

## Report of the Head of Planning & Enforcement Services

**Address:** BOTWELL HOUSE CATHOLIC PRIMARY SCHOOL BOTWELL LANE HAYES

**Development:** Extension, reconfiguration and refurbishment of existing three-form entry primary school.

**LBH Ref Nos:** 719/APP/2011/1239

**Drawing Nos:**

- 4318/EX05 (Site Location Plan)
- 4318/EX01 (Ground Floor Plan as Existing)
- 4318/EX02 (First Floor Plan Layout as Existing)
- 4318/EX03 (East and West Elevations as Existing)
- 4318/EX04 (North and South Elevations as Existing)
- 4318/P107 (Proposed Site Location Plan)
- 4318/P100 (Proposed Ground Floor Layout Plan)
- 4318/P101 (Proposed First Floor Layout Plan)
- 4318/P105 Rev.A (Proposed Roof Plan)
- 4318/P106 (Proposed Landscape Plan)
- 4318/P102 (East and West Elevations as Proposed)
- 4318/P103 (North and South Elevations as Proposed)

Planning Statement prepared by DHP (UK) LLP dated May 2011

**Date Plans Received:** 20/05/2011 **Date(s) of Amendment(s):**

**Date Application Valid:** 20/05/2011

### 1. SUMMARY

This application seeks full planning permission for the extension, reconfiguration and refurbishment of Botwell House Catholic Primary School in Hayes to provide additional accommodation space for the existing 3 form of entry primary school. The proposals also seek to refurbish some of the existing accommodation to provide a functional primary school which is fully compliant with current Department for Education (DfE) guidelines.

The scheme will involve the part demolition of the existing structure, construction of new extensions and reconfiguration and refurbishment of existing areas of the school in order to update the site as a whole, and to ensure the school buildings comply with current standards. This will allow the existing nursery accommodation to be relocated close to the reception classrooms in order to provide a combined Foundation Stage area as recommended by current guidelines.

The applicant has advised that the school falls 400m<sup>2</sup> short of teaching accommodation when measured against DfE guidelines. The shortage of space is most acute in the hall, group and specialised teaching areas, however, staff accommodation is also lacking and some classrooms are undersized at under 50m<sup>2</sup>. This affects curriculum delivery and has raised serious health and safety concerns at the school. Accordingly, the proposals seek to address these issues.

The school have advised that if planning permission is not granted for the proposed changes and additional accommodation they may have no choice but to consider a reduction to 2 Form Entry. This would clearly increase demand for places at other

schools within the locality.

The applicant has confirmed that the development will not involve any increase to pupil or staff numbers at the school, but is required to improve the existing accommodation to meet the current DfE requirements.

The proposed extensions are considered to be visually acceptable in this location and would be in keeping with the character and appearance of the surrounding area. Whilst they would be clearly visible from the nearest residential properties it is not considered that they would have such an unacceptable impact on residential amenity so as to justify refusal. The applicant has confirmed that the proposals will not result in an increase in pupils or staff to the site and, accordingly, there would be no impact on parking or the local highway network as a result of the proposals.

The proposal is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

## **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 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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the new building is occupied. Development shall be carried out in accordance with the approved details.

## REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 5 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 or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority 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.

### 6 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).

**7 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 or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority 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).

**8 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 (July 2011) Policy 7.2.

**9 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).

**10 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority prior to occupation of the development. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policy 7.3 of the London Plan (July 2011).

**11 NONSC Sound Insulation Scheme**

The development shall not begin until a sound insulation scheme for the control of noise transmission to the properties on St. Anselms Road has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 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 10 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).

**13 NONSC Energy Assessment**

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The detailed assessment shall be based on the recommendations of the Renewable Energy Feasibility Study prepared by DHP, reference JB/DK/4462 in May 2011. The detailed assessment shall set out the baseline energy consumption and associated CO2 emissions of the development as if constructed to 2010 Building Regulations. The assessment shall then provide clear details of a CO2 reduction of 25% from energy efficiency measures and renewable energy (where feasible). The assessment shall include specifications of any technology to be used and their locations on suitably scaled plans. The development shall proceed in accordance with the approved plans.

**REASON**

To ensure the development reduces CO2 emissions in accordance with Policy 5.2 of the London Plan (July 2011).

