

## Report of the Head of Planning & Enforcement

**Address** P5 CAR PARK SEALAND ROAD HEATHROW AIRPORT

**Development:** Erection of an Energy Centre comprising two buildings (Energy Centre Building and Operations Building) and associated infrastructure (Consultation under Schedule 2, Part 18 of the Town and Country Planning (General Permitted Development) Order 1995).

**LBH Ref Nos:** 66849/APP/2010/479

**Drawing Nos:** 19757-00-GA-200-000011 2.0 (Ground Floor Layout)  
19757-00-GA-200-000012 3.0 (Site & Location Plans)  
19757-10-GA-200-000006 2.0 (First Floor Layout)  
19757-20-GA-200-000005 2.0 (Roof Layout)  
19757-XX-SE-200-000012 3.0 (Energy Centre Elevations)  
19845-XX-SE-200-000002 3.0 (Operations Building External Elevations)  
19757-XX-SE-200-000013 2.0 (Building Sections)  
19757-00-GA-200-000013 2.0 (Landscape Plan)  
Schematic - Heat Links Plan  
Unnumbered GCI images  
Design and Access Statement dated December 2009  
Supporting letter from Heathrow Airport Limited dated 26/02/10  
Noise Assessment Report dated November 2009  
Air Quality Assessment dated December 2009  
Sustainability Statement dated November 2009

**Date Plans Received:** 02/03/2010                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 02/03/2010

### 1. SUMMARY

BAA has submitted this proposal for consultation under Part 18 of the Town and Country Planning (General Permitted Development) Order 1995 (GPDO). It proposes the erection of an energy centre and associated infrastructure to serve the new proposed Terminal 2A (T2A) (formerly referred to as Heathrow East Terminal), Terminal 2B (T2B) (formerly referred to as the Midfield Pier), the Central Terminal Area (CTA) and Terminal 5 (T5), at the P5 Car Park at Heathrow Airport.

The outline planning permission for T2A, granted in July 2007 (ref: 62360/APP/2006/2942), included the provision of an energy centre, to serve the new terminal, in this location. An Environmental Impact Assessment accompanied that application, and a detailed design for the energy centre was subsequently approved in December 2008.

Since that time, and in compliance with the requirements of the S106 agreement, which formed part of the planning approval for T2A, BAA have developed a more strategic plan for the provision of energy across Heathrow. The aim of this is to provide increased flexibility of operation and to achieve wider CO2 reductions. Accordingly, the development goals for the airport have now changed such that the energy centre is required to not only serve T2A and T2B, but also the other terminals and buildings within the CTA. This has resulted in the need for significant changes to the functioning and scale of the proposed energy centre. As a result, details of the revised scheme can no

longer be progressed under the original T2A planning consent and need to be progressed via a new application/consultation.

A Screening Opinion in respect of the new proposed energy centre was issued to the Council earlier this year, and it was subsequently confirmed that an Environmental Impact Assessment would not be required. Accordingly, the applicant has chosen to progress the proposal under Part 18 of the GPDO.

It is not considered that the proposal would have any significant adverse impacts in terms of visual or residential amenity and it would have significant benefits in terms of reducing emissions across the airport and meeting the goals set out in the Heathrow Wide Energy Strategy. The proposal complies with relevant UDP and London Plan policies and, accordingly, it is recommended that no objections be raised.

## **2. RECOMMENDATION**

**No objection subject to the following consultations and informatives:**

### **1 NONSC Submission of scheme to deal with risks of contamination**

Prior to the commencement of development (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

1) A preliminary risk assessment which has identified:

- all previous uses
- potential contaminants associated with those uses
- a conceptual model of the site indicating sources, pathways and receptors
- potentially unacceptable risks arising from contamination at the site.

2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3) The site investigation results and the detailed risk assessment (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

### **REASON**

To protect local controlled waters from the effects of historic land use in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **2 NONSC Submission of verification report relating to contamination**

Prior to commencement of development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a long-term monitoring and maintenance plan) for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, and for the

reporting of this to the local planning authority.

REASON

To ensure that any and all contamination identified is suitably managed in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**3 NONSC Contamination**

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the remediation strategy detailing how this unsuspected contamination shall be dealt with.

REASON

To ensure that unsuspected contamination is suitably managed in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 NONSC Details of surface and foul drainage system**

The development hereby permitted shall not be commenced until details of the surface and foul drainage system for the site has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented in accordance with the approved details before completion of the development.

REASON

This to ensure pollution of the receiving surface water is prevented and the existing surface water drainage system is not overloaded, in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 NONSC Unexpected contamination**

If during the development works unexpected contamination is found that was not identified by previous site investigations this shall be reported in writing to the Local Planning Authority, and a remediation scheme shall be agreed with the Local Planning Authority. All works forming part of this remediation scheme shall be implemented and validated to the satisfaction of the Local Planning Authority before any building is occupied.

REASON

To ensure that the occupants and users of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 NONSC No import of contaminated soils or materials**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be inspected and tested for chemical contamination, and the results of this testing shall be submitted to and approved by the Local Planning Authority.

REASON

To ensure that the occupants and users of the development are not subject to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

NONSC

~~7~~ Unless otherwise agreed with the Local Planning Authority, development of the Energy Centre hereby approved shall not commence until a scheme which specifies the provisions to be made for the control of noise emanating from the development has been submitted to, and approved by, the Local Planning Authority. The scheme shall include such combination of physical, administrative measures, noise limits and other measures as may be approved by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To protect amenity of occupiers of neighbouring noise sensitive residential and other properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **8 NONSC Environmental Management Plan**

Before the development hereby approved commences, an Environmental Management Plan shall be submitted to, and approved by, the Local Planning Authority. The Environmental Management Plan shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The Environmental Management Plan shall address issues including hours of work, noise and vibration, air quality, water quality, visual impact, waste management, plant and equipment, site transportation and traffic management including routing and permitted hours for construction traffic and construction materials deliveries.

