



# Central & South Planning Committee

Date:TUESDAY, 18 SEPTEMBER<br/>2018Time:7.00 PM

- Venue: COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE
- MeetingMembers of the Public andDetails:Press are welcome to attend<br/>this meeting

#### To Councillors on the Committee

Councillor Ian Edwards (Chairman) Councillor David Yarrow (Vice-Chairman) Councillor Shehryar Ahmad-Wallana Councillor Mohinder Birah Councillor Nicola Brightman Councillor Roy Chamdal Councillor Alan Chapman Councillor Jazz Dhillon Councillor Janet Duncan

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Putting our residents first

Lloyd White Head of Democratic Services London Borough of Hillingdon, Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW www.hillingdon.gov.uk

# Useful information for residents and visitors

# Watching & recording this meeting

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When present in the room, silent mode should be enabled for all mobile devices.

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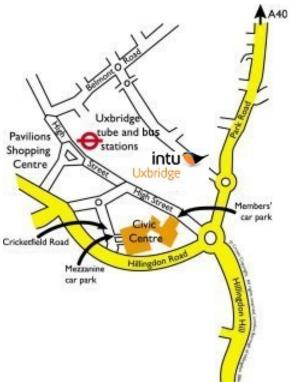
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# A useful guide for those attending Planning Committee meetings

#### Security and Safety information

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**Mobile telephones** - Please switch off any mobile telephones before the meeting.

#### **Petitions and Councillors**

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

Ward Councillors - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

#### How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

- 1. The Chairman will announce the report;
- 2. The Planning Officer will introduce it; with a presentation of plans and photographs;
- If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

- 4. The Committee may ask questions of the petition organiser or of the agent/applicant;
- 5. The Committee debate the item and may seek clarification from officers;
- 6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

#### About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee <u>cannot</u> take into account issues which are not planning considerations such a the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

## Agenda

## **Chairman's Announcements**

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting 1 10
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

## PART I - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

#### **APPLICATIONS WITHOUT A PETITION**

6	Point West Building, Uxbridge Road, Hayes 24/APP/2018/2323	Barnhill	The installation of a 10.5m high rooftop monopole housing 2 x 0.9m microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West <b>Recommendation: Approval</b>	11 – 24 69 - 75
7	Brunel University, Kingston Lane, Hillingdon 532/APP/2018/2644	Brunel	Provision of 2 new doorsets to the eastern elevation of the Hamilton Centre <b>Recommendation: Approval</b>	25 – 32 76 - 80
8	Hillingdon Garden Centre, Pield Heath Road, Hillingdon 13831/APP/2017/1217	Brunel	Temporary change of use from garden centre to parking for Hillingdon Hospital staff for a period of two years. <b>Recommendation: Approval</b>	33 – 48 81 - 84

9	78 Pole Hill Road, Hillingdon	Hillingdon East	Conversion of attached garage to habitable use to include alterations	49 – 58
			to front elevation	85 - 90
	55824/APP/2018/2602			
			Recommendation: Approval	

# PART II - MEMBERS ONLY

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

10 Enforcement Report

59 - 68

# PART I - Plans for Central and South Planning Committee 69 - 90

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# Agenda Item 3



#### **CENTRAL** & South Planning Committee

## 29 August 2018

## Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge

	<b>Committee Members Present</b> : Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad- Wallana, Mohinder Birah, Nicola Brightman, Roy Chamdal, Alan Chapman, Jazz Dhillon and Janet Duncan
	LBH Officers Present: Armid Akram (Highways Development Control Officer), Chris Brady (Assistant Planning Officer), Meghji Hirani (Planning Contracts & Planning Information), Kerrie Munro, James Rodger (Head of Planning and Enforcement) and Luke Taylor (Democratic Services Officer)
73.	APOLOGIES FOR ABSENCE (Agenda Item 1)
	There were no apologies for absence.
74.	<b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (Agenda Item 2)
	Councillor Ahmad-Wallana declared non-pecuniary interests in Items 6 and 7, and left the room during the discussion of these items.
	Councillor Edwards declared a non-pecuniary interest in Item 24, and left the room during the discussion of this item.
75.	<b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (Agenda Item 3)
	RESOLVED: That the minutes of the meeting held on 7 August 2018 be approved as a correct record.
76.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
	None.
77.	TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (Agenda Item 5)
	It was confirmed that all item marked Part I would be considered in public, and all items marked Part II would be considered in private.

78.	THE CROWN P.H., COLHAM GREEN ROAD, HILLINGDON - 3318/APP/2017/1753 (Agenda Item 6)
	Change of use of ground floor from public house (Use Class A4) to office (Use Class B1a) and retention of first floor residential accommodation.
	Officers introduced the application and noted the addendum, which included the addition of two further conditions. The Committee was informed that the fencing and storage buildings did not form part of this application.
	A petitioner representing Violet Terrace and Colham Green Residents' Association addressed the Committee and noted that a petitioner was submitted originally as conditional support for the application. Members heard that the petitioner welcomed Conditions 2 and 8, and that photos previously circulated to the Committee showed a number of actions taken on the site that were not included in the planning application. The petitioner noted that the re-aligned fence, second access gate and storage that is occurring on site have all been reported to the Council and that residents are keen for enforcement where permitted.
	Responding to questioning, the officers noted that the second access gate was not authorised and was being investigated. Officers also confirmed that a number of issues occurred before the application was submitted, and these would be subject to enforcement, while conditions would be in place to ensure it did not happen again.
	Members agreed that the wording of Condition 1 could be altered to ensure that any unauthorised action was recognised in the conditions, and that this action would be delegated to the Head of Planning and Enforcement. Councillors also noted that the wording of Condition 8 required a change of wording.
	The Committee requested that an enforcement report related to the site be brought before them as soon as possible.
	Members agreed that, subject to the conditions and the future enforcement report, the application was acceptable and moved, seconded and unanimously approved the officer's recommendation.
	RESOLVED: That the application be approved, subject to:
	1. Delegated authority to the Head of Planning and Enforcement to amend the wording of Condition 1;
	2. The deletion of the wording "Part 3, Schedule 2 GPDO 1995" from Condition 8; and
	3. The addition of Conditions 9 and 10, as outlined in the addendum.
79.	LAND ADJACENT TO 70 VIOLET AVENUE, HILLINGDON - 73222/APP/2018/1022 (Agenda Item 7)
	Erection of a three-storey building to include one one-bed, one two-bed, one three-bed self-contained flats with associated amenity space.
	Officers introduced the report which sought the erection of a three-storey building to contain three self-contained flats of varying size, with associated amenity space.

A petition was received in objection to the application, but the petitioner was not able to attend the meeting.

The agent for the application address the Committee, and noted that the proposed application was only 30cm higher than the current building, with a lower-level, rearelement to the building that was not visible from the street. Members heard that the proposed application was made with redbrick to harmonise with the street scene, and sits on a corner plot which allows the opportunity for a larger house. The agent stated that there was no impact on local amenities and that there were no planned removals of trees on the site.

Responding to questioning from the Committee, the agent for the application confirmed that there is a small apple tree on the site of the building that can be relocated and the large tree would not be removed and that the rectangular design used element of the current building.

Officers confirmed that the Landscape Officer was under the impression that the tree to the front of the property would be removed, under the current plans.

Members commented that the building ran the full length of the plot and would be sited on a very prominent site. The Committee noted their approval for the design of the property and its modern look, but agreed that the design was not in keeping with the street scene, by virtue of its size, bulk and design.

Councillors noted that the design would work on a different site, but the proposal was visually incongruous with the street scene. There was concern that trees may be removed on the site, and that no proper tree survey had taken place.

Members agreed to include the word "design" in reason for refusal 1, and moved the officers recommendation, subject to this change. The recommendation was seconded, and upon being put to a vote, unanimously agreed.

RESOLVED: That the application be refused, subject to the addition of the word "design" in Reason for Refusal 1.

80. EASTERN GATEWAY, BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2018/2501 (Agenda Item 8)

Installation of a docking station for ten bikes.

This item was heard alongside Items 9, 10 and 14.

Officers introduced the application, which sought full planning permission for a docking station for ten bikes, which were to be used as part of a new bike share scheme, and was in conjunction with other docking stations located within the Brunel Campus, as well as Hillingdon Hospital and Uxbridge High Street.

Members agreed that the proposals would add to the Green Belt as they would improve air quality, as it would lead to less cars being used. The Committee welcomed the application and stated their support for more proposals similar to this one.

The Committee moved, seconded and unanimously agreed the officer's recommendation at a vote.

**RESOLVED:** That the application be approved.

81.	BANNERMAN CENTRE, BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2018/2502 (Agenda Item 9)
	Installation of a docking station for ten bikes.
	This application was heard alongside Items 8, 10 and 14.
	The officer's recommendation was moved, seconded and unanimously agreed.
	RESOLVED: That the application was approved.
82.	SPORTS PAVILION, BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2018/2503 (Agenda Item 10)
	Installation of a docking station for ten bikes at the Sports Pavilion.
	This application was heard alongside Items 8, 9 and 14.
	Members moved, seconded and, upon being put to a vote, unanimously agreed the officer's recommendation.
	RESOLVED: That the application be approved.
83.	611 SIPSON ROAD, WEST DRAYTON - 43922/APP/2017/661 (Agenda Item 11)
	Use of site as a hand car wash business to include a storage cabin (Retrospective).
	Officers introduced the application and noted the addendum.
	Responding to Councillors' questioning, officers confirmed that the site was within the Green Belt and the uses of the site are authorised and lawful, having been in place over ten years.
	The Committee noted that there were issues regarding a car wash in the Green Belt, and agreed that a the building should be removed once the building was no longer required for a car wash.
	Members expressed concern over the amount of time it would take to dispose of foul water, and agreed that three months was too long for this to take place. It was noted that the water flow must be well-managed to avoid draining onto the road, and that one month was a more appropriate time-frame for this.
	Councillors supported robust conditioning on the site, and were concerned about the noise generated by the business. As such, it was agreed that the car wash should open at 8am, and that the condition regarding sound could be strengthened to ensure that maximum sound from the business was at the boundary of the site. Members also expressed their support for the addition of oil interceptors in Condition 5, and that the Condition regarding floodlighting was strengthened to ensure that the height, hours and strength of the lighting did not impact on local residents.
	Members moved and seconded the officer's recommendation, subject to the additional conditions proposed, and upon being put to a vote, this was unanimously agreed.

	RESOLVED: That the application be approved, subject to delegated authority to the Chairman and Labour Lead Member, in conjunction with the Head of Planning and Enforcement to agree:
	<ol> <li>An alteration to the Condition 2 to change the hours of operation to 0800 – 1800 on Mondays to Saturdays;</li> </ol>
	2. An alteration to Condition 3 to ensure that the maximum noise from the site did not pass the site boundaries;
	3. The inclusion of oil interceptors within the conditions;
	4. The alteration of Condition 5 to ensure that a scheme for the disposal of foul and surface water associated with the development was approved within one month of this permission; and,
	5. The addition of a condition to ensure that the planning permission be a temporary approval for the length of time that the car wash is in use.
84.	SOUTH OF M4, HARMONDSWORTH ROAD, WEST DRAYTON - 70429/APP/2018/2629 (Agenda Item 12)
	Removal of existing 17.5m high telecommunications monopole and installation of a new 20m high slimline monopole with feeder cabinet at base and two 0.6m diameter dishes, installation of an equipment cabinet and ancillary development (Application under Part 16 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 2015 for determination as to whether prior approval is required for siting and appearance).
	Officers introduced the report and noted the addendum, which outlined that officers now recommended the application for approval, subject to conditions.
	The Committee noted the changes in the addendum, and moved, seconded and unanimously agreed the revised officer's recommendation.
	RESOLVED: That the application be approved, subject to conditions as set out in the addendum.
85.	LAND FORMING PART OF 26, AND 26 WINDSOR AVENUE, HILLINGDON - 63542/APP/2018/2069 (Agenda Item 13)
	Two-storey, two-bed dwelling with associated parking and amenity space and single-storey, rear extension to existing dwelling.
	Officers introduced the application and noted that a very similar application on the site was refused and the appeal dismissed by the Planning Inspectorate.
	The Committee heard that the proposed application was larger than the previous application that was refused, and further issues regarding parking and the loss of the mature street tree had arisen.
	Members moved, seconded and, upon being put to a vote, agreed the officer's recommendation unanimously.
	RESOLVED: That the application be refused.

86.	ISAMBARD COMPLEX, BRUNEL UNIVERSITY, KINGSTON LANE, HILLINGDON - 532/APP/2018/2504 (Agenda Item 14)
	Installation of a docking station for ten bikes.
	This application was heard alongside Items 8, 9 and 10.
	The Committee moved, seconded and unanimously agreed the officer's recommendation at a vote.
	RESOLVED: That the application be approved.
87.	42 MYDDLETON ROAD, UXBRIDGE - 47145/APP/2018/1673 (Agenda Item 15)
	Part two-storey, part single-storey rear extension and two rear rooflights.
	Officers introduced the application, relating to a two-storey, detached dwelling house.
	Members moved and seconded the officer's recommendation, and upon being put a vote, the officer's recommendation was agreed.
	RESOLVED: That the application be approved.
88.	44 WATERLOO ROAD, UXBRIDGE - 1654/APP/2018/2235 (Agenda Item 16)
	Officers introduced the report, which was approved under prior approval. This application requested the removal of three parking spaces that were conditioned under the prior approval.
	The Committee noted that the removal of the parking spaces would further parking issues in the area and was not acceptable.
	Councillors moved, seconded and unanimously agreed the officer's recommendation upon being put a vote.
	RESOLVED: That the application be refused.
89.	ENFORCEMENT REPORT (Agenda Item 17)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Page 6

	Government (Access to Information) Act 1985 as amended).		
90.	ENFORCEMENT REPORT (Agenda Item 18)		
	RESOLVED:		
	1. That the enforcement action as recommended in the officer's report was agreed.		
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.		
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).		
91.	ENFORCEMENT REPORT (Agenda Item 19)		
	RESOLVED:		
	1. That the enforcement action as recommended in the officer's report was agreed.		
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.		
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).		
92.	ENFORCEMENT REPORT (Agenda Item 20)		
	RESOLVED:		
	1. That the enforcement action as recommended in the officer's report was agreed, subject to a change in the compliance period to three months.		
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.		
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in		

	withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
93.	ENFORCEMENT REPORT (Agenda Item 21)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
94.	ENFORCEMENT REPORT (Agenda Item 22)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which
	requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
95.	ENFORCEMENT REPORT (Agenda Item 23)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority Page 8

	proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
96.	ENFORCEMENT REPORT (Agenda Item 24)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.
	This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).
	The meeting, which commenced at 7.00 pm, closed at 8.20 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250 693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings. This page is intentionally left blank

# Agenda Item 6

#### Report of the Head of Planning, Transportation and Regeneration

Address POINT WEST BUILDING UXBRIDGE ROAD HAYES

**Development:** The installation of a 10.5m high rooftop monopole housing 2 x 0.9m microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West

**LBH Ref Nos:** 24/APP/2018/2323

Drawing Nos: HPW/04 Rev. C ICNIRP Declaration Developer's Notice HPW/03 Rev. C HPW/02 Rev. C Design and Access Statement Site Specific Supplementary Information HPW/01 Rev. C

Date Plans Received: 22/06/2018

Date(s) of Amendment(s):

Date Application Valid: 22/06/2018

#### 1. SUMMARY

Planning permission is sought for the installation of a 10.5m high rooftop monopole housing  $2 \times 0.9m$  microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West, Uxbridge Road.

