

Report of the Head of Planning, Sport and Green Spaces

Address FORMER ROYAL BRITISH LEGION CLUB SIPSON ROAD WEST
DRAYTON

Development: The redevelopment of the site to accommodate a 6 storey 90 room hotel with a basement level and associated parking, breakfast area, bar and landscaping.

LBH Ref Nos: 829/APP/2015/4725

Drawing Nos: A101 Rev C
A102 Rev B
A103 Rev A
A106 Rev C
A107 Rev C
A110 Rev D
A111 Rev D
A112 Rev D
A113 Rev C
2346_Site_R0_Mode
408-A3-1000 Block and Location Plan
Design Statement
A114 Rev D
Site Topo and Tree Survey
A100 Rev B

Date Plans Received: 23/12/2015

Date(s) of Amendment(s):

Date Application Valid: 23/12/2015

1. SUMMARY

Planning permission is sought for the erection of a 6 storey, 90 room hotel building with a basement car park on the vacant Royal British Legion Club site, involving demolition of the existing club building. At basement and ground level there would be associated parking, a breakfast area, bar and landscaping.

The principle of a hotel use on this site has been established by virtue of the recently approved scheme for a 4 storey 54 room hotel (application ref:829/APP/2013/1618). There is no objection in planning policy terms to the change of use that would involve the loss of a vacant private members club (D1 Use Class) to use as a hotel (C1 Use Class).

Recently, a similar proposal under planning application (ref:829/APP/2014/4252) sought permission for redevelopment of the site to accommodate a 7 storey 91 room hotel with a basement level and associated parking and landscaping. This application was refused due its appearance and in particular, its excessive height, which was considered detrimental to the visual amenity of the area.

This current application seeks to address this reason for refusal by primarily removing a storey from the proposed building, which reduces its height by 3.5m (from 24.5m to 21m). In addition, the revised monochrome colour pallet of the new building is considered more sympathetic to the setting. These changes are considered to address the previous reason

for refusal with regards to the developments impact on the visual amenity of the area. The proposed height of the building, now at 6 storeys, and its design, would be considered in keeping with the character and appearance of the area and the building would sit comfortably within the streetscene, particularly given its context and the height of the neighbouring properties. The development would not detrimentally impact the openness of the greenbelt or adversely affect the setting of the listed building nearby.

Given the site context, the scheme raises no adverse amenity issues to residential neighbours nor would the new buildings massing and outlook prejudice existing hotel development on the adjacent site.

The car parking provision and highway access arrangements are considered consistent with planning policy and acceptable, including the arrangements for service delivery and guest drop off / collection.

The scheme is considered to comply with relevant London Plan and Hillingdon Local Plan Part 1 and Part 2 policies, and accordingly, approval is recommended subject to appropriate conditions and planning obligations.

2. RECOMMENDATION

1. That delegated powers be given to the Head of Planning and Enforcement to grant planning permission, subject to:

A) To the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

1. To secure all necessary highway works

2. The provision of a Travel Plan, including a bond, which shall incorporate Sustainable Transport Measures such as a hopper bus service, a Construction Management Plan, a Construction Logistics Plan and a Service and Delivery Plan.

2. Construction Training: either a financial contribution, or an in-kind scheme delivered during the construction phase of the development, should be secured (in either event the 'obligation' should be delivered equal to the formula of £2,500 for every £1 million build cost plus £9600 Coordinator Costs).

3. Hospitality Training contributions or an in-kind scheme

4. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £12,500.

5. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements and any abortive work as a result of the agreement not being completed.

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

D) If the Legal Agreement/s have not been finalised by the 3/6/16 or any other date that may be agreed by the Head of Planning and Enforcement, that delegated

authority be given to the Head of Planning and Enforcement to refuse planning permission for the following reason:

'The applicant has failed to agree to provide a Travel Plan, or undertake all necessary highway works, or to provide contributions towards the improvement of air quality and construction and employment training. The proposal therefore conflicts with Policy EM8 of the Local Plan Part 1 and Policy R17 of the adopted Local Plan and the Council's Planning Obligations SPD.'

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

F) That if the application is approved, the following conditions be imposed subject to any changes negotiated by the Head of Planning and Enforcement prior to issuing the decision:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

408 - A101 Rev C Proposed Ground Floor Plan

408 - A102 Rev B Proposed First Floor Plan

408 - A103 Rev A Proposed Second, Third and Fourth Typical Plan

408 - A106 Rev C Proposed Fifth Floor Plan

408 - A107 Rev C Proposed Sixth Floor Plan

408 - A110 Rev D Proposed North Elevation

408 - A111 Rev D Proposed South Elevation

408 - A112 Rev D Proposed West Elevation

408 - A113 Rev C Proposed Section 1

408 - A114 Rev D Proposed 3D Views

408 - A100 Rev B Proposed Basement Plan

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

REASON

To ensure the development complies with the provisions in the 'saved' Unitary Development Plan policies (2012) and the London Plan (FALP 2015).

3 COM5 General compliance with supporting documentation

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

Drainage Strategy Ref: 408

Bird Hazardous Management Plan Ref: 408

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

REASON

To ensure that the development complies with the objectives of the 'saved' Unitary Development Plan policies (2012).

4 COM15 Sustainable Water Management

Prior to commencement of the development, 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 (follows the strategy set out in the SUDS Statement, produced by RDP Architects dated June 2013, and) 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.
The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
 - iii incorporate water saving measures and equipment.
 - iv. provide details of water collection facilities to capture excess rainwater;
 - v. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

To ensure the development does not increase the risk of flooding in accordance with policy OE8 of the Unitary Development Plan (2012) and policy 5.12 of the London Plan (2015).

5 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been

submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation near the site shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular no materials or waste shall be burnt without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with 'saved' policy BE38 of the Unitary Development Plan (2012).

6 COM9 Landscaping

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

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
 - 2.a Means of enclosure/boundary treatments
 - 2.b Car Parking Layouts (including demonstration that 10 of the parking spaces are served by electrical charging points - 5 active and 5 passive).
 - 2.c Hard Surfacing Materials
 - 2.d External Lighting
 - 2.e Provision of CCTV and secure entrance arrangements to the basement car parking.
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 surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation
5. Other
 - 5.a Existing and proposed functional services above and below ground
 - 5.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and in pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to ensure the development provides a safe and secure environment in accordance and with 'saved' policies BE13, BE38 and AM14 of the Unitary Development Plan (2012) and policies 5.11 (living walls and roofs), 5.17 (refuse storage), 7.1 (lifetime neighbourhoods), and 7.3 (designing out crime) of the London Plan (FALP 2015).

7 NONSC Air Quality

Prior to commencement of the development, a low emission strategy (LES) shall be submitted to and approved in writing by the Local Planning Authority. The LES shall address;

- 1) The fleet composition serving the Hotel to be Euro 5/VI or above or have implemented retrofitting devices that will enable compliance with such Euro standards.
- 2) The supply of energy to the Hotel. Any CHP or gas boiler will have to conform with the London Low NOx requirements;

The strategy shall detail the steps that will be followed in addressing the lower emissions requirements stated above and what measures will be taken to take into account future changing standards and available technologies and be updated accordingly in agreement with the local planning authority.

- 3) A clear and effective strategy to encourage staff to a) use public transport; b) cycle / walk to work where practicable; c) enter car share schemes; d) purchase and drive to work zero emission vehicles.

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

The Low emissions strategy shall make reference to The Mayor's 'Air Quality and Planning Guidance'; DEFRA Practice Guidance 3: Practice guidance on measures to encourage the uptake of low emission vehicles (February 2009); and Low Emission Strategies: Using the Planning System to Reduce Transport Emissions, Good Practice Guidance prepared by the Beacons Low Emission Strategies (June 2008).

