

Report of the Head of Development Management and Building Control Committee Report

Case Officer: Christos Chrysanthou	41632/APP/2025/2468
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Date Application Valid:	19-09-26	Statutory / Agreed Determination Deadline:	17-07-26
Application Type:	Hybrid (Full and Outline)	Ward:	Heathrow Villages

Applicant: **LPH UK 1**
Site Address: **NCP Car Park, Bath Road, Sipson, UB7 0DU**

Proposal: **Hybrid application consisting of (1) 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 (2) Outline planning permission for a future extension to the facility, with all associated matters reserved except for access.**

Summary of Recommendation: **GRANT planning permission subject to section 106 legal agreement and conditions**

Reason Reported to Committee: **Required under Part 1 of the Planning Scheme of Delegation (Major application recommended for approval)**



Summary of Recommendation:

GRANT planning permission subject to the completion of a satisfactory section 106 legal agreement to secure the heads of terms set out below, and subject to the conditions as set out in Appendix 1.

A) That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

- Air Quality Mitigation Contribution of £39,481.
- A Healthy Streets/Active Travel Zone contribution of £35,000.
- A Project Management and Monitoring Fee, equalling 5% of the total financial contributions to be paid under this agreement.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That, if the Legal Agreement has not been finalised within 6 months (or such other time frame as may be agreed by the Director of Planning and Sustainable Growth), delegated authority be given to the Director of Planning and Sustainable Growth to refuse planning permission for the following reason:

'The applicant has failed to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of Air Quality and Health Streets). The scheme therefore conflicts with Policies DMCI 7, DMEI 14, DMT 1 and DMT 5 of the Hillingdon Local Plan: Part 2 (2020), the adopted Planning Obligations Supplementary Planning Document (2014), and Policies DF1, SI1 and T2 of the London Plan (2021).'

1 Executive Summary

- 1.1 This hybrid application seeks (1) 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 (Phase 1); and (2) Outline planning permission for a future extension to the facility, with all associated matters reserved except for access (Phase 2).
- 1.2 The development would optimise the use of an existing car park and provide infrastructure to support the borough's carbon reduction and sustainability

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objectives. The proposed Food and Beverage (F&B) unit is of limited scale and not considered to compromise the viability of designated town centres and shopping areas within the Borough.

- 1.3 The development would be sympathetic to the scale and proportions of the surrounding area and would not be considered harmful to the character and appearance of the locality. Whilst the Phase 1 development would result in the loss of a group of trees, which is regrettable, this factor alone is not considered to warrant a recommendation for refusal. Moderate weight is also given to the enhancing of the visual amenity of the site through the improved urban greening and soft landscaping along with the Biodiversity Net Gain that would be delivered.
- 1.4 Subject to conditions and planning obligations, there are no undue impacts identified to the local highway network or neighbouring amenity. A s106 legal agreement would secure contributions towards air quality mitigation and healthy streets improvements.
- 1.5 It is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken. The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1 and s106 obligations outlined in this report.

2 The Site and Locality

- 2.1 The application site is currently operated by NCP as an open-air car park, providing circa 630 parking spaces, operating on a 24hour basis. The overall site area extends to circa 1.639 Hectares and is currently accessed via a bridge and service road adjacent to the Raddison Hotel to the east, with Sipson Road providing access to the A4 (Bath Road).
- 2.2 The site is identified as being located within the Bath Road Employment Area with the Hillingdon Local Plan Part 1 (2012) and the Heathrow Opportunity Area within the London Plan (2021) 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.

Figure 1: Location Plan (application site edged red)

