



Quod

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# Planning Statement

## Heathrow Flightpath Car Park

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SEPTEMBER 2025

Q220738

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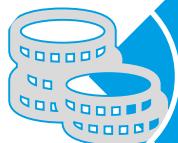
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## Appendix 1 - Pre-application Feedback

# 1 Executive Summary

1.1 Lysara is seeking to deliver a mixed use sustainable vehicle parking facility with associated retail use at Heathrow Flightpath Car Park, Bath Road, Sipson, UB7 0DU ('the Site'), that will:



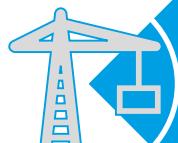
Realise the economic and sustainable potential of a tired brownfield parcel that is in need of investment.



Deliver a new sustainable vehicle parking facility (Sui Generis) with ancillary retail use (Class E) that will respond to known local needs.



Deliver job opportunities for local people, during construction and through the operation of the retail unit.



Optimise the Site through the delivery of an exemplary sustainable parking solution for the users of Heathrow Airport and beyond.



Comprehensive landscaping scheme alongside amenity provision for employees.



Figure 1: CGI Views

## 2 Introduction

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2.1 This Planning Statement has been prepared by Quod on behalf of Lysara ('the Applicant') in support of a hybrid planning application to the London Borough of Hillingdon ('LBH') for a new mixed use sustainable vehicle parking facility and retail unit at Heathrow Flightpath Car Park, Bath Road, Sipson, UB7 0DU ('the Site').

2.2 The Site is referred to as Heathrow Flightpath Car Park.

### The Applicant

2.3 Lysara is a pan-European platform at the forefront of building and operating energy transition infrastructure in key logistics & urban markets. Lysara acquires land in strategic locations and develops lasting energy transition infrastructure across UK & Europe. They provide secure car parking and rapid charging facilities in high-demand areas, offering efficient and affordable charging for personal and commercial vehicles. A dedicated team with power expertise helps to secure access to grid capacity and to design energy systems of the highest quality.

### The Proposed Development

2.4 The description of the development is as follows ('the Proposed Development'):

*"Hybrid application consisting of full planning permission for the creation of a mixed use sustainable vehicle parking facility (Sui Generis) and food and beverage unit (Class E), alongside ancillary welfare and staff buildings, and other supporting infrastructure and site levelling, and outline planning permission for a future extension to the facility, with all associated matters reserved except for access."*

2.5 This Planning Statement provides a detailed explanation and consideration of the Proposed Development in relation to the relevant planning policies and other material considerations.

2.6 The Proposed Development has been subject to formal pre-application discussions and benefits from positive feedback from LBH Officers. The submitted application has positively addressed the comments received during these discussions, with a best-in-class and precedent setting development proposed, that will significantly enhance the offer within the Heathrow Airport area.

### Scope of Application

2.7 Prior to submission, the scope and content of the Application was confirmed within the pre-application advice and comprises the following application documents:

- Application Form, Ownership Certificates and Notice;
- Covering Letter (inc. list of drawings and documents submitted);
- Completed CIL Form;

- Complete set of planning drawings including: Location Plan, Existing and Proposed Site and Floor Plans, Sections, Elevations and Layout Plans;
- Design and Access Statement (inc. CGIs);
- Transport Assessment (inc. Parking Strategy and Vehicle Tracking);
- Active Travel Zone Assessment;
- Stage 1 Road Safety Audit;
- Travel Plan;
- Design and Construction Method Statement;
- Landscape Masterplan;
- Tree Survey and Arboricultural Impact Assessment;
- Noise Impact Assessment;
- Refuse Management Strategy;
- Phase 1 Geo-Environmental Assessment;
- Air Quality Assessment;
- Flood Risk Assessment;
- Drainage Strategy;
- Energy Statement;
- External Lighting Strategy;
- Biodiversity Net Gain Assessment;
- Solar Glare Assessment;
- Preliminary Ecological Appraisal;
- Archaeological Desk Based Assessment;
- Operator Statement;
- Fire Statement; and
- Planning Statement.

## Structure of this Planning Statement

2.8 The remainder of this Planning Statement is structured as follows:

- **Section 3:** **Site Context** describes the Site and surrounding area.
- **Section 4:** **Planning History** provides a summary of the planning history.
- **Section 5:** **Pre-application Engagement** provides an overview of the feedback received from LBH during the pre-application meeting.
- **Section 6:** **The Proposed Development** provides a summary of the application proposals.
- **Section 7:** **Planning Policy Overview** provides an overview of the relevant planning policies.

- **Section 8:** **Planning Assessment** sets out the key planning considerations associated with the Proposed Development.
- **Section 9:** **Draft Heads of Terms and Conditions** sets out the anticipated approach to conditions and Section 106 contributions for the application.
- **Section 10:** **Conclusion** provides a summary of the key issues and our overall conclusions.

**2.9** This Planning Statement should be read in conjunction with the application drawings and supporting documentation, which are fully listed within the covering letter submitted with the application.

## 3 Site Context

## Application Site

- 3.1 The Site, shown in the enclosed Site Location Plan (ref: 7935-SMR-00-ZZ-DR-A-2001-S3-P4) and indicatively within **Figure 2**, comprises a large car park located approximately 100m to the north of Heathrow Airport, on the northern side of the A4 (Bath Road) and on the western side of the M4 spur leading to the airport.
- 3.2 A car park has operated on the Site for many years, typically providing off-airport parking utilising the access point via the Radisson Hotel. The car park currently provides circa 630 parking spaces, with a shuttle bus operating between the Site and Heathrow Terminals 2 and 3.

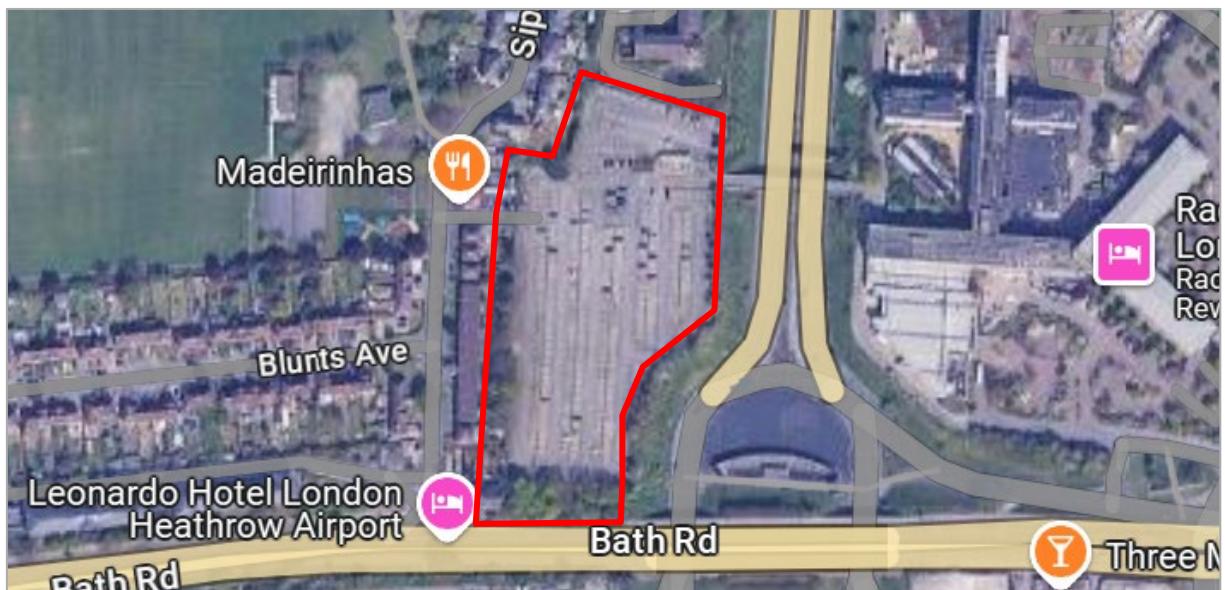


Figure 2: Indicative Site Location

- 3.3 According to the LBH Local Plan Policies Map, the Site is unallocated and undesignated ('white') land. This is shown in **Figure 3** below.
- 3.4 The Site sits within Flood Zone 1, indicating low risk of flooding according to the Environment Agency's flood risk map. There are no known Tree Preservation Orders ('TPO') or listed buildings on Site and the Site does not fall within a Conservation Area.
- 3.5 The Site has a PTAL rating of 3, indicating good accessibility to public transport. The Site is currently accessed by vehicle from the bridge at the north east of the Site. The main access to the Site is proposed to be from Bath Road at the south, following the approval of a new access point under application ref: 41632/APP/2021/1301.