**14 NONSC Grey/rain water recycling**

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and recycling of grey and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

**REASON**

To ensure the development reduces the pressure on potable water in accordance with Policy 5.3 of the London Plan (July 2011).

**15 NONSC SUDS**

No development approved by this permission shall be commenced until a scheme for the provision of sustainable drainage systems to drain surface water runoff has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that runoff can be attenuated as close to the source as possible in compliance with the London Plan's drainage hierarchy. The development shall proceed in accordance with the approved scheme.

**REASON**

To prevent the increased risk of flooding and aid adaptation to climate change in accordance with PPS25, and London Plan (July 2011) policy 5.3.

**16 SUS7 Heating and Lighting Control**

The building 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 Policies 5.2 and 5.3 of the London Plan (July 2011).

RPD2

**The first floor, south facing Obscured Glazing and Non Opening Windows** as shown on plan 4318/P101) within 21m of dwellings fronting St Anselms Road, and specifically the south facing windows to the new Group Room, Class Room 2 (Year 2), Class Room 3 (Year 1) shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**18 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).

**19 NONSC Non Standard Condition**

No antenna, masts, poles, satellite dishes or the like shall be erected on top of any of the buildings hereby approved.

**REASON**

To ensure that apparatus do not detract from the visual amenities of the area in accordance with Policies BE13 and BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**20 NONSC Non Standard Condition**

No music and/or other amplified sound arising from the premises shall be audible from the inside of surrounding or adjacent premises at any time.

**REASON**

To safeguard the amenity of the occupants of nearby residential properties in accordance with policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act

incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
S11	Service uses in Primary Shopping Areas
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.

## **3 I1 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 I2 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 I3 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 I6 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 I11 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).

#### **8 I12 Notification to Building Contractors**

The applicant/developer should ensure that the site contractor receives copies of all drawings approved and conditions/informatics 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.

#### **9 I14 Installation of Plant and Machinery**

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1½ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1½ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

#### **10 I15 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.

**11 I19 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).

**12 I28 Food Hygiene**

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

**13 I34 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 to 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](http://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](http://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](http://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](http://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.

## **14 158 Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

Please contact: Mr Peter Sale, Chief Executive Officer, Hillingdon Training Ltd: contact details - c/o Hillingdon Training Ltd, Unit A, Eagle Office Centre, The Runway, South Ruislip, HA4 6SE Tel: 01895 671 976 email: [petersale@hillingdontraining.co.uk](mailto:petersale@hillingdontraining.co.uk)

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises Botwell House Catholic Primary School, a three form of entry primary school, with nursery, located on the south west side of Botwell Lane in Hayes. The school occupies an approximately 0.85 hectare irregularly shaped plot which accommodates the main school building, playgrounds, limited storage space, car parking and access.

The existing main building, which formed the original school, is a two-storey, brick built building with pitched roof, constructed in the 1930s. The hall and nursery buildings, which essentially form a north west wing fronting onto the playground, were built in the 1970s and are of approximately one and a half-storey in height, also brick built. Block B, which links to the main school building and is located behind (north east) the hall and nursery is of a more modern design, built in 2000.

The school site is bounded to the north east by Botwell House, a Grade II listed building which appears to be in community use; to the north west by the Immaculate Heart of Mary Church and residential properties in Nield Road; to the south west by residential properties in St. Anslems Road; and to the south east by commercial properties in Station Road.

The site falls within Hayes Town Centre as shown on the Hillingdon Unitary Development Plan Proposals Map. It also falls within the Hayes/West Drayton Corridor. The properties adjoining to the south east fall within Hayes Primary Shopping Area and Botwell Lane is designated as a Local Distributor Road.

### **3.2 Proposed Scheme**

This application seeks full planning permission for the demolition of parts of the existing school, and the construction of extensions and reconfiguration and refurbishment of existing areas of the school, in order to update the site and ensure it complies with current DfE standards. The applicant has confirmed that the proposed development will not involve any increase in pupil or staff numbers, but is required to improve the existing accommodation.

The north east corner of the building, which currently forms the main entrance and reception area would be altered and extended at single-storey and at two-storey level in order to provide a new more formal and welcoming entrance, additional staff facilities and teaching space, and a first floor external teaching area. This will be clad with a metal powder coated panelling system, in keeping with that used on the existing junior classroom block (Block B). A full height curtain walled glazed system would be provided to the main entrance and a glazed canopy would also be provided.

