

## Report of the Head of Planning, Transportation and Regeneration

**Address** THE ARENA BENNETSFIELD ROAD STOCKLEY PARK  
**Development:** Alterations to car parking and erection of 2 substations storage/plant room  
**LBH Ref Nos:** 37800/APP/2019/3278  
**Drawing Nos:** URB SS [08] 09 01 D00 date received 07-02-20  
TR18 SSE  
URB-SS 08 00 01-D00  
021019 Cover Letter.

**Date Plans Received:** 04/10/2019 **Date(s) of Amendment(s):** 04/10/2019

**Date Application Valid:** 22/10/2019

### 1. SUMMARY

The application proposes alterations to the car park to facilitate the relocation of the existing electricity substation from the eastern end of the car park to the north western end. In order to facilitate the development 4 car parking spaces would need to be relocated to ensure there would be no overall loss of car parking.

The application site benefits from planning consent for the erection of 81 room hotel (Use Class C1) with ancillary bar/cafe with associated ancillary works including extension and reconfiguration of car park and landscaping. The Arena itself is located within the Stockley Park Estate and provides a leisure hub for the surrounding commercial units, comprising public house, retail, coffee shop/ sandwich bar and gymnasium uses.

The site is located within the Green Belt, additionally it is locally listed as being of historical/architectural merit and therefore has been subject to assessment against the necessary Green Belt and local heritage policies both of which the scheme is considered to comply with given its minor scale and the limited works involved.

The proposal is not considered to conflict with the Highways or Design policies set out within the Hillingdon Local Plan: Part 2 - Development Management Policies and as such the application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL** subject to the following:

#### 1 COM3 Time Limit

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

#### REASON

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

#### 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on Drawing Numbers 03 Rev B and URB SS [08] 09 01 D00 date received 07-02-20 and TR18 SSE

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2016).

### **3 NONSC Contaminated Land**

Prior to the construction of the 3 car parking spaces along the perimeter of the car park a detailed cross section which includes the dig depth in relation to the bund and the various surfacing levels used to construct the spaces shall be submitted and approved by the Local Planning Authority.

#### REASON:

To ensure the integrity of the existing protective barrier structure is maintained and compliance with DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

### **4 NONSC Contaminated Land**

No contaminated soils or other materials shall be imported to the site. All imported soils for engineering and/or landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to the Local Planning Authority for approval. Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON: To ensure that the Business Park is not subject to any risks from contamination in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination, of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020)

### **5 COM10 Tree to be retained**

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

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

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to

the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

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

Within 3 months of the date of permission a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

### **1. Details of Soft Landscaping**

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

### **2. Details of Hard Landscaping**

- 2.a Refuse Storage
- 2.b Means of enclosure/boundary treatments
- 2.c Car Parking Layouts (including demonstration that 20 %of all parking spaces are served by active and 20% passive electrical charging points)
- 2.d Hard Surfacing Materials
- 2.e External Lighting

### **3. Details of Landscape Maintenance**

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

### **4. Schedule for Implementation**

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

## **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2015)

## **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 Local Plan: Part Two - Development Management Policies

(2020), 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.

DMHB 11	Design of New Development
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMHB 3	Locally Listed Buildings
DMEI 4	Development on the Green Belt or Metropolitan Open Land

### **3            159            Councils Local Plan : Part 1 - Strategic Policies**

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

## **3.            CONSIDERATIONS**

### **3.1           Site and Locality**

Stockley Arena is located to the east of Stockley Road and forms part of Stockley Park, a 47 hectare former landfill site which was successfully redeveloped into a business park in the late 1980s and now has international renown as one of the first business parks of its kind, and for the high quality architecture and strong integration of landscaping into the design.

Stockley Park Arena was designed and built in 1990 by Arup as the landmark core of Stockley Park and provides a leisure hub for the surrounding commercial units, comprising public house, retail, coffee shop/ sandwich bar and gymnasium uses. The building is predominantly two storey and has a lakeside setting, with ground levels rising to the north with the building itself partially sunk into the landscape. The building is centred upon a circular fortress like enclosure with radiating wings. Immediately to the north and west, are landscaped car parking areas, with the Stockley Golf Course and its clubhouse wrapping around the site to the north and east. To the south, the site is adjoined by the lake. Adjoining the lake to the south is the main access road and the commercial buildings beyond, surrounded by their parking areas within a landscaped setting.

The hotel is sited on the western side of the northern wing of the building, on part of the existing car park. This results in the reconfiguration of the existing car park which would encroach and on to part of the green space south of the golf course club house and north of the entrance to the Arena.

