

Report of the Head of Planning, Sport and Green Spaces

Address 1 NOBEL DRIVE HARLINGTON

Development: Variation of condition 2 (Approved Plans) of planning permission ref. 46214/APP/2014/2827 dated 28-08-2015: Conversion and extension of existing office building to form a 200 bedroom hotel with banqueting suite, conference facilities, and rooftop restaurant, including a seven-storey extension to rear, a three storey addition at roof level, and single-storey side extension, together with the creation of a new vehicle access, and alterations to car parking and landscaping.

LBH Ref Nos: 46214/APP/2016/2397

Drawing Nos: PL(00)001 existing site layout
PL(00)003 location plan
PL(00)100 existing ground
PL(00)102 existing second
PL(00)103 existing third
PL(00)101 existing first
PL(00)104 existing plan
PL(00)121 existing south & west elevation
PL(00)122 existing north & east
PL(00)002B proposed site layout
PL(00)200 proposed ground & first
PL(00)201 proposed second & third
PL(00)202 proposed fourth & fifth
PL(00)203 proposed sixth & roof
PL(00)220 proposed east and south elevations
PL(00)221 proposed west and north elevations
PL(00)250 proposed sections

Date Plans Received: 20/06/2016

Date(s) of Amendment(s):

Date Application Valid: 16/08/2016

1. SUMMARY

The application seeks permission to vary planning permission ref: 46214/APP/2014/2827 to provide i) additional 44 rooms - 244 rooms in total; ii) additional 19 car parking spaces - 100 in total; iii) reduction in footprint of building to allow for additional parking spaces; iv) The approved first floor layout has been rationalised, by replacing the proposed meeting rooms and gym with bedrooms. The extent of the floorspace associated with the banqueting operation is proposed to be increased marginally and v) increase in height of the building by 1.2 m from 23m.

Given the site's context the scheme raises no adverse amenity issues to residential neighbours nor does the new building's massing and outlook prejudice the existing or proposed developments on the adjacent sites. The car parking provision and highway access arrangements are considered consistent with planning policy and acceptable including the arrangements for service delivery and guest drop off/collection.

The height of the proposal is consistent with the surrounding development and in visual appearance terms the treatment of the elevations is considered appropriate and the proposed landscaping to street adequate.

In summary the scheme, subject to appropriate conditions and planning obligations, is considered to comply with relevant London Plan and Hillingdon Local Plan Part 1 and Part 2 policies.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning and Enforcement to grant planning permission subject to the relevant conditions set out below:

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

1. Highways: to secure all necessary works (including new access points and relocation or removal of on-street parking bays including associated works) and the provision of a Travel Plan (including £20,000.00 Bond), including Sustainable Transport Measures (such as a hopper bus service), and a Construction Logistics Plan and a Delivery & Service Plan.

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

3. Air Quality: in line with the SPD and given the site is located in an air quality management area then a contribution in the sum of £25,000.

4. Hospitality Training

5. An Employment Training Strategy

6. Carbon Fund offsite contribution of £12,600.00 (@£60/tCO₂ for 30years) to offset against the shortfall (which equates to 7 tonnes of carbon per year)

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

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

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

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before 16/03/2015, or such other date as agreed by the Head of Planning and Enforcement delegated authority be given to the Head of Planning and Enforcement to refuse planning permission for the

following reason:

'The applicant has failed to provide contributions towards the improvement of services and the environment as a consequence of demands created by the proposed development (in respect of construction training, off site highways impacts, carbon savings as well as air quality). The proposal therefore conflicts with Policies R17, AM7 and OE1 of the adopted Local Plan and the Council's Planning Obligations SPD and Air Quality SPG.'

E) That subject to the above, the application be deferred for determination by the Head of Planning and Enforcement under delegated powers, subject to the completion of the legal agreement under CIL Regulations and other appropriate powers with the applicant.

F) That the applicant shall pay the required levy on the additional floorspace created under the Council's Community Infrastructure Levy.

G) That if the application is approved, the following conditions be imposed:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers PL14A, PL13A, PL12A, PL11A, PL10A, PL09A, PL08A, PI07A, PL06A, PL05A, PL04A, PL03A, PL02B, ae1449-01a and ae1449-02deck-04-prop 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 (March 2016).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:
Heathrow Top Hotel - Planning Statement 080814,
GEA-Ground Contamination Report,
Design & Access Statement Rev.B.