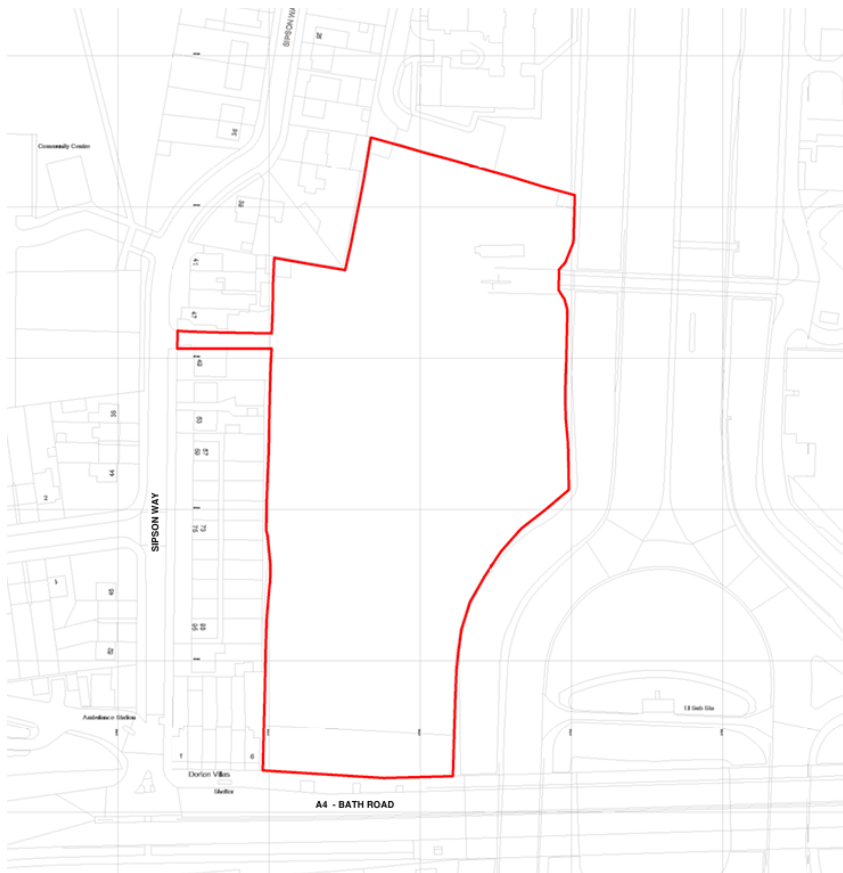


Figure 2: Aerial View Image of the Application Property

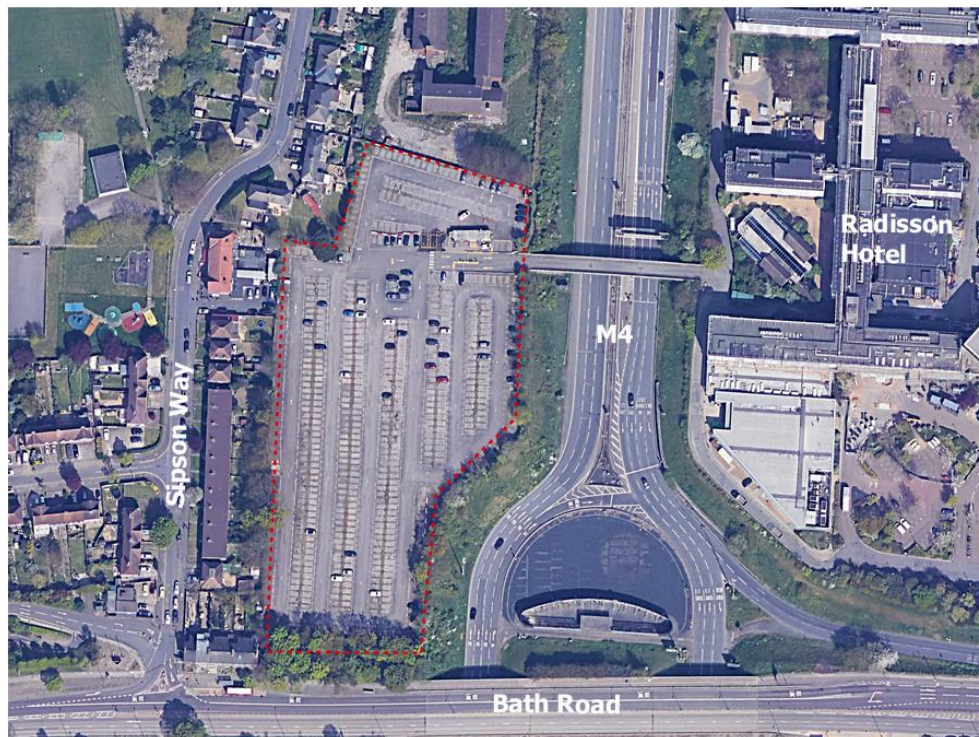


Figure 3: Street View Image of the Application Property



Figure 4: Aerial View Image of the Application Property



3 Proposal

- 3.1 This hybrid application seeks (1) 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 (2) Outline planning permission for a future extension to the facility, with all associated matters reserved except for access.
- 3.2 Phase 1 has a site area of 0.702ha and would deliver a total of 66no car parking spaces, comprising 56no EV charging bays (including 2no accessible spaces) and 8no standard (non-EV) car parking spaces (including 2no accessible spaces) and 4no standard enlarged spaces. A food and beverage unit (195sq.m floor area) is proposed in the southwest corner of the site.
- 3.3 Phase 2 has a site area of 0.937ha and would deliver a further 129no car parking spaces, comprising 118no EV charging bays (including 3no accessible spaces), 8no standard enlarged car parking spaces and 3no standard accessible parking spaces. Across both phases, the overall car parking provision is 195no car parking spaces (174no EV bays and 21no standard spaces).
- 3.4 The submitted site phasing plan provides an indicative timeframe for the completion of the proposal. It is envisaged that works would start on Phase 1 this year (2026) and be completed within 1 year (2027). As detailed in the Site Phasing Plan, following the determination of the Reserved Matters application in 2028, works are expected to start on Phase 2 in the same year and be completed in 2029. The indicative timeframe demonstrates a clear intention by the applicant for the hybrid proposal to be fully implemented within a three-year timeframe, which would ensure the prompt delivery of the public benefits associated with the proposal in respect of sustainability/carbon reduction, landscaping and BNG. It is recognised that these timescales are indicative and where reasonable, conditions are recommended to bring forward Phase 2.