As the surrounding areas of the business park have evolved, Stockley Park Arena has stayed virtually unchanged. The building benefits from a low key design, typical of its time, set in a prominent, but, sensitive setting by the open water lake. The site is located within the Green Belt, additionally it is locally listed as being of historical/architectural merit. It also is located within an Air Quality Management Area and has a PTAL rating of 1b (very poor).

### **3.2 Proposed Scheme**

The application proposes the replace and relocation of the existing electricity substation and the addition of 1 further substation within the car park of the Arena Complex. The proposed substations would be construction side by side along the northern boundary of the car park. In order to facilitate the development 4 car parking spaces will also be relocated within the car park itself.

The proposed substations would each measure 3.1m in width, 2.8m in depth and approximately 2m in height.

### **3.3 Relevant Planning History**

37800/APP/2016/1430      The Arena Bennetsfield Road Stockley Park

Erection of 81 room hotel (Use Class C1) with ancillary bar/cafe with associated ancillary works including extension and reconfiguration of car park and landscaping.

**Decision:** 26-10-2016      Approved

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

The application site benefits from planning consent for the erection of 81 room hotel (Use Class C1) with ancillary bar/cafe with associated ancillary works including extension and reconfiguration of car park and landscaping. The Arena itself is located within the Stockley Park Estate and provides a leisure hub for the surrounding commercial units, comprising public house, retail, coffee shop/ sandwich bar and gymnasium uses.

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

London Borough of Hillingdon Development Plan (from 17 January 2020)

1.1      Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2      The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3      The National Planning Policy Framework (NPPF) (2019) is also a material

consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

### Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### Draft London Plan (Intend to Publish Version, December 2019)

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

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

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

#### Part 1 Policies:

PT1.BE1 (2012) Built Environment

#### Part 2 Policies:

DMHB 11 Design of New Development

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMHB 3	Locally Listed Buildings
DMEI 4	Development on the Green Belt or Metropolitan Open Land

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **3rd December 2019**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Letters were sent to neighbouring buildings and a site notice was displayed outside of the site for a period of 21 days. Both methods of consultation expired 29.11.20 and no responses were received.

### **INTERNAL CONSULTATION**

#### **SSE**

Further to the below, this email is to confirm that SSEN/SEPD have no objections to the planning proposal and are happy for it to proceed.

#### **HIGHWAY OFFICER**

Upon implementation of the works, four parking spaces will be lost and re provided throughout the site, three spaces will be located near the site access whilst the fourth space will be provided through the loss of two disabled spaces further south of the car park. Having assessed the originally consented scheme (ref, 37800/APP/2016/1430) which proposed an additional twenty parking spaces (above the existing provision), taking the total number of spaces to 160 of which 12 spaces were designated as disabled. The initial proposal indicated a loss of 2 disabled bays which would contribute further to the existing non-compliant level of disabled parking which was considered acceptable on-balance given what was the current level of of disabled parking (4) prior to the extant consent to construct the new hotel. A revised plan has been submitted demonstration the retention of the 12 DA spaces, therefore retaining what was found to be acceptable in the extant permission, as well as relocating the 4 spaces lost to accommodate the proposed substations.

#### **LANDSCAPING OFFICER**

The site was inspected on 4 February 2020 and the work is nearly complete. The most sensitive area is the two space incursion to the north of the car park entrance. Soil has already been removed and the space kerbed. At present there is only a temporary surface (which is already in use for parking). While the loss of additional areas of soft landscape is regrettable, it appears that there is sufficient soil and space around the existing trees to survive. Additional / replacement planting was previously agreed as part of the re-development of this site. A minor amendment may be required to

ensure that these newly disturbed areas are re-instated.

#### RECOMMENDATION

No objection subject to condition COM9 (parts 1,2,4 and 5) and COM10.

#### CONTAMINATED LAND OFFICER

##### 1 Summary of Comments:

The area of land on which Stockley Park was constructed was subjected to a major site remediation scheme in the 1980's. The remediation works involved mass excavation works, to the depth of clean natural strata, and the removal of many tonnes of waste materials that were deposited during historic landfilling operations.

The remediated area to the south of the Stockley Park Golf Club was separated from the non-remediated land by a clay bund structure, which acts as a physical barrier to seal the entire perimeter of the Business Park from waste materials which remain in place at locations beyond the clay bund.

I therefore recommend the following conditions to be imposed:

##### Bespoke condition:

Submission and implementation of a scheme of works to maintain the integrity of the existing protective barrier

No works shall commence to form the proposed two new parking spaces, in the north western area of the existing Arena car park, until a detailed scheme of works is submitted to and approved in writing by the Local Planning Authority. The scheme will have full details of:

1. How preliminary investigations are to be conducted to determine if the clay bund is present at the precise location of proposed works, and;
2. How the preparatory ground works, including reinstatement and restoration works would be undertaken.