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

REASON

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

4 NONSC Facilities for People with Disabilities

The hotel use hereby approved shall not commence until the development has been provided with a layout and facilities which meet the requirements set out in BS 8300:2009 (Code of Practice on Design of buildings and their approaches to meet the needs of disabled people), including:-

a. the development shall be Disability Discrimination Act compliant ensuring that step and ramp free access are provided within the primary access areas and landscaped amenity spaces;

b. sufficient numbers of lifts able to accommodate wheelchair users;

c. 10% of all rooms as a percentage of the total number of bedrooms should be accessible by disabled users with:

i. 5% of these rooms being fully accessible from the outset and equipped with all fittings necessary to facilitate use by people with limited mobility including interconnecting doors and fully accessible bathrooms;

ii. 5% of the rooms being standard accessible rooms suitable for wheelchair circulation and include ensuite wetrooms and interconnecting doors to accommodate for carers of disabled guests or larger families

d. 5% of all rooms should be standard rooms with interconnecting doors to twin rooms suitable for families, the elderly and guests with limited mobility

e. 20 ensuite bathrooms to be specified to BS 8300:2009 standard.

The layout and all facilities which form part of the scheme shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that London's visitor infrastructure is accessible and welcoming to all sections of the population, including older and disabled people in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 3.1, 3.8 and 7.2 of the London Plan (March 2016).

5 NONSC Air Quality - Energy Provision

Before the development is commenced details of any plant, machinery and fuel burnt, as part of the energy provision and the location of the flue at the development shall be submitted to the LPA for approval. This shall include pollutant emission rates at the flue with or without mitigation technologies. The use of ultra low NOx emission gas-fired CHPs and boilers is recommended. The development should as a minimum be 'air quality neutral' and demonstrably below the building emissions benchmark, with a low emission CHP.

REASON:

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

6 NONSC Air Extract System

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

maintained in full compliance with the approved measures.

REASON:

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

7 NONSC Extract Systems

No hot cooking shall take place within the premises until full details, with calculations, of the proposed fume/ odour extraction system have been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing. The submission shall include details of:

- (i) The extract fan, silencers, anti-vibration mounts, high velocity cowl, correctly sized carbon filter and electrostatic precipitator systems and any other items of plant;
- (ii) The velocity of air flowing through the cooker hood, the carbon filters, electrostatic precipitator and at the duct termination;
- (iii) The retention time of gases in the carbon filters;
- (iv) A maintenance schedule;

Before commencement of the approved ground floor use, the approved extraction system shall be installed on site in accordance with the approved details and shall be retained and maintained thereafter. Any variations thereafter shall be agreed in writing by the Local Planning Authority.

REASON

To safeguard the amenity of the future occupiers of the development and of occupiers of adjacent premises in accordance with Policy OE1 Hillingdon Local Plan: Part 2 Saved UDP Policies (November 2012).

8 COM15 Sustainable Water Management

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

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

appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.

iv. provide details of the body legally responsible for the implementation of the management and maintenance plan.

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

v. incorporate water saving measures and equipment.

vi. provide details of water collection facilities to capture excess rainwater;

vii. provide details of how rain and grey water will be recycled and reused in the development.

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

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (March 2016).

9 NONSC Amplified Music/ Control of site noise rating level

No music and/or other amplified sound from the premises shall be audible inside surrounding residential premises between 2300 hours and 0700 hours. At all other times, the rating level of the noise emitted from the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest residential property. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

In the interests of residential amenity in compliance with Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)..

10 COM27 Traffic Arrangements - submission of details

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

share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (March 2016).

11 NONSC Construction Management Strategy (Aircraft Safety)

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the following matters:

- details of the area(s) subject to construction activity and the storage of materials and equipment
- details of cranes and other tall construction equipment (including the details of obstacle lighting) - Such schemes shall comply with Advice Note 4 'Cranes and Other Construction Issues'(available at [www.aoa.org.uk/operations & safety/safeguarding. asp](http://www.aoa.org.uk/operations%20&%20safety/safeguarding.asp)).
- details of temporary lighting - Such details shall comply with Advice Note 2 'Lighting Near Aerodromes' (available at [www.aoa.org.uk/operations & safety/safeguarding. asp](http://www.aoa.org.uk/operations%20&%20safety/safeguarding.asp)).
- height of storage areas for materials or equipment.

The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

REASON

To ensure that construction work and construction equipment on the site and adjoining land does not breach the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome, and; to ensure the development does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment.

12 NONSC Car Parking for guests only

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

REASON

To ensure suitable parking provision is provided on the site, in accordance with policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (March 2016).

13 COM30 Contaminated Land

- (i) The development hereby permitted shall not commence until a scheme to deal with

contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

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

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

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

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

(iv) Before any part of the development is occupied, site derived soils and 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).

14 NONSC Archaeology

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

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

C) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written

Scheme of Investigation approved under Part (A), and the provision made for analysis, publication and dissemination of the results and archive deposition has been secured.

REASON

Heritage assets of archaeological interest are expected to survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results.

15 NONSC Energy Efficiency

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority.

The assessment shall clearly set out the baseline energy performance of the development, and the detailed measures to reduce CO2 emissions in accordance with the approved energy strategy submitted with the planning application. The assessment shall provide detailed specifications of the measures and technology set out in outline energy assessment. In particular, the assessment shall provide full details of the proposed CHP unit, including inputs and outputs, location and how it connects to the development. The assessment shall also include full details of any further low or zero carbon technology including type, specification, and detailed plans and elevations where appropriate.

