

Report of the Head of Planning, Transportation and Regeneration

Address	276 BATH ROAD HEATHROW
Development:	Minor material amendment to revise Conditions 2 (Approved Plans), and 3 (Approved Documents), alter timescales for the submission and approval of details relating to conditions 4 (Landscape works in accordance with Approved landscape scheme), 9 (Ecological Enhancement Scheme) and 18 (Details of taxi and coach drop-off area) and omit 13 (Electric charging points) and 15 (Car parking management strategy) of planning permission ref: 35293/APP/2015/3693, dated 31/10/16: Minor material amendment to planning permission ref. 35293/APP/2009/1938 dated 28/05/2010: Erection of 623-bedroom hotel with ancillary restaurant/bar facilities, landscaping, parking for 354 cars and associated works to allow the addition of an extra floor, internal and external alterations to the building, involving extension of the building within the internal courtyards and on the new fifth floor and alterations to the parking/landscaping layout.
LBH Ref Nos:	35293/APP/2018/538
Drawing Nos:	0575 03G Landscape Works Specification and Management / Maintenance Plan IBH-WIA-ZZ-00-DR-A-000-0021 Rev. C (For information only) Planning Statement Boundary Treatment Sheet Refuse Details Sheet Materials Specification Sheet, Revision A Written Scheme of Investigation for an archaeological evaluation, Issue No. 4, 17 September 2015 Outline Services Strategy Transport Assessment, dated 13/8/09 Water and Groundwater Resources Report, September 2009 Final, Issue No. 4 Groundwater Quantitative Risk Assessment, dated July 2008 GLA Response - Energy Strategy M & E General Requirements, 02 September 2008 Phase I Environmental Review, August 2007 Phase II Environmental Site Assessment - Final, March 2008 Employment Report Secure by Design Compliance Sheet Cycle Storage Sheet Bird Hazard Management Plan Below Ground Drainage Strategy, Planning Submission Issue, Issue P3 September 2015 Technical Note - Planning Note for Acoustics, dated 24/8/16 CCTV & Electric Charging Points Sheet IBH-WIA-ZZ-00-DR-A-000-0009 Rev. E IBH-WIA-ZZ-00-DR-A-000-0006 Rev. E IBH-WIA-ZZ-00-DR-A-000-0012 Rev. B (For information only) IBH-WIA-ZZ-00-DR-A-000-0018 Rev. B (For information only) PL(00)11 Rev. A PL(00)07 Rev. A

Covering Letter
 Design and Access Statement
 PL(00)10
 PL(00)06 Rev. A
 IBH-WIA-ZZ-00-DR-A-000-0013 Rev. B (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0010 Rev. B (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0014 Rev. B (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0011 Rev. B (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0015 Rev. B (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0016 Rev. B (For information only)
 PL(00)12 Rev. A
 IBH-WIA-ZZ-00-DR-A-000-0017 Rev. B (For information only)
 PL(00)08 Rev. A
 IBH-WIA-ZZ-00-DR-A-000-0020 Rev. C (For information only)
 PL(00)09 Rev. A
 PL(00)15 Rev. A
 IBH-WIA-ZZ-00-DR-A-000-0019 Rev. C (For information only)
 IBH-WIA-ZZ-00-DR-A-000-0005 Rev. A
 Design Changes Specification
 IBH-WIA-ZZ-00-DR-A-000-0007 Rev. A
 Energy Statement, Sept. - 15
 2 x letters from Mendick Waring Ltd. dated 7/7/16
 Agents covering letter dated 7/7/16
 Transport Assessment - Addendum Document, dated 10 September 2015
 Preliminary Ecological Appraisal, September 2015
 Highways Note, dated 18/11/15
 Volatile Vapour Detailed Quantitative Risk Assessment and Remediation
 Strategy, Rev. A
 Flood Risk Assessment, Rev. 4
 Construction Management and Logistics Plan, Rev. A, July 2016
 Design and Access Statement: Materials Addendum

Date Plans Received:	12/02/2018	Date(s) of Amendment(s):	06/10/2015
Date Application Valid:	12/02/2018		18/11/2015
			16/10/2015
			15/10/2018
			12/02/2018
			11/07/2016

1. SUMMARY

This S73 application seeks to amend the wording of conditions 2 (Approved Plans), 3 (Approved Documents), 4 (Timescales for hard and soft landscaping), 9 (Ecological Enhancement Scheme) and 18 (Details of taxi and coach drop-off area) and omit conditions 13 (Electric charging points) and 15 (Car parking management strategy) which would now be dealt with within a revised S106/Deed of Variation which were attached to a previous S73 permission ref: 35293/APP/2015/3693, dated 31/10/16 in connection with revisions to a 623 bed hotel building being constructed towards the front of the site. The hotel building would be divided into two hotels, run by two operators, who would share back of house facilities, including car parking.