REASON

To reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 and paragraph 124 of the National Planning Policy Framework (2012).

8 NONSC Noise Mitigation

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road and air traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet an acceptable internal noise design criteria.

Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road or air traffic noise in accordance with 'saved' policy OE5 of the Unitary Development Plan (2012).

9 NONSC Detailed energy assessment

Prior to the commencement of development a detailed energy assessment shall be submitted showing how the development will reduce carbon emissions by 25% from a 2010 Building Regulations compliant development in accordance with the outline Energy Assessment (Richard Child, 13/2112 ene rev A, May 2013). The detailed assessment shall clearly set out the baseline energy demand (kWhr) and associated emissions (KgCO₂); the measures to reduce the emissions through energy efficiency including how they impact on the baseline; the size, specifications, input and outputs and location of any proposed CHP and how it impacts on the baseline; and finally full details, specifications and performance of any renewable energy with corresponding plans where necessary. The development must proceed in accordance with the approved details.

REASON

To ensure appropriate carbon savings are delivered in accordance with policy 5.2 of the London Plan (FALP 2015).

10 NONSC Living walls/roofs

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

REASON

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan (FALP 2015).

11 NONSC Ingress of polluted air

Prior to commencement of the development, a scheme detailing mechanical ventilation to be installed at the premises with the systems / filters required to extract NO_x/NO₂ from outdoor ambient air and secure indoor NO₂ levels below 40ug/m³ shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out before the use/operation commences, and be thereafter maintained in perpetuity.

REASON

To safeguard the amenity of future users of the development in accordance with 'saved' policy OE1 of the Unitary Development Plan (2012) and paragraph 124 of the National Planning Policy Framework (2012).

12 NONSC Contaminated land

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

- (a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;
- (b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and
- (c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.
 - (ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and
 - (iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with 'saved' policy OE11 of the Unitary Development Plan (2012).

13 NONSC Details of clean energy provision

Prior to commencement of the development, details of any plant, machinery or fuel burnt, as part of the energy provision for the development shall be submitted to the LPA for approval. This shall include pollutant emission rates with or without mitigation technologies. Where a scheme to mitigate emissions is required, this shall be submitted to the LPA for approval. Thereafter the scheme should be implemented prior to occupation and maintained in perpetuity.

REASON:

To safeguard the amenity of neighbouring properties in accordance with 'saved' policy OE1 of the Unitary Development Plan (2012).

14 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 without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with 'saved' policies BE13 and OE1 of the Unitary Development Plan (2012) and to protect the ecological value of the area in accordance with policy EC3 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012).

15 COM31 **Secured by Design**

Prior to first use of the building as a hotel, the building shall achieve 'Secured by Design' accreditation awarded by the Metropolitan Police Designing Out Crime Officer (DOCO) on behalf of the Association of Chief Police Officers (ACPO).

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan (FALP 2015).

16 COM7 **Materials & Fenestration Detailing**

No development shall take place until details of all materials (including physical samples where appropriate) are provided of external surfaces and 1:20 drawings of the angled window bays above ground floor and of the external fins and louvres 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 thereafter.

REASON

To ensure that the development presents a satisfactory appearance in accordance with 'saved' policy BE13 of the Unitary Development Plan (2012).

17 DIS2 **Access to Buildings for People with Disabilities**

Development shall not commence until further detail are submitted to and approved in writing by Local Planning Authority of:

- (i) The access to the building entrances including the provision of non-slip surface and adequate lighting and use of clearly defined texture and visual contrasts;
- (ii) Further details of internal doors across circulation routes to incorporate a suitable zone of visibility.
- (iii) Details of the lift to facilitate the evacuation of disabled people in the event of a fire emergency.

Thereafter, the development shall be implemented in accordance with the approved details and the accessibility features shall thereafter be retained in perpetuity.

REASON

To ensure that people with disabilities have adequate access to the development and to ensure that older and disabled people, and others who may be unable to evacuate by stairs, can leave the building independently during a fire emergency in an efficient, controlled and dignified manner in accordance with 'saved' policy R16 of the Unitary Development Plan (2012) and policies 3.1, 3.8, and 7.2 of the London Plan (FALP 2015).

18 NONSC **People with Disabilities**

The development hereby approved shall ensure the quantity of accessible bedrooms as a percentage of the total number of bedrooms (as detailed in BS 8300:2009) is no less than:

- i. 5% without a fixed tracked-hoist system;
- ii. 5% with a fixed tracked-hoist system, or, similar system giving the same degree of convenience and safety;
- iii. 5% capable of being adapted in the future to accessibility standards (i.e. with more space to allow the use of a mobile hoist, wider doors, provision for services and with

enclosing walls capable of supporting adaptations, e.g. handrails);
iv. 50% of en-suite bathrooms within the required accessible bedrooms to have a level access shower.

REASON

To ensure that London's visitor infrastructure is accessible and welcoming to all sections of the population, including older and disabled people in accordance with 'saved' policy AM13 of the Unitary Development Plan (2012) and policies 3.1, 3.8 and 7.2 of the London Plan (FALP 2015).

19 NONSC Car parking use only for duration of guests staying at hotel

The car parking facilities provided at the hotel shall be used by hotel staff and guests only and strictly for the duration of their stay at the hotel. Prior to occupation of the hotel, a car parking management strategy shall be submitted to and approved in writing by the Local Planning Authority in order to demonstrate how this will be managed and to ensure the efficient operation of the car park, especially at peak demand periods. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

The use of the site for long or short stay parking for Heathrow Airport passengers is directly related to the operation of Heathrow Airport but is located outside the airport boundary, contrary to 'saved' policy A4 of the Unitary Development Plan (2012). Furthermore, this would provide airport related car parking in addition to the 42,000 car parking spaces that have been 'capped' at Heathrow Airport as a condition of the Terminal 5 approval and is contrary to 'saved' policies AM2 and AM7 of the Unitary Development Plan (2012) and Chapter 6 of the London Plan (FALP 2015).

20 COM20 Air extraction system noise and odour

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with 'saved' policy OE1 of the Unitary Development Plan (2012).

21 NONSC Archaeology

A) No development shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of archaeological investigation in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing.

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

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

REASON

Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with 'saved' policy BE3 of the Unitary Development Plan (2012) and policies 7.8 and 7.9 of the London Plan (FALP 2015).

INFORMATIVES

1 I28 Food Hygiene

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

2 I3 Building Regulations - Demolition and Building Works

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

3 I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

4 I23B Heavy Duty Vehicle Crossover

Prior to work commencing, you are advised to submit an application for a Heavy Duty Vehicle Crossover to Highways Maintenance, 4W/07, Civic Centre, Uxbridge, UB8 1UW to prevent damage to the highway from construction vehicles entering and leaving the site.

5 I24 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

6 I43 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

7

The onus is on the service provider to ensure the safety and evacuation of disabled people. It is not the responsibility of the fire service to enable routine evacuation of disabled people.

8 I60 **Cranes**

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

9 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).

10 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 (2012) 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 (FALP 2015) and national guidance.

