

## Report of the Head of Planning, Sport and Green Spaces

**Address** LORDS BUILDERS MERCHANTS DAWLEY ROAD HAYES

**Development:** Single storey detached shed, raising of roof of existing warehouse and alterations to cladding

**LBH Ref Nos:** 43554/APP/2013/1028

**Drawing Nos:** 7621/6 Rev.A  
Site Location Plan  
7621/5 Rev.A  
7621/7  
Design, Access and Planning Statement

**Date Plans Received:** 23/04/2013                      **Date(s) of Amendment(s):** 24/04/2013  
**Date Application Valid:** 03/06/2013                      24/05/2013

### Reason for Urgency

This application, and the associated advertisement consent (Ref: 43554/ADV/2013/36) would facilitate the provision of 8 additional full time jobs on an existing developed site, however delivery of the development and the additional employment is time sensitive. Having regard to the objectives of the National Planning Policy Framework with regard to encouraging economic development and the particular circumstances it is considered that both applications warrant urgent attention.

### 1. SUMMARY

The application seeks planning permission for a single storey detached shed, the raising of the roof of the existing warehouse and alterations to the external cladding at Lords Builders Merchants on Dawley Road. □

□

The application site is located on the western side of Dawley Road. Contained within the site is an existing rectangular building which measures 95 metres in width by 11.7 metres in depth, which is located adjacent the northern boundary line of the site. The front part of the building, approximately 38.7 metres in width, is the retail sales area and office section of the building, which is contained within a two storey pitched roof industrial building. The rear part of the building, 56.3 metres in width, contains a warehouse area with a lean to roof above, sloping down towards the northern boundary line. This was granted consent under application reference 43554C/92/787, which granted to continued use of the land as a builder's merchants. □

□

The site is situated within the Green Belt, as identified in the Policies of the Hillingdon Local Plan (November 2012). □

□

The proposed development would see a partial infilling of a Brownfield Site within the Green Belt, which would not harm the openness of the Green Belt. The Council's Trees & Landscape Officer has considered vegetation loss associated with the development and raises no objection. Being of the view that appropriate tree cover and screening would remain. Therefore, the proposed development is considered to comply with National, Regional and Local Green Belt Policy and is acceptable in principle. The design and

materials are considered to harmonise with the visual amenities of the surrounding area and the proposal would raise no harmful highway impacts. Therefore, 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, numbers 7621/5 Rev.A ,7621/6 Rev. A& 7621/7 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 (July 2011).

#### **3 COM6 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **4 COM7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **5 NONSC Non Standard Condition**

No building materials stored on the land shall be stored so as to exceed 4 metres in height, as measured from the existing ground level adjacent to where the materials are stored within the site.

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REASON□

To ensure the protection of the openness of the Green Belt, in accordance with Policy 7.16 of the London Plan (July 2011) and the National Planning Policy Framework.

**6 COM27 Traffic Arrangements - submission of details**

The development hereby approved shall not be occupied until details until the turning space shown on plan reference 7621/6 has been laid out and made available only for the use of vehicle movements.□

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Thereafter, the turning area must be permanently retained and kept clear of obstruction and used for no purpose other than the movement of vehicles at any time.□

□

REASON□

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

**7 COM8 Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:□

□

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.□

□

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.□

□

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.□

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:□

2.a There shall be no changes in ground levels;□

2.b No materials or plant shall be stored;□

2.c No buildings or temporary buildings shall be erected or stationed.□

2.d No materials or waste shall be burnt; and.□

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.□

□

□

REASON□

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**8 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 
- 1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 
- 2. Details of Hard Landscaping
  - 2.a Means of enclosure/boundary treatments
  - 2.b Hard Surfacing Materials
  - 2.c External Lighting
  - 2.d Other structures (such as play equipment and furniture)
- 
- 4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 
- 5. Schedule for Implementation
- 
- 6. Other
  - 6.a Existing and proposed functional services above and below ground
  - 6.b Proposed finishing levels or contours
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Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

#### **9 COM10 Tree to be retained**

Trees, hedges and shrubs within the site shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

□

#### REASON □

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

### 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 (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact or congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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

OE7	Development in areas likely to flooding - requirement for flood protection measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
LPP 7.2	(2011) An inclusive environment
LPP 7.16	(2011) Green Belt

### **3            I1                    Building to Approved Drawing**

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

### **4            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](http://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.

