

Report of the Head of Planning, Sport and Green Spaces

Address PLOT 6, RACKSPACE CITY NORTH HYDE ROAD HAYES

Development: Erection of a part single storey, part four storey building to provide a 150 bed hotel and restaurant including 75 car parking spaces, 1 coach parking space, 32 cycle parking spaces, associated landscaping and ancillary development.

LBH Ref Nos: 22632/APP/2016/2369

Drawing Nos: 2961-P2 Rev.F (Proposed Site Plan)
3961-P3 Rev.F (Proposed Ground Floor Plan)
3961-P8 Rev.E (Proposed Elevations)
3961-P9 Rev.B (Proposed North Elevation)
Noise Impact Assessment Rev.00, prepared by Scotch Partners dated 06/06/16
Air Quality Assessment prepared by Phlorum dated June 2016
Delivery and Servicing Management Plan (15/WHIT/2891/DSP01), prepared by RGP dated June 2016
Transport Statement (WHIT/15/2891/TS01), prepared by RGP dated June 2016
Travel Plan (RLR/WHIT/2891/TP01), prepared by RGP dated June 2016
Geo-Environmental Report, prepared by Enzygo dated April 2016
Flood Risk, SUDS & Foul Drainage Assessment, prepared by Simpson Consulting Engineers dated 02/06/16
Design & Access Statement Rev.A, prepared by Axiom Architects dated June 2016
Energy & Sustainability Statement Rev.A, prepared by Applied Energy dated June 2016
BREEAM Pre-Assessment, dated 13/04/16
3961-P1 A (Existing Site Plan)
3961-P10 Rev.A (Proposed South Elevation)
3961-P11 Rev.A (Proposed East/West Elevations)
3961-P12 (Proposed Sections)
Planning Statement including Statement of Community Involvement prepared by Indigo, dated June 2016
Trip Generation Technical Note (15/WHIT/2891/TN04), prepared by RGF dated August 2016
Transport Statement Addendum (WHIT/15/2891/TN06), prepared by RGF dated August 2016
3961-P20 Rev.A (Proposed North Hyde Road Elevations)
3961-P4 Rev.D (Proposed First Floor Plan)
3961-P5 Rev.D (Proposed Second Floor Plan)
3961-P6 Rev.D (Proposed Third Floor Plan)
3961-P7 Rev.D (Proposed Roof Plan)
3961-P108 (Proposed First Floor Plan UA Escape Routes)

Date Plans Received:	17/06/2016	Date(s) of Amendment(s):	17/06/2016
Date Application Valid:	07/07/2016		12/08/2016
			07/07/2016
			25/08/2016

1. SUMMARY

This application seeks full planning permission for the redevelopment of Plot 6, Rackspace City, a currently vacant site, to provide a 150 bedroom Premier Inn Hotel with restaurant, car park, landscaping and associated facilities.

Rackspace City (formerly known as Hyde Park Hayes) comprises a series of office developments, providing approximately 31,587m² of floor space with car parking across an approximately 4 hectare site. The application site was formerly occupied by Mercury House, a pre-war office building which was demolished in 2007. It sits at the entrance to the business park and forms one of two remaining vacant sites within the wider Rackspace City development. The entire business park, including the application site, forms part of an Industrial and Business Area (IBA) as designated in the Hillingdon Local Plan.

Prior to submission of the application the applicant sought pre-application advice from the Local Planning Authority and recommendations provided by officers at that stage have been taken on board in this submission.

Whilst hotel use would not usually be considered acceptable outside town centres or within designated Industrial and Business Areas (IBAs), in this instance the applicant has provided sufficient justification, including provision of a sequential test, to demonstrate an exception to policy such that no objections are raised to the principle of the development in this location.

It is not considered that the development would have any significant detrimental impact on residential amenity and, in design terms, advice provided at pre-application stage relating to the building itself and the external landscape has been taken on board. Accordingly, it is considered that a high quality and visually acceptable development would be delivered.

A Transport Assessment has been provided which confirms that the development would be provided with sufficient car parking and that its overall impact on the local highway network would not be so significant that refusal could be justified.

Negotiations relating to required planning obligations are ongoing and an update on these will be reported to Committee via an addendum sheet.

It should be noted that the scheme is referable to both the Greater London Authority (GLA)

and the Secretary of State for Communities and Local Government by reason of its size and use on land sited outside a town centre and designated as an IBA. In this case, the GLA have raised no objections and they have confirmed that they do not wish the scheme to be referred back to them post Committee.

The development is considered to comply with relevant local, London Plan and national planning policies and, accordingly, it is recommended that delegated powers be given to the Head of Planning and Enforcement to approve the scheme, subject to the appropriate referral to the Secretary of State and the applicant entering into a S106 agreement with the Council. Notably, the applicant has requested that the imposition of pre-commencement conditions are avoided where possible so that, should planning permission be granted, works can start on site quickly. This is reflected in the condition wording where appropriate to do so.

2. RECOMMENDATION

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

A. That the application be referred to the Secretary of State in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

B. That should the Secretary of State not call in the application, and subject to the Mayor of London not directing the Council under Article 5 of the Town and Country Planning (Mayor of London) Order 2000 to refuse the application or that he wishes to act as the determining authority, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers.

C. That the Council enter into a legal agreement with the application under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

1. £50,000 contribution towards highway capacity improvements in the surrounding road network. Such improvements to incorporate air quality monitoring of the relevant road network to ensure the efficacy of the measures in terms of improving local air quality.

2. Highway Works: \$278 for required highways works, including provision of a new footway to be provided around the entire site's perimeter, removal of an existing vehicular crossover, creation of a new vehicle crossover, and associated works.

3. Construction Training: either a contribution equal to the formula (£2,500 for every £1m build cost + £9,600 coordinator costs per phase) 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.

4. Travel Plan: to include £20,000 Bond.

5. Hospitality Training: either a contribution equal to £400 for every one in three jobs or an in-kind training scheme equal to the financial contribution, with the preference being for an in-kind scheme to be delivered.

6. Public realm improvements: A scheme to demonstrate how improvements to the public realm, as set out in the Stage 1 Road Safety and PERS audits, to be provided.

7. Project Management & Monitoring Fee: A financial contribution equal to 5% of the total cash contributions.

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

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

F. That, if the S106 agreement is not finalised within six months of the date of this consent that under the discretion of the Head of Planning and Enforcement, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.

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

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

2961-P2 Rev.F,
3961-P3 Rev.F,
3961-P8 Rev.E,
3961-P4 Rev.D,
3961-P5 Rev.D,
3961-P6 Rev.D,
3961-P7 Rev.D,
3961-P108,
3961-P9 Rev.B,
3961-P10 Rev.A,
3961-P11 Rev.A,
3961-P12,
3961-P20 Rev.A

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

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall be completed in accordance with the following specified supporting plans and/or documents:

Noise Impact Assessment Rev.00, prepared by Scotch Partners dated 06/06/16
Air Quality Assessment prepared by Phlorum dated June 2016
Delivery and Servicing Management Plan (15/WHIT/2891/DSP01), prepared by RGP dated June 2016
Transport Statement (WHIT/15/2891/TS01), prepared by RGP dated June 2016
Geo-Environmental Report, prepared by Enzygo dated April 2016
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Energy & Sustainability Statement Rev.A, prepared by Applied Energy dated June 2016
BREEAM Pre-Assessment, dated 13/04/16

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

4 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM7 Materials (Submission)

No development shall proceed beyond the concrete/steel/timber superstructure (including roof structure) until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

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

6 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 to be retained 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 in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, 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 policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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

Within three months of the date of this consent or commencement of works on site, whichever is the later, a landscape scheme shall be 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 5% of all parking spaces are served by electrical charging points)

2.c Hard Surfacing Materials

2.d External Lighting

2.e Other structures (such as play equipment and furniture)

3. Living Walls and Roofs

3.a Details of the inclusion of living walls, roofs and screens, including full specification, types of living material to be used and the locations and methods of maintenance where necessary.

4. Details of Landscape Maintenance

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

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

seriously damaged or diseased.

5. Schedule for Implementation

6. Other

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

6.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policy EM1 of the Hillingdon Local Plan: part Strategic Policies, policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.11 (living walls and roofs) of the London Plan (2016).