Figure 5: Proposed Plans – Phase 1 (please note – larger version of plans can be found in the Committee Plan Pack)

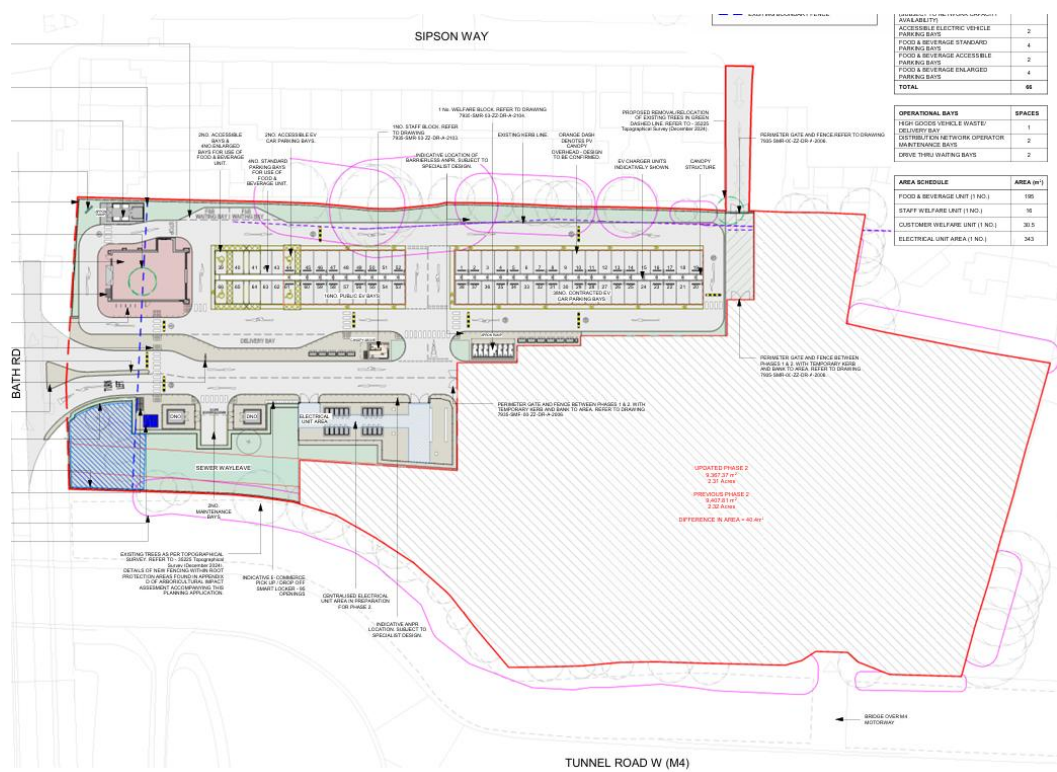
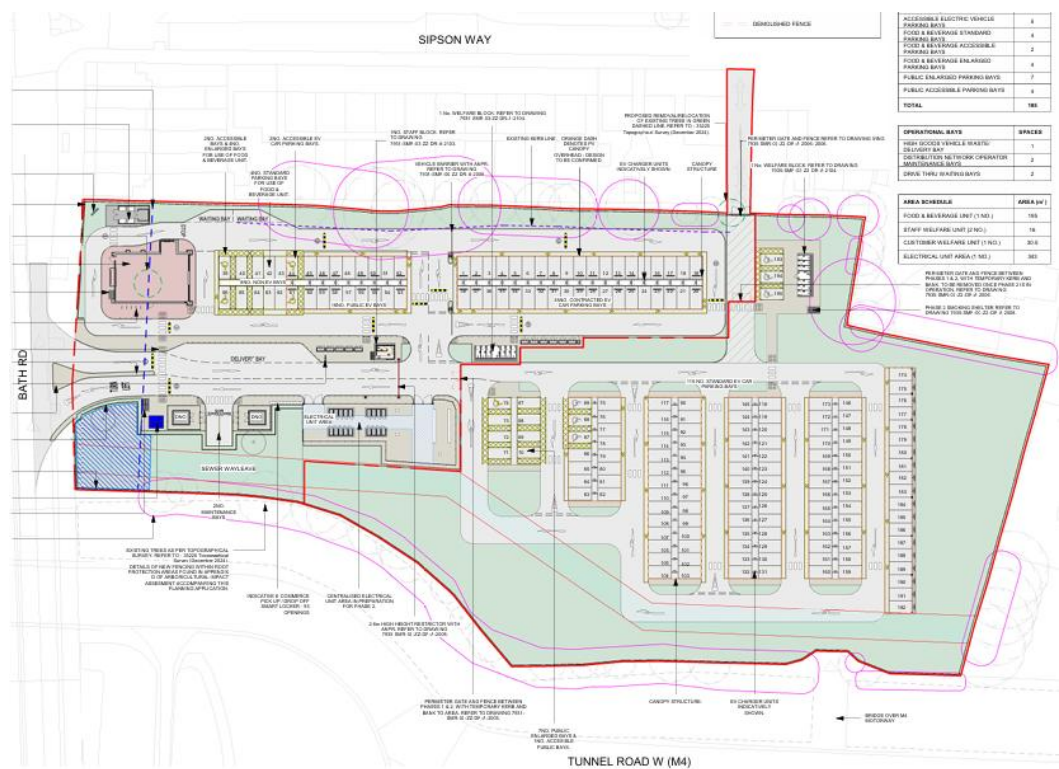