Finally, the assessment must include appropriate measuring and monitoring proposals and how the information will be submitted to the Local Planning Authority to demonstrate CO2 reductions are being met.

The development must proceed in accordance with the approved scheme.

REASON

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

16 NONSC Building Height

No building or structure of the development hereby permitted shall exceed 50 metres AOD

REASON

Development exceeding this height would penetrate the Obstacle Limitation Surface (OLS) surrounding Heathrow Airport and endanger aircraft movements and the safe operation of the aerodrome.

17 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

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

REASON

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

18 **COM31** **Secured by Design**

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 7.1 and 7.3 of the London Plan (March 2016).

19 **COM9** **Landscaping (car parking & refuse/cycle storage)**

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

1. Details of Soft Landscaping

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

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

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

2. Details of Hard Landscaping

2.a Refuse Storage (which shall be covered and secure)

2.b Cycle Storage (including secure storage for at least 20 cycles)

2.c Means of enclosure/boundary treatments (including details of the heights and design of balustrading around roof terraces)

2.d Car Parking Layouts (including the provision 83 car parking spaces and 4 motorcycle spaces. 64 parking spaces allocated for the hotel and 19 spaces for the banqueting/conference rooms, including at least 8 disabled parking spaces, and demonstration that at least 10 parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials (including a kerbed access route from Bath Road to the main entrance of the building and crossover alongside the new vehicular access fronting Nobel Drive)

2.f External lighting including for the car parking areas

2.g Other structures (such as furniture)

3. Living Walls and Roofs

3.a A scheme for the inclusion of living walls, roofs and screens, in particular at roof level and at first floor level within the roof terrace. The scheme shall provide details of the 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, provide adequate facilities and provide adequate privacy in compliance with policies BE13, BE24, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 5.11 and 5.17 of the London Plan (March 2016).

20 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

21 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).

22 NONSC Bird Hazard Management Plan

Development shall not commence until a Bird Hazard Management Plan has been submitted to and approved in writing by the Local Planning Authority. The submitted plan shall include details of:

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

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

REASON

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

23 NONSC Fire Evacuation Plan

Prior to the first occupation of the development hereby approved a comprehensive fire emergency plan that demonstrates how disabled people will be safeguarded from fire and enabled to evacuate the building shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with policy AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and policies 3.1, 3.8 and 7.2 of the London Plan (March 2016).

24 NONSC Non Standard Condition

No occupation of the development hereby approved shall take place until a noise management and mitigation scheme to address the impacts of noise from the open spaces (terraces and balconies) on the nearest residential occupiers has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to occupation and maintained for the life of the development hereby approved.

REASON

To ensure the development does not have an adverse impact on the amenity of the nearest residential occupiers in accordance with Policies OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

25 NONSC Non Standard Condition

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

REASON

The use of the site for long-stay parking for Heathrow Airport passengers is directly related to the operation of Heathrow Airport but is located outside the airport boundary, contrary to Policy A4 of the Hillingdon Unitary Development Plan Saved Policies September 2007. Furthermore, this would provide airport related car parking in addition to the 42,000 car parking spaces that have been 'capped' at Heathrow Airport as a condition of the Terminal 5 approval and is contrary to Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

26 NONSC Non Standard Condition

Prior to commencement of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

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).

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 (March 2016). and national guidance.

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.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.5	(2011) London's Visitor Infrastructure
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions

LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.4	(2011) Retrofitting
LPP 5.7	(2011) Renewable energy
LPP 6.1	(2011) Strategic Approach
LPP 6.10	(2011) Walking
LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.13	(2011) Parking
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.13	(2011) Safety, security and resilience to emergency
LPP 7.14	(2011) Improving air quality
LPP 7.15	(2011) Reducing noise and enhancing soundscapes
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 8.2	(2011) Planning obligations

3 I14C Compliance with Building Regulations Access to and use of

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.

4 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

5

The written scheme of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with English Heritage Greater London Archaeology guidelines. It must be approved by the planning authority before any on-site development related activity occurs.

6 128 Food Hygiene

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

7 158 Opportunities for Work Experience

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

installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

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

8 I60 Cranes

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

9

The development is close to the aerodrome and the approach to the runway. We draw attention to the need to carefully design lighting proposals. This is further explained in Advice Note 2, 'Lighting near Aerodromes' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation&safety/safeguarding.htm)). Please note that the Air Navigation Order 2005, Article 135 grants the Civil Aviation Authority power to serve notice to extinguish or screen lighting which may endanger aircraft.

10

The development is close to the airport and the landscaping which it includes may attract birds which in turn may create an unacceptable increase in birdstrike hazard. Any such landscaping should, therefore, be carefully designed to minimise its attractiveness to hazardous species of birds.

Your attention is drawn to Advice Note 3, 'Potential Bird Hazards: Amenity Landscaping and Building Design' (available at [http://www.aoa.org.uk/operation & safety/safeguarding.htm](http://www.aoa.org.uk/operation&safety/safeguarding.htm)).

