

Report of the Corporate Director of Planning & Community Services

Address WILLIAM BYRD POOL VICTORIA LANE HARLINGTON

Development: Erection of single-storey modular extension.

LBH Ref Nos: 66699/APP/2010/72

Drawing Nos: 2009D64/P/01 (Site Location Plan)
2009D64/P/02 (Existing Site Plan)
2009D64/P/03 (Existing Elevations)
2009D64/P/04 (Proposed Site Plan)
2009D64/P/05 (Proposed Elevations)
Design & Access Statement dated November 2009

Date Plans Received: 13/01/2010 **Date(s) of Amendment(s):**

Date Application Valid: 13/01/2010

1. **SUMMARY**

Planning permission is sought for the erection of a single-storey extension to William Byrd Pool in Harlington. This would provide a fitness centre to replace that which is due to close in the near future at Yiewsley Swimming Pool.

It is not considered that the proposed extension would have any significant detrimental impact on the character or appearance of the surrounding area, or on the residential amenity of nearby residential properties. The proposal is considered to comply with relevant planning policies and accordingly, approval is recommended subject to appropriate conditions.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T8 **Time Limit - full planning application 3 years**

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 OM1 **Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM2 **Levels**

No development shall take place until plans of the site showing the existing and proposed

ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

6 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

7 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

10 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding

seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

13 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

14 SUS7 Heating and Lighting Control

The facility hereby approved shall employ devices that automatically turn the heating and lighting off when the rooms are not in use.

REASON

In the interests of energy conservation in accordance with Policy 4A.3 of the London Plan.

15 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 8 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

16 NONSC Use by members of the community

The approved facility shall be made available for use by members of the public and community groups in perpetuity.

REASON

To ensure the facility appropriately contributes towards the Borough's network of local sports facilities in compliance with Policy R3 of the Hillingdon Unitary Development Plan.

INFORMATIVES

1 152 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).

2 153 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 (February 2008) and national guidance.

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- R16 Accessibility for elderly people, people with disabilities, women and children

R3 Indoor sports, leisure and entertainment facilities
AM7 Consideration of traffic generated by proposed developments.

3 11 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

5 13 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 111 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

7 112 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

8 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours

and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

9 119 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

10 125 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

11 134 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate

against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

12 146 Renewable Resources

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

13 147 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

14

You are advised that the extension hereby approved represents inappropriate development within the Green Belt and is approved on a temporary basis in order to meet a short term need. It is understood that the proposed facility is required on a permanent basis. You are strongly encouraged to consider providing a permanent structure which would meet the long term needs of the site while protecting the openness and visual amenities of this Green Belt site.

15

The Council is aware of the presence of land with the potential to exude gas within 250 metres of the site but the risk of gas migration is considered minimal due to the age, nature and/or location of the fill. It is recommended that the extension is designed and constructed to prevent/minimise the possible entry of any migrating landfill gas. Please

contact the Building Control Inspector and/or the Environmental Protection Unit on 01895 250155 if you require any advise.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.35 hectare plot, which is accommodated by William Byrd Swimming Pool and associated car parking, located on the southern side of Victoria Lane in Harlington. The site is bounded to the west and south by William Byrd School; to the east by residential properties in Hudson Road; and to the north by Victoria Lane, beyond which are residential properties and stables. The entire site falls within the Green Belt as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

Full planning permission is sought for the erection of a single-storey extension to the existing William Byrd School to provide a fitness centre for use by local schools, community groups and the public. The fitness centre would use the existing swimming pool changing rooms and shower facilities.

The proposed extension, which would be finished in fairface brickwork, would provide 105m² of additional floorspace and would measure approximately 9.4m by 12m by 6.2m high.

The proposed extension would result in the loss of three car parking spaces, which would be reprovided within the existing car park immediately to the north of the building.

3.3 Relevant Planning History

Comment on Relevant Planning History

None directly relevant to the pool site. However, it should be noted that the adjacent William Byrd School site has an extensive planning history. The most recent applications can be summarised as follows:

11327/APP/2009/649 - Erection of single-storey detached portacabin for use as classroom/office - Approved 28/09/09

11327/APP/2010/130 - Erection of single-storey mobile classroom unit - No decision to date.