At first floor level, an external teaching space would be provided. This would have a 1m high wall with a 1m high stainless steel balustrade and etched glass infill panels for safety and to prevent overlooking to neighbouring properties.

Along the east elevation an infill extension would be provided at ground floor level, in order to provide additional reception classroom space. This would be construction from buff facing brickwork and natural coloured render. It would have a lean to roof covered with a material designed to give it a lead roof effect. The roof would project forward to provide covered external teaching space.

Two-storey extensions would also be provided to the south west of the existing building in order to provide new classrooms, a new hall and kitchen facilities. The proposed extension would be of a modern design, finished in metal powder coated cladding, glazing and natural coloured render brickwork. All windows and doors would be double glazed and finished in white to match the existing windows at the school. A glazed canopy would be provided outside the main hall.

In total the proposed extensions would create 464m<sup>2</sup> of additional floorspace at the site.

No alterations would be made to the existing car parking layout or vehicular access arrangements to the site.

Additional tree planting and landscaping would be provided at the site as part of the proposals in order to enhance the outdoor learning areas and visual appearance of the school.

### 3.3 Relevant Planning History

719/84/1561                    Botwell House Botwell Lane Hayes  
Listed building consent to dev/alter (P)

**Decision:** 13-08-1985    Approved

719/AB/88/0720                    Botwell House Botwell Lane Hayes  
Retention of a block of two temporary classrooms

**Decision:** 17-05-1988    ALT

719/AD/95/0022                    Botwell House Botwell Lane Hayes  
Erection of extension to provide porch, covered play area and store and alterations to the external appearance in connection with use of the former kitchen as a nursery school

**Decision:** 17-02-1995    Approved

719/AE/97/1914                    Botwell Primary School Botwell Lane Hayes  
Erection of a two storey classroom block including provision of car parking

**Decision:** 10-06-1998    Approved

719/AF/98/1284                    Botwell Primary School Botwell Lane Hayes  
Relocation of temporary mobile classroom

**Decision:** 27-08-1998    ALT

719/APP/2003/991                    Botwell House R.C.Primary School Botwell Lane Hayes Middlesex  
ERECTION OF A SINGLE STOREY EXTENSION TO EXISTING NURSERY CLASSROOM

**Decision:** 06-06-2003    Approved

719/APP/2007/3633                    Botwell House R.C. Primary School Botwell Lane Hayes  
CONSTRUCTION OF A NEW HABITAT AREA FOR EXTERNAL TEACHING PURPOSES, WITH NEW EXTERNAL BRICK WALL, RAILINGS AND FENCING INVOLVING INSTALLATION OF UMBRELLA CANOPIES, BENCHES, CCTV CAMERAS, NEW ENTRANCE GATES AND LANDSCAPING.

**Decision:** 24-01-2008    Refused

719/APP/2008/3386      Botwell House R.C.Primary School Botwell Lane Hayes Middlesex

Erection of a 2.8m high rendered blockwork and weld mesh wall along the south eastern side boundary, and refurbishment of the playground involving new 1.8m high boundary wall comprising piers, railings and gate to form a new enclosed parents waiting area, and installation of new playground furniture including sail shade

**Decision:** 03-02-2009    Approved

719/APP/2009/449      Botwell House R.C.Primary School Botwell Lane Hayes Middlesex

Details in compliance with condition 2 (external materials) condition 5 (Tree Protection) 6 (Landscape Scheme), 8 (landscape maintenance) of planning permission (Ref 719/APP/2008/3386) dated 3/2/2009: Erection of a 2.8m high rendered blockwork and weld mesh wall along the south eastern side boundary, and refurbishment of the playground involving a new 1.8m high boundary wall comprising piers, railing and gate, and installation of new playground furniture including sail shade.

**Decision:** 27-08-2009    Approved

719/N/77/0577      Botwell House Botwell Lane Hayes

Extension/Alterations to Educational premises (P) of 110 sq.m.

**Decision:** 06-09-1977    ALT

719/P/78/2098      Botwell House Botwell Lane Hayes

Extension/Alterations to Commercial premises (P) of 60 sq.m.

**Decision:** 06-04-1979    Approved

719/Q/78/2099      Botwell House Botwell Lane Hayes

Extension/Alterations to Leisure premises (P) of 50 sq.m.