8 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

9 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to

consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

10 NONSC Air Quality

All Non Road Mobile Machinery (NRMM) used on major development sites within the London Borough of Hillingdon are required to meet Stage IIIA of EU Directive 97/68/EC and the development site must be registered online on the NRMM website at <http://nrmm.london/>. Confirmation of registration shall be submitted to the Local Planning Authority before work commences.

REASON

To ensure the development complies with Policy EM8 of the Hillingdon Local Plan: Part 1, Policy 7.14 of the London Plan (2016) and paragraph 124 of the National Planning Policy Framework.

11 NONSC Contamination

(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 in writing 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.

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

be clean and free of contamination.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

12 NONSC Bird Hazard Management Plan

A Bird Hazard Management Plan shall be submitted to and approved in writing by the Local Planning Authority, prior to the completion of the building. The submitted plan shall include details of:

- Management of any flat/shallow pitched/green roofs on buildings within the site which may be attractive to nesting, roosting and "loafing" birds. The management plan shall comply with Safeguarding Advice Note 8 'Potential Bird Hazards from Building Design.'

The Bird Hazard Management Plan shall be implemented as approved and shall remain in force for the life of the building. No subsequent alterations to the plan are to take place unless first submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure flat/green roof is managed in order to minimise its attractiveness to birds which could endanger the safe movement of aircraft and the operation of Heathrow Airport, in accordance with policy A6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

13 NONSC Energy

Prior to the commencement of construction works full specification of the detailed energy provision shall be submitted to and approved in writing by the Local Planning Authority. This shall include the specification of the CHP unit and the type and location of PV panels, including full details of their position and fitting to the roofs of the development. The PV specifications shall be accompanied by a roof plan and elevations showing the panels on the roof. The development shall proceed in accordance with the approved designs.

REASON

To ensure the development delivers the CO2 savings as set out in the energy strategy and in accordance with the London Plan (2016) Policy 5.2.

14 NONSC Construction Logistics Plan

Prior to the commencement of development a Construction Logistics Plan (CLP) shall be submitted to and approved in writing by the Local Planning Authority. This plan shall consider the cumulative impacts of construction traffic and provide details of likely construction trips generated, and mitigation proposed. Details should include;

- i) site access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours),
- ii) booking systems,
- iii) construction phasing,
- iv) vehicular routes,
- v) scope for load consolidation in order to reduce the number of road trips generated,
- vi) measures to improve safety to vulnerable road users'

vii) measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

The CLP would also need to take account of construction of other developments in the area.

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

REASON

To reduce the impacts of construction on the surrounding highway network and to safeguard the amenity of surrounding areas in accordance with Policies OE1 and AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6.14 of the London Plan (2016).

15 NONSC Delivery and Servicing Plan

Delivery and servicing shall be carried out in accordance with the hereby approved Delivery and Servicing Management Plan (ref: 15/WHIT/2891/DSP01) by RGP, dated June 2016, for the lifetime of the development, unless otherwise agreed in writing by the Local Planning Authority.

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 6.14 of the London Plan (2016).

16 NONSC Car park management plan

Prior to occupation of the development a Car Park Management Strategy shall be submitted to and approved in writing by the Local Planning Authority.

The submitted strategy shall contain details of parking allocation; booking systems, security measures; any parking management equipment such as barriers/cones, etc; and how this shall be reviewed on an ongoing basis to ensure spaces are allocated to those in greatest need of a parking space, the development does not result in an unacceptable level of overspill parking onto the local highway network or add to highway congestion and sustainable travel is encouraged.

Thereafter the areas shall be maintained and managed in accordance with the approved details in perpetuity.

The car parks must be provided and made available for use prior to occupation of the development.

REASON

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policies 6.1 and 6.3.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
LE2	Development in designated Industrial and Business Areas
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 2.17	(2016) Strategic Industrial Locations
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 4.7	(2016) Retail and town centre development
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 6.1	(2016) Strategic Approach
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.14	(2016) Improving air quality
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF	National Planning Policy Framework

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4

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

5 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved

drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

6 13 Building Regulations - Demolition and Building Works

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

7 111 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

8 112 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

9 115 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

You are advised to consult the Council's Environmental Protection Unit

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

10 119 **Sewerage Connections, Water Pollution etc.**

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

11 124 **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

12 134 **Building Regulations 'Access to and use of buildings'**

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

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

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

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

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

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

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of

building and spaces, 2004. Available to download from www.drc-gb.org.

· Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.

· Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

13

The Council's Waste Development Manager has provided the following advice relating to refuse provision/collection:

a) It is estimated that the waste arising from the development is likely to be significant. Accordingly, use of larger waste containers would be practical. This could either be in the form of 12 cubic yard front end loader bins, or 40 cubic yard roll on -roll off bins. The latter would give the opportunity to be fed through compactors, to optimise the load being taken away. The plan indicated a compactor system is included; this would be the logical option for the volume of waste likely to be generated.

The plan includes bins of various sizes would be provided, giving a total capacity of 12,820 litres. Accordingly daily, or every other day, waste collections would need to be carried out by a private licensed waste carrier.

b) Recyclable waste should be separated; in particular glass, paper, cardboard, metal cans, and plastic bottles. Some of the waste containers should be allocated to collect recyclable items.

c) Arrangements should be made for the cleansing of the waste storage area with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

d) The material used for the floor of the waste storage area must be able to withstand the weight of the bulk bins. If the 40 cubic yard roll-on roll-off bin option is chosen, then 40 Newton metre concrete would be required to withstand regular bin movements. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

e) If gates / doors are added to the waste storage area these need to be made of either metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow sufficient clearance either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

f) If 1,100 litre bulk bins are used for the collection of certain waste streams these should not have to be moved more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).

g) The gradient of any path that the bulk bins (1,100 litres) have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

h) The access road to the waste storage area must be able to withstand the load of the collection vehicle. Allow up to 32 tonnes for front end loader or roll on roll off vehicles. It must also be 4 metres wide.

General Point

. The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

14

With regard to condition 12, you are advised that the Bird Hazard Management Plan must ensure that flat/shallow pitched roofs be constructed to allow access to all areas by foot using permanent fixed access stairs ladders or similar. The owner/occupier must not allow gulls, to nest, roost or loaf on the building. Checks must be made weekly or sooner if bird activity dictates, during the breeding season. Outside of the breeding season gull activity must be monitored and the roof checked regularly to ensure that gulls do not utilise the roof. Any gulls found nesting, roosting or loafing must be dispersed by the owner/occupier when detected or when requested by BAA Airside Operations staff. In some instances it may be necessary to contact BAA Airside Operations staff before bird dispersal takes place. The owner/occupier must remove any nests or eggs found on the roof.

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

15

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.4 hectare relatively level and narrow island plot located on the south west side of North Hyde Road in Hayes.

It is understood that the site was formerly occupied by Mercury House, a 3/4 storey pre-war office building with associated parking, but that since the demolition of that building in 2007 it has been vacant.

It forms a part of a wider business park, now known as Rackspace City (formerly Hyde Park Hayes), which historically operated as the Safeway Headquarters, prior to its sale.

Much of that wider site has been redeveloped over recent years such that it now comprises a number of modern office blocks, a multi-storey car park, surface level parking and associated development.

The site in question is bounded to the north west by surface level parking, which serves the adjoining business park. It is bounded to the south east by Millington Road, beyond which is an existing office building and a sizeable vacant plot. A new Asda supermarket is located to the south east and North Hyde Road bounds the site to the north, beyond which are two and three-storey residential properties.

The site has a Public Transport Accessibility Level (PTAL) rating of 4, which reflects its proximity to Hayes Town Centre and Hayes and Harlington railway station.

The site falls within the Millington Road Industrial and Business Area (IBA) and also the Hayes/West Drayton Corridor as designated in the Hillingdon Local Plan. The site also falls within an Air Quality Management Area. North Hyde Road is designated as a London Distributor Road.

3.2 Proposed Scheme

This application seeks full planning permission for the redevelopment of the site to provide a part single-storey part-four storey hotel building with ancillary restaurant, car park and associated facilities.