Figure 3: Extract of LBH Local Plan Policies Map

### Surrounding Area

- 3.6 The surrounding area is mixed in character, with a vacant hotel to the north, the M4 running immediately to the east of the Site, and the Radisson Hotel located at the other side of the M4. There is an access road connecting the Radisson Hotel to the Site, which is currently used as the main vehicular access. There is also a second access point from Sipson Way, which is currently used by vehicles to exit the Site. Heathrow Airport and its associated industrial infrastructure lies at the south of the Site. To the west and north are a number of residential properties, which extend up Sipson Way and Blunts Avenue.
- 3.7 Bath Road runs along the south of the Site, separating the Site from a number of other car parks associated with Heathrow Airport. The northern runway at Heathrow is located approximately 450m to the south of the Site.
- 3.8 A new access is currently under construction from Bath Road, following the approval of application ref: 41632/APP/2021/1301, which will become the main entrance to the Site once constructed.

## 4 Planning History

4.1 The Site planning history is relatively limited, with the majority of applications relating to the provision and implementation of a new access off Bath Road. The key applications are set out in **Table 1** below.

Table 1: Site Planning History

| Application Ref     | Description of Development  | Decision/Date              |
|---------------------|---|----------------------------|
| 41632/APP/2025/1320 | Full planning application for an electric unit area comprising a Battery Energy Storage System (BESS) and associated infrastructure   | Approved<br>June 2025      |
| 41632/APP/2025/717  | Erection of 1no. substation and 1no. feeder pillar (Application for a Certificate of Lawful Development for a Proposed Development)   | Approved<br>May 2025       |
| 41632/APP/2024/847  | New vehicular access implemented under planning permission ref:<br>41632/APP/2021/1301 dated 28-06-2021<br>(Application for a Certificate of Lawful Development for an Existing Development)  | Approved<br>May 2024       |
| 41632/APP/2023/3255 | Details pursuant to the discharge of Conditions 4 (Landscaping) of planning permission ref.41632/APP/2021/1301, dated 28-06-2023 (Provision of a new vehicular access to existing NCP car park via A4 Bath Road)  | Approved<br>December 2023  |
| 41632/APP/2022/2301 | Demolition of existing car park and redevelopment for industrial (Use Class B2); storage or distribution (Use Class B8); and/or light industrial (Use Class E(g)(iii)) purposes, with ancillary office space, landscaping, car parking, servicing and access arrangements | Withdrawn<br>November 2023 |
| 41632/APP/2021/2660 | Details pursuant to condition 3 (Access Layout/Tactile Paving) of planning permission Ref: 41632/APP/2021/1301 dated 28-06-2021 (Provision of a new vehicular access to existing NCP car park via A4 Bath Road)   | Approved<br>August 2021    |

| Application Ref     | Description of Development  | Decision/Date         |
|---------------------|---|-----------------------|
| 41632/APP/2021/1301 | Provision of a new vehicular access to existing NCP car park via A4 Bath Road | Approved<br>June 2021 |

- 4.2 The new access point from Bath Road will be used by the Proposed Development as the main access point to the Site once completed.
- 4.3 Application ref: 41632/APP/2025/717 for a substation and feeder pillar in conjunction with application ref: 41632/APP/2025/1320 for an electric unit BESS together have been submitted and approved ahead of this hybrid application and are necessary to bring forward the required infrastructure to allow power to be generated at the Site by October 2025 to meet the Applicant's contractual obligations.
- 4.4 As part of application ref: 41632/APP/2022/2301, discussions were undertaken between the previous applicant and National Highways relating to the potential blocking off of the existing bridge access at the north east of the Site, to be secured by condition. Given that this application was withdrawn, such a condition was never imposed.
- 4.5 The Applicant has explored opportunities to keep the bridge access open for pedestrians and cyclists, however given the phased delivery of the Proposed Development and the lack of ability for the Applicant to control the access from the opposite side of the bridge, these proposals have not been incorporated.

# 5 Pre-application Engagement

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5.1 This section summarises the pre-application engagement with LBH that has taken place in advance of the submission of this application.

## Pre-application Discussions

5.2 Formal pre-application engagement has been undertaken with LBH (ref: 41632/PRC/2025/25) ahead of the submission of the application. The meeting took place on 20 March 2025, with written feedback issued on 10 April 2025.

5.3 The meeting was positive overall, with a summary of the key points from the pre-application engagement with LBH provided below:

- Principle of development was strongly supported and considered already established through the existing use of the Site;
- Weight was given to the sustainability improvements of the scheme in terms of justifying the net loss of parking spaces, with the level and type of parking considered acceptable;
- The proposed extent of greening is positive, however LBH were keen to see more detail in a comprehensive landscape plan as part of the submission to ensure the visual amenity of the Site is improved;
- Detail on the proposed wait times of the vehicles will be critical to how Highways Officers assess the proposal and understanding the different possible users of the Site would be helpful to inform this;
- The approach, scope, methodology and framework set out in the Transport Technical Note was agreed for the Transport Assessment;
- No amenity impacts anticipated;
- LBH recommended that the bridge access be maintained for pedestrian and cycle access, encouraging engagement with National Highways on this matter prior to submission;
- The main highways concern was ensuring that any queuing of vehicles onto the A4 potentially caused by the use of the F&B unit should be designed out, suggesting that it should be moved slightly further into the site to reduce the likelihood of this happening;
- Potential financial contributions relating to air quality, project management and monitoring were highlighted;
- Any future application will need to clarify how power would be secured for the development due to significant electricity capacity constraints in the area. The proposed approach to delivering the electric unit, substation and feeder pillar via Permitted Development and a minor full application ahead of the main application to deliver power was supported in principle.

5.4 The Applicant has considered the pre-application feedback within the proposals and sought to incorporate all the comments in the current submission where possible. Please see **Appendix 1** for the full written feedback.

# 6 The Proposed Development

6.1 This hybrid planning application seeks permission for the following ('the Proposed Development'):

*"Hybrid application consisting of full planning permission for the creation of a mixed use sustainable vehicle parking facility (Sui Generis) and food and beverage unit (Class E), alongside ancillary welfare and staff buildings, and other supporting infrastructure and site levelling, and outline planning permission for a future extension to the facility, with all associated matters reserved except for access."*

6.2 The Proposed Development provides the following key benefits:

- Deliver an exemplary sustainable vehicle parking facility with ancillary retail use for the users of Heathrow Airport as well as users of the hotel and the A4;
- Increasing the job opportunities across the Site during construction and the operation of the retail unit;
- BREEAM 'Excellent' standard sustainable design for the Food & Beverage ('F&B) unit and extensive PV canopy provision;
- Significant tree planting and urban greening across the Site.

6.3 Figure 4 below shows the Proposed Hybrid Site Plan (drawing ref: 7935-SMR-00-ZZ-DR-A-2003-S3-P11).

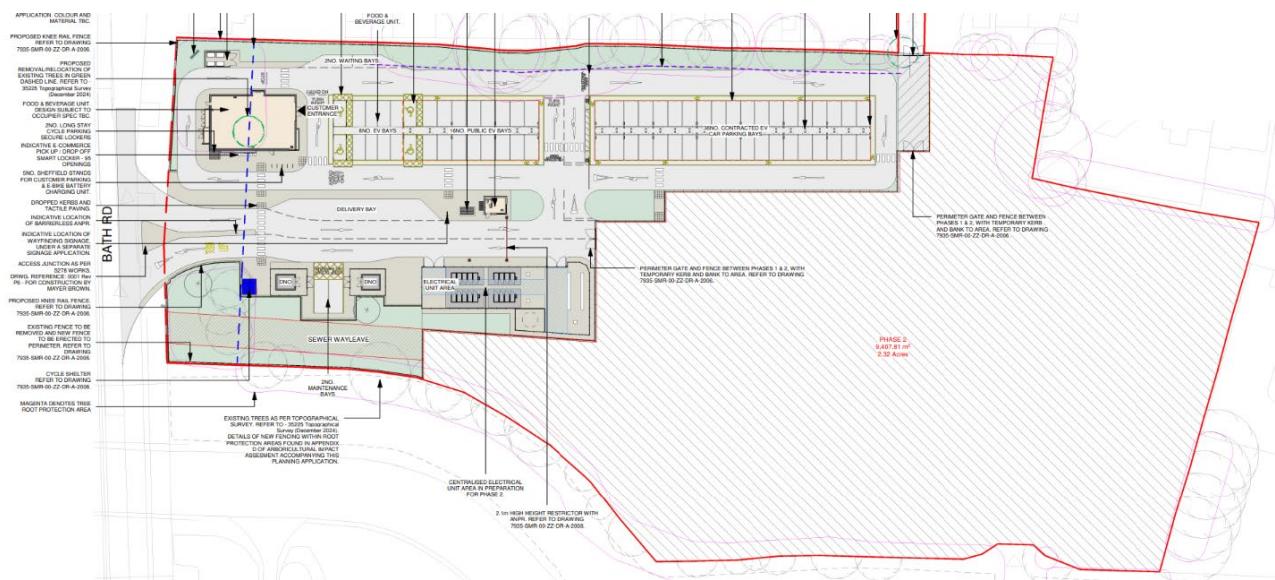


Figure 4: Proposed Hybrid Site Plan

6.4 Table 2 below sets out the floorspace quantum breakdown of the detailed element of the Proposed Development and the outline element indicatively.