### **5            I3                    Building Regulations - Demolition and Building Works**

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

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application relates to a Lord's Builders Merchants, located on the western side of Dawley Road. Contained within the site is an existing rectangular building which measures 95 metres in width by 11.7 metres in depth, which is located adjacent to the northern boundary line of the site. The front part of the building, approximately 38.7 metres in width, is the retail sales area and office section of the building, which is contained within a two storey pitched roof industrial building. The rear part of the building, 56.3 metres in width, contains a warehouse area with a flat roof above. This was granted consent under application reference 43554C/92/787, which granted continued use of the land as a builder's merchants.

□  
The remainder of the site is covered in hardstanding and is used for the storage of goods, parking and servicing access and turning area. To the western boundary of the site is a cluster of trees, with a tree belt spanning the width of the southern boundary line. Access into the site is via a crossover from Dawley Road, situated in the northeastern corner of the site. □

□  
To the north of the site is a group of commercial buildings with a golf course to the west and south. The site is situated within the Green Belt, as identified in the Policies of the Hillingdon Local Plan (November 2012).

#### 3.2 Proposed Scheme

The application seeks planning permission for a single storey detached shed, the raising of the roof of the existing warehouse and alterations to the external cladding. □

□  
The proposed detached shed would be of open nature and would have an external footprint of 24.3 metres by 6.29 metres. The building would have a sloped roof design with a height of 4.41 at the principal elevation. The land around the building has differing ground levels, with the land sloping upwards from front to rear. The building would be cut into the ground with the rear elevation being 2.2 metres above ground level. □

□  
The proposed amendments to the warehouse are to change the roof structure of the warehouse from a sloped roof to a low level pitched roof, increasing the height of the building by between 1.27 metres and 2.18 metres. The footprint of the warehouse would not increase and the all of the warehouse would be re-clad in dark green Plastisol coated steel sheeting.

#### 3.3 Relevant Planning History

43554/89/1078                      Rover Builders Merchants Ltd. Dawley Road Hayes  
Use of land as builders merchants yard (Application for Established Use Certificate)

**Decision:** 27-02-1992      Refused

43554/A/89/1411                      Rover Builders Merchants Ltd. Dawley Road Hayes  
Use of land as builders merchants yard (Application for Established Use Certificate) (duplicate application)

**Decision:** 27-02-1992 Refused

43554/ADV/2011/93 Burdens Dawley Road Hayes  
Adverts to building frontage and approach and information signs

**Decision:** 26-01-2012 NFA

43554/ADV/2013/36 Lords Builders Merchants Dawley Road Hayes  
Installation of 1 x free standing sign

**Decision:**

43554/C/92/0787 Hendricks Lovell Builders Merchants Dawley Road Hayes  
Continued use of premises as builders merchants

**Decision:** 23-03-1994 Approved

43554/D/92/1722 Hendricks Lovell Builders Merchants Dawley Road Hayes  
Use of land as a builders merchant's yard and turf depot (Appeal against Enforcement Notice;  
Application for planning permission deemed to have been made pursuant to Section 174 of the  
Town and Country Planning Act 1990)

**Decision:** 14-04-1994 Withdrawn **Appeal:** 14-04-1994 Withdrawn

43554/E/94/3078 Hendricks Lovell Ltd Dawley Road Hayes  
Installation of double-sided externally illuminated name sign

**Decision:** 14-10-1994 Approved

43554/F/94/1494 Hendricks Lovell Builders Merchants Dawley Road Hayes  
Details of brick samples in compliance with condition 3 of planning permission ref. 43554C/92/  
787 dated 23/03/94; Continued use of premises as builders merchants

**Decision:** 20-10-1994 Approved

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

The use of the site was approved as Builders Merchants under application reference 43554C/92/787. The rear part of the warehouse, measuring 56.3 metres in width was granted consent as part of this permission. □

