

Report of the Head of Planning, Sport and Green Spaces

Address RIVERSIDE HEALTH AND RACQUETS CLUB, 18 DUCKS HILL ROAD
NORTHWOOD

Development: Installation of a temporary 3 court tennis dome, fan housing and ancillary facilities.

LBH Ref Nos: 272/APP/2014/1234

Drawing Nos: 35VA-07B
3ctCDI
Aerial Plan of CGI viewpoint 27.03.14
Appendix 1_Design Spec of Fan and Heating Unit
Design and Access Statement
Cover Letter 08.04.2014

Date Plans Received: 08/04/2014 **Date(s) of Amendment(s):**

Date Application Valid: 21/05/2014

1. SUMMARY

This application seeks full planning permission for the installation of an inflatable dome structure over 3 tennis courts for a temporary five year period, plus an associated permanent storage structure for the dome's fan/heating requirements.

The proposal fully complies with the aims of the National Planning Policy Framework (NPPF), London Plan policy 3.19 and UDP policy R10, which seek to encourage the provision of new and/or enhanced sports facilities. It is considered that the proposed development would result in an acceptable impact on the visual amenities of the site. The proposal would not have a significant detrimental impact on the amenities of the occupiers of neighbouring residential properties. The proposal is considered to comply with relevant Local Plan and London Plan policies and, accordingly, approval is recommended.

2. RECOMMENDATION

1. That the application be referred to the Secretary of State as a departure from the provisions of the Development Plan, in accordance with the Town and Country Planning (Consultation) (England) Direction 2009.

2. That should the Secretary of State not call in the application, , the application be deferred for determination by the Head of Planning, Culture and Green Spaces under delegated powers.

3. That if the application is approved, the following conditions be attached:

1 COM3 Time Limit

The dome hereby permitted shall be removed and the land restored to its former condition within 5 years of the date of this consent.

REASON

1) The building, by reason of its siting within the Green Belt and its design is not

considered suitable for permanent retention in compliance with Policies OL1, OL5 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.16 of the London Plan (July 2011); and

2) The application, as submitted seeks temporary permission, and accordingly is not liable for payments under the Community Infrastructure Levy which would be required to mitigate the impacts of a permanent development on infrastructure. The retention of the development on a permanent basis without making necessary contributions would therefore be unacceptable.

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 35VA-07 Rev B, VN071302 and 440000-14 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).

3 RES9 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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 COM29 No floodlighting

Full details of all proposed lighting shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policies BE13 and OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM22 Hours of Illumination

The proposed development shall not be illuminated except between:-

[0800 to 2200] Mondays - Fridays

[0800 to 2100] Saturdays

[1000 to 1800] Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties

in accordance with Policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 NONSC Non Standard Condition

Prior to the commencement of development an energy assessment shall be submitted showing how the development will reduce and/or offset carbon emissions arising from the development. The assessment shall clearly show:

- 1) the baseline energy demand (kwhr and kgCO₂).
- 2) the methods to improve the energy efficiency of the development, how these impact on the baseline emissions and where they will be included within the development.
- 3) details of renewable energy to reduce CO₂ either within the development or offset elsewhere in the adjoining development

Reason

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

7 NONSC Non Standard Condition

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

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.

- | | |
|------|--|
| 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 |
| AM2 | Development proposals - assessment of traffic generation, impact |

AM7	on congestion and public transport availability and capacity
BE21	Consideration of traffic generated by proposed developments.
OE1	Siting, bulk and proximity of new buildings/extensions.
OE3	Protection of the character and amenities of surrounding properties and the local area
OL1	Buildings or uses likely to cause noise annoyance - mitigation measures
OL15	Green Belt - acceptable open land uses and restrictions on new development
OL4	Protection of Countryside Conservation Areas
OL5	Green Belt - replacement or extension of buildings
LPP 3.19	Development proposals adjacent to the Green Belt
LPP 5.3	(2011) Sports Facilities
LPP 7.16	(2011) Sustainable design and construction
	(2011) Green Belt

3 159 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. 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

The Riverside Club is a multi-sports and health complex within extensive landscaped grounds. There is a large essentially single storey building sited on the north western boundary of the site with a large car park to the front, the access to which is obtained from the A4180 (Ducks Hill Road). There are 13 floodlit outdoor tennis courts on the south and east side of the building, with a small lake in front.

