

Report of the Head of Planning & Enforcement

Address BISHOPSHALT SCHOOL ROYAL LANE HILLINGDON

Development: Two storey temporary building to provide additional classrooms.

LBH Ref Nos: 4277/APP/2009/2776

Drawing Nos: 4474-XI (Block Plan)
Design & Access Statement
4474-12 rev.A (Proposed Classroom Block)
4474-II (Location Plan)

Date Plans Received: 23/12/2009 **Date(s) of Amendment(s):**

Date Application Valid: 13/01/2010

1. SUMMARY

This application seeks full planning permission for the erection of a two-storey modular block to provide four additional classrooms to cater for an increase in sixth form pupils at the school. The classroom is proposed for a temporary period to provide additional teaching space until major funding and refurbishment is realised within the next few years.

No objections have been raised to the proposal. No views of the proposed building would be available from outside the school site, and its visual appearance is considered to be acceptable in this location, given that it would be for a temporary period of a few years only. The proposal complies with relevant UDP and London Plan policies and accordingly, approval is recommended.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T4 Temporary Building - Removal and Reinstatement

The building hereby permitted shall be removed and the land restored to its former condition within two years of the date of this permission. This shall include replacement tree planting to replace that which has recently been removed from the site, final details of which shall be submitted to and agreed in writing by the Local Planning Authority.

REASON

The building, by reason of its modular design, and temporary construction, is not considered suitable for permanent retention in compliance with Policies OL1, BE4 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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 Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

3 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.

4 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.

5 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).

6 SUS7 Heating and Lighting Control

The building hereby approved shall employ devices that automatically turn the 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.

7 NONSC Strategy for long term retention of school buildings

Within 6 months from the date of this planning permission, the applicant shall submit a scheme setting out a strategy for the long term retention of school infrastructure on site. The underlying aim of the strategy shall be to establish an overview as to how the existing temporary school buildings located on site can be permanently replaced on site

while recognising the sensitivities of the site's location within the Hillingdon Village Conservation Area and Green Belt, and the existing constraints on site.

REASON

To ensure that the future development of this school can be undertaken without impacting upon the visual amenities of the Hillingdon Village Conservation Area and the Green Belt in accordance with Policies OL1, OL2, OL4, BE13 and BE4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
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
R10	Proposals for new meeting halls and buildings for education, social, community and health services
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 16 **Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

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.

9 134 **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.

10 146 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.

11 147 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).

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.05 hectare courtyard area located within the middle of the Bishopshalt School site. Bishopshalt School is located on the east side of Royal Lane in Hillingdon and comprises a variety of buildings. The principle school building is an attractive Grade II Listed Victorian building, which has been extended over the years in a variety of styles.

The school buildings are surrounded by extensive grounds, beyond which are residential properties to the east and west, Harlington Road Depot to the south, and Coney Green, an area of public open space and playing fields to the north. The application site falls within the Hillingdon Village Conservation Area and the Green Belt, as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

It is proposed to erect a two-storey modular type building to provide four additional classrooms at the school. The building would be centrally located within the site, within an existing courtyard area. It would measure approximately 14.8m by 9.7m by 6.5m high.

3.3 Relevant Planning History

Comment on Relevant Planning History

The school has an extensive planning history. The most recent applications can be summarised as follows:

4277/APP/2009/2095 - Replacement of lead roof cladding (application for Listed Building consent) - Approved 23/12/2009

4277/APP/2008/2452 - Refurbishment of conservatory (Application for Listed Building Consent) - Approved 05/12/08

4277/APP/2008/761 - Erection of a single-storey infill extension to existing store for physical education equipment - Approved 22/05/08

4277/APP/2007/2829 - Erection of two temporary modular type buildings for use as classroom/dance/drama facilities (involving demolition of 4 stores/sheds) - Approved 29/11/07

4277/APP/2007/2828 - Removal of two redundant huts (Application for Conservation Area Consent) - Approved 07/12/07

4277/APP/2007/887 - Installation of a single-storey portable building to provide classroom/dance/drama facilities - Refused 09/07/07

4277/APP/2005/88 - Refurbishment of existing outdoor tennis courts incorporating 2 multi-use games courts, 3m high mesh fencing and installation of 12 x 10m high floodlights - Approved 01/03/05

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies September 2007
London Plan (Consolidated with Alterations since 2004)
PPG2: Green Belts
PPG15: Planning and the Historic Environment
Council's Supplementary Planning Document: Accessible Hillingdon

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.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.

Part 2 Policies:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- 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
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- AM7 Consideration of traffic generated by proposed developments.

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 3rd March 2010**
- 5.2 Site Notice Expiry Date:- Not applicable**

18th February 2010

6. Consultations

External Consultees

Consultation letters were sent to the Hillingdon Village Conservation Panel, Uxbridge Local History and Archive Society and Hillingdon Village Residents' Association. No responses have been received.

