

## Report of the Head of Planning & Enforcement Services

**Address** BISHOPSHALT SCHOOL ROYAL LANE HILLINGDON

**Development:** Installation of Cycle Shelter

**LBH Ref Nos:** 4277/APP/2012/534

**Drawing Nos:** Design and Access Statement, March 2012  
2274-I  
UNV/WAR/4100/STD/1.00[D]  
17/S/2417-1.00 [ ]  
Aerial Photograph  
4474-XVI  
Photograph

**Date Plans Received:** 06/03/2012                      **Date(s) of Amendment(s):** 06/03/0012

**Date Application Valid:** 16/03/2012                      06/03/2012

### 1. **SUMMARY**

This application proposes a cycle shelter at the southern entrance to Bishopshalt School on Royal Lane, which is located within the Green Belt and forms part of the Hillingdon Village Conservation Area.

The whole of the school and its grounds is located within the Green Belt so that a Green Belt siting could not be avoided for such a facility. Given the nature of the proposal, it does not represent inappropriate development within the Green Belt harmful to its openness. Furthermore it would not be harmful to the character and appearance of the conservation area or the setting of the listed school buildings.

It is recommended for approval.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### 1            COM3            **Time Limit**

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

REASON

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

#### 2            COM4            **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 2274-II, UNV/WAR/4100/STD/1.00[D], 17/S/2417-1.00 [ ], and 4474-XVII and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Unitary

Development Plan Saved Policies (September 2007) and the London Plan (July 2011).

## **INFORMATIVES**

### **1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### **2 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF	National Planning Policy Framework (March 2012)
LPP 6.9	(2011) Cycling
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site forms a 8.3m by 13.3m rectangular area of land located at the southern entrance to Bishopshalt School on Royal Lane, some 65m to the north of its junction with Robinswood.

The site currently forms a hard surfaced area sited immediately to the south of the access road, in front of an existing classroom building. Hard surfaced tennis courts adjoin the site to the south and immediately opposite to the north of the access road is another classroom building. The school perimeter at this point comprises security fencing and hedgerows. The site forms part of Green Belt and is located within the Hillingdon Village Conservation Area.

### **3.2 Proposed Scheme**

The cycle shelter would be sited to the south of the southern entrance to Bishopshalt School on Royal Lane. It would be 5.6m wide and 4.1m deep and have a maximum height of 2.2m. It would be of tubular steelwork construction, painted black, with translucent plastic sheeting.

### **3.3 Relevant Planning History**

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

There is no relevant planning history on this site.

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

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

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

Part 1 Policies:

PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.

Part 2 Policies:

NPPF National Planning Policy Framework (March 2012)

LPP 6.9 (2011) Cycling

LPP 7.8 (2011) Heritage assets and archaeology

LPP 7.16 (2011) Green Belt

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

BE13 New development must harmonise with the existing street scene.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities

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

**5.1** Advertisement Expiry Date:- Not applicable

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

## **6. Consultations**

### **External Consultees**

A site notice has been displayed on site and the application has been advertised as a development affecting the character and appearance of the Hillingdon Village Conservation Area and the setting of the listed Bishopshalt Grammar School, North Wing. No responses have been received.

Hillingdon Village Conservation Panel: No response received.

Hillingdon Village Residents' Association: No response received.

### **Internal Consultees**

Urban Design/Conservation Officer: No objection.

## **7. MAIN PLANNING ISSUES**

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

The application site forms part of the Green Belt. Green Belt policy as now contained within the National Planning Policy Framework states at Paragraph 89 that the construction of new buildings within the Green Belt is inappropriate, except in certain circumstances. Such exceptions include:

- (i) the provision of appropriate facilities for outdoor sport and outdoor recreation where the openness of the Green Belt is preserved and does not conflict with the purposes of including land within it; and
- (ii) limited infilling or the partial or complete redevelopment of previously developed sites which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

Given the nature of this scheme, which would facilitate cycling to and from the school and would create a small structure within a developed site it does not represent inappropriate development within the Green Belt and there are no objections in principle to the proposal.

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

Not applicable to the proposed development.

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

Although the application site forms part of the Hillingdon Village Conservation Area, the proposed cycle shelter would be sited behind existing boundary fencing and hedging, adjacent to surrounding buildings. The shelter would allow views through it and would be a typical structure found at the entrance of a school. The proposal would not be harmful to the character and appearance of the conservation area and no objections are raised by the Council's Urban Design/Conservation Officer. The scheme is therefore considered to comply with Policy BE4 of the saved policies UDP.

The shelter would also be screened from the listed parts of the school buildings by existing school buildings so that their setting would not be harmed, in accordance with Policy BE10 of the saved policies UDP.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

As the whole of the school and its grounds are located within the Green Belt, a Green Belt siting can not be avoided for the proposed cycle shelter. The proposed cycle shelter would be sited close to one of the entrances to the school, in an area which minimises its impact on the Green Belt by being sited adjacent to existing school buildings. The shelter would form a modest and open structure, which would allow views through so that it is considered that the structure would not be harmful to the openness of the Green Belt. The proposal is considered to comply with Policies OL1 and OL4 of the saved policies UDP.

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

This is dealt with in Section above.

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

There are no neighbours nearby, that would be affected by the proposed cycle shelter.

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

Not applicable to this application.

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

The cycle shelter would utilise the pedestrian access into the school, thereby avoiding the need to share the adjoining vehicular access. No objections are raised to this arrangement from a highway, cycling/pedestrian safety perspective, in accordance with Policies AM7 and AM9 of the saved policies UDP.

