



Heathrow Airport Ltd.
The Compass Centre
Nelson Road
Hounslow
Middlesex TW6 2GW

Application Ref: 41573/APP/2013/1288

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Enabling works to allow implementation of full runway alternation during easterly operations at Heathrow Airport including the creation of a new 'hold area' at the western end of the northern runway, the construction of new access and exit taxiways, and the construction of a 5 metre high acoustic noise barrier to the south of Longford Village.

Location of development: Northern Runway Heathrow Airport Hounslow

Date of application: 20 May 2013

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning & Enforcement

Date: 21 March 2014

- NOTES: (i) Please also see the informatives included in the Schedule of Reasons.
- (ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

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SCHEDULE OF REASONS

- 1 · The scheme would facilitate altered aircraft movements/operations (including queuing), and the application fails to demonstrate that these would not result in significant adverse noise impacts on the health and well being of residential populations, users of schools and community facilities. The scheme would also fail to provide adequate and sufficient mitigation measures to affected residents, schools and community facility users to offset the resultant negative noise and associated health and well being impacts. As such the scheme is considered contrary to Paragraph 123 of the National Planning Policy Framework, London Plan (July 2011) Policies 2.6, 3.2, 5.3, 6.6, and 7.15, Hillingdon Part 1 Local Plan Policies EM8 and T4, Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) Policies A1, A2, OE1 and OE3, the Noise Policy Statement for England (March 2010) and paragraph 3.12 of the Aviation Policy Framework (March 2013).

- 2 · The scheme would facilitate altered aircraft movements/operations (including queuing), and the application fails to demonstrate that this would not result in an unacceptable deterioration in local air quality (failing to sustain compliance with European Union health-based air quality limit values), and additionally no specific mitigation measures are proposed to minimise the exposure of the nearby impacted communities to the resultant polluted air, contrary to paragraph 124 of the National Planning Policy Framework, paragraph 3.47 of the Aviation Policy Framework (March 2013), Policies 2.6, 3.2, 5.3, 6.6, 7.14 of the London Plan (July 2011) and Policies EM1, EM8 and T4 of the Hillingdon Local Plan: Part 1, Hillingdon Local Plan: Part Two Saved UDP (November 2012) Policies A1, A2 and OE1.

- 3 · The Environmental Statement fails to comply with relevant Environmental Impact Assessment Regulations 2011 (including the requirements of Schedule 4 Part 1- 'Information for inclusion in Environmental Statements') in that it does not adequately:
 - a) Describe the likely significant effects from noise impacts
 - or
 - b) Set out the measures to prevent, reduce and where possible offset any significant adverse effects on the environment.

- 4 · The Environmental Statement fails to provide a cumulative assessment of the proposed development and the associated operational airport changes with the recommendations of the Airports Commission and the ability to operate 'mixed mode' within the existing air transport movement limits.

The Environmental Statement therefore fails to comply with Schedule 4 Part 1(b) of the 2011 EIA Regulations.

SCHEDULE OF REASONS

- 5 · The applicant has failed to demonstrate that the proposed acoustic screen by virtue of its height and overall size would not represent an incongruous and visually dominant form of development and would not harm the character and appearance of the wider area, and detract from the openness of the site and therefore be harmful to the Green Belt. The proposal is therefore be contrary to policies OL1, OL4, BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to Policy EM2 of the Hillingdon Local Plan Part One - Strategic Policies (November 2012), Policy 7.16 of the London Plan (2011) and Paragraph 79 and 87 to 89 of the National Planning Policy Framework.

INFORMATIVES:

- 1 · The decision to REFUSE 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 · The decision to REFUSE planning permission 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.