#### REASON

To protect the environment and occupiers of the surrounding area from the adverse effects of demolition, construction and enabling works associated with the development in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **9 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated

structures),

· Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **10 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme 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 Unitary Development Plan Saved Policies (September 2007).

#### **11 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

#### **12 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

### 1 152 **Compulsory Informative (1)**

The decision to raise NO OBJECTION 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).

### 2 153 **Compulsory Informative (2)**

The decision to raise NO OBJECTION has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE36	Proposals for high buildings/structures in identified sensitive areas
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
A4	New development directly related to Heathrow Airport
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.

### 3 13 **Building Regulations - Demolition and Building Works**

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

### 4 111 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal

contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

#### **5            112            Notification to Building Contractors**

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

#### **6            115            Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

#### **7            134            Building Regulations 'Access to and use of buildings'**

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

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

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

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

You may also be required make provisions to comply with the Disability Discrimination

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

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

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://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](http://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](http://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](http://www.drc-gb.org).

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

## **8 158 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.

For further information please contact Peter Sale, Hillingdon Education and Business Partnership Manager: contact details - c/o British Airways Community Learning Centre, Accommodation Lane, Harmondsworth, UB7 0PD. Tel: 020 8897 7633. Fax: 020 897 7644. email: [p.sale@btconnect.com](mailto:p.sale@btconnect.com) .

## **9**

The Environment Agency have advised that details of the surface and foul drainage system for the site should include the following:

- locations of all surface and foul water pipes and installations;
- locations of all manholes (both SW or FW);
- locations of all oil/fuel/diesel storage;
- types and locations of interceptors and/or settlement tanks/devices;
- chemical and/or hazardous material storage locations;
- refuse and recycling storage;
- all other locations and plans of activities or materials that might impact on the drainage system.

### **3. CONSIDERATIONS**



### **3.1 Site and Locality**

The application site comprises a 0.95ha irregularly shaped plot currently forming the northern part of the P5 staff car park at Sealand Road. The site is currently used as a surface level employee car park comprising a tarmac surface, lighting columns, large bus shelter and peripheral landscaping. Vehicular entry is from the roundabout at the junction of Sealand Road and Southampton Road and egress is via a left turn only exit onto Sealand Road.

The north and east of the site is bounded by link roads leading to the airside cargo road tunnel. Beyond these to the north is the British Airways World Cargo Centre surface level car park and the airport's VIP facility. Beyond the tunnel link road to the east is Grassed Area 17A which comprises a large, mainly hard surfaced area previously used for a variety of temporary uses including construction pre-fabrication. The Council raised no objections to a consultation for the erection of a concrete batching plant in this location in October 2008 (ref: 55377/APP/2008/2165). To the south of the site is part of the P5 car park to be retained and a Terminal 4 baggage transfer building beyond which is the Southern Perimeter Road. To the west the site is bounded by Sealand Road beyond which is a vacant site with planning consent for the erection of 640 bedroom 6-storey hotel and two drive-through restaurants. The Gate Gourmet catering facility lies beyond this site.

The entire site falls within the Heathrow Airport boundary as shown on the Hillingdon Unitary Development Plan Proposals Map.

### **3.2 Proposed Scheme**

It is proposed to erect an energy centre to supply T2A, T2B, the CTA and T5 with an element of their energy needs through renewable sources. The proposal forms part of the wider Heathrow Airport Energy Strategy, which sets out the overall strategy for reducing energy demand and reducing CO2 emissions through the use of renewable energy sources across the airport, and accords with the requirements of the S106 Agreement for T2A.

The proposals comprise the following:

- Two buildings, the energy centre building itself and an adjacent operations building.
- A low temperature hot water heat link which would run via the cargo tunnel to T2A and the CTA. The pipe route north from the energy centre to T2A would be buried in trenches within the existing tunnel.
- A low temperature hot water heat link to the existing site of the Thames Valley Power CHP Plant (which is due to be decommissioned during 2010) in the cargo area to the west, for connection to the existing heat link to T5. The pipe route west from the energy centre to the existing building would be variously buried in trenches, surface mounted and earth banded.
- Decommissioning of existing Boiler House 448 in the CTA and conversion of part of the building into a header building to receive the new heat link.
- Associated infrastructure.

The energy centre building would be located relatively centrally within the site. It would be two-storeys in height and would provide a floor area of approximately 2,000m<sup>2</sup>. It would measure approximately 41m by 31m by 18m high, with five 35m high flues, and one 33m high flue. The building would house the renewable CHP plant, wood chip delivery area, natural gas boilers and associated mechanical and electrical equipment.

The north end of the energy centre building would be louvred to provide combustion air to the boilers, and four structural bays within the building would facilitate the replacement and major maintenance of the boilers through this facade in the future, as and when required.

The proposed two-storey operations building would be located towards the western side of the site and would measure approximately 19m by 13m by 9m high with a floor area of approximately 400m<sup>2</sup>. This building would provide ancillary accommodation for maintenance operatives using and controlling the energy centre building. It would be occupied by up to nine people at any one time and would comprise a control room, office, rest room, WC facilities, workshop, reception, plant room and storage areas.

The buildings would be finished in silver/grey metal cladding, consistent with that seen on many buildings on airport. The flues would be constructed on stainless steel.