**7.11 Urban design, access and security**

The cycle shelter would improve cycle security at the school.

**7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

The cycle shelter would be sited on existing hardstanding and there are no trees or vegetation nearby that would be affected by this proposal. The scheme complies with Policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7.15 Sustainable waste management**

Not applicable to this application for a cycle shelter which would be sited on existing hardstanding.

**7.16 Renewable energy / Sustainability**

Not applicable to this development.

**7.17 Flooding or Drainage Issues**

Not applicable to this application for a cycle shelter which would be sited on existing hardstanding.

**7.18 Noise or Air Quality Issues**

Not applicable to this development.

**7.19 Comments on Public Consultations**

No comments have been received.

**7.20 Planning obligations**

Not applicable to this development.

**7.21 Expediency of enforcement action**

There are no enforcement issues raised by this application.

**7.22 Other Issues**

There are no other planning issues raised by this application.

**8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

## **10. CONCLUSION**

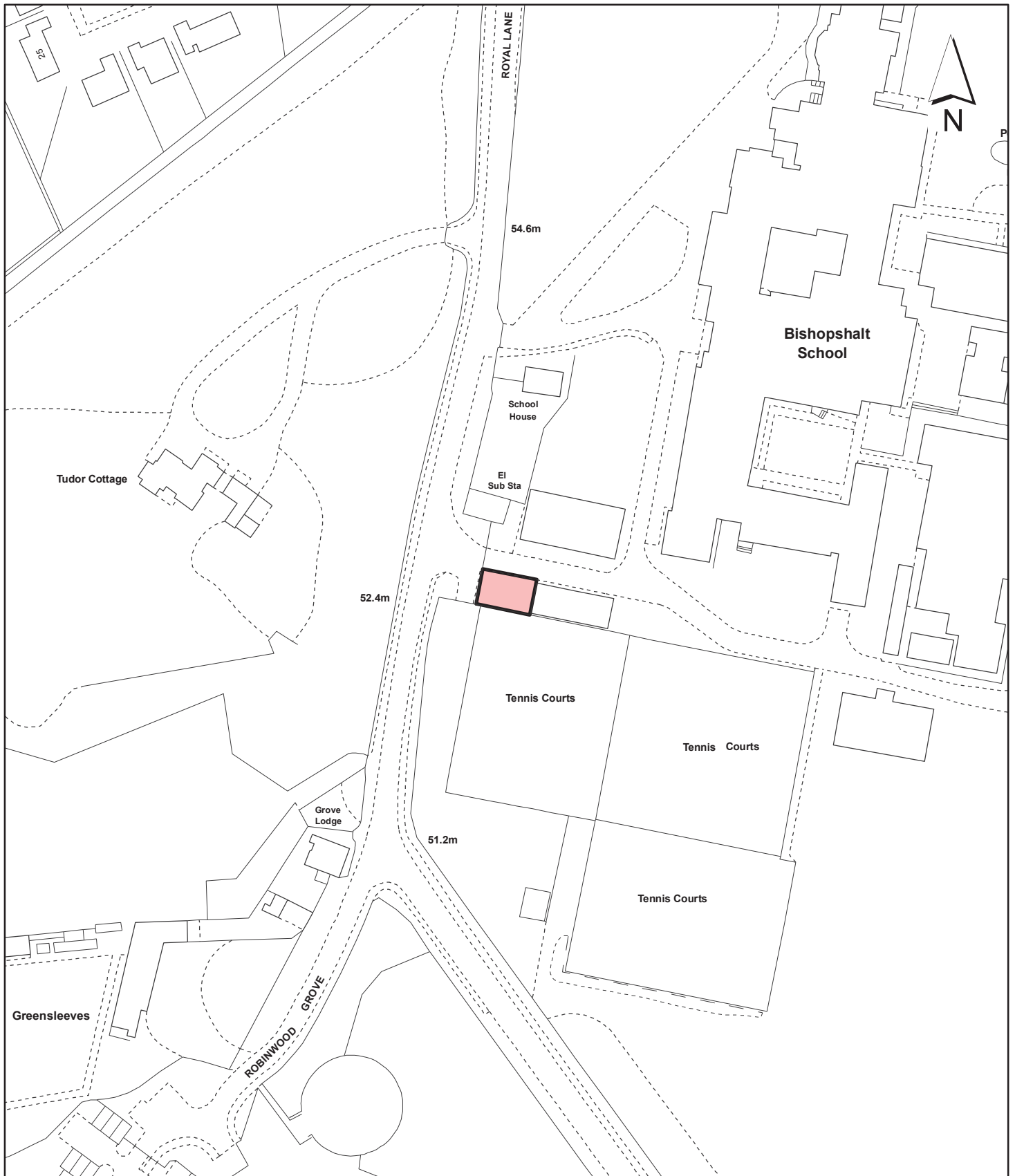
It is considered that the cycle shelter would not harm the openness of the surrounding Green Belt or the character and appearance of the Hillingdon Village Conservation Area or setting of the listed school buildings. It would also assist with the encouragement of cycling at the school. The application is recommended for approval.


## **11. Reference Documents**

National Planning Policy Guidance, March 2012  
London Plan, July 2011  
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)  
Consultation Responses

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**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p align="center"><b>Bishopshalt School Royal Lane Hillingdon</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b> Planning, Environment, Education &amp; Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p align="center"><b>4277/APP/2012/534</b></p>	<p>Scale</p> <p align="center"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p align="center"><b>Central and South</b></p>	<p>Date</p> <p align="center"><b>May 2012</b></p>	



**HILLINGDON**  
LONDON