**Decision:** 06-04-1979    Approved

719/R/79/1450      Botwell House Botwell Lane Hayes

Details in compliance with 00719/782098(P)

**Decision:** 10-10-1979    Approved

719/S/80/0125      Botwell House Botwell Lane Hayes

Extension/Alterations to Commercial premises (P) of 152 sq.m.

**Decision:** 16-04-1980    Approved

719/T/82/1359      Botwell House Botwell Lane Hayes

Educational dev. - 50sq.m. (Full)(P)

**Decision:** 08-12-1982 ALT

719/Y/84/1620 Botwell House Botwell Lane Hayes  
Extension/Alterations to Religious premises (P) of 48 sq.m.

**Decision:** 13-08-1985 Approved

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

The site has an extensive planning history as summarised above.

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

Hillingdon Unitary Development Plan Saved Policies (September 2007)  
London Plan (July 2011)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Guidance 13 (Transport)  
Planning Policy Statement 22 (Renewable Energy)  
Council's Supplementary Planning Document - Noise  
Council's Supplementary Planning Guidance - Air Quality  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Guidance - Accessible Hillingdon  
Council's Supplementary planning Document - Residential Layouts

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

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

Part 1 Policies:

- 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:

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- 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
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE5 Siting of noise-sensitive developments

S11	Service uses in Primary Shopping Areas
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R16	Accessibility for elderly people, people with disabilities, women and children
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **29th June 2011**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Consultation letters were sent to 95 local owner/occupiers and a press notice was posted. Two letters of objection, including a 30 signature petition have been received, which raised the following concerns:

- i) The proposed building will be too close to nearby properties, therefore impacting on the quality of life of residents.
- ii) Proximity of the south facing aspect of the school on properties in St Anselms Road.
- iii) Loss of light, particularly during winter months.
- iv) Noise pollution from the classrooms.
- v) The proposed buildings will be an eyesore.
- vi) The proposals will make neighbouring properties feel 'boxed in.'
- vii) The building should be at least 20m from the boundary with the nearest residential properties.
- viii) Most properties are built with adjoining back gardens in order to maintain minimum distances between dwellings. This proposal ignores this concept.
- ix) Loss of privacy.
- x) As the height of the proposals exceeds that of residential properties it will feel more like a three-storey house in very close proximity.
- xi) Impact on residential amenity.

The applicant has responded to the petition, raising the following points:

- i) Of the total 31 No. signatures on the petition, this relates to a total of 17 No. households.
- ii) 9 No. of the household which have signed the petition, objecting to the application on the basis that {the proposed plans are far too close to their properties and therefore are going to impact on their quality of life} are located sufficiently remotely from the proposed works to be unaffected. These properties do not have boundaries that directly abut the school site and therefore should be completely unaffected by the proposed works.
- iii) Of the signatures received, only 8 No. households have boundaries that directly abut the school

site and from which the proposed extensions will be visible.

### **Internal Consultees**

#### **ENVIRONMENTAL PROTECTION UNIT**

A number of sensitive receptors have been identified as being sufficiently close to the proposed school extension as to be potentially impacted by reason of noise and construction works, including residential properties along St Anselms Road. Therefore, should approval be granted, conditions relating to sound insulation and demolition and construction should be attached. The standard informative relating to nuisance from demolition and construction work should also be attached.

#### **ACCESS OFFICER**

No objection.

#### **TREES/LANDSCAPE OFFICER**

TPO/Conservation Area: No

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (on-site): There are several mature trees within the site (mainly along its frontage) that contribute to the amenity and arboreal character of the area, however very few are close to the proposed extensions. The ones that are close have been shown on the plans and are afforded protection by the hard surface of the playground that surrounds them. Furthermore, protective fencing is also proposed.

Significant trees/other vegetation of merit in terms of Saved Policy BE38 (off-site): None that will be affected.

Scope for new planting: Several new trees have been shown on the proposed plans.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to conditions TL2, TL3 and TL6.

#### **HIGHWAY ENGINEER**

Given that there would not be an increase in staff or student numbers, the proposal would not result in any unacceptable impacts. No objection.

#### **SUSTAINABILITY OFFICER**

No objections are raised to the proposed development subject to the following:

Energy: The submitted energy strategy is broadly acceptable although there is a lack of evidence based information justifying why there is only a 3% reduction in CO2 from renewable energy. In particular the cost figures relating to Photovoltaic Panels (per m<sup>2</sup>) is excessive and the capital cost is not considered against the lifetime benefits, including consideration of feed in tariffs.