The site is adjoined to the north west by the grounds of Mount Vernon Hospital, to the north by the grounds of the Northwood Cricket Club, to the east and south east by residential development fronting Ducks Hill Road and Cygnet Close and to the west by open farm land.

The site is within a Countryside Conservation Area and forms part of the Green Belt, as do the adjoining hospital and cricket grounds and open land to the south, west and north, as identified in the adopted Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

This application seeks permission for the installation of a de-mountable dome structure over 3 tennis courts with an associated storage structure for the dome's fan/heating requirements.

The proposed dome would be an inflatable polythene membrane structure that would be

erected in order to enable increased use of the existing tennis courts. The structure would be 50.2m long, 36.6m deep and have a maximum height of 9.2m (dimensions taken from the submitted plan no. VN071302). The dome would be fixed to the existing hardstanding area and would be internally lit, with the double skin having a 50% translucency.

The Design and Access Statement submitted in support of the application states that the design 'has been tested in extreme weather and high winds with no discernible impact upon the structure. The structure is sufficiently robust to withstand snowload in the winter months'.

The document also goes on to state that the 'Use of the dome will be strictly controlled by Virgin Active management and only useable by members via prior appointment' and that 'The Tennis Dome...will enable members to play in an outdoors environment as part of a national Lawn Tennis Association programme.'

The proposed storage for the dome's fan and combined heating system would be a permanent structure. This building would be approximately 3.0m maximum height with a central ridged pitched roof, and 3.5m deep by 5.0m in length. It is proposed that this structure is located to the south of the dome.

No alterations to the existing access and parking provision of the site are proposed as part of the application.

3.3 Relevant Planning History

Comment on Relevant Planning History

The application site has an extensive planning history related to the use of the site as a sports and leisure club, the most recent of which are attached. There are no applications within the site's history that related directly to the current proposals.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Guidance - Noise

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.CI1 (2012) Community Infrastructure Provision
- PT1.CI2 (2012) Leisure and Recreation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.T1 (2012) Accessible Local Destinations

Part 2 Policies:

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
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
BE21	Siting, bulk and proximity of new buildings/extensions.
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
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LPP 3.19	(2011) Sports Facilities
LPP 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th June 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 68 local owner/occupiers on 27/05/2014. The application was also advertised by way of site and press notices. One letter of objection has been received which raises the following concerns:

The 3 tennis courts in question are in a direct line from the rear of my house and can be seen from three upstairs windows. There is currently a gap between planted trees and a hedge within Virgin grounds that could be planted with trees to obscure the sight of a new structure. This would be preferable. Additionally, the proposed structure is listed as "temporary" so I would like to understand exactly what this means in Virgin's and HBC view. Thank you for your consideration.

A response has also been received from the Northwood Residents' Association who object to this application on the following grounds:

The large bulk of the dome would significantly increase the built up appearance of the site, would injure the visual amenities of the green belt and would add to the existing significant light pollution emanating from the health club complex and would be in breach of Policies OL4 and OL5. In particular, the Association strongly disagrees with the contention in the Design and Access Statement that the dome would be "well screened by the existing mature trees".

Case Officer's Comments:

1. The proposed location of the development and its impact on the neighbouring occupiers has been taken into consideration when assessing the impact of the proposals, including existing and potential landscaping.
2. Full details of the 5 year temporary nature of the dome and the permanent fan/heating structure have been submitted as part of the planning application and have been available for inspection throughout the consultation period.
3. The proposed location of the development within the green belt, and therefore its affect on the green belt, has been taken into consideration when assessing the impact of the proposals.