□

Attached to the approval was a legal agreement which required the occupier to undertake a number of works to the site, including carrying out works within the wall survey and the realignment of the wall fronting Dawley Road. All of these works were completed in accordance with the legal agreement. Also contained within the document are a number of



prohibitive covenants which are listed below:□

□

3.9 a) No outdoor storage shall take place on the Land in those areas which are indicated on the plans as car parking spaces, turning circle or landscaped.□

□

3.9 b) No material stored on the Land shall be stored so as to exceed three (3) metres in height as measured from ground level to the west of the line marked XX on the plans.□

□

3.9 c) No material stored on the Land shall be stored so as to exceed four (4) metres in height as measured from ground level to the east of the line marked XX on the plans.□

□

The covenants, therefore, clearly allows the storage of goods on the land around the buildings up to a certain height.□

□

A concurrent application for signage at the entrance to the site was submitted alongside the current application (43554/ADV/2013/36).

#### **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:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments.

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

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
OE7	Development in areas likely to flooding - requirement for flood protection measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
LPP 7.2	(2011) An inclusive environment
LPP 7.16	(2011) Green Belt

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

6 neighbouring occupiers were notified of the proposed development by way of letter on 12th June 2013 and a site notice was erected. By the close of the consultation period, no consultation responses had been received.

### Internal Consultees

#### HIGHWAYS OFFICER

The development proposals are for the construction of a single storey, open fronted storage unit and to increase the height of the existing warehouse building within the site. As part of the development, two advertising signs are proposed, which will be fixed to the boundary wall at the entrance to the site and a free standing sign that will be located within the site boundary. In addition, it is noted that the internal site layout will be amended from that, which was agreed as part of the existing S106 Agreement in relation to the original planning consent.

When undertaking assessment of the development, it is considered that the proposals will formalise the existing storage facilities at the site with a nominal increase in capacity. As a result, it is not considered that there will be a material increase in vehicle trips along the adjacent highway.

Furthermore, when considering the manoeuvring of larger vehicles as a result of the proposed amendments to the site layout, a swept path analyses has been undertaken, which has demonstrated that an articulated vehicle can satisfactorily manoeuvre within the site.

Therefore, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan, 2012, Part 2, and an objection is not raised in relation to the highway and transportation aspect of the proposals. However, the applicant is required to apply for a deed of variation in relation to the existing S106 Agreement, for the proposed amendments to the internal site layout.

#### ACCESSIBILITY OFFICER

No objection is raised from an accessibility stand point.

## TREES & LANDSCAPE OFFICER

(Officer Comment: Since the provision of the landscape comments below an amended site plan has been received 7621/6 Rev. A which clearly demonstrates the retention of the Oak Tree referred to by the the Council's Trees and Landscape Officer. Appropriate conditions are recommended to secure its retention and accordingly there is no objection on landscape grounds.)

### Landscape Character/Context:

The site lies at the west boundary of a builders' merchant off Dawley Road, which backs on to Stockley Golf Course. Situated within the Green Belt the boundary is defined by a bund, approximately 12 metres wide x 1.2 metres in height, with mixed woodland planting along the top. This was installed / planted in accordance with a legal agreement, dated 1992. The woodland planting is now well-established and has the intended effect of screening from view the storage and activity associated with the builders' merchant from the golf course and footpaths to the west.

The trees along this boundary are not protected by TPO or Conservation designation. However, they contribute to the local landscape character and re-inforce the off-site tree planting within the boundary of Stockley Golf course.

### Proposal:

The proposal is to build a single-storey storage shelter along the west boundary, to re-clad, and raise the height of, the existing warehouse building along the northern boundary and install new advertisement signage.

### Landscape Considerations:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

· In 2011, a proposal to vary the legal agreement and sacrifice approximately 6 metres of the eastern face of the bund was discussed with the local planning authority. The remains of the bund and most of the trees were to be retained and the freed space used for external storage of building materials (to be limited in height).

· The current proposal involves the loss of approximately 6 metres of the east face of the bund for part of its length and the installation of a single-storey mono-pitched roof. The roof will be 4.418 metre in height facing the yard and reduce to 3.236 metres along the rear elevation. Part of the rear elevation will be 'lost' where it retains the centre and west elevation of the mound. The covered area is preferable to open space storage as it will restrict the height of the storage.