Due to the size, location and height above ground level, the proposed development is considered to be appropriate on this rooftop, and would not cause harm to the character and appearance of the area.

The proposal therefore complies with Policies BE13, BE15 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is recommended for approval.

#### 2. **RECOMMENDATION**

**APPROVAL** subject to the following:

#### 1 COM3 Time Limit

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

#### REASON

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

#### 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, HPW/02 Rev. C, HPW/03 Rev. C and HPW/04 Rev. C and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the London Plan (2016).

#### 3 NONSC Non Standard Condition

Any apparatus or structure provided in accordance with this permission shall be removed from the land, as soon as reasonably practicable after it is no longer required for electronic communications purposes and the land shall be restored to its condition before the development took place, or to any other condition as may be agreed in writing with the Local Planning Authority.

#### REASON

To ensure that the development is removed as soon as it is no longer required in order to protect the character and appearance of the area in accordance with Policies BE13 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **INFORMATIVES**

#### 1I52Compulsory 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE37 Telecommunications developments siting and design
- NPPF- 10 NPPF-10 2018 Supporting high quality communications

#### **3** I59 **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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).

#### 5 l2 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 may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

#### 6 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 which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) 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.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

Point West is a mixed use nine-storey building located on the northern side of the Uxbridge Road. The site is located within the Uxbridge Road Town Centre and the Developed Area as identified within the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The building is prominent within the street scene with a number of telecommunication installations on the roof.

#### 3.2 **Proposed Scheme**

Planning permission is sought for the installation of a 10.5m high rooftop monopole housing  $2 \times 0.9m$  microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West, Uxbridge Road.

#### 3.3 Relevant Planning History

#### 24/AB/97/1898 1040 Uxbridge Road Hayes

Erection of two free standing equipment cabins (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)

Decision: 22-12-1997 Approved

#### 24/AD/98/0361 Point West, 1040 Uxbridge Road Hayes

Erection of 3 free standing telecommunications equipment cabins (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)

Decision: 23-03-1998 Approved

#### 24/AE/98/1913 Point West, 1040 Uxbridge Road Hayes

Erection of one 7.5 metre stub tower complete with 3 cross polar antennas, 4 dish antennas, on radio equipment housing and development ancillary thereto (Consultation under Schedule 2, Pa 24 of The Town and Country (General Permitted Development) Order 1995)

Decision: 24-09-1999 PRN

24/AG/99/0054 Point West, 1040 Uxbridge Road Hayes

Installation of 3 radio antennas and associated equipment cabinets (Consultation under Schedu 2, Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)

Decision: 15-02-1999 Approved

24/APP/2000/1617 Point West, 1040 Uxbridge Road Hayes

INSTALLATION OF SIX ANTENNAS AND FOUR DISHES AT ROOF LEVEL AND AN EQUIPMENT CABIN AT GROUND LEVEL (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) ORDI 1995)(AS AMENDED)

**Decision:** 29-08-2000 PRN

24/APP/2000/2370 Point West, 1040 Uxbridge Road Hayes

CHANGE OF USE FROM OFFICES TO HOSTEL ON FIRST, SECOND, THIRD, FOURTH AND FIFTH FLOORS AND EXTERNAL ALTERATIONS

Decision: 18-07-2001 Refused Appeal: 11-01-2002 Allowed

24/APP/2000/2621 Point West, 1040 Uxbridge Road Hayes

INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT, COMPRISING SIX FACE

MOUNTED PANEL ANTENNAS WITH ASSOCIATED CABLING, EQUIPMENT CABIN, AIR CONDITIONING UNITS AND MICROWAVE DISH

Decision: 12-01-2001 Approved

24/APP/2001/1488 Point West, 1040 Uxbridge Road Hayes

CHANGE OF USE OF 7TH AND 8TH FLOORS FROM OFFICES TO A HOSTEL

Decision: 17-10-2001 NFA

24/APP/2002/116 Point West, 1040 Uxbridge Road Hayes

INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT, COMPRISING THREE POLE MOUNTED ANTENNASAND FOUR POLE MOUNTED MICROWAVE DISHES ON THE ROOF, WITH GROUND BASED CABINETS AND A FENCED COMPOUND

Decision: 13-05-2002 Approved

24/APP/2002/2919 Point West, 1040 Uxbridge Road Hayes

DETAILS OF EXTERNAL TREATMENT OF BUILDING AND GLAZING OF WINDOWS IN COMPLIANCE WITH CONDITION 7 OF THE SECRETARY OF STATE'S APPEAL DECISION REF.APP/R5510/A/01/107034 DATED 11/01/2002; CHANGE OF USE OF ACCOMMODATION TO HOSTELS ON THE FIRST, SECOND, THIRD, FOURTH, FIFTH AND SIXTH FLOORS

Decision: 03-02-2003 Approved

24/APP/2002/559 Point West, 1040 Uxbridge Road Hayes

INSTALLATION OF AN ADDITIONAL EQUIPMENT CABIN AND ANCILLARY WORKS (CONSULTATION UNDER SCHEDULE 2, PART 24 OF THE TOWN AND COUNTRY PLANNII (GENERAL PERMITTED DEVELOPMENT) ORDER 1995)(AS AMENDED)

**Decision:** 15-04-2002 PRN

24/APP/2003/1017 Point West, 1040 Uxbridge Road Hayes

INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT COMPRISING 3 ANTENNAS, 26 TRANSMISSION DISHES AND ASSOCIATED EQUIPMENT CABIN

Decision: 29-01-2004 Approved

24/APP/2003/927 1030-1040 Uxbridge Road Hayes

DETAILS OF LANDSCAPING SCHEME, DRYING FACILITIES, PLAY AREA AND SECURITY MEASURES IN COMPLIANCE WITH CONDITIONS 2,5,6 AND 8 OF THE SECRETARY OF STATE'S APPEAL DECISION REF.APP/R5510/A/01/ 1070334 DATED 11/01/2002; CHANGE ( USE OF FIRST, SECOND, THIRD, FOURTH AND FIFTH FLOORS FROM OFFICES WITH ANCILLARY FACILITIES ON GROUND FLOOR Decision: 31-10-2012 NFA

#### 24/APP/2004/388 1030-1040 Uxbridge Road Hayes

DEMOLITION OF EXISTING GROUND FLOOR EXTERNAL WALLS, NEW CAVITY WALLS AN GROUND FLOOR CONSTRUCTION, NEW INTERNAL PARTITION WALLS TO GROUND FLC (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED USE OR DEVELOPMENT)

Decision: 29-07-2004 GPD

24/APP/2013/1851 Point West 1040 Uxbridge Road Hayes

Change of Use of Floors 6, 7 and 8 from offices to residential

Decision: 16-08-2013 PRN

24/APP/2014/1639 Point West, 1040 Uxbridge Road Hayes

Installation of 2 rooftop 600mm dishes mounted on support poles and 1 equipment cabinet set c a freestanding plinth

Decision: 21-07-2014 Approved

#### 24/APP/2015/1069 Point West Building Uxbridge Road Hayes

Installation of 2 x 1.2m rooftop dishes mounted on existing stub tower, 2 x 1.2m freestanding dishes, 4 x 0.6m freestanding rooftop dishes, 4 x control cabinets and associated cable runs to roof (Retrospective)

Decision: 19-05-2015 Approved

#### 24/APP/2015/3507 Point West Building Uxbridge Road Hayes

Installation of 2 x 600mm rooftop transmission dishes on free-standing support frames, 1 equipment cabinet located on a freestanding metal platform and ancillary cabling and other minc works

Decision: 04-12-2015 Approved

24/APP/2016/2203 Point West Building Uxbridge Road Hayes

Installation of 2 x 600mm diameter dish antenna dishes and associated works

Decision: 02-08-2016 Approved

24/F/79/1829

1030-1040 Uxbridge Road Hayes

Alterations and enlargement of main entrance reception area.

Decision: 09-11-1979 Approved

24/L/80/0329 1030-1040 Uxbridge Road Hayes Retention of a 7m flagpole. (section 53)

Decision: 17-07-1980 Refused

24/M/80/1082 1030-1040 Uxbridge Road Hayes Erection of a new storage area at ground floor level beneath existing building.

Decision: 19-08-1980 Approved

24/N/80/1515 1030-1040 Uxbridge Road Hayes Erection of a 7 metre high flagpole.

Decision: 17-09-1980 Approved

24/PRE/2001/151 1040 Uxbridge Road Hayes TP PRE CORRES - TELECOM LICENCE NOTIFICATION. - INSTALLATION OF APPARATUS

#### Decision:

24/PRE/2007/15	Land Adjacent To Point West, 1040 Uxbridge Road Hayes			
T P PRE - CORRES: REDEVELOPMENT OF SITE				

#### Decision:

24/W/95/0654 1040 Uxbridge Road Hayes

Installation of 6 antennas, 2 transmission dishes and 3 base transmission stations (Application for determination under Schedule 2, Part 24 of the Town and Country Planning General Development Order 1988)

Decision: 23-05-1995 Approved

24/Z/97/0457 Point West, 1040 Uxbridge Road Hayes

Installation of a 5.6 metre high stub tower and erection of equipment cabin (Consultation under Schedule 2, Part 24 of The Town and Country Planning (General Permitted Development) Orde 1995)

Decision: 09-06-1997 Approved

#### Comment on Relevant Planning History

There has been a long history of applications for telecommunications equipment on the roof of the building as detailed above.

#### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (	(2012) Bu	ilt Environment
	2012) 20	

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.

- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE37 Telecommunications developments siting and design

NPPF- 10 NPPF-10 2018 - Supporting high quality communications

#### 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 7 local owners/occupiers. No responses were received.

Heathrow Aerodrome Safeguarding: No response was received.

Heathrow Airport Limited: No response was received.

Ministry of Defence: On reviewing the application plans, I can confirm that the MOD has no safeguarding objection to this proposal.

#### **Internal Consultees**

None

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

Policy BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that telecommunication equipment will be acceptable in principle provided that it is sited and designed so as to minimise its effect on the appearance of the surrounding areas.

The proposal would provide two 0.9m microwave dishes on a 10.5m high rooftop monopole along with an equipment cabinet. The proposed equipment would be located alongside other existing telecommunications equipment within a service area on the roof of the ten-storey (33.20m high) building.

Given the height of the building, and the existing telecommunications equipment, the proposed equipment would be located in a suitable location and would not cause harm to the character and appearance of the building or the visual amenity of the surrounding area.

The proposal therefore complies with Policy BE37 of the Hillingdon Local Plan - Saved

UDP Policies (November 2012).

#### 7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

#### 7.04 Airport safeguarding

The site lies within an area where all applications exceeding 15.2m in height need to be referred to the Ministry of Defence for safeguarding reasons. Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will not grant planning permission for development likely to interfere with the safe and efficient operation of Heathrow or Northolt Airports.

The proposal would install a 10.5m high rooftop monopole on the roof of a ten-storey building, with a height of 33.20m.

The Ministry of Defence were consulted on the application and raised no safeguarding objection to this proposal. It is therefore considered that the proposed development would not cause a safeguarding issue and would comply with Policy A6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.05 Impact on the green belt

Not applicable to this application.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The proposed telecommunications equipment would be located within a service area on the roof of a ten-storey (33.20m high) building. The proposed monopole, dishes and equipment cabinet would be located in the middle of the roof, grouped amongst existing telecommunications equipment; the existing equipment would mitigate the presence of the new equipment and the visual impact would be minimal. Given the height of the building, it is considered that the siting of the equipment is not significant and would not have any impact upon the sky line.

The proposed development is therefore considered appropriate for this rooftop location; the equipment would not be intrusive from surrounding views due to their size, location and height above ground level. The proposal would have an acceptable impact upon the character and appearance of this commercial building and upon the wider area, in accordance with Policies BE13 and BE19 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### 7.08 Impact on neighbours

The application site is located within the commercial Town Centre Secondary Shopping Area. The separation distance from residential properties is such that the proposed rooftop monopole, satellite dishes and equipment cabinet would have no impact upon residential amenity. Therefore, the development would comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

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

The proposed rooftop monopole, two dishes and equipment cabinet, located on the roof of the ten-storey building, would not impact on parking, traffic or pedestrian safety.

#### 7.11 Urban design, access and security

Urban Design: See Section 7.07 of this report.

Access and Security:

Given the siting of the proposal on the roof of a tall building, the site will only be accessed by those personnel associated with the applicant with no access available to the public. The site would be accessed for infrequent maintenance via rooftop access.

#### 7.12 Disabled access

Not applicable to this application.

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

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

#### 7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

#### 7.19 Comments on Public Consultations

No comments were received during the public consultation.

#### 7.20 Planning obligations

Not applicable to this application.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

#### Health:

In terms of potential health concerns, the applicant has confirmed that the proposed installation complies with the ICNIRP (International Commissions for Non Ionising Radiation Protection) guidelines. Accordingly, in terms of Government policy advice, there is not considered to be any direct health impact. Therefore, further detailed technical information about the proposed installation is not considered relevant to the Council's determination of this application.

#### 8. Observations of the Borough Solicitor

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in

accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

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

Not applicable to this application.

#### 10. CONCLUSION

Planning permission is sought for the installation of a 10.5m high rooftop monopole housing  $2 \times 0.9m$  microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West, Uxbridge Road.

Due to the size, location and height above ground level, the proposed development is considered to be appropriate on this rooftop, and would not cause harm to the character and appearance of the area.