However, as the replacement London Plan puts more emphasis on CO2 reduction from energy efficiency the broad strategy is sufficient for this stage of the development process. A condition should be attached to connect the final development to the outlined energy strategy:

Sustainability: Schools use a considerable amount of potable water. The London Borough of Hillingdon, like much of London, is in a water stressed area. As a consequence there is a pressing need to reduce the impacts on potable water. Therefore a condition relating to grey/rain water recycling should be attached.

SUDS: A condition relating to this should be attached if approval is granted.

#### TRANSPORT & AVIATION TEAM

The school travel plan provided as written in conjunction with the Transport & Aviation Team has been signed off and accepted. If the number of pupils or staff is not to increase then this travel plan is acceptable and this team will continue to work with the school to review yearly.

#### WASTE STRATEGY

- a) If a bin enclosure is built there must be at least 150mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosure must also allow good access to the bins allocated for use (i.e at the front of the enclosure) by school staff, and for the bins to be rotated in between collections.
- b) The material used for the floor of the bin storage area should be 100mm thick to withstand the weight of the bulk bins.
- c) If gates/doors are added to the bin stores these need to be made of either metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. The doorway should allow clearance of 150mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.
- d) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard).
- e) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.
- f) The access roads must be made strong enough to withstand the load of a 26 tonne refuse collection vehicle. The roads must also allow the vehicle to drive and manoeuvre safely in between collection points.
- g) If the value of the construction project is in excess of £300,000, the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.
- h) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

#### S106 OFFICER

There are no S106 requirements for this application.

### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

Policy R10 of the Council's Unitary Development Plan Saved Policies (September 2007) seeks to encourage the provision of enhanced educational facilities across the borough, stating:

"The Local Planning Authority will regard proposals for new meeting halls, buildings for education, social, community and health services, including libraries, nursery, primary and secondary school buildings, as acceptable in principle subject to the other policies of this plan."

Whilst the site falls within Hayes Town Centre, and Policy S11 seeks to encourage uses

such as Class A1 shops, banks and building societies and Class A3 food and drink uses in town centre locations, this is an existing established school site. Its expansion would have not have a detrimental impact on the viability or vitality of Hayes Town Centre. Accordingly, no objections are raised to the principle of the development subject to the proposal meeting site specific criteria.

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

not applicable to this type of development.

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

The site does not fall within a Archaeological Priority Area and there are no Conservation Areas or Areas of Special Local Character within the vicinity. Botwell House, to the north of the school site, is a Grade II Listed Building. However, the proposed extensions would be located to the rear of the school site and would not be visible from here. Accordingly, they would have no impact on the setting of the listed building.

#### **7.04 Airport safeguarding**

Not applicable. There is no requirement to consult with the airport safeguarding authorities in this instance.

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

Not applicable. There is no Green Belt land within the vicinity of the application site.

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

The surrounding area is very mixed in nature, characterised by two-storey terraced residential properties to the south and west, the large brick built Immaculate Heart of Mary Church and Botwell House, which ranges in height from single-storey to three-storeys in height to the north, and two to four-storey commercial properties in Hayes Town Centre to the east.

The existing school, is set well back from Botwell Road, much of it largely hidden from view from surrounding buildings. Whilst, the original building is of a 1930s brick built design with pitched roof, it has been altered and extended several times in the past, the most obvious extension added in 2000. It is considered that the proposed extensions, which would be modern in design, would provide a clear visual separation between the original school building, whilst respecting its character, and that they would be in keeping with the more recent modern extensions and, in particular Block B.

It is considered that the proposals would enhance the visual appearance of the site as viewed from Botwell Lane and would be in keeping with the character and appearance of the surrounding area.

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

The nearest residential properties to the proposed site are located in St. Ansems Road to the south and Nield Road to the west. In both cases the gardens of these properties back directly onto the school site. With a maximum height of approximately 8m the proposed extension closest to these properties, would not exceed that of the existing school building, nor would it project beyond the existing rear building line of the school.

Guidance within the Council's Supplementary Planning Document on Residential Extensions states that "where a two or more storey building abuts a property or its garden, adequate distance should be maintained in order to overcome possible overdomination." 15m will usually be the minimum acceptable distance.

The rear elevation of the nearest properties, located in St. Ansems Road would be located approximately 18m away from the nearest elevation of the proposed extension.

