

Report of the Head of Planning & Enforcement

Address WILLIAM BYRD PRIMARY SCHOOL VICTORIA LANE HARLINGTON

Development: Provision of single storey mobile double classroom unit.

LBH Ref Nos: 11327/APP/2010/130

Drawing Nos: Design and Access Statement
2010/P60/P/01 (Location Plan dated 23/02/10)
2010/P60/P/02 ((Proposed Floor Layout dated 23/02/10)
2010/P60/P/03 (Proposed Elevations dated 23/02/10)
Photographs

Date Plans Received: 25/01/2010 **Date(s) of Amendment(s):** 25/01/0010

Date Application Valid: 25/01/2010 23/02/0010

1. **SUMMARY**

This application seeks full planning permission for the erection of a single-storey modular building to provide two additional classrooms to cater for an additional form of entry due to rising pupil numbers at William Byrd Primary School. The classrooms are required for a temporary period of three years, whilst a more permanent solution is sought.

No objections have been raised to the proposal. The building is considered to be visually acceptable in this location and would not have any significant detrimental impact on the character or appearance of the surrounding area. However, given its location in the Green Belt, it is considered that if the intention is to provide a long-term facility at the site, a permanent solution should be sought. Nonetheless, officers are satisfied that there is an urgent need for the classrooms to address increasing pupil numbers and that this in itself constitutes very special circumstances. The proposal is considered to comply with relevant London Plan and UDP policies and, accordingly, approval is recommended subject to appropriate conditions.

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 3 years from the date of this permission.

REASON

The building, by reason of its temporary nature and its location within the Green Belt is not considered suitable for permanent retention in compliance with Policies OL1, BE13 and OE1 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 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 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 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.

13 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 whilst recognising the sensitivities of this Green Belt site and the existing constraints on site.

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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
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).

6 111 **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).

10 134 **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.

11 146 **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.

12 147 **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).

13

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.

14

You are advised that the classroom hereby approved represents inappropriate development within the Green Belt and is approved on a temporary basis in order to meet a short term need.

In considering this application the Council has accepted the argument of immediate need; however historical evidence indicates that inadequate measures have been made in the past to address the long term needs of the school through permanent floorspace on this Green Belt site. Condition 13 has been imposed to address the long term strategy of accommodating the growth of the school, and the quality of the education and community facilities on site, while protecting the openness and visual amenities of this Green Belt site.

3. CONSIDERATIONS

3.1 Site and Locality

The application site currently comprises a largely hard surfaced play area, located adjacent to the south western corner of the existing William Byrd School building. The school playground is located towards the west of the site, and a landscaped area comprising several trees is located to the east. Sipson Meadow recreation ground is located immediately to the south of the site. The wider school site is bounded to the north by William Byrd Pool, beyond which is Victoria Lane, Green Belt land and residential properties; to the east by residential properties in Hudson Road; and to the west by Little Harlington Field Sports Ground and Imperial College Athletic Ground. The site falls within the Green Belt as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

Planning permission is sought for the erection of a single-storey portacabin style building which would measure approximately 19.6m by 8.8m by 3.4m high with a flat roof. The building would have an overall floor area of approximately 159m² and would comprise two classrooms, WC facilities and storerooms. Ramped access would be provided to the building.

3.3 Relevant Planning History

Comment on Relevant Planning History

The planning history can be summarised as follows:

11327/F/84/276 - Erection of 2.4m high fence - Approved 25/07/84

11327/H/96/4219 - Internal alterations to various school locations - Approved 15/08/96

11327/J/99/1757 - Erection of an extension to provide an additional classroom - Approved 14/10/99

11327/APP/2006/3136 - Erection of single-storey timber structure with canopy roof to provide covered play area and storage place for bikes and toys, with associated hard and soft landscaping (involving demolition of existing pergola and bike/toy store) - Approved 30/03/07

11327/APP/2007/1086 - Details of landscaping, and landscape maintenance, in compliance with conditions 3, 4 and 5 of planning permission ref: 11327/APP/2006/3136 - Approved 02/07/07

11327/APP/2007/ - Installation of 9 solar panels on roof of pool - Approved 28/02/08

11327/APP/2009/649 - Single-storey portacabin for use as classroom/office - Approved 28/09/09

11327/APP/2010/86 - Details in compliance with conditions 10 (Travel Plan) and 15 (Infrastructure Strategy Scheme) in compliance with the above planning permission (ref: 11327/APP/2009/649) - No decision to date.

