

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: NCP CAR PARK BATH ROAD SIPSON

Development: Full planning application for an electric unit area comprising a Battery Energy Storage System (BESS) and associated infrastructure.

LBH Ref Nos: **41632/APP/2025/1320**

Drawing Nos: Outline Construction Logistics Plan, 16th June 2025, v.3, Mayer Brown
7935 - SMR - 00 - ZZ - DR - A - 2200 - S4 - P3
7935 - SMR - 00 - ZZ - DR - A - 2201 - S4 - P3
7935 - SMR - 00 - ZZ - DR - A - 2202 - S3 - P2
7935 - SMR - 00 - ZZ - DR - A - 2203 - S3 - P1
Air Quality Assessment Technical Note, 784-B070271, 1st May 2025, Tetra Tech
Archaeological Desk Based Assessment, V.6, May 2025, RPS Group
Contaminated Land Technical Note, 01 May 2025 (Issue 3), Tetra Tech
Covering letter, 2 May 2025, Quod
Flood Risk and Drainage Technical Note, Rev. P2, 01/05/25, EirEng
Noise Technical Note, May 1, 2025, Tetra Tech

Date Plans received: 09-05-25 **Date(s) of Amendments(s):**

Date Application valid 09-05-25

1. SUMMARY

The application seeks full planning permission for an electric unit area comprising a Battery Energy Storage System (BESS) and associated infrastructure. No harm is identified having regard to the material planning considerations.

Whilst the proposal would clearly facilitate a wider redevelopment of the site, the facilitating works need to be assessed on their own merits. Although there is a reference to a wider redevelopment of the site this is not material to the assessment of this stand alone application.

Subject to conditions, 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 the submitted plans, numbers 7935 - SMR - 00 - ZZ - DR - A - 2200 - S4 -P3, 7935 - SMR - 00 - ZZ - DR - A - 2201 - S4 - P3, 7935 - SMR - 00 - ZZ - DR - A - 2202 - S3 - P2, 7935 - SMR - 00 - ZZ - DR - A - 2203 - S3 - P1, Flood Risk and Drainage Technical Note, Rev. P2, 01/05/25, EirEng, Outline Construction Logistics Plan, 16th June 2025, v.3, Mayer Brown, Air Quality Assessment Technical Note, 784-B070271, 1st May 2025, Tetra Tech, and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

3. NONSC Noise levels

For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed: 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAr 1 hour for any one-hour period between 0700 and 2300, determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.'

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020) and Policies D3 and D13 of the London Plan (2021).

INFORMATIVES

1. I99 Noise Informative

It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that is reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as detailed in BS4142 to determine the rating level.

2. I99 Land contamination Informative

You are advised this development is on a former contaminated land use identified as Nursery/Orchard. Therefore, the above advice is provided on the grounds of Health and Safety of

the workers on site and to ensure the appropriate restoration of the site is done should there be any contamination identified during the development where there is a need, for ground work once such works are complete to minimise risk to the occupants of the site. There is a possibility there may be some contaminating substances in the ground at the site. Our contaminated land record shows the site to be on a former contaminated land use identified as Nursery/Orchard. We would advise persons working on site to take basic precautions in relation to any contamination they may find.

3. 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).

4. I59 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 Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. CONSIDERATIONS

3.1 Site and Locality

The Site is currently operated by NCP as an open air car park, providing circa 630 parking spaces, operating on a 24hour basis. The Site extends to circa 1.64 Hectares in total site area. The Site is currently accessed via a bridge and the Raddison Hotel and Conference Centre to the west, with Sipson Road providing access to the A4(Bath Road).

The Site is bound by the A4(Bath Road) to the south, and the M4 spur - Tunnel Road West to the east of the Site. A former Metropolitan Police facility is located to the north of the site, and is vacant. Residential uses along Sipson Way are located to the west of the site. A small parade of shops, including a convenience store and a takeaway/cafe is located to the north west corner of the site.

The Site comprises an existing brownfield site, which is currently under-utilised as a grade level NCP car park and does not contribute materially to the local economic wellbeing. The Site is located within the Hillingdon Air Quality Management Area, the A4 Corridor Air Quality Focus Area, the Heathrow Archaeological Priority Area, a Critical Drainage Area and Flood Zone 1. The site has a Public Transport Accessibility Level (PTAL) of 3.

3.2 Proposed Scheme

Planning permission is sought for an electric unit area comprising a Battery Energy Storage System (BESS) and associated infrastructure.

3.3 Relevant Planning History

41632/APP/2025/717 NCP CAR PARK BATH ROAD SIPSON
Erection of 1no. substation and 1no. feeder pillar (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 16-04-2025 Approval

41632/APP/2024/847 NCP HEATHROW FLIGHT PATH BATH ROAD SIPSON
New vehicular access implemented under planning permission ref: 41632/APP/2021/1301 dated 28-06-2021 (Application for a Certificate of Lawful Development for an Existing Development)

Decision: 23-05-2024 Approval

41632/APP/2021/1301 NCP HEATHROW FLIGHT PATH BATH ROAD SIPSON
Provision of a new vehicular access to existing NCP car park via A4 Bath Road

Decision: 28-06-2021 Approval

Comment on Planning History

The relevant planning history is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: Not applicable

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

30 neighbours and Harmondsworth and Sipson Residents Association were consulted on 30-05-25.
1 Comment received.