Following approval, such scheme of works shall be implemented on site in full accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

REASON: to ensure the integrity of the existing protective barrier structure is maintained.

##### Imported Materials Condition

No contaminated soils or other materials shall be imported to the site. All imported soils for engineering and/or landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted to the Local Planning Authority for approval. Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

REASON: To ensure that the Business Park is not subject to any risks from contamination in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.



2 Reason for Refusal (if objecting):

N/A

3 Observations:

According to mapping records the proposed locations of 2 new parking spaces, within the northwest section of the Arena car park, appear to coincide with the position of part of the clay bund which surrounds the entire perimeter of the business park.

Due to the importance of the bunds' role as an effective barrier, it necessarily follows that the structure should not be disturbed, because any damage would likely severely compromise the general function and performance of the clay materials which serve to isolate the business park from off-site mobile contaminants including any migrating leachate and/or landfill gas, which would otherwise easily enter the business park.

OFFICER COMMENT:

Following correspondence with the agent and after undertaking a site visit it is clear that work has been carried out in the area for which the clay bund is within a close distance. This work has been undertaken to construct what appears to be a temporary parking area however this surface is based on metal sheeting therefore not suitable for permanent parking bays. This has been discussed with the Contaminated Land Officer who stated it is unlikely that the dig depth would be low enough to disturb the bund and that a cross section of the dig depth, bund position and surfacing for the car parking spaces should be submitted.

## **7. MAIN PLANNING ISSUES**

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

The proposed application seeks full planning consent for the relocation of the existing substation and addition of 1 further substation within the car park of the Arena Complex. The site has been subject to planning consent for a new hotel and following this consent and recent updates to fire safety policy the proposed works are necessary to facilitate the construction of the hotel. 4 car parking spaces required to facilitate the construction of the substations are to be relocated to therefore there is no loss of parking.

Section 7.05 considers the proposed development against Green Belt planning policies.

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

Not applicable

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

The application site is located within what is considered the setting of a Locally Listed building therefore Policy DMHB 3 is relevant to the assessment of the proposal. The policy provides three key points for which a proposal should adhere to however section A) is the only relevant point given that the proposal is not for alterations to the Listed Building itself. Point 'A)' states that there is a general presumption in favour of the retention of buildings, structures and features included in the Local List. The Council will take into account the effect of a proposal on the building's significance and the scale of any harm of loss when considering planning applications,

The proposed location of the new substations would be set further away from the locally listed building than the existing substation and is therefore considered to be an improvement to the setting of the locally listed building.

### **7.04 Airport safeguarding**

Not applicable

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

At national level the NPPF provides guidance on what is acceptable or not in the Green Belt and this is reflected below for clarity. Construction of new buildings, change of use or development on land in the Metropolitan Green Belt is inappropriate development unless it is for the following purposes:

- provision of appropriate facilities for agriculture, forestry, outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- the replacement of a building, provided that the new building is in the same use and not materially larger than the one it replaces; and
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

At local level policy DMEI 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (Jan 2020) states that :

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special exceptional circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
- ii) the proportion of the site that is already developed;
- iii) the footprint, distribution and character of the existing buildings on the site;
- iv) the relationship of the proposal with any development on the site that is to be retained; and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

With regard to the above the proposed development is considered to comply with more than one of the aforementioned NPPF exceptions given that the substations would be constructed within the confines and previously developed piece of Green Belt Land and is of very small scale. Similarly the proposal is considered to comply with those exceptional circumstances stated within Policy DMEI 4 and as such is considered to be acceptable.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also sets out principles for good design and how the design of new development should relate to the existing street scene.

Stockley Park was laid out in 1985 to a master plan by Arup Associates, it is an early example of a business park and is characterised by large streamlined modern office buildings, many by well known architects and architectural practises, set in an open and well designed landscaped setting. The Arena was also designed by Arup Associates, it includes a sports club, restaurant, management offices and conference centre, and provides a long, low focus between the park and business area. It is faced in coursed buff

reconstituted stone and timber, and has a polygonal conservatory to the west. At its centre is an unusual circular piazza with a distinctive roof line with wings radiating from the space that relate to the surrounding ground levels and partially enclose the car park. The sports centre has a very simple blank facade and barrel roof form when viewed from the car park. The grassed slopes and mounding screen it from the golf course to the east. To the south, the building has a simple fortress like character, it is accessed via a bridge over a lake that sweeps along its southern boundary and has a moat like quality.