Figure 6: Proposed Plans – Phase 2



4 Relevant Planning History

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2.
- 4.2 Planning permission ref: 41632/APP/2025/1320 approved an electric unit area comprising a Battery Energy Storage System (BESS) and associated infrastructure. These elements are located within Phase 1 and are shown in the proposed plans.
- 4.3 Certificate of Lawfulness application ref: 41632/APP/2025/717 approved the erection of 1no. substation and 1no. feeder pillar. These elements are located within Phase 1 and are shown in the proposed plans.
- 4.4 Planning application ref: 41632/APP/2022/2301 proposed the 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. (AMENDED PLANS 18.05.23). This application was withdrawn prior to determination.
- 4.5 Planning permission ref: 41632/APP/2021/1301 approved the Vehicular access from Bath Road which would be utilised for this proposal as the main access. Implementation of the access was confirmed by the approval of Certificate of Lawfulness application ref: 41632/APP/2024/847.

5 Planning Policy

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

6 Consultations and Representations

- 6.1 31 neighbouring properties and the Harmondsworth and Sipson Residents Association were consulted on 06-10-25. A newspaper advert was placed on 24-06-26. One letter was received from Heathrow Villages Conservation Area Advisory Panel.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
Letter from Heathrow Villages Conservation Area Advisory Panel.	No objection in principle however the following concerns raised are raised: I. Noise and dust from site levelling infilling. II. Southern fence should be retained along with tree belt on Bath Road. III. Siting of F&B Unit in proximity to neighbouring dwellings. IV. Another drive-thru not needed and would impact on other local businesses.	Neighbouring amenity considerations are discussed at paragraphs 7.15 - 7.17 of this report. The principle of development including the Food and Beverage Unit is discussed at paragraphs 7.1 – 7.4 of this report.

Table 2: Summary of Consultee Responses

LBH Consultees and Summary of Comments	Planning Officer Response
Access No objection subject to a condition to secure details of access to building entrances.	The recommended condition is proposed to be attached should the application be determined for approval.
Air Quality The development is not air quality positive and an air quality mitigation contribution of £39,481 is required.	The contribution is proposed to be secured within a s106 legal agreement should the application be determined for approval.
Contaminated Land	

No objection subject to a condition to secure a land contamination scheme.	The recommended condition is proposed to be attached should the application be determined for approval.
Highways No objection subject to conditions to secure the travel plan, a demolition/construction management plan, internal layout design and a £35,000 Healthy Streets/ Active Travel Zone contribution.	The recommended conditions are proposed to be attached and the contribution secured within a s106 legal agreement should the application be determined for approval.
Noise Specialist No objection subject to a condition to restrict noise levels.	The recommended condition is proposed to be attached should the application be determined for approval.
Urban Design Objection on the grounds of visual impacts and insufficient justification for the loss of trees.	These matters are discussed at Paragraphs 7.5 – 7.14 of this report.
External Consultees and Summary of Comments	Planning Officer Response
Heathrow Airport Safeguarding No objection subject to a condition to secure a Bird Hazard Management Plan.	The recommended condition is proposed to be attached should the application be determined for approval.

Historic England (GLASS) No objection subject to a condition to secure a Stage 1 Written Scheme of Investigation (WSI).	The recommended condition is proposed to be attached should the application be determined for approval.
National Air Traffic Services (NATS) No objection.	Noted.
National Highways No comments received.	It is noted that National Highways had previously raised safety concerns regarding the closing of the bridge access. A grampian condition is recommended to be attached should the application be determined for approval. The matter is discussed at paragraphs 7.19 – 7.20 of this report.
Thames Water No comments received.	Noted.

7 Planning Assessment

Principle of Development

- Electric vehicle charging hub

- 7.1 The development proposed would promote the Development Plan's strategic objective of carbon reduction and establishing future energy infrastructure requirements through the provision of an electric vehicle charging hub. The use of the site as a car park has been established through the planning history which would be retained as the primary use of the site.

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- 7.2 Noting the low-density nature of the site and the current use, there would be a net reduction in parking spaces within the site and moderate weight is given to the sustainability/carbon reduction improvements associated with the proposal. It is considered that the proposal represents an appropriate optimisation of a brownfield site and supports wider sustainability goals. Taking the above factors into the planning balance, the principle of development is considered acceptable subject to the relevant material planning considerations being satisfactorily addressed.