Whilst this complies with current Council guidelines, the applicant has, nevertheless, submitted a daylight and overshadowing analysis in order to demonstrate that the proposal would not have an unacceptable impact on the residential amenity of the nearest residential occupants in terms of overshadowing. Diagrams showing the impact of the development throughout the day at various times of year have been provided. The properties in St Anselms Road have north facing gardens, hence the diagrams clearly demonstrate that the proposed extensions will not result in a loss of light to the nearest residential properties. Accordingly, it is not considered that the proposal would have a significant impact on the residential amenity of the occupants of the nearest residential properties, in terms of over prominence or loss of light, sufficient to justify refusal.

In terms of overlooking, the Council's Supplementary Planning Document on Residential Layouts stages that a minimum of 21m should be provided between facing habitable room windows. Whilst the southern armature of the proposed extension would have windows within 21m of habitable room windows in the nearest residential properties, the plans show that these would be at a high level and obscure glazed in order to ensure that overlooking is not an issue. Given that these do not serve habitable rooms this is considered to be acceptable and it is not considered that refusal could be justified on grounds of overlooking.

The nearest properties in Nield Road are located approximately 45m away from the nearest residential properties and, accordingly, it is not considered that the proposals would have any detrimental impact on the residential amenity of occupants of properties in Nield road to the west.

The proposed new first floor play area would be located towards the north east corner of the school building. Commercial properties in Station Road adjoin the site's eastern boundary. Nevertheless, the design would ensure that overlooking is minimised. This is considered to be a sufficient distance away from the nearest residential properties so as not to impact on residential amenity.

Given the above, the proposal is considered to comply with UDP policies BE19, BE20, BE21 and BE24 and guidance within the Council's Supplementary Planning Document on Residential Extensions and it is not considered that the proposals would have a detrimental impact on residential amenity sufficient to justify refusal.

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

Not applicable for this type of development.

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

No alterations are proposed to the existing car parking layout or site access arrangements. The applicant has confirmed that the proposals will not result in any increase in pupils or staff to the site. Accordingly, it is not considered that the proposals would result in any additional vehicle trips to/from the site or that they would have any impact on highway or pedestrian safety.

Notably, the applicant has submitted a copy of the school's Travel Plan with the application. Officers in the Council's Transport and Aviation Team have confirmed that given there will be no increase in staff or pupil numbers, the existing Travel Plan is acceptable and that this will be monitored and reviewed, on an annual basis, in conjunction with the Council.

#### **7.11 Urban design, access and security**

This issue has been largely addressed in part 7.07 of the report. The size, scale, height,

bulk and design of the proposed extensions are considered to be acceptable in this location and would be in keeping with that of the original building.

The proposed extensions would be modern in design, finished in blue metal powder-coated cladding, rendered brickwork, and glazing. In terms of materials, this would be in keeping with Block B which was added in 2000 and would compliment the older nature of the original building. The use of blue would make a feature of the new entrance/foyer area and is considered to be acceptable in this instance.

The proposals would be in keeping with the character and appearance of the surrounding area and are considered to be visually acceptable in this location.

#### **7.12 Disabled access**

The applicant's Design and Access Statement confirms that the proposals will fully comply with relevant criteria within Part M of the Building Regulations, BS 8300 and The Council's Supplementary Planning Document: Accessible Hillingdon.

Level access would be provided to all parts of the building at ground floor level and lifts would provide access to first floor level. Main corridors, doorways and circulation space would comply with minimum width standards and accessible toilets would be provided. The Design and Access Statement also confirms that consideration has been given to layout, lighting, the entrance lobby and reception area, and specialist teaching areas to ensure the school is fully accessible. The Council's Access Officer has raised no objections to the proposals.

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

Not applicable to this type of development.

#### **7.14 Trees, landscaping and Ecology**

The majority of the existing school site is covered with hardstanding with limited tree planting and landscaping in place at present. The applicant has submitted an Arboricultural Implication Assessment, which forms an appendix to the Design and Access Statement, which confirms that the site comprises only ten trees, which vary in terms of species, size and quality.

The proposals would result in the loss of one existing tree. Whilst in fair condition, this has caused significant maintenance issues for the school due to damage caused by the root system. The Council's Trees/Landscape Officer has raised no objections to its removal. No other trees would be impacted by the proposals.

it is proposed to remove existing tarmac along part of the site's southern boundary and replace this with a soft landscaped 'habitat area'. A number of new trees would also be planted around the site. The Council's Trees/Landscape Officer has raised no objections to the proposals subject to standard conditions.