11

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.

12

You are advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy. The applicant will be liable to pay the Community Infrastructure Levy on commencement of this development. A separate

liability notice will be issued by the Local Planning Authority, however you are advised that it is your responsibility to notify the Local Planning Authority of the anticipated commencement date and any changes in liability through submission of the appropriate forms.

Should you require further information please refer to the Council's Website (<http://www.hillingdon.gov.uk/index.jsp?articleid=24738>).

13 159 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a roughly rectangular shaped plot located on the north side of Bath Road in Harlington. The existing four-storey office building on the site sits towards the southern half of the site, fronting Bath Road and Nobel Drive. The office building has been vacant since February 2013 and was last occupied by the Border Agency.

The site is bounded to the east by Nobel Drive, which is accessed at both ends via Bath Road and provides access to both commercial and residential properties. Beyond Nobel Drive to the east is a large 1960s built single-storey building which is used as a bowling alley. To the north are three-storey residential properties, beyond which is land falling within the Green Belt.

The site is bounded to the west by the 4/5 storey Holiday Inn Hotel, and to the south by the A4 dual carriageway, beyond which are relatively small scale commercial and industrial buildings within the Heathrow Airport boundary.

The north side of Bath Road is largely characterised by commercial office buildings and hotels, and there are several other hotels, including the Ibis, Holiday Inn, Sheraton, Marriott and Radisson Edwardian, within the vicinity. The southern side of Bath Road is more characterised by smaller scale commercial and industrial buildings, and large car parks associated with Heathrow Airport.

The site falls within the developed area as shown on the Hillingdon Unitary Development Plan Proposals Map. Bath Road is designated as a Strategic Route and open land beyond the residential properties to the north is designated as Green Belt.

3.2 Proposed Scheme

The proposal is to vary condition 2 (Approved Plans) of planning permission ref. 46214/APP/2014/2827 dated 28-08-2015 for the Conversion and extension of existing office

building to form a 200 bedroom hotel with banqueting suite, conference facilities, and rooftop restaurant, including a seven-storey extension to rear, a three storey addition at roof level, and single-storey side extension, together with the creation of a new vehicle access, and alterations to car parking and landscaping.

This is to allow a number of changes to the approved scheme. these include:

- i) Additional 44 rooms - 244 rooms in total
- ii) Additional 19 car parking spaces - 100 in total.
- ii) Reduction in footprint of building to allow for additional parking spaces.
- iii) The approved first floor layout has been rationalised, by replacing the proposed meeting rooms and gym with bedrooms. The extent of the floorspace associated with the banqueting operation is proposed to be increased marginally.
- iv) Increase in height of th building by 1.2 m from 23m.

The application was submitted speculatively, without an operator attached. The proposed internal layout was therefore based on generic operator requirements. Since planning permission was granted, the developer has decided to use Marriott Hotel branding. Marriott, like all major hotel franchises, has brand standards, specifying the size and layout of rooms, as well as other requirements.

3.3 Relevant Planning History

Comment on Relevant Planning History

46214/APP/2014/2827 - Conversion and extension of existing office building to form a 200 bedroom hotel with banqueting suite, conference facilities, and rooftop restaurant, including a seven-storey extension to rear, a three storey addition at roof level, and single-storey side extension, together with the creation of a new vehicle access, and alterations to car parking and landscaping. Permission granted 28/08/2015.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

- | | |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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. |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM8 | Priority consideration to pedestrians in the design and implementation of road |

	construction and traffic management schemes
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
T2	Location of tourist accommodation and conference facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements
LPP 2.6	(2011) Outer London: vision and strategy
LPP 2.7	(2011) Outer London: economy
LPP 2.8	(2011) Outer London: Transport
LPP 4.1	(2011) Developing London's economy
LPP 4.5	(2011) London's Visitor Infrastructure
LPP 5.1	(2011) Climate Change Mitigation
LPP 5.10	(2011) Urban Greening
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.21	(2011) Contaminated land
LPP 5.3	(2011) Sustainable design and construction
LPP 5.4	(2011) Retrofitting
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LPP 6.11	(2011) Smoothing Traffic Flow and Tackling Congestion and reducing traffic
LPP 6.13	(2011) Parking
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 7.1	(2011) Building London's neighbourhoods and communities
LPP 7.13	(2011) Safety, security and resilience to emergency

- LPP 7.14 (2011) Improving air quality
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 7.2 (2011) An inclusive environment
- LPP 7.3 (2011) Designing out crime
- LPP 7.4 (2011) Local character
- LPP 7.6 (2011) Architecture
- LPP 8.2 (2011) Planning obligations

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 20th September 2016

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

GLA

I have assessed the details of the application and, given the scale and nature of the proposals, conclude that the amendments do not give rise to any new strategic planning issues. Transport for London has provided separate comments (attached here), which should be taken into account when assessing and determining the application.