Table 2: Floorspace Quantum Breakdown

| Use   | Quantum   |                          |
|---|---|--------------------------|
|   | Phase 1 (Detailed)  | Phase 2 (Outline)        |
| <b>Site</b>   | 0.69ha  | 0.95ha                   |
| <b>Total Proposed Floorspace (F&amp;B unit, welfare building, staff unit)</b> | 230 sqm (GEA)   | TBC                      |
| <b>Landscape Features</b>   | Creation of new areas of soft landscaping, including species-rich grassland, bulb planting, low groundcover planting (herbaceous and shrub beds), mixed native hedging, native shrub/thicket, and proposed specimen tree planting   | TBC                      |
| <b>Car Parking</b>  | <ul style="list-style-type: none"> <li>▪ 54x flexi commercial Electric Vehicle ('EV') standard bays</li> <li>▪ 2x accessible EV bays</li> <li>▪ 8x F&amp;B standard parking bays</li> <li>▪ 2x F&amp;B accessible parking bays</li> <li>▪ 1x Heavy Goods Vehicle ('HGV') delivery bay</li> <li>▪ 2x Distribution Network Operator ('DNO') maintenance bays</li> <li>▪ 2x Drive Thru waiting bays</li> </ul> | Up to 129 parking spaces |
| <b>Cycle Parking</b>  | <ul style="list-style-type: none"> <li>▪ 2 long-stay cycle parking spaces;</li> <li>▪ 6 short-stay cycle parking spaces.</li> </ul>   | TBC                      |

## Design, Layout and Appearance

### Design Approach

6.5 A number of constraints and factors have been considered to achieve the proposed layout. These are summarised below:

- All ancillary buildings are outside of the existing open sewer way leave, which runs from north to south across the site.
- Ancillary buildings are proposed outside of root protection areas of the existing trees on the perimeter of the site. The only area where tree lopping is proposed is where the F&B unit is located.

- The F&B unit is positioned close to Bath Road for visibility. However, its access point is set further north into the site with a feeder lane to mitigate impact to traffic from the A4.
- The battery storage area is located centrally to minimise the length of cabling to all EV bays.

6.6 The proposal is to be carried out in two phases, as set out above. The ongoing S278 works for the access junction of Bath Road will provide access to the site.

6.7 During Phase 1 work the intent is for the current occupiers of the site to continue to use the area designated for Phase 2 whilst Phase 1 is under construction. This includes the existing site access.

### F&B Unit

6.8 Throughout the design process of the Proposed Development, several factors have been carefully considered, such as the surrounding property characteristics, site limitations and constraints, and efficient movement of both vehicles and pedestrians within the sites layout.

6.9 The F&B building is situated to the southwest of the site, along Bath Road (A4), for visibility to its potential customers. The main glazed entrance to the building is positioned to the northeastern corner to engage with persons arriving by foot and car from its adjacent car park. The large areas of glazing enhance the overall contemporary feel of the development and provide a light, open environment for customers, which is conducive to the overall experience. The back of house and dedicated HGV delivery bay is located to the southwest and are obscured from view within timber enclosures.

6.10 The proposal provides a building to complement existing and foreseeable uses and the aesthetic of the area. The visual appearance and choice of materials have been carefully considered for the scheme to be sympathetic to its immediate context and surrounding areas, whilst also adopting a contemporary approach to design and detailing.

6.11 Please refer to the submitted **Design and Access Statement** for further details on the design of the Proposed Development.

### Scale

6.12 The use of land for an EV car park is generally consistent with the existing use of the Site as a car park and will not exceed the scale of the existing operation. This was considered acceptable during pre-application discussions with LBH.

6.13 The overall built footprint will comprise 230sqm, with the remaining areas comprising hardstanding associated with the EV car park. The scale of the Proposed Development is wholly appropriate for this location and will meet the operational requirements of the developer, successfully optimising the use of the Site. This is shown within the submitted drawings and demonstrates the suitability of the proposals within the wider context of the Site.

## **Landscaping**

- 6.14 The Proposed Development provides a number of landscaping improvements, comprising various areas of grassland, tree and amenity planting on Site. This has been included to soften the western boundary and helps to create a smooth transition with towards the adjacent residential properties.
- 6.15 The Proposed Development has been designed to include maximum onsite enhancement measures and will result in at least a 10% net gain in biodiversity.
- 6.16 Please refer to the submitted **Landscape Masterplan** for further details of the specific planting schedule proposed.

## **Access, Parking and Servicing**

- 6.17 The proposed quantum of parking spaces can be found in Table 2 above. Full details have been set out in the **Transport Statement**, which should be read in conjunction with this Planning Statement.
- 6.18 The main access to the Site will be from the recently approved access from Bath Road once this has been constructed. Access to the Site for construction in the meantime will be from Sipson Way. Further details of this can be found in the Proposed Site Plan and Transport Statement.

## **Sustainability**

- 6.19 The Proposed Development will incorporate a variety of sustainability features in order to achieve a high level of energy efficiency. In order to achieve a sustainable development this proposal will provide solar canopies for full operational use and permeable paving. This combined with regionally sourced planting will ensure that this development will achieve a high level of energy efficiency.
- 6.20 Further details on the energy efficiency of the Proposed Development can be found in the submitted **Energy and Sustainability Statement**.

## **Crime Impact**

- 6.21 The Proposed Development includes appropriate lighting to help users and passers-by feel safe and deter crime. Measures to reduce light pollution for nearby properties are also incorporated in the submitted **External Lighting Strategy**.
- 6.22 Site security will be further enhanced via a comprehensive CCTV surveillance network, with the site operation controlled using an ANPR system to prevent unauthorised access.

## **Hours of Opening**

- 6.23 The Site will operate on a 24/7 basis to provide flexibility and efficiency, whilst also giving opportunity for traffic associated with the development to be spread outside of peak hours.

**6.24** This is wholly appropriate in this location adjacent to Heathrow Airport with the existing position with no hours of use restrictions across the existing Site and no material impact anticipated to sensitive receptors.

## 7 Planning Policy Overview

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7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, where the Development Plan contains relevant policies, applications for development which are in accordance with the Plan should be permitted unless material considerations indicate otherwise.

7.2 This section sets out the planning policy context for the Proposed Development, together with relevant material considerations.

7.3 The statutory Development Plan for LBH comprises:

- **The London Plan ('LP')** (2021);
- **Local Plan Part 1: Strategic Policies** (2012);
- **Local Plan Part 2: Development Management Policies** (2020);
- **Local Plan Part 2: Site Allocations** (2020);
- **West London Waste Plan** (2015).

7.4 Other material considerations include the National Planning Policy Framework ('NPPF') (2024), the National Planning Practice Guidance ('PPG'), and relevant Supplementary Planning Documents (SPD).

### Emerging Local Plan

7.5 LBH has started work on a new Local Plan. The Call for Views consultation (Regulation 18) ran until 17 June 2024, representing the first stage of consultation for the new Local Plan.

7.6 The Applicant submitted representations to both the Call for Views consultation and the Local Plan Review of the Strategic Housing Land Availability Assessment ('SHLAA') study, promoting the Site's suitability for the development and outlining why it is not suitable or available for housing.

### Development Plan

#### The London Plan ('LP') (2021)

7.7 **Policy GG2** (Making the best use of land) seeks to maximise the redevelopment of brownfield land and the intensification of existing places.

7.8 **Policy GG5** (Growing a good economy) seeks to promote and strengthen London's economy and supports economic development and regeneration.

7.9 **Policy GG6** (Increasing efficiency and resilience) requires developments to increase London's efficiency and resilience.

7.10 **Policy D1** (London's form, character and capacity for growth) encourages a design-led approach to development based on an understanding of the context of the site and its surroundings.

7.11 **Policy D3** (Optimising site capacity through the design-led approach) states that development should optimise the capacity of sites and should consider design options to determine the most appropriate form of development that responds to the site's context. It also states that proposals should deliver appropriate outlook, privacy and amenity.

7.12 **Policy D14** (Noise) requires development proposals to reduce, manage and mitigate noise to improve health and quality of life. Policy supporting text paragraph 3.13.10 clarifies that noise and other impact assessments accompanying proposals should be carefully tailored to local circumstances and be fit for purpose.

7.13 **Policy G5** (Urban greening) seeks major development to contribute to the greening of London by including urban greening in site and building design and *"incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage"*.

7.14 **Policy G6** (Biodiversity and access to nature) requires development proposals to *"manage impacts on biodiversity and aim to secure net biodiversity gain."* and that *"proposals which reduce deficiencies in access to nature should be considered positively."*

7.15 **Policy SI 1** (Improving air quality) states that development proposals should not lead to further deterioration of existing poor air quality and be at least Air Quality Neutral. Major development proposals must be submitted with an Air Quality Assessment.

7.16 **Policy SI 2** (Minimising greenhouse gas emissions) sets out that major development should be net zero-carbon.