#### **7.15 Sustainable waste management**

The school ultimately has discretion over which waste management methods are used. Nevertheless, the plans indicate that an internal refuse store would be provided adjacent to the kitchen area. The applicant has confirmed that this will be secure, screened and brick built with lockable containers. This would be capable of housing up to five large bins and exceeds the school's current requirements in anticipation of an increase in recycling at the school in the future. Given that this bin enclosure will be integrated into the building's design, and would not be visible from outside the site, it is not considered that any further details are required in this respect in this instance.

## **7.16 Renewable energy / Sustainability**

Policy 5.2 of The London (July 2011) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions by using less energy, using energy more efficiently and through use of renewable energy. It goes on to state that all major development proposals must be accompanied by an energy assessment.

In accordance with this policy the applicant has submitted a Sustainable Design and Construction Statement and a Renewable Energy Feasibility Report. The Sustainable Design and Construction Statement confirms that sustainable methods of design and construction will be sought and that the development will achieve a BREEAM rating a excellent.

The Renewable Energy Feasibility Report investigates the use of various renewable energy sources. It concludes that due to the existing structure and site constraints, and technical limitations, several renewable energy sources have had to be ruled out. However, through the use of sustainable design and construction and use of renewable technologies such as air source heat pumps, solar thermal panels and photovoltaics, carbon emissions across the whole building will be reduced by approximately 26% (3% through the use of renewable energy sources).

The Council's Sustainability Officer has confirmed that the details provided are acceptable at this stage. Accordingly, no objections have been raised subject to conditions requiring the submission of a more detailed Energy Assessment.

## **7.17 Flooding or Drainage Issues**

The site is not located within a floodplain and no issues relating to flooding have been identified. Conditions relating to Sustainable Urban Drainage Systems will be attached should approval be granted.

## **7.18 Noise or Air Quality Issues**

It is not considered that the proposals would have any impact on local air quality as they would not result in an increase in pupils or staff at the site. Notably, officers in the Council's Environmental Protection Unit have raised no objections in this respect.

In terms of noise, the proposals would not result in an increase in children using the site or the provision of any new play areas in close proximity to neighbouring residential properties. Nevertheless, it would result in the presence of additional classrooms and teaching space in close proximity to the boundary with properties in St.Ansems Road. Accordingly, officers in the Council's Environmental Protection Unit have recommended that a condition relating to noise insulation be attached, should approval be granted.

Whilst a first floor level outdoor playspace would be provided, this is considered to be of sufficient distance away from the nearest residential properties so as not to cause significant noise disturbance. Notably, officers in the Council's Environmental Protection Unit have raised no objections in this respect.

## **7.19 Comments on Public Consultations**

The concerns raised by local residents have been addressed in the report.

## **7.20 Planning obligations**

Not applicable to this application.

## **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**

#### **10. CONCLUSION**

The size, scale design and external appearance of the proposed extensions is considered to be visually acceptable in this location, and would be in keeping with the character and appearance of the existing school and surrounding area.

Objections raised by local residents are noted. However, the applicant has submitted sufficient information to demonstrate that the proposal would not have an unacceptable impact on residential amenities in terms of overdominance, overlooking or overshadowing. Furthermore, the proposals fully comply with current Council guidelines in this respect.

The applicant has confirmed that the proposals seek to increase space within the existing school, in order to meet DfE recommendations and standards, and that there will be no increase in pupil or staff numbers as a result of the proposals. Accordingly, there will be no impacts on existing parking or the surrounding highway network, as a result of the development.