Therefore, under article 5(2) of the above Order the Mayor of London does not need to be consulted further on this application. Your Council may, therefore, proceed to determine the application without further reference to the GLA. I will be grateful, however, if you would send me a copy of any decision notice and section 106 agreement.

TFL

The applicant should resolve the following matters with Hillingdon Council and TfL in line with the transport policies of the London Plan:

- i) To undertake a Parking Accumulation Assessment to justify the need to increase the provision of car parking;
- ii) Review the proposed cycling provision with the objective of meeting requirements as set out in the LCDS;
- iii) Improve the content of the travel plan and secure a finalised version by s106 agreement;
- iv) To secure a DSP by condition, which also outlines suitable vehicles which may be used to service the site;
- v) To secure a CMP and CLP by condition.

EXISTING HOTEL ON BATH ROAD - 118 BATH ROAD

- 1. Overlooking, loss of light, loss of privacy
- 2. Noise
- 3. Inadequate waste management

METROPOLITAN POLICE

I reviewed this proposed development and in principle I have no objections providing the security is tight and adhered to. I have carried out extensive crime surveys due to the adjacent building being the Airport Bowl. The Airport Bowl is a crime generator and as a result of the

proposed development not being a new build, it is imperative that the existing building has all the requisite security items installed according to the Secured by Design design guide. As such, I would like a planning condition imposed to achieve Secured by Design.

Internal Consultees

HIGHWAYS

TRIP GENERATION AND TRAFFIC IMPACT ASSESSMENT

The trip generation associated to the revised proposals has been calculated using the same methodology adopted for the first submission. The comparison sites used for the first submission appear to be applicable to the revised proposals. The results suggest that the maximum hourly flow would increase from 39 to 47 vehicles / hour. Since the lower figure has been deemed not to have a significant impact on traffic operations, it is concluded that the increase is too small to result in significantly different impacts compared to the original figure. It is therefore concluded that the revised development proposals would not have any detrimental impact on local traffic operations.

Parking spaces are increased from 81 to 100. The new Parking spaces allocation is calculated using the same standards used for the first submission, i.e. 1 parking space each 3 rooms plus 1 parking space for each 50m² of banqueting floor area. This equates to:
 $246 / 3 + 950 / 50 = 82 + 19 = 100$ parking spaces.

As the calculation uses the same standards approved for the first submission, it is considered acceptable.

The other parking provisions should be revised accordingly:

- 10 disabled bays (10%)
- 5 EV charging points (5%)
- A minimum of 5 motorcycle spaces (1 in 20 car parking spaces);
- Cycle parking spaces should increase from 20 to 25 in order to reflect increased number of bedrooms and potentially increase staff levels.

ACCESS AND LAYOUT

There are no changes in the access /egress arrangements and layout of the external areas compared to the already approved layout. As a result, the proposed arrangements are deemed acceptable.

Highway works to alter the splitter island along Nobel Drive adjacent to the roundabout and the formation of the new site access off Nobel Drive will be required. Vehicular swept paths with 300mm safety margin will be required to support the detailed design of these works for prior approval by Hillingdon Council

A Construction Logistics Plan should be secured by way of a planning condition or s106 agreement. This should include (but not limited to):

- Construction traffic generation by development;
- Access routes;
- Contractor parking;
- Deliveries to avoid highway network peak hours and traffic sensitive hours;
- Construction staff travel plan

The Council's travel plan officer should be consulted to comment on the travel plan. A full travel plan to take account of any necessary adjustments can be secured and maintained through a planning condition and/or s106 agreement as appropriate.

CONDITIONS AND S106 OBLIGATIONS

The issues above regarding on-street car parking, motorcycle parking and access layout should be appropriately covered through planning conditions. The highways/transport obligations listed below

should be covered within the S106 agreement:

1. Access works
2. Part carriageway and footway resurfacing and associated works along Nobel Drive
3. Removing/relocating on-street car parking bays, amending parking restrictions and associated costs
4. Travel Plan
5. Car parking allocation and management scheme
6. Construction Logistics Plan
7. Refuse and delivery management scheme.

FLOOD WATER MANAGEMENT OFFICER

The proposed variation appears to reduce the landscaped area to increase the parking and therefore impacts could impact on the ability to provide sustainable drainage proposals for the site. The management of Surface water is a material planning consideration for all major development. Therefore an assessment or drainage statement is required with all Major applications. As one has not been submitted, the application should therefore be refused.

Officer Note:

The plans have been amended and the landscaping has been reinstated as per the previously approved scheme. Therefore the current proposals have no additional impact in terms of flooding over and above what was previously approved.

URBAN DESIGN & CONSERVATION

Whilst the resulting building would now look quite different to that originally approved, there are no objections in principal to the changes in the design and external cladding materials of the structure. The original conditions appear to be adequate to cover these matters. It is noted that the proposed building is taller than the original.