7.17 **Policy SI 12** (Flood risk management) requires development to minimise and mitigate for flood risk. It states that *"natural flood management methods should be employed in development proposals due to their multiple benefits including increasing flood storage and creating recreational areas and habitat."*

7.18 **Policy SI 13** (Sustainable drainage) requires development to achieve greenfield run-off rates and the use of Sustainable Drainage Systems (SuDs). It states that *"development proposals for impermeable surfacing should normally be resisted unless they can be shown to be unavoidable"*. It also states that *"drainage should be designed and implemented in ways that promote multiple benefits including increased water use efficiency, improved water quality, and enhanced biodiversity, urban greening, amenity and recreation."*

7.19 **Policy T1** (Strategic approach to transport) requires development to *"make the most effective use of land reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated"*.

7.20 **Policy T4** (Assessing and mitigating transport impacts) requires “*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*”.

7.21 **Policy T5** (Cycling) requires developments to secure an appropriate level of cycle parking.

7.22 **Policy T7** (Deliveries, servicing and construction) sets out that “*development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street*”.

#### Local Plan Part 1: Strategic Policies ('SP') (2012)

7.23 **Policy E2 (Location of Employment Growth)** states that the Council will accommodate 9,000 new jobs during the plan period, with employment growth directed towards the Heathrow Opportunity Area, SILs, LSELs and LSIS sites.

7.24 **Policy EM1 (Climate Change Adaptation and Mitigation)** seeks to ensure that climate change mitigation is addressed by encouraging the installation of renewable energy for all new development in meeting the carbon reduction targets in the London Plan and identify opportunities for new sources of electricity generation. Low carbon strategies should also be introduced in areas with high carbon emissions, and the use of decentralised energy should be promoted.

7.25 **Policy EM8 (Land, Water, Air and Noise)** seeks to ensure that development does not cause deterioration in the local air quality levels and ensures the protection of existing and new sensitive receptors. It also promotes the use of sustainable transport measures such as vehicle charging points and the increased provision for vehicles with cleaner transport fuels.

7.26 **Policy T1 (Accessible Local Destinations)** states that the Council will steer development towards the most appropriate locations in order to reduce impacts on the transport network. All development should incorporate good cycling provision and ensure access to local destinations which provide services and amenities.

7.27 **Policy T4 (Heathrow Airport)** recognises the importance of the airport to the borough and will support the sustainable operation of Heathrow within its present boundaries and growth within the Heathrow Opportunity Area by improving environmental conditions.

#### Local Plan Part 2: Development Management Policies ('DMP') (2020)

7.28 **Policy DMHB11 (Design of New Development)** ensures that development will be designed to the highest standard and incorporate principles of good design, including the use of high quality building materials and finishes, maximised sustainability within the layout, a suitable scale, and no adverse impacts on amenity.

7.29 **Policy DMHB14 (Trees and Landscaping)** seeks to ensure that all developments retain or enhance existing landscaping, trees and biodiversity.

7.30 **Policy DMEI2 (Reducing Carbon Emissions)** states that all developments are required to make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets.

7.31 **Policy DMEI14 (Air Quality)** states that developments should demonstrate appropriate reductions in emissions and should be air quality neutral to ensure there is no unacceptable risk from air pollution to sensitive receptors.

7.32 **Policy DMT1 (Managing Transport Impacts)** states that development will be required to meet the transport needs and address its transport impacts in a sustainable manner, by ensuring safe access for pedestrians and cyclists, adequately addressing delivery, servicing and drop off requirements and ensuring no significant adverse transport or associated noise and air quality impacts.

7.33 **Policy DMT2 (Highways Impacts)** states that proposals must ensure impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network and ensure there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads.

7.34 **Policy DMT6 (Vehicle Parking)** states that proposals must comply with the parking standards of Table 1 in Appendix C to facilitate sustainable development, with all car parks provided required to contain conveniently located disabled spaces.

## Other Material Considerations

**National Planning Policy Framework ('NPPF') (2024)**

7.35 The Government published the revised NPPF in December 2024. It sets out the Government's planning policies for England and these are expected to be applied in decision-taking.

7.36 **Paragraph 8** stresses the overarching economic, social and environmental objectives of the planning system to achieve sustainable development.

7.37 **Paragraph 39** requires that local planning authorities "*work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area.*"

7.38 **Paragraph 85** states that "*decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development*".

7.39 **Paragraph 86(c)** requires planning policies to "*pay particular regard to facilitating development to meet the needs of a modern economy, including by identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics.*"

7.40 **Paragraph 116** is clear "*development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*"

7.41 **Paragraph 125(c)** gives "*substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.*"

7.42 Paragraph 161 states that the planning system “*should support the transition to net zero by 2050*” and shape places in ways that “*support renewable and low carbon energy and associated infrastructure.*”

# 8 Planning Assessment

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8.1 This section of the Planning Statement assesses the Proposed Development against the Development Plan and relevant planning guidance set out in Section 7.

8.2 Relevant policy and development management considerations are set out below:

- Principle of Development;
- Design, Layout, and Appearance;
- Amenity Impacts;
- Highways, Access, Parking and Servicing;
- Flood Risk and Sustainable Drainage;
- Biodiversity and Landscaping;
- Energy and Sustainability; and
- Other Matters.

## Principle of Development

8.3 The Site currently operates as a car park adjacent to Heathrow Airport. As such, the Proposed Development for an EV charging facility and car park is entirely appropriate and acceptable in principle. This is reinforced by the strong policy support at national, regional and local level.

8.4 **Paragraph 8 of the NPPF** stresses the overarching economic, social and environmental objectives of the planning system to achieve sustainable development, including “*to help build a strong, responsive and competitive economy*” and “*making effective use of land*”. **Paragraph 11** of the NPPF requires that decisions should apply a presumption in favour of sustainable development and **Paragraph 85** of the NPPF emphasises that “*decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*”

8.5 **Paragraph 86(c)** also demonstrates an increased level of support for meeting the needs of a modern economy. **Paragraph 161** states that the planning system “*should support the transition to net zero by 2050*” and shape places in ways that “*support renewable and low carbon energy and associated infrastructure.*” **Paragraph 125(c)** gives “*substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.*”

8.6 **LP Policy GG2** seeks to maximise the intensification of existing places and **LP Policy GG5** supports economic development in the right locations.

8.7 **SP Policy E2** states that the Council will accommodate 9,000 new jobs during the plan period, with employment growth directed towards the Heathrow Opportunity Area.

8.8 The principle of the Proposed Development is supported at national, regional and local levels of policy. Whilst there are no specific policies on EV charging infrastructure, the updated NPPF places significant emphasis on the need for meeting a modern economy and promoting economic growth, as well as affording substantial weight to the use of brownfield sites to deliver this vision. There is also significant emphasis on supporting the transition to net zero, which the Proposed Development would make a significant contribution towards. The Proposed Development will deliver a highly sustainable parking solution adjacent to Heathrow Airport and the Radisson Hotel, which will provide the necessary infrastructure for EV users of the airport and surrounding area with direct access to the strategic road network. The Proposed Development will also deliver a retail element at the south of the entrance area, which is supported by LBH's policies which support economic growth.

8.9 The Proposed Development seeks to intensify the Site within a use very similar to the existing, by delivering a modernised solution to the existing car park to improve efficiency and sustainability, through significant investment in EV infrastructure. It will revitalise a brownfield site in accordance with LBH's policies and is considered to be a more suitable use for the Site than the development proposed under withdrawn application ref: 41632/APP/2022/2301, as is more reflective of the surrounding character given the car parks to the south of Bath Road and to the west of the Site.

8.10 As outlined in the above section, the Proposed Development would also deliver a number of economic benefits, including the creation of jobs for local people during construction and through the operation of the retail unit, increasing the retail offer in the area and creating a modern and sustainable parking solution on a tired brownfield site. The Proposed Development will continue to meet the needs of Heathrow Airport users as well as users of the A4 and adjacent hotel whilst adapting to a more modern and sustainable environment.

8.11 Furthermore, the phased approach to the Proposed Development allowed by the hybrid application will allow the existing users of the Site to continue to operate at the rear of the Site during the build out of Phase 1. This will ensure that the existing operation is impacted as little as possible and will ensure a smooth transition between the existing and proposed developments, allowing the economic value of the Site to be maintained.

8.12 The pre-application feedback also commented positively on the principle of development and acknowledged the Site's good level of intensification, stating that the Proposed Development would be a welcome improvement to the existing car park.

8.13 It is therefore considered that the Proposed Development is acceptable in principle as it accords with LP Policies GG2, GG5; SP Policy E2; and Paragraphs 8, 11, 85, 86c, 125c and 161 of the NPPF.

## Design, Layout, and Appearance

8.14 **LP Policy D1** encourages a design-led approach to development, based on the site context and surroundings. This is supported by **DMP Policy DMHB11**, which ensures that development will be designed to the highest standard and incorporate principles of good design, including the use of high quality building materials and finishes, maximised sustainability within the layout, a suitable scale, and no adverse impacts on amenity.