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|------|--|
| A2 | Developments at Heathrow airport likely to increase demand for off-airport development or have significant adverse environmental impact |
| A4 | New development directly related to Heathrow Airport |
| A5 | New development at airports - incorporation of ancillary retail and leisure facilities and other services |
| A6 | Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports |
| A7 | Developments likely to increase helicopter activity |
| AM1 | Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations |
| AM10 | Incorporation in new developments of additions to the proposed cycle network |
| AM12 | Promotion of traffic management measures which give priority to buses |
| 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
AM6	Measures to discourage the use of Local Distributor and Access Roads by through traffic
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE16	New development on the northern frontage of the A4 (Bath Road)
BE17	Design and layout of new development at Heathrow Airport
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC4	Monitoring of existing sites of nature conservation importance and identification of new sites
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
EM6	(2012) Flood Risk Management
LE7	Provision of planning benefits from industry, warehousing and business development
LPP 1.1	(2015) Delivering the strategic vision and objectives for London
LPP 2.1	(2015) London in its global, European and UK context
LPP 2.6	(2015) Outer London: vision and strategy
LPP 2.7	(2015) Outer London: economy
LPP 2.8	(2015) Outer London: Transport

LPP 3.16	(2015) Protection and enhancement of social infrastructure
LPP 4.1	(2015) Developing London's economy
LPP 4.10	(2015) New and Emerging Economic Sectors
LPP 4.12	(2015) Improving opportunities for all
LPP 4.5	(2015) London's Visitor Infrastructure
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2015) Water use and supplies
LPP 5.16	(2015) Waste self-sufficiency
LPP 5.18	(2015) Construction, excavation and demolition waste
LPP 5.2	(2015) Minimising Carbon Dioxide Emissions
LPP 5.21	(2015) Contaminated land
LPP 5.3	(2015) Sustainable design and construction
LPP 5.7	(2015) Renewable energy
LPP 5.8	(2015) Innovative energy technologies
LPP 5.9	(2015) Overheating and cooling
LPP 6.1	(2015) Strategic Approach
LPP 6.10	(2015) Walking
LPP 6.11	(2015) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.12	(2015) Road Network Capacity
LPP 6.13	(2015) Parking
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 7.1	(2015) Lifetime Neighbourhoods
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 7.16	(2015) Green Belt
LPP 7.19	(2015) Biodiversity and access to nature
LPP 7.2	(2015) An inclusive environment
LPP 7.21	(2015) Trees and woodland
LPP 7.3	(2015) Designing out crime
LPP 7.4	(2015) Local character
LPP 7.5	(2015) Public realm
LPP 7.6	(2015) Architecture
LPP 7.8	(2015) Heritage assets and archaeology
LPP 8.1	(2015) Implementation
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
LPP 8.4	(2015) Monitoring and review for London
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF11	NPPF - Conserving & enhancing the natural environment

NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
R16	Accessibility for elderly people, people with disabilities, women and children
R8	Loss of facilities which support arts, cultural and entertainment activities
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements

11

The proposed facility would be the subject of the Equality Act 2010 The applicant is advised to take the following into consideration with regard to this application:

- a. The accessible car-parking bays should be a minimum of 4.8m x 2.4m and marked and signed in accordance with BS 8300:2009+A1:2010.
- b. A suitable access route to the building should be provided from the car parking areas. Paths forming access routes should be a minimum of 1.2m clear wide, no steeper than 1:20 (unless designed as a suitable ramp), non-slip, well lit and clearly defined using texture and visual contrasts. Paths should include suitably dropped kerbs at key crossing points.
- c. Level access and adequate front door width are assumed. If this is not the case, level access should be provided and a minimum door width of 1000mm for a single door or 1800mm for a double door.
- d. The principal entrance door should be provided with a glazed panel giving a zone of visibility, in accordance with BS 8300:2009+A1:2010.
- e. Part of the reception/concierge desk should be provided at a height of 750-800mm. An assisted listening device, i.e. infra-red or induction loop system, should be fitted to serve all reception areas.
- f. Seating of varying heights should be provided and sited close to reception.
- g. All signage for directions, services or facilities should be provided in a colour contrasting with the background. Signage and lighting levels should be consistent throughout the building and care taken to avoid sudden changes in levels.
- h. Toilets should be designed in accordance with the guidance given in Approved Document M to the Buildings Regulations 2004 (2013 edition). A combination of both left and right hand transfer spaces should be provided, as more than one unisex provision is likely to be required within the communal areas of the Hotel.
- i. The accessible toilet proposed on the ground floor should be signed either "Accessible WC" or "Unisex". Alternatively, the use of a "wheelchair" symbol with the words "Ladies" and "Gentlemen" or "Unisex" would be acceptable.

j. Corridors should be a minimum of 1500mm wide and internal doors across circulation routes should incorporate a suitable zone of visibility.

k. The accessible bedrooms should be designed to BS 8300:2009. In addition to the 10% provision of accessible rooms,

l. 50% of the ensuite bathrooms within the required accessible bedrooms should have level access showering facilities.

m. Plans should detail room dimensions, particularly for the en suite bathrooms and confirm within the Design and Access Statement, that bath and shower rooms will accord with the design guidance in BS 8300:2009+A1:2010. As the majority of wheelchair users prefer showers, a larger proportion of the 10 accessible rooms should feature shower rooms. The Design and Access Statement should confirm the proportion of accessible shower and bath rooms with the detailed specification shown on plan.

n. Signs indicating the location of an accessible lift should be provided in a location that is clearly visible from the building entrance.

o. Lifts should accord with BS 8300:2009+A1:2010.

p. Internal doors, across circulation routes, should be held open using fire alarm activated magnetic closers.

q. Details of where Hearing Enhancement Systems (e.g. induction loops) should form part of the scheme. Consideration should also be given to the type of system(s) that will be suitable for different areas of the hotel.

r. Alarm system should be designed to allow deaf people to be aware of its activation. (Such provisions could include visual fire alarm activation devices, and/or a vibrating pager system. A technical audit should be considered at this stage to ensure that mobile phone and emergency paging system signals can transmit throughout the building.)

s. Advice from an appropriate fire safety officer or agency should be sought at an early stage to ensure that adequate and appropriate refuge areas are incorporated into the scheme as a whole. Refuge areas provided should be sized and arranged to facilitate manoeuvrability by wheelchair users (Refer to BS 9999: 2008). Refuge areas must be adequately signed and accessible communication points should also be provided in the refuge area. Such detail should be fully documented in the Design & Access Statement and submitted.

12

The written scheme of investigation required by condition 21 will need to be prepared and implemented by a suitably qualified archaeological practice in accordance GLAAS guidelines. It must be approved by the planning authority before any on-site development related activity occurs. It is recommended that the archaeological fieldwork should comprise of the following:

Excavation

That part of the site which lies outside the existing building should be stripped under archaeological supervision to reveal the significant archaeological horizon and features then planned and sampled in accordance with the strategy adopted at Sipson Quarry.

Ideally the results would be published alongside those from the quarry.

Archaeological excavation is a structured investigation with defined research objectives which normally takes place as a condition of planning permission. It will involve the investigation and recording of an area of archaeological interest including the recovery of artefacts and environmental evidence. Once on-site works have been completed a 'post-excavation assessment' will be prepared followed by an appropriate level of further analysis, publication and archiving.

13

Please be advised that as from 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100m² or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £35 per square metre. The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable will be £40 per square metre. Should you require further information please refer to the Council's Website

www.hillingdon.gov.uk/index.jsp?articleid=24738

It is important to note that this CIL liability will be in addition to the planning obligations (s106) that the Council may seek from your scheme. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

14

In accordance with the provisions of the NPPF, the Local Planning Authority has actively engaged with the applicant both at the pre application and application stage of the planning process, in order to achieve an acceptable outcome. The Local Planning Authority has worked proactively with the applicants to secure a development that improves the economic, social and environmental conditions of the area. In assessing and determining the development proposal, the Local Planning Authority has applied the presumption in favour of sustainable development Accordingly, the planning application has been recommended for approval.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located to the north of Heathrow Airport on the western side of Sipson Road, a classified A road (A408). The site is located to the east of the M4 and north of the A4 (Bath Road), the latter forming the northern boundary to Heathrow Airport.