The revisions are required in order to make the consented scheme compatible with the proposal for a new 250 bed hotel and multi-storey car park at the rear of the site (App. No. 35293/APP/2018/317 refers, which is also being presented to this committee) on what would previously have formed a large part of the surface car park which would have served the 623 bedroom hotel building.

The GLA have been consulted on this application but they advise that it raises no new strategic issues and advise that the application does not need referring back to them and the LPA can issue a decision. TfL have also been consulted and their comments are addressed in this report.

No objections are raised to the changes to the wording of the conditions, subject to a new S106 Agreement/ Deed of Variation. As the multi-storey car park and retained surface parking would serve all the hotels on this site, a clause in the S106 Agreement/ Deed of Variation is also now required to prevent any hotel being brought into use prior to the parking facilities becoming available.

2. RECOMMENDATION

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

A) That the application be referred to the Secretary of State as a departure from the provisions of the Development Plan, in accordance with paragraph 3 of the Town and Country Planning (Development Plan and Consultations) (Departures) Directions 1999,

B) That the Council enter into a legal agreement with the applicant under Section 106/Deed of Variation of the Town and Country Planning Act 1990 (as amended) to secure the following additional Heads of Terms:

(i) Agreement that the 623 bedroom hotel building, the subject of this permission is not opened prior to the car parking facilities being proposed as part of App. No. 35293/APP/2018/317) are operational.

(ii) Electric charging points

(iii) Car parking management strategy

C) That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement/Deed of Variation and any abortive work as a result of the agreement not being completed.

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

E) That if any of the heads of terms set out above have not been agreed and the Deed of Variation has not been finalised before the 5th December 2018, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Transport and Regeneration to refuse the application for the following reason:

'The development has failed to secure obligations relating to bus stop up-grades and/or highway improvements, public realm improvements, hospitality and construction training and air quality monitoring. Accordingly, the proposal is contrary to policies R17, OE1, AM2 and AM7 of the Hillingdon Local Plan: Part Two

Saved UDP Policies (November 2012), the Council's Planning Obligations SPD and Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy 5.12 of the London Plan (March 2016) and the NPPF.'

F) That subject to the above, the application be deferred for determination by the Head of Planning, Transport and Regeneration under delegated powers, subject to the Secretary of State not calling in the application and on completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

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

1 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:-

IBH-WIA-ZZ-00-DR-A-000-0009 Rev. B

PL(00)06 Rev. A

PL(00)07 Rev. A

PL(00)08 Rev. A

PL(00)09 Rev. A

PL(00)10 Rev. A

PL(00)11 Rev. A

PL(00)12 Rev. A

PL(00)15 Rev. A

PL(00)16 Rev. A

0575 03G

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

REASON

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

2 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:

Access Arrangements [Design and Access Statement, ref IBH-WIA-RP-A-0002/.]

Noise Mitigation Measures [Acoustic Report]

Boundary Treatment [Boundary Treatment Sheet]

Reduction in energy use and renewable technology installation, including the connection of the hotel(s) with the CHP unit [Energy Statement, September 2015]

Landscape works and implementation [Landscape Plan ref. 0575 03G and landscape works specification and management / maintenance plan]

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) and the London Plan (March 2016).

3 NONSC Landscaping - Implementation

All hard and soft landscaping shall be carried out in accordance with the revised landscaping scheme shown on drawing Ref: 0575 03G and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4 NONSC Disabled Facilities Provision

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (March 2016) Policies 3.1, 3.8 and 7.2.

5 NONSC Disability Signage

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

6 NONSC Road/Parking Space Provision

The roads/turning/loading facilities/sight lines and parking areas (including the marking on

of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7 NONSC Materials

Within 6 months of this permission, details and/or samples of all materials, colours and finishes to be used on all external surfaces shall be submitted to and approved in writing by the Local Planning Authority, in consultation with National Air Traffic Services (NATS) and Heathrow Airport Ltd.