8.15 The layout is considered to be the optimum in terms of integrating successfully with the surrounding area. The Applicant proposes a scheme that has been tailored to meet the operational needs and requirements of the target operator, with the Proposed Development entirely consistent with the urban design principle exemplified by the wider context. As shown within the submitted Proposed Site Plan for Phase 1, the layout of the Proposed Development has been designed to integrate sympathetically, by ensuring a strong landscape buffer to the west to allow a smooth transition between the Proposed Development and residential uses, whilst maintaining the urban characteristics of the area by maintaining the functional car park use.

8.16 The wider area is mixed in character, with residential units to the west, hotel to the east and Heathrow Airport to the south. The Proposed Development responds correctly to the surroundings in terms of scale and massing, with a more modern and sustainable design in order to upgrade the existing quality of the Site. The Proposed Development is of the correct scale, height and massing for this location, and will not significantly differ from the existing appearance of the Site.

8.17 All materials for the proposed buildings on Site have been selected with sustainability at the forefront and seek to modernise the existing Site. The design and layout of the buildings will adopt the use of attractive and durable materials. Careful consideration has been given to the use of colours of the buildings, which are respectful to the surrounding neighbours whilst remaining visible to passers-by to attract business. The submitted **Design and Access Statement** provides further detail on the design specifics.

8.18 It is considered that the Proposed Development represents an improvement to the existing appearance of the Site and is in line with **LP Policy D1** and **DMP Policy DMHB11**.

### **Amenity Impacts**

8.19 **LP Policy D3** states that development should optimise the capacity of sites and should consider design options to determine the most appropriate form of development to ensure that proposals should deliver appropriate outlook, privacy and amenity.

8.20 The existing sensitive receptors nearby the Proposed Development are the residential neighbours located to the west. The Applicant has ensured that the Proposed Development is sympathetic of the residential properties by ensuring the F&B unit, solar canopies and ancillary buildings are of an appropriate scale and retain a sufficient buffer to the western boundary to prevent any overbearing or overshadowing impacts. Given that the Site is already in use as a car park with a high vehicle turnover, there will be negligible additional impacts caused by the Proposed Development. This is confirmed in the submitted **Noise Impact Assessment**, covered in further detail below.

8.21 As such, the Proposed Development is compliant with the provisions of **LP Policy D3** and there will be no harmful impacts on amenity.

### **Highways, Access, Parking and Servicing**

8.22 **LP Policy T1** seeks to make the most effective use of land by reflecting its integration with public transport and **LP Policy T5** supports cycle parking within proposals. **DMP Policy DMT1**

states that development will be required to meet the transport needs and address its transport impacts in a sustainable manner, by ensuring safe access for pedestrians and cyclists. This is supported by **DMP Policies DMT2 and DMT6**, which seek to ensure proposals reduce congestion and comply with the LBH parking standards.

8.23 The recently approved access from Bath Road is currently under construction and will be used as the main access point

8.24 A **Transport Statement** ('TS') has been submitted in support of the Application. The TS concludes that the Proposed Development would not impact on the operation of the local highway network. Figure 3 below indicates the proposed vehicular movements as included within the TS; the data suggests that there would be a net decrease in vehicle movements at the Site, reducing the highways impacts.

|                                       | Daily Weekday Vehicle Trip Attraction* |            |             |
|---------------------------------------|--|------------|-------------|
|                                       | Arrivals                               | Departures | Total       |
| <b>Existing NCP (weekday average)</b> | <b>553</b>                             | <b>553</b> | <b>1105</b> |
| Proposed EV                           | 434                                    | 434        | 868         |
| Proposed F&B (50% linked to EV use)   | 110                                    | 111        | 221         |
| <b>Development Total</b>              | <b>544</b>                             | <b>545</b> | <b>1089</b> |
| <b>Net Change at Site</b>             | <b>-8</b>                              | <b>-8</b>  | <b>-16</b>  |

Figure 3: Vehicle Trip Attraction (extract from TS)

8.25 A **Travel Plan Statement** has also been submitted with the application, which sets out the long term management strategy for the proposed vehicular movements across the Site.

8.26 The proposed level of vehicle and cycle parking is consistent with the London Plan standards and is considered to be appropriate for the proposed use (the proposed quantum is set out in Table 2 previously). The TS confirms that the proposed parking arrangements will not significantly differ from the existing and therefore will not result in any harmful increase in traffic congestion on the local road network.

8.27 The Applicant has explored opportunities to keep the bridge access open for pedestrians and cyclists, however given the phased delivery of the Proposed Development and the lack of ability for the Applicant to control the access from the opposite side of the bridge, these proposals have not been incorporated. Alternative pedestrian and cycle facilities have been included on Site which are better suited to the Proposed Development.

8.28 As stated above, the recently approved and implemented access off Bath Road will be the primary access point to the Site once completed. However, whilst this is under construction, the Sipson Road access will be used as the main access point for construction vehicles. The TS provides an assessment of the safety of this access strategy, concluding that there will be no harmful impacts on the local road network.

8.29 The Proposed Development is in accordance with **LP Policies T1 and T5, and DMP Policies DMT1, DMT2 and DMT6** and should be therefore supported.

### Flood Risk and Sustainable Drainage

8.30 **LP Policy SI 13** requires developments to sensitively incorporate SuDS to correctly manage surface water flooding.

8.31 The Proposed Development is located within Flood Zone 1, indicating that the Site is at very low risk of flooding. A **Flood Risk Assessment** ('FRA') has been submitted in support of this application. The report concludes that there is no flood risk identified from reservoir flooding or canals, no surface water flood risk, and that the Proposed Development will decrease run off from the Site. The scheme will further reduce flood risk to the Site and surrounding properties within the local catchment area.

8.32 A **Drainage Strategy** has also been produced to support the application. This sets out the Sustainable Urban Drainage Strategy ('SuDS') for the Site, as well as a drainage maintenance and management plan. It concludes that the scheme will result in a reduction in site runoff through virtue of the reduced hardstanding areas proposed and additional landscaping provided. It also clarifies that surface water flows will continue to be infiltrated into the ground in line with best practice. However, water quality will be improved via the proposed SuDS measures, which align with the CIRIA SuDS Manual Simple Index Approach.

8.33 The Proposed Development is therefore in accordance with **LP Policy SI 13** and the flood risk at the Site will be minimal.

### Biodiversity and Landscaping

8.34 **LP Policies G5 and G6** seek to ensure that new development achieves a net gain in biodiversity, with a minimum of 10% Biodiversity Net Gain ('BNG') required to be achieved across the Site. **DMP Policy DMHB14** seeks to ensure that all developments retain or enhance existing landscaping, trees and biodiversity.

8.35 The existing Site has a low landscape value, with the vast majority of the Site comprising hardstanding. As such, as per the pre-application comments, the Applicant has taken the opportunity to improve the landscape value of the Site by incorporating significant greening around the boundaries, with a particular focus on the eastern and western boundaries to create a more attractive outlook and a smoother transition between the Site and the residential properties to the west. The Proposed Development also includes additional areas of soft landscaping throughout the car park. It is also proposed to retain the vast majority of existing trees, with those proposed for removal only required for the successful operation of the Proposed Development. The proposed landscaping represents a significant improvement to the existing state of the Site and provides the maximum amount of greening appropriate for the industrial site without compromising the operation of the Proposed Development.

8.36 The full extent of the landscaping enhancements can be viewed in more detail on the **Phase 1 Landscape Plan** drawing submitted with the application, which along with the supporting details, sets out the planting and management strategy for the proposed enhancements.

8.37 The submitted **Arboricultural Impact Assessment** ('AIA') demonstrates that there are no high value trees present on or adjacent to the Site and that all other trees, which are offsite, will be safely retained with the proposal.

8.38 A **Preliminary Ecological Appraisal** ('PEA') has been submitted in support of the application, which provides an overview of the habitats on Site. It confirms that the existing habitat value of the Site is low and that the Site is of negligible biodiversity importance.

8.39 A **Biodiversity Net Gain Statement** has been submitted in support of this application, which demonstrates that the Proposed Development has been designed to include maximum onsite enhancement measures. The report concludes that the Proposed Development will achieve an overall 2.99 net gain in habitat units, greatly exceeding the statutory BNG threshold for net gain. The significant BNG is mainly caused by the creation of woodland, grassland and urban trees, as part of the landscape mitigation plan. The Proposed Development therefore achieves at least a 10% net gain.

8.40 Overall, the proposed landscaping enhancements will significantly improve the existing landscape and biodiversity value of the Site and will be wholly compliant with **LP Policies G5 and G6**.

## Energy and Sustainability

8.41 **LP Policy SI 2, SP Policy EM1 and DMP Policy DMEI2** echo the commitment, as set out in the NPPF, in presumption in favour of sustainable development and state the importance of achieving net zero carbon in new developments.

8.42 The Proposed Development incorporates a vast number of sustainable design features which will contribute towards a highly energy efficient development, including the provision of solar canopies as well as the EV principles of the car park. Sustainability has been at the heart of the Proposed Development from the early stages of the design process and the Applicant understands the importance of delivering sustainable development in order to achieve LBH's sustainability aspirations.