HEATHROW VILLAGES CAAP:

I am writing on behalf of Heathrow Villages Conservation Area Advisory Panel. This 'minor works' application is phase 1 of a far larger scheme - for which no details are provided, other than a passing mention of an EV charging station of unspecified size/scale. This lack of transparency means the impact of the whole scheme on the neighbouring residential area and on the road traffic in the surrounding area cannot be assessed. As such, we oppose the granting of permission until adequate details of the project are made public.

CASE OFFICER COMMENT:

Whilst the proposal would clearly facilitate a wider redevelopment of the site, the facilitating works need to be assessed on their own merits. Although there is a reference to a wider redevelopment of the site this is not material to the assessment of this stand alone application.

- LBH CONSULTEES

CONSERVATION/DESIGN

No objection

HIGHWAYS

There are no highway objections to this proposal subject to the receipt of a Construction Logistics Plan for approval confirming that all deliveries to the site will take place between the hours of 09:00 to 15:30h.

LAND CONTAMINATION

Having considered the applicant submitted application in relation to our land contamination record and the nature of the proposed development, please be advise that we have no objection to the development. However, the following land contamination informative is recommend for the planning application if approved.

Contamination Informative

You are advised this development is on a former contaminated land use identified as Nursery/Orchard. Therefore, the above advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site is done should there be any contamination identified during the development where there is a need, for ground work once such works are complete to minimise risk to the occupants of the site. There is a possibility there may be some contaminating substances in the ground at the site. Our contaminated land record shows the site to be on a former contaminated land use identified as Nursery/Orchard. We would advise persons working on site to take basic precautions in relation to any contamination they may find.

NOISE SPECIALIST

Sufficient information has been provided by the Applicant to make a recommendation on noise. It is recommended that no objection is made on noise grounds subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty. With regard to the noise impact of the proposed development on the existing environment: 'For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed: 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAr 1 hour for any one-hour period between 0700 and 2300, determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' Reason To ensure that occupants would not be exposed to noise caused by the permitted development that would be likely to cause an adverse effect on their health and quality of life with windows fully open for the purposes of ventilation and cooling. Informative It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that is reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as

detailed in BS4142 to determine the rating level.

- EXTERNAL CONSULTEES

HISTORIC ENGLAND GLAAS

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter.

NPPF section 16 and the London Plan (2021 Policy HC1) make the conservation of archaeological interest a material planning consideration.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified in the Local Plan: Heathrow Area

Although within the Heathrow Archaeological Priority Zone, the proposed works are too small-scale to be of concern in this location.

No further assessment or conditions are therefore necessary.

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.EM1	(2012) Climate Change Adaptation and Mitigation

Part 2 Policies:

DMEI 2	Reducing Carbon Emissions
DMEI 3	Decentralised Energy
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

LPP D5	(2021) Inclusive design
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI1	(2021) Improving air quality
LPP SI3	(2021) Energy infrastructure
LPP T6	(2021) Car parking

In addition: Development Plan

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

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)
 The London Plan (2021)
 The West London Waste Plan (2015)

Material Considerations

The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

The proposed development has been assessed against the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), including Supplementary Planning Guidance, and all relevant material considerations, including The London Plan (2021) and national guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

NEIGHBOUR AMENITY

Policy D3 of the London Plan (2021) states Part D7) that development proposals should deliver appropriate outlook, privacy and amenity.

Policy D13 of the London Plan (2021) states - C) New noise and other nuisance-generating development proposed close to residential and other noise-sensitive uses should put in place measures to mitigate and manage any noise impacts for neighbouring residents and businesses.

Policy D14 of the London Plan (2021) states - A) In order to reduce, manage and mitigate noise to improve health and quality of life, residential and other non-aviation development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life;
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change;
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

The site location has a commercial character and whilst there are neighbouring residential dwellings adjacent to the western boundary of the site, the development would not result in any undue loss of outlook, noise or overbearing effects.

The neighbouring properties along Sipson Way to the west are separated by a distance of at least 55m to the proposed electrical unit area. Due to the limited scale of the development and its separation, there is not considered to be any undue impact on amenity in terms of outlook, overbearing or visual intrusion.

A Noise Technical Note has been submitted in support of the application. As detailed in section 5 of the report, the Council's noise specialist has reviewed the submission and does not raise an objection subject to a condition restricting noise levels. The condition would be attached in the event of an approval.