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies September 2007
London Plan (Consolidated with Alterations since 2004)
PPG2: Green Belts

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.1 To maintain the Green Belt for uses which preserve or enhance the open nature of the area.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.

Part 2 Policies:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- R16 Accessibility for elderly people, people with disabilities, women and children
- R3 Indoor sports, leisure and entertainment facilities
- AM7 Consideration of traffic generated by proposed developments.

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 34 local owner/occupiers and Harlington Village Residents' Association. No responses have been received.

BAA Safeguarding - No objection.

Internal Consultees

TREES/LANDSCAPING OFFICER:

There are a number of trees, conifers and shrubs immediately to the east of the swimming pool changing rooms. However, there are no Tree Preservation Orders or Conservation Area designations affecting trees on this site.

The Design & Access Statement confirms that the 5m high Cypress (Leylandii) hedge will be removed in order to facilitate the development. No new, or replacement, planting is mentioned. The proposed site plan also indicates that the 7.5m high Alder, further to the east will be retained as part of the development.

Saved policy BE38 seeks landscape enhancement in association with development . While no objections are raised to the loss of the conifer hedge, there is an opportunity to provide replacement planting to the south of the proposed boundary fence to the north of the Alder. No tree survey or arboricultural implications assessment has been submitted. However, the Alder is shown to be retained, albeit with a new path to be constructed close to the tree. Details should be submitted to show how the tree will be protected and retained during, and after, construction.

No objections are raised subject to conditions TL1, TL2, TL3, TL5, TL6 and TL7.

ENVIRONMENTAL PROTECTION UNIT

The above application is located within the 250 metre buffer of two former landfill sites and an operational site. However, the gas risk is anticipated to be low. Accordingly, no objections are raised subject to a condition and/or informative requiring further investigation to take place.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application seeks to provide a fitness centre, for use by residents of Harlington and the surrounding area, at William Byrd Pool, which falls within the Green Belt.

Policy R3 of the Hillingdon Unitary Development Plan Saved Policies September 2007 supports the principle of providing facilities for indoor sports and leisure activities providing they are of an appropriate scale to cater for local demands; they serve a wider public and are located in town centres or other areas where they are accessible by public transport; and they are not detrimental to the amenity of the surrounding area. Whilst it is acknowledged that this is not a highly accessible town centre location, the site is within easy walking distance (approximately 200m) from Harlington High Street which is served by regular bus services, and it is considered that the proposal would appropriately compliment the existing swimming pool facility already available in this location. Accordingly the proposal would comply with the aims of this policy.

Policy OL1 of the Hillingdon Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will not grant planning permission for new buildings or changes of use of existing land and buildings within the Green Belt, other than for predominantly open land uses. As such, it is therefore necessary for the applicant to demonstrate that a case of very special circumstances exists if an exception is to be made to established Green Belt policy. Given the relatively minor scale of the proposed extension and the built up nature of the William Byrd Pool and adjacent William Byrd School site, the need for additional sports facilities within the locality is considered to amount to a case of very special circumstances. A condition is proposed to ensure community use.

Accordingly, there is no objection to the principle of the proposed development, providing site specific issues can be satisfactorily addressed.

7.02 Density of the proposed development

Not applicable to this type of application.

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

Not applicable because the site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings, or Areas of Special Local Character within the vicinity.

7.04 Airport safeguarding

BAA Safeguarding have raised no objections to the proposal. There is no requirement to consult National Air Traffic Services (NATS) for developments of this nature in this location.

7.05 Impact on the green belt

The proposal technically represents inappropriate development within the Green Belt. However, given the developed nature of the site and relatively small scale of the proposed extension, it is not considered that the proposal would have any significant detrimental impact on its openness or its character and appearance. Existing buildings and trees and vegetation around the site boundaries would provide significant screening from longer distance views within the wider Green Belt. In addition it is considered that the need to supply improved sports facilities at the site amounts to very special circumstances sufficient to permit the proposals in this Green Belt location.