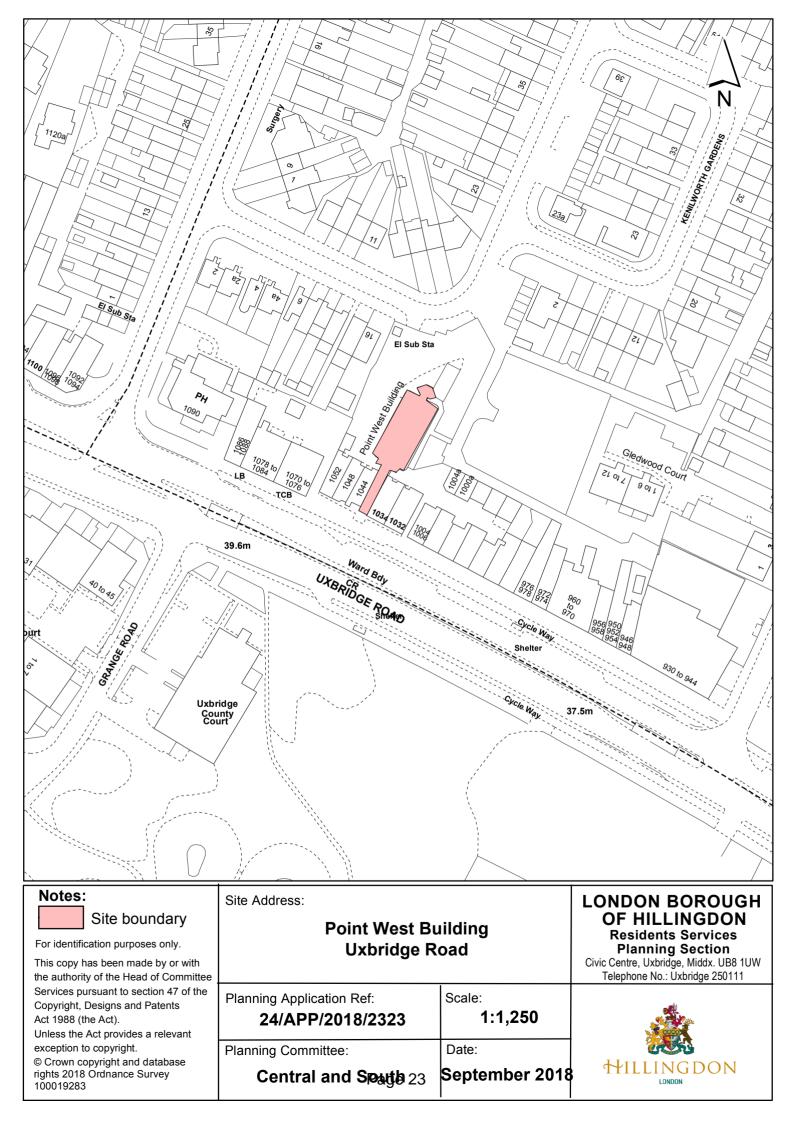
The proposal therefore complies with Policies BE13, BE15 and BE37 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is recommended for approval.

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

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) National Planning Policy Framework (2018)

Contact Officer: Katherine Mills

**Telephone No:** 01895 250230



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# Agenda Item 7

#### Report of the Head of Planning, Transportation and Regeneration

Address BRUNEL UNIVERSITY KINGSTON LANE HILLINGDON

**Development:** Provision of 2 new doorsets to the eastern elevation of the Hamilton Centre

LBH Ref Nos: 532/APP/2018/2644

Drawing Nos: BUHAML-GW-00-ELE-001 Rev. A BUHAML-GW-00-SIT-001 Rev. A BUHAML-GW-00-LOC-001 Rev. A

Date Plans Received:17/07/2018Date(s) of Amendment(s):Date Application Valid:18/07/2018

#### 1. SUMMARY

The application seeks amendments to the existing entrance arrangement to the Hamilton Centre within Brunel University. No physical additions to the building are proposed.

The proposal would serve to improve the accessibility of the building and fully accords with the Councils adopted guidance within Accessible Hillingdon.

The visual appearance of the proposed entrance would remain in keeping with the host building and surroundings.

The proposal does not give rise to any considerations or concerns in relation to the Green Belt location of the site.

#### 2. **RECOMMENDATION**

#### APPROVAL subject to the following:

#### 1 COM3 Time Limit

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

#### REASON

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

#### 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, BUHAML-GW-00-ELE-001 Rev. A.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

#### **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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
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
LPP 7.16	(2016) Green Belt
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land

#### 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

Brunel University is a Major Developed Site within the Metropolitan Green Belt as identified in the Policies of the Hillingdon Local Plan (November 2012). The application site, which is located within the campus, is the Hamilton Centre which comprises of a range of shops, bars and restaurants. It is located west of the quad and has an external appearance of grey cladding and glazing.

#### 3.2 **Proposed Scheme**

The application proposes amendments to the layout and external appearance of the eastern elevation. The eastern elevation features a vast amount of glazing which would be slightly altered to accommodate one of the double leaf doorsets.

The doorsets would measure approximately 2 metres in height, 1.8 metres in width and would be set 5.2 metres apart. The proposed doors would improve access for all users to the main facilities within the Hamilton building.

#### 3.3 Relevant Planning History

532/APP/2002/2237 Sites 1 And 2, Uxbridge Campus, Brunel University Kingston Lane Hi

BRUNEL UNIVERSITY MASTER PLAN PROPOSALS COMPRISING ERECTION OF 48,064 SQ.M OF NEW ACADEMIC FLOORSPACE, 69,840 SQ.M OF NEW STUDENT RESIDENTIAL ACCOMMODATION, ANCILLARY FLOORSPACE AND INFRASTRUCTURE, PROVISION OF ADDITIONAL PARKING SPACES, IMPROVED ACCESS FROM KINGSTON LANE, NEW ACCESS FROM COWLEY ROAD, HIGHWAY IMPROVEMENTS TO CLEVELAND ROAD, IMPROVED PEDESTRIAN AND CYCLE ROUTES, LANDSCAPING AND ENVIRONMENTAL IMPROVEMENTS (INVOLVING DEMOLITION OF 18,600 SQ.M OF EXISTING FLOORSPACE (OUTLINE APPLICATION)

Decision: 19-04-2004 Approved

532/APP/2012/670 Sites 1 And 2, Uxbridge Campus, Brunel University Kingston Lane Hi

Application for Extension of Time to Implement Outline Application for Brunel University Master Plan proposals (ref:532/APP/2002/2237) comprising erection of 48,064 sq.m of new academic floorspace, 69,840 sq.m of new student residential accommodation, ancillary floorspace and infrastructure, provision of 645 additional parking spaces, improved access from Kingston Lane, new access from Cowley Road, highway improvements to Cleveland Road, improved pedestriai and cycle routes, landscaping and environmental improvements (involving demolition of 18,600 sq.m of existing floorspace).

Decision: 13-05-2015 Approved

#### Comment on Relevant Planning History

There is a lengthy planning history relating to the Brunel University Campus. An outline application for the redevelopment of this area of the campus including the Hamilton Centre has just been renewed by the University.

532/APP/2012/670 - Application for Extension of Time to Implement Outline Application for Brunel University Master Plan proposals (ref:532/APP/2002/2237) comprising erection of 48,064 sq.m of new academic floorspace, 69,840 sq.m of new student residential accommodation, ancillary floorspace and infrastructure, provision of 645 additional parking spaces, improved access from Kingston Lane, new access from Cowley Road, highway improvements to Cleveland Road, improved pedestrian and cycle routes, landscaping and environmental improvements (involving demolition of 18,600 sq.m of existing floorspace).

#### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment	

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

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

- OL4 Green Belt replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- 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
- LPP 7.16 (2016) Green Belt

NPPF- 13 NPPF-13 2018 - Protecting Green Belt land

#### 5. Advertisement and Site Notice

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

#### 6. Consultations

#### **External Consultees**

A site notice was displayed between 09/08/2018 and 07/09/2018. No responses were received.

#### **Internal Consultees**

The Councils Access Officer has been consulted as part of this application and has raised no objections to the proposal.

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The application site lies within a Major Developed Site located inside the Metropolitan Green Belt. Accordingly, the proposal is subject to the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

#### 7.05 Impact on the green belt

The proposal is not considered to have a detrimental impact on the Green Belt or surrounding area as discussed within the 'Impact on the character & appearance of the area' section of this report.

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

The application site lies within a Major Developed Site located inside the Metropolitan Green Belt characterised by large education related buildings. Given the very minor scale of the development the proposal is not considered to impact the appearance of this part of the site or its immediate context.

There is no policy objection to the proposal, which would accord with Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that the proposal would not harm the overall character or appearance of the University Campus and surrounding area. Accordingly, the proposal would accord with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.08 Impact on neighbours

This part of the Brunel Campus is not readily visible from outside of the University Campus. It is further noted that there are a significant number of buildings and trees obscuring the view of the area from surrounding rounds. Given the distances involved and the nature of the development, the proposal would have no detrimental impact on any residential properties outside of the university campus.

Policy OE1 of the Local Plan states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties. This area of the campus comprises of mainly education buildings of a variety of scale and design which cannot be readily viewed from outside of the campus. The proposed addition of two new doorsets are a typical feature of this area of the campus and are therefore considered to sympathise with the surroundings.

#### 7.09 Living conditions for future occupiers

Not applicable to this application.

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

Not applicable to this application.

#### 7.11 Urban design, access and security

The issues relating to design are addressed in the sections above.

#### 7.12 Disabled access

Whilst the proposed door sets would be sited within close distance to the steps which lead to the quad they are to be installed as a temporary measure until the outline permission to redevelop this area of the site is implemented.

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

Not applicable to this application.

#### 7.15 Sustainable waste management

Not applicable to this application.

#### 7.16 Renewable energy / Sustainability

Not applicable to this application.

- 7.17 Flooding or Drainage Issues Not applicable to this application.
- 7.18 Noise or Air Quality Issues Not applicable to this application.
- 7.19 Comments on Public Consultations

No comments were received.

- **7.20 Planning obligations** Not applicable to this application.
- 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

No other issues raised.

#### 8. Observations of the Borough Solicitor

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of

opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

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

Not applicable to this application.

#### 10. CONCLUSION

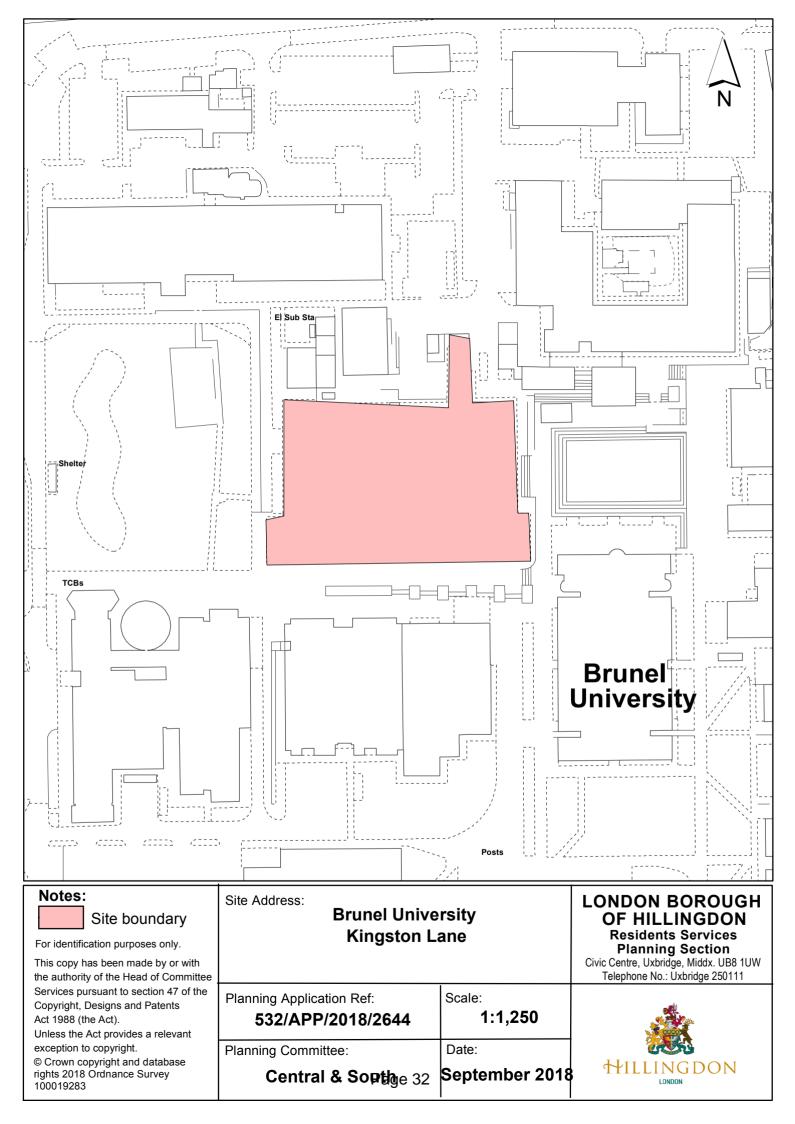
The application seeks full planning permission installation of two new door sets to the eastern elevation of the Hamilton Centre. It is considered that the proposal would not have any significant impact on the openness of the Green Belt within this Major Developed Site. As such the application is recommended for approval.

#### 11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Christopher Brady

**Telephone No:** 01895 250230



### Agenda Item 8

#### Report of the Head of Planning, Transportation and Regeneration

AddressHILLINGDON GARDEN CENTRE PIELD HEATH ROAD HILLINGDONDevelopment:Temporary change of use from garden centre to parking for Hillingdon<br/>Hospital staff for a period of two years.LBH Ref Nos:13831/APP/2017/1217Drawing Nos:BUAPPK-GW-00-SIT-001 Rev. D<br/>BUAPPK-GW-00-LOC-001 Rev. D

 Date Plans Received:
 03/04/2017
 Date(s) of Amendment(s):
 03/04/2017

 Date Application Valid:
 04/04/2017
 04/04/2017
 03/04/2017

#### DEFERRED ON 30th August 2017 FOR FURTHER INFORMATION.

Transport Statement July 2018

This application was originally submitted for temporary long stay car parking for unnamed hotels at the former Wyevale Garden Centre. The application was withdrawn from the August 30th 2017 Central/South Planning Committee by the Head of Planning and Enforcement, to investigate a range of issues further.

During the course of determining this application as originally submitted, concerns were raised regarding the potential use of the facility for off airport car parking. In this regard, the applicant was requested to provide information regarding details of the proposed hotels. This information was not provided and there was clearly insufficient information regarding this matter.

Significant concerns therefore remained that the activity applied for could potentially be used for off airport car parking to satisfy the needs of off--site Heathrow airport car parking demand, which would be contrary to Saved UDP Policy A4. This policy seeks to limit airport related activity within the boundaries of the airport. Effectively this proposal would have set an adverse precedence for extending hotels' car parking curtilage across Hillingdon, most of which will serve Heathrow Airport.

The application has now been amended to serve the nearly Hillingdon Hospital overspill staff ca parking demand on a temporary basis, as the hospital is known to experience severe parking stress at busy times and would be less contentious in policy terms.

#### 1. SUMMARY

Planning permission is sought for use of part of the former Wyevale Garden Centre site for staff parking in association with the nearby Hillingdon Hospital which has historically been subject to severe parking stress. The parking would be available on a temporary basis for two years.

The site was recently acquired by Brunel University which has stated that a key aim of the proposals is to occupy what is a vacant site as soon as possible, in order to avoid any problems such as vandalism or or illegal occupation.

The site can be considered as brownfield land within the Green Belt. No physical works are proposed to the site and it is anticipated that there would be less activity generated by the proposed use, compared with the historic authorised garden centre use. As such, it is

considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location, than the authorised use.

The traffic generation of the proposed use will be less than the existing use. The proposed development will therefore not have a material impact on the surrounding highway network. It is therefore considered that the proposed change of use is acceptable in transport terms.

Approval is recommend, subject to conditions limiting the use to Hillingdon Hospital staff and the submission of a parking management and access control strategy.