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 and does not endanger the safe movement of aircraft or the operation of Heathrow Airport through interference with communication, navigational aids and surveillance equipment in accordance with Policies BE13 and A6 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

8 NONSC Ecological Enhancement

Prior to the commencement of landscape works on site, an ecological enhancement scheme, based upon the recommendations of the Preliminary Ecological Appraisal (September 2015), shall be submitted to and approved in writing by the Local Planning Authority.

The enhancement scheme shall be implemented in accordance with the approved details.

REASON

In order to maintain and enhance the ecological interest of the site, in accordance with Policy EC5 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

9 NONSC Sustainable Water Management

Within six months of the date of this permission, a revised 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:

Manages Water The scheme shall demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus

Climate change,

iii. overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).

b) Receptors

i. Capacity demonstrated for Thames Water foul and surface water network, and provide confirmation of any upgrade work required having been implemented and receiving watercourse as appropriate.

ii. Where infiltration techniques (soakway) or a basement are proposed a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

iii. Where groundwater is found within the site and a basement is proposed suitable mitigation methods must be provided to ensure the risk to others is not increased.

iv. indentify vulnerable receptors, ie WFD status and prevent pollution of the receiving groundwater and/or surface waters through appropriate methods;

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

i. incorporate water saving measures and equipment.

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

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

d) Long Term Management and Maintenance of the drainage system.

i. 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. Where there is overland flooding proposed, the plan should include the appropriate actions to ensure the safety of the users of the site should that be required.

ii. Where the maintenance will not be the responsibility of an individual householder, the details of the body legally responsible for the implementation of the management and maintenance plan must be provided.

e) During Construction

i. How temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.

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) and Policies 5.12 Flood Risk Management, 5.13 Sustainable Drainage and Policy, and 5.15 Water use and supplies, of the London Plan (March 2016).

10 NONSC Hours Limit on Music/Amplified Sound

No music and/ or other amplified sound arising from the premises shall be audible from the inside of surrounding or adjacent premises between 2300 and 0700 hours.

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).

11 NONSC Car Park Management Plan

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. A review mechanism should also be included to assess the level of usage of the car parking spaces and to explore the feasibility as to whether any of the car parking provision could be released, at least on a temporary basis, to provide additional amenity/landscaping space. 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 that the car parking facilities at the site are only used by hotel guests, visitors and staff and to provide a mechanism whereby some of the car parking could provide additional amenity / landscaping space if the overall demand for parking at the site does not materialize, in accordance with Policies A4, BE38, AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 6.1 and 6.13 of the London Plan (March 2016) and to advice in NPPF to restrain the use of private cars and encourage travel by alternative modes.

12 NONSC Delivery/Unloading Hours

The premises shall not be used for the delivery and loading or unloading of goods outside the hours of 0700 and 2300, Monday to Friday, and between the hours of 0800 and 2200 of Saturdays. No deliveries shall take place on Sundays, Bank Holidays or Public Holidays.

REASON

To safeguard the amenity of surrounding areas in compliance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

13 NONSC Delivery/Servicing Plan

Prior to the occupation 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.

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).

14 NONSC Levels

Within six months of the date of this permission, 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).

15 NONSC Taxi / Coach Drop-Off Details

Prior to occupation of the development full details of the taxi and coach drop-off arrangements shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter, the approved details shall be implemented prior to occupation and retained thereafter.

REASON

To ensure satisfactory facilities are provided for coaches, buses and taxis, which would not result in traffic congestion in or around the site in compliance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

16 NONSC Litter Bin Provision

The use hereby permitted shall not commence until the owner has made arrangements, to be submitted to and approved in writing by the Local Planning Authority, for the provision of litter bins within and in the vicinity of the site.

Thereafter, the approved details shall be implemented prior to occupation and retained thereafter.

REASON

To ensure that adequate provision is made for the disposal of litter likely to be generated by the proposed development, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

17 NONSC Litter Picking

A schedule of 'litter picking' shall be submitted to and approved by the Local Planning Authority and carried out for as long as the use hereby permitted is in existence.