7.07 Impact on the character & appearance of the area

The size, scale and design of the proposed extension is considered to be appropriate in this location. Its siting adjoining the existing pool building would minimise its visual impact on the surrounding area and it would be finished in fairface brickwork to match the existing buildings on the site. Limited views would be available from Victoria Lane to the north due to screening provided by the existing car park and planting around the site boundaries. The extension would be seen in context with the existing built-up pool and adjacent school sites, and there would be no views of the proposal available from the wider Green Belt. Accordingly it is not considered that the proposal would have any detrimental impact on the character or appearance of the surrounding area, or on the visual amenities of the Victoria Road streetscene, and it is considered to fully comply with policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

The proposed building would be located approximately 50m to the south of the nearest residential property. However, the proposed extension would be seen in context with the adjoining swimming pool building and the wider William Byrd School site. In addition views of the development would be largely screened from the nearest residential properties by trees and vegetation around the site boundaries, and by the existing car park. Accordingly, it is not considered that the proposal would have any detrimental impact on the residential amenities of the nearest residential properties.

7.09 Living conditions for future occupiers

Not applicable to this type of development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

52 parking spaces currently serve the pool site. With the exception of the relocation of three existing spaces which need to be moved to cater for the extension, there would be no changes made to the existing car parking or access arrangements at the site.

This level of parking provision would appear to be more than adequate to meet the increased demand the proposed new facility could create. Notably, the combined total floor area of the existing swimming pool and proposed gym would only be 754m². Accordingly, whilst there are no specific parking standards for swimming pools and sports facilities, this level of parking would appear to be high, and it is not considered that the

proposal would lead to such an increased demand that this would result in increased on-street parking or congestion in the surrounding area. Accordingly, the proposal is considered to comply with policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

This issue has been largely addressed in paragraph 7.07 above. The size, scale, siting and layout of the proposed building is considered to be acceptable. It would be designed to be in keeping with the existing pool building and would be finished in crickwork to match. It is not considered that the building would have any significant detrimental impact on the visual amenities of the existing site or surrounding area and the proposal is considered to fully comply with policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.12 Disabled access

The Design and Access Statement confirms that level access to the extension would be provided via the pool's main entrance and through the changing rooms. An emergency exit would be located at the rear of the extension and would exit onto a footpath via a ramp. Further details would be required by way of condition should approval be granted.

7.13 Provision of affordable & special needs housing

Not applicable to this type of application.

7.14 Trees, landscaping and Ecology

The application site is bordered by a tall laylandii hedge, which would be removed in order to make space for the proposed works. Whilst no replacement planting is proposed there is adequate space for this on site and, as such, should approval be granted, details of this could be required by way of condition. No trees or other vegetation would be affected by the works. The Council's Trees/Landscape Officer has raised no objections to the proposals subject to the imposition of appropriate conditions should approval be granted.

7.15 Sustainable waste management

The proposal is for a relatively small extension to an existing facility. Accordingly, the existing refuse/recycling facilities are likely to be adequate. However, it should be noted that given the type of development, the site operator ultimately has discretion over which waste management methods are used.

7.16 Renewable energy / Sustainability

Not applicable to this type of application.

7.17 Flooding or Drainage Issues

No issues relating to flooding have been identified, however, building control regulations on this matter will need to be complied with.

7.18 Noise or Air Quality Issues

It is not considered that the proposed development would lead to a significant increase in noise or pollution at the site, sufficient to justify refusal.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

Not applicable to this type of development.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Contamination:

Officers in the Council's Environmental Protection Unit have advised that there have

historically been contaminative land uses on or close to the site. However, monitoring at nearby sites suggests the risk of gas migration is low. Whilst it has been suggested that a condition could be added requiring the applicant to carry out further work, in this instance, given the modular nature of the building, and resulting recommended temporary consent, it is considered that an informative would be adequate. Notably, no conditions were attached to a recent approval for a temporary modular building at the adjacent school, which required the applicant to carry out further investigation into contamination or to take precautionary measures. Given the similarities between the two schemes and proximity of the sites it is not considered it would be reasonable to require the applicant to carry out additional work in this instance.

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 not considered that the proposed building would have a significant visual impact on the character or appearance of the surrounding area or the openness of the Green Belt sufficient to justify refusal. There would be no detrimental impact on the amenity or nearby residential properties as a result of the proposal and the scheme is considered to comply with relevant planning policy. As such, approval is recommended.