The layout broadly replicates the footprint and massing of the previous building on site. Combined, the ground floor and car park would occupy most of the available site area. The upper floors would form an 'L' shaped block, taking up a smaller footprint, over the ground floor elements. An area of plant would be provided within a compound on the roof of the single-storey restaurant and the remainder of the single-storey roof would accommodate a living roof.

At ground floor level the development would comprise a restaurant with kitchen; reception area; WCs; small offices; stores; and associated service areas. The refuse and cycle stores would be incorporated into the ground floor and a undercroft car park would be provided.

At first, second and third floor level the development would comprise 50 bedrooms on each floor and associated stores.

The car park would provide 75 car parking spaces, including eight disability standard spaces; and one coach parking bay. 11 cycle storage spaces would be provided and eight car parking spaces would be provided with electric vehicle charging points, with an other eight spaces provided with passive charging bays.

Landscaping would be provided, predominantly along the North Hyde Road frontage, to continue the planting offered by adjoining developments and to provide a green frontage.

3.3 Relevant Planning History

Comment on Relevant Planning History

The application site was formerly occupied by Mercury House, which is understood to have been a 3/4 storey office building. Records suggest that building was demolished around 2007. Other than an application for advertisement consent, which is of no relevance to the current application, there is no planning history relating to the site since that time.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document: Accessible Hillingdon
Hillingdon Supplementary Planning Document: Residential Layouts
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise
Hillingdon Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Land Contamination

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment
PT1.E1 (2012) Managing the Supply of Employment Land
PT1.E5 (2012) Town and Local Centres
PT1.EM1 (2012) Climate Change Adaptation and Mitigation
PT1.EM11 (2012) Sustainable Waste Management
PT1.EM6 (2012) Flood Risk Management
PT1.EM8 (2012) Land, Water, Air and Noise
PT1.T1 (2012) Accessible Local Destinations

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.
BE19 New development must improve or complement the character of the area.
BE20 Daylight and sunlight considerations.
BE21 Siting, bulk and proximity of new buildings/extensions.
BE24 Requires new development to ensure adequate levels of privacy to neighbours.
BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1 Protection of the character and amenities of surrounding properties and the local area
OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R16 Accessibility for elderly people, people with disabilities, women and children

R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE2	Development in designated Industrial and Business Areas
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 2.17	(2016) Strategic Industrial Locations
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 4.7	(2016) Retail and town centre development
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 6.1	(2016) Strategic Approach
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.14	(2016) Improving air quality

LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th August 2016**

5.2 Site Notice Expiry Date:- **11th August 2016**

6. Consultations

External Consultees

Consultation letters were sent to 58 local owner/occupiers. Site and press notices were also posted. One letter of objection has been received, which raises the following concerns:

- i) Loss of sunlight to residential properties opposite, especially in winter.
- ii) Increase in noise, traffic and pollution.
- iii) There will be more lighting, especially at night, which will cause sleep deprivation.
- iv) Increase in anti-social behaviour and vandalism due to increase in functions and alcohol.
- v) Vehicles will block and use residential driveways when occupants are out.

It should be noted that the applicant has provided a Statement of Community Involvement as part of their Planning Statement. This confirms that flyers were distributed to residents by the applicant, seeking their views on the proposals, at pre-application stage. One response was received which raised concerns over privacy. This issue is addressed in part 7.08 of this report.

BAA SAFEGUARDING

No objection subject to a condition requiring the submission of a bird hazard management plan and an informative regarding cranes.

NATIONAL AIR TRAFFIC SERVICES

No objection.

GREATER LONDON AUTHORITY (GLA)

- Principle of development: Noting the approach to employment land management within the emerging Local Plan, and having regard to the wider Heathrow Opportunity Area context, the proposed development of this site for hotel use is acceptable in strategic planning terms.

- Opportunity Area: London Plan Policy 4.5 supports the provision of new hotels in Opportunity Areas generally, and such provision is a good fit for this part of Hayes - which benefits from excellent links to Heathrow Airport and Central London.

- Strategic Industrial Location: Whereas London Plan Policy 2.17 resists development on SIL land for non-industrial type uses, noting the land allocations coming forward within the emerging Local Plan, the proposal to develop this site for a non-compliant SIL use (hotel) is acceptable in strategic planning terms.

- Visitor infrastructure: The proposed visitor infrastructure is supported in line with London Plan Policy 4.5.
- Urban design: The proposed design accords with London Plan Policy 7.1.
- Inclusive access: The proposed approach to access and inclusion complies with London Plan policies 4.5 and 7.2.
- Sustainable development: The proposed energy strategy and climate change adaptation measures are supported in line with London Plan policies 5.2, 5.10, 5.11 and 5.13.
- Transport: The scheme is acceptable in strategic transport terms, and planning conditions/obligations will be secured to ensure accordance with London Plan policies 6.3, 6.13 and 6.14.

Accordingly, the Mayor does not need to be consulted again on this application.

TRANSPORT FOR LONDON (TFL)

The applicant should resolve the following matters in line with the transport policies of the London Plan (2011);

- Provide a Stage 1 Road Safety Audit;
- Reduce car parking provision for the site;
- Undertake a PERS audit to identify and assess walking routes around and within the site;
- Review the proposed cycling facilities with the objective of meeting accessibility requirements as set out in the London Plan;
- Secure a CLP and travel plan via planning conditions/section 106 agreements;
- Improve the content of the travel plan with regard to how it will be secured.

Officer comment: Following submission of additional information TfL commented as follows:

TfL welcome the positive results of the PERS Audit which was undertaken, as well as the provision of an accessible cycle space. TfL also welcome that a Delivery and Servicing Plan (DSP), improvements to surrounding footways and a finalised Travel Plan will be secured by condition.

However, it is noted that there are still 75 car parking spaces proposed for this development, which TfL is strongly dissatisfied with. This quantum is based on a lack of evidence demonstrating a clear need for such an excessive level of car parking.

Officer comment: Whilst, contrary to TfL's request, car parking has not been reduced, the parking provision is considered to comply with Local Plan standards and no objections have been raised by the Council's Highway Engineer in this respect.

METROPOLITAN POLICE

No objection subject to standard Secure by Design condition.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

Noise:

Further to additional information provided, officers are satisfied that the proposed plant noise will be at least 3dB below the lowest measured background noise of 43dB(A) and, therefore, according to BS4142:2014 it will result in low impact in the context of North Hyde Road having a high ambient

noise level. No objections are therefore raised.

Air quality:

The borough has received the latest pollution modelling data from the GLA and the application site is located within an area of current poor air quality. The roads are already congested which is the main cause of the pollution exceedances within this area, even a small increase in traffic will exacerbate the situation. This situation could apply to both the construction phase and the operational phase of this development. The borough considers any increase in pollution levels to be significant where the pollution levels are already above the air quality standard as is the case with this application.

The borough is using the new pollution modelling data to review its air quality action plan and, along with the GLA, the Hayes area is identified as an air quality focus area where air quality improvements will be sought. As such the borough will be seeking mitigation measures in this area to address the congested traffic situation in order to help improve the local air quality. Where relevant, air quality monitoring may also be requested to ensure the traffic mitigation measures implemented are successful in terms of improving the local air quality.

Construction Phase

There are a number of sensitive receptors close to this site. In addition to a condition for the provision of a construction management plan to ensure the protection of surrounding receptors, if the application is determined as a major development there needs to be consideration of the non road mobile machinery regulations (NRMM) as below:

Major developments are defined in the London Plan as "residential developments of 10 dwellings or more (or, where the number is not given, 0.5 ha or more); and for all other uses, a floor space 1000 m² or more or a site area 1 ha or more. The site area is that directly involved in some aspect of the development. Floor space is defined as the sum of floor area within the building measured externally to the external wall faces at each level. Basement car parks, rooftop plant rooms, caretakers' flats etc. should be included in the floor space figure".

If the application falls within this then the following condition would also need to be applied.

"All Non Road Mobile Machinery (NRMM) used on any major development site within LBH are required to meet Stage IIIA of EU Directive 97/68/EC as a minimum, as required by The Control of Dust and Emissions during Construction and Demolition Supplementary Planning Guidance' published by the Mayor of London, July 2014 and must register the development site online on the NRMM website <http://nrmm.london/> before the commencement of any works."