REASON

To ensure the satisfactory disposal of litter and waste, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

18 NONSC Contamination

The development shall be completed in accordance with the approved remediation scheme for removing or rendering innocuous all contaminants from the site and the condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

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 inline with policy OE11 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

19 NONSC Restriction on Plant / Other Development that would

increase
Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no plant, equipment or development/extension shall be installed/undertaken that would increase the overall height of the building hereby permitted unless otherwise agreed in writing by the Local Planning Authority.

REASON

To safeguard the visual amenities/ openness of the surrounding Green Belt, in accordance with Policy OL5 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.2	(2016) Improving health and addressing health inequalities
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.6	(2016) Decentralised Energy in Development Proposals
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage

LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies
LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.6	(2016) Aviation
LPP 6.9	(2016) Cycling
LPP 6.10	(2016) Walking
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 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.13	(2016) Safety, security and resilience to emergency
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
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
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
A6	Development proposals within the public safety zones around

	Heathrow or likely to affect the operation of Heathrow or Northolt airports
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

minimise disturbance to adjoining premises.

4 159 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.

5

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission where those details would remain the same.

6

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/policysafeguarding.htm>)

7

In terms of Condition 13 (Archaeological investigation), the start date of the archaeological investigation works should be communicated to Historic England (GLAAS) to enable them to monitor the works. The condition will not have been fully satisfied until all mitigation works are complete and any post-excavation assessment/analysis leading to publication, if necessary, completed.

8

English Oak (*Quercus robur*) should not be included within the landscape strategy for the site as they pose an attractant to wildlife.

9 170 LBH worked applicant in a positive & proactive (Granting)

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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a roughly rectangular shaped plot of just over 2 hectares,

located on the north side of Bath Road, Sipson, opposite London Heathrow Airport and was previously occupied by Technicolor Ltd. At the front of the site is the nearly completed 623 bed hotel, whereas the land to the rear has mainly been used for associated construction works such as the storage of construction materials etc.

Access into the site is gained via an entrance to the west of the site from a private access road serving Heathrow Boulevard, off Bath Road.

The site is bounded to the west and north by office buildings/warehouses within Heathrow Boulevard estate, beyond which is farmland which forms part of the Green Belt. The site is bounded to the east by industrial warehouses within the Airport Gate Business Centre beyond which is a recreation ground and residential properties in Blunts Avenue. To the south the site is bounded by the A4 Bath Road dual carriageway, beyond which are airport related buildings and car parks falling within the Heathrow Airport boundary.

The site falls within the Heathrow/A4 Industrial and Business Area as designated in the Hillingdon Local Plan (November 2012) and forms part of a Locally Significant Employment Location (LSEL) and an Opportunity Area within the London Plan. Bath Road is designated as a Strategic Route and open land beyond the commercial/industrial units to the north, east and west is designated as Green Belt. The site is within an AQMA and it should be noted that the site also falls within the area earmarked for a proposed third runway at Heathrow.

3.2 Proposed Scheme

This S73 application seeks to amend the wording of conditions 2 (Approved Plans), 3 (Approved Documents), 4 (Timescales for hard and soft landscaping), 9 (Ecological Enhancement Scheme) and 18 (Details of taxi and coach drop-off area) and omit conditions 13 (Electric charging points) and 15 (Car parking management strategy) which will now be dealt with within a revised S106/Deed of Variation of a previous S73 permission ref: 35293/APP/2015/3693, dated 31/10/16: Minor material amendment to planning permission ref. 35293/APP/2009/1938 dated 28/05/2010: Erection of 623-bedroom hotel with ancillary restaurant/bar facilities, landscaping, parking for 354 cars and associated works to allow the addition of an extra floor, internal and external alterations to the building, involving extension of the building within the internal courtyards and on the new fifth floor and alterations to the parking/landscaping layout.

The revisions are required in order to make the consented scheme compatible with the proposal for a new 250 bed hotel and multi-storey car park at the rear of the site (App. No. 35293/APP/2018/317 refers, which is also being presented to committee) on what would previously have formed a large part of the surface car park which would have served the 623 bedroom hotel building.