- Food and Beverage (F&B) unit

- 7.3 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. As the 167sq.m floor area of the F&B unit is lower than the 200sq.m threshold, a retail sequential test is not required. It is considered that due to the limited scale of the F&B unit, it would not impact on the viability of the designated shopping areas in the borough.
- 7.4 As permitted development rights allow Class E premises to change between a variety of uses, a condition would be attached in the event of an approval to restrict the use of the F&B unit under Class E(b) of the Use Classes Order. This is to ensure that other incompatible uses within Class E are not introduced into the site at a future date that could potentially have greater material planning impacts than the proposed F&B unit. Taking the above into consideration, the principle for a small-scale F&B unit in this location is, in this instance, considered to be acceptable.

Character and Appearance

- 7.5 The principle of development for a car park has been established on the site through its historic and current use as a car park. The layout of the car park would be amended and the proposal includes associated development including the introduction of soft landscaping and the erection of a F&B unit, welfare buildings, a staff building, a smoking shelter, solar panelled canopies over the parking bays, cycle storage, refuse storage, power units, substations and feeder pillars. The existing bridge that provides access to the site would be subject to a management plan as detailed in paragraph 7.19 of this report.
- 7.6 The F&B unit, the canopies and other structures would have a neutral visual impact and the development would be read in the context of the existing car park use and the surrounding commercial area. A computer generated image of the proposal is provided below which demonstrates the scale and appearance of the development being appropriate within the site surroundings.

Figure 7: Computer Generated Image of the Proposal



- 7.7 A totem sign is shown indicatively on the proposed plans in the southwest corner of the site in front of the F&B unit, however this element is not listed in the description of development and detailed elevations have not been provided. A separate grant of Advertisement Consent would be required for this element and any signage associated with the F&B unit. An informative advising of such is recommended to be attached in the event of an approval.

Trees and Landscaping

- 7.8 The submitted Arboricultural Impact Assessment identifies a Grade U2 Sycamore (ref. T8) that would be removed. The tree is located on the western boundary and would be removed to provide secondary/emergency access via Sipson Way. There is no objection to the removal of this tree given its condition.
- 7.9 The 2021 planning permission for the proposed vehicular access off Bath Road retained the two groups of trees on both sides of the access. The current proposal also involves the removal of a group of Grade B2 Maple, Sycamore and Cotoneaster trees located adjacent to the vehicular access at the southwest corner of the site (ref. G7). Their removal is required to accommodate the proposed F&B unit. It is accepted that the removal of these trees would lead to a minor change in landscape character as it would open views of the car park from Bath Road. It is however important to highlight the predominantly commercial character of this part of Bath Road and that these trees are not protected via a TPO. Whilst the LPA would have preferred to secure replacement tree planting within Phase 1, it is acknowledged that due to operational reasons there is limited space within Phase 1 to provide replacement tree planting that would offset the loss of this group of trees. The introduction of soft landscaping and urban greening within Phase 1 is

however considered sufficient to offset the loss of the group of trees. As such a refusal on the grounds of loss of trees would be difficult to sustain.

- 7.10 The development in Phase 2 would also result in the creation of a significant expanse of woodland at the rear of the site. The delivery of Phase 2 is also accompanied by an extensive soft landscaping scheme including new areas of grassland and tree planting. Subject to details regarding the type of tree planting which would be secured by condition, the overall landscaping of the site would be significantly enhanced. It is important to note that although this is a phased development the overall landscaping provision would not only be an improvement upon the existing landscaping onsite at present, but also an improvement to that which was approved by committee when voting in favour of officers recommendation to approve application reference 41632/APP/2022/2301. While this application was not formally approved as the former Applicant withdrew the application post committee, it does bear some material weight in the assessment of this application.

Figure 8: Site Plan Approved by Committee for ref: 41632/APP/2022/2301



- 7.11 The application had proposed the removal of the group of Grade B2 Sycamore trees adjacent to the vehicular access at the southeast corner of the site (ref. G6). The LPA have negotiated the retention of this group of trees as their removal was deemed to be unnecessary. Revised plans have been submitted to show their retention. An updated Tree Protection Plan is recommended to be secured by condition should the application be determined for approval.
- 7.12 A full hard and soft landscaping scheme including a schedule of implementation and maintenance is also recommended to be secured by condition in the event of an approval.

Urban Greening Factor

- 7.13 Policy G5 of the London Plan (Urban Greening) states that major developments should contribute to the greening of London by including urban greening as a fundamental element of site and building design, and by incorporating measures such as high-quality landscaping (including trees), green roofs, green walls and nature-based sustainable drainage. The Mayor recommends that boroughs seek an Urban Greening Factor (UGF) target score of 0.3 for predominately commercial development (excluding B2 and B8 uses). In broad terms, the UGF is an assessment of the amount, type and value of natural environment provided on site as a proportion of the overall site area.
- 7.14 The development will deliver a UGF of 0.19 for Phase 1, 0.58 for Phase 2 and 0.43 overall which exceeds the London Plan benchmark. The proposal would contribute significantly to improve urban greening within the site which enhances the visual amenity of the site. In considering the landscaping impacts discussed in the previous paragraphs, the UGF is considered to represent a benefit of the scheme and attracts moderate weight in support of the proposal.