An 11kV electrical substation is located immediately to the west of the proposed energy centre building and would facilitate external access by EDF without the necessity to enter the main building. An immediately adjacent area has been safeguarded for a new substation to serve potential future expansion of the energy centre to further meet Heathrow's energy needs. This would form part of a future application/consultation should BAA choose to pursue this in the future.

There would be a single access to the site for operational and delivery vehicles, which would be gained off Sealand Road. Within the site there would be a marked one-way anti-clockwise road layout circling the energy centre to exit back onto Sealand Road.

The plans indicate that 12 car parking spaces would be provided for staff and visitors to the site. In addition, it would appear that four spaces would be provided for larger vehicles. Oil storage and gas metering facilities and an associated vehicle lay-by would be provided to the north of the site.

BAA have advised that the proposals would be implemented in stages. Stage 1 would connect the energy centre with T2A/B and the Thames Valley Power site. Excess heat from the energy centre would be used to supply T5 via the Thames Valley Power site. Stage 2 would connect the energy centre with the CTA and decommission the existing Boiler House 448. The built envelop of the energy centre building would be completed as part of stage 1 works, but it is the natural gas boilers which would be installed in two phases.

This project comprises the first stage in developing a Heathrow-wide Energy Strategy aimed at reducing carbon dioxide emissions by 34% by 2020 (measured against a 1990 base figure) and providing a more integrated system of energy supply. However, it should be noted that this application would not have a negative impact on the agreed energy efficiency or percentage or carbon reduction, achieved at T2A, and that a 40.5% reduction in carbon dioxide emissions, compared to a building fully compliant with Part L of the Building Regulations, and inclusive of the reduction in carbon dioxide from onsite renewable sources, and a 20% reduction in carbon dioxide emissions through the application of on site renewable energy sources, would still be achieved in compliance with the approved planning application and associated S106 agreement (refs: 62360/APP/2006/2942 & 62360/APP/2009/2232).

These targets would be met by the inclusion of a 1.8MW electrical output combined heat and power (CHP) plant which would be fuelled by biomass. This would be the first choice

source of energy production for most of the year, simultaneously producing 9MW thermal output. This source of energy would be supplemented by four 10MW natural gas boilers, two of which would be required at Stage 1, as noted above, and a further two at Stage 2. These would supplement the energy supply to cope with the demand during peak hours. The heat link from T5 would be used to provide standby heat should the biomass plant be out of operation. The gas boilers would also be able to be fired on gasoil in the event of a disruption in the supply of natural gas.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

Outline planning permission was granted for Heathrow East Terminal, now referred to as Terminal 2A (T2A), which will replace terminals 1 and 2 at Heathrow Airport, in July 2007. As part of that application permission was also granted for a number of ancillary buildings, including an energy centre, to be located on the P5 Car Park towards the southern side of the airport. It was originally proposed that the energy centre incorporate biomass boilers to provide 10% renewable energy for the scheme. However, during the application stage these were substituted with a biomass gasification plant to meet an increased requirement for 20% renewable energy on site. Subsequent design development of the plant revealed that it was not possible to accommodate the gasification plant within the extent of the approved energy centre building. As such, full planning permission was granted to locate the plant in a separate building adjacent to the energy centre in November 2008.

Reserved matters in respect of the Energy Centre were approved in December 2008 and reserved matters for the Terminal Building and forecourt area were approved in January 2009. Notably a number of conditions relating to both the terminal and energy centre sites have been discharged since the grant of planning permission.

Following the acquisition of the old control tower site within the Central Terminal Area, a revised outline planning application was submitted to vary condition 27 (relating to building dimensions) of the original planning permission for T2A. This application proposed narrowing the width of the terminal in order to accommodate a new multi-storey car park on the adjacent site. This application was approved earlier this year and reserved matters relating to the new outline consent, and a GPDO consultation relating to the proposed new multi-storey car park, are currently under consideration.

Since the original grant of planning permission for T2A BAA have been working on a Heathrow Wide Energy Strategy in compliance with their S106 obligations and, in addition to T2A and T2B, the energy centre is now required to also serve the other terminals and buildings within the CTA and T5. This has resulted in the need for significant changes to the Energy Centre, hence the need for this consultation.

In brief, the most relevant planning history can be summarised as follows:

62360/APP/2006/2942 - Development of a replacement passenger terminal building in the Central Terminal Area to include passenger processing, baggage, retail, office and associated facilities, an integral pier comprising gate rooms; air bridges and nodes; provision on an airside road; forecourt layout including vertical connections to public transport facilities; minor road configurations; energy centre and ancillary buildings and infrastructure; provision of boreholes; ancillary supporting infrastructure and plant; demolition of existing structures (including Terminal 2, Queens Building and part of Terminal 1); provision of enabling works including service diversions and associated infrastructure (Outline application) - Approved 02/07/07

62360/APP/2008/2786 - Proposed gasification plant - Approved 18/11/08

62360/APP/2008/2788 - Reserved matters (details of access, appearance, landscaping, layout and scale) in respect of the proposed energy centre, in compliance with conditions 2, 3 and 4, together with details of conditions 7 (lighting scheme) 8 (soft and water landscaping), 11 (bird hazard management plan), 12 (external building design), 14 (hard and soft landscaping), 20 (surface water drainage), 23 (surface and foul water drainage) and 24 (site foundations) in compliance with outline planning permission ref: 62360/APP/2006/2942 dated 02/07/07 (development of a replacement passenger terminal building in the Central Terminal Area) - Approved 19/12/08

62360/APP/2008/3080 - Reserved matters (details of layout, scale, appearance, access and landscaping) in respect of the proposed terminal building and forecourt site, in compliance with conditions 2, 3 and 4 of outline planning permission ref: 62360/APP/2006/2942 dated 02/07/07: Development of a replacement passenger terminal in the Central Terminal Area - Approved 14/01/09

