

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

**Address** BRUNEL UNIVERSITY CAMPUS KINGSTON LANE HILLINGDON

**Development:** Erection of a war memorial, including an inscribed black stone memorial wall, associated lighting and paving

**LBH Ref Nos:** 532/APP/2016/347

**Drawing Nos:** 5482-P+W-A-00-GA001 Rev. /  
5482-P+W-A-L00-PL000 Rev. /  
5482-P+W-A-L00-PL001 Rev. /  
5482-P+W-A-L00-PL002 Rev. /  
5482-P+W-A-L00-PL003 Rev. /  
5482-P+W-A-L00-PL004 Rev. /  
5482-P+W-A-L00-PL005

**Date Plans Received:** 28/01/2016                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 01/02/2016

### 1. **SUMMARY**

Planning permission is sought for the relocation of an existing war memorial, currently located in Osterly, to site 2 of the Brunel University campus. The Osterley war monument which consists of a stone obelisk topped by a celtic cross, is dedicated to the staff and students of Borough Road College (now Brunel University) who died in WWI and WWII. The monument will sit on a new black stone base and will include a new black stone wall memorial to match.

The proposed monument will be located in a landscaped area of the campus, off the main pedestrian spine route. This part of the campus has already been developed with buildings in a parkland setting and the proposed works will not increase the developed portion of the site. Given the nature and size of the monument, it is not considered that the proposal will prejudice the open appearance of the Green Belt or area generally.

The war memorial is considered to be a heritage asset worthy of retention and given that the monument is closely linked and associated with the University's origins, its relocation within the University campus is acceptable. Approval is recommended accordingly, subject to conditions.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

**1            T8            Time Limit - full planning application 3 years**

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

**REASON**

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

**2            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, number 5482-P+W-A-L00-PL005 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 (2015).

**3 COM7 Materials (Submission)**

No development shall take place until details of all materials 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)

**4 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 Hard Surfacing Materials

2.b External Lighting

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

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 in compliance with policies BE13 and BE38 of the Hillingdon Local Plan: Part

Two Saved UDP Policies (November 2012).

## **5 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 tree survey, Arboricultural Impact Assessment and method statement outlining the sequence of development on the site including construction 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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **6 COM10 Tree to be retained**

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS 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 (2015) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
PR22	Brunel University
LPP 7.16	(2015) Green Belt

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

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

## 3. **CONSIDERATIONS**

### 3.1 **Site and Locality**

The site comprises an attractive area of parkland on the University campus, to the east of Cleveland Road and north of the pond/Wilfred Brown building. This area is composed of close mown grass with fine specimen trees, interspersed with large island beds planted with ornamental shrubs.

There are no Tree Preservation Orders and no Conservation Area designations affecting

trees within the site. The campus lies within the designated Green Belt.

### **3.2 Proposed Scheme**

Planning permission is sought for the erection of a war memorial comprising a stone obelisk topped by a celtic cross, which is dedicated to the staff and students of Borough Road College (now Brunel University) who died in World War I and World War II. The monument, which is currently located in Osterly, will sit on a new black stone base and will include a new black stone wall memorial to match. This wall, approximately 1260mm high, will be engraved with the names of the staff and students referred to on the monument. The existing monument is estimated to be approximately 5m high including the square stone bases.

The memorial will be lit using recessed LED lighting and will sit on a new hard-landscaped area and pathway to match the existing pedestrian thoroughfare.

The war memorial is classified as a non designated heritage asset, which will be included on the Council's War Memorial Register, should planning permission be granted for its relocation within the Borough.

### **3.3 Relevant Planning History**

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

None.

## **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.CI3 (2012) Culture

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

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

OL2 Green Belt -landscaping improvements

PR22 Brunel University

LPP 7.16 (2015) 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**

CLEVELAND ROAD RESIDENTS ASSOCIATION

No response.

## **Internal Consultees**

TREE AND LANDSCAPE OFFICER.

The application form acknowledges the proximity of trees and their significance in the landscape. No tree survey has been submitted, but the proposed site plan indicates that the proposed path and plinth for the memorial will be sited to avoid direct impact on the nearby trees and planted areas.

There is, nevertheless, a risk of indirect damage to trees due to the excavation and construction activity associated with the installation. A tree survey and Arboricultural Impact Assessment and Tree Protection Measures should be prepared together with a Method Statement to ensure that appropriate safeguards are in place during the construction and installation of the memorial.

If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS: - No objection, subject to the above observations and conditions COM8 (tree protection), COM9 (landscaping scheme - parts 1, 2, 4, 5 and 6) and COM10 (trees retained).

URBAN DESIGN AND CONSERVATION OFFICER

There are in principle no objections to the proposed erection of the war memorial. However, it is recommended the proposed memorial be appropriately landscaped.

There are some concerns in regards to the proposed black new memorial addition as it would enclose the rear aspect of the war memorial. Details and confirmation as to whether the material would be granite or slate would be required (conditioned).

Recommendation: No objection.

## **7. MAIN PLANNING ISSUES**

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

The application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the openness, character and appearance of the Green Belt.