11327/APP/2010/162 - Details in compliance with conditions 3 (ground levels), 4 (materials), 6 (access), 10 (Green Travel Plan), 11 (Survey Plan) and 14 (Method statement) in compliance with the above planning permission (ref: 11327/APP/2009/649) - 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

Council's Supplementary Planning Document: Accessible Hillingdon (January 2010)

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.

PT1.30 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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
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:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 12 local owner/occupiers and the Harlington Village Residents' Association. No responses have been received.

BAA SAFEGUARDING

No objection.

Internal Consultees

TREES/LANDSCAPE OFFICER

The proposal would not result in the loss of any trees. The retained trees will provide some degree of screening from the Green Belt to the south. Care will be required during the installation and crane-offloading of the building and a method statement should be provided in order to identify and constraints/problems associated with the installation. It may, for example, be necessary to carry out some minor crown reduction/trimming back of low branches close to the proposed building.

No objections are raised subject to conditions TL1, TL2, TL3 and TL21.

ENVIRONMENTAL PROTECTION UNIT

The 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. No objections are raised on noise or air quality grounds.

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 minor scale of the proposed building, the built up nature of the school site, that it is only required on a temporary basis whilst a longer-term solution is sought, and the need to provide facilities for an increased intake of pupils, the need for additional classroom facilities 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

Not applicable. 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 confirmed that the proposal would not conflict with airport/aircraft safeguarding criteria. There is no requirement to consult National Air Traffic Services (NATS) 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 and relatively small scale of the proposed building, it is not considered that the proposal would have any significant detrimental impact on its openness or its character and appearance. The building would be seen in context with the wider school site and the existing boundary fence, trees and vegetation around the site boundaries would provide some level of screening from longer distance views within the wider Green Belt, especially during the summer months. In addition it is considered that the need to supply additional classrooms to meet the school's future needs amounts to very special circumstances sufficient to permit the proposals in this Green Belt location. Accordingly, it is considered that an exception can be made to Policy OL1 of the UDP in this instance.

7.07 Impact on the character & appearance of the area

Whilst the proposed siting, size and scale of the proposed building is considered to be appropriate in this location, its design would take on the appearance of a temporary portacabin style building. As such, although the proposal would not be clearly visible from outside the school site, given its location within the Green Belt, the building, by reason of its design and materials, is not considered suitable for permanent retention, and it is considered that the school should be encouraged to identify measures for permanency of additional classrooms on the site, rather than propose further temporary buildings. As such, it is recommended that approval be granted on a temporary basis only.

7.08 Impact on neighbours

There would be no views of the site available from the nearest residential properties, which are located over 100m away to the west in Hudson Road. As such, the proposal would have no impact on the amenity of the occupants of the nearest residential properties.

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

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, however, given the site's location in the Green Belt it is considered that if the intention is to provide a long-term facility at the site, then a permanent building at the site would be visually more appropriate.

7.12 Disabled access

The applicant's Design and Access Statement confirms that the proposal would comply with relevant criteria in the Disability Discrimination Act 1995 and Part M of the Building Regulations. 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

A number of trees are located close to the site. However, it is not proposed to remove any as part of the works. Limited information has been provided with the application regarding proposed landscaping, and the impact the development could have on existing landscaping. However, given the relatively minor nature of the scheme, the Council's Trees/Landscape Officer has confirmed that additional information could be required by way of relevant conditions should approval be granted.

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 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 relating to contamination were attached to a recent approval for the erection of a temporary modular classroom building at the site to provide community facilities. 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.

Conditions:

It should be noted that a condition requiring the applicant to submit a scheme setting out a strategy for the long term retention of school infrastructure on site, was attached to a previous similar application at this site, approved in September 2009 (ref: 11327/APP/2009/649). The applicant has submitted details relating to that condition. However, officers have been advised that it is unlikely that permission will now be implemented due to proposed changes to the scheme, and that a new application is likely to be submitted in the near future. Accordingly, the details submitted in relation to that application are likely to be withdrawn. Therefore, in order to ensure the school is encouraged to adopt a long-term strategy for its infrastructure, whilst taking on board the sensitivities of its Green Belt location, it is recommended that the same condition is also attached to this application should approval be granted.