62360/APP/2009/2232 - Variation of condition 27 (building dimensions) of planning permission ref: 62360/APP/2006/2942 dated 02/07/07; Development of a replacement passenger terminal building in the Central Terminal Area - Approved 08/01/10

62360/APP/2010/648 - Reserved matters (details of layout, scale, appearance, access and landscaping) in respect of the proposed terminal building and forecourt site, in compliance with condition 2 of planning permission ref: 62360/APP/2009/2232 dated 08/02/10; Variation of condition 27 (building dimensions) of outline planning permission ref: 62360/APP/2006/2942 dated 02/07/07 (development of a replacement passenger terminal building in the Central Terminal Area) - No decision to date

#### **4. Planning Policies and Standards**

Hillingdon Unitary Development Plan Saved Policies (September 2007)  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Guidance 13: Transport  
Planning Policy Guidance 24: Planning and Noise  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 22: Renewable Energy  
Planning Policy Statement 25: Development and Flood Risk  
Council's Supplementary Planning Guidance - Noise  
Council's Supplementary Planning Guidance - Air Quality  
Supplementary planning Document - Accessible Hillingdon

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.27 To ensure that development at Heathrow Airport for airport purposes mitigates or redresses any adverse effects on the environment.

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.  
BE36 Proposals for high buildings/structures in identified sensitive areas

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
A4	New development directly related to Heathrow Airport
A6	Development proposals within the public safety zones around Heathrow or likely to affect the operation of Heathrow or Northolt airports
AM7	Consideration of traffic generated by proposed developments.

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **2nd April 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

GREATER LONDON AUTHORITY

Do not wish to comment.

NATIONAL AIR TRAFFIC SERVICES (NATS)

No objection.

BAA SAFEGUARDING

No objection.

ENVIRONMENT AGENCY

No objection subject to considerations regarding protection of controlled waters and contamination.

LONDON BOROUGH OF HOUNSLOW

No objection.

ENGLISH HERITAGE

No objection.

### Internal Consultees

URBAN DESIGN OFFICER

Outline planning permission was granted in July 2007 for Heathrow East Terminal (HET), which will replace Terminal 1 and Terminal 2. In addition to the main terminal building, the outline planning permission for HET gave consent for a number of ancillary buildings, including an Energy Centre (EC) and a Gasification Plant in this location. A detailed design was subsequently approved for the energy centre in December 2008 with a floor area of 1120 m<sup>2</sup> at ground floor level, and 790

m2 at first floor level.

In order to achieve further CO2 reductions, and provide more efficient and flexible energy supply for the larger Heathrow area, BAA has developed a more strategic plan for the provision of energy across the Heathrow area, and subsequently proposes the provision of an energy centre and associated infrastructure to serve not only the forthcoming Terminal 2A (formerly HET), but also Terminal 2B, the Central Terminal Area (CTA) and Terminal 5 (T5). The development, which will be located in the same position as previously proposed, adjacent to the World Cargo Centre in Sealand Road, will be set behind a secure site boundary.

The increase in capacity of the Energy Centre has had a fundamental impact on the height, scale and functioning of the proposed building. Consequently the proposed floor area has increased to 2,000m2, with external measures of 41 m x 31 m x 18 m, with five 35m high flues, and one 33m high flue. In comparison with the consented scheme, the eaves height of the main Energy Centre building has increased by 2.6 metres, the length of the building by two metres and the width by 1 metre. The north side of the building will be louvred. The building would accommodate a CHP plant fuelled by biomass, a wood chip delivery area, natural gas boilers and associated technical equipment. The building has been carefully designed to fulfil a number of strict airfield operational constraints.

The scheme also incorporates a two-storey operations building located towards the western side of the site, measuring approximately 19m x 13m x 9m, with a floor area of approximately 400m2. The site would have a landscaped verge along the west and northwest sides of the application site.

An 11 kV substation is located in the immediate vicinity of the site. In addition, an adjacent area has been reserved for a new substation to serve any further expansion of the Energy Centre.

Externally the main Energy Centre building would be finished in silver/grey cladding, as the previously consented proposal, which is consistent with the T5 Campus Design Guidelines. The flues would be built in stainless steel.

The scale of the proposed development reflects the functionality of the buildings, and is considered to integrate well from a visual point of view with other large scale utilitarian buildings within the Heathrow area, such as the adjacent World Cargo Centre. The use of external materials are selected to strictly match the corporate design philosophy which applies within the Heathrow area, a light, contemporary approach with profiled cladding panels, translucent elements, exposed and colour coated aluminium, and consistent colour scheme in various shades of grey and silver.

The landscaping scheme has been developed in the same light character. The security fence will be screened behind a framework of structural green hedges and tree planting.

#### HIGHWAY ENGINEER

No objection, as the current proposal would not result in a significant increase in traffic over and above that relating to the previously approved proposal.

#### TREES/LANDSCAPING

The roadside verges on the publicly visible north and west boundaries of the site contain wide strips of mature shrub planting whose height provides a degree of eye-level screening. This is one of the few areas of planting in an area of Heathrow Airport which is primarily used in a functional/operational capacity.

There are no Tree Preservation Orders or conservation Area designations affecting the site.

While there is little scope for soft landscaping, the opportunity has been taken to retain the verge planting supplemented with new Birch and to reinforce the boundary planting on the north, south and west by adding Birch trees, Beech hedging and evergreen groundcover, where space permits. In total, 14No. new trees will be planted, with effective hedging along the critical boundaries and massed evergreen planting on the west boundary.