Mayor of London/Greater London Authority:

The GLA have assessed the proposal and concluded that it does not raise any strategic planning issues, and therefore do not need to be consulted further on the application.

Natural England:

The application is not likely to result in significant impacts on statutory designated sites and landscapes.

Transport for London:

I have reviewed the case material and have concluded that we have no comments.

Internal Consultees

SUSTAINABILITY OFFICER:

The application is for a major development and the following condition is therefore required:

Condition

Prior to the commencement of development an energy assessment shall be submitted showing how the development will reduce and/or offset carbon emissions arising from the development. The assessment shall clearly show:

- 1) the baseline energy demand (kwhr and kgCO₂).
- 2) the methods to improve the energy efficiency of the development, how these impact on the baseline emissions and where they will be included within the development.
- 3) details of renewable energy to reduce CO₂ either within the development or offset elsewhere in the adjoining development

Reason

To ensure appropriate carbon savings are delivered in accordance with London Plan Policy 5.2.

It is accepted that this is a temporary development. However, the energy demand has not been set out and there is no clear reference to policy 5.2 let alone compliance. The applicant is advised to discuss the energy solution with the Council to work out the best approach to reducing carbon emissions. An energy solution within the existing neighbouring development may be an acceptable proposal.

FLOOD AND WATER MANAGEMENT OFFICER:

The proposal involves the covering of existing hard standing, therefore not altering the current drainage arrangements. I therefore have no further comments.

ENVIRONMENTAL PROTECTION UNIT:

No objection to the application, subject to full compliance with the noise condition:

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

TREES AND LANDSCAPE:

Scope for new planting (yes/no): There is scope to plant trees to screen the proposed tennis dome. This has been mentioned in the design and access statement, however no details appear to have been provided.

Recommendations: Details of the proposed screening trees should be provided/added to the plans.

Conclusion (in terms of Saved Policy BE38): Acceptable, subject to condition RES9 (part 1).

HIGHWAYS:

Since the dome is over existing tennis courts there are no highways concerns.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Chapter 9 of the Hillingdon Local Plan (2012) seeks to protect and increase the provision of recreational facilities within the borough.

Policy R10 seeks to encourage the provision of enhanced facilities across the borough, stating:

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

This is reiterated in the London Plan Policy 3.19 which states:

"The Mayor's Sports Legacy Plan aims to increase participation in, and tackle inequality of access to, sport and physical activity in London particularly amongst groups/areas with low levels of participation.

Development proposals that increase or enhance the provision of sports and recreation facilities will be supported.... Wherever possible, multi-use public facilities for sport and recreational activity should be encouraged. The provision of floodlighting should be supported in areas where there is an identified need for sports facilities to increase sports participation opportunities, unless the floodlighting gives rise to demonstrable harm to local community or biodiversity."

The application site is located within the green belt and a countryside conservation area. The impact of the development on the openness and character of the green belt is considered acceptable as discussed later in this report.

The proposal fully complies with the aims of the National Planning Policy Framework

(NPPF), London Plan policy 3.19 and UDP policy R10, which seek to encourage the provision of new and/or enhanced sports and educational facilities.

It is considered that the proposed development would result in an acceptable impact on the visual amenities of the site, the green belt and the Countryside Conservation Area. The proposal would not have a significant detrimental impact on the amenities of the occupiers of neighbouring residential units.

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 located within a Countryside Conservation Area. This is an area of the borough which is recognised to have a traditional agricultural landscape that is made up of a diverse matrix of small fields, hedges, copses, woods and farm ponds. These landscapes have considerable visual and aesthetic appeal. However, as agricultural practices change, and as land is taken out of agriculture, the elements which make up the character and local distinctiveness of such landscapes often come under threat. Policy OL15 of the Hillingdon Local Plan (November 2012) seeks to protect the landscape of Countryside Conservation areas from development and/or activities which would detract from the special character of these landscapes.