3.3 Relevant Planning History

Comment on Relevant Planning History

The original permission for the hotel currently being constructed on the larger site was approved on 28/5/10 (App. No. 35293/APP/2009/1938 refers). That permission was subsequently amended by a S73 application approved on 31/10/16 to allow the addition of an extra floor, internal and external alterations to the building, involving extension of the building within the internal courtyards and on the new fifth floor and alterations to the parking/landscaping layout (App. No. 35293/APP/2015/3693 refers).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.E7	(2012) Raising Skills
PT1.HE1	(2012) Heritage
PT1.BE1	(2012) Built Environment
PT1.EM1	(2012) Climate Change Adaptation and Mitigation
PT1.EM6	(2012) Flood Risk Management
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.T1	(2012) Accessible Local Destinations
PT1.CI1	(2012) Community Infrastructure Provision
PT1.CI2	(2012) Leisure and Recreation

Part 2 Policies:

NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 9	NPPF-9 2018 - Promoting sustainable transport
NPPF- 11	NPPF-11 2018 - Making effective use of land
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
LPP 2.13	(2016) Opportunity Areas and Intensification Areas
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.2	(2016) Improving health and addressing health inequalities
LPP 4.5	(2016) London's Visitor Infrastructure
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 5.3	(2016) Sustainable design and construction
LPP 5.6	(2016) Decentralised Energy in Development Proposals
LPP 5.7	(2016) Renewable energy
LPP 5.9	(2016) Overheating and cooling
LPP 5.10	(2016) Urban Greening
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.14	(2016) Water quality and wastewater infrastructure
LPP 5.15	(2016) Water use and supplies

LPP 5.21	(2016) Contaminated land
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.5	(2016) Funding Crossrail and other strategically important transport infrastructure
LPP 6.6	(2016) Aviation
LPP 6.9	(2016) Cycling
LPP 6.10	(2016) Walking
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 7.6	(2016) Architecture
LPP 7.7	(2016) Location and design of tall and large buildings
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.13	(2016) Safety, security and resilience to emergency
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
EC5	Retention of ecological features and creation of new habitats
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE7	Development in areas likely to flooding - requirement for flood protection measures
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
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
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
LDF-AH	Accessible Hillingdon, Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th April 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

39 neighbouring properties have been consulted on the application, it has been advertised in the local press on 28/3/18 and a site notice was displayed outside the site on 5/4/16, with a closing date of 26/4/18. No responses from neighbouring properties have been received.

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.

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:

Regarding the above application, TfL have the following comments:

- Condition 2 - Approved Plan

TfL have no comment

- Condition 3 - Approved Documents

TfL have no comment

- Condition 4 - Landscape works in accordance with approved landscape scheme

TfL have no comment

- Condition 9 - Ecological Enhancement

TfL have no comment

- Condition 13 - Electrical Charging Points

Prior to commencement of the works relating to the car park hereby approved, details of the installation (including location and type) of a minimum of 35 active and 35 passive electric charging points within the car park shall be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charging points shall be installed prior to occupation of the development and retained for the lifetime of the building.

TfL requests additional information is provided regarding the above condition prior to being supportive of the amendment of the condition.

- Condition 15 - Car Parking Management Strategy

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. 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.

TfL requests additional information is provided regarding the above condition prior to being supportive of the amendment of the condition.

- Condition 18 - Details of taxi and coach drop-off area

TfL have no comment.

Officer comment:

The above TfL requests for conditions would be secured in the S106 Legal Agreement as requested by the applicant.

GLAAS:

No Need to Consult GLAAS

On the basis of the information provided, we do not consider that it is necessary for this application to be notified under the GLAAS Charter, the criteria for consultation from which are attached.

NATS:

No response.

MoD Safeguarding:

On reviewing the application plans, I can confirm that the MOD has no safeguarding objection to this proposal. However, the original application was not received by DIO safeguarding. Please ensure that all applications for this area are forwarded to the MOD for assessment.

Heathrow Aerodrome Safeguarding:

We have now assessed the minor material amendments to revise Conditions 2 (Approved Plans), and 3 (Approved Documents) and alter timescales for the submission and approval of details relating to conditions 4, 9 (Ecological Enhancement Scheme), 13 (Electric charging points), 15 (Car parking management strategy) and 18 (Details of taxi and coach drop-off area) for the above application against safeguarding criteria and can confirm that we have no safeguarding objections and that the conditions can now be discharged from a Heathrow Airport point of view. However the discharge of condition 4 (Landscape works in accordance with Approved landscape scheme) is on the understanding that all English Oak Trees (*Quercus robur*) are removed from landscaping strategy as these pose an attractant for wildlife.