#### 2. **RECOMMENDATION**

#### **APPROVAL** subject to the following:

#### 1 NONSC TIME LIMIT

The use hereby permitted shall be for a limited period of 24 months from the date of this decision. The use hereby permitted shall be discontinued and the land restored to a condition to be agreed with the Local Planning Authority on or before the expiration of the period of 24 months from the date of this decision, in accordance with a scheme of work that shall first have been submitted to and approved in writing by the Local Planning Authority.

#### REASON

It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality, the Green Belt and local highway network have been assessed in accordance with Policies OL1, OE1 and AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### 2 NONSC Non Standard Condition

Prior to commencement of the temporary use hereby approved, a parking management and access control strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall include details to ensure that:

i) No more than 124 parking spaces in total shall be provided at any one time

ii) The car park is is used solely for staff (including contract and agency workers) of Hillingdon Hospital

ii) The car parking is not available to staff or students of Brunel University

iii) The use shall at all times be operated to enable vehicles to turn within the site boundaries so that they may enter and leave the site in forward gear.

#### REASON

i) To ensure that highway and pedestrian safety is not prejudiced.

iii) In order to comply with the Brunel University Travel Plan car parking cap.

iv) To comply with Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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#### 3 NONSC Non Standard Condition

Prior to the commencement of the temporary use hereby approved, details of 2 parking space to be allocated to site operatives, of which at least one shall be designed for blue badge holder use, shall be submitted to and approved in writing by the Local Planning Authority. In addition, 2 secure and covered bicycle spaces shall be provided on site. Thereafter these spaces shall be retained/maintained for the duration of the use hereby approved.

REASON

To ensure that adequate facilities are provided in compliance with Policies AM9, AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 4 COM18 Control of specified activities

The use hereby permitted shall be limited to the car park and hard standing area shown outlined in red on plan no. BUAPPK-GW-00-SIT-001 Rev.D and shall not include the wider garden centre site, including the Garden Centre main building, aquatic building and outdoor retail area, without the prior approval of the Local Planning Authority.

#### REASON

i) To assess any cumulative impacts of activities on the wider Garden Centre site

ii) To safeguard the amenity of the surrounding area

iii) To ensure that highway and pedestrian safety is not prejudiced

iv) To comply with Policies OE1, AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
Consideration of traffic generated by proposed developments.
Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
New development and car parking standards.
Provision of reserved parking spaces for disabled persons
New development must harmonise with the existing street scene.
Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
Potential effects of development on sites of nature conservation importance
Retention of ecological features and creation of new habitats
Protection of the character and amenities of surrounding properties and the local area
Buildings or uses likely to cause noise annoyance - mitigation measures

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 6.13	(2016) Parking
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LDF-AH	Accessible Hillingdon, Local Development Framework,
	Supplementary Planning Document, adopted January 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance,
	adopted July 2004
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding
	and coastal change

#### 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

#### 4

The Local Planning Authority has actively engaged with the applicant at the application stage of the planning process, in order to achieve an acceptable outcome. In dealing with the application, the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance.

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site extends to approximately 0.635 ha and is currently vacant. The last use of this site was a garden centre which had an associated car park comprising 142 spaces in the main car park and a further 46 spaces located to the north. These two areas are the subject of the current application for temporary staff parking for a maximum of 124 vehicles.

The previous garden centre had incorporated a car valeting centre, a timber merchant and an aquatics centre. The site gains access from Pield Heath Road, via a dedicated access way. The site is well screened by existing dense vegetation and is not readily visible from surrounding roads and pedestrian paths. Most of the land immediately surrounding the site

is open Green Belt, the exception being Pield Heath Convent School to the east. There are also some houses on the opposite side of Pield Heath Road to the south and further along Church Road to the west.

#### 3.2 Proposed Scheme

Planning permission is sought to use the car parking and associated hard standing for for Hillingdon Hospital staff. The number of car parking spaces will remain at 124 and no physical alterations are proposed for the buildings. It is proposed that this use is carried out for two years only.

A transport statement has been submitted in support of the application. This transport statement indicates that the proposed development will result in an overall reduction in vehicle movements, compared with the authorised use. The statement concludes that the proposed development will therefore not have a material impact on the surrounding highway network and that the proposed change of use is acceptable in transport terms.

#### 3.3 Relevant Planning History

13831/APP/2005/1948 Pield Heath Garden Centre Pield Heath Road Hillingdon

NON-COMPLIANCE WITH CONDITION 12 OF THE SECRETARY OF STATE'S APPEAL DECISION REF.LRP219/R5510/04 DATED 08/10/1992: THE RETENTION OF EXISTING RET, GARDEN CENTRE, INCLUDING REPLACEMENT BUILDINGS/STRUCTURES (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR OPERATION OR ACTIVITY)

Decision: 06-09-2005 Refused Appeal: 04-09-2006 Allowed

13831/APP/2017/1216 Wyevale Garden Centre Pield Heath Road Hillingdon

Change of use from garden centre to university use.

Decision: 06-06-2017 Withdrawn

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

The Secretary of State approved the use of the land as a Garden Centre in 1992 on appeal (ref:LRP219/R5510/04 dated 08/10/1992), with requirements to return the land to the original state on expiry of the permission.

A Lawful Development Certificate ref:3831/APP/2005/1948 was granted on appeal on 4/9/2006 for the continued use of the site as a garden centre.

An application ref:13831/APP/2017/1216 for the use of the garden centre site for University use was withdrawn on 6/6/2017 following concerns raised by the Local Planning Authority.

#### 4. Planning Policies and Standards

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage
- Part 2 Policies:
- AM2 Development proposals assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- BE13 New development must harmonise with the existing street scene.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- EC3 Potential effects of development on sites of nature conservation importance
- EC5 Retention of ecological features and creation of new habitats
- 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
- OL1 Green Belt acceptable open land uses and restrictions on new development
- OL5 Development proposals adjacent to the Green Belt
- LPP 5.1 (2016) Climate Change Mitigation
- LPP 5.12 (2016) Flood risk management
- LPP 5.13 (2016) Sustainable drainage
- LPP 6.13 (2016) Parking
- LPP 7.16 (2016) Green Belt
- LPP 7.19 (2016) Biodiversity and access to nature
- LPP 7.2 (2016) An inclusive environment
- LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
- SPG-CS Community Safety by Design, Supplementary Planning Guidance, adopted July

2004

- NPPF- 13 NPPF-13 2018 Protecting Green Belt land
- NPPF- 14 NPPF-14 2018 Meeting the challenge of climate change, flooding and coastal change

#### 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 3rd May 2017
- **5.2** Site Notice Expiry Date:- Not applicable

#### 6. Consultations

#### **External Consultees**

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015. Adjoining owner/occupiers (9) have been consulted. Site notices were also posted.

3 responses have been received, the contents of which are summarised below:

- The ex Garden Centre should be replaced with something more permanent in nature which the local residents can make use of.

- A temporary plan for 2 years for a long stay car park does not give stability to the local area and adversely promotes unnecessary traffic.

- There are many elderly people in the area and so something like a day centre for them would be a decent proposal.

- There are many young children in the area and so something like a children's park or children's day centre or even a library would be useful.

- I am strictly against the long stay car-park proposal and I hope the Council understands the traffic it will create.

- Under the terms of the Brunel campus redevelopment proposals a Travel Plan, was agreed with LBH and TfL that parking levels would be reduced to 2,088 by 2012. This proposal contravenes this commitment.

(Officer comment: The proposed parking is not for University use).

- The application for use as a long term car park is rather vague and goes against restricted uses available for the land.

- The land is Green Belt and as such development of the land is not normally acceptable.

- The Secretary of State approved the use of the land as a Garden Centre in 1992 with requirements to return the land to the original state on expiry of the permission. However, the continued use, as a garden centre, was established due to the passage of time

- Any change of use should not be permitted and any variation of permission will need the approval from the current Secretary of State.

ST LAWRENCE (COWLEY) RESIDENTS ASSOCIATION - No response.

#### Internal Consultees

HIGHWAY OFFICER:

Upon implementation of the proposals, it is expected that a reduction in trip rates will take place to and from the site. When considering this, the proposed works are not considered to result in adverse implications upon the safety and convenience of the highway network.

Mindful of the above, should you be minded to approve, conditions pertaining to the following should be attached:

- Details for the management of the car park

#### 7. MAIN PLANNING ISSUES

#### 7.01 The principle of the development

The whole of the application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the openness, character and appearance of the Green Belt. Policies in the Hillingdon Local Plan endorse national and London Plan guidance. Part 2 Policy OL1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that within the Green Belt, as defined on the Proposals Map, the following predominantly open land uses will be acceptable:

- · Agriculture, horticulture, forestry and nature conservation;
- · Open air recreational facilities;
- Cemeteries

The Local Planning Authority will not grant planning permission for new buildings or for changes of use of existing land and buildings, other than for purposes essential for and associated with the uses specified at (i), (ii) and (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the Green Belt. The proposal does not conform to the types of development allowed by Policy OL1.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance".

The National Planning Policy Framework (NPPF) is also relevant. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Nevertheless, the document states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very specialcircumstances.

However, paragraph 145 of the NPPF states that limited infilling, or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, would not constitute inappropriate development in the Green Belt. To the extent that this is a less restrictive approach than UDP Policy OL1, it is entitled to greater weight.

The site has established use as a garden centre. It is considered that the site can be considered as brownfield land for the purposes of NPPF paragraphs 145-146. As stated elsewhere in this report, no physical works are proposed to the site and it is anticipated that

there would be less activity generated by the proposed use compared with the historic authorised garden centre use. As such it is considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location than the authorised use.

Given the above and having regard to the temporary nature of the proposed use, it is not considered that the proposal would conflict with the purposes of including within the Green Belt. As such, the scheme would comply with paragraph 146 of the NPPF and would not amount to inappropriate development in the Green Belt. As the proposal does not amount to inappropriate development in the Green Belt, it follows that there is no need to establish whether very special circumstances arise.

In terms of the proposed use, the material supplied does not indicate that the development site would be used as a car park to satisfy the needs of offsite Heathrow airport car parking demand. Since there is no evidence that this would be the case, it is not considered to be a sustainable reason to refuse the application.

With regard to London Plan Policies 6.1, 6.6 and 6.13, these seek to encourage development that is less reliant on access by private cars. However, there is no basis to conclude that these policies preclude the provision of overspill staff car parking for hillingdon hospital staff on a temporary basis as is now proposed. Given the above considerations, no objection is raised to the principle of the temporary use of the existing hardstanding for hospital staff car parking at this location.

#### 7.02 Density of the proposed development

Not applicable to this application.

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

The site does not fall within close proximity to any statutory listed buildings, conservation areas, or areas of special local character. The nearest conservation area is the Cowley Church (St. Laurence) Conservation area to the south west which is located some distance from the application site. It is considered that the conservation area will not be adversely affected by the proposed development.

The locally listed Pield Heath Convent School is located to the east of the application site. However, it is not considered that this heritage asset would be affected by the the proposed temporary change of use.

Given that there are no physical works associated with the proposed temporary change of use, it is considered that the proposal would not have a detrimental impact on the heritage assets, in accordance with Saved Policies BE4 and BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### 7.04 Airport safeguarding

There is no requirement to consult the aerodrome safeguarding authorities on a development of this nature in this location.

#### 7.05 Impact on the green belt

Saved Policy OL2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks landscape improvements within the Green Belt. Saved Policy OL5 will only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not harm the character and appearance of the Green Belt. Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features

The proposed use would not involve any significant material changes to the appearance of

the site, given that no physical changes or built development are proposed as part of the proposals. The existing car park is already authorised for that use, in association with the garden centre and the site is relatively well screened from the public domain. In addition, the proposed use would also involve less activity than the previous use as a Garden Centre, which included a car valeting centre, timber merchant, aquarium centre and retail sales.

It is therefore considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of the area, or the perception of openness of the Green Belt, in accordance with Saved Policies OL1, OL2, OL5 and OL26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

Part 1 policy BE1 requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policy BE13 seeks to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. No physical changes to the site are proposed. In that context, an active use is considered to be no worse and in some senses better than an empty, derelict site.

The vehicles will not be prominent when viewed from public vantage-points around the perimeter of the site and as such, it is considered that the proposed use would not harm the appearance of the area, particularly in view of its historic garden centre use.

It is therefore considered that a temporary use of the site for Hillingdon Hospital staff car parking would not harm the character and appearance of the area, in compliance with Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), relevant London Plan policies and design guidance.

#### 7.08 Impact on neighbours

In relation to outlook, Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires new residential developments to be designed to protect the outlook of adjoining residents. Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours. In relation to sunlight, Saved Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

The closest residential properties to the site are located in Church Road to the east of the site. However, these properties are located some distance from the proposed car parking area and given there are no physical works involved, it is not considered that there would be any adverse impacts to residential amenity in terms of loss of outlook, light or privacy.

In terms of activity, the hospital has advised as to how the parking will be used:

• The hospital shifts for the staff cover 24 hours with the predominant days of use being Monday to Friday;

 $\cdot$  Most staff would park for 7-8 hours but there are some part time staff who would park for up to 5 hours;

• Most of the staff would be parked within the 9am - 5pm period so the majority of parking will occur from 8.30am to 5.30pm; and

• Other shift staff (nurses etc), not on day shifts, would park between 8pm and 7.30am.

The overall potential for greater noise exposure associated with the use is not considered to be significant, given that the nearest residential properties are sited on the opposite side

of surrounding roads and are sufficiently separated from the proposed parking spaces.

Given the nature of the proposed activities, which would in any case be less than those associated with the authorised garden centre use, and the separation distances involved, across busy roads, the proposal is not considered to have a material impact upon the amenities of surrounding residents, in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### 7.09 Living conditions for future occupiers

Not relevant to this type of application. Guidelines referring to living conditions relate to residential developments.

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)advises that proposals for development will be assessed against their contribution to traffic generation and impact on congestion, having regard to the present and potential capacity of public transport and that the traffic generated by proposed developments would need to be accommodated on principal roads without increasing access demand along roads or at junctions already used to capacity, not prejudice the free flow of traffic, nor diminish environmental benefits brought about by other road improvement schemes or infiltrate local roads.

#### Traffic generation

The Transport Statement indicates that the proposed development will result in an overall reduction in vehicle movements. For the existing garden centre use assuming 3,572 sqm ground floor area the following number of vehicle trips can be expected during a weekday: Garden Centre Arrivals -593 Garden Centre Departures - 598 Garden Centre Total - 1191

If all 124 spaces allocated to the hospital staff were used during the day, the vehicle movements through the day would be 248. There would be some further vehicle movements associated with overnight shifts.

The above information demonstrates that daily flows will be significantly less than the existing garden centre traffic. It is therefore considered that the use would not result in an unacceptable increase in vehicular movements, unacceptable traffic congestion in the area, or a material impact on the surrounding highway network. The Highway Engineer therefore considers that the proposed change of use is acceptable in transport terms.