The planting plan includes a schedule of plants.

Saved policy BE38 seeks the retention and enhancement of landscape features as an integral part of development. Given the operational requirements of this site the two most sensitive boundaries have been reinforced with soft landscape proposals. The east boundary is defined by a retaining wall and deep cutting which limits the opportunity for landscape enhancement.

The effectiveness of the planting proposals will depend on the quality of the specification of work and the future establishment and maintenance provision.

No objection subject to conditions TL5, TL6 and TL7.

#### ENVIRONMENTAL PROTECTION UNIT

##### - Contamination

Contaminated land aspects of Heathrow East have previously been discussed in relation to the combined permission for the Terminal and Energy Centre (Condition 21 of 62360/APP/2008/2942) and the permission for the Gasification Plant (Condition 2 of 62360/APP/2008/2786). A contaminated land report by Jacobs, consultants to BAA was submitted to the Council. This was an interpretative report on the site investigation of the Energy Centre area. The report featured 5 boreholes and 3 trial-pits with chemical testing. Elevated contaminants were not found and there appeared to be no significant risk to current or future users of the site. Levels of gas were not found in the ground that would justify gas protection measures. The report however advised a watching brief for unknown contamination particularly in the old river channel area.

Although the report was not submitted with this consultation, Environmental Protection Unit Officers have a copy on file. Therefore a contaminated land condition requiring further investigations is not required. However a consideration should be attached to any decision to ensure that the imported soil is clean and to stress a watching brief for unknown contamination given the filled river channel and relatively wide spacing of exploratory boreholes. As there is a landscaped area the soil imports should also be clean and tested.

##### - Air Quality

No objections are raised to this proposal.

The proposal consists of a base load biomass fired CHP plant of 11.5 MWth input and 4 natural gas fired boilers of 10.7 MWth input.

Emissions from the proposed energy centre will be regulated under the Environmental Permitting Regulations of 2007, by virtue of the requirements placed on the aggregated combustion plant sector under Part A1 of the regulations.

These facilities fall to be regulated by the Environment Agency.

Ultimately, once the phased commissioning of the Energy Centre is completed, the assessment outlines significant reductions in emissions of Oxides of Nitrogen and of Particulate. The submitted Air Quality Assessment sets out projected decreases in emissions of approximately 1.3% in terms

of NOX and 9.7% in terms of particulates.

There are wider benefits from reduced fossil fuel consumption and combustion efficiency gains, which will also contribute to the UK's policy of progressive decarbonisation of energy supplies.

#### - NOISE

The Energy Centre proposed in the present application is similar to that covered by previous planning application 62360/APP/2006/2942, although that application also covered a new passenger terminal.

The noise report, prepared by Jacobs dated November 2009, claims to show that noise from operation of the Energy Centre can be made acceptable using noise mitigation measures comprising acoustic louvers, silencers for the biomass and boiler flues, and treatment for vehicle reversing alarms. In order to ensure the use of adequate noise mitigation measures to control noise from operation of the Energy Centre, appropriate considerations should be attached should no objection be raised to the consultation.

#### ACCESS OFFICER

Does not wish to comment.

#### SUSTAINABILITY OFFICER

The development of the Biomass Combined Heat and Power facility to serve Heathrow Airport is supported and it is acknowledged that it is the first phase of a wider energy strategy.

The flexibility in design that will allow for future expansion is also supported. As discussed with BAA, the future expansion should consider the potential to include the wider area outside the boundary of the airport. This will provide an opportunity of wider energy reductions that can benefit existing communities and areas. Further discussions will be required to realise these opportunities.

Any future expansion of the biomass burner will be considered with regards to its impacts on local air quality. Whilst it is broadly accepted that biomass is a renewable form of energy and helps to reduce global carbon emissions, it does impact on local air quality. The size of the unit falls under the thresholds for Environment Agency permitting, but any future expansion will need to be considered further.

The submitted report suggests that the biomass will be sourced within a 50mile radius of the airport. This approach is supported, however it should be noted that there is no policy requirement to fulfil this obligation. The recent consultation on the review of the PPS1 supplement states:

"Where a local requirement relates to a decentralised energy supply system fuelled by bioenergy, local planning authorities should not require fuel sources to be restricted to local sources of supply."

No objections are raised.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The proposed development is directly related to the provision of services and facilities at Heathrow Airport on operational land. It is therefore Permitted Development in accordance with Class A of Part 18 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 and does not require planning permission. However, in accordance with the Order, the airport operator must consult with the local



planning authority before commencing any development.

#### **7.02 Density of the proposed development**

Not applicable to this type of development.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas or Listed Buildings within the vicinity of the site.

BAA have advised that trial trenching was undertaken at the site in 2007. No significant cultural heritage was unearthed and it was therefore concluded that no further investigation work was required at the site. Notably English Heritage have raised no objections.

#### **7.04 Airport safeguarding**

BAA Safeguarding and National Air Traffic Services (NATS) have been consulted as part of this consultation. No objections have been received.

#### **7.05 Impact on the green belt**

Not applicable. There is no Green Belt land within the vicinity of the site.

#### **7.07 Impact on the character & appearance of the area**

This part of Heathrow Airport is characterised airport related facilities, functions and infrastructure. The site is previously developed and is surrounded by operational development including the World Cargo Centre, Terminal 4, car parking and live aircraft operations.

The proposed energy centre and operations building would be slightly larger than the previously approved energy centre and gasification plant at the site. Nevertheless, they would not be dissimilar in design and are consistent with the design vision for the Heathrow Airport campus and the T5 Campus Design Guidelines.