Internal Consultees

Highway Engineer:

All of these comments relate to the revised letter written by DP9 Ltd dated 12 February 2018 received as an email attachment from Richard Philips on 17 September 2018. There are no highway, traffic or transport concerns regarding this application providing the deletion of conditions 13 and 15 are replaced by section 106 obligations as proposed by DP9 Ltd. There are no traffic, highway or transportation concerns regarding the revised working of condition 18.

Water and Flood Management Officer:

These amendments severely limit the sustainable drainage that would be able to be implemented on this site as it reduces the area that permeable paving etc can be provided. However the current information submitted to discharge condition 10 takes these proposed plans into account. Therefore there are no objections.

Trees/ Landscape Officer:

This site, formerly occupied by Technicolor, is part of a larger plot with previous approvals for the development of a hotel which is currently under construction.

The site is at the northern end and has previous approval as a surface level car park serving the hotel which fronts onto the Bath Road. The approved plans include tree planting and soft landscape enhancement to the car park.

The buildings to the west and north have a mix of industrial and commercial, beyond which lies agricultural land within the Green Belt.

Comment

The proposal will result in the loss of ground level car parking and a significant amount of soft landscape whose wider environmental benefits extend beyond visual amenity.

The impact on the Green Belt illustrated in photographs in s.2.05 of the D&AS shows the screening

by existing trees in summer months when the deciduous trees are fully clad. It is not known what the visual impact will be like for the six months of the year when the trees will be out of leaf.

S.3.06 of the D&AS describes the landscape, including the installation of a green / brown roof. Any ecological benefits of the scheme will be seriously compromised by BAA / CAA bird strike avoidance restrictions on any planting proposals.

The inevitable consequence of this development will be a significant intensification of grey infrastructure at the expense of green infrastructure proposals which were originally proposed to mitigate the effects of the previously approved hotel.

Recommendation:

If you are minded to approve this application conditions COM9 (parts 1,2,3,4,5 and 6) should be imposed.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of development has already been agreed with the granting of planning permission ref. 35293/APP/2015/3693.

7.02 Density of the proposed development

Not applicable to this S73 application.

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

Not applicable to this S73 application.

7.04 Airport safeguarding

No safeguarding objections have been received to the proposed changes from NATS or MoD Safeguarding. Heathrow Aerodrome Safeguarding do not want to see English Oak Trees (*Quercus robur*) included within any landscaping strategy as these pose an attractant for wildlife. This has been included as an informative.

7.05 Impact on the green belt

The proposed changes to the wording / omission of conditions do not alter the development's built form and therefore there are no implications for the Green Belt.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

No changes are being made to the proposed building or associated works as part of this S73 application and therefore there are no implications for the character and appearance of the area.

7.08 Impact on neighbours

No changes are proposed to the building works and therefore there are no implications for neighbouring properties.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require development proposals to be assessed against their traffic generation and the availability of public transport and the capacity and functions of principal roads. Policy AM9 seeks to ensure that adequate provision for cyclists is made in development proposals. Policies AM14 and AM15 require parking to be provided in accordance with standards, including provision for disabled persons.

The site is accessed from the A4, Bath Road, which forms part of the Transport for London

Road Network (TLRN) for which TfL is the highway authority, via the adjoining Heathrow Boulevard. The vehicular access road, as previously consented would pass in front of the 623 bedroom hotel and its taxi/coach drop-off point and then continue along the eastern side of the hotel to access the rear of the site.

The revised proposed block plan shows the rear of the site occupied by the proposed 250 bedroom hotel and multi-storey car park, which removes much of the surface car parking previously consented that would have served the 623 bedroom hotel building.

This parking provision would be replaced by a new multi-storey car park sited behind the new hotel and some retained surface parking which is being proposed as part of the new 250 bedroom hotel scheme (App. No. 35293/APP/2018/317 refers, which is also on this committee agenda), with the parking on site being shared by all the hotels.

The impact of increased trip generation and implications for junction capacity of an additional hotel on site has been assessed by the GLA and the Council's Highway Engineer as discussed within the officer's report for the new hotel and is considered to be acceptable.

As regards car parking provision, there are no specific standards which relate to hotels, with schemes being considered on an individual basis, having regard to the submitted Transport Assessment.