There is, however, an objection to the loss of the area of soft landscaping on the southern frontage of the site where it runs alongside the Bath Road. It is important to retain and encourage planting and additional greenery along the Bath Road, which is sadly lacking in landscaping at present.

TREES & LANDSCAPING

This application to vary the condition 2 is unacceptable. My comments of 2 October 2014 to the original application (2014/2827) remain unaddressed. There has never been any submission of a tree survey, impact assessment of trees / soft landscape to be lost or proposals to provide landscape enhancement for this site.

The D&AS of the current application (clause 2.3) casually refers to the removal of some (more) trees, without any explanation or justification. The net effect will be to the detriment of the site and the setting of the Bath Road, the environmental quality of which the Council has sought to improve over many years

Officer Comment:

The plans have been amended and the landscaping has been reinstated as per the previously approved scheme. Therefore the current proposals have no additional impact in terms of trees and landscaping over and above what was previously approved.

ACCESS

The proposed revisions to the original planning permission include no less than 21 accessible bedrooms which appear to be in compliance with BS 8300:2009. No objection to this proposal is

raised from an accessibility perspective.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of development was established under the original original planning permission ref:46214/APP/2014/2827.

7.02 Density of the proposed development

The density matrix under Table 3.2 of the London Plan (March 2016) is only applicable to residential uses falling within Class C3. In the case of the proposed scheme incorporating a 200 bed hotel with conferencing facilities and a restaurant it will be the height and bulk of the development that will be crucial in determining whether an acceptable design response for this site and its immediate setting has been achieved.

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

In considering the original planning application English Heritage confirmed that whilst the site lies in an area where archaeological remains may be anticipated, they have no objections to the proposed development subject to an appropriate condition requiring the applicant to secure the implementation of a programme of archaeological work in accordance with a written scheme of investigation. The Council's Conservation Officer has raised no objection to the proposal. It is considered that given the relativity minor nature of the proposed changes and the reduction in the footprint of the building.

7.04 Airport safeguarding

BAA Safeguarding, National Air Traffic Services (NATS) and Heathrow Airport have been consulted and confirmed that the proposed development would not conflict with airport safeguarding criteria subject to conditions.

7.05 Impact on the green belt

Policy OL5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to protect the Green Belt from nearby developments which may prejudice its visual amenity. Whilst the proposed extensions to the building would be visible from the Green Belt to the north, the existing two-storey and three-storey residential properties in Marlborough Crescent and David Close provide a buffer between this land and the proposed building. Seen in context with other large buildings along Bath Road, and Heathrow Airport beyond, it is not considered that the proposed development would have any significant visual impact on the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

The approved scheme was deemed to not cause a material loss of amenity to neighbouring properties, as the proposed extensions would be sited a sufficient distance away from adjoining properties. The approved extensions were not considered to be over-dominant when viewed in conjunction with the existing building, and the wider context of the site, with numerous large commercial buildings. The proposed alterations to the approved scheme are relatively minor, only increasing the height of the building by 1.2m. It is not considered that this difference would be discernible in anyway and as such is considered acceptable.

The proposed development is considered to be consistent with policies BE20, BE21 and BE24 of the UDP.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) seeks to ensure that new developments do not have a detrimental impact on the residential amenity of neighbouring occupiers through loss of light, dominance or loss of privacy.

It was established in the assessment of planning permission ref: 46214/APP/2014/2827 that the extensions were not considered to be over-dominant when viewed in conjunction with the existing building, and the wider context of the site, with numerous large commercial buildings, and as such, is unlikely to impact on the visual amenities of neighbouring properties from loss of light, over-dominance or loss of privacy.

Furthermore at the time the applicant also carried out a daylight and sunlight assessment in order to assess the impact of the proposed development on its surroundings, particularly in respect of the Holiday Inn hotel to the west and the residential properties in 1-19 Marlborough Crescent to the north. The report showed that the proposed development would have a negligible impact on the residential properties as it would not result in a decrease in the lighting levels below the recommended percentages of annual daylight or sunlight hours received at these properties below the limits stated in the BRE Report.

A number of bedroom windows on the eastern side of the Holiday Inn hotel will experience a material reduction in the levels of daylight but will still receive the recommended percentage of annual sunlight hours. This is not considered to be an issue given the transient nature of the hotel residents. As such, the impact of the proposed development on these properties, in terms of daylight and sunlight, is considered to be acceptable.

Policy OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties. Given the nearby neighbouring residential properties, it is considered that suitable noise conditions should be included on any grant of permission to ensure the scheme will not give cause to noise annoyance to surrounding properties.

The proposed amendments to the previously approved hotel development are considered to be consistent with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

The proposal is for a hotel and there will be no permanent future occupiers. There are no policies or standards that relate to hotel accommodation.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The scheme approved under planning permission ref: provided 81 parking spaces for 200 rooms and a 950sq metre function space. This equated to a car parking ratio 1 space per 2.47 hotel rooms. The amendments to the original scheme propose 91 car parking spaces for 244 hotels rooms and a 595sq metre banqueting hall. This equates to a parking ratio of 1 space per 2.68 hotel rooms.

