

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

**Address** CHADWICK BUILDING, BRUNEL UNIVERSITY CLEVELAND ROAD  
UXBRIDGE

**Development:** Retention of two storey pre-fabricated building for a period of three years.

**LBH Ref Nos:** 532/APP/2013/3688

**Drawing Nos:** Covering Letter dated 11 December 2013  
BUCHDK-GW-00-PLN-002 Rev 0 Location Plan  
BUCHDK-GW-00-ELE-003 Rev 0 Existing/Proposed Elevations  
BUCHDK-GW-00-EXT-001 Rev 0 Ground Floor Existing Layout  
BUCHDK-GW-01-EXT-101 Rev 0 First Floor Existing Layout  
BUCHDK-GW-00-SIT-002 Rev 0 Site Plan

**Date Plans Received:** 11/12/2013                      **Date(s) of Amendment(s):**

**Date Application Valid:** 17/12/2013

### 1. SUMMARY

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of three years, in order to accommodate staff displaced by the major refurbishment work within the Wilfred Brown building.

No changes to the appearance of the building are proposed and so there would be no change to the impact of the building on the street scene and the Green Belt. The proposed retention of the building for another three years complies with Policies BE13 and OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is therefore recommended that the application is approved.

### 2. RECOMMENDATION

**That subject to:**

- no additional material planning considerations above those addressed within this report being raised before the end of the consultation period;
- referral to the Greater London Authority and the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission; and
- referral to the National Planning Casework Unit for the Secretary of State as a departure from the provisions of the Development Plan and the National Planning Casework Unit not directing the local planning authority to refuse the application.

**That delegated authority be granted to the Head of Planning, Green Spaces and Culture to approved the application subject to the following conditions:**

#### 1            T4            Temporary Building - Removal and Reinstatement

The building hereby permitted shall be removed and the land restored to its former condition within three years of the date of this consent.

## REASON

The building, by reason of its design is not considered suitable for permanent retention in compliance with Policies BE13 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

### **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,

BUCHDK-GW-00-PLN-002 Rev 0 Location Plan  
BUCHDK-GW-00-SIT-002 Rev 0 Site Plan  
BUCHDK-GW-00-EXT-001 Rev 0 Ground Floor Existing Layout  
BUCHDK-GW-01-EXT-101 Rev 0 First Floor Existing Layout  
BUCHDK-GW-00-ELE-003 Rev 0 Existing/Proposed Elevations

and shall thereafter be retained/maintained for as long as the development remains in existence.

## REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the London Plan (July 2011).

## 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.

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

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises the Chadwick Building located within Brunel University. The building is accessed from the West Spur Road running east/west off Cleveland Road. The Chadwick Building is bordered to the east by the Arts and Social Sciences Faculty (Gaskell Building) and by a student residential accommodation block to the west. The new phase 3 students' Halls of Residence is located north of the site whilst to the south lie residential properties in Ratcliffe Close.

Brunel University is a Major Developed Site within the Metropolitan Green Belt as

identified in the Policies of the Hillingdon Local Plan (November 2012).

### 3.2 Proposed Scheme

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of three years, in order to accommodate staff displaced by the major refurbishment work within the Wilfred Brown building. No elevational changes are proposed.

### 3.3 Relevant Planning History

532/HQ/86/1760                      Brunel University Kingston Lane Hillingdon  
Erection of two-storey portakabin duplex building.

**Decision:** 05-01-1987    Approved

532/NS/96/1836                      Brunel University Kingston Lane Hillingdon  
Renewal of planning permission ref. 532HQ/86/1760 dated 05/01/87; Erection of a two storey portakabin (duplex series MKII)

**Decision:** 10-02-1997    Approved

#### Comment on Relevant Planning History

Brunel University has an extensive planning history, most of which is not relevant to this application.

The existing building was granted a 10 year temporary planning permission was granted under reference 532/HQ/86/1760 on 05/01/87. On the 10/02/1997 permission was granted under reference 532/NS/96/1836 for a further 5 years. The need to remove the building and restore the land to a state agreed with the local planning authority within 5 years of the date of the permission (e.g. 10/02/2002) was a condition of this approval.