Internal Consultees

CONSERVATION OFFICER

The positioning of the temporary classrooms will be such that they would not be visible from the wider school grounds, or seen together with the listed part of the building. This type of building, however, would not normally be acceptable within the curtilage of a listed building and as such, any permission should be temporary. The length of time agreed should reflect the timescales anticipated for the works noted in the design and access statement to be completed.

No objections are raised subject to the above.

TREES/LANDSCAPE OFFICER

The only soft landscape remaining on site is a lawned area with one young (recently planted) tree and some shrubs. Fresh turf marks the location of the space once occupied by a mature Robinia. However, this tree has been removed because it had been dying back and dropping branches which were hazardous.

The proposed building will have limited, and temporary, impact on the immediate surroundings. Accordingly no objections are raised.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The provision of new primary and secondary school buildings is supported by Policy R10 of the UDP, providing proposals comply with other relevant policies.

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 limited impact of the proposed building, that it is only required on a temporary basis whilst funding is found for longer term solutions, the built up nature of this part of the school site, and the need to provide facilities for an increased intake of pupils, the need for the additional classrooms is considered to amount to a case of very special circumstances.

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

The site does not fall within an Archaeological Priority Area.

The northern most part of the building is Grade II Listed. However, the proposed development is located in a less sensitive part of the school grounds, surrounded by other existing school buildings. As such, it would have no impact on the setting of the listed building.

The site also falls within the Hillingdon Village Conservation Area. However, again, given its location within the built-up area of the school site, surrounded by existing school buildings, it would have limited impact on the character or appearance of the Conservation Area. Nevertheless, this is a sensitive site and the building, by reason of its design and materials, is not considered suitable for permanent retention. It is considered that the applicant should be encouraged to provide a more permanent facility and, as such, it is recommended that approval be granted on a temporary basis only.

The proposal is considered to comply with policy BE4 of the UDP which seeks to protect the character and appearance of conservation areas and notably the Council's Conservation Officer has raised no objections to the proposal.

7.04 Airport safeguarding

There is no requirement to consult airport safeguarding authorities on this application.

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, the relatively small scale of the proposed building, and its limited visual impact, it is not considered that the proposal would have any significant detrimental impact on its openness or its character and appearance. Existing buildings would screen the building from views outside the existing forecourt area and, accordingly, it is considered that an exception can be made to Policy OE1 of the UDP in this instance. In addition it is considered that the need to supply additional classrooms to meet the schools future needs 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 proposed building would be located within a central forecourt area within the school grounds. It would be bounded by existing two-storey school buildings to the north, south and west, and by a covered walkway and large single-storey building to the east. Accordingly there would be no views of the proposal from outside the school site and its impact on the character and appearance on the surrounding area would be negligible.

7.08 Impact on neighbours

The application site is located within the centre of the built-up area of the school site. It is surrounded by buildings on all sides and there are no views from outside the school. As such, there will be no impact on neighbours.

7.09 Living conditions for future occupiers

Not applicable to this type of application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

No alterations are proposed to the existing car parking facilities or access arrangements to the site. Given the relatively small nature of the proposal, it is not considered that the development would lead to a significant increase in traffic movements to/from the site, to the detriment of highway and pedestrian safety.

7.11 Urban design, access and security

The proposed classroom block would take on the appearance of a typical portacabin type building, finished in grey plastic-coated steel with white PVC window frames. There would be no views of the proposal from outside the built-up area of the school grounds and no objections are raised to the size, siting or design of the building in this location on a temporary basis. The visual impact of the proposal would be minimal and it is considered to comply with policies BE4, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Nevertheless, this is a sensitive site, and given its location in the Hillingdon Village Conservation Area, and in the Green Belt, in addition to the historic nature of parts of the school site, it is not considered that such a building would be visually acceptable on a permanent basis. It is noted, that the applicant's Design and Access Statement suggests that there are long-term goals to look at the permanent expansion of the school site once funding becomes available over the next few years and, as such, it is recommended that approval is granted on a temporary basis only in order to encourage the long-term retention of school infrastructure on site.

7.12 Disabled access

The applicant's Design and Access Statement confirms that ramped access would be provided to the ground floor classrooms, and that door openings would be of sufficient width to accommodate wheelchair users. Further details would be required by way of condition should approval be granted to ensure the proposal would comply with relevant criteria of BS 8300 and the Disability Discrimination Act 1995.

7.13 Provision of affordable & special needs housing

Not applicable to this type of application.

7.14 Trees, landscaping and Ecology

The only existing soft landscaping within the courtyard area is a young recently planted tree, a few shrubs and a lawn. The Council's Trees/Landscape Officer has raised no objections to the removal of this vegetation and has confirmed that given the temporary and limited impact of the proposed building on its immediate surroundings, no landscaping conditions are necessary in this instance.