The site forms part of a larger 'island' block that is ringed by heavily trafficked transport infrastructure. Within the 'island' there is a large hotel complex, with associated health and fitness and restaurant facilities with significant levels of surface car parking. These buildings are generally between 4 - 6 storeys high.

To the north east of the site and Sipson Road is Sipson Farm, designated Green Belt land, which has consent for sand and gravel extraction, whilst to the east of the site, located over 100 metres away, on the opposite side of Sipson Road is a children's nursery accommodated within two buildings known as Sipson Court and Sipson House. Sipson House is Grade II listed.

The nearest residential dwellings to the site are located over 110 metres to the south of the site and on the opposite side of Sipson Road.

The site itself comprises a 1-2 storey building, formerly used as a club house for the Royal British Legion. It has a steeply pitched roof to the two storey element, with a flat roof to the single storey side and rear 'wings'. It is not considered to be of particular architectural merit, having been substantially altered over the years and appears in a poor state of repair.

The existing building is set well back from the road, but is close in part to the southern and eastern site boundaries. The eastern boundary comprises a timber boarded fence, with dense trees and shrub planting within the neighbouring site, hard up to the site's boundary. Beyond this boundary lies an expanse of surface parking. The boundary to western edge is also timber boarded fencing and at its northern most part lies within close proximity of the eastern flank of the adjacent hotel complex.

Existing vehicle access is off Sipson Road, with an expanse of hard surface that previously accommodated the parking and servicing space for the Club, although there is no indication of the number of such parking spaces.

The site has a PTAL rating of 3. The land is potentially contaminated. The site is currently vacant and has been for approximately three years.

3.2 Proposed Scheme

The proposed scheme involves the demolition of the former Royal British Legion club house and the erection of a 6 storey 90 bedroom hotel development, with a basement car park accommodating 23 parking spaces including 3 disabled spaces, set beneath the hotel. The proposed hotel is targeted at the budget end of the hotel market and would primarily serve guests using Heathrow Airport. 8 of the guest bedrooms are designed to accommodate wheelchair users.

The structure would be in total 6 storeys high, with the 6th storey set back from the front elevation. The building will have 4 sides to it, each of different lengths and would take a loosely triangular form on plan, with a much narrower rear elevation, that mirrors the narrowing of the plot towards its southern boundary. The ground and first floor would be set in at the front to allow for adequate manoeuvring space for coaches and service vehicles, with the upper floors cantilevered forward above. The building would be centred around a triangular atrium located in the core of the building.

The ground floor would have a reception area, a hotel lobby, a luggage room, sets of toilets, 2 public lifts, a stair core, a breakfast area and bar, a kitchen, an under-croft service yard, and bin store.

The basement would be accessed by a vehicle ramp of a maximum gradient of 1:12 set immediately to the east of the new building. The basement would provide 22 car parking spaces including 3 blue badge bays, and secure bike stands (that would be protected by

CCTV) for 12 bicycles.

The second, third and fourth floors would typically accommodate 21 rooms each, whilst the first and fifth floors would accommodate 13 and 14 rooms respectively.

The building would rise to a maximum height of 21 metres, finished with a flat roof.

The treatment of the elevations and general massing is of a simple contemporary design. The first to fifth floor contain the guest bedrooms. The east, west and northern boundaries of the site from first floor to fifth floor have simple rectangular shaped mono chromed infill glazing panels, broken up into individual bays around a white rendered frame. The south facade is simply finished in K Render, from the ground floor to the fourth floor.

23 car parking spaces in total are provided, which equates to a car park ratio of 3.9 rooms per space, which is line with the other hotel developments in the area.

3.3 Relevant Planning History

829/APP/2014/4252 Former Royal British Legion Club Sipson Road West Drayton

The redevelopment of the site to accommodate a 7 storey 91 room hotel, including a basement level and associated parking and landscaping.

Decision: 18-11-2015 Refused

Comment on Relevant Planning History

Planning permission (ref: 829/APP/2013/1618) was granted on 01-11-13 for a 4 storey 54 bedroom hotel on the site.

A subsequent planning application (ref:829/APP/2014/4252) sought permission for the redevelopment of the site to accommodate a 7 storey 91 room hotel with a basement level and associated parking and landscaping. This application was refused at planning committee on the 18th November 2015 for the following;

'The proposed development by reason of its appearance and particularly its excessive height would be out of character with, and detrimental to the visual amenity of, the surrounding area including the neighbouring Green Belt contrary to Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies, Policies OL5 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policy 7.4 of the London Plan (March 2015).'

The current application comprises a scheme that seeks to address this reason for refusal by primarily removing a storey from the proposed building, which reduces its height by 3.5m (from 24.5m to 21m). Full consideration of the changes and the merits of the proposed scheme are considered in greater detail below.

4. Planning Policies and Standards

Please see list below.

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- A2 Developments at Heathrow airport likely to increase demand for off-airport development or have significant adverse environmental impact
- A4 New development directly related to Heathrow Airport
- A5 New development at airports - incorporation of ancillary retail and leisure facilities and other services
- A6 Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
- A7 Developments likely to increase helicopter activity
- AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
- AM10 Incorporation in new developments of additions to the proposed cycle network
- AM12 Promotion of traffic management measures which give priority to buses
- 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
- AM6 Measures to discourage the use of Local Distributor and Access Roads by through traffic
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- BE13 New development must harmonise with the existing street scene.
- BE16 New development on the northern frontage of the A4 (Bath Road)
- BE17 Design and layout of new development at Heathrow Airport
- BE18 Design considerations - pedestrian security and safety
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE35 Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE39	Protection of trees and woodland - tree preservation orders
BE6	New development within Gate Hill Farm and Copsewood Estates areas of special local character
EC2	Nature conservation considerations and ecological assessments
EC3	Potential effects of development on sites of nature conservation importance
EC4	Monitoring of existing sites of nature conservation importance and identification of new sites
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
EM6	(2012) Flood Risk Management
LE7	Provision of planning benefits from industry, warehousing and business development
LPP 1.1	(2015) Delivering the strategic vision and objectives for London
LPP 2.1	(2015) London in its global, European and UK context
LPP 2.6	(2015) Outer London: vision and strategy
LPP 2.7	(2015) Outer London: economy
LPP 2.8	(2015) Outer London: Transport
LPP 3.16	(2015) Protection and enhancement of social infrastructure
LPP 4.1	(2015) Developing London's economy
LPP 4.10	(2015) New and Emerging Economic Sectors
LPP 4.12	(2015) Improving opportunities for all
LPP 4.5	(2015) London's Visitor Infrastructure
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.10	(2015) Urban Greening
LPP 5.11	(2015) Green roofs and development site environs
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.14	(2015) Water quality and wastewater infrastructure
LPP 5.15	(2015) Water use and supplies
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NPPF	National Planning Policy Framework
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NPPF10	NPPF - Meeting challenge of climate change flooding costal
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NPPF4	NPPF - Promoting sustainable transport
NPPF7	NPPF - Requiring good design
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OE1	Protection of the character and amenities of surrounding properties and the local area
OE2	Assessment of environmental impact of proposed development
R16	Accessibility for elderly people, people with disabilities, women and children
R8	Loss of facilities which support arts, cultural and entertainment activities
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and

parking requirements

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th February 2016**

5.2 Site Notice Expiry Date:- **18th February 2016**

6. Consultations

External Consultees

Site Notice has been erected at the site and a press advertisement has also been published.

Neighbouring households, amenity groups, and local businesses were notified of the proposal on 26th January 2016. The consultation period expired on 24th February 2016.