Notwithstanding, this condition since 10/02/2002 the building has remained in situ and been used for the temporary accommodation of various schools during refurbishment of existing university buildings.

While no application has ever been submitted to the Local Planning Authority seeking to confirm the lawful use of the building, it is noted that the building has been in situ for more than 10 years since its condition was required by condition and there is no evidence that the building has been removed at any point during this time. Based on the information currently before the Council, the building would appear to be immune from enforcement action and had an application for a certificate of lawfulness been submitted the Local Planning Authority would have been obliged to confirm the lawfulness of the building.

It is considered that this full planning application seeking permission for retention of the building for a further temporary time period must be considered on it's individual merits and on the basis for which permission is sought (e.g. temporary consent), however the fact that the current building is immune from enforcement action and that it has been in situ for circa 27 years without any adverse planning impacts is a significant material consideration in determining the application.

## 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:

BE13 New development must harmonise with the existing street scene.

OL4 Green Belt - replacement or extension of buildings

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **7th January 2014**

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

20th February 2014

## 6. Consultations

### External Consultees

Consultation letters were sent to 9 local owners/occupiers, the Cleveland Road Neighbourhood Watch and the Cleveland Road Residents Association. To date no responses were received.

The application has also been advertised as a departure by site notice and in the press.

Greater London Authority:

No response has been received at the time of this report.

The consultation period does not expire until the 26th February 2014 for the Mayor of London to respond. Given the significant weight which must be attached to the matters set out in the planning history section of the report it is not anticipated any issues will arise, however the recommended resolution retains flexibility for the application to be re-considered should this occur.

### Internal Consultees

None

## 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). The proposal is to retain an existing temporary building for an additional three years. There are no changes proposed to the appearance of the building which has been in situ for circa 27 years and so there would be no change in the visual impact on the Green Belt. Given the temporary nature of the proposal and its location within a major developed site, the proposal is considered consistent with 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

The site is not within an Archaeology Area, Conservation Area or Areas of Special Character, nor does it affect the setting of a Listed Building.

### 7.04 Airport safeguarding

Not applicable to this application.

### 7.05 Impact on the green belt

The impact on the Green Belt is discussed in Section 7.01.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect the character and appearance of the street scene. The existing building is to be retained for an additional three years and no elevational changes are proposed. There would therefore be no change in the impact of the building on the street scene, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

### 7.08 Impact on neighbours

The building is located within the university campus and would be used for purposes

relating to the university. The building is over 26m from the nearest residential property outside of the university site and has been in situ for circa 27 years. As such, it is considered that the proposed retention of the building for an additional three years would not impact on residential amenity.

**7.09 Living conditions for future occupiers**

Not applicable to this application.

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

Parking is provided by the adjoining parking areas accessed from the West Spur Road and would not be affected by the retention of the building. There would not be an increase in traffic to and from the site as a result of the proposal.

**7.11 Urban design, access and security**

No changes are proposed to the building in terms of design, access and security.

**7.12 Disabled access**

The proposal seeks to retain an existing building and there would be no change to the existing accessibility of the building.

**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 responses were received as part of 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**

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**

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of three years, in order to accommodate staff displaced by the major refurbishment work within the Wilfred Brown building.

No changes to the appearance of the building are proposed and so there would be no change to the impact of the building on the street scene and the Green Belt. The proposed retention of the building for another three years complies with Policies BE13 and OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is therefore recommended that the application is approved.