The proposal is considered to comply with relevant UDP and London Plan policies in addition to guidance within the Council's Supplementary Planning Documents on

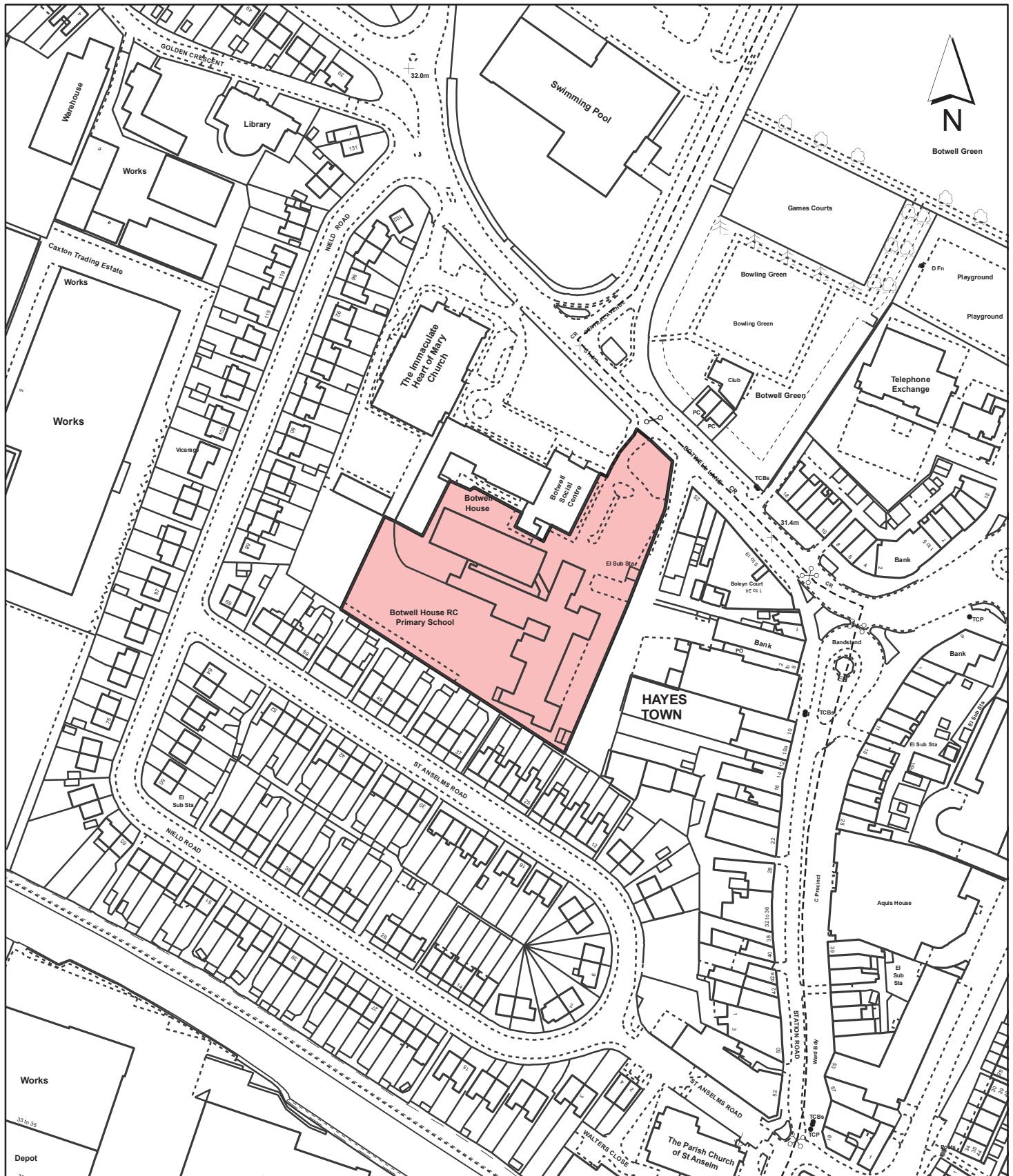
Residential Layouts and Accessibility. Accordingly, approval is recommended subject to conditions.

#### **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies (September 2007)  
London Plan (July 2011)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Guidance 13 (Transport)  
Planning Policy Statement 22 (Renewable Energy)  
Council's Supplementary Planning Document - Noise  
Council's Supplementary Planning Guidance - Air Quality  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Guidance - Accessible Hillingdon  
Council's Supplementary planning Document - Residential Layouts

**Contact Officer:** Johanna Hart

**Telephone No:** 01895 250230



### Notes

  Site boundary

For identification purposes only.

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### Site Address

**Botwell House Catholic Primary School  
Botwell Lane  
Hayes**

**LONDON BOROUGH  
OF HILLINGDON**

Planning,  
Environment, Education  
& Community Services  
Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref: **719/APP/2011/1239**

Scale

**1:2,000**

Planning Committee

Date

**Central and South**

**July  
2011**



**HILLINGDON**  
LONDON