Part 1 Local Plan Policies

PT1.BE1 Built Environment
PT1.HE1 Heritage
PT1.EM1 Climate Change Adaptation and Mitigation
PT1.EM3 Strategy for Heathrow Opportunity Area
PT1.EM4 Open Space and Informal Recreation
PT1.EM6 Flood Risk Management
PT1.EM7 Biodiversity and Geological Conservation
PT1.EM8 Land, Water, Air and Noise
PT1.T4 Heathrow Airport
PT1 E3 Strategy for Heathrow Opportunity Area

Part 2 Local Plan Policies

A1 Airport Capacity
A2 Traffic
A6 Development proposals within the public safety zones Heathrow
BE19 New development must improve or complement the character of the area.
BE3 Investigation of sites of archaeological interest and protection of archaeological remains
BE13 New Development to harmonise with area
BE19 New Development to compliment and improve character of area
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.
EC2 Nature conservation considerations and ecological assessments

SCHEDULE OF REASONS

EC3 Potential effects of development on sites of nature conservation importance
EC5 Retention of ecological features and creation of new habitats
OE1 Protection of character & amenities of surrounding properties
OE2 Assessment of environmental impact of proposed development
OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities

London Plan (July 2011)

2.6 Outer London: vision and strategy
3.2 Improving health and addressing health inequalities
4.1 Developing London's economy
5.3 Sustainable Design and Construction
6.6 Aviation
7.2 An inclusive environment
7.14 Improving air quality
7.15 Reducing noise
8.2 Planning obligations

National Planning Policy Framework.

Part 1 Policies:

Part 2 Policies

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

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SCHEDULE OF PLANS

10000-XX-GA-100-000191 Ver. 1.0 - received 28 May 2013
10000-XX-GA-XXX-000142 Ver 4. - received 28 May 2013
10000-XX-GA-100-000192 Ver 1.0 - received 28 May 2013
Fig 2.1 - received 28 May 2013
10000-XX-GA-100-000149 Ver 1.0 - received 28 May 2013
10000-XX-GA-100-000150 Ver 1.0 - received 28 May 2013
10000-XX-GA-100-000149 CHECK VERSION - received 28 May 2013
10000-XX-GA-100-000150 Ver 1 - received 28 May 2013
10000-XX-GA-100-000151 Ver 1 - received 28 May 2013
10000-XX-GA-100-000148 Ver 1.1 - received 28 May 2013
10000-XX-GA-100-000143 Ver. 1 - received 28 May 2013
10000-XX-GA-100-000144 Ver. 1 - received 28 May 2013
10000-XX-GA-100-000153 Ver. 2 - received 28 May 2013
10000-XX-GA-100-000145 Ver. 2 - received 28 May 2013
10000-XX-GA-100-000142 Ver. 4 - received 28 May 2013
10000-XX-GA-SE-000001 Ver 1.0 - received 28 May 2013
10000-XX-GA-100-000193 Ver 1.0 - received 28 May 2013
33068-Lon180a Fig 1 - received 18 Dec 2013
33068-Lon181a Fig 2 - received 18 Dec 2013
33068-Lon182a Fig 3 (Noise Contours with LB Hounslow Schools shown With The Cranford Agreement in place i.e. existing baseline arrangement) - received 18 Dec 2013
33068-Lon183a Fig 4 (Noise Contours with LB Hounslow Schools shown Without The Cranford Agreement in Place) - received 18 Dec 2013
Figure 5 (Key to figures 1 - 4 for LB Hounslow Schools schools identified) - received 18 Dec 2013
33068-Lon185 Fig 1 - received 18 Dec 2013
33068-Lon186 Fig 2 - received 18 Dec 2013
33068-Lon187 Fig 3 (Noise Contours with LB Ealing Schools Shown With the Cranford Agreement in Place) - received 18 Dec 2013
33068-Lon188 Fig 4 (Noise Contours with LB Ealing Schools Shown Without the Cranford Agreement in Place) - received 18 Dec 2013

Noise Barrier for Longford Village Rev. 2 March 2013 - received 17 Dec 2013

33068-178 [2 different designs] Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-178b Rev 02 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-178c Rev 03 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-178d Rev 04. Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-178e Rev. 05 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-179 [2 different designs] Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-179b Rev. 02 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-179c Rev. 03 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-179d Rev. 04 Proposed Acoustic Barrier with planting - received 17 Dec 2013

33068-179e Rev. 05 Proposed Acoustic Barrier with planting - received 17 Dec 2013

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424). Appeal forms can be downloaded from the Planning Inspectorate's website at <http://.Planning-inspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.