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 on the openness of the Green Belt sufficient to justify refusal. Officers are satisfied that there is an urgent need for the classrooms to address increasing pupil numbers and that this in itself constitutes very special circumstances. There would be no detrimental impact on the amenity of 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)

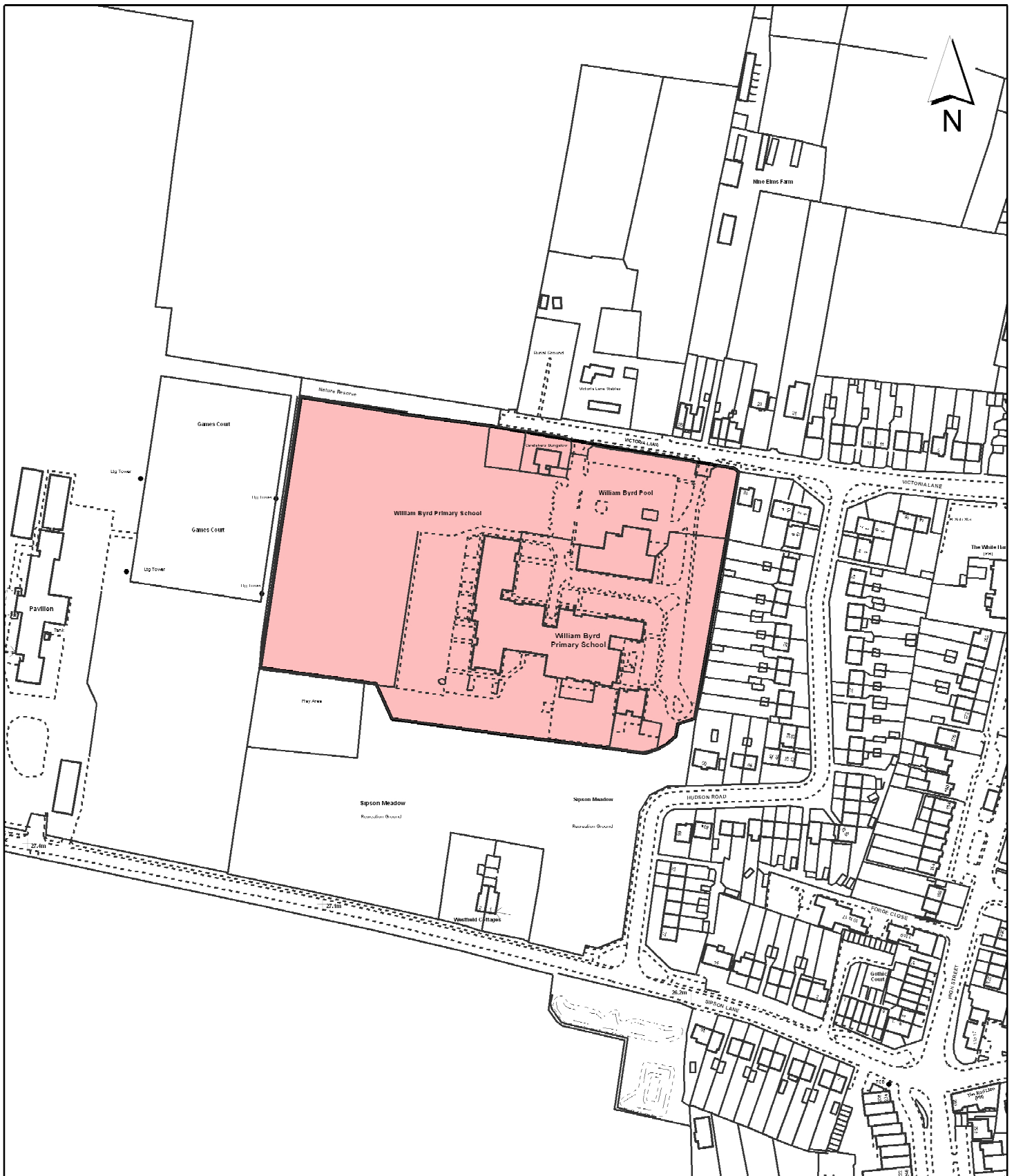
London Plan (Consolidated with Alterations since 2004)

PPG2: Green Belts


Council's Supplementary Planning Document: Accessible Hillingdon (January 2010)

Contact Officer: Johanna Hart

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Notes

 Site boundary

For identification purposes only.

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Site Address	
William Byrd Primary School, Victoria Lane, Harlington	
Planning Application Ref:	Scale
11327/APP/2010/130	1:2,500
Planning Committee	Date
Central and South	March 2010

LONDON BOROUGH OF HILLINGDON

Planning & Community Services

Civic Centre, Uxbridge, Middx. UB8 1UW
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