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

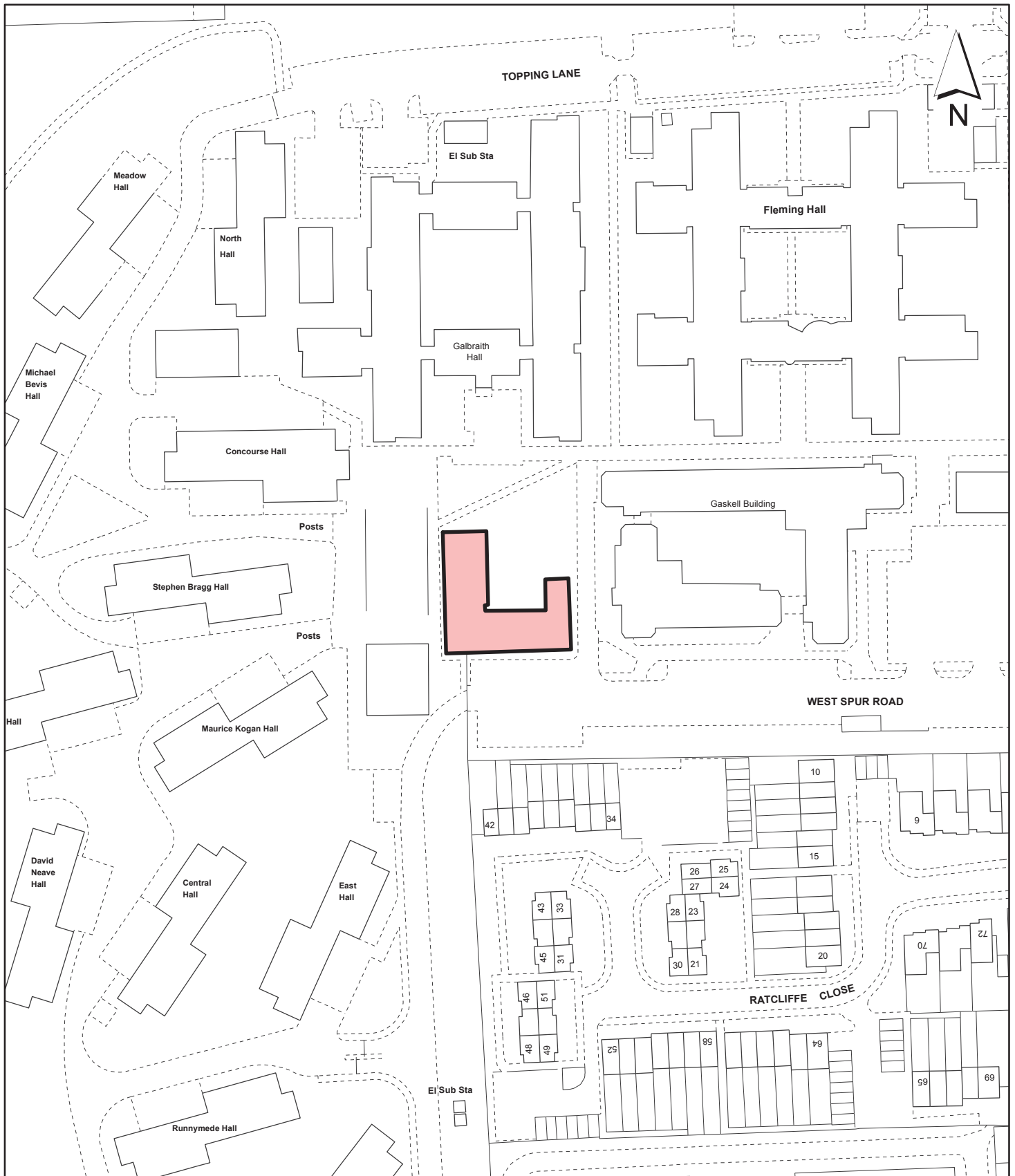
Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

**Contact Officer:** Katherine Mills

**Telephone No:** 01895 250230





**Notes**

 Site boundary

For identification purposes only.  
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Site Address

**Chadwick Building  
 Brunel University  
 Cleveland Road**

**LONDON BOROUGH  
 OF HILLINGDON  
 Residents Services**

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

Planning Application Ref:  
**532/APP/2013/3688**

Scale  
**1:1,250**

Planning Committee  
**Major Application**

Date  
**February 2014**



**HILLINGDON**  
 LONDON