8.43 An **Energy and Sustainability Statement** ('ES') has been submitted in support of the application, which confirms that:

- The proposed building fabric is energy efficient.
- The proposed building services are energy efficient.
- There are no existing local heat networks to connect to.
- Renewable energy will be provided in the form of solar PV, EV chargers and air source heat pumps.

8.44 Please refer to the ES for further details on the energy efficiency of the F&B building.

8.45 As such, the Proposed Development is considered to be highly energy efficient and therefore compliant with **LP Policy SI 2 SP Policy EM1 and DMP Policy DMEI2**.

## Other Matters

## External Lighting

8.46 An **External Lighting Strategy** ('ELS') has been submitted in support of this application, which provides a detailed layout for a sensitive lighting strategy for the Proposed Development. It will comply with the ILP Guidance and other relevant regulations, consisting of luminaires with a 0% Upward Light Ratio. The lighting proposed under the canopies will be installed flat and will not follow the tilt to comply with this.

8.47 As such, the proposed lighting strategy meets the minimum levels for security and working purposes. This is also in line with the PEA, which also discusses ways to minimise light spill to prevent impact on any nearby ecology.

8.48 Please refer to the submitted ELS for further details of the lighting strategy.

## Noise

8.49 **LP Policy D14** states that noise and other impact assessments accompanying proposals should be carefully tailored to local circumstances and be fit for purpose.

8.50 The Proposed Development is unlikely to create any significant additional noise impacts above the existing operation at the Site due to the nature of the operations associated with the use of the car park being similar. The accompanying **Noise Impact Assessment** demonstrates that the Proposed Development will be acceptable in this location and concludes that it will not adversely affect or put sensitive receptors at risk from noise pollution, with no significant adverse effects predicted to occur. The change in ambient noise level assessment predicts that noise from the proposed site will increase the existing ambient noise level by no more than 0.1 dB and 0.4 dB during the daytime and night-time respectively at nearby existing receptors.

8.51 The Proposed Development is therefore compliant with **LP Policy D14** as the noise impacts will be negligible.

## Air Quality

8.52 **LP Policy SI 1** seeks to ensure that new development can improve or mitigate the impact of air quality within the Borough and for future occupiers. This is reiterated **DMP Policy DMEI14**, which states that developments should demonstrate appropriate reductions in emissions and should be air quality neutral to ensure there is no unacceptable risk from air pollution to sensitive receptors.

8.53 An **Air Quality Assessment** ('AQA') has been submitted in support of the application, which has considered the impacts of the Proposed Development on local air quality in terms of dust and particulate matter emissions both during construction and emissions from road traffic generated by the operational development. The AQA concludes that any residual effects and overall operational air quality effects of the Proposed Development will be 'not significant', and also concludes that the scheme will be air quality neutral.

8.54 As such, the Proposed Development is fully compliant with **LP Policy SI 1 DMP Policy DMEI14** as there will be no adverse impacts on air quality.

## 9 Draft Heads of Terms and Conditions

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9.1 This section looks at the potential Section 106 ('S106') contributions that might be required to make the Proposed Development acceptable in planning terms.

### Planning Obligations

9.2 Based on the LBH Planning Obligations SPD, recent approvals in the surrounding area and the pre-application feedback received, the following planning obligations are expected to be required for the Proposed Development (to be confirmed with LBH):

- Air Quality Neutral;
- Offsite Tree Contribution;
- Project Management and Monitoring Fee.

9.3 It is also requested that the Applicant have the opportunity to review the draft conditions prior to determination.

# 10 Conclusions

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10.1 This PS has been prepared by Quod, on behalf of Lysara, in support of a hybrid application to LBH for the following development:

*"Hybrid application consisting of full planning permission for the creation of a mixed use sustainable vehicle parking facility (Sui Generis) and food and beverage unit (Class E), alongside ancillary welfare and staff buildings, and other supporting infrastructure and site levelling, and outline planning permission for a future extension to the facility, with all associated matters reserved except for access."*

10.2 The Proposed Development provides the following key benefits:

- Deliver an exemplary sustainable vehicle parking facility with ancillary retail use for the users of Heathrow Airport as well as users of the hotel and the A4;
- Increasing the job opportunities across the Site during construction and the operation of the retail unit;
- BREEAM 'Excellent' standard sustainable design for the Food & Beverage ('F&B) unit and extensive PV canopy provision;
- Significant tree planting and urban greening across the Site.

10.3 Pre-application discussions with LBH indicated strong early support for the principle of the development, noting that the Proposed Development would provide welcome improvements to the existing car park.

10.4 The Proposed Development will act to strengthen the parking offer within the Heathrow Airport area, providing a high quality, modern and sustainable solution to continue enabling investment in this location. The indirect employment generated in the construction phase and through the operation of the F&B unit would contribute to local employment.

10.5 With regard to section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended), this Planning Statement has demonstrated that the Proposed Development is in accordance with the Development Plan, which is considered up to date, and with national planning policy and relevant supplementary planning guidance. We therefore request that planning permission is granted without delay.

## Appendices

### Appendix 1 – Pre-application Feedback



Hannah Hiscock  
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Tel: 01895 250230  
Case Officer: Christos Chrysanthou  
Email: cchrysanthou@hillingdon.gov.uk  
Date: 10th April 2025  
Our Ref: 41632/PRC/2025/25

Dear Hannah Hiscock

**RE:** Electric vehicle car park for 199 vehicles with associated forecourt containing 177 electric vehicle parking spaces, retail provision, service yard, and landscaping (683sq.m. floorarea proposed)  
**SITE:** Ncp Car Park Bath Road Sipson

I refer to your request for pre-application planning advice dated 21-02-25 and our subsequent meeting on 20-03-25 relating to the above development. The advice provided is based on the following drawings and documents issued to the Local Planning Authority for consideration.

Plan Numbers:

7935-SMR-00-ZZ-DR-A-2001-S3-P1 - received 14 Feb 2025

Cover letter, 14 February 2025, Quod - received 14 Feb 2025

Transport Technical Note, 14th February 2025 , Mayer Brown - received 14 Feb 2025

7935-SMR-00-ZZ-DR-A-2004-S3-P2 - received 14 Feb 2025

7935-SMR-00-ZZ-DR-A-2003-S3-P2 - received 14 Feb 2025

Outlined below is a preliminary assessment of the proposal, including an indication of the main issues that should be addressed should you choose to submit a formal planning application. Please note that the views expressed in this letter represent officer opinion only and cannot be taken to prejudice the formal decision of the Council in respect of any subsequent planning application, on which consultation would be carried out which may raise additional issues. In addition, the depth of analysis provided corresponds with the scope of information made available to Council officers.

### The Site and Surrounds

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.

## **The Proposal**

The pre-application proposal comprises an electric vehicle car park for 199 vehicles with associated forecourt containing 177 electric vehicle parking spaces, retail provision, service yard, and landscaping (683sq.m. floorarea proposed)

## **Planning Policy**

The proposed development would be assessed against the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance:

### **Part 1 Policies:**

PT1.BE1 (2012) Built Environment

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

### **Other 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 SI3 | (2021) Energy infrastructure               |
| LPP T6  | (2021) Car parking                         |

## Main Planning Issues

### 1. Principle of development

#### PRINCIPLE

Policy SI 2 of the London Plan (2021) seeks to minimise greenhouse gas emissions. Policy SI 3 of the London Plan (2021) states - A) Boroughs and developers should engage at an early stage with relevant energy companies and bodies to establish the future energy and infrastructure requirements.

Policy T6 of the London Plan (2021) states - G) Where car parking is provided in new developments, provision should be made for infrastructure for electric or other Ultra-Low Emission vehicles.

Policy EM1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states - The Council will ensure that climate change mitigation is addressed at every stage of the development process by: 8. Encouraging the installation of renewable energy for all new development in meeting the carbon reduction targets savings set out in the London Plan.

Policy DMEI 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - A) All developments are required to make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets.

Policy DMEI 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (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.

The development proposed would promote the development plan's strategic objective of carbon reduction through the provision of electric vehicle charging points. The use of the site as a car park has been established through the planning history and the principle of development would be acceptable subject to addressing of relevant material considerations.

#### ELECTRICITY CAPACITY

Any future application would need to clarify how power would be secured for the development. It is understood that there are significant electricity capacity constraints in the area that would likely restrict this number of fast charging EV parking spaces from being deliverable. If they are not deliverable, the air quality impacts of this development may be significantly altered.

As discussed in the meeting, the provision of fast charging EV points could potentially result in a material increase in traffic generation that might not be captured by the transport statement submitted. The matter should be clarified in any future application.

#### OPTIMIZATION

Policy D3 of the London Plan (2021) outlines that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.

Noting the low-density nature of the site and the current use, whilst there would be a net reduction in parking spaces within the site, moderate weight is given to the sustainability/carbon reduction improvements associated with the proposal. It is therefore considered that the proposal represents

optimization of a brownfield site.