Operational Phase

The main concern is the impacts on existing receptors ie the residential receptors along the road network where the increase in traffic has been shown in the air quality assessment to worsen the situation. Whilst the assessment describes the increases as negligible, it must be noted that an increase in an area where the existing receptors are already above the air quality standard is regarded as significant and mitigation measures should be sought. This is the situation with this application.

The air quality assessment (para 6.24) describes the number of trips for the proposed development as 200 per day, which equates to 73,000 trips per year. In terms of the air quality neutral assessment this is described as below the benchmark value therefore is satisfactory and requires no further mitigation. Given that the area is already congested this level of increase may exacerbate current conditions therefore the council would be looking to secure funds for measures to improve the traffic congestion and also to protect the existing receptors. This should include a traffic study with the implementation of identified measures to improve the local air quality, the use of green

infrastructure to protect receptors from the source of pollution. Air quality monitoring of the relevant road network should be incorporated into the study to ensure the efficacy of the measures in terms of improving local air quality.

Contamination:

The Geo-environmental Report by Enzygo Consultants follows on and assesses previous work at the site in 2012 when 4 trial pits and 4 boreholes were used at the site of HPH6 to clarify the ground conditions and test the soil and water. The previous investigation for HPH6 did not confirm contamination of concern although some lead was found. This was reassessed to current guidelines by Enzygo and was not thought to be an issue for a commercial development. There appeared to be groundwater contamination from chlorinated hydrocarbons widespread in the Hyde Park Hayes area. The main source was thought to be the nearby area of HPH5 and source removal with the remediation of groundwater having now been completed at this site.

The new investigations reported in 2016 by Enzygo involved a site investigation (6 trial pits and 6 boreholes) as well as a desk study. As indicated previously some chlorinated compounds (chloroform) were found in the ground water, but since HPH5 was remediated and the contamination is throughout the area no further remediation of water is proposed. The soil did not contain these compounds at significant levels. This is subject to EA agreement. The levels of other contaminants in the soil were not a concern, apart from three poly aromatic hydrocarbons which exceeded the commercial use target levels. The remediation proposed is therefore for the landscaped areas particularly bordering the car park, and involves a surface strip of hard standing before applying a geotextile and 300 mm of clean tested soil which should be acceptable for this kind of use. No asbestos has been found as at other parts of the aeronautical works and no gas levels indicating protection is necessary have been confirmed.

The site does not appear to be significantly contaminated although it was part of the old aeronautical works. It is thought it may have been used for offices rather than the manufacturing factory, the latter being more likely to be contaminated. The standard contaminated land condition is however recommended. The report by Enzygo will meet some parts of the condition and can be submitted in compliance.

WASTE STRATEGY

The plan includes spaces for: -

- 8 x 1,100 litre eurobins
 - 1 x 660 litre eurobin
 - 14 x 240 litre wheeled bin
- Giving a total capacity of 12,820 litres

Use of larger waste containers would be more practical.

The proposed system would only work if the operators of the hotel found a private company, who is a licensed waste carrier, who could carry out daily, or every other day, collections.

- The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

SUSTAINABILITY OFFICER

No objections subject to the following;

Living Walls and Roofs:

The development is within an air quality management area and needs to improve opportunities for

wildlife. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. A condition requiring details of a scheme for the inclusion of living walls, roofs and screens should be imposed should planning permission be granted.

Energy Comments:

The energy strategy is acceptable for this stage of the planning process. However a condition requiring the submission of a detailed specification of the proposed energy provision should be imposed should planning permission be granted.

FLOOD AND WATER MANAGEMENT OFFICER

The submitted FRA, SuDs and Drainage Assessment produced by Simpson Consulting Engineers provides a detailed drainage design controlling surface water on site to government standards and reducing the flood risk from the site. It has proposed to do this through sustainable measures and proposes a management and maintenance plan. The BREAM report contains information on the water use and efficiency elements within the development. There are therefore no further requirements if the development is built in accordance with these designs,

ACCESS OFFICER

The Design & Access Statement references 8 universal accessible parking spaces, with 10% of the guestrooms compliant with Approved Document M to the Building Regulations. 15 universal access bedrooms, with a mix of bathtubs and level access showers, are shown on the first, second and third floors. These accessible bedrooms are centrally located close to a stair and lift core.

Whilst the general design of the proposed hotel is acceptable from an accessibility standpoint, it is considered to be unacceptable to provide only a refuge for disabled guests in the building of this type and scale.

Inherent in the design must be facilities that permit disabled people to leave the building independently during an 'all-out' fire evacuation.

Conclusion: An amended scheme that incorporates the above observations should be submitted prior to any planning approval.

Officer comment: The applicant has consulted with their Building Control Consultants (BRCS), who have confirmed that the scheme fully complies with relevant building regulations. The applicant has also confirmed that Whitbread has a management plan in place to evacuate people from the refuge via the protected stair using trained staff and evac chairs.

Following the applicant's response, the Council's Access Officer has provided the following additional comments:

I remain of the view that to provide only a refuge in a hotel (where guests come and go freely and otherwise act independently from organisation or structure) is inadequate.

The council has put forward its concern, but there is no legislation to require hoteliers to provide an evacuation lift and the available guidance on the subject is vague, so on this basis I am content for the application to progress based on the minimum standards as set out in the email, dated 2 August 2016, from BRCS (Building Control) Ltd.

CONSERVATION AND URBAN DESIGN OFFICER

This application has been subject to pre-application discussions with the case officer re design,

there are no objections to the scheme as currently proposed. There are not considered to be any adverse impacts on any local heritage assets.

HIGHWAY ENGINEER

Introduction

The proposed development is for a 150 bedroom hotel, ancillary services and a restaurant that would be predominantly ancillary to the hotel.

Non vehicular access to the site would be granted at the northwest corner of the site along North Hyde Road. Vehicular access would be provided along the south side of the development through a new priority junction on Millington Road.

The development would include 75 parking spaces of which 8 would be for disabled use and 8 charging bays for electric vehicles. Parking space for one coach is also provided.

Pedestrian accessibility

Pedestrian accessibility will be granted through the provision of a 2.0m wide footway along the site perimeter, with the exception of the vehicular access road. The proposed width appears to be in line with current pedestrian accessibility guidelines.

The existing vehicular access on North Hyde Road will require stopping up and the footway reinstated in order to ensure continuity of the pedestrian facilities along this section of highway.

The proposed hotel entrance is approximately 200m from the nearest pedestrian crossing facility along North Hyde Road towards the likely pedestrian route to Hayes and Harlington railway station. There is also no pedestrian crossing facility between North Hyde Road Stop Z (westbound) and the proposed hotel entrance.

The existing uncontrolled refuge indicates that this section is already used as a pedestrian crossing point but existing provisions appear to be insufficient in relation to the proposed use of the site.

It is therefore recommended that the developer should consider upgrading the existing uncontrolled crossing with the construction of a new signalised pedestrian / cycle crossing facility (TOUCAN). The implementation of the new crossing would be subject to a feasibility assessment to determine its compatibility with current traffic flows and queuing patterns.

A PERS Audit has been submitted. The improvements listed within the PERS Audit should be secured by way of a S106 agreement.

Cycle Accessibility

No cycle ramps are provided within the proposed design. The provision of a new TOUCAN crossing would provide a safe and convenient access point for cyclists to the proposed cycle racks (located by the main entrance).

Following further dialogue with the developer, the need for a new TOUCAN could be considered within a future study as part of the financial contribution being sought later in these comments.

Road Safety

No accident analysis has been provided as part of the TA, so any current road safety issues are unknown.

The provision of 2.0m wide footways around the perimeter of the site would be sufficient to provide safe movement for pedestrians.

The proposed vehicular access appears to provide visibility splays in line with current highway design standards.

The supplied swept paths for large vehicles suggest that large vehicles would be able to manoeuvre safely in and out of the site.

The dimension and spacing of the parking bays are in line with current design standards. A Stage 1 Road Safety Audit has been submitted. The recommendations made by the road safety auditor should be secured by way of a S106 agreement.

Parking Provisions

The proposals include the provision of 75 parking spaces, which equate to a ratio of 0.5 spaces per bedroom, which is in line with current council policy and the site functional requirements. Of these spaces, 10 bays are for disabled parking and 10 are ECPVs, so that the minimum requirement of 10% of parking spaces allocated to each of these uses is met.