As currently consented, 354 spaces would serve the 623 bedroom hotel, which equates to a parking ratio of 1 space per 0.57 bedrooms. With the new 250 bedroom hotel and multi-storey car park, there would be an uplift of 84 spaces on site and overall, 438 spaces would serve 873 bedrooms, giving a parking ratio of 1 space per 0.5 bedrooms.

The Council's Highway Engineer does not raise objection to the lower parking ratio that would now serve the hotel, although the GLA and TfL officers consider that given Mayoral objectives, improved public transport and the change in travel patterns to more sustainable modes over the past decade, the car parking ratio should be reduced to well below the figure originally consented 8 years ago; and in accordance with London Plan and draft London Plan policy, the amount of car parking should be significantly reduced. The Local Planning Authority is reluctant to agree a lower parking provision as this would set a precedent which proposals for new hotels/ extensions could reasonably expect to follow which could have a cumulative impact on the local highway network.

In terms of accessibility standards of the 438 spaces, 44 would provide accessible spaces, in accordance with current standards. As regards electric charging points and a car park management plan, these matters will now be addressed within the S106/ Deed of Variation as requested by the applicant.

It is recommended that a new Heads of Term be added to the S106/ Deed of Variation to require that the hotels on this site will not open until the replacement parking in the multi-storey car park and surface car parks are operational.

It is therefore considered that the scheme complies with Policies AM2, AM7 AM9, AM14 and AM15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

A revised Landscape Plan, ref. 0575 03G and landscape works specification and management / maintenance plan have been submitted with this application, mainly to revise the landscaping at the rear of the site which would now accommodate a new 250 bedroom hotel and multi-storey car park (App. No. 35293/APP/2018/317 refers).

The plan would mimic the extent and type of planting provided at the front of the site, along Bath Road and at the side of the 623 bedroom hotel.

The plan would provide a reasonable depth of landscaping at the rear of the site and to the side boundaries of the rearmost part of the multi-storey car park, including additional tree planting that will supplement the existing conifer screen at the rear which is off-site. The plan also shows that a thin strip of boundary planting will also be provided along the remaining side boundaries which would be supplemented by more in depth planting along the eastern boundary and planting adjacent to the hotel building on its western flank.

A condition has also been added to the new hotel application App. No. 35293/APP/2018/317 refers) to require that a green/ bio wall is added to the multi-storey car park.

The Council's Tree/ Landscape Officer has reviewed the revised detail and advises that there are no objections on landscaping grounds.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

There are no implications for energy efficiency of the 623 bedroom and the use a consented car park for a new hotel on the site would maximize the efficient use of the site and as the scheme would reduce the overall parking ratio on site, it represents an acceptable form of sustainable development.

7.17 Flooding or Drainage Issues

This S73 application does have implications for the consented flooding and drainage strategy on site and although the Council's Water and Flood Management Officer does not raise any in principle objections, the agent has provided a response to the officer's initial concerns and the officer's response is awaited which will be reported to committee on the Addendum Sheet.

7.18 Noise or Air Quality Issues

The intensification of the use of the site will not have any significant impact for noise within this IBA site, close to Heathrow Airport. The Council's Air Quality Officer has recommended conditions to reduce the impact of the development on air quality as regards the new hotel which are dealt with under that planning application.

7.19 Comments on Public Consultations

No consultation responses from neighbours have been received.

7.20 Planning Obligations

Policy R17 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) is concerned with securing planning benefits related to the scale and type of development. The policy is supported by more specific supplementary planning

guidance.

The following additional Heads of Terms would be required to mitigate the impact of the development:

- (i) Agreement that the 623 bedroom hotel building, the subject of this permission is not opened prior to the car parking facilities being proposed as part of App. No. 35293/APP/2018/317) are operational.
- (ii) Electric charging points
- (iii) Car parking management strategy

The applicant has agreed to the above heads of terms. As such, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

7.21 Expediency of enforcement action

There are no enforcement issues associated with this development or the site.

7.22 Other Issues

Contamination

There are no implications for contamination other than to ensure that the works have been carried out in accordance with the consented Remediation Strategy, which is demonstrated within a Verification Report.

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 proposed changes to the S73 application granted on 31/10/16 (Ref. 35293/APP/2015/3693) subject to the additional Heads of Terms and the recommended conditions.