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

With regard to local policy, Part 1 of the Local Plan continues to give strong protection to Green Belt land. The relevant policy in the Local Plan Part 1 is EM2, which makes clear that any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies.

The 2007 Unitary Development Plan Saved Policies (currently serving as Part 2 of the Hillingdon Local Plan) are also relevant. Planning policy on Green Belt land is set out at

Policies OL1, OL2 and OL4. These policies give strong emphasis to not normally permitting new buildings in the Green Belt, reflecting overarching national and London wide policies.

Historically, Brunel University has been identified in the Local Plan as a major developed site within the Green Belt. Although the NPPF no longer refers to major developed sites, para 89 of the NPPF states that limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, would not constitute inappropriate development in the Green Belt.

The works would not increase the developed area of the campus, and it is not considered given its modest scale and landscaped setting, that the structure would have a greater impact on the openness of the Green Belt in this location, in accordance with Policies OL1 and OL2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

In addition, Policy PR22 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) is considered relevant. This policy reserves the campus for development associated with the functioning of the University as a centre of academic learning and research, while safeguarding the function and open nature of the Green Belt. The monument is dedicated to the staff and students of Borough Road College (now Brunel University) who died in WWI and WWII. The monument is therefore closely linked and associated with the University, in compliance with Policy PR22.

Given the above considerations, no objection is raised to the principle of the development at this location.

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

Not applicable to this application.

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

The application site is not in a designated area. The nearest conservation areas are The Greenway to the north and Hillingdon Village to the east. Views from the Greenway Conservation Area would be unaffected. The Hillingdon Village Conservation Area is located some distance from the application site and it is considered that neither of the conservation areas will be adversely affected by the proposed development.

Within the University Campus, the nearest listed building is the Lecture Theatre building which is some distance from the application site. It is considered that the new development would have little impact on the setting of this structure.

It is therefore considered that the proposal would not have a detrimental impact on the heritage assets, in accordance with to Saved Policies BE4 and BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

#### **7.04 Airport safeguarding**

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

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

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

protection and enhancement of trees, woodland and landscape features.

The University campus is situated within a relatively isolated area of designated Green Belt, however the campus itself is relatively built up and urbanised, with institutional buildings 10-15m in height. The area surrounding the University campus is relatively enclosed with belts of dense vegetation, hedgerows and groups of mature trees.

Given the relatively modest scale of the proposed structures, it is considered that the monument could be located in this position without a significant impact on the appearance of this part of the site and its immediate context.

Overall, given that the proposal involve a structure in an area of the campus that has been previously developed, the existing landscape character, and the proposed planting strategy, it is considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of the area, or the perception of openness of the Green Belt. It is therefore not considered that the amenity and openness of the Green Belt would be harmed to a detrimental degree by the proposals, in accordance with Saved Policies OL1, OL2, OL5 and OL26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

Saved Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) attempt to ensure that new development makes a positive contribution to the character and amenity of the area in which it is proposed. Policy BE13 states that, in terms of the built environment, the design of new buildings should complement or improve the character and appearance of the surrounding area and should incorporate design elements which stimulate and sustain visual interest. Saved Policy BE38 of the UDP requires new development proposals to incorporate appropriate landscaping proposals.

The proposed monument will be located in an area of the campus which has already been developed, off the east-west pedestrian route, which cuts across sites 1 and 2 of the campus. The streetscape of the route is urban in character, but has been enhanced by additional landscaping, to produce a softer appearance, with informal seating, meeting areas, lighting and other security features, as part of the master plan for the campus. It is considered that the proposed monument will contribute towards the master plan strategy for the campus, which envisages the internal pedestrian link roads being retained, re-enforced and made more attractive around existing hard landscaping features.

The proposal would not be in conflict with the overall landscaping scheme for this part of the campus. The Tree and Landscape Officer raises no objections, subject to conditions. A condition is also recommended requiring the submission of details/samples of materials, including the plinth and paving, together with the specification of the proposed lighting. Subject to compliance with this condition, it is considered that the development complies with Policy R7, which seeks the provision of facilities which support the arts, Policies BE13, BE38 and site specific Policy PR22 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

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

The location of the proposed memorial is within the University campus and there are no residential properties within the vicinity of the site.

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

Not applicable to this application.

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



There are no highway issues arising from this proposal.

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

Urban design issues have been dealt with elsewhere in this report.

#### **7.12 Disabled access**

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease.

Level access will be provided from the central pedestrian spine road to the proposed monument by means of a paved link, in accordance with R16 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

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

Not applicable to this application.

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

The site comprises an attractive area of parkland composed of close mown grass with fine specimen trees, interspersed with large island beds planted with ornamental shrubs. The proposed site plan indicates that the proposed path and plinth for the memorial will be sited to avoid direct impact on the nearby trees and planted areas. However, the Tree and Landscape Officer considers that there is still a risk of indirect damage to trees due to the excavation and construction activity associated with the installation. Conditions requiring the submission of a tree survey, Arboricultural Impact Assessment and Tree Protection Measures, together with Method Statement are recommended, to ensure that appropriate safeguards are in place during the construction and installation of the memorial.