The proposed development will introduce a dome structure over tennis courts adjacent to the existing gym building. As such it is considered that in this immediate locality there are no elements which contribute to the distinctive local character which would be adversely affected by the development. The proposal is therefore deemed to conform with the requirements of Policy OL15 of the Hillingdon Local Plan (November 2012).

7.04 Airport safeguarding

The site is not located within an airport safeguarding area. As such, it would not impact on the safe operation of any airport.

7.05 Impact on the green belt

The application site is located within the green belt and as such the development must be considered against relevant policy and guidance contained within the NPPF.

The proposed development will introduce a dome structure over tennis courts adjacent to the existing gym building. As such the development will not introduce a new or extended land use on the site and instead it is the impact of the temporary dome and additional structure itself that must be taken into consideration. The proposed permanent structure is relatively small scale and will be viewed against the back drop of much larger existing buildings and therefore the impact of this structure is deemed minimal.

The proposed dome structure however is greater in scale and therefore would have a more significant impact. Policies OL1, OL2 and OL4 are relevant for developments that are proposed within the green belt and in particular policy OL1 states that the following land uses are acceptable:

1. Agriculture, horticulture, forestry and nature conservation;
2. Open air recreational facilities;
3. Cemeteries

The existing tennis courts are open air recreational facilities and the introduction of the dome structure would to a degree alter this land use. However policy OL1 goes on to state that the LPA will not grant planning permission for new buildings or for the change of use of existing land and buildings, other than for purposes essential for and associated with

the uses specified.

The proposed dome is clearly associated with the existing land use and is deemed essential for the increased use of the tennis courts during inclement weather or during the winter months. When the proposed development is assessed in association with Policy R10 of the Hillingdon Local Plan (November 2012) and the Policy 3.19 of the London Plan (2011) it is considered that the dome itself is acceptable subject to its physical impact on the green belt.

Policy OL4 states that the LPA will only permit development within the greenbelt so long as:

- (i) The the development would not result in any disproportionate change in the bulk and character of original buildings;
- (ii) The development would not significantly increase the built up appearance of the site;
- (iii) Having regard 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 dome will be located adjacent to the existing gym buildings and therefore when viewed from the south or west will be seen against the backdrop of this larger structure. The visual impact of the development on the openness of the greenbelt is therefore deemed acceptable and insufficient to warrant a recommendation of refusal. In addition there is existing mature planting that will screen the development to a degree and a condition is recommend to be attached to any consent requiring a full landscaping plan to be agreed with the Council in accordance with Policy OL2. The development is therefore considered to accord with policies OL1, OL2 and OL4 of the Hillingdon Local Plan (November 2012) and Policy 7.16 of the London Plan (2011).

7.07 Impact on the character & appearance of the area

As discussed previously.

7.08 Impact on neighbours

The proposed development will be partially visible to residential properties which are located to the east and south of the site. However the closest residential property is located approximately 220m from the site of the proposed dome structure and there is existing and proposed planting that will help to screen the development. In addition the dome will be viewed against a back drop of the existing gym buildings when viewed from the south.

No details of the proposed additional landscaping have been submitted with the application however and therefore it is recommended that a condition is attached requiring such landscaping details to be submitted to the Council and agreed in writing prior to development.

Conditions are also recommend that control the noise produced from the fan/heating system and the hours of use and lighting for the dome.

When these factors are taken into consideration the impact of the development on the amenity of neighbouring occupiers is considered to be acceptable and the scheme is deemed to be in accordance with Policies OE1 and BE21 of the Hillingdon Local Plan (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways and Transportation Officer has reviewed the proposal and considers that as the scheme will provide a dome over existing tennis courts then the impact of the scheme will be minimal in highways terms. It is therefore considered that the development would not be contrary to the Policies of the adopted Hillingdon Local Plan (November 2012).