## RETAIL

Policy SD7 of the London Plan (2021) states - A) When considering development proposals, boroughs should take a town centres first approach, discouraging out-of-centre development of main town centre uses in accordance with Parts A1 - A3, with limited exceptions for existing viable office locations in outer London (see Policy E1 Offices). Boroughs should:

- 1) apply the sequential test to applications for main town centre uses, requiring them to be located in town centres. If no suitable town centre sites are available or expected to become available within a reasonable period, consideration should be given to sites on the edge-of-centres that are, or can be, well integrated with the existing centre, local walking and cycle networks, and public transport. Out-of-centre sites should only be considered if it is demonstrated that no suitable sites are (or are expected to become) available within town centre or edge of centre locations. Applications that fail the sequential test should be refused
- 2) require an impact assessment on proposals for new, or extensions to existing, edge or out-of-centre development for retail, leisure and office uses that are not in accordance with the Development Plan. Applications that are likely to have a significant adverse impact should be refused
- 3) realise the full potential of existing out-of-centre retail and leisure parks to deliver housing intensification through redevelopment and ensure such locations become more sustainable in transport terms, by securing improvements to public transport, cycling and walking. This should not result in a net increase in retail or leisure floorspace in an out-of-centre location unless the proposal is in accordance with the Development Plan or can be justified through the sequential test and impact assessment requirements in Parts A(1) and A(2) above.

The proposal states it will include 'retail provision'. This should be defined in terms of an actual use class e.g. Use Class E or Sui Generis as this will impact on what planning policies apply.

In order to protect the Borough's shopping hierarchy and the integrity of local parades, the Local Plan Part 1 notes that the Council will require an impact assessment for any retail proposal in an edge of centre or out of town centre location, which exceeds 200 square metres gross retail space. A retail sequential test is unlikely to be required due to the scale of the F&B unit.

## 2. Design

### 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: 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. C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible. D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

The plans shown a loss of three mature trees to accommodate the food and beverage unit and the secondary/emergency vehicle access off Sipson Way. There are no new trees shown on the plans anywhere within the site which isn't acceptable. As discussed during the meeting, there's an opportunity here to improve the visual amenity of the site which would be viewed positively.

There is a need to improve the design and enhance landscaping including a comprehensive tree planting plan and retaining and improving cycle and pedestrian facilities. National highways should be engaged before any future application is submitted to determine the scope of any improvements that could be undertaken.

### 3. Amenity

#### IMPACT ON NEIGHBOURING RESIDENTIAL 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.

### 4. Highways

#### HIGHWAY SAFETY AND PARKING:

Policy T2 Part A of the London Plan (2021) states - Development proposals and Development Plans should deliver patterns of land use that facilitate residents making shorter, regular trips by walking or cycling.

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 T5 Part A of the London Plan (2021) states - Development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.

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 5 Part A of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states - Development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network.

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.

The highway authority have been consulted and provide the following comments:

This Pre-application Technical Note (TN) has been produced in respect of the proposed redevelopment of the Heathrow Flightpath Car Park, located in West Drayton.

The proposals seek to provide an Electric Vehicle (EV) charging station consisting of up to 185 commercial EV bays including accessible EV bays alongside accompanying welfare facilities and solar canopies above the parking areas forming a later phase of the development.

Welfare facilities include a food and beverage (F&B) unit to provide refreshments for those using the EV charging station, which would also be available to the traffic passing by on the A4 Bath Road. The F&B unit proposes 14 parking spaces and these would be non-EV.

The site is located just north of the A4 Bath Road and to the east of Sipson Way and provides long stay car parking.

The proposals seek to provide direct vehicular access from the site onto the A4 Bath Road in the form of a simple left-in / left-out junction, which is currently under construction. The new access secured planning permission under application ref: 41632/APP/2021/1301 and implementation was confirmed under application ref: 41632/APP/2024/847.

Through this pre-application process, we seek to gain:

- An indication on the acceptability of the scope of assessment including TRICS trip rate work;
- Feedback on parking provision; and
- Direction on the proposed scope of Transport Assessment (TA) to be submitted as part of the application

## Site Location

The application site currently provides long stay car parking for Heathrow Airport travellers, and is located immediately north of the A4 Bath Road, east of Sipson Lane and west of where the M4 spur road.

## Existing Access Arrangements

The primary access to the site is currently via a narrow bridge over the M4 spur road. This is accessed via a service road that runs adjacent to the western side of the Park Inn Radisson Hotel. Access to the Radisson Hotel is gained from the Sipson Road / A4 Bath Road / Nene Road/ M4 Spur signal junction and a priority junction on the A408 Sipson Road.

A secondary access onto Sipson Way is located on the western boundary of the site. This is currently used primarily as an exit by the current car park operator but historically has been used as an emergency access or fenced off to prevent access.

The site benefits from being in close proximity to public transport with bus stops located on Bath Road.

## Development Proposals

The development proposals are for an EV charging station with 150kW fast charge facilities, a food and beverage (F&B) unit and other welfare facilities. The development is anticipated to be brought forward over two phases as follows:

- Phase 1 - Provision of 62 commercial EV bays including accessible EV bays and a F&B unit with some existing long stay parking retained to the rear of the site; and
- Phase 2 - Provision of an additional 123 commercial EV bays including accessible EV bays to provide a total of 185 EV bays across the site.

## Proposed Access

The proposals seek to provide direct vehicular access from the site onto the A4 Bath Road in the form of a simple left-in / left-out junction, which is currently under construction following TfL approval of the S278 drawings.

Once the new junction onto the A4 Bath Road is open and both phases are complete, it is anticipated that the existing access to the site via the M4 spur road overbridge will be decommissioned. However, the emergency access to Sipson Way will be retained to serve the same function.

## Parking

Parking standards do not apply to the EV charging station.

Neither the London Plan or the Hillingdon Local Plan have specific car parking standards for a food and beverage use and so the parking provision for the F&B unit will need to be considered on a site-specific basis. The indicative car parking provision for the F&B units is 8 standard parking spaces, 3 accessible spaces and 3 oversized spaces, which is considered an appropriate level of parking for the F&B unit with an indicative gross internal floor area of 167 sqm (184 sqm gross external area).

The provision of 3 accessible spaces and 3 oversized spaces is in excess of the London Plan standards for retail, which requires 6% of the total parking provision to be Blue Badge with an additional 4% being enlarged spaces.

For cycle parking for the F&B unit, the London Plan requires a minimum of 1 long-stay cycle parking space per 175 sqm for staff and 1 short-stay cycle parking space per 40sqm for customers.

The parking provision at the development will take into account the above parking standards.

## Trip Attraction

### Existing Traffic Attraction

The site is currently used as a car park, operated by Maple Parking. To record vehicle activity of the existing use, an Automatic Traffic Count (ATC) survey was carried out between the 8th and 14th December 2024 on the M4 spur road overbridge. At the time it was understood that this was the only vehicle access to the site, but it transpires that the access onto Sipson Way was also open. However, this activity wasn't captured.

A subsequent site visit determined that the Sipson Way access was primarily being used for vehicles to exit the site and so the volume of traffic recorded entering the site via the overbridge is considered to be representative of existing activity and therefore this has been doubled to reflect two-way traffic.

The results of the traffic surveys summarises the daily and weekday average traffic movements associated with the existing long stay car park.

### Proposed Development Trip Rates

Trip attraction associated with the proposed EV bays and F&B unit has been calculated with reference to the TRICS (Trip Rate Information Computer System) database.

A trip attraction assessment of the EV bays has been carried out based on comparison with sites meeting the following criteria:

- Surveys carried out from 2016 onwards for land use category 13/C - Electric Vehicle Charging Station; and
- Sites with a minimum of 8 EV charging bays.

A trip attraction assessment of the F&B unit has been based on a drive through coffee shop trip rates, which is considered to be the most representative dataset on TRICS, albeit there is no drive through proposed for the F&B unit. This draws on sites meeting the following criteria:

- Multi-modal surveys carried out from 2016 onwards for land use category 06/J - Drive Through Coffee Shop;
- Sites located in England; and
- Excluding town centre and edge of town centre site sites.

### Proposed Trip Attraction

This section of the report considers the estimated trip attraction associated with the proposed development, based on the Phase 2 development comprising a total of 185 EV bays across Phase 1 and Phase 2 and an F&B unit with a floor area of 167 sqm.

TRICS data for the EV bays is provided for 6am to 10pm. This has been uplifted to a 24- hour trip attraction using a factor of 24.5%, which was derived from the A4 Bath Road survey data.

It is anticipated that all the vehicle trips associated with the F&B unit will be pass-by trips or vehicle trips linked to the EV bays. To account for the latter, the vehicle trip attraction for the F&B unit has been discounted by 50%, which is considered a reasonable figure given the F&B unit is primarily intended to provide a supporting facility to the EV charging station.

### Net Change In Traffic Attraction

Table 3 provides the net change in daily traffic attraction at the site based on the existing traffic attraction of the car park and the proposed development trip attraction.