7.15 Sustainable waste management

The proposed classrooms would use existing waste facilities at the school site. For this 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.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

Not application to this type of development.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

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

Not applicable.

10. CONCLUSION

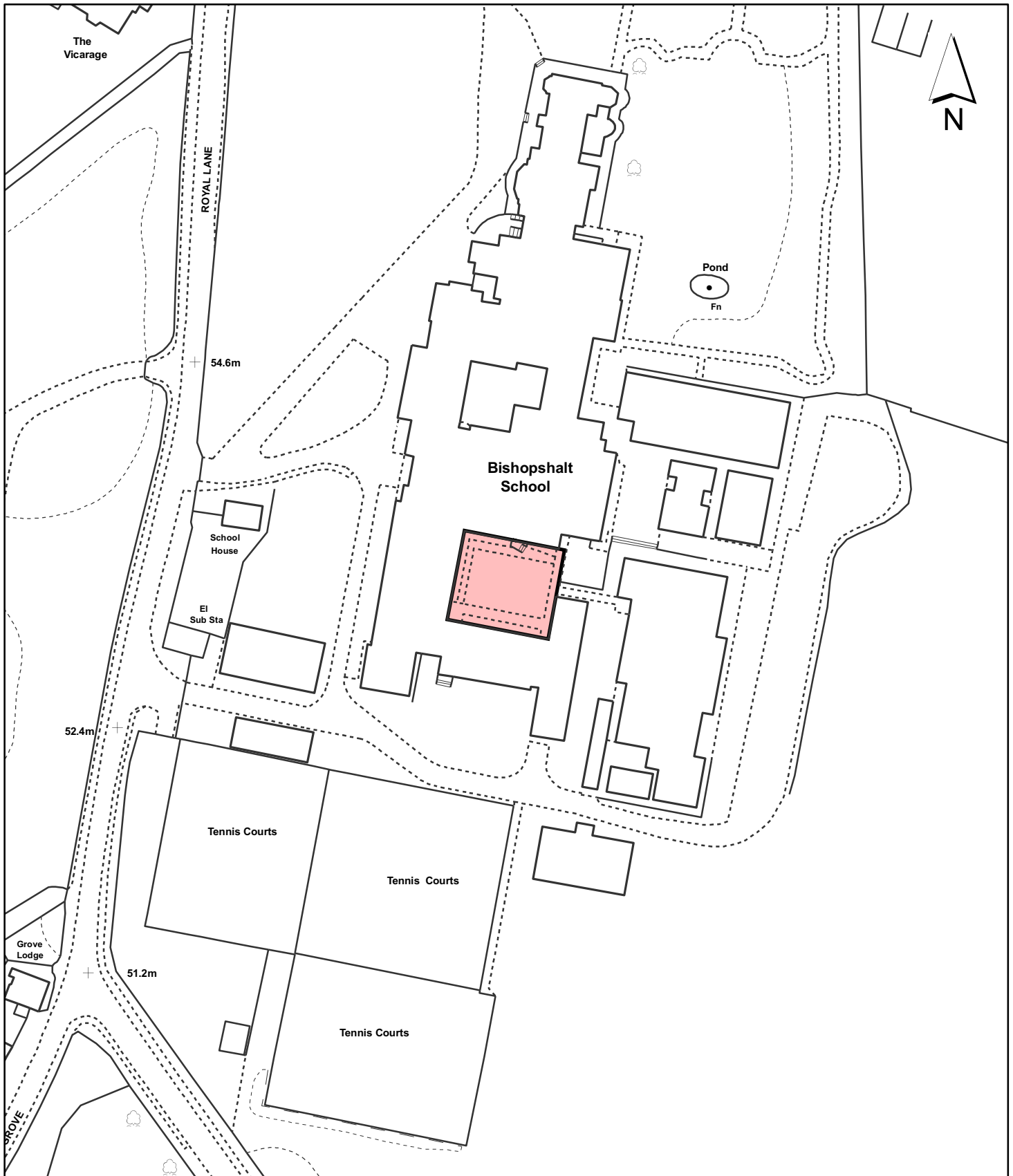
No views of the proposed building would be available from outside the school site, and its visual appearance is considered to be acceptable in this location, given that it would be for a temporary period of a few years only. The proposal complies with relevant UDP and London Plan policies and accordingly, approval is recommended.

11. Reference Documents


Hillingdon Unitary Development Plan Saved Policies September 2007
London Plan (Consolidated with Alterations since 2004)
PPG2: Green Belts
PPG15: Planning and the Historic Environment
Council's Supplementary Planning Document: Accessible Hillingdon

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**Bishopshalt School,
Royal Lane, Hillingdon**

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:
4277/APP/2009/2776

Scale
1:1,250

Planning Committee
Central and South

Date
February 2010



HILLINGDON
LONDON