7.11 Urban design, access and security

Whilst the proposed development would be a sizeable structure, on the whole it would have an acceptable impact on the character of the location as discussed elsewhere in this report. The permanent fan/heating storage structure is minimal in scale and is not considered to have a significant impact.

The proposed design is relatively simple and its form is directly related to its proposed function, with a double membrane construction. The size, scale, height and design of the proposed structure is considered to be acceptable in this location and would be in keeping with the character and appearance of the existing sports facilities immediately adjacent to the site.

The proposal is not considered to raise any specific security concerns.

7.12 Disabled access

The scheme would provide an inflatable dome structure to enable the increased use of existing tennis court facilities. Access to the existing health club buildings will not be affected by the proposal and as such the scheme is considered to be consistent with Policies R16 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The Council's Trees and Landscaping team have reviewed the proposal and have concluded that there are no trees covered by a TPO or any significant trees or other vegetation of merit that would be adversely affected by the development. There is scope to plant trees to screen the proposed tennis dome. This has been mentioned in the design and access statement, however no details have been submitted in support of the application and therefore an appropriate condition is recommended to be attached to any approval that requires details of the proposed screening trees should be agreed in writing by the Council prior to development. As such the proposed scheme is deemed to accord with Policy BE38 of the Hillingdon Local Plan (2012).

7.15 Sustainable waste management

The scheme would provide an inflatable dome structure to enable the increased use of existing tennis court facilities. No waste management concerns are raised by the proposed development.

7.16 Renewable energy / Sustainability

The application is for a major development and therefore should have been accompanied by an energy statement. It is not clear what the energy use is although the extent of lighting and fans are likely to require a sizable amount of electricity.

Accordingly, the Council's Sustainability Officer has recommended that a condition is attached to any consent requiring that an energy assessment shall be submitted showing how the development will reduce and/or offset carbon emissions. As such the proposal is considered to be in accordance with London Plan Policy 5.2.

7.17 Flooding or Drainage Issues

The proposal involves the covering of existing hard standing, therefore not altering the current drainage arrangements. The Council's specialist Flood and Water Management Officer has therefore raised no objections to the proposal.

7.18 Noise or Air Quality Issues

The proposed dome would be located a minimum of 220m from the nearest residential property. The Council's Environmental Protection Unit have assessed the application and raised no objection to the application, subject to full compliance with a condition relating to noise generation should the application be recommended for approval.

The condition would require that the rating level of noise emitted from the plant and/or machinery should be at least 5 dB below the existing background noise level with the noise levels determined at the nearest residential property. As such it is considered that the proposed development would not result in an unacceptable increase in noise levels sufficient to warrant a recommendation of refusal of the application.

7.19 Comments on Public Consultations

The matters raised in submissions have been either been dealt with by condition in the body of the report or are not material planning matters.

7.20 Planning obligations

Policy R17 of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support art, cultural and entertainment activities, and other community, social and educational facilities through planning obligations in conjunction with other development proposals.

It is not considered that any planning obligations would be necessary to mitigate the impact of the development.

As the development is for a temporary structure, it is not liable to make a contribution towards the Mayoral Community Infrastructure Levy.

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

The proposal fully complies with the aims of the National Planning Policy Framework (NPPF), London Plan policy 3.19 and UDP policy R10, which seek to encourage the provision of new and/or enhanced leisure facilities. It is considered that the proposed development would result in an acceptable impact on the visual amenities of the site. The proposal would not have a significant detrimental impact on the amenities of the occupiers of neighbouring residential properties.