Having regard to the above mentioned considerations and subject to the recommended conditions, it is not considered that there would be a conflict with Saved UDP Policy AM2, because the level of traffic generation and impact on the highway network would be less than the authorised use. Similarly, the proposal is also considered to be compliant with Saved UDP Policy AM7, because the level of traffic generation is acceptable and the activity would not unacceptably increase the use of junctions at or near capacity, or prejudice the free flow of traffic or conditions of highway or pedestrian safety.

#### Access and Manouvering

The site gains access from Pield Heath Road, via a dedicated access way. It is considered necessary to ensure that there is provision on the site for vehicles to turn and enter the highway in forward gear. Given the transient nature of the parking, it is not considered

necessary for specific details of the turning area to be agreed with the LocalPlanning Authority at this stage. However, a condition is recommended to ensure that a turning area is available at all times within the site boundary, to enable vehicles to turn. Such a condition is considered to meet the tests in the NPPF and would not be unduly onerous.

#### Parking Standards

The proposal is to use the car parking and associated hard standing for staff parking in association with the nearby Hillindon Hospital, which has historically been subject to severe parking stress, particularly at busy times, resulting in queuing to access the car parks on the surrounding roads.

There are no specific car parking standards for hospitals, with development proposals being assessed on an individual basis, using a transport assessment. However, there is clearly a genuine need for additional parking provision for Hillindon Hospital, as a result of increased activity and staff numbers at the hospital, coupled with a reduction in parking spaces elsewhere within the hospital grounds.

On previous applications at the Hillingdon Hospital site, the supporting documents advised that part of the justification for increased parking provision at the hospital is to reduce onstreet parking and help alleviate congestion on the surrounding roads. In particular, vehicles currently cause queuing at the barriered main entrance as they seek to gain access to the main car park. This queuing extends along Pield Heath Road in both directions, which disrupts traffic and delays bus and emergency services and results in un-safe traffic movements, with straight on westbound traffic utilising the right-turn only lane at the signals to by-pass the queuing traffic.

In tems of the current application, staff using the overflow car park will be given permits. The access will have a gate linked to a control room and staff will be able to open the gate using cards.

The application site benefits from a very good network of pedestrian facilities and cycle routes, providing safe and convenient access from the surrounding area. The 600m walk between the site and the hospital can be undertaken in less than 8 minutes. There are footways on both sides of Pield Heath Road and there is a traffic signal controlled pedestrian crossing point at the junction of the main hospital access and Pield Heath Road.

With regard to London Plan Policies 6.1, 6.6 and 6.13, these seek to encourage development that is less reliant on access by private cars. However, it is considered that there is no basis to conclude that these policies preclude the provision of essenitial staff car parking on a temporary basis as is now proposed.

#### 7.11 Urban design, access and security

Urban design and access issues have been dealt with in relevant sections of this report. In terms of security, the applicant submits that a key aim of the proposals is to occupy what is a vacant site as soon as possible. This is in order to avoid any problems such as vandalism or unauthorised occupation of the site. The car park is already adequately lit and monitored by CCTV.

#### 7.12 Disabled access

The disabled parking on site will not be required by disabled staff as they will continue to park at the hospital grounds. As such there is no requirement to provide disabled parking, apart from one blue badge space for site staff. This is secured by condition. The scheme is

therefore considered to comply with Policy R16 of the Hillingdon Local Plan:Part 2 -Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

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

Not applicable to this application.

#### 7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. No physical works are proposed as part of the development and no trees will be affected. Given the the transient nature of the parking, it is not considered necessary for landscaping enhancements in this case.

#### 7.15 Sustainable waste management

Refuse will be stored within the dedicated areas that were used by the garden centre. This is within the service yard, next to the aquatics centre.

#### 7.16 Renewable energy / Sustainability

Not applicable to this application.

#### 7.17 Flooding or Drainage Issues

The site is located within Flood Zone 1 and is less than 1ha in size. As such, no Flood Risk Assessment is required. London Plan policies 5.12 and 5.13 require development proposals to use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan:Part 1- Strategic Policies (Nov 2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding.

The use is appropriate in Flood Zone 1 and it is considered that vehicles would be at negligible risk of flooding from surface water or other sources, in compliance with London Plan Policy 5.12, Strategic Part 1 Policy EM6 and NPPF guidance.

It is considered that it would be disproportionate to require a sustainable drainage system [SuDS] on what is expressly sought to be a two year temporary permission. To impose such a condition would therefore be contrary to the NPPF, which states that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

#### 7.18 Noise or Air Quality Issues

#### NOISE

Noise might arise from vehicles being manoeuvred on site or taken to and from the site, but that is inherent to the permitted use and it is noted that there has been no complaint on the grounds of harm to neighbours' living conditions. The majority of the traffic movements would occur between 8.30am to 5.30pm and in the circumstances, taking account of the temporary nature of the planning permission that is being sought, substantive works such as a noise barrier would be unreasonable.

#### AIR QUALITY

The site falls within an Air Quality Management Area and it is acknowledged that vehicle movements result in an adverse cumulative impact from vehicle emissions. However, trip generation is likely to be significantly less than that associated with the authorised use. The proposed use would therefore not have a harmful effect on air quality or conflict with Policy OE1 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012).

#### 7.19 Comments on Public Consultations

The main issues raised have been dealt with in the main body of this report. In terms of the status of the existing use, the site benefits from a Lawful Development Certificate for the continued use as a garden centre. There is no requirement to seek the approval from the current Secretary of State for the proposed use.

#### 7.20 Planning obligations

The development will not be liable for the Mayoral CIL or Hillingdon's own CIL.

#### 7.21 Expediency of enforcement action

Not applicable to this application.

#### 7.22 Other Issues

None.

#### 8. Observations of the Borough Solicitor

#### General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

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

Not applicable to this application.

#### 10. CONCLUSION

It is anticipated that there would be less activity generated by the proposed use compared with the historic authorised garden centre use. As such it is considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location than the authorised use.

The visual impacts of the proposal are unlikely to be of significant detriment to the character of the area. In addition, the vehicles will not be prominent when viewed from public vantage-points around the perimeter of the site.

It is not considered that vehicular movements, which would be less than those associated with the authorised garden centre use, would harm neighbours' living conditions. The use would not result in an unacceptable increase in vehicular movements, unacceptable traffic congestion in the area, or a material impact on the surrounding highway network.

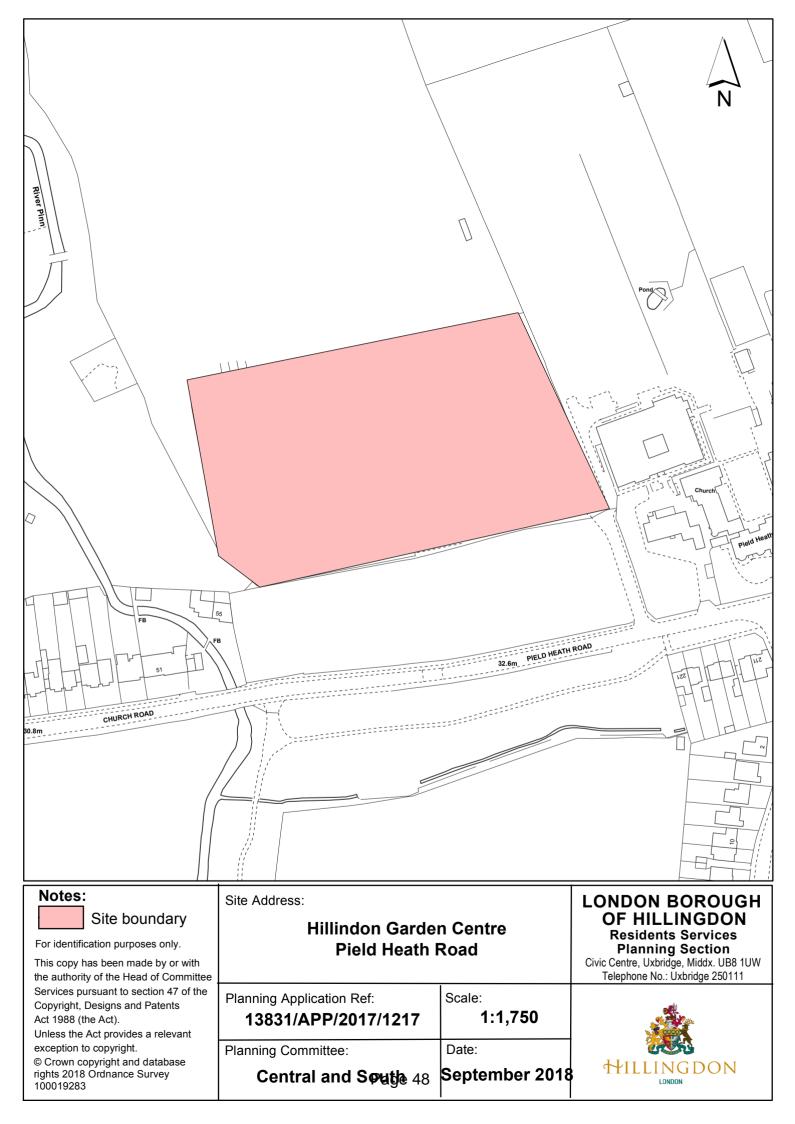
Approval for a temporary period of 2 years is recommended accordingly.

#### 11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Hillingdon Supplementary Planning Document: Accessible Hillingdon (May 2013)
London Plan (2016)
National Planning Policy Framework (March 2018)

Contact Officer: Karl Dafe

**Telephone No:** 01895 250230



#### Report of the Head of Planning, Transportation and Regeneration

Address 78 POLE HILL ROAD HILLINGDON

**Development:** Conversion of attached garage to habitable use to include alterations to front elevation

- LBH Ref Nos: 55824/APP/2018/2602
- Drawing Nos: 18/78/PHRH/402 18/78/PHRH/401 Location Plan (1:1250)

Date Plans Received:13/07/2018Date Application Valid:18/07/2018

Date(s) of Amendment(s):

#### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site comprises a detached property situated on the East side of Pole Hill Road, with the principal elevation facing North West. There is a clear building line on Pole Hill Road, which the application property follows. The property is a brick built two storey dwelling set under a main hipped roof. To one side is an integral garage set under a roof projecting down from the main roof. There is a small canopy over the front entrance, which is located to the side of the property. To the front is a good sized garden area which is paved in hard-standing accommodating at least two off street parking spaces and leading on to the garage. To the rear is a large landscaped garden, and an outbuilding to the far end.

The adjacent property to the North East, No. 78B, has not been extended to the rear previously and is set back some distance from the rear building line of application property. To the South West, No. 76, is a larger property with the rear building line matching with application property.

The immediate street scene is residential in character and appearance comprising predominantly of detached bungalow style properties, though most have been extended to the roof.

The application site is located within the Developed Area as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### 1.2 **Proposed Scheme**

The application is for the conversion of the attached garage to habitable use, including alterations to the front elevation of the property.

#### 1.3 Relevant Planning History

55824/APP/2000/2534 78 Pole Hill Road Hillingdon ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSIONS WITH FULL PITCHED

ROOFS OVER TO INCLUDE AN INTEGRAL GARAGE AND CONVERSION OF ROOF SPACE TO FORM HABITABLE ROOMS

Decision Date: 22-03-2001 Approved Appeal:

55824/APP/2018/1399 78 Pole Hill Road Hillingdon

First floor rear/side extension, 2 side dormers and conversion of garage to habitable use involving alterations to front elevation

Decision Date: 08-06-2018 Refused Appeal:

55824/APP/2018/1592 78 Pole Hill Road Hillingdon

Single storey outbuilding to rear for use as a gym/playroom/store involving demolition of existing outbuilding (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 22-06-2018 Approved Appeal:

55824/APP/2018/2310 78 Pole Hill Road Hillingdon

Provision of additional habitable roofspace involving raising of ridge height, conversion of roof from hip to gable end with a new gable end window, 4 dormers and 1 front and 1 rear rooflight and conversion of garage to habitable use to include alterations to front elevation

Decision Date: 08-08-2018 Refused Appeal:

55824/APP/2018/2455 78 Pole Hill Road Hillingdon

Provision of additional habitable roofspace involving raising of ridge height, conversion of roof from hip to gable end, 4 dormers and 1 front, 1 rear rooflight and 1 roof lantern and conversion of garage to habitable use to include alterations to front elevation

Decision Date: 15-08-2018 Refused Appeal:

#### Comment on Planning History

55824/APP/2000/2534 - APPROVAL - Erection of a single storey side and rear extension with full pitched roofs over to include an integral garage and conversion of roof space to form habitable rooms.

55824/APP/2018/1399 - REFUSAL - An application for the erection of a first floor rear/side extension, 2 side dormers and conversion of garage to habitable use involving alterations to front elevation was refused.

55824/APP/2018/1592 - APPROVED - A certificate of lawfulness was granted for the erection of an outbuilding.

55824/APP/2018/2455 - REFUSED - The application proposed for the provision of additional habitable roofspace involving raising of ridge height, conversion of roof from hip to gable end with a new gable end window, 4 dormers and 1 front and 1 rear rooflight and conversion of garage to habitable use to include alterations to front elevation. The application was refused on the basis that the proposed front/side dormers by reason of their siting, size, scale, bulk, and design would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.

55824/APP/2018/2310 - REFUSED - The application proposed for the raising and enlargement of roof and 4 x dormers to provide additional habitable roofspace and

conversion of garage to habitable use to include alterations to front. The application was refused on the basis that the proposed dormers would fail to appear subordinate, and the proposed flat roof element to the roof would fail to harmonise with the architectural composition of the original dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.

#### 2. Advertisement and Site Notice

- **2.1** Advertisement Expiry Date:- Not applicable
- **2.2** Site Notice Expiry Date:- Not applicable

#### 3. Comments on Public Consultations

Five neighbouring properties were notified of the proposed development by letter on 31.07.2018. A site notice was displayed to the front of the site which expired on 28.08.2018

By the close of the consultation period no objections received.

Ward councillor: Requests that the application is reported to committee.

Trees/Landscape Officer:

This site is occupied by a bungalow with an integral garage to one side which is set back from the front elevation of the building. The front garden has an area of soft landscape and a driveway with space for off-street parking. There are no tree/landscape constraints on this site.

COMMENT: The conversion of the garage will result in the loss of off-street parking at this address, however, space for several cars on the front driveway will remain. There is no proposal to increase the parking area in the front garden and this would be resisted in the interests of retaining a reasonable area of soft landscape.

RECOMMENDATION: No objection.

#### 4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.

- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
- LPP 3.5 (2016) Quality and design of housing developments

#### 5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the amenities of adjoining occupiers, the retained size of the rear garden amenity space, front garden landscaping and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

The application is for the conversion of an existing attached garage to habitable use, which includes alterations to the principle elevation of the property. The alterations to the dwelling would include the replacement of the front garage door with a window and making good the brickwork. The property would retain existing windows. The window and brickwork respect the design of the original property and others within the locality. The alterations to the front elevation are therefore considered to respect the character and appearance of the property and would not result in an incongruous addition to the street scene. As a result it is considered that it would not have a negative impact upon the visual amenity of the site or the surrounding area.