The council has agreed to one coach parking space instead of the two normally required for this type of development, in light of the high level of public transport accessibility.

The lack of a car park management strategy is of concern and does not address the relevant pre application advice provided to the developer transport consultants.

As a condition for the development, the hotel should develop a detailed management policy for its hotel guests, whereby guest are requested to book a parking space with their booking and informed in advance if a car park is not available on site during their stay.

Non resident restaurant customers should be given the opportunity to utilise the car park during their patronage.

Impacts on Road Capacity

The trip generations used in the accompanying TA does not make use of industry standards such as the TRICS database or census data. Instead, bespoke surveys carried out for similar Premiere Inn hotels have been used as the basis for the trip generation and modal split. No formal traffic impact assessment has been carried out as part of the submitted TA.

While the methodology of the bespoke surveys is not under scrutiny, it is however observed that planning permissions are granted for the use class and not for a specific business model. The current perspective developers could potentially sell the land and permission to a different hotel chain with a different trip generation profile.

Following further dialogue with the developer, a revised trip generation based on industry standards trip generation was submitted on 24 August 16. Using the TRICS database, the development is estimated to generate 321 two-way vehicle movements over the course of a typical weekday, comprising 29 two-way vehicle movements during the AM peak hour and 29 two-way vehicle movements during the PM peak hour. The level of traffic generation is slightly higher than the previously estimated traffic in the TA, which was based on bespoke surveys carried out for similar Premiere Inn hotels.

The surrounding highway network currently experiences very high congested conditions well above borough average and, while single developments might have in isolation little impact on network capacity, the cumulative impact deriving from the full scale of development proposals is likely to exacerbate significantly current congestion. No formal traffic impact assessment has been carried out as part of the TA to show exacerbation in traffic congestion and there are no highway mitigation works proposed as part of this development.

In light of this and in line with pre-application advice, considering the development will add traffic in an area which is already well congested, the developer should provide a financial contribution in order to develop congestion relieving measures and / or studies in the surrounding network. A financial contribution of £50,000 is therefore requested from the developer, to be secured through a S106 agreement. The contribution is sought in the absence of a formal traffic impact assessment and highway mitigation works.

Trip Generation Technical Note prepared by RGP suggests that based on consented neighbouring developments; ASDA Superstore, Old Vinyl Factory and Hyde Park Hayes, a reduced financial contribution of £26,912 would instead be appropriate. However, the comparison drawn is flawed and inadequate. Unlike the proposed development in subject, the aforementioned developments were supported with detailed traffic modelling, which formed the basis of agreed highway mitigation works instead of a financial contribution being sought in this case.

Summary

- Development and adoption of a detailed car parking booking and management policy;
- Improvements highlighted in the Stage 1 Road Safety Audit;
- Improvements included in the PERS Audit;
- S106 £50,000 contribution towards a study/transport/highway capacity improvements in the surrounding road network;
- Stopping up of the redundant access and reinstatement of the footway in North Hyde Road;
- Footway improvements around the perimeter of the site;
- Travel Plan; and
- Construction and Logistics Plan

TREES/LANDSCAPE OFFICER

Site description:

- The site is narrow island plot of land to the east of ASDA and west of the North Hyde Road entrance into Rackspace.
- The site was formerly occupied by an office block which has since been demolished and the site cleared.
- The rear of the site can be accessed via Millington Road.
- There is an attractive, (relatively young) avenue of trees immediately to the west of the site, which creates a formal entrance to the Rackspace site. The eastern side of the avenue (with some additional trees behind) lie within the application site.

Landscape planning designations:

The site is not affected by a Tree Preservation Order or a Conservation Area designation.

Landscape constraints / opportunities:

- Adopted Local Plan, Policy BE1 seeks high quality design of the built and external environment.
- Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

Proposal:

The proposal is to build a part single / part four storey building to provide a 150 bed hotel and restaurant including 75 car parking spaces, 1 coach parking space, 32 cycle parking spaces, associated landscaping and ancillary development.

Landscape Considerations:

- The omission of a survey was agreed at a pre-application meeting with the design team, due in part to the young age of the trees and the agreement, in principle, that the integrity of the 'avenue'

would be retained by safeguarding the outer row of trees. Approximately 10 trees will be lost to facilitate the development.

- The Design & Access Statement makes reference to the landscape objectives for the site, with illustrative proposals.
- In section 6, Elevation materials, boundary planting including trees and low growing groundcover is indicated along the North Hyde Road frontage of the building.
- Section 7, Landscape, provides site plans and elevations which support the design objectives, concentrating on the north, east and west boundaries.
- At the Rackspace (west) end, the avenue and groundcover planting will provide / retain a soft edge to the site, while at roof level a green roof is proposed.
- The North Hyde Road elevation is best illustrated in section 6, described above.
- At the east (ASDA) end, the building is set back from the junction, providing space for tree and other planting. Green walls and instant hedging are also proposed.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

Recommendations:

- This application has been the subject of constructive pre-application meetings and the scheme has evolved to take into account the LPA's recommendations regarding the site layout and landscape.

No objection are raised, subject to conditions COM6 (levels), COM7 (materials), COM8 (tree protection), COM9 (parts 1,2,3,4,5 and 6) (landscaping) and COM10 (trees to be retained).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In assessing the principle of the development in this location, key considerations relate to the loss of industrial/employment land and the appropriateness of the site for a hotel, which is typically defined as a town centre use.

Loss of industrial land:

The site currently forms part of a Preferred Industrial Location (PIL) as designated in the London Plan (March 2016) and part of an Industrial and Business Area (IBA) as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

London Plan (2016) policy 2.17 and Local Plan: Part 2 policy LE2 both seek to safeguard such land for appropriate business, industrial and related uses.

Policy LE2 states that:

"Industrial and Business Areas (IBAs) are designated for business, industrial and warehousing purposes (use classes B1-B8) and for sui generis uses appropriate in an industrial area. The Local planning Authority will not permit development for other uses in industrial and business areas unless it is satisfied that:-

- i) there is no realistic prospect of the land being used for industrial or warehousing purposes in the future; and
- ii) The proposed alternative use does not conflict with the policies and objectives of the plan.
- iii) The proposal better meets the plan's objectives particularly in relate to affordable

housing and economic regeneration."

Paragraph 22 of the NPPF reiterates that alternative uses can be considered if there is no demand for the land in its existing use, stating:

"Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities."

The site has remained vacant since the demolition of Mercury House in 2007. It is understood that the site has been actively marketed since that time without success and, whilst limited information has been provided to support this, officers are aware that various spaces within the business park have been advertised on the site hoarding in the past (these are evident on older Google Streetview images). Furthermore, it is acknowledged that the limited demand for IBA land in this location has relatively recently been accepted through the release of the adjacent site for the provision of the Asda Superstore.

In further support of the lack of demand for industrial land uses in this location, adopted policy E1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), confirms that employment land in this location will be considered for managed release through the emerging Hillingdon Local Plan: Part 2 - Site Specific Allocations and Development Management Policies (although at this time it must be noted that very limited weight can be given to emerging policies).

The applicant argues that the proposed hotel will contribute to the borough's economy, creating approximately 50 new jobs, 50% of which will be taken by those not currently in employment, education or training. The applicant advises that Premier Inn provides a work placement programme where 4,500 work placements will be filled by 2018 and that it is offering 2,000 apprenticeships over the next five years for both existing and new members. Furthermore, Whitbread already have 1,200 schools interested in registering for the work placement scheme and all these initiatives will be put into place on the application site.

In light of the long period of time the site has remained vacant and the clear employment benefits associated with the development, the proposal is considered to comply with relevant planning policies relating to the loss of designated Industrial and Business land.

Hotel use:

Local Plan: Part 1, policy E2 supports hotel growth within Hayes as does the broader Heathrow Opportunity Area (GLA allocation).

Local Plan: Part 2, policy T4 confirms that hotels and other tourist accommodation will be considered acceptable in principle providing the development is located within an accessible mixed use area, has adequate parking facilities and would not result in harm to residential amenity.

London Plan (2016) policy 4.5 similarly seeks to support hotel growth, confirming that across London boroughs should seek to achieve 40,000 net additional hotel bedrooms by 2036 (10% of which should be wheelchair accessible).