Residential Amenity

- 7.15 The nearest residential properties are located to the west of the site on Sipson Way and Bath Road. The separation distance between the flank wall of the adjacent neighbour No. 6 Dorton Villas (located to the west of the site on Bath Road) and the side elevation of the F&B unit is approximately 12m. The F&B unit would have a height of 5.26m (including the parapet). Due to the acceptable separation, the relatively limited scale of the F&B unit and its juxtaposition with the neighbour, it is not considered that there would be any undue loss of daylight/sunlight or harmful impacts on amenity. In Phase 1, the 4.29m high EV canopies have been sited 10m parallel to the line of trees along the shared western boundary, which reduces visibility from dwellings on Sipson Way. The staff and welfare blocks, which are 3.5m in height, would be sited more centrally within the site and away from neighbouring dwellings. It is noted that dwellings on Sipson Road are set approximately 17m from the shared western boundary by their rear gardens. The line of trees along the shared western boundary would be retained and these trees would continue to provide a natural screen of the site when viewed from the rear gardens of these neighbouring dwellings. Due to the satisfactory separation distance between the neighbouring residential properties and the development, there would not be any loss of outlook or overbearing effects. Notably, the current proposal would result in significantly less built development than the recent planning consent under ref: 41632/APP/2022/2301 which approved 4no industrial sheds measuring up to 11.7m in height that occupied over half of the overall site area. Details of external lighting would be secured within the landscaping conditions for both phases. In the interests of preserving neighbouring amenity, it is recommended that the opening hours of the F&B unit are restricted by condition. As recommended by the Highway Authority, a Demolition and Construction Management Plan which also includes consideration of dust and air quality mitigation is recommended to be secured by condition to minimise disruption to the local area. Noise impacts are discussed below.

Noise

- 7.16 The existing car park has a total capacity of 630 parking spaces whereas the proposal would provide 199 parking spaces. As detailed in the Transport Assessment, there would be a net reduction in trip generation which points to fewer comings and goings to and from the site. Further, as the proposed development would be used primarily by electric vehicles, which are inherently quieter than petrol/diesel cars, there would likely be a further reduction in noise associated with site operation. In support of the application, a Noise Impact Assessment has been submitted, which assesses the existing noise conditions at the site (which includes noise from road and frequent aircraft traffic) and the potential suitability of the noise environment including consideration of plant noise and noise associated with the car park. The report considers the impact of noise on occupiers of the neighbouring residential properties on Sipson Way to the west and the Radisson Hotel to the east.
- 7.17 The report concludes that noise levels would be within the BS 8233:2014 criteria which indicates that the development would not be generating a significant level of noise that would be harmful to the amenity of the area. As recommended by the Council's noise specialist, a condition to limit noise levels is recommended to be attached in the event of an approval in the interests of preserving the amenity of neighbouring residential occupiers.

Air Quality

- 7.18 The development would promote the Development Plan's strategic carbon reduction objective by providing electric vehicle charging points. Coupled with the reduction in trips, there would be a benefit in terms of local air quality. The site lies within Hillingdon Air Quality Management Area (AQMA) and within the A4 Corridor Air Quality Focus Area (AQFA). An Air Quality Assessment and Air Quality Positive Statement have been submitted in support of the application. The Council's air quality officer has reviewed the submission and has concluded that an air quality mitigation contribution is required to offset the traffic emissions associated with the F&B Unit. A contribution of £39,481 which includes discounts applied for the Travel Plan and green measures has been agreed with the applicant. The contribution would be paid to the Council to deliver its air quality action plan and/or implement site specific emission reducing measures and would be secured by a s106 legal agreement.

Highways and Parking

- 7.19 Vehicular access would be taken directly from Bath Road which has been implemented under planning permission ref: 41632/APP/2021/1301. The existing access into the site via the bridge and service road adjacent to the Radisson Hotel to the east off Sipson Road would be closed off upon completion of Phase 2 at which point it is suggested in the Design and Access Statement that the bridge would be decommissioned. It is noted that during the determination of planning application reference 41632/APP/2022/2301 that National Highways had raised concerns regarding the safety of the bridge if it were to become redundant following

the provision of a new access off Bath Road. The LPA consider the decommissioning of the bridge could raise public safety risks including the potential for anti-social behaviour, crime and danger to life. The LPA have consulted National Highways however no comments have been received despite multiple attempts to contact them. Notwithstanding the absence of the statutory consultee's comments on the proposal, officers consider there to be a requirement for engagement between the Applicant and National Highways in order to agree responsibilities.