The proposal would result in the loss of a car parking spaces within the garage. However, space for at least two cars to be parked remains on the frontage. The proposal therefore complies with policy AM14 of the Hillingdon Local Plan - Saved UDP policies (November 2012).

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with Policy 3.5 of the London Plan (2011).

In terms of the garden area at least 100 sq.m of rear private garden should be retained to provide adequate amenity space for a four bedroom dwelling. The resultant amenity space would be over 100 sq.m which would be in excess of the paragraph 3.13 HDAS requirement. The proposal would be in accordance with Policy BE23 of the Hillingdon Local Plan Part 2.

The application is recommended for approval.

#### 6. **RECOMMENDATION**

#### **APPROVAL** subject to the following:

#### **1** HO1 Time Limit

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

#### REASON

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

#### 2 HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 18/78/PHRH/402 and 18/78/PHRH/401.

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

#### **3** HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

#### REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2016).

#### INFORMATIVES

1 On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

#### **Standard Informatives**

- 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 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.
  - Part 1 Policies:

PT1.BE1	(2012) Built Environment
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Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2016) Quality and design of housing developments

3 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 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 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, Enviroment and Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to: carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Enviroment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.

8 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.

9 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.

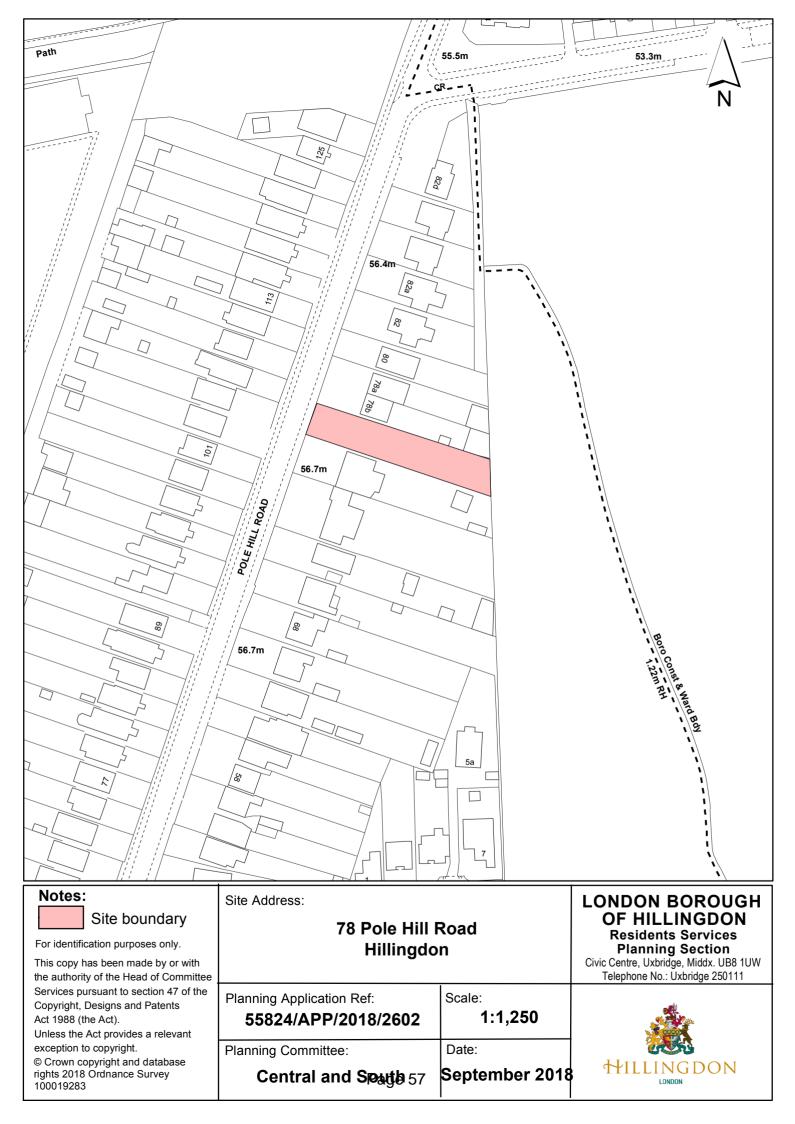
D) No bonfires that create dark smoke or nuisance to local residents.

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.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 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 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).

Contact Officer: Nurgul Kinli

**Telephone No:** 01895 250230



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## Agenda Item 10

STRICTLY NOT FOR PUBLICATION PART II by virtue of paragraph(s) 1, 3, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Annex

# Plans for Central & South Applications Planning Committee

## Tuesday 18th September 2018





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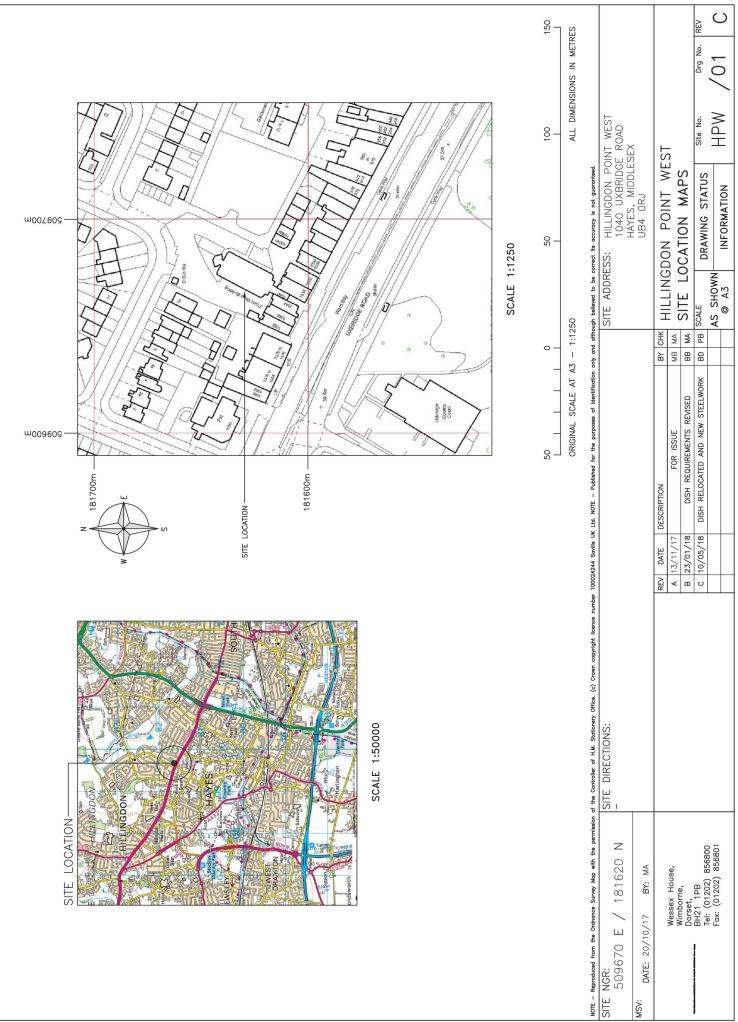
#### Report of the Head of Planning, Transportation and Regeneration

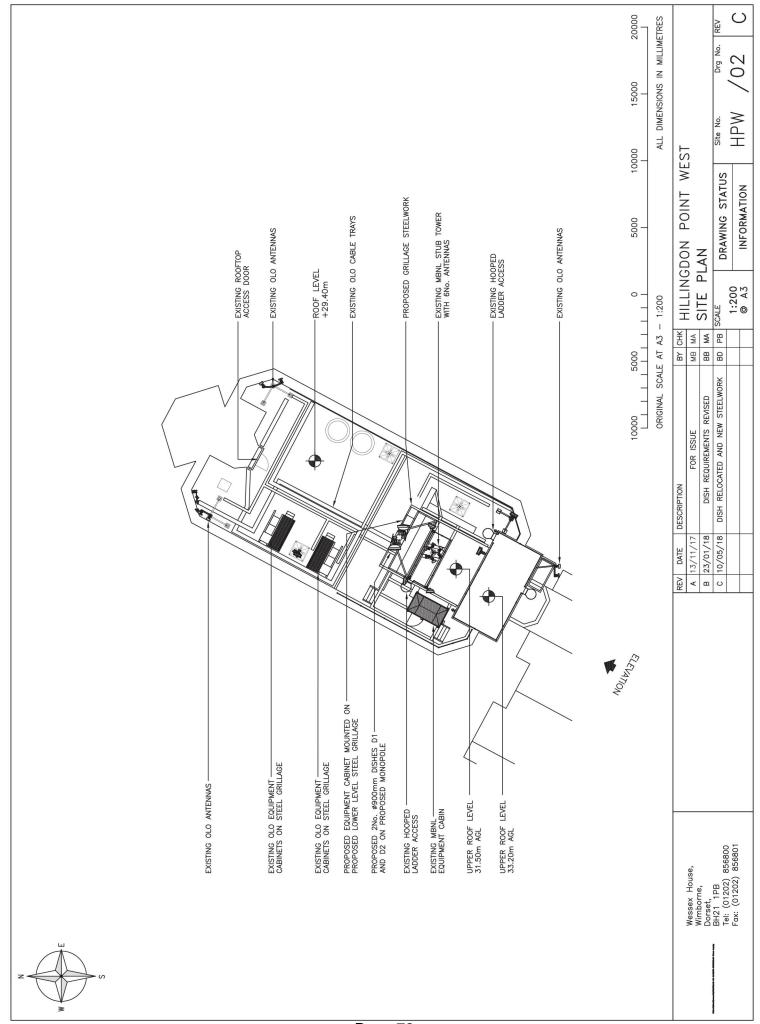
Date(s) of Amendment(s):

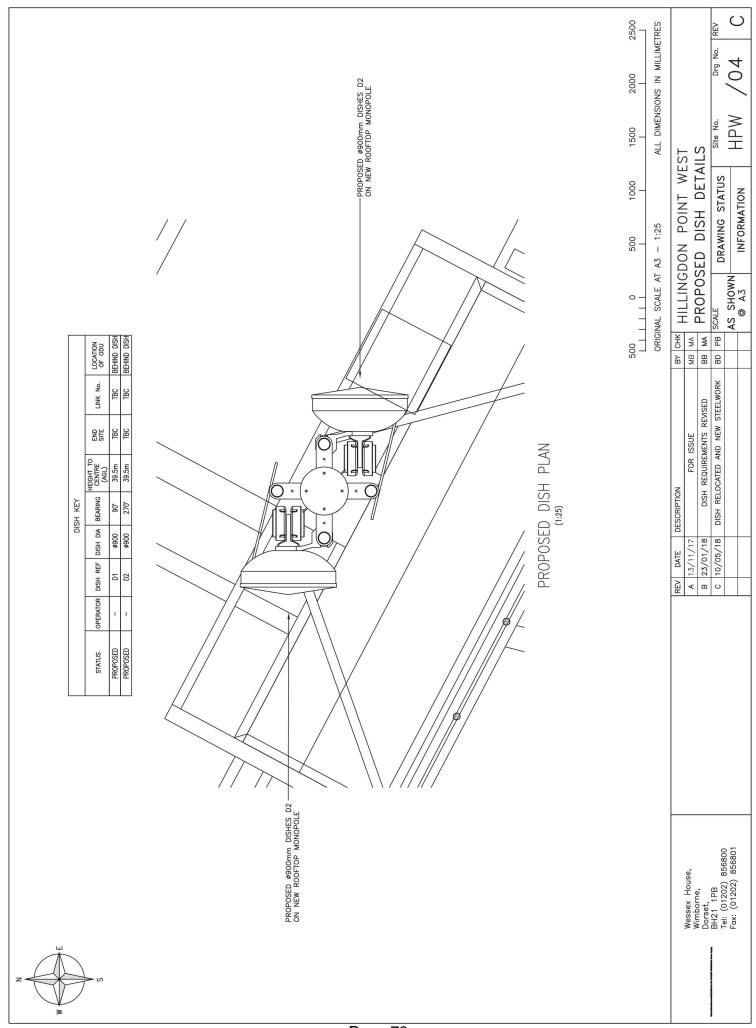
Address POINT WEST BUILDING UXBRIDGE ROAD HAYES

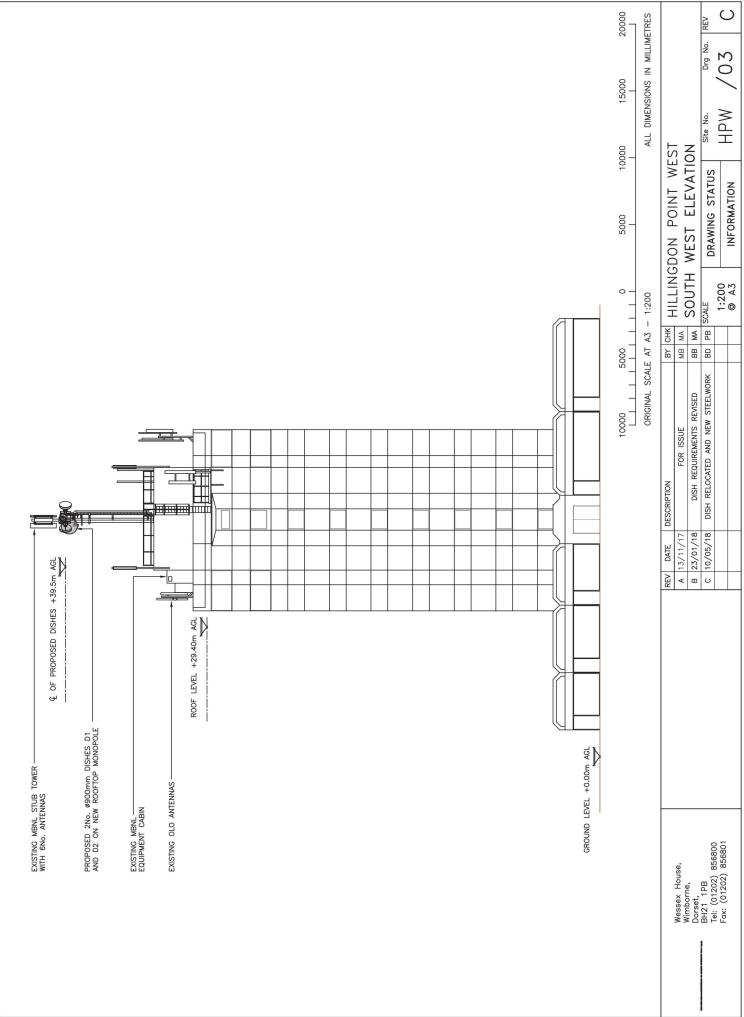
- **Development:** The installation of a 10.5m high rooftop monopole housing 2 x 0.9m microwave dishes along with an equipment cabinet installed on a steel grillage along with ancillary apparatus on the roof of Point West
- LBH Ref Nos: 24/APP/2018/2323