11. Reference Documents

NPPF (July 2018)

London Plan (March 2016)

Hillingdon Local Plan: Part One (November 2012)

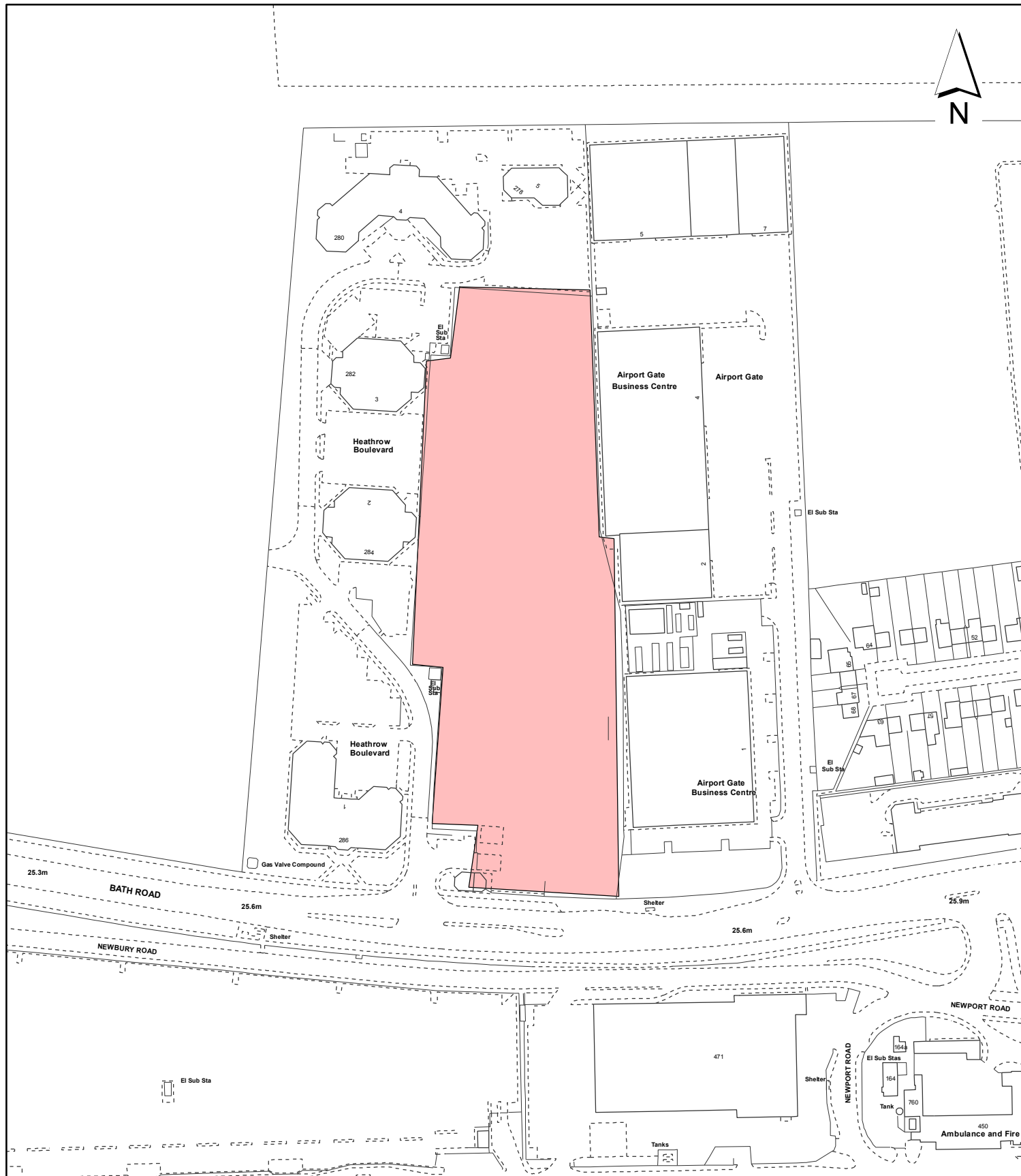
Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

London Borough of Hillingdon's HDAS 'Accessible Hillingdon' Supplementary Planning Document (May 2013)

Planning Obligations Supplementary Planning Document (July 2014)

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

276 Bath Road

Planning Application Ref:

35293/APP/2018/538

Planning Committee:

Major

Scale:

1:2,250

Date:

October 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW
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