· Tree loss, associated with the covered storage has not been quantified. However, most of the effective tree cover and screening can be retained, subject to good practice and appropriate tree protection.

· In the Design Access and Planning Statement (Appendix, 3.1(a), 3.2) the report refers to an Oak tree which is to be removed from the yard. There is one fine Oak tree within the site which is close to the entrance and Dawley Wall. This tree is protected by the legal agreement, but is not shown on plan. However, ABA's drawing No. 7621/5A, indicates the yard without the Oak tree.

· This tree appears to be in good health, although building materials are being stored very close by. During discussions about the tree in 2011, the local planning authority recommended that a permanent barrier be placed around the tree to protect it from accidental damage to its below and above ground structure. No justification is given for the removal of the Oak and at no time has the removal of this Oak been discussed with the Council's landscape architect or tree officers.

### Recommendation:

· There is no objection to the proposed building work, subject to COM8, COM9 (parts 1,2,4,5 and 6)

and COM10.□

· The removal of the Oak is not acceptable. The applicant has not made provision for its long-term protection in accordance with the legal agreement. The tree was protected as an important landscape feature which contributes to the character of the area.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The National Planning Policy Framework states in paragraph 89 that limited infilling or partial redevelopment of Brownfield Sites within the Green Belt which would not impact the openness of the Green Belt, are considered acceptable.□

□

Policy 7.16 of the London Plan (July 2011) states that the strongest protection should be given to London's Green Belt, in accordance with national guidance.□

□

Policy OL1 of the Hillingdon Local Plan (November 2012) states that within the green belt, as defined on the proposals map, the following predominantly open land uses will be acceptable: □

□

(i) agriculture, horticulture, forestry and nature conservation; □

□

(ii) open air recreational facilities; □

□

(iii) 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 existing site was granted consent for continued use as a builders merchants under application reference 43554C/92/787, which required large area of hardstanding for the storage of materials and vehicle park and turning areas. The current site is largely covered in hardstanding and whilst designated as Green Belt, does not currently retain much soft landscaping or Green Space, with the only exception being the trees belt adjacent the boundary line shared with the Green Belt. The 1992 permission also allowed for the storage of goods up to a height of 3 or 4 metres in large areas of the site and large areas of the site are currently covered with building materials.□

□

The first part of this application seeks to provide a new storage building to house the building materials. The maximum height of the building would be 4.41 metres, which is only 0.4 metres greater in height than the legal agreement on the site permits the materials to be stored to. Given that the 1992 consent allowed large areas of the site to be used for storage, the provision of a storage shed to house these materials would not be considered to significantly harm the openness of the Green Belt land. Furthermore, the colour of the materials of the building can be conditioned to ensure the most suitable use of materials for a Green Belt site.□

□

The second part of the application is with regard to the increase in the height of the existing warehouse building. □

□

Policy OL4 the local planning authority will only permit the replacement or extension of

buildings within the green belt if:

(i) the development would not result in any disproportionate change in the bulk and character of the original building;

(ii) the development would not significantly increase the built up appearance of the site;

(iii) having regard to the character of the surrounding area the development would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

The proposed alteration to the warehouse would increase the height by a maximum of 2.25 metres. The increase of the height of the building is considered to not increase the bulk of the building to such an extent that it would cause significant harm to the openness of the Green Belt, given that the 1992 consent allowed for a building of such a footprint. Given the backdrop of the warehouse against the other buildings to the north and within the site and that the merchants yard now deems little of the features from its original Green Belt designation, the proposed increase height of the warehouse is considered to have an acceptable impact on the visual amenities of the Green Belt and the dark green materials chosen to clad the warehouse would be most appropriate for the location.

The proposed development would see a partial infilling of a Brownfield Site within the Green Belt, which would not harm the openness of the Green Belt. Therefore, the proposed development is considered to comply with National, Regional and Local Green Belt Policy and is acceptable in principle.

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

Not applicable to the current application.