- 7.20 As it stands the sole purpose for the bridge is to serve the car park, and the proposal would result in the closure of the bridge but only from within the application site, thus creating the potential for vehicles to enter the bridge from the opposite side of the M4 and cross the bridge without a purpose. Moreover, no details to demonstrate an adequate turning head should this situation arise have been submitted. While it is understood that the bridge itself may not be within the Applicants ownership officers cannot ignore that granting permission without a plan to deal with these matters appropriately being compiled by all interested parties, could result in harm. As such a grampian condition is suggested to be imposed which requires the Applicant to compile a management agreement within National Highways to ensure the bridge is appropriately managed and maintained. As the bridge would not be commissioned until the commencement of Phase 2, the condition will need to be discharged prior to the commencement of this phase only.
- 7.21 Following comments by the Highway Authority, revised plans have been received that amend the internal layout to move the delivery bay away from the access and to the internal F&B unit access road. The Highway Authority have reviewed the revised site plans and no objection is raised, subject to a condition to approve a final internal layout design that also includes road markings and measures such as waiting restrictions to ensure that delivery bays and waiting bays are prevented from being used as car parking spaces. A parking management plan has been suggested in the Transport Assessment, which is recommended to be secured by condition in the event of an approval.
- 7.22 The F&B unit would be provided with limited car parking spaces; however, the unit would not be a stand-alone 'drive-thru', rather a facility that patrons of the car park could utilise while their cars are charging. It is accepted that the F&B unit would attract some trips that are not associated with the EV car park. According to the submitted Transport Assessment, the anticipated vehicle generation associated with the F&B unit would be approximately 10% of the total two-way transport movements for the whole development which represents a relatively low proportion of vehicle generation.
- 7.23 The Transport Statement identifies daily weekday vehicle trip attraction for the existing car park use to be a total of 1,105 two-way trips. The proposed development is estimated to generate a total of 1,089 daily two-way trips (weekday). The proposed trip generation figure comprises 868 two-way daily trips associated with the EV hub and 221 two-way daily trips with the F&B unit (of which 50% is linked to the EV hub). Notably, the Transport Statement indicates that the overall two-way trip generation for the proposal would be lower than the existing

carpark use. As such, it is not considered that the development would have an impact on the local highway network despite the changes to the access arrangements.

- 7.24 The Transport Statement also estimates that based on TRICS data, the proposed F&B unit would attract 102 pedestrian, 9 public transport and 4 cycle movements per day. In order to encourage walking, cycling and further supporting the transition to a more sustainable city, the application is accompanied by a Travel Plan Statement which outlines an action plan with various measures including promoting sustainable modes of travel to staff in an effort to reduce private car travel. The Highway Authority have recommended that real-time signage and a booking system be incorporated to manage travel demand to reduce congestion risk and promote sustainable transport choices. It is recommended that an updated full Travel Plan should be secured by condition in the event of an approval. A booking system is not considered to be reasonably necessary to make the development acceptable. The real-time signage would be erected in proximity to the site entrance and would assist in diverting cars away from the site at times when the car park is at full capacity.
- 7.25 The London Plan requires that 5% of all car parking spaces are designated disabled parking bays and a further 5% being enlarged bays. Of the 66no parking spaces within Phase 1, there would be 4no accessible bays and 4no enlarged bays. Of the 129no parking spaces within Phase 2, there would be 7no accessible bays and 7no enlarged bays. Taken together, the total quantum of accessible and enlarged parking bays is considered to be acceptable.
- 7.26 Cycle parking spaces are provided in the form of secure cycle storage for 2no cycles for use by staff located at the rear of the F&B unit, 5no Sheffield stands for use by customers at the side of the F&B unit and a cycle shelter located next to the vehicle access exit. The quantum of cycle provision is considered to be acceptable and in the event of an approval, full details are recommended to be secured by condition.
- 7.27 The Transport Assessment (at Paragraph 3.27) submitted in support of the application identifies 7no locations in the vicinity of the site that currently have deficient pedestrian facilities. To address the identified barrier to accessibility and active travel, the applicant has agreed to a £35,000 Healthy Streets contribution.

Archaeology

- 7.28 The application site lies within Heathrow Archaeological Priority Area (APA) and there is an overall medium potential for archaeological remains that may exist at the site. An Archaeological Desk Based Assessment has been submitted in support of the application. Historic England (GLAAS) have been consulted and have requested a Stage 1 Written Scheme of Investigation (WSI) to be secured by condition in the event of an approval. Subject to attaching this condition, which is recommended, the proposals are deemed acceptable from an archaeological perspective.

Biodiversity Net Gain

- 7.29 In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains. Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.
- 7.30 The development would be occurring on previously developed land. Through the purchase of off-site statutory biodiversity credits, and habitat creation in Phase 2, the development would achieve a net gain significantly exceeding the 10% minimum objective. In the event of an approval, the standard BNG condition would be attached.