Given the height of the flues, the proposed development would be clearly visible from the immediately surrounding area and it is likely some views would exist from outside the airport boundary. Nevertheless, the development would be of a size and scale which would be in keeping with other large scale development at Heathrow Airport. The development would be seen in context with surrounding airport related buildings and activities and it is not considered that it would be out of keeping with the character and appearance of this busy airport location or surrounding area. Notably, the application site is located over 200m from the airport boundary and some distance from the nearest residential receptor. Accordingly, views from outside the airport are likely to be long-distance views where the building would be seen in context with the wider airport and surrounding built form.

Whilst relatively functional in design, the appearance of the buildings and materials used would be consistent with those adopted across the airport. The visual appearance of the development is considered to be acceptable in this location and would accord with the objectives of UDP policy BE13.

#### **7.08 Impact on neighbours**

The application site is located in an airside location, the nearest residential properties being located over 250m away to the south west. Surrounding airport related development, the Southern Perimeter Road and the Duke of Northumberland and Longford Rivers provide a significant barrier between the development and these properties and, as such, it is not considered that there would be any significant adverse impacts on residential amenity as a result of the development. No objections have been

raised by officers in the Council's Environmental Protection Unit subject to considerations.

#### **7.09 Living conditions for future occupiers**

Not applicable to this type of development.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

The proposed development would generate a small amount of additional traffic during both construction and operation. Construction impacts are predicted to be minor and temporary and BAA have advised that the contractor would be required to sign up to the Heathrow Clean Vehicles Programme. Operational impacts would be permanent but are estimated to be of the order of four to eight additional HGV deliveries per day, depending on the size of the vehicle, for transport of wood chip to the site. This compares to an anticipated four to six vehicle trips per day for the previously approved energy centre and gasification plant. As such, the vehicle movements associated with the entire site would be low. These are likely to access the airport via the strategic road network and the impact on the borough's roads is considered to be negligible.

Notably, the Environmental Statement submitted with the original outline planning permission for T2A, demonstrated that traffic movements associated with the construction phase of the development, including those associated with the then proposed energy centre and gasification plant, would not have a significant impact on the road network in and around the airport. Furthermore BAA submitted a separate application providing details of construction routes in and around the airport, in compliance with conditions attached to that outline consent. Whilst the functioning and scale of the proposed energy centre has significantly changed, it is not considered that it would lead to a significant increase in traffic to and from the site, over that assessed as part of the original scheme.

The applicant has advised that site workers would be relocated from other parts of the Heathrow complex, including the soon to be decommissioned Boiler House B448 in the Central Terminal Area. As such, they would not add to the overall traffic accessing the airport. 12 car parking spaces, plus space for the parking and manoeuvring of larger vehicles would be provided at the site for staff, visitors and maintenance workers. This is considered to be acceptable for the operational needs of the building.

BAA and not the London Borough of Hillingdon are the Highway Authority for roads within the airport boundary and, accordingly, the impacts of the development on the airport road network are for BAA to assess. Nevertheless, it is not considered that the proposed development would give rise in a significant increase in traffic to or from the site which would be detrimental to highway or pedestrian safety.

#### **7.11 Urban design, access and security**

This issue has been largely addressed in part 7.07 of the report. The size, scale, mass and design of the proposed buildings are considered to be appropriate for this location and would be consistent with BAA's design vision for the Heathrow airport campus and the T5 Campus Design guidelines, which were successfully applied to buildings across the Terminal 5 campus to ensure high quality building design was adopted.

The building and lighting scheme have been carefully designed to fulfil a number of strict airfield operational constraints and, whilst functional in its design, the building scale and design is considered to integrate well from a visual point of view with other large scale utilitarian buildings within the Heathrow area.

The materials for the development have been chosen so that they are visually consistent with the general palette of materials used on the operational buildings within the airport, and this is considered to be entirely acceptable in this location, visually in keeping with the

character and appearance of the surrounding area.

#### **7.12 Disabled access**

The main energy centre building and plant within would be primarily designed for unmanned operation. The only visitors to the facility would be BAA maintenance staff to carry out routine checks or repairs to equipment. These maintenance duties would require access to all parts of the building and to the various internal plant and, as such, would need to be carried out by fully physically able operatives. The applicant has advised that the BAA maintenance schedule for Heathrow will ensure that only fully able-bodied operatives are utilised for work on this site and no specific disabled access is required.

Despite the above BAA have advised that various measures, such as entrance doors with clear openings of at least 1000mm and clearly distinguishable from the surrounding building facade, and staff WCs of a size suitable for use by an ambulant disabled person, would be provided. They have also advised that with regard to emergency access, a fire strategy for the site is to be devised in conjunction with the Fire Officer, and taking into consideration the evacuation of disabled persons.

In order to provide a high level of pedestrian and vehicular legibility around the site appropriate signage would be used.

Given the nature of the development these measures are considered to be fully acceptable and, notably, the Council's Access Officer has raised no objections to the scheme.

#### **7.13 Provision of affordable & special needs housing**

Not applicable to this type of development.

#### **7.14 Trees, landscaping and Ecology**

This is an operational site and currently contains limited landscaping. However, there are wide strips of existing mature shrub planting along the western and northern boundaries, which provide a degree of eye-level screening. These verges would be retained and reinforced with the planting of additional birch trees, beech hedging and evergreen ground cover. Hedging would also be provided along the southern boundary. This reflects planting schemes seen elsewhere around the airport and is considered to be acceptable in this locations, particularly given the operational requirements of the site. Notably, this would be one of the few areas of planting in an area of Heathrow Airport which is primarily used in a functional/operational capacity.