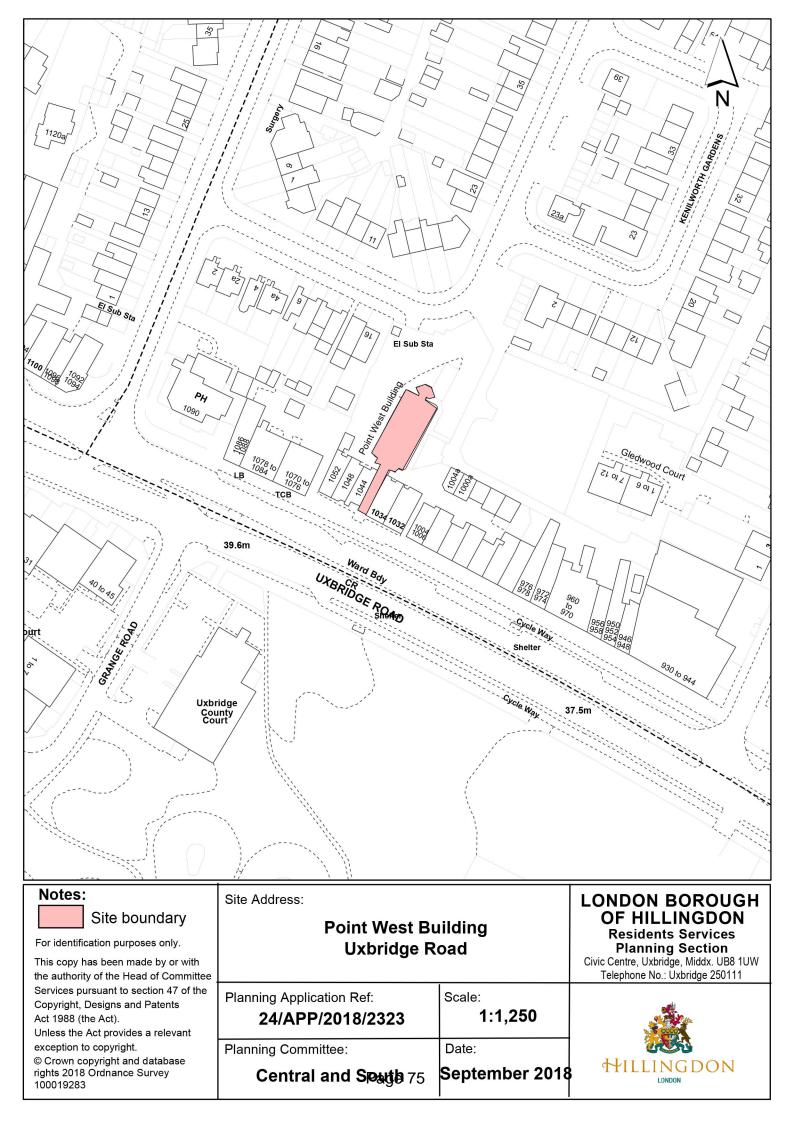
Date Plans Received:	22/06/2018
Date Application Valid:	22/06/2018











## Report of the Head of Planning, Transportation and Regeneration

Address BRUNEL UNIVERSITY KINGSTON LANE HILLINGDON

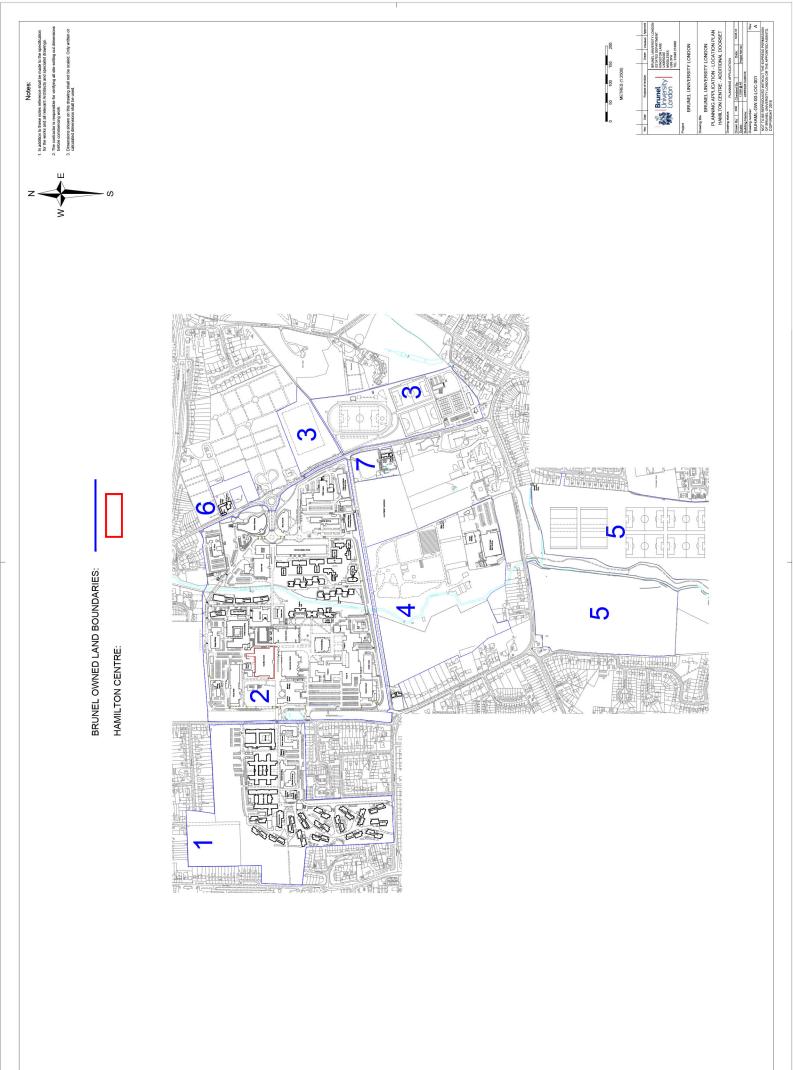
**Development:** Provision of 2 no. new doorsets to the eastern elevation of the Hamilton Centre

**LBH Ref Nos:** 532/APP/2018/2644

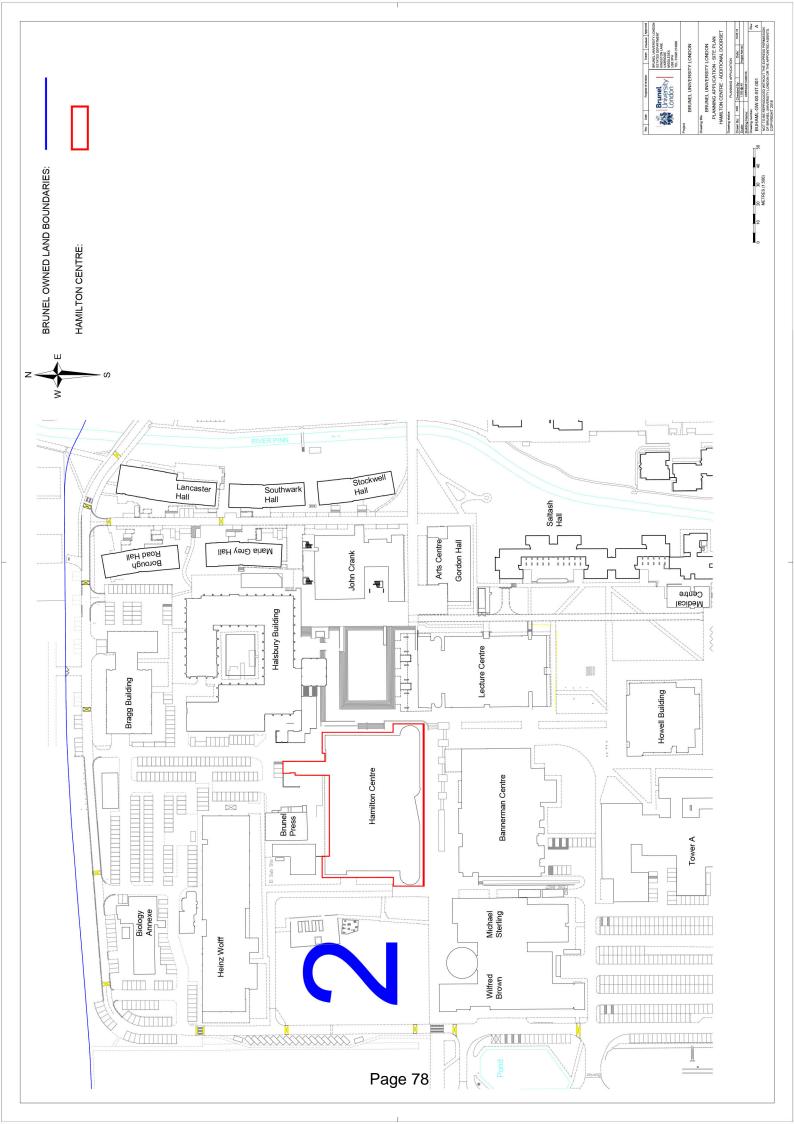
 Date Plans Received:
 17/07/2018

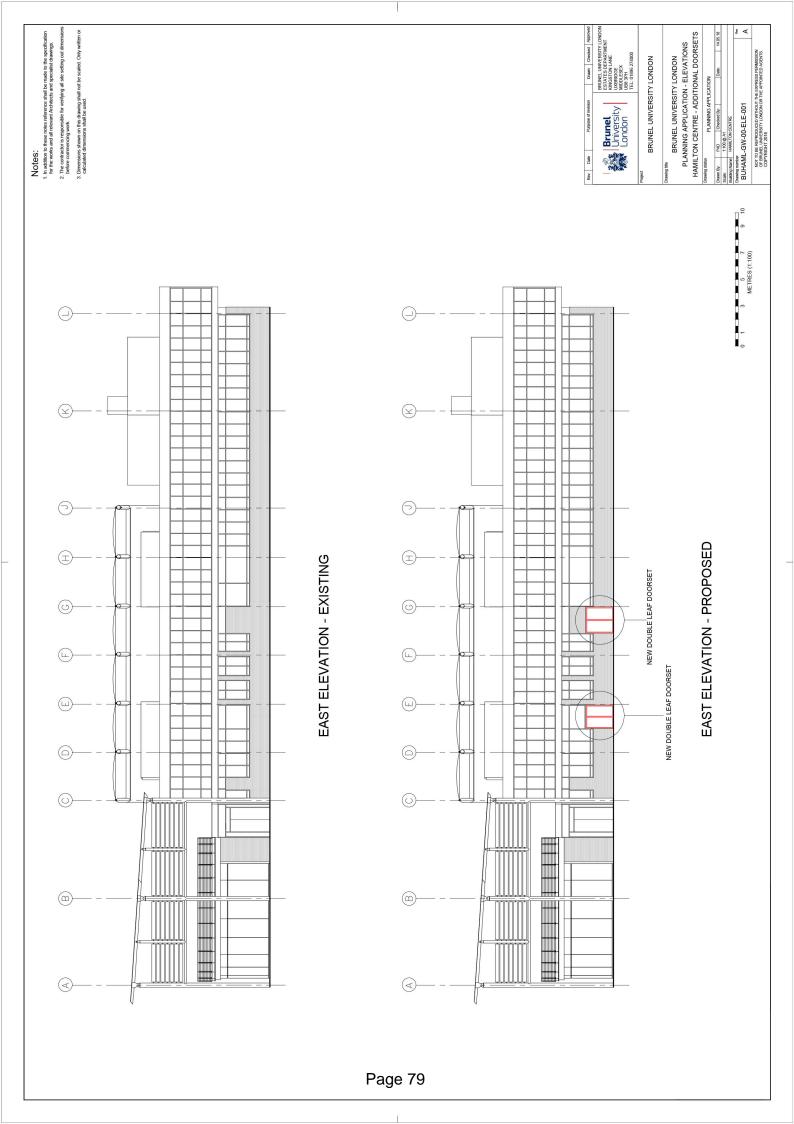
 Date Application Valid:
 18/07/2018

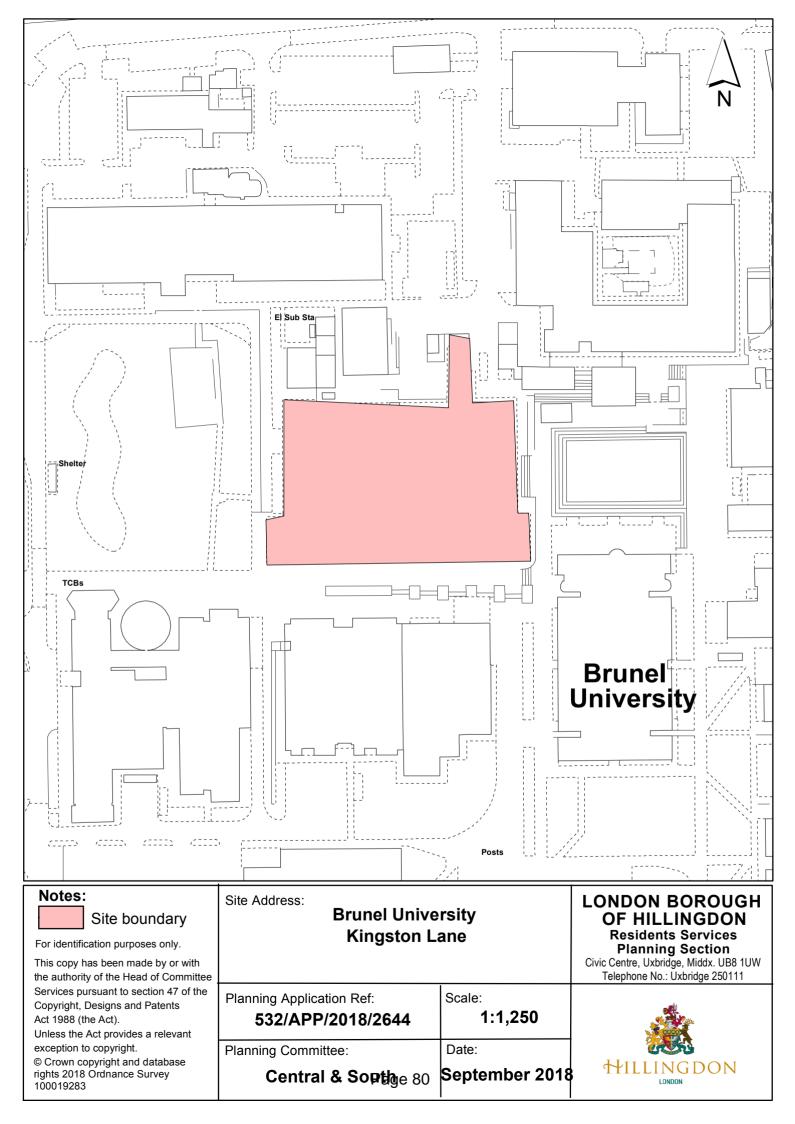
Date(s) of Amendment(s):