The Arena building is included in the Council's Local List of Buildings of architectural or historic interest.

The proposal for 2 electricity substations which are set further away from the buildings than the existing is welcomed given the historic interest in the buildings. The substations would be located within the car park and far enough away from the buildings so that they would not hinder their setting. The substations would be constructed of green steel with encapsulated timber battens within the roof structure and explosion relief brackets all of which are commonly used for these types of development. As such the proposal is not considered to have a negative impact on the character and appearance of the street scene.

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) sets out specific design standards which not only ensure high quality design but also aim to ensure that the amenities of neighbouring properties are protected.

The nearest residential properties to the site are located over 500m from the development. Therefore, given the scale and nature of the development, the proposal would not be considered to raise concern with regards to residential amenity.

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

Not applicable

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

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) relate to junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

The application proposes the relocation of the existing and 1 additional substation which is required to serve the Arena Complex. Numerous locations were reviewed however the applicant has stated that the car parking is the only possible solution for which the provider could agree would be policy compliant. The scheme proposes the relocation of 4 parking spaces in order to facilitate the development, 2 of which are disability spaces.

The application is linked to the planning consent (ref; 37800/APP/2016/1430) for the erection of 81 room hotel (Use Class C1) with ancillary bar/cafe with associated ancillary works including extension and reconfiguration of car park and landscaping. In relation to parking the case officer states in this report " The Arena car park currently provides 140 dedicated surface car parking spaces. Due to the coincidence of peak parking demand periods for the health club and the proposed hotel, the car park will be extended to provide an additional 20 parking spaces."

The proposal does not seek to alter the total number of car parking spaces provided and proposes to retain the 12 disabled spaces which were secured under the extant consent to construct the new hotel. Prior to the approved hotel scheme there were only four disabled spaces on site. This was increased to 12 as part of the hotel scheme as the layout suited this level of provision and therefore the proposed level of parking is considered to be acceptable.

As such the proposal is considered to comply with Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

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

Whilst the proposed development falls within the setting of a Locally Listed Building it is of a minor scale and therefore is not considered to give rise to any additional negative impacts to Locally Listed Building or its setting.

#### **7.12 Disabled access**

Not applicable

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

Not applicable

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

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

With regard to the above the proposed development would require the relocation of 4 existing car parking spaces to the outer borders of the car park which would effectively eat in to part of the soft landscaping which forms the boundary treatment for the car park and its access. As stated by the Landscapes Officer, the most sensitive area is the two space incursion to the north of the car park entrance given its close proximity to the trees which also lie within this area. Whilst the loss of this and the other additional areas of soft landscape is regrettable, it appears that there is sufficient soil and space around the existing trees to survive. Additional / replacement planting was previously agreed as part of the re-development of this site.

As such the proposed scheme is considered to comply with Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

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

Not applicable

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

- Not applicable
- 7.17 Flooding or Drainage Issues**
- Not applicable
- 7.18 Noise or Air Quality Issues**
- Not applicable
- 7.19 Comments on Public Consultations**
- See external consultation section of this report
- 7.20 Planning obligations**
- Not applicable
- 7.21 Expediency of enforcement action**
- Not applicable
- 7.22 Other Issues**

#### CONTAMINATED LAND

Policy DMEI 12: relates to the development of Land Affected by Contamination and states:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals. D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The area of land on which Stockley Park was constructed was subjected to a major site remediation scheme in the 1980's. The remediation works involved mass excavation works, to the depth of clean natural strata, and the removal of many tonnes of waste materials that were deposited during historic landfilling operations. The remediated area to the south of the Stockley Park Golf Club was separated from the non-remediated land by a clay bund structure, which acts as a physical barrier to seal the entire perimeter of the Business Park from waste materials which remain in place at locations beyond the clay bund. According to mapping records the proposed locations of 3 new parking spaces, within the northwest section of the Arena car park, appear to coincide with the position of part of the clay bund which surrounds the entire perimeter of the business park although it is unlikely that the spaces would require excavation near to the bund itself. It is noted that the area appears to have been used to construct a temporary parking surface without disturbing the bund however in order to ensure that any further excavation carried out to construct the permanent spaces does not interact with the bund a condition has been included which will require further details of the dig depth required to facilitate the construction of the parking spaces.

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

### General

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

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

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

### Planning Conditions

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

### Planning Obligations

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

### Equalities and Human Rights

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

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

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

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

Not applicable

**10. CONCLUSION**

The application proposes the replace and relocation of the existing electricity substation and the addition of 1 further substation within the car park of the Arena Complex. The proposed substations would be construction side by side along the northern boundary of the car park. In order to facilitate the development 4 car parking spaces will also be relocated within the car park itself.