The retention and enhancement of landscape features as an integral part of development, especially along the most sensitive boundaries, complies with UDP Policy BE38 and, notably, the Council's Trees/Landscape Officer has raised no objections subject to considerations.

#### **7.15 Sustainable waste management**

BAA have confirmed that the development would comply with their adopted Construction Waste Strategy, which provides guidance on waste targets and contract arrangements for removal and processing of construction waste. This would be applied through the development of a Site Waste Management Plan for the construction phase of the development.

The main waste generated during the operation of the plant would be wood ash. However, it is predicted that this would account for less than 1% of fuel throughput. It is anticipated that, in common with other biomass projects, this waste would be sold for use

as agricultural fertiliser.

These waste management methods are considered to be acceptable and, it should be noted, that the airport operator ultimately has discretion over which waste management methods are used.

#### **7.16 Renewable energy / Sustainability**

The energy centre design concept is founded on the provision of a sustainable form of power generation to satisfy the Terminal 2A S106 requirements in relation to reduction of carbon emissions. These required a 20% reduction in carbon dioxide emissions through the use of on site renewable energy sources, and a 40.5% reduction in carbon dioxide emissions overall through the combined use of renewable energy sources and sustainable building design. The newly proposed energy centre would not only ensure that these targets are met, but would also contribute towards meeting the energy needs of other terminals and buildings within the CTA, and meeting Terminal 5's heat demands. This forms the first phase in developing a Heathrow Wide Energy Strategy aimed at reducing carbon dioxide emissions across the airport, consistent with the detailed Energy Strategy submitted to and agreed by the GLA as part of the S106 agreement associated with the original outline consent for T2A.

The applicant has submitted a Sustainability Statement in support of the consultation. This provides details relating to the performance, function and operation of the proposed energy centre and also details sustainability measures which would be adopted through the design and construction of the buildings.

The biomass CHP plant would be powered by wood chip from a renewable source. Initial surveys indicate that the required standard of fuel would be available in sufficient volumes from sustainable sources within a 50 mile radius of Heathrow. This would minimise emissions from vehicles associated with wood chip delivery and BAA have confirmed that predictions on overall Co2 savings have taken account of factors such as planting, harvesting, processing and delivery of wood chip. When the fuel supplier, delivery vehicles and distances are confirmed, it would be possible to complete an additional calculation to incorporate the specific transport arrangements. However, it is likely that the variance in the calculations will be much less than 10% as generic transport arrangements have already been considered.

The Air Quality Assessment submitted with the consultation suggests that once fully operational, and due to the decommissioning of the Thames Valley Power gas turbine, located within the Cargo area, the predicted overall mass emissions across the airport are predicted to reduce by approximately 1.3% in terms of NOx and 9.7% in terms of particulates. However, it should be noted that the renewable heat and electricity generated by the development will mean that emissions are also avoided elsewhere and, as such, the overall benefits could be higher than this.

In terms of sustainability, the applicant has used the London Sustainability Checklist in order to ensure relevant standards and policy objectives are applied where relevant. This demonstrates that a number of sustainable measures would be adopted, including use of sustainable building materials, design, and construction techniques.

It is considered that the development would provide a net overall benefit in terms of sustainability and reduction in emissions across the airport. This complies with the aims of the Heathrow Wide Energy Strategy, Government sustainability objectives and relevant London Plan policies.

### **7.17 Flooding or Drainage Issues**

The site does not fall within a floodzone. However, due to their previous involvement in the T2A development, which involved the provision of an energy centre on this site, the Environment Agency were consulted. No objections have been raised subject to considerations relating to contamination.

### **7.18 Noise or Air Quality Issues**

#### **- Noise**

A Noise Assessment Report has been submitted in support of the consultation. This provides details of noise monitoring, likely noise generation and appropriate mitigation measures which would be put in place. It concludes that noise levels emanating from the proposed energy centre are unlikely to exceed relevant noise level limit criteria at the nearest residential receptors. Nevertheless, mitigation measures in respect of the biomass and boiler flues, and to the louvres on the northern side of the boiler room are recommended. It is also recommended that careful consideration be given to the use of reversing alarms. These recommendations can be included as considerations in the event that no objections are raised to the consultation. Notably, officers in the Council's Environmental Protection Unit have raised no objections subject to suitable considerations.

#### **- Air Quality**

Given the nature of the application, in addition to the fact that it falls within an Air Quality Management Area, the applicant has submitted an Air Quality Assessment. This concludes that whilst initially the energy centre could have a negligible or slight adverse impact on local air quality, the decommissioning of the Thames Valley Power gas turbine in the cargo area is likely to mitigate this. Once the phased commissioning of the energy centre is completed significant reductions in emissions of NOx and particulates would be achieved. It predicts decreases in emissions of approximately 1.3% in terms of NOx and 9.7% in terms of particulates. It also notes that wider benefits may be achieved through the reduced demand for heat and energy elsewhere around the airport, as a result of the proposal. Notably, officers in the Council's Environmental Protection Unit have raised no objections to the scheme.

### **7.19 Comments on Public Consultations**

No comments received.

### **7.20 Planning obligations**

Not applicable to this type of application.

### **7.21 Expediency of enforcement action**

Not applicable.

### **7.22 Other Issues**

#### **- Contamination**

Condition 21 of the T2A planning permission required the applicant to carry out a detailed site investigation to establish if the site is contaminated, to assess the degree and nature of contamination present, and to determine its potential for pollution of the environment. These details were submitted to and agreed by the Council in respect of the energy centre site in January 2008 (ref: 62360/APP/2007/3443). Therefore further investigation is not required as part of this consultation. Notably officers in the Council's Environmental Protection Unit have raised no objections on grounds of contamination subject to an appropriate consideration to ensure any imported soils are clean and a watching brief kept for potential contamination.