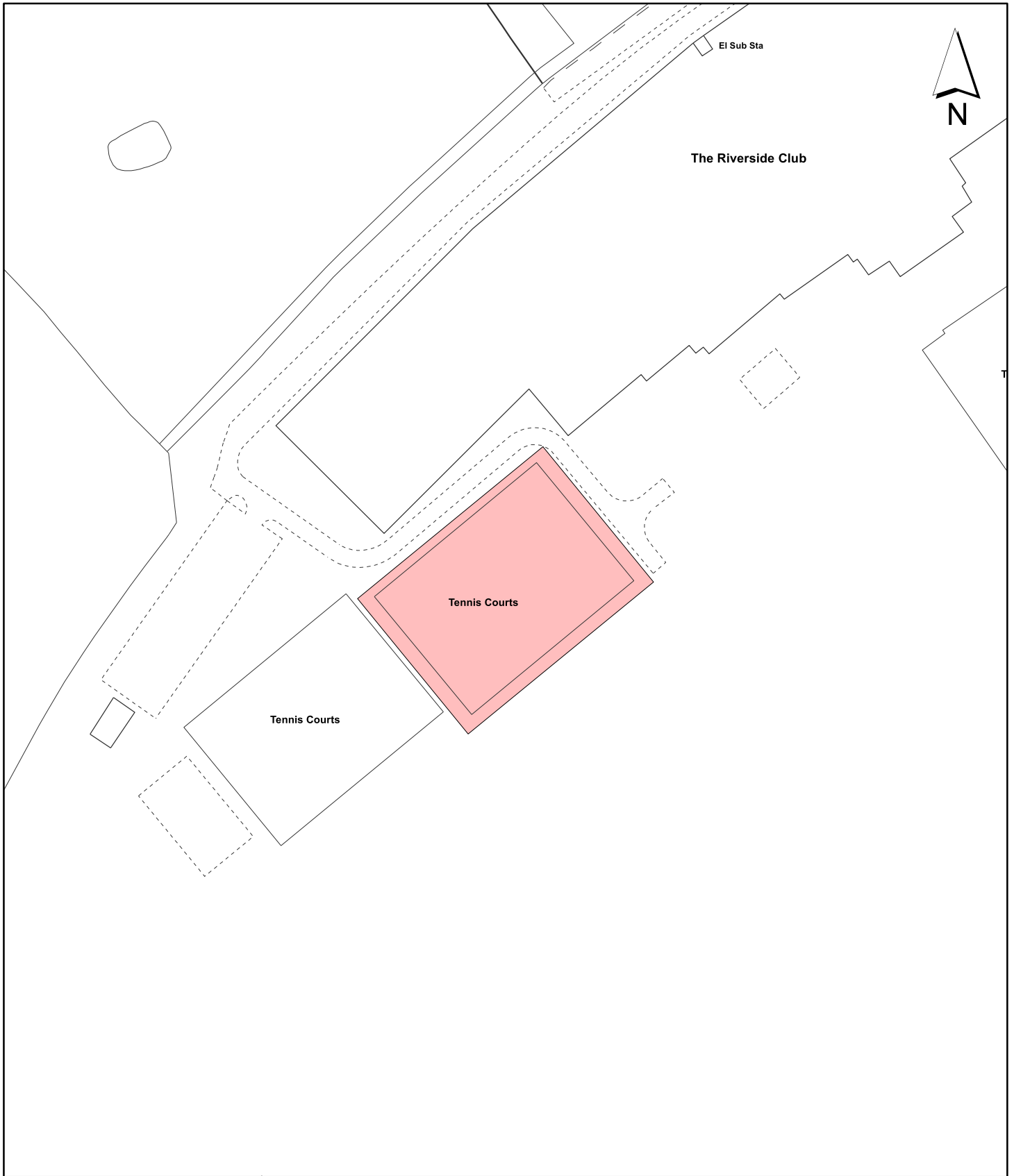
The proposal is considered to comply with relevant Local Plan and London Plan policies and, accordingly, approval is recommended.



11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Noise

Contact Officer: Ed Laughton

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2014 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>Riverside Health & Racquets Club 18 Ducks Hill Road Northwood</p>		<p>LONDON BOROUGH OF HILLINGDON Residents Services Planning Section Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>272/APP/2014/1234</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>Major</p>	<p>Date</p> <p>July 2014</p>	