One letter of objection has been received setting out the following comments:

- size and purpose of this proposed hotel is inappropriate for the site and our village;
- use of the site as a hotel offers no value to the local community and results in the loss of community facility;
- increased traffic problems/vehicle movements;
- no need for a further hotel.

These matters are addressed in full in the committee report.

DESIGNING OUT CRIME OFFICER (DOCO)

Comments (summary): No objection.

Officer's response: Noted.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Comments (summary): No objection.

Subject to a condition being imposed to require an investigation to be undertaken to advance understanding of the site from an archaeological interest perspective.

HEATHROW AIRPORT LTD.

Comments (summary): No objection.

Subject to compliance with the submitted bird hazard management plan and an informative on cranes.

Officer's response: Noted.

NATS SAFEGUARDING

Comments (summary): No objection.

Officer's response: Noted.

Internal Consultees

ACCESS OFFICER

Comments (summary): No objection

Subject to condition to secure appropriate access to the building for people with disabilities and to secure accessible bedrooms.

Officer's response: Noted. The suggested conditions will be imposed should the application be granted.

CONSERVATION AND URBAN DESIGN OFFICER

Comments (summary): No objection

The building to be demolished is of little architectural or historic interest and the reduced height and revised monochrome colour pallet of the new building are considered to be a significant improvement on the previously submitted (refused) scheme.

The development would not detrimentally impact the openness of the greenbelt or adversely affect the setting of the listed building nearby.

Officer's response: Noted.

ENVIRONMENTAL PROTECTION UNIT

Noise

Comments (summary): No objection.

Subject to a condition to obtain a scheme for mitigating against road and aviation noise.

Officer's response: Noted. The condition shall be imposed should planning permission be given.

Air Quality

Comments (summary): No objection.

Subject to conditions to require the submission of a low emission strategy and mechanical ventilation scheme for the development in order to protect future users of the development and occupiers/users of neighbouring properties from poor air quality.

Officer's response: Noted. The conditions recommended will be imposed if planning permission is given.

Contamination

Comments (summary): No objection.

Subject to conditions to obtain a scheme to deal with contamination and to require testing of imported soil to ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers.

Officer's response: Noted. The conditions recommended will be imposed if planning permission is given.

HIGHWAYS

Comments (summary): No objection.

Subject to a Car Parking Management Strategy; a Travel Plan; Construction and Logistics plan; and a Service and Delivery Plan shall be secured by legal agreement/condition.

Officer's response: Noted. The above will be secured by condition/legal agreement should the application be approved.

TREE AND LANDSCAPE OFFICER

Comments (summary): No objection

Subject to conditions to safeguard nearby trees and to require the submission of a landscape scheme to preserve and enhance the character and local distinctiveness of the surrounding natural environment.

Officer's response: Noted and the recommended conditions will be imposed should planning permission be given.

WASTE MANAGEMENT OFFICER

Comments (summary): No objection

Officer's response: noted.

CIL/S106 OFFICER

Comments (summary): No objection

Subject to appropriate Head of Terms.

Officer's response: Noted.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of a hotel use on this site has been established by virtue of the previously approved scheme for a 4 storey 54 room hotel (application ref:829/APP/2013/1618). The current scheme is for a larger development for a 90 room hotel.

Policy 3.6 of the London Plan deals with the protection and enhancement of social infrastructure and states that proposals which would result in a loss of social infrastructure in areas of defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.

The existing premises on site has been vacant for more than three years, with evidence provided in support of earlier applications that the site has been actively marketed for over

12 months. The details provided of marketing show there had been significant interest in the site but with very limited expressions of interest in retaining the existing building or any D1 Use on the site.

Based on the combination of both the marketing evidence provided; the distance of the site from a main residential catchments area; and given the poor state of repair of the building, it is not considered on balance there is robust sustainable development reasons to resist the change of use (from D1 use to C1) as assessed against policy 3.6 of the London Plan (FALP 2015).

'Saved' policy T4 of the Unitary Development Plan (2012) states hotels, guest houses and other tourist accommodation will be acceptable in principle provided:

- (i) The development is located within a mixed use area; and
- (ii) The development is located near or on a primary or secondary road or rail or underground station; and
- (iii) The development does not result in the loss of amenity to neighbours through noise and other disturbances; and
- (iv) Parking to standards adopted by the local planning authority can be met within the curtilage of the site.
- (v) Any on street parking that may be generated can be accommodated without detriment to the free flow of traffic or conditions of general highway safety.

In light of the sites location and the adequate car parking provision (refer to section 7.10 of this report), the scheme is considered acceptable, in accordance with policy T4.

The National Planning Policy Framework is clear that there should be a presumption in favour of sustainable economic development and that the key priority is the delivery of new jobs. The application proposals would deliver an estimated 20 full time equivalent jobs on site (plus additional job creation in off site hotel servicing roles) and it secures the regeneration of a site that presently is unused and does not presently positively contribute to the street scene with little prospect that the existing building being brought back to active use.

Accordingly, there is no objection to the principle of change of use from D1 use to C1 use from a policy perspective, in accordance with policy 3.6 of the London Plan (FALP) and policy T4 of the saved UDP (2012).

7.02 Density of the proposed development

The application seeks to construct a hotel, therefore residential density is not pertinent to the consideration of this application.

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

The site does not lie within an area of special character or a conservation area. The site does however lie within the forthcoming Heathrow Archaeological Priority Zone.

The Greater London Archaeological Advisory Service (GLAAS) advise that although the application is not supported by a desk-based assessment or field evaluation, it is unlikely that such studies would fundamentally alter the understanding of the site potential, based on good evidence immediately to the north. Nor is it likely that the site will contain remains of such importance as to necessitate preservation in-situ. GLAAS therefore considers that the site archaeological interest can be secured by a suitably worded condition.

The nearest listed building is the Grade II Listed Sipson House, which currently accommodates Littlebrook Day Nursery and is situated approximately 123m to the east of

the site. There is also a generous area of soft landscaping and a belt of trees located between the building and the application site. Given the separation distance, the proposal is not considered to adversely affect the setting of the Grade II Listed Building.

7.04 Airport safeguarding

The proposal would not conflict with aircraft safeguarding criteria, subject to the submission and approval of a bird hazardous management plan.

7.05 Impact on the green belt

The site is not located within the Green Belt. However the land to the north of the site on the opposite side of Sipson Road is designated Green Belt.

The National Planning Policy Framework is quite clear that the policies contained within it relate only to land located within the designated Green Belt and contains no requirements for the assessment of development which are visible from, but not within, the Green Belt. This circumstance is the same within the London Plan. The assessment required at national and regional levels therefore does not equate to the impact on the Green Belt, but on the normal assessments which would be undertaken for all developments in respect of character and appearance.

Similarly, as the site is not located within the Green Belt 'saved' policies OL1, OL2 and OL4 of the Unitary Development Plan (2012) are not relevant to the assessment of the application.

'Saved' policy OL5 of the Unitary Development Plan (2012) states that the Council will normally only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

This policy is in effect similar to the national policy as it does not introduce any presumptions against development which is visible from the Green Belt, something which is very common, but requires the authority to take into account the presence of the Green Belt land as part of the context/character of the area in assessing applications.

In order to enable a thorough assessment of this matter, the application has been accompanied by an Accurate Visual Representations document. This documents sets out a number of view points from around the site and within the neighbouring Green Belt, from which before and after images have been provided having regard to an appropriately robust methodology.

While, the proposed hotel building would rise to 6 storeys with the upper floor stepped back from the front elevation of the lower floors to reduce the perceived massing of the building. The site is separated from the Green Belt land to the north east by Sipson Road, a classified A road, and the submitted documentations clearly demonstrates that the proposal would be viewed in the context of the existing hotel development of a far greater footprint, which rises up to 5/6 storeys, and surrounds the site to the west, east and south.