The traffic attraction analysis identifies the proposed change of use at the site is estimated to generate an additional 37 vehicle movements over a 24hr period, which is within daily traffic fluctuations on the A4 Bath Road.

## Junction Modelling

It is proposed that modelling of the approved access junction onto the A4 Bath Road will be carried out in the TA using Junctions 10 modelling software to consider the operational capacity of the junction during weekday peak hours under with-development traffic conditions.

## Highways comments:

The applicant is seeking pre-app advise on their proposal for an electric vehicle car park for 199 vehicles, consisting of up to 185 commercial EV bays with Food and Beverage facility provisioned with 14 parking spaces (non-EVCP).

The proposals will be accessed directly from a new vehicular access from A4 Bath Road in the form of a simple left-in / left-out junction. The new access was secured under planning application ref: 41632/APP/2021/1301 and implementation was confirmed under application ref: 41632/APP/2024/847.

The HA has reviewed the Technical Note and is satisfied with the approach, scope, methodology and framework in the preparation of the Transport Assessment to identify and appraise transport interventions of the impacts arising from the scheme proposals.

Notwithstanding, the HA has the following additional comments:

The applicant has stated the following:

Welfare facilities include a food and beverage (F&B) unit to provide refreshments for those using the EV charging station, which would also be available to the traffic passing by on the A4 Bath Road. The F&B unit proposes 14 parking spaces, and these would be non-EV.

The proposed F&B unit is located near the entrance to the site and stated to be available for passing traffic, this would add to the sites trip generation and potentially be attractive for pass by traffic in situations where drivers are stuck in traffic resulting in a parking accumulation within the F&B section of car parking, with potential to obstruct incoming traffic including egress traffic, this raises serious concerns for traffic along the A4. The F&B unit should be ancillary to the EV parking spaces and not for passing traffic.

The greatest concern of the HA is ensuring that any queuing of vehicles onto the A4 should be designed out for highway safety reasons, given the proximity of the F&B unit near the entrance the concern relates to vehicles including large service vehicles, entering the site and others using the F&B unit car park, being fully occupied, there is the likelihood that incoming traffic could be blocked/obstructed by vehicles waiting for parking or vehicles egressing from the F&B unit, blocking traffic for queuing to occur. Therefore, the F&B unit should be located further into the site, particularly so if available to pass-by traffic, and vehicles should be able to enter the site without hindrance ie gate since APNR is being used which would allow vehicles to hold within the car park access road to mitigate against any queues to be formed.

To manage such concerns a Parking Design and Management Plan should be submitted indicating how the car parking will be designed and managed, taking on board the above concerns, and with reference to Transport for London Guidance on Parking Management and Parking Design.

Sipson Way is a residential road and whilst the road and area is within a resident parking management scheme H1 (permit holders only between 8am to 10pm) the issue is that Sipson Way is currently being used, this access under the proposals should be closed and only allowed for emergency access, this will improve public realm conditions for the residents of Sipson Way and remove any potential/possibility of rat running from occurring.

It is important that early engagement with highway authority who own the vehicle access bridge over

the M4 spur road is undertaken. The LPA would not be in a position to support an application which would result in the decommissioning of the bridge in its entirety, this would cause concerns regarding the safety of the bridge should it decommissioned and left to degrade. Further safety concerns would be the potential for anti social behaviour and the potential danger to life. Any future application should include a proposal for the bridge, the highway authority would be a statutory consultee therefore these comments would hold significant weight in the assessment of the proposal.

**Recommendation:**

In any formal planning application submission, given the above comments the HA in principle has no objection however the applicant will be required to provide comprehensive details addressing the HA's comments demonstrating how their proposals are in line with The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policies, the London Plan, NPPF and relevant guidance's (gradients, swept path track drawings, etc).

Please note: outlined above is a preliminary assessment of the proposal, including an indication of the main issues that should be addressed should you choose to submit a formal planning application. Also, the views expressed represent the highways officer opinion only and cannot be taken to prejudice the formal decision of the Council in respect of any subsequent planning application, on which consultation would be carried out which may raise additional issues. In addition, the depth of analysis provided corresponds with the scope of information made available to Council officers.

**5.**

Other

**ACCESS:**

Policy D5 of the London Plan (2021) sets out that proposals should achieve the highest standards of accessible and inclusive design.

The details submitted that this pre-application stage for a new NCP electric vehicle car park has been reviewed from an accessibility standpoint. Any future firm development proposal must comply with London Plan policy D5 to ensure the highest standards of Inclusive Design are embedded demonstrated on plan.

The facility should be designed to ensure: Full access for older and disabled people, including wheelchair users Access into the car park and ease of parking for high sided vehicles, including wheelchair accessible vehicles with side and rear lift access. Electric vehicle charging points there are fully accessible to wheelchair users and people of short stature, in accordance with BSI PAS 1899:2022.

All retail areas and Facilities, including staff offices and areas not intended for use by members of the public, that are fully accessible in accordance with BS 8300:2018.

**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.

## 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 Archaeology Desk Based Assessment should be submitted in support of any future application.

## 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.

A preliminary ecology survey and statutory metric would be required to determine if habitats would be affected and a baseline to determine a suitable level of ecological enhancement to achieve a minimum of a 10% Biodiversity Net Gain.

During the meeting, it was outlined that the intention would be to far exceed the 10% BNG requirement which is positive. Ecological enhancements/mitigation should be designed into the full landscaping

scheme thus avoiding any off-site provision.

#### CONTAMINATED LAND:

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.

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.

#### 6. Planning Obligation and CIL (Mayor and LBH)

##### PLANNING OBLIGATIONS AND CIL

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development.

Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

At a regional level, the London Plan (2021) stipulates that when considering planning applications of strategic importance, the Mayor will take into account, among other issues including economic viability of each development concerned, the existence and content of planning obligations. It also states that development proposals should address strategic as well as local priorities in planning obligations.

Policy DMCI 7 of the Local Plan: Part Two (2020) seeks to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Planning obligations are sought on a scheme-by-scheme basis to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

The following contributions or planning obligations may be required in order to mitigate the impacts of the development as required by Policy DMCI 7:

- Air quality contribution
- Project management and monitoring fee (5% of the total contributions)

#### 7. Application Submission

The following documents will be required at the point of submission, alongside the correct fee, to allow the proposal to be validated. Failure to submit one of the requested documents will result in a delay to the validation process, which will in turn lead to a delay in the date of determination.

- Application Form (including the completed Certificate of Ownership)
- Site Location Plan
- Existing and Proposed Block Plans
- Proposed Floorplans (including roofplans)

- Proposed Elevations
- Proposed Sections
- Accessibility Statement
- Air Quality Neutral Assessment
- Archaeological assessment
- Biodiversity Gain Plan (inc. statutory metric and site survey)
- Design and Access Statement
- Energy/ Carbon Reduction Strategy
- Landscape Strategy
- Materials Schedule
- Planning Statement
- Tree Survey, Arboricultural Impact Assessment and Method Statement
- Transport Statement
- Parking Design and Management Plan
- Detailed highways drawings (inc. dimensions of parking spaces, carriageway and footway widths, swept path analysis, pedestrian visibility splays, cycle bays, refuse collection and storage points, electric vehicle charging points etc.)
- Waste Management Plan

## 8. Conclusion

The proposal is for the redevelopment of the existing site which seeks to provide an electric vehicle car park within the an existing car park. The development would support carbon reduction and would result in a better use of land therefore the principle of development could be supported.

The food and beverage (F&B) unit may be problematic with regards to compliance with relevant retail policies due to the out of town location and further information would be required. It may be advisable to reconsider the location of the F&B unit as it is also noted that the Highway authority have raised highway safety concerns due to its proximity to the vehicular access on the A4 and the potential traffic congestion that could be generated.

Improvements are required to the scheme in terms of its design, specifically to improve the visual amenity, landscaping and biodiversity value of the site. These matters could be addressed, as agreed during the meeting.

**Please be advised that the Council require confirmation that you wish to enter into a PPA as soon as possible, in order to ensure the necessary resource are in place to meet the terms of the PPA.**

Thank you for entering into the Councils pre-application advice service and I trust you have found this service of assistance.

**Christos Chrysanthou  
Planning Officer  
London Borough of Hillingdon**

### Planning Guarantee

For complex applications which are likely to exceed the statutory timeframes, the applicant is encouraged to enter into a Planning Performance Agreement (PPA) to allow for the negotiation of complex cases. Central Government encourages the use of PPAs for larger and more complex planning proposals to bring together the developer, the Local Planning Authority and key stakeholders to work in partnership throughout the planning process.

Providing a PPA helps ensure that major proposals progress through the application process in a timely

fashion and result in high quality development but the service is both time consuming and costly. The charge for all Planning Performance Agreements will ensure that adequate resources and expertise can be provided to advise on major development proposals, the charges are determined in a site by site basis.

**Hillingdon are committed to ensure the best possible service provision to all of our applicants. In order to ensure this, we will not be able to facilitate negotiation which would result in an application being determined outside of statutory timeframes, unless the applicant has entered into a Planning Performance Agreement.**