Ecology

- 7.31 A Preliminary Ecological Appraisal Report provides a survey of the site and concludes that there are no important habitats within the site, there may be habitats adjacent to the site that offer opportunities for bats and birds may be nesting within trees at the site. Recommendations are listed with regards to timings of works and lighting design. The report also details various ecological enhancements including bird boxes, bat boxes, invertebrate boxes, planting and a management and monitoring plan. In the event of an approval, the report would be listed in the approved documents condition to ensure implementation.

Flood Risk and Drainage

- 7.32 The site is located within Flood Zone 1 (low flood risk). A Flood Risk Assessment (FRA) has been submitted in support of the application. The FRA identifies no flood risk from reservoir flooding or canals or surface water or groundwater flood risk. The FRA states that the proposals shall decrease runoff from the site due to the partial replacement of impermeable asphalt surfacing with permeable surfacing which would improve drainage within the site.
- 7.33 The submitted Sustainable Drainage Strategy states that site levels would be kept close to existing levels but raised slightly and that the proposals will result in a reduction in site runoff due to the reduction in hardstanding areas and use of permeable surfacing. A Drainage Maintenance and Management Plan is detailed within the strategy. In the event of an approval, the strategy would be listed in the approved documents condition to ensure implementation.

Accessibility

- 7.34 A condition is proposed to be attached should the application be determined for approval that would secure details of step free access for the proposed building. Subject to this condition the development would be accessible and inclusive and accord with relevant policy requirements.

Secure By Design

- 7.35 Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:
- i) providing entrances in visible, safe and accessible locations;
 - ii) maximising natural surveillance;
 - iii) ensuring adequate defensible space is provided;
 - iv) providing clear delineations between public and private spaces; and
 - v) providing appropriate lighting and CCTV.
- 7.36 Any grant of planning permission is recommended to be subject to a Secure by Design condition to achieve appropriate accreditation.

Waste Management

- 7.37 The submitted Refuse Management Plan provides relevant details regarding waste management. A designated refuse store is proposed on the southwest corner adjacent to the F&B unit. Collections would be undertaken privately. Further details regarding the refuse storage are recommended to be secured within the landscaping condition.

Energy and Sustainability

- 7.38 An Energy Statement has been submitted in support of the application. The statement assesses the feasibility of means to improve energy efficiency and identifies PV solar panels and air source heat pumps as being viable options for the F&B Unit which is the part of the development that would be subject to the policy. It is unclear what carbon reduction beyond building regulations would be achieved, therefore in the event of an approval, a condition is recommended to secure a 15% on-site reduction for the F&B Unit as would be required under Policy SI 2 Part C of the London Plan (2021).
- 7.39 The canopies over the electric vehicle charging spaces would utilise solar panels and the development would provide infrastructure to support the use of electric powered vehicles. There are wider sustainability benefits arising from the proposal which are given moderate weight in the planning balance.

Airport Safeguarding

- 7.40 A Solar Glare Assessment has been submitted in support of the application. Heathrow Airport Safeguarding and National Air Traffic Services (NATS) have been consulted and no objection has been raised.
- 7.41 In the event of an approval, a Bird Hazard Management Plan is also recommended to be secured by condition as requested by Heathrow Airport Safeguarding.

Fire Safety

- 7.42 The submitted Fire Safety Statement provides the relevant details regarding means of warning and escape including an evacuation regime, fire resistance and fire stopping measures, the use of suitable materials, emergency access and fire safety management. However it is not based on the latest revision site plan, therefore in the event of an approval, an updated fire safety statement is recommended to be secured by condition and would be subject to consultation with London Fire Brigade.

Land Contamination

- 7.43 The site is located within a designated potentially contaminated area and a Phase I Geoenvironmental Site Assessment has been submitted in support of the application. Having reviewed the assessment, the Council's Land Contamination Officer has no objection to the proposal. As recommended, in the event of an approval a condition would be attached to secure a scheme to deal with contamination.

Planning Obligations

- 7.44 On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is only considered appropriate to request planning obligations relating to the following:
- i. Air Quality Mitigation Contribution of £39,481.
 - ii. A Healthy Streets/Active Travel Zone contribution of £35,000.
 - iii. A Project Management and Monitoring Fee, equalling 5% of the total financial contributions to be paid under this agreement.
- 7.45 The applicant has agreed to the above Heads of Terms and a s106 legal agreement with the Council is in preparation. All financial contributions will be required prior to the commencement of the development.

Community Infrastructure Levy (CIL)

- 7.46 The scheme would be liable for payments under the Community Infrastructure Levy. If approved, the final CIL liability would be set out in the CIL Liability Notice following determination of the application in line with the CIL Regulations. This

would be issued following a full review of all the material available to the Council's Planning Obligations Team at that time.

8 Other Matters

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

9 Conclusion / Planning Balance

- 9.1 The proposal is considered to comply with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for approval subject to a s106 legal agreement and the conditions set out in Appendix 1 (below).

10 Background Papers

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the Council's website here, by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at planning@hillington.gov.uk.