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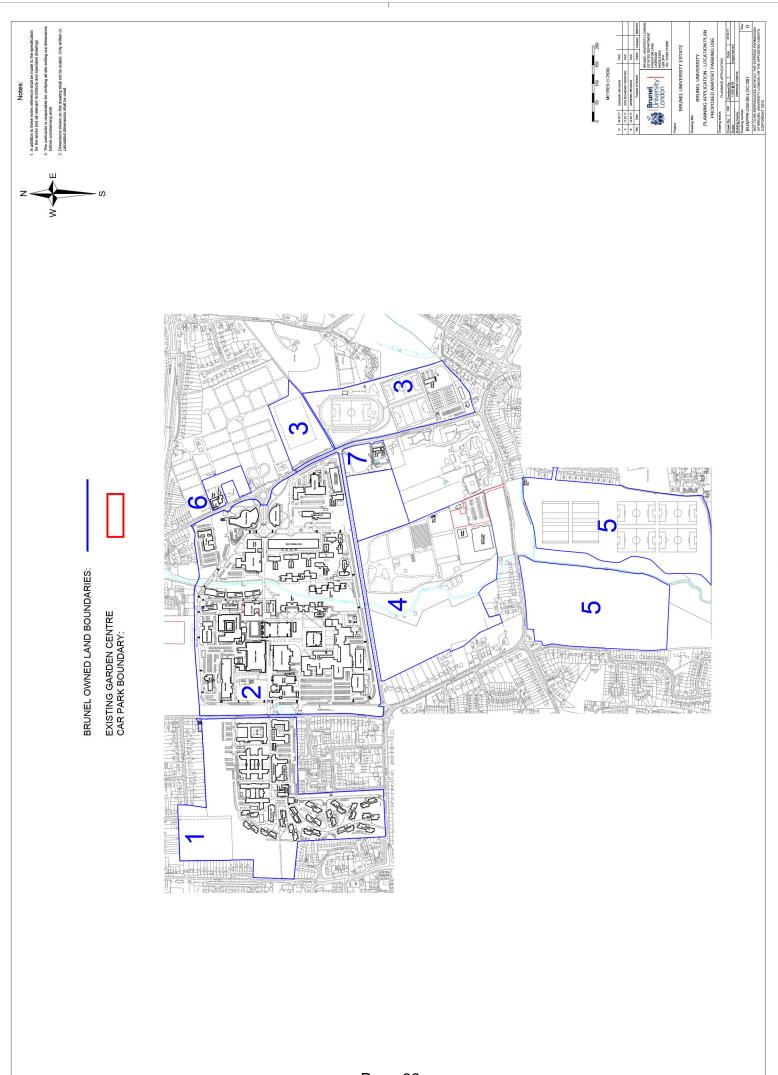
## Report of the Head of Planning, Transportation and Regeneration

Address HILLINGDON GARDEN CENTRE PIELD HEATH ROAD HILLINGDON

**Development:** Temporary change of use from garden centre to parking for Hillingdon Hospital staff for a period of two years.

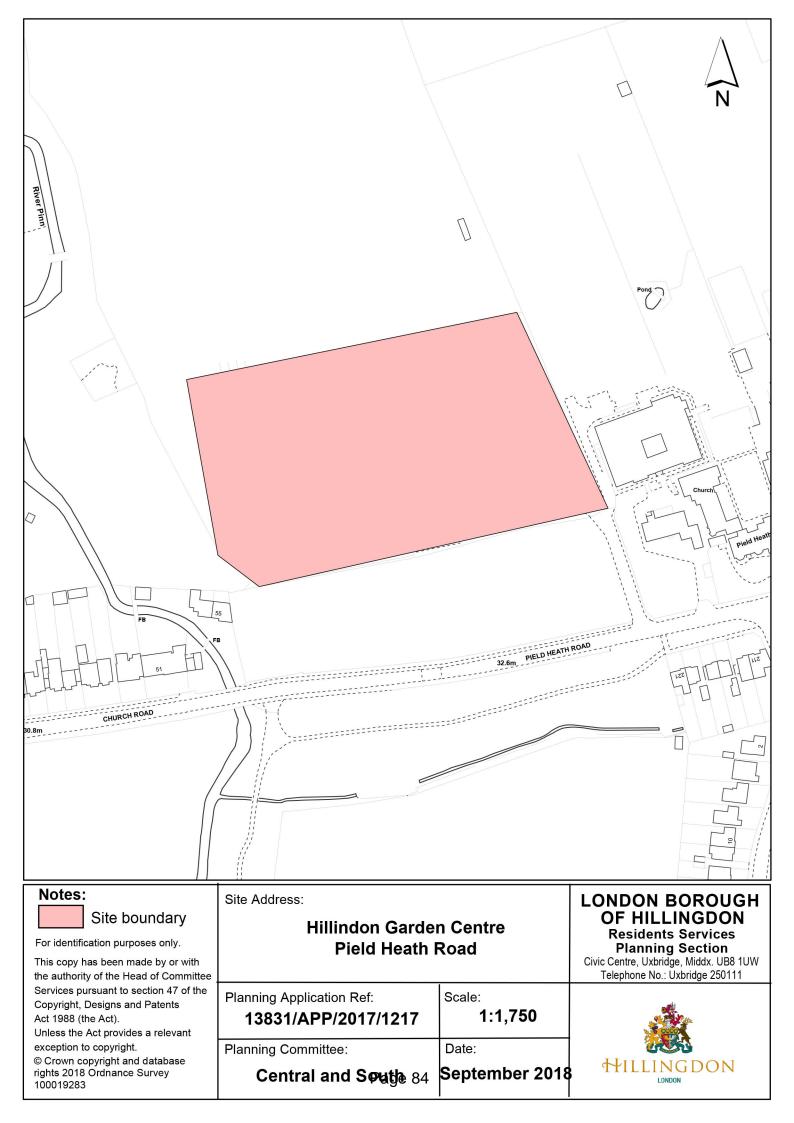
LBH Ref Nos: 13831/APP/2017/1217

Date Plans Received:	03/04/2017	Date(s) of Amendment(s):	03/04/2017
Date Application Valid:	04/04/2017		31/07/2018



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## Report of the Head of Planning, Transportation and Regeneration

Address 78 POLE HILL ROAD HILLINGDON

**Development:** Conversion of attached garage to habitable use to include alterations to front elevation

LBH Ref Nos: 55824/APP/2018/2602

 Date Plans Received:
 13/07/2018

 Date Application Valid:
 18/07/2018

Date(s) of Amendment(s):

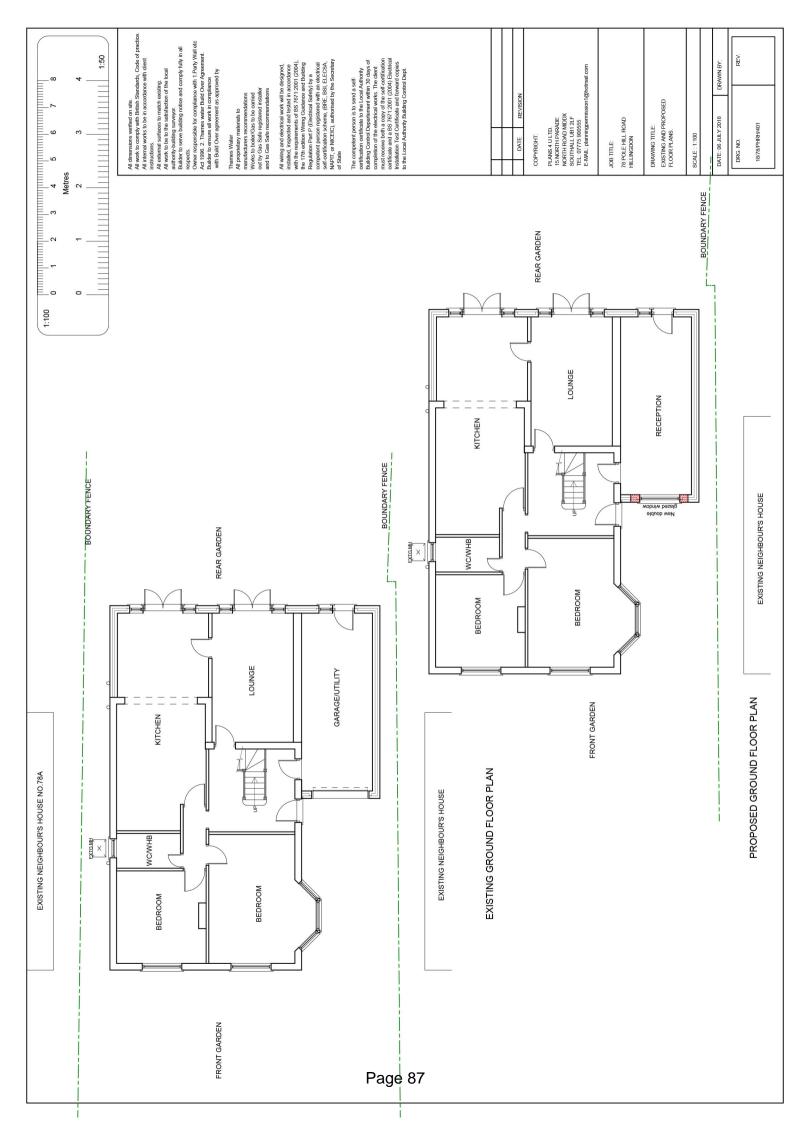


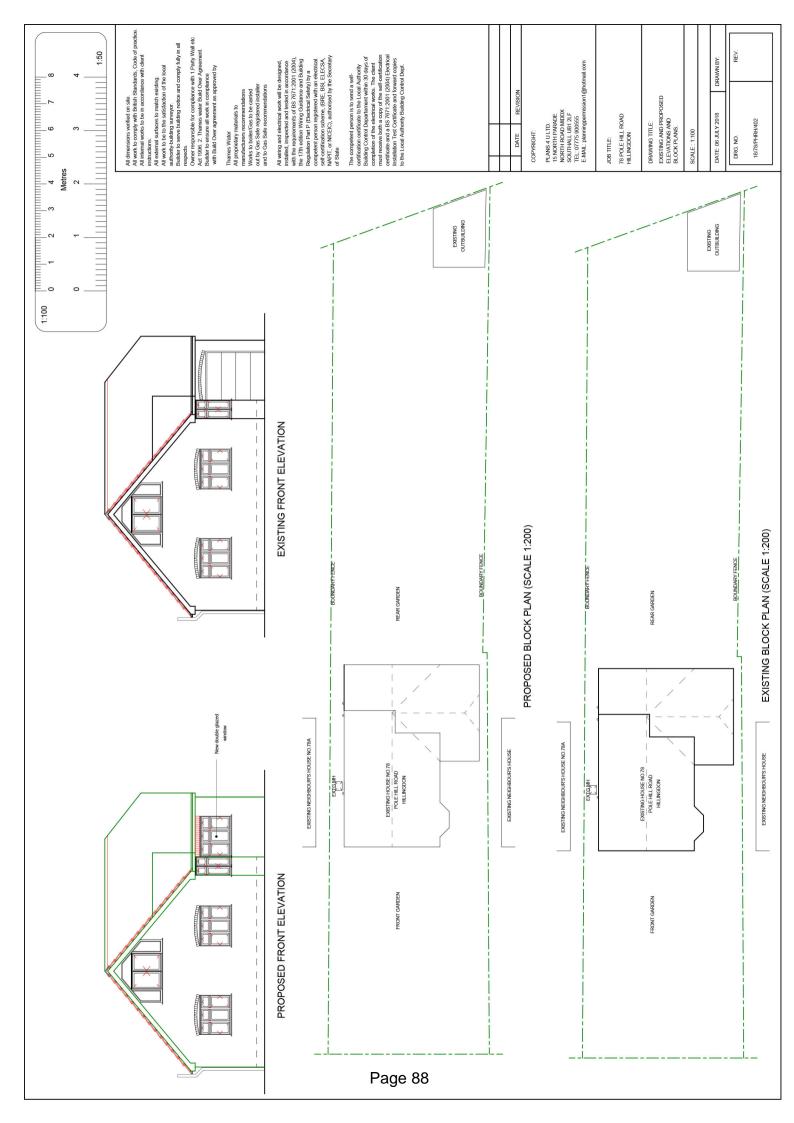


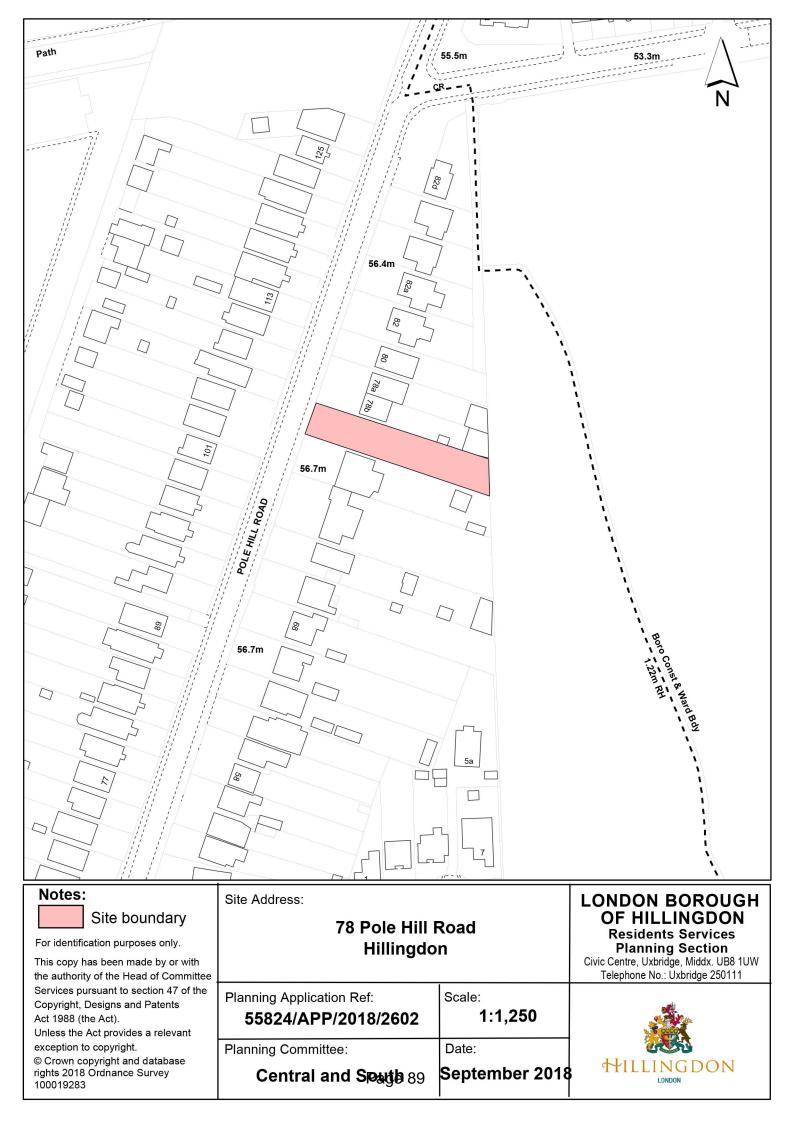
## SITE LOCATION PLAN AREA 2 HA SCALE: 1:1250 on A4 CENTRE COORDINATES: 508154 , 182823 56.4m d2a 113 82 80 78a 785 8 56.7m POLE HILL ROAD N 88 Crown copyright and database rights 2018 OS 100047474



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