Impact on town centre:

Notwithstanding the above mentioned policy support for hotel growth, the NPPF nevertheless defines hotels as main town centre uses. Accordingly, out of centre sites such as this should only be considered if it can be demonstrated that, firstly, no appropriate town centre sites exist and, secondly, that no edge of centre sites exist, which could accommodate such a use.

In accordance with this policy requirement, the applicant has submitted a detailed sequential test, which considers the availability and suitability of alternative sites within the Hayes area for the hotel accommodation.

The applicant has advised that due to the existing distribution of Premier Inn Hotels within the area, which include locations in Uxbridge, elsewhere within the wider Hayes area, Hounslow and West Drayton, that alternative locations outside Hayes would not be viable due to their proximity to other branches. Accordingly, the sequential test focuses on Hayes Town Centre and its immediate surrounds only. This is considered to be reasonable in this instance.

The applicant's sequential test considers 20 town centre and edge of centre sites against criteria such as site area, existing uses, planning policy, relationship to the town centre, deliverability and development constraints. Of particular importance to the applicant is the proximity of the site to Hayes and Harlington railway station, which will be served by Crossrail from 2018; the proximity of the site to Rackspace City, who are a major employer within the area with frequent visits from overseas based employees; and accessibility to Heathrow Airport.

The applicant's methodology and assessment criteria are considered to be reasonable. Taking this into consideration, officers are satisfied that no more appropriate sites are available to the applicant within or on the edge of Hayes Town Centre at this time.

Conclusion:

It is considered that the policy support for new hotel accommodation across London, the benefits of bringing a vacant site back into use and the lack of alternative more appropriate sites for the development within a town centre or edge of centre location, amount to sufficient justification to allow an exception to policy in this instance, such that no objections are raised to the principle of the development, subject to the proposals meeting relevant site specific criteria.

7.02 Density of the proposed development

Not applicable to this type of development.

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

Not applicable. The application site does not fall within or in the vicinity of an Archaeological Priority Area, a Conservation Area or an Area of Special Local Character. Furthermore, there are no listed buildings nearby.

7.04 Airport safeguarding

National Air Traffic Services (NATS) and BAA Safeguarding were consulted on this application. Neither body has raised any objections subject to a condition requiring the submission of a Bird Hazard Management Plan and an informative regarding use of cranes on site, should approval be granted.

7.05 Impact on the green belt

Not applicable. There is no green belt land within the vicinity of the application site.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of an area is not compromised by new development.

The application site is located in a prominent location along a busy main road and adjacent to the entrance to the Rackspace City Business Park. It also lies in close proximity to other large high quality development sites such as the Old Vinyl Factory, which is currently undergoing redevelopment. Given the site's prominent position along North Hyde Road and at the entrance to a sizeable business park, it is considered that the site commands a high quality modern development which would create a feature of this prominent corner plot.

Given the scale of the former building on the site (albeit this was demolished several years ago) and surrounding development, the proposed four-storey height of the building is considered to be acceptable in this location. The set back of the stair core at its south east end and provision of a single-storey element at its north western end assists in adding some articulation to the building, whilst reducing its bulk and massing.

The provision of the restaurant at the north west end of the building with high levels of glazing provides an active frontage, which it is considered assists in ensuring the development integrates with and addresses the adjoining public spaces. The use of materials and the single-storey element of the building here, which wraps itself around the side and a part of the front elevation, creates a focal point of this prominent corner at the entrance to the business park. This approach takes on board advice provided by the Council's Conservation and Urban Design Officer at pre-application stage and is supported in design terms.

Existing development fronting this side of North Hyde Road, including the office building to the north west and the new Asda superstore to the south east, is set back from the road and characterised by landscaped frontages. In lieu of advice provided at pre-application stage the proposed building has been set back from North Hyde Road and from Millington Road at its south eastern end to allow sufficient space for tree and shrub planting, in keeping with that which has been provided at adjoining developments. It is considered that this assists in softening the visual appearance of the building and would significantly enhance the visual amenities of the street scene in this location.

It is considered that the proposal would provide a high quality development which would be in keeping with the character and appearance of the surrounding area and contribute positively to the visual amenities of the street scene in this location. Accordingly, the development is considered to comply with Local Plan: Part 2 policy BE13, which seeks to safeguard visual amenity.

7.08 Impact on neighbours

Local Plan: Part 2 policies BE19, BE20, BE21 and BE24, in addition to the Council's Supplementary Planning Document on Residential Layouts, seek to safeguard residential amenity.

Whilst the site lies on the edge of an IBA, the area to north east, on the opposite side of North Hyde Road, is predominantly residential, largely characterised by two-storey terraced houses, although it is acknowledged that a row of three-storey maisonettes also sit directly opposite the site.

The Council's Supplementary Planning Document (SPD) on Residential Layouts states

that in order to protect the daylight and sunlight available to adjoining properties, and to protect against potential over domination, a minimum distance of 15m should be maintained between adjoining two or more storey buildings. Furthermore, a minimum distance of 21m should be retained in order to ensure there is no unacceptable overlooking. A minimum distance of approximately 22m would be maintained between the front facade of the building and the nearest residential properties opposite, in accordance with this guidance. Accordingly, it is not considered that the development would lead to such a detrimental impact on residential amenity in terms of over shadowing, over prominence, loss of privacy or loss of outlook that refusal could be justified.

Notably, concerns have been raised by residents over light pollution from the site. It is not considered that the development would give rise to such levels of light pollution that refusal could be justified and, notably, no objections have been raised in this respect from officers in the Council's Environmental Protection Unit. Details of any external lighting which might be proposed would however need to be provided in accordance with the requirements of the standard landscaping condition, which would be attached should approval be granted.

7.09 Living conditions for future occupiers

This consideration relates to the quality of residential accommodation and is not applicable to this type of development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Local Plan: Part 2 policies AM2 and AM7 seek to safeguard highway and pedestrian safety and ensure that developments do not have an adverse impact on the surrounding highway network. Policies AM14 and AM15 seek to ensure appropriate levels of car parking are provided.

A Transport Statement, accompanied by a Travel Plan and Delivery and Servicing Management Plan has been submitted in support of the application. Furthermore, a subsequent Transport Statement Addendum has been provided to address comments raised by the Council's Highway Engineer and TfL.

In terms of car parking, 75 car parking spaces (including eight disability standard spaces) and one coach parking bay would be provided by way of an undercroft car park accessed via Millington Road to the rear (south west) of the site.

In accordance with London Plan objectives, TfL have advised that the number of car parking spaces should be reduced to 60, to provide a ratio of 0.4 rather than 0.5 spaces per room as proposed, particularly given the site's good accessibility to public transport. However, the applicant has advised that the proposed level of car parking is required to meet their operational requirements, based on that required at similar Premier Inn sites. Furthermore, it must be noted that the Council's currently adopted parking standards, whilst confirming that sites should be assessed on a case by case basis, allow up to one space per bedroom outside central locations. The Council's Highway Engineer has raised no objections to the parking provision proposed, which is considered to comply with Local Plan standards and, accordingly, notwithstanding TfL's comments, it is not considered that refusal could be justified on this basis. A condition would however be attached, should planning permission be granted, to require the submission of a parking management strategy to ensure the development does not lead to an unacceptable increase in parking demand in the surrounding area.

TfL and the Council's Highway Engineer have both confirmed that the provision of one coach parking bay is acceptable in this instance.

With regard to provision of cycle parking, facilities for the storage of up to 11 bicycles would be provided, in accordance with London Plan standards. These would be located close to the hotel's main entrance and accessible from North Hyde Road. Shower, changing and locker facilities would be provided for staff wishing to cycle to/from work. The applicant has taken on board TfL's recommendation that a range of cycle stand types and an accessible cycle parking bay should be provided and amended plans have been provided to reflect this.

In accordance with TfL and the Council Highway Engineer's requests, a Stage 1 Road Safety Audit and a Pedestrian Environment Review System (PERS) audit have been undertaken. No significant safety concerns are raised by either audit. However, improvements to kerbing and paving on the immediately surrounding footway are recommended. These would be secured by way of a S106 legal agreement.