The proposed hotel would constitute new development and would be visible from the Green Belt, but having regard to the information provided it is not considered that the proposal would have any detrimental impact on the feeling of openness within the neighbouring Green Belt, nor would it have a negative impact on the visual amenities of the Green Belt. The design changes including the reduction in overall height by 3.5m is considered to significantly reduce the bulk of the building when viewed from the Green Belt and its mono chrome finish is much more sympathetic to the setting.

Accordingly, the scheme is considered to comply with 'saved' policy OL5 of the Unitary Development Plan (2012).

7.06 Environmental Impact

A Geo Environmental Desk Top Study has been submitted in support of the application. The report highlights where contamination might be present. Although the proposed use is not residential, the Council's Environmental Protection Unit (EPU) advise adding a condition to ensure that some site investigation is carried out. In addition, the site may require imported top soil for landscaping purposes and a condition is recommended to ensure that the imported soils are independently tested, to ensure they are suitable for use.

Subject to compliance with these conditions, it is considered that the proposed development accords with the ground condition and contamination policies set out in Hillingdon's Local Plan Parts 1 and 2; the London Plan (FALP 2015); and the National Planning Policy Framework (2012).

7.07 Impact on the character & appearance of the area

Adopted policy BE1 of the Local Plan Part 1 (2012) requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods.

'Saved' policies BE13 and BE19 of the Unitary Development Plan (2012) seek to ensure that the new development complements or improves the character and amenity of the area, whilst 'saved' policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

Chapter 7 of the London Plan (FALP 2015) sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world class, high quality design and design led change in key locations.

The building would be flanked by an existing hotel development of 4 to 6 storey height. In comparison with the previously refused scheme, the proposal would be 3.5m lower (reducing to 21m from 24.5m). This was achieved by removing the sixth floor from the scheme. In addition, the elevation treatment has been changed to make the building more sympathetic to the setting. These changes along with the reduction in height is considered to address the previous reason for refusal with regards to the developments impact on the visual amenity of the area. The proposed height of the building, now at 6 storeys, and its design, would be considered in keeping with the character and appearance of the area and the building would sit comfortably within the streetscene, particularly given its context and the height of the neighbouring properties.

The scheme seeks to provide enhanced visual interest to the main elevations visible from the street through the introduction of rectangular shaped infill glazing panels. These infill panels are broken up into individual bays around a white rendered frame which would reduce any risk of the development having a plain monolithic character. Also, these features provide a welcome opportunity for shadow lines. In addition, the front elevation would feature a distinctive cantilevered front canopy finished with the hotel signage, that provides further interest to the front elevation.

The Council's Conservation and Urban Design Officer has reviewed the proposal and considers that it would be acceptable in conservation and design terms. The proposed building is well designed and will make a positive contribution to the location and surrounding area and would not impact the openness of the nearby Green Belt, in accordance with local, regional, and national policy.

7.08 Impact on neighbours

'Saved' policies of the Unitary Development Plan (2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

'Saved' policy OE1 of the Unitary Development Plan (2012) states that permission will not normally be granted for uses and associated structures which are, or are likely to become, detrimental to the character or amenities of surrounding properties or the area generally.

Given there is no residential development within 100 metres of the site and the nearest residential dwellings lie on the other side of Sipson Road, it is not considered that the scheme would give rise to any detrimental impact to residential neighbours from loss of light, over dominance or loss of privacy.

In addition, as the closest neighbouring properties are hotel developments and the proposed hotel development does not have large internal floor area allocated for conference or banqueting purposes, it is not considered that the scheme would cause any noise disturbance to surrounding properties.

It should be noted that there are no adopted planning standards in respect to potential loss of privacy/overlooking between hotel guest bedrooms.

7.09 Living conditions for future occupiers

As a benchmark, this scheme would comply with the Council's minimum distance to avoid unacceptable overlooking/loss of privacy with no hotel bedrooms in the new development located within a 45 degree radius or being within 21 metres of hotel bedroom windows on the neighbouring Park Inn Hotel complex. As such the scheme is considered acceptable in this respect.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Paragraph 32 of the National Planning Policy Framework (NPPF) states that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Paragraph 35 of the NPPF states that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

'Saved' policies AM2 and AM7 of the Unitary Development Plan (2012) are concerned with traffic generation, and access to public transport.

'Saved' policies AM14 and AM15 of the Unitary Development Plan (2012) sets out the standards for on-site parking.

TfL is the highway authority for A4 Bath Road, while Hillingdon is responsible for the rest of the road network in this area. TfL buses operate on Bath Road.

The site is surrounded by the large Park Inn Hotel, which has two vehicle accesses from Sipson Road, with one of these entrances approximately 50 metres to the north west of the application site and the other main entrance to the south, approximately 250 metres along the street. Immediately opposite the site are green fields that are separated from Sipson

Road by mature hedging. Approximately 60 metres to the south of the proposed new vehicle entrance to the site is the vehicle entrance to Sipson Court and Sipson House on the opposite side of Sipson Road, which is currently used as a children's day nursery.

Sipson Road is a 30 mph single carriageway 'A' classified highway with double yellow line waiting restrictions on both sides of the road. The Council's Highway Engineer concurs with the applicant that Sipson Road is one of the more lightly trafficked sections of Greater London's 'A'-class road network, being closely paralleled by the M4 Heathrow Spur Motorway, although it does provide an important local link to Sipson village further to the north.

The existing single vehicle access point would be replaced by a two vehicle crossovers from Sipson Road plus a short roadway within the site itself, leading from one highway access point to the other. The 90 rooms would be served by 23 on-site car parking spaces, including 3 disabled car parking bays. 22 of the car parking spaces would be located in the basement which would be served by a pedestrian lift for guests and a vehicle ramp with a maximum gradient of 1:12. The basement would house 12 secure bicycle spaces.

A Transport Assessment has been submitted in support of this application, which considers the impact of the proposed development of the site on the local highway and concludes that sufficient capacity exists to support the proposal. The interim Travel Plan submitted identifies various measures proposed as part of the application to encourage sustainable patterns of movement.

The Transport Assessment is supported by tracking diagrams which show that both guests cars, large refuse vehicles and coaches can access the site from Sipson Road. The Council's Highway Engineer has no issue with the tracking information provided and has confirmed that the servicing arrangements are acceptable.

With regard to the level of car parking provision, the ratio of 1:3.9 spaces per guest room is compatible with other hotel developments approved by the London Borough of Hillingdon in the last 4 years, located nearby and serving Heathrow Airport. Furthermore, the parking provision is consistent with the Council's adopted maximum parking standards. Therefore the scheme is considered to comply with 'saved' policies AM14 and AM15 of the Unitary Development Plan (2012).

The Council's Highway Officer has been consulted on the application and has carefully considered the issue of traffic generation, vehicular accesses, the drop off /collection of guests and the overall layout and raises no objection to the scheme in terms of impact on the existing highway in accordance with the aims of 'saved' policies AM2 and AM7 of the Unitary Development Plan (2012); policy 6.3 of the London Plan (FALP 2015); and the National Planning Policy Framework (2012).

7.11 Urban design, access and security

URBAN DESIGN AND ACCESS

For details of urban design please see section 7.07 and for details of access please see sections 7.10 and 7.12 of this report.

SECURITY

The Metropolitan Police's Designing Out Crime Officer (DOCO) has reviewed the scheme and has no objection subject to the imposition of a 'Secure by Design' condition.

7.12 Disabled access

'Saved' policies R16 and AM13 of the Unitary Development Plan (2012) seek to ensure that developments of this type incorporate inclusive design, as do policies 7.1 and 7.2 of the London Plan (FALP 2015). Furthermore, detailed guidance is provided within the Accessible Hillingdon SPD.