7.2 Impact on Street Scene

CHARACTER AND LANDSCAPING

Policy D3 of the London Plan (2021) states that: Development proposals should: D1) enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

Policy DMHB 14 (Trees and Landscaping) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states: All developments will be expected to retain or enhance existing

landscaping, trees, biodiversity or other natural features of merit, and, 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.

The proposal comprises a secure compound area that would house numerous cabinets. The security fencing would be a green colour and 2.6m in height which would screen the cabinets housed within the compound. The development would be read in the context of the existing car park use and the intention to provide electric vehicle charging spaces within the site. No landscaping is proposed and is not required for the scale of development proposed.

7.3 Traffic Impact/Pedestrian Safety

HIGHWAY SAFETY AND PARKING:

Policy T4 Parts E and F of the London Plan (2021) states - E) The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated; and, F) Development proposals should not increase road danger.

Policy T6 Part D of the London Plan (2021) states - The maximum car parking standards set out in Policy T6 .1 Residential parking to Policy T6 .5 Non-residential disabled persons parking should be applied to development proposals and used to set local standards within Development Plans.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

As detailed in section 5 of the report, the highway authority have been consulted and do not raise an objection subject to the construction logistics plan being updated with amended delivery times. The document has been updated and shall be included in the approved plans list to ensure compliance.

7.4 Carparking & Layout

See 'Traffic Impact/Pedestrian Safety' section.

7.5 Urban Design, Access and Security Considerations

URBAN DESIGN

See 'Impact on Street Scene' section.

ACCESS

Not applicable.

SECURITY

Not applicable.

7.6 Other Issues

AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

Policy SI 1 of the London Plan (2021) Part B) states - To tackle poor air quality, protect health and meet legal obligations the following criteria should be addressed:

1) Development proposals should not: a) lead to further deterioration of existing poor air quality

2) In order to meet the requirements in Part 1, as a minimum:

a) development proposals must be at least Air Quality Neutral.

c) major development proposals must be submitted with an Air Quality Assessment. Air quality assessments should show how the development will meet the requirements of B1.

As per the London Plan, developments need to be air quality neutral as minimum. An Air quality neutral assessment with appropriate mitigation needs to be provided. The reduction of emissions to be achieved by each measure to be proposed needs to be quantified or a flat rate discount agreed with the LPA. If the proposal is Air quality neutral, and as the site lies in the catchment area of an Air Quality Focus Area, the remaining s106 contribution would be calculated based on total emissions.

An Air Quality Assessment Technical Note has been submitted in support of the application. The report concludes that the development would be air quality neutral. The report also details relevant mitigation measures to be implemented during the construction and operational phases, and shall be included in the approved plans list to ensure compliance.

The proposal therefore complies with Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) and Policy SI 1 of the London Plan (2021).

ARCHAEOLOGY

Policy HC1 of the London Plan (2021) and Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure that areas which are identified as being of archaeological interest are protected.

The application site is located within the Heathrow Area Archaeological Priority Zone. An Archaeological Desk Based Assessment has been submitted in support of the application.

As detailed in section 5 of this report, Historic England have been consulted on the proposal and do not raise an objection or recommend any further assessment or conditions.

BIODIVERSITY NET GAIN

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity. In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the target condition.

Policy G6 of the London Plan (2021) Part D) states - Development proposals should manage impacts on biodiversity and aim to secure net biodiversity gain. This should be informed by the best available ecological information and addressed from the start of the development process.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

There are exemptions to the BNG requirement including Development below a de minimis threshold. This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g. 5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows).

The development would be occurring within the existing car park and no habitats, trees or hedgerows would be affected. Therefore the development would not exceed the de minimis threshold and is considered to be BNG exempt.

FLOOD RISK AND DRAINAGE

Policy DMEI 10 part E) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that proposals that would fail to make adequate provision for the control and reduction of surface water run-off rates will be refused.

The site lies in a Critical Drainage Area (CDA) identified in the Surface Water Management Plan (SWMP) for Hillingdon. A CDA is the catchment area from which surface water drains and contributes to drainage problems. Therefore the water from the site entering the sewers should be minimised.

A Flood Risk and Drainage Technical Note has been submitted in support of the application. The document concludes that the development will not increase flood risk on the site or to surrounding areas and will discharge via infiltration in line with the surface water discharge hierarchy. In the event of an approval, the report would be included in the approved plans list, to ensure implementation of the recommendations contained in the report.

LAND CONTAMINATION

Policy DMEI 12 of the Local Plan: Part Two (2020) requires proposals for development on potentially contaminated sites to be accompanied by at least an initial study of the likely contaminants. 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.

The application site is designated within a former contaminated land use identified as Nursery/Orchard. A Contaminated Land Technical Note has been submitted in support of the application.

As detailed in section 5 of this report, the contamination officer has been consulted on the proposal and do not raise an objection subject to the imposition of an informative which would be attached to the decision notice in the event of an approval.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (2012)

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

London Plan (2021)

National Planning Policy Framework (2024)

Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021)

Contact Officer: Christos Chrysanthou **Telephone No:** 01895 250230