In terms of trip generation, the applicant initially based their assessment on bespoke surveys carried out at similar Premier Inn hotels, rather than industry standard. Whilst this is helpful, as the planning permission if granted would be for hotel use rather than specifically for Premier Inn use, further assessment through the use of the TRICS database was requested. This has been carried out by the applicant. This confirms that the development could create an average of 286 two-way vehicle movements over the course of a typical weekday, comprising 23 two-way vehicle movements during the AM peak hour and 13 two-way vehicle movements during the PM peak hour.

Whilst when taken in isolation the traffic generation is not significant, it must be acknowledged that the surrounding highway network currently experiences high levels of congestion, especially during peak times. Accordingly, even a small increase in vehicle trips can exacerbate existing traffic problems. This, combined with the cumulative impact of other small- medium sized development proposals within the surrounding area, could have a significant impact on the local highway network, which is of concern.

In light of this, the Council's Highway Engineer has advised that a financial contribution of £50,000 should be sought towards the development of congestion relieving measures in the surrounding network. The applicant has initially resisted this payment, arguing that a much smaller sum should be sought. Accordingly, negotiations are still ongoing. If, as a result of these negotiations, alternative heads of terms to those reported at this time are agreed, an update will be provided by way of the Committee addendum.

The Council's Highway Engineer has confirmed that no objections are raised, subject to agreement of the requested financial contribution and conditions as per those requested by TfL and to require the submission of a parking management strategy. Accordingly, it is not considered that the development would have such a detrimental impact on the local highway network that refusal could be justified.

7.11 Urban design, access and security

Matters relating to urban design have been largely addressed in part 7.07 of the report.

The proposed building would mark the entrance to the Rackspace City business park and would be seen in context with the nearby large scale office buildings and Asda superstore, located on the southern side of North Hyde Road. Accordingly, its size, scale, height, massing and design is considered to be appropriate for this prominent corner site.

The building would be finished in grey brick with white mortar to lighten its overall appearance and form a strong border to the window bays, which would contain aluminium

cladding. Use of lighter materials, punctuated with various tones of powder coated cladding, would draw attention to the main entrance and restaurant and has been designed to clearly define the entrance to the business park.

Use of landscaping, including tree and shrub planting, a small living roof and green walls would assist in softening the visual appearance of the building in the streetscape and reflect planting provided at nearby developments.

The scheme takes on board advice provided at pre-application stage and, notably, no objections have been raised by the Council's Conservation and Urban Design Officer. Accordingly, it is considered that the development would comply with policy BE13 of the Hillingdon Local Plan: part 2, which seeks to safeguard visual amenity.

With regard to security, it is noted that residents have raised concerns over a potential alcohol related increase in anti-social behaviour and vandalism as a result of the development. The applicant has advised that the restaurant would predominantly serve hotel guests, with only limited custom expected from the surrounding area. The submitted documents also suggest that the operator anticipates a significant portion of rooms will cater for users of Rackspace City. Accordingly, given the type of user the hotel is likely to attract, and the provision of an active frontage to the street, it is not considered that the development is likely to result in such an increase in crime or security issues that refusal could be justified. Notably, no objections have been raised by the Metropolitan Police in this regard, subject to the imposition of a Secure by Design condition, should approval be granted.

7.12 Disabled access

The submitted Design and Access Statement confirms that 10% of the bedrooms will be fully accessible, eight universal access parking bays will be provided and that the development will fully comply with the requirements of Part M of the Building Regulations.

Refuge areas would be provided for disabled users in the stair wells and the applicant has advised that the hotel operator has a management plan in place to evacuate people from the refuge via the protected stair using trained staff and evac chairs. The Council's Access Officer has confirmed that, whilst preferably other areas should also be designated as refuges, this complies with Building Regulation requirements and, as such, refusal cannot be justified on these grounds.

7.13 Provision of affordable & special needs housing

Not applicable to this type of development.

7.14 Trees, landscaping and Ecology

Local Plan: Part 2 policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

Aside from two rows of semi-mature trees planted at its north west end the application site contains no planting. The outer row of trees, closest to Millington Road, would be retained. However the inner row, comprising eight trees, would be removed to accommodate the development.

Landscaping improvements, including provision of tree and shrub planting, are proposed along North Hyde Road to provide a green frontage, similar to that provided for the adjacent Asda superstore. The Design and Access Statement confirms that the planting of silver birch trees is proposed due to their tall and upright habit and their silver bark which would

contrast with the grey brick facade of the building.

The south east boundary would be softened by a large feature tree and tiered shrub planting. Hedging will also be provided to screen a proposed substation at this end of the building. A green wall would be provided on the facade of the building and an ivy green screen would also be provided to the substation.

To the rear of the site, limited landscaping would be provided. However, low level hedge planting is proposed around the perimeter of the car park where space permits and medium level shrub planting would be provided around the car park entrance.

No objections are raised to the loss of the inner row of trees to the north west of the site given their relatively young age, the retention of the outer row and replacement planting proposed across the site. The proposals are considered to offer a high quality landscape scheme, which would complement the proposed development and enhance the visual amenities of the surrounding street scenes.

Comments made at pre-application stage relating to landscaping have been taken on board and, notably, the Council's Trees/Landscape Officer has confirmed that the landscape proposals are acceptable. Accordingly, the scheme is considered to comply with the objectives of Local Plan: Part 2 policy BE38.

7.15 Sustainable waste management

The plans indicate that refuse stores, capable of accommodating numerous bins for general waste and refuse, would be provided. The refuse store would be integrated into the building and fully accessible from the car park.

The integration of the bin store into the building is supported and considered to be visually preferable to alternatively providing a stand alone facility. A condition requiring the provision of a servicing and delivery plan would be attached should planning permission be granted to ensure conflict between different users of the car park is limited.

Notably, although the Council's Waste Manager has suggested that provision of larger waste receptacles would be preferable, no objections have been raised. It must also be noted that the hotel operator ultimately has discretion over which waste management methods are used on site.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan requires development proposals to make the fullest contribution possible to reducing carbon emissions. Major development schemes must be accompanied by an energy assessment to demonstrate how a 40% target reduction in carbon dioxide emissions will be achieved, where feasible.

In accordance with this policy requirement, the applicant has submitted an Energy and Sustainability Statement to demonstrate how the London Plan objectives will be met. In addition to energy efficient building measures such as use of energy efficient lighting, heat recovery ventilation, etc, air source heat pumps, photovoltaics and CHP would be provided to provide a portion of the site's energy needs through the use of renewable energy.

These measures would achieve a 40% reduction in carbon dioxide emissions above Part L of the Building Regulations in compliance with London Plan requirements.

In addition to the above, it should also be noted that a BREEAM rating of Very Good is targeted and that, as such, a number of sustainable measures would be incorporated,

including water saving measures, sustainable building techniques during construction, provision of a green roof and provision of a living wall.

Notably, the Council's Sustainability Officer has raised no objections, subject to a condition requiring full details of the energy specification to be provided prior to installation.

7.17 Flooding or Drainage Issues

London Plan policy 5.13 states that development proposals should use sustainable urban drainage systems (SuDs) unless there are good reasons for not doing so and that developments should aim to achieve green-field run-off rates. Policy 5.15 goes on to confirm that developments should also minimise the use of mains water by incorporating water saving measures and equipment.

The site does not fall within a flood zone or critical drainage area and no specific drainage issues have been identified. However, in accordance with London Plan policy a Flood Risk, SuDs and Foul Drainage Assessment has been provided.

This confirms that various sustainable drainage measures would be incorporated including the provision of dry swales, permeable paving and below ground cellular storage. Furthermore, low flow fittings would be installed within bathrooms throughout the hotel to minimise potable water demand.

The Council's Flood and Water Management Officer has confirmed that the drainage proposals are fully acceptable and of sufficient detail such that no conditions in this respect are necessary.

7.18 Noise or Air Quality Issues

- Noise:

Local Plan: Part 2 policy OE3 seeks to safeguard surrounding developments from unacceptable levels of noise. Policy OE5 seeks to protect future occupants of proposed developments from unacceptable levels of noise or vibration.