The Tree and Landscape Officer raises no objections, subject to relevant landscape conditions to ensure that the proposals preserve and enhance the character and appearance of the area, in compliance with Saved Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies(November 2012).

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

Not applicable to this application.:

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

Not applicable to this application.

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

Not applicable to this application.

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

Not applicable to this application.

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

No comments have been received.

#### **7.20 Planning obligations**

Not applicable to this application.

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

Not applicable to this application.

#### **7.22 Other Issues**

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 principle of the development is considered acceptable at this location. In terms of the impact on the Green Belt, the proposed changes to the landform are minimal and it is considered that the visual impacts of the proposal will not be of significant detriment to the character and openness of this part of the Green Belt.

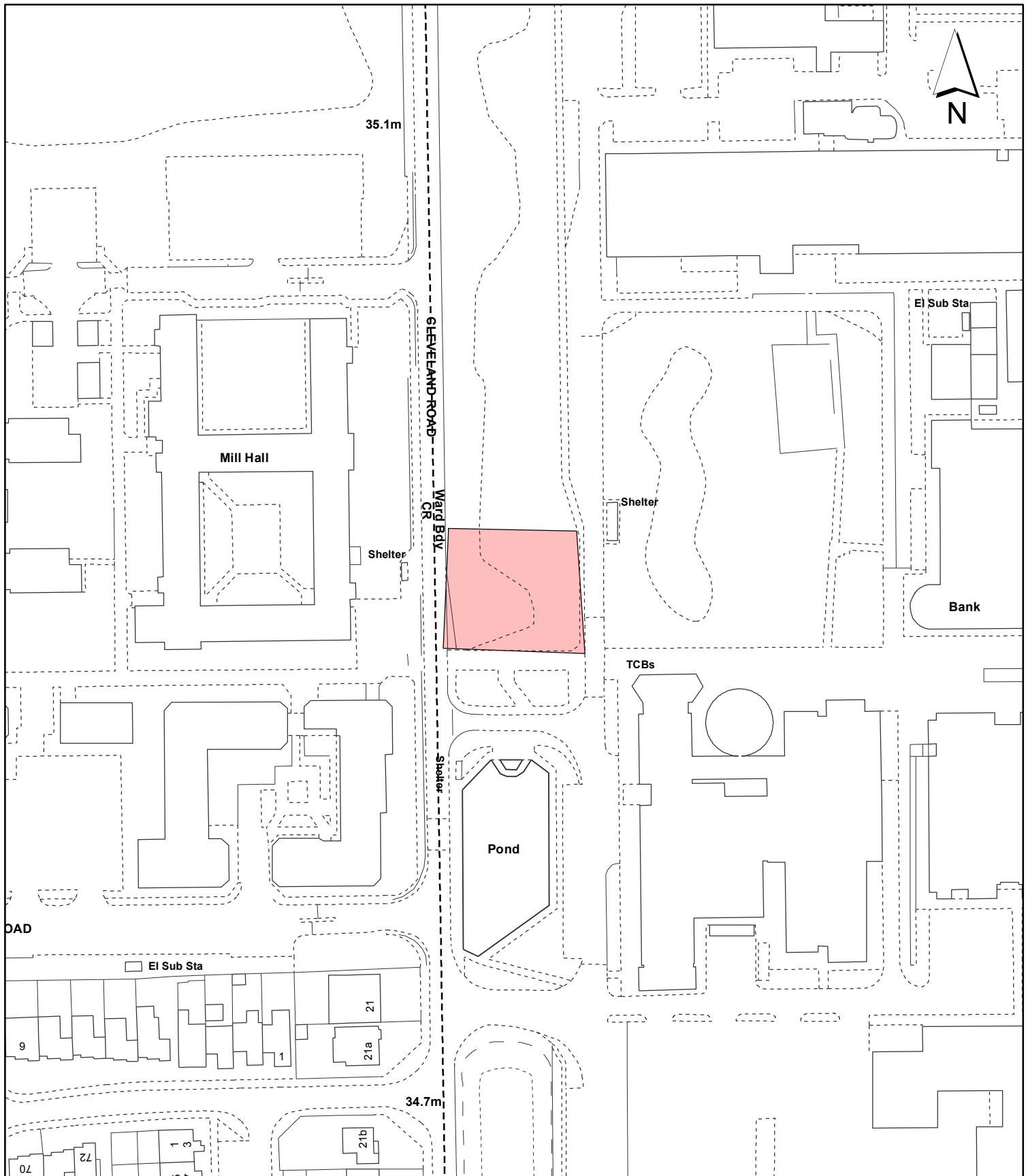
There are no adverse highway, ecological or amenity issues associated with this development. Subject to conditions protecting retained trees, and a landscaping scheme, the application is recommended for approval.

**11. Reference Documents**

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 21012)  
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)  
London Plan 2015  
National Planning Policy Framework (NPPF)  
Hillingdon Supplementary Planning Document: Accessible Hillingdon January 2010)

**Contact Officer:** Karl Dafe

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**Notes:**

 Site boundary

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Site Address:

**Brunel University Campus  
 Kingston Lane**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**532/APP/2016/347**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**April 2016**