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

The site is not within a Conservation Area, Area of Special Local Character or Archaeological Priority Area. There are no Listed or Locally Listed Buildings within or adjacent the site.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues arising from the current proposal.

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

See Section 7.01 of the report.

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

The proposed alterations to the warehouse are considered to improve the appearance of the building and the visual amenities of the surrounding area. The provision of a storage area for the materials currently stored in the service yard area would improve the visual amenities of the surrounding area. Therefore, the proposal would comply with Part 1 Policy BE1 & Part 2 Policies BE13 & BE15 of the Hillingdon Local Plan (November 2012).

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

The proposed development seeks to increase the height of the rear elevation of the warehouse from 4 metres to 6.25 metres at the northern boundary of the site. The land to the north is taken up by a number of commercial buildings. Therefore, the proposed development would not impact the residential amenity of any neighbouring occupier. The increase in height would not result in any significant over dominance to the land to the north and is considered to comply with Policies BE20 & BE21 of the Hillingdon Local Plan (November 2012).

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

Not applicable to the current application.

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

The proposed development would not impact the number of car parking spaces at the site. The storage shed and increased height of the warehouse would increase the storage capacity of the builders merchants, but is considered to not materially increase the traffic flows to and from the site. The proposed layout would retain sufficient space for service and delivery vehicles to exit and enter in forward gear and would not cause unacceptable harm to highway or pedestrian safety. Therefore, the proposal is considered to comply with Policy AM2, AM7, AM8 & AM9 of the Hillingdon Local Plan (November 2012)

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

No comments with regards to Urban Design, Access or Security.

#### **7.12 Disabled access**

The Accessibility Officer has reviewed the current proposal and raised no objections to the proposals.

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

Not applicable to the current application.

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

The current proposal involves the loss of approximately 6 metres of the east face of the existing landscape bund for part of its length and the installation of a single-storey mono-pitched roof. The roof will be 4.418 metre in height facing the yard and reduce to 3.236 metres along the rear elevation. □

□

This structure will be partially screened in visual and landscape terms by the centre and west portions of the bund/mound which would be retained and it is considered that the covered area is preferable in landscape terms to open space storage as it will restrict the height of the storage and provide a neater built form. □

□

While there would be some tree/vegetation loss, associated with the covered storage area, most of the effective tree cover and screening can be retained, subject to good practice and appropriate tree protection. □

□

The plans have been amended to clearly demonstrate the retention of the Oak Tree within the centre of the site, and appropriate conditions are attached to secure the protection and retention of all trees to be retained. □

□

Accordingly, no objections are raised in landscape terms and it is considered that the proposal would be acceptable in terms of Policies OL2 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

Not applicable to the current application.

#### **7.16 Renewable energy / Sustainability**

Not applicable to the current application.

#### **7.17 Flooding or Drainage Issues**

No Flooding or Drainage issues would arise from the proposed development and it is considered to comply with Policy OE7 of the Hillingdon Local Plan (November 2012).

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

No Noise or Air Quality issues would arise from the proposed development.

#### **7.19 Comments on Public Consultations**

No further comments required.

#### **7.20 Planning obligations**

The S106 Officer has reviewed the legal agreement from the 1992 permission and considers that the contents of the legal agreement have been adhered to or can be adequately controlled by conditions. Therefore, the legal agreement will be quashed the Councils request after the determination of this application.

#### **7.21 Expediency of enforcement action**

None required.

#### **7.22 Other Issues**

No further issues for consideration.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.□

□

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).□

□

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.□

□

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.□

□

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

None received.

### **10. CONCLUSION**

The proposed development would see a partial infilling of a Brownfield Site within the Green Belt, which would not harm the openness of the Green Belt. The Council's Trees & Landscape Officer has considered vegetation loss associated with the development and raises no objection. Being of the view that appropriate tree cover and screening would remain. Therefore, the proposed development is considered to comply with National,

Regional and Local Green Belt Policy and is acceptable in principle. The design and materials are considered to harmonise with the visual amenities of the surrounding area and the proposal would raise no harmful highway impacts. Therefore, the application is recommended for approval.

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

Hillingdon Local Plan (November 2012);  
The London Plan (July 2011);  
National Planning Policy Framework.

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