The hotel would be consistent with the London Plan and HDAS Accessibility policy standards including meeting the minimum provision of accessible bedrooms as a percentage of the total number of bedrooms. Other features include disabled toilets on ground floor, lifts from the car park basement to the rest of the hotel and 60 minute fire refuges on each upper floor.

Subject to an appropriate condition, it is considered that the proposal would provide an inclusive environment for future users in accordance with 'saved' policies R16 and AM13 of the Unitary Development Plan (2012) and policies 7.1 and 7.2 of the London Plan (FALP 2015).

7.13 Provision of affordable & special needs housing

The proposal seeks permission for a hotel, accordingly considerations relating to affordable or special needs housing are not relevant to the application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

'Saved' policy BE38 of the Unitary Development Plan (2012) states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate. Planning applicants for planning consent will be required to provide an accurate tree survey showing the location, height, spread and species of all trees where their proposals would affect any existing trees.

'Saved' policy BE39 of the Unitary Development Plan (2012) states that the Local Planning Authority recognises the importance of Tree Preservation Orders in protecting trees and woodlands in the landscape and will make orders where the possible loss of trees or woodlands would have a significant impact on their surroundings.

'Saved' policy OL26 of the Unitary Development Plan (2012) recommends that the Local Planning Authority will protect trees and woodlands and encourage the preservation, proper management and in appropriate locations the extension of woodlands. Proposals for development in the more rural areas of the borough should be accompanied by proposals for landscaping and tree planting wherever practicable, and the retention of existing landscaping features where appropriate.

Policy 7.21 'Tree and Woodlands' of the London Plan (FALP 2015) stipulates that existing trees of value should be retained and any loss as the result of development should be replaced.

The site as it stands is largely devoid of vegetation, albeit there are some trees off-site that lie close to the south eastern boundary of the site. An accurate site survey has been submitted with the application which plots trees on and close to the site, the tree species, and their quality and spread. None of the trees in the vicinity are protected by a Tree Preservation Order or by Conservation Area designations. The only on-site tree is a Sycamore that is of 'C' grade and would be lost as a result of the development.

The Council's Tree and Landscape Officer considers the sycamore of little merit and with its 'C' grade has no objection to its removal. With regard to the off site trees, the Landscape Officer is satisfied that with the appropriate tree protection measures in place these trees can be protected (and neighbouring shrubs) with only marginal encroachment into the root protection required. Future pruning of the neighbouring hornbeams maybe required to safeguard natural light to hotel bedrooms and this is considered a feasible approach by the Landscape Officer.

Subject to the relevant planning conditions in respect of landscape maintenance, tree protection and further detail on the planting plan, the scheme is considered to provide satisfactory landscape arrangements that comply with local, regional and national planning policy.

ECOLOGY:

Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and policy 7.19 of the London Plan (FALP 2015) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

The site is currently almost entirely given over to hardstanding. In view of this and the safeguarding measures detailed within the application documents in respect to trees and shrubs on neighbouring sites, it is not considered that the scheme will have an adverse impact on the areas ecology, in accordance with policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and policy 7.19 of the London Plan (FALP 2015).

7.15 Sustainable waste management

Policy 5.17 'Waste Capacity' of the London Plan (FALP 2015) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

The application is accompanied by a Waste Management, Refuse and Recycling Statement. The plans show a dedicated space within the ground floor of the building allocated for storage of waste and recycling and the tracking plans demonstrate that large refuse vehicles can collect waste from the site. The scheme provides space for 30 euro bins that accords with the Council's capacity standards for 2/3 star hotels. The bin area is an enclosed area in the ground floor with access from inside for staff members and access from Sipson Road for the refuse collectors. The store room will have continuous mechanical ventilation. A drop kerb will be provided for easy movement of the wheelie bins to the refuse vehicles. The owner/occupier will have a contract with Biffa in place prior to the occupation of the premises. This statement also details a weekly collection early in the morning.

The level of waste and recycling storage provision, its location, and means of collection by refuse vehicles is considered to comply with the requirements of the Council's Waste Development Team and the Council's Highway Engineer. As such the scheme is considered satisfactory and complies with the standards set out in policy 5.17 of the London Plan (FALP 2015).

Notwithstanding the above, it should be noted that the hotel ultimately has considerable discretion over which waste management methods are used on site.

7.16 Renewable energy / Sustainability

Policy 5.2 'Minimising Carbon Dioxide Emissions' of the London Plan (FALP 2015) states

that development proposals should make the fullest contribution to minimising carbon dioxide emissions. This policy requires major developments to demonstrate a 35% reduction in carbon dioxide emissions from a 2013 Building Regulations compliant development.

The application has been supported by an Energy Statement that is considered satisfactory to determine the application favourably albeit more information will be needed prior to commencement of the development. This additional information can be obtained through a planning condition.

Subject to conditions to secure the installation of measures in accordance with policies 5.3, 5.4, and 5.7 of the London Plan (FALP 2015), the scheme would be considered acceptable with regards to minimising carbon dioxide emissions and sustainable construction.

7.17 Flooding or Drainage Issues

Policy EM6 'Flood Risk Management' in Hillingdon Local Plan: Part 1- Strategic Policies (2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding.

Policies 5.12 and 5.13 of the London Plan (FALP 2015) require that development proposals should use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so.

The site does not fall within a flood zone and no issues relating to flooding have been identified. The scheme would undertake rainwater harvesting including the provision of a ground storage tank and permeable paving to replace the existing large expanse of non permeable hard standing.

The Council's Flood Management Officer raises no objection to the scheme, subject to the imposition of a condition to secure relevant SUDS and sustainable water management measures.

Subject to condition, the proposed development would not be considered to raise any adverse flooding or drainage issues, in accordance with policy EM6 'Flood Risk Management' in the Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012); policies 5.12, 5.13, 5.14, and 5.15 of the London Plan (FALP 2015); and National Planning Policy Framework (2012).

7.18 Noise or Air Quality Issues

NOISE

'Saved' policy OE5 of the Unitary Development Plan (2012) states that proposals for the siting of noise sensitive development such as family housing, schools or certain forms of commercial activity where the occupiers may suffer from noise or vibration will not be permitted in areas which are, or are expected to become, subject to unacceptable levels of noise or vibration. Where development is acceptable in principle, it will still be necessary to establish that the proposed building or use can be sited, designed, insulated or otherwise protected from external noise or vibration sources to appropriate national and local standards.

Policy 7.15 'Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes' of the London Plan (FALP 2015) recommends that development proposals should seek to manage noise by (a) avoiding

significant adverse noise impacts on health and quality of life as a result of new development; (b) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on development or adding unduly to the costs and administrative burdens on existing businesses; (c) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity); (d) separating new noise sensitive development from major noise sources (such as road, rail, air transport and some types of industrial development) through the use of distance, screening or internal layout - in preference to sole reliance on sound insulation; (e) where it is not possible to achieve separation of noise sensitive development and noise sources, without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through the application of good acoustic design principles; (f) having particular regard to the impact of aviation noise on noise sensitive development; and (g) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Policy 7.14 'Improving air quality' of the London Plan (FALP 2015) states that development proposals should minimise increased exposure to existing poor air quality and make provision to address local problems of air quality (particularly within Air Quality Management Areas (AQMAs) and where development is likely to be used by large numbers of those particularly vulnerable to poor air quality, such as children or older people) such as by design solutions, buffer zones or steps to promote greater use of sustainable transport modes through travel plans. It also recommends that development proposals should promote sustainable design and construction to reduce emissions from the demolition and construction of buildings.