It is considered that the slight reduction in the parking ratio from the approved scheme, is acceptable given that the hotel will generally service airport commuters who would most likely arrive at the hotel by taxi and sufficient would still be provided for any future patrons wishing to come by car. The reduction in the size of the size of the banqueting/function

space is also welcomed as it will reduce traffic flows and parking demand during events. A condition is recommended requiring a parking management plan for event days.

7.11 Urban design, access and security

The proposed changes to the scheme approved under planning permission ref: 46214/APP/2014/2827 are not considered to have a significant impact on access and security of the site. The proposals are therefore considered acceptable in this regard.

7.12 Disabled access

Additional information was requested with regard to level access into the building, wheelchair access evenly distributed between the proposed elements of the hotel building and manoeuvring areas within the bathrooms, to allow for wheelchair use.

The applicant has submitted amended plans showing these requirements have been met and the scheme is therefore considered to comply with the Disability Discrimination Act, Part M of the Building Regulations, BS8300:2009, BS8300:2009+A1:2010 and BS.9999:2008.

Subject to an appropriate condition it is considered that the proposal would provide an inclusive environment for future users in accordance with Policies R16 and AM13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 7.1 and 7.2 of the London Plan.

7.13 Provision of affordable & special needs housing

There are no requirements for commercial schemes to provide or contribute towards affordable or special needs housing provision in the borough.

7.14 Trees, Landscaping and Ecology

The proposed changes to the scheme approved under planning permission ref: 46214/APP/2014/2827 are not considered to have a significant impact on the landscaping on the site. The proposals are therefore considered acceptable in this regard.

7.15 Sustainable waste management

The proposed changes to the scheme approved under planning permission ref: 46214/APP/2014/2827 are not considered to have a significant impact on the waste management on the site. The proposals are therefore considered acceptable in this regard.

7.16 Renewable energy / Sustainability

The proposed changes to the scheme approved under planning permission ref: 46214/APP/2014/2827 are not considered to have a significant impact on renewable energy/sustainable on the site. The proposals are therefore considered acceptable in this regard.

7.17 Flooding or Drainage Issues

The proposed changes to the scheme approved under planning permission ref: 46214/APP/2014/2827 are not considered to have a significant impact on sustainable drainage or flooding on the site. The proposals are therefore considered acceptable in this regard.

7.18 Noise or Air Quality Issues

- Air Quality

The site is located within an Air Quality Management Area and, as such, an Air Quality Assessment has been submitted. In the opinion of the Council's Air Quality Officer a number of measures have been put forward, such as the shuttle bus system and dedicated cycle parking, to off-set the impact on air quality. Nonetheless there will still be an increase in nitrogen dioxide in an area that is already suffering from very poor air quality.

It is therefore considered that the applicant, given the scale of development, should contribute towards the upkeep and maintenance of a nearby air quality monitoring. A contribution of £25,000 is suggested to enable continued monitoring at the site. It is considered that the applicant should also be encouraged to investigate the use of an electric or alternative fuel bus for the shuttle runs.

- Noise

Given that the proposed building is a hotel, the Council's Noise Officer has confirmed that internal noise levels are not an issue. However, should approval be granted a condition to ensure external noise levels do not exceed 5dB below the background noise level should be added.

7.19 Comments on Public Consultations

7.20 Planning Obligations

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

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

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

In this instance, on the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered reasonable to request contributions towards the following:

Non-monetary contributions:

. Highways Works S278/S38 to include the costs associated with the re-location or otherwise removal of the on-street parking in Nobel Drive, including the alterations to the traffic management order, removal and/ or re-location of parking bays and removal or re-location of ticket machine(s)

. A full and formal Travel Plan with associated £20,000.00 bond and including Sustainable Transport Measures (such as a hopper bus service) is required to be submitted and agreed in writing by the LPA before occupation of the development. Thereafter, the Travel Plan is required to be reviewed annually to monitor and if required, update and/or amend the document to the satisfaction of the LPA, in order that its aims and objectives are achieved.

. A Construction Logistics Plan

. A Delivery & Service Plan.

. A full Employment Training Strategy

. Hospitality Training

Monetary contributions:

. Air Quality: a contribution in the sum of £25,000.00 is sought

. Construction Training: either a contribution equal to the formula (£2,500.00 for every £1m build cost + £9,600.00 per phase or an in kind scheme) 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.

. Carbon Fund: offsite contribution of £12,600.00 (@£60/tCO₂ for 30years) to offset against the shortfall (which equates to 7 tonnes of carbon per year)

. Project Management & Monitoring Fee: a contribution equal to 5% of the total cash contributions secured from the scheme to enable the management and monitoring of the resulting agreement, is sought.

