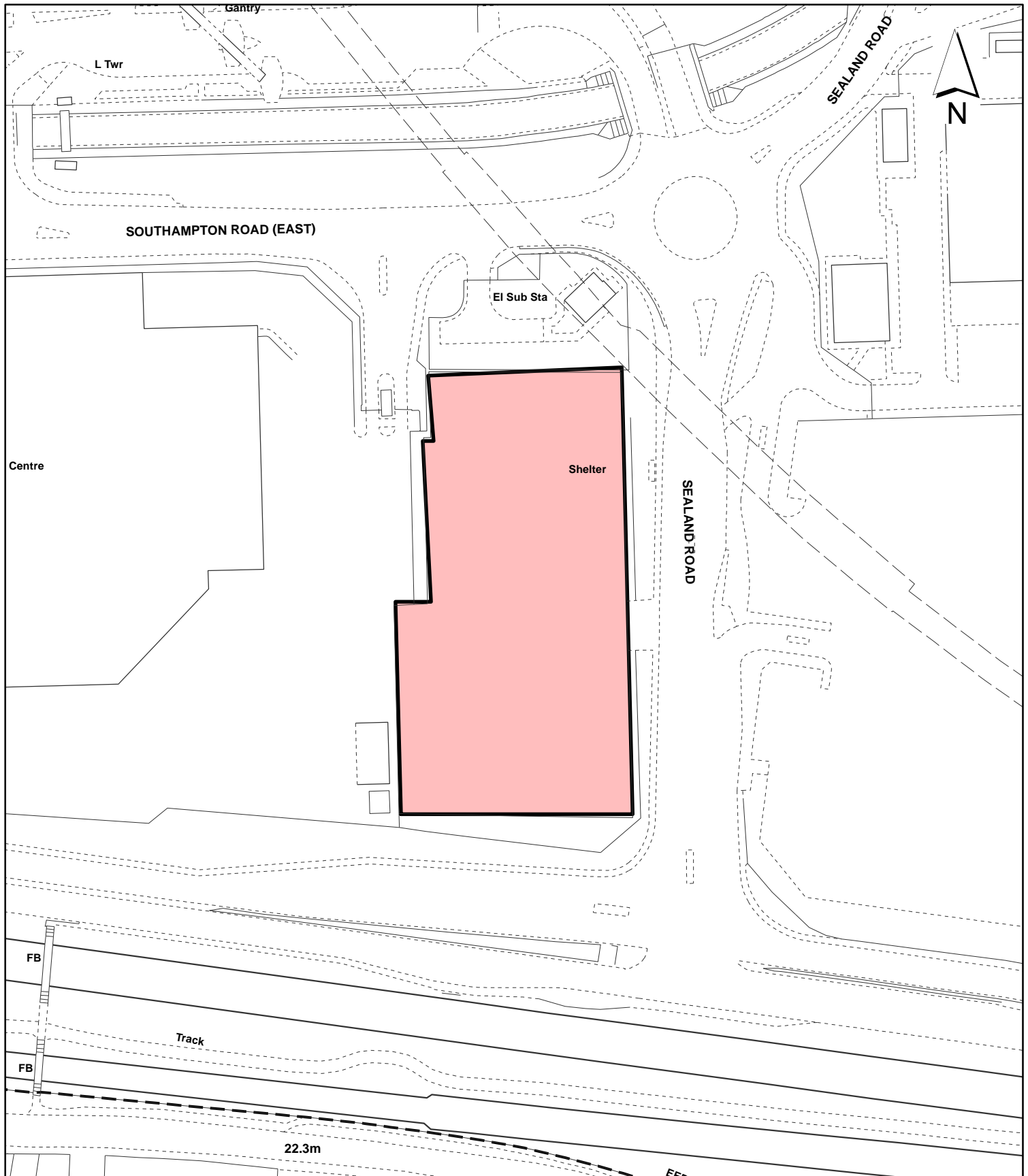
Hillingdon Supplementary Planning Document: Accessible Hillingdon (May 2013)

London Plan (2015)

National Planning Policy Framework (March 2012)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2015 Ordnance Survey 100019283

Site Address:

**Temporary Car Park Site
 Sealand Road
 Heathrow Airport**

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

Planning Application Ref:
65688/APP/2015/142

Scale:
1:1,250

Planning Committee:
Major

Date:
October 2015



HILLINGDON
 LONDON