## **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

#### **9. Observations of the Director of Finance**

Not applicable.

#### **10. CONCLUSION**

It is not considered that the proposed development would have an adverse impact on the character or appearance of this part of the airport, or on the amenity of the occupiers of the nearest residential properties. It would provide at least 20% renewable energy to T2A in compliance with the requirements of the planning permission and S106 agreement for that development, in addition to meeting an element of the energy demands for other buildings within the Central Terminal Area and a portion of Terminal 5's heat needs. It would have significant benefits in terms of reducing emissions across the airport and meeting the goals set out in the Heathrow Wide Energy Strategy. The proposal complies with relevant UDP and London Plan policies and, accordingly, it is recommended that no objections be raised.

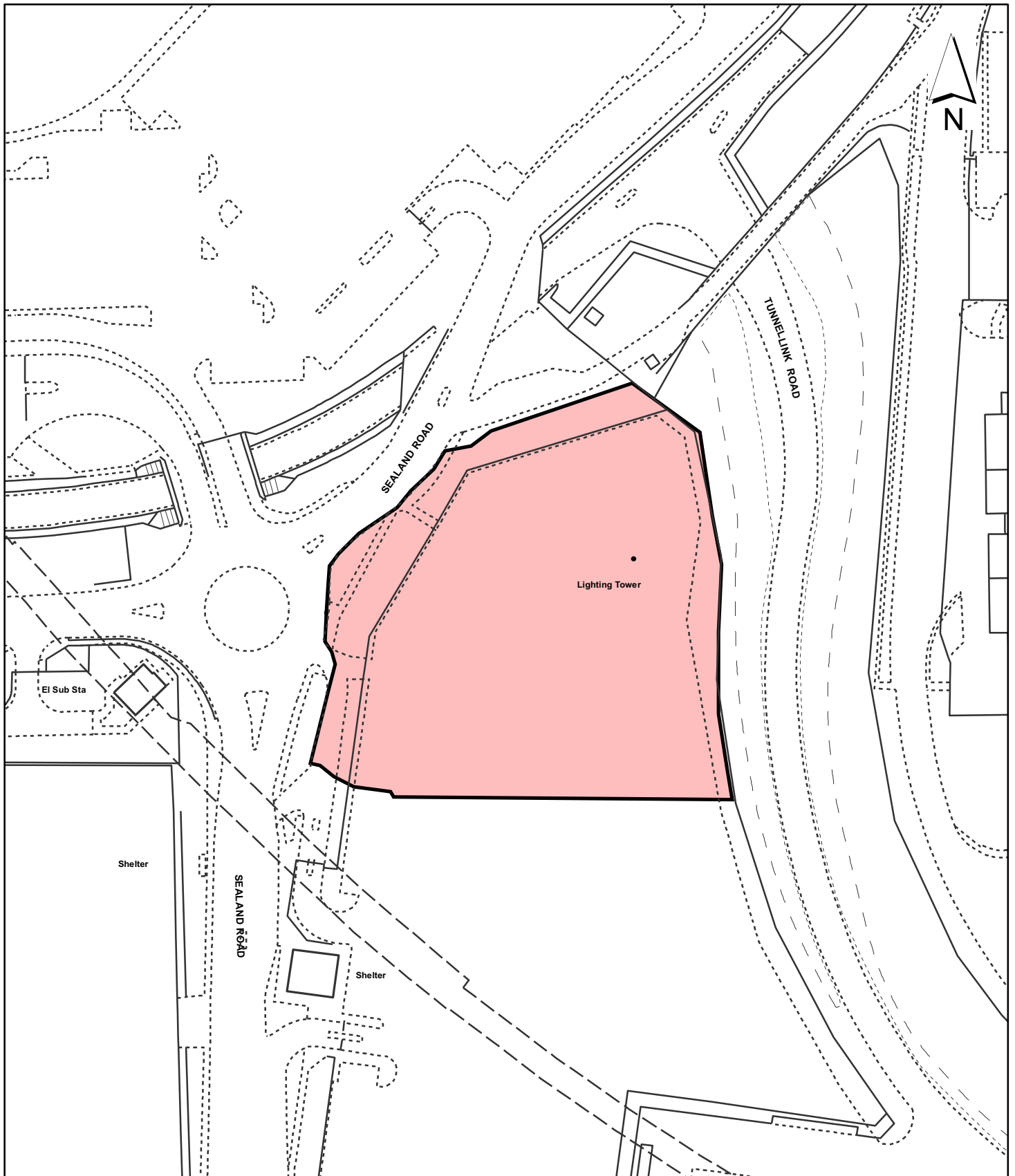
#### **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies (September 2007)  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Guidance 13: Transport  
Planning Policy Guidance 24 : Planning and Noise  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 22: Renewable Energy  
Planning Policy Statement 25: Development and Flood Risk  
Council's Supplementary Planning Guidance - Noise  
Council's Supplementary Planning Guidance - Air Quality

Supplementary planning Document - Accessible Hillingdon

**Contact Officer:** Johanna Hart

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p align="center"><b>P5 Car Park Sealand Road Heathrow Airport</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p align="center"><b>Planning &amp; Community Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center"><b>66849/APP/2010/479</b></p>	<p>Scale</p> <p align="center"><b>1:1,250</b></p>	 <p align="center"><b>HILLINGDON</b> LONDON</p>
	<p>Planning Committee</p> <p align="center"><b>Central and South</b></p>	<p>Date</p> <p align="center"><b>May 2010</b></p>	