The proposal would also be liable for the London Borough of Hillingdon CIL and the Mayor of London's CIL, as the scheme provides extensions in excess of 100m². This would be collected by the Council after implementation (if permission were to be granted) and could be subject to surcharges for failure to assume liability, submit a commencement notice and late payment, or and indexation in line with the construction costs index.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

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

the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

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

Equalities and Human Rights

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

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

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

9. Observations of the Director of Finance

10. CONCLUSION

The principle of the proposed development was considered to be acceptable under the original planning permission ref: 46214/APP/2014/2827. The size and scale of the building resulting from the proposed amendments is considered to be appropriate for this location, and the overall building design would enhance the character and appearance of the street scene. The parking is considered to be acceptable and it is not considered that it would have any significant detrimental visual impacts on the residential amenity of neighbouring properties. The proposal complies with relevant Local Plan and London Plan policies and, as such, approval is recommended.

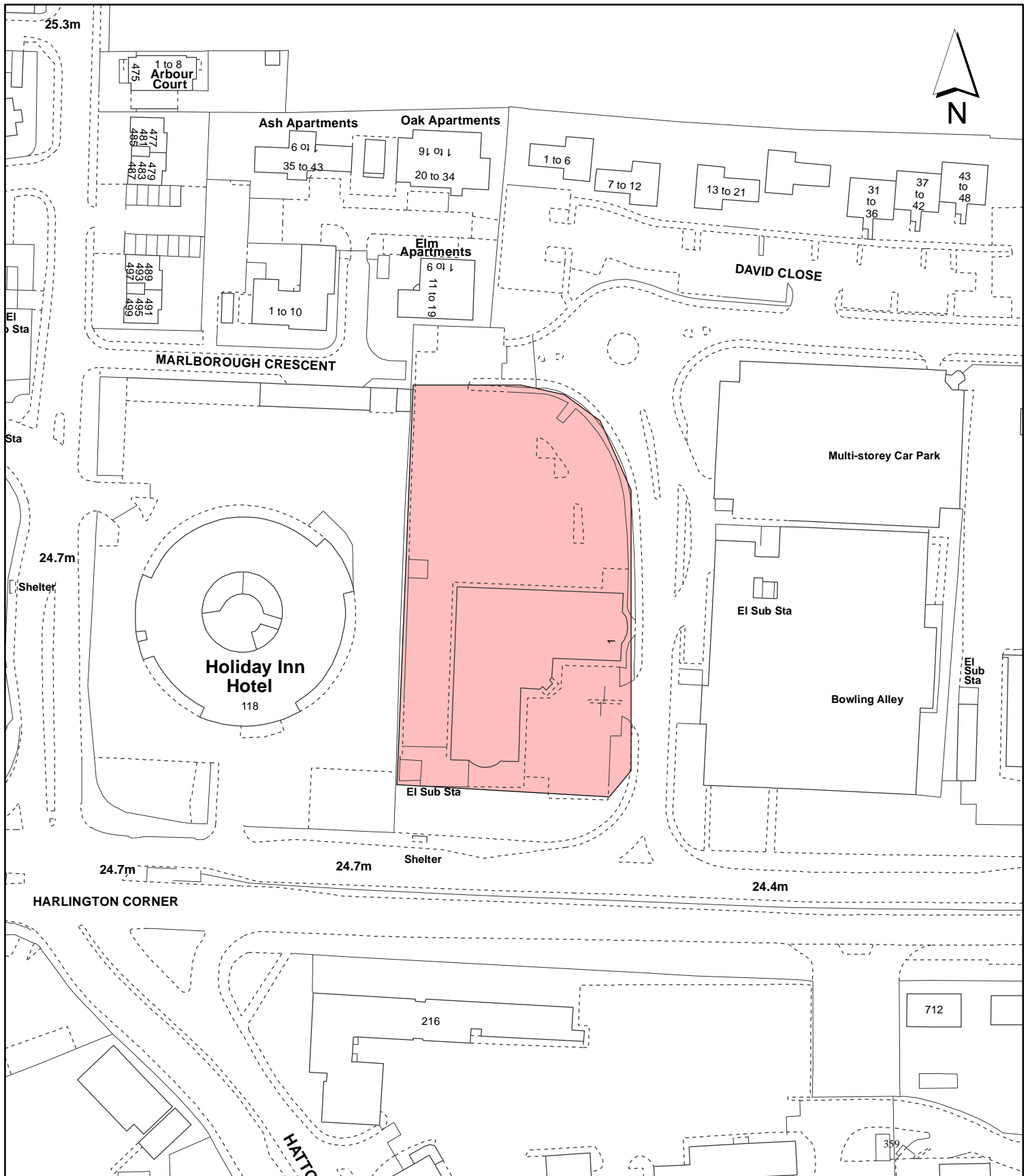
11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (March 2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise

Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Matt Kolaszewski

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Notes:

 Site boundary

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

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

Planning Application Ref:

46214/APP/2016/2397

Scale:

1:1,250

Planning Committee:

Major

Date:

November 2016



HILLINGDON
 LONDON