The proposal is considered to comply with the necessary National, Regional and Local policies and is therefore recommended for Approval.

**11. Reference Documents**

National Planning Policy Framework (February 2019)

The London Plan (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

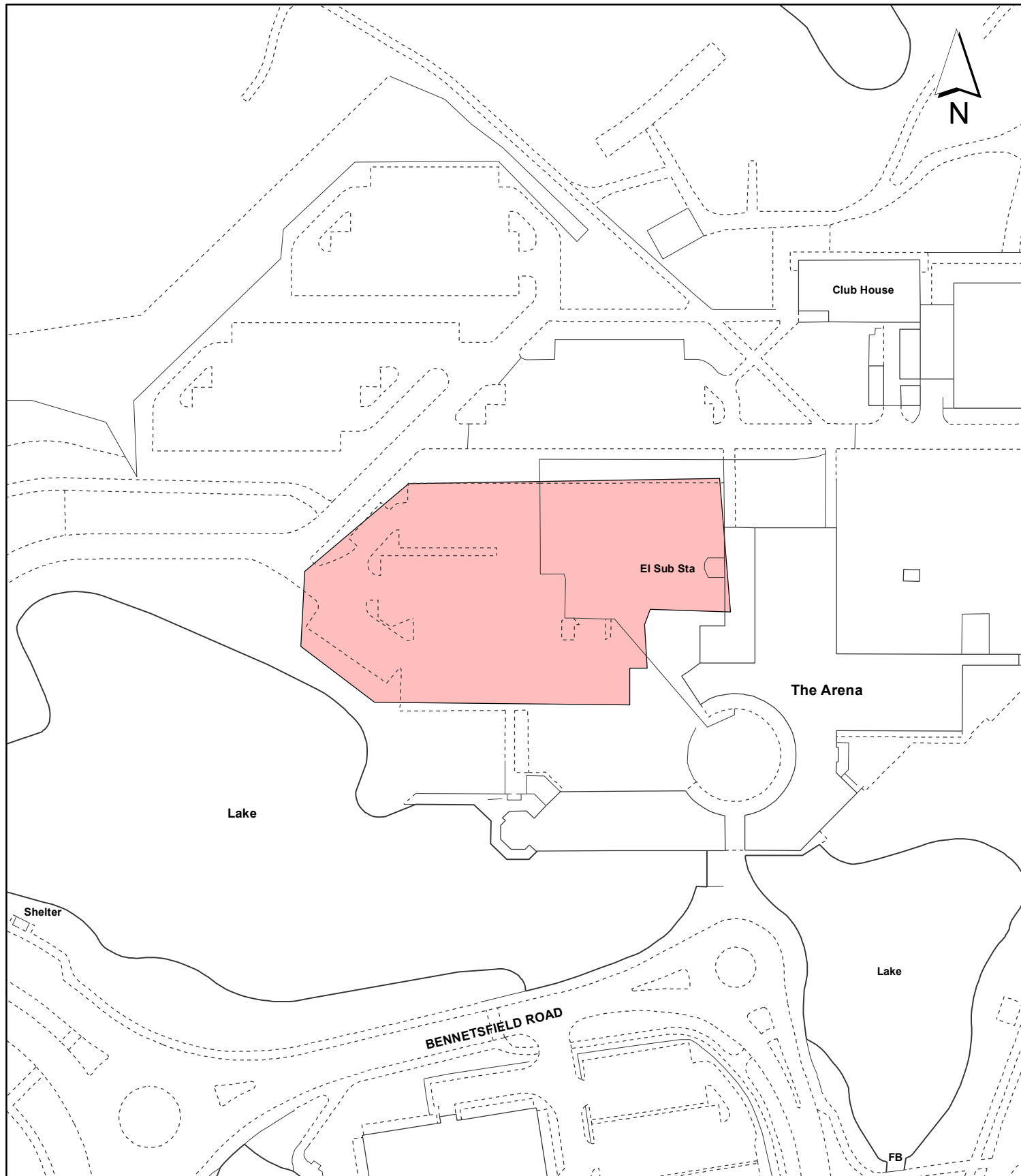
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

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# Notes:

 Site boundary

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Site Address:

**The Arena  
Bennetsfield Road  
Stockley Park**

Planning Application Ref:

**37800/APP/2019/3278**

Planning Committee:

**Major**

Scale:

**1:1,250**

Date:

**February 2020**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
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