A Noise Impact Assessment has been submitted in support of the application, which confirms that an acceptable noise environment will be provided. It should be noted that the Council's Supplementary Planning Document on Noise (2006) requires that plant noise from developments is a minimum of 5 dB below background noise levels at the nearest sensitive premises. The submitted documents confirm that a minimum level of 3dBs will be achieved in accordance with 2014 standards. This difference is due to the applicant's use of more up to date standards and assessment methods. Following submission of additional information to demonstrate that acceptable noise levels could be achieved, officer's in the Council's Environmental Protection Unit have confirmed that this is acceptable. Accordingly, no objections are raised on noise grounds.

- Air Quality:

London Plan (2016) policy 7.14 confirms 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).

The site falls within a designated AQMA. Whilst, in isolation, it is not considered that the development would be likely to have a significant impact on air quality, the local traffic congestion is a major contributor to current pollution levels in this area. Accordingly, even a very small increase in traffic could add to and prolong congestion, exacerbating existing problems of poor air quality.

In light of this, the Council's Air Quality Officer has advised that a financial contribution should be secured to fund measures to improve the traffic congestion and also to protect the existing receptors. In this instance, because traffic congestion along North Hyde Road is the major contributor to the poor air quality levels in this locality, a separate contribution towards air quality monitoring is not considered to be necessary, providing this can be secured. As such, the Council's Air Quality Officer has confirmed that no objections are raised on air quality grounds, subject to the applicant agreeing to a £50,000 financial contribution towards highway improvement measures, as per that sought by the Highway Engineer.

7.19 Comments on Public Consultations

One objection has been received from a local resident. The concerns raised relate to loss of daylight, noise, traffic, parking, pollution, lighting and crime. These issues have been addressed in the body of the report.

7.20 Planning obligations

Policy R17 of the Local Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open spaces, facilities to support art, culture and entertainment facilities through planning obligations in conjunction with other development proposals.' Furthermore, London Plan (2016) policy 8.2 confirms that development proposals should address strategic and local priorities through use of planning obligations where appropriate.

In this instance, planning obligations relating to highways, provision of a travel plan, construction training, hospitality training, public realm and project management and monitoring are required.

The Council's Air Quality Officer has advised that a contribution should be sought towards highway improvements rather than additional air quality monitoring in this instance and in this respect supports the Highway Engineer's request for a £50,000 financial contribution.

The development would also necessitate a payment of £471,128.34 towards the Mayoral and Hillingdon CIL.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

- Contamination

Given historic land uses of the area, Council records indicate that contamination could be present on the site. A Geo-Environmental Report has been provided, which takes into consideration previous mitigation and remediation works which have been carried out in the area, associated with the wider Rackspace City site and adjoining Asda. This confirms that the site is unlikely to be significantly contaminated. However, given historic contaminative uses of the area, the Council's Contaminated Land Officer has confirmed that the standard contaminated land condition should be attached, should planning permission be granted.

- Lighting

Residents have raised concerns over light pollution from the site. As stated in part 7.08 of the report, it is not considered that the development would give rise to such high levels of light pollution that refusal could be justified. No objections have been raised by officers in the Council's Environmental Protection Unit in this regard. However, if external lighting is proposed, details of this would need to be provided in accordance with conditional requirements.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

The applicant has provided sufficient evidence to demonstrate that an exception to planning policy relating to IBA and town centre uses can be justified in this instance such that no objections are raised to the principle of development.

The proposal is considered to provide a high quality scheme which would contribute to and enhance the visual amenities of the street scene and surrounding area in this location. Furthermore, the development fully complies with current Council policies and guidance relating to privacy, overdominance, and loss of daylight/overshadowing such that the development would have no significant impact on residential amenity.

Notwithstanding TfL's comments, the proposed car parking provision is considered to be acceptable in this instance. Its impact on the local highway network and on air quality would be small such that, subject to the applicant entering into a S106 agreement to secure funds towards the carrying out of future highway improvement works, it is not considered that the development would lead to an unacceptable impact on the local highway network.

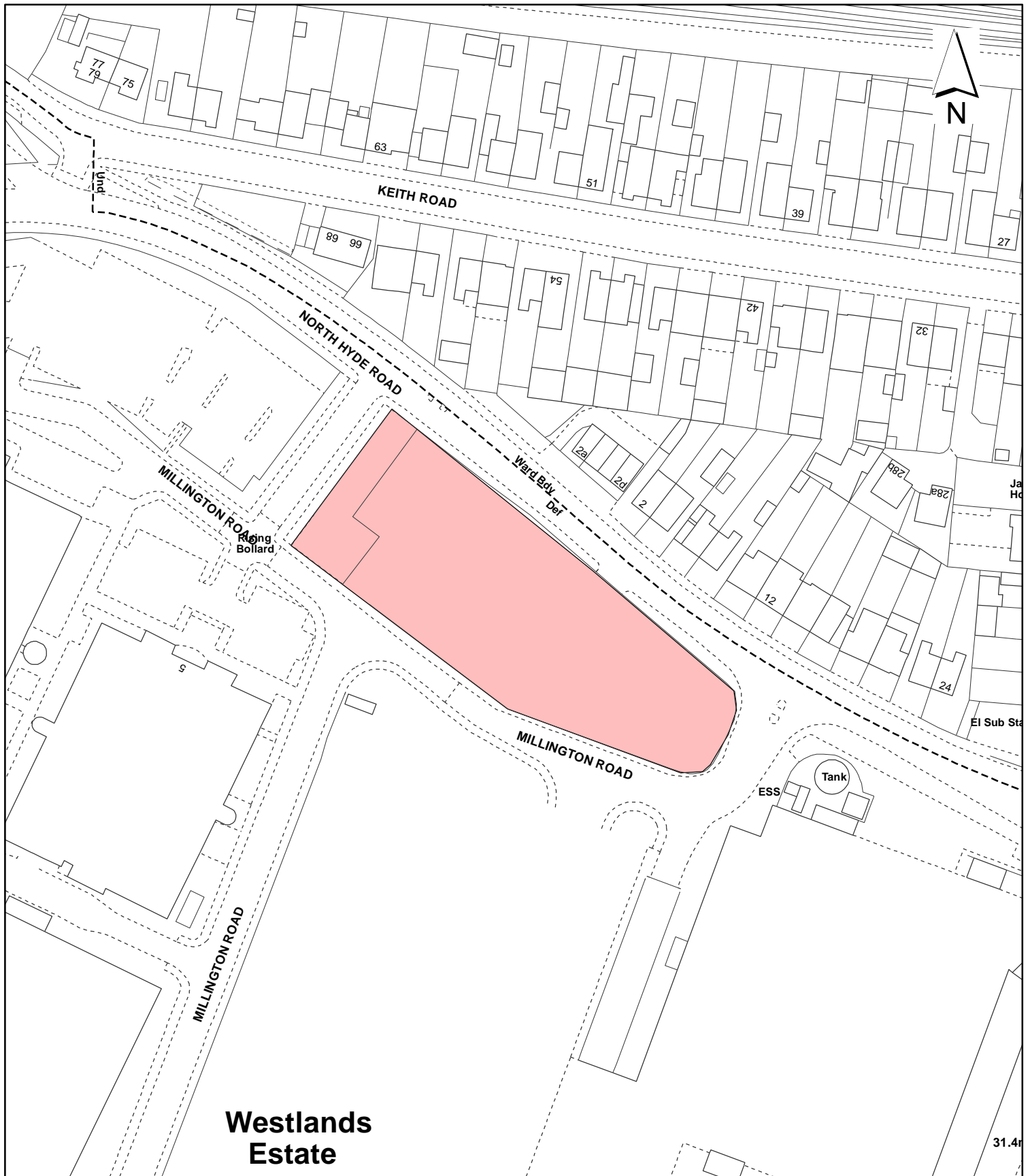
The development is considered to comply with relevant Local Plan, London Plan and national planning policies and, accordingly, it is recommended that delegated powers be given to the Head of Planning and Enforcement to approve the scheme, subject to the appropriate referral to the Secretary of State.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document: Accessible Hillingdon
Hillingdon Supplementary Planning Document: Residential Layouts
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise
Hillingdon Supplementary Planning Document - Air Quality
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Unit 6
 Rackspace City
 North Hyde Road
 Hayes**

Planning Application Ref:

22632/APP/2016/2369

Planning Committee:

Major

Scale:

1:1,250

Date:

September 2016

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

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



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