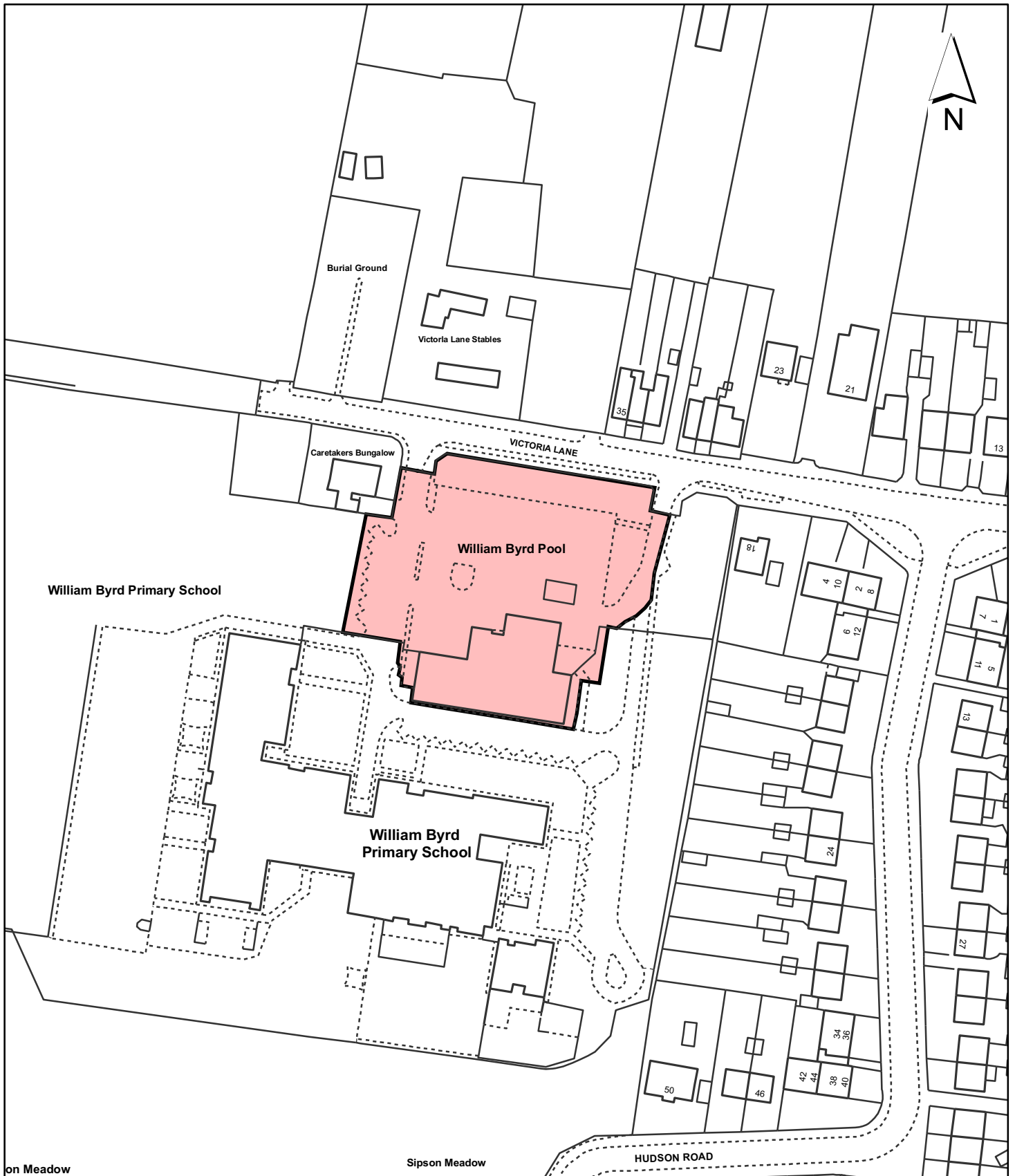
11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007

London Plan (Consolidated with Alterations since 2004)
PPG2: Green Belts

Contact Officer: Johanna Hart

Telephone No: 01895 250230



on Meadow

Sipson Meadow

HUDSON ROAD

<p>Notes</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. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p>William Byrd Pool Victoria Lane Harlington</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>66699/APP/2010/72</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>Central and South</p>	<p>Date</p> <p>February 2010</p>	
		 <p>HILLINGDON LONDON</p>	