The Council's Environmental Protection Unit has been consulted on the application and raises no objection regarding noise or air quality.

With respect of air quality and air quality monitoring, it is recommended that similar conditions and planning obligations as those secured on the previously approved 54 bedroom hotel scheme, be imposed, in the event that the current proposal is approved.

Overall, the development would be considered to comply with 'saved' policy OE5 of the Unitary Development Plan (2012) and policies 7.14 and 7.15 of the London Plan (FALP 2015).

7.19 Comments on Public Consultations

Please see the beginning of the 'External Consultees' section of this report for details regarding public consultation.

7.20 Planning obligations

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

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court

challenge.

'Saved' policy R17 of the Unitary Development Plan (2012) is concerned with securing planning obligations to supplement the provision of recreational open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals.

At a regional level, policy 8.2 'Planning Obligations' of the London Plan (FALP 2015) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate the need for the following contributions or planning obligations to mitigate the impact of the development.

Non-monetary contributions:

1. Highways: to secure all necessary works
2. The provision of a Travel Plan, including a bond, which shall incorporate Sustainable Transport Measures such as:
 - . a hopper bus service
 - . a Construction Management Plan,
 - . a Construction Logistics Plan and
 - . a Service and Delivery Plan.

Monetary contributions:

1. Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost plus Coordinator Costs - £9,600 per phase or an in kind scheme to be provided) or an in-kind training scheme equal to the financial contribution delivered during the construction period of the development with the preference being for an in-kind scheme to be delivered.
2. Hospitality Training contributions or in kind scheme to provide apprenticeships and on the-job training for young people interested in pursuing a career in the hospitality industry
3. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £12,500.
4. Project Management and Monitoring Fee: a financial contribution equal to 5% of the total cash contributions towards the management and monitoring of the resulting agreement.

The proposal would also be liable for the London Borough of Hillingdon CIL and the Mayor of London's CIL. This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

The Council's Community Infrastructure Levy (CIL) charge would be applicable on the new floorspace created at a rate of £40 per square metre.

The Mayor of London's CIL has introduced a charging system within Hillingdon of £35 per square metre of gross internal floor area to be paid to the GLA to go towards the funding of Crossrail.

7.21 Expediency of enforcement action

There are no enforcement issues related to this site.

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

There is no objection to the principle of the development involving the change of use of the site to a hotel.

The general design, size, height and massing of the proposed building is considered to address the previous reason for refusal and would now be acceptable. The scheme would be now compatible with the height and scale found on the surrounding Park Inn Hotel complex. It is not considered that the development would have any detrimental impact on the street scene, upon residential amenity, or upon the setting of the Green Belt land lying opposite.

The budget hotel would primarily serve Heathrow Airport, where most guests will arrive by public transport or taxi. Consideration has been given to the principal issue of traffic generation, vehicles servicing the hotel, and guest collection and drop off. These matters taken together are not considered to have any significant detrimental impact on the existing highway network or on highway safety, given the sightlines outside the site, the waiting restrictions on the adjacent highway and the limited number of vehicular movements anticipated.

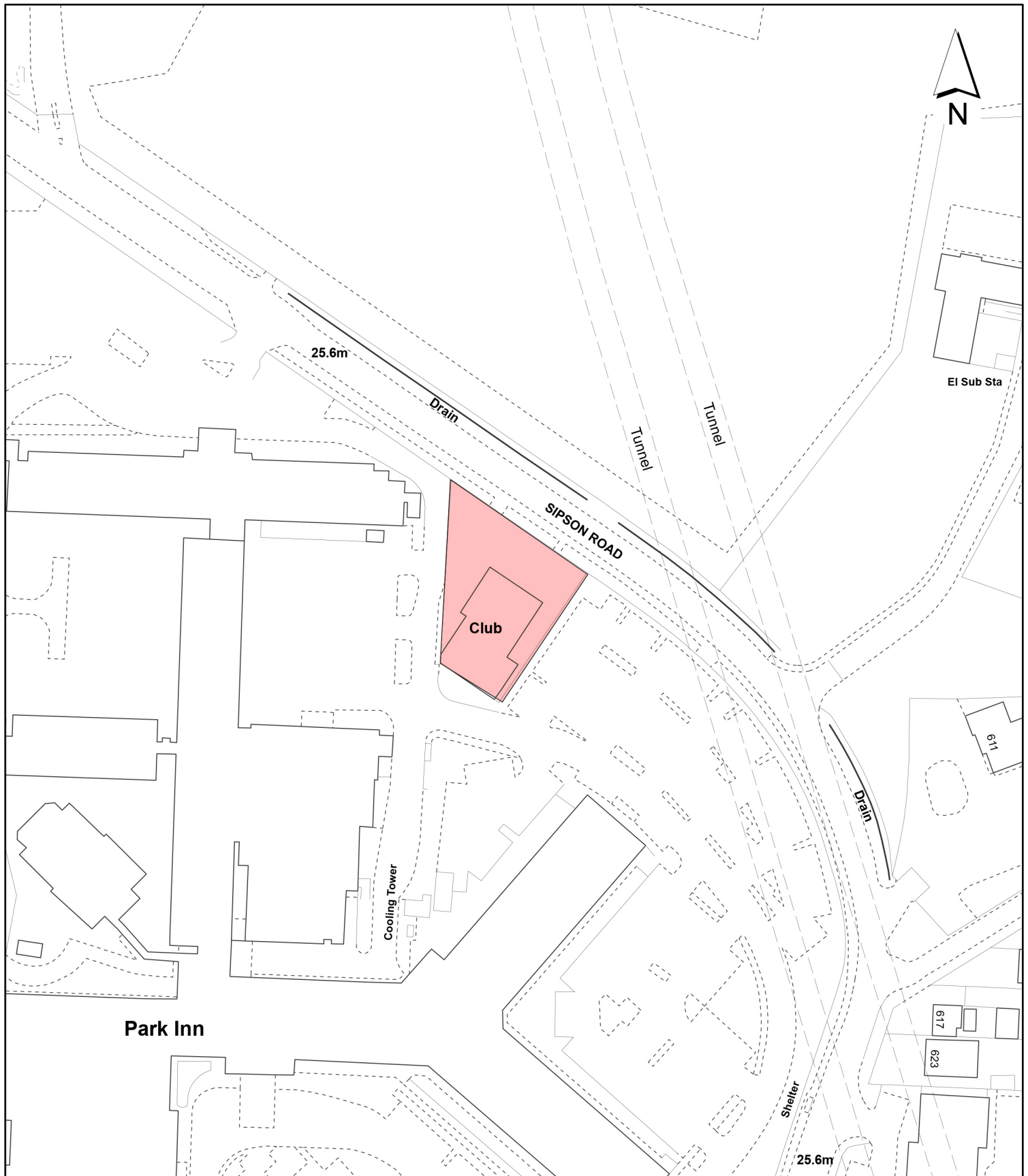
The scheme is considered to be visually acceptable and is considered to comply with relevant London Plan and Hillingdon Local Plan policies accordingly, approval is recommended subject to appropriate conditions and planning obligations.

11. Reference Documents

The Hillingdon Local Plan: Part 1 - Strategic Policies (8th November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (FALP 2015)
National Planning Policy Framework (2012)
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Guidance - Community Safety
Council's Supplementary Planning Guidance - Land Contamination
Council's Supplementary Planning Document - Accessible Hillingdon
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Document - Planning Obligations
The Mayor's Housing Supplementary Planning Guidance

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Notes:

 Site boundary

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Site Address:
**Former Royal British Legion Club
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**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
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Planning Application Ref:
829/APP/2015/4725

Scale:
1:1,250

Planning Committee:
Major

Date:
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