

Report of the Head of Planning, Sport and Green Spaces

Address HAYES FOOTBALL CLUB YARD KINGSHILL AVENUE HAYES

Development: Erection of two linked portacabins for use as a day nursery

LBH Ref Nos: 29439/APP/2016/322

Drawing Nos: 4871-2
4871-3
4871-IB
Design & Access Statement

Date Plans Received: 26/01/2016

Date(s) of Amendment(s):

Date Application Valid: 15/02/2016

1. SUMMARY

This application sought planning permission for the erection of two linked portacabins to the rear of Hayes, Football Club Yard, Kingshill Avenue.

The proposed portacabins would be sited to the rear of the existing building on site, and would not appear visible to the surrounding area or street scene. The structure would be single storey in height and would appear intimate in scale and mass.

On balance, the proposal is considered to have provided sufficient information to establish the very special circumstances required to justify development within the Green belt and will have an acceptable impact upon the visual amenity of the application site and the character of the surrounding area.

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 4871-2 and 4871-3 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 and external finishes 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)

INFORMATIVES

1 152 **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).

2 153 **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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
LPP 7.16	(2015) Green Belt
NPPF	National Planning Policy Framework
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

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 (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies

from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 147 Damage to Verge - For Council Roads:

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

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

3. CONSIDERATIONS

3.1 Site and Locality

This applications is located on the northern side of Kingshill Avenue, Hayes and seeks the erection of two linked portacabins to the rear of two existing building erected at Hayes Football Club Yard.

Both of the existing buildings are set considerably far back from the surrounding street, and the belt of trees and landscaping which borders the application site results in the existing buildings not appearing overly dominant within the surrounding character area. The existing clubhouse at the application site has been extended previously to allow the incorporation of the Youth Centre.

The site lies within the Green Belt as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposal is for the erection of two linked portacabins for use as a day nursery. The resultant structure measures 13.1m in width, 8.1m in depth and 3m in height.

The nursery would accommodate a maximum of 35 children and would be open between 8am to 4pm on weekdays during normal term times.

3.3 Relevant Planning History

29439/APP/2009/1770 Brook House Football Club Kingshill Avenue Hayes

Details in compliance with conditions 3 (materials), 4 (cycle storage), 5 (landscape scheme), 7 (landscape maintenance), 11 (disabled parking), 12 (sustainable urban drainage), 14 (travel plan) and 17 (youth centre management plan) of planning permission ref.29439/APP/2009/411 dated 28/05/2009: Alterations and extension to existing football clubhouse to provide new youth centre facilities.

Decision: 04-07-2012 Approved

29439/APP/2009/2068 Brook House Football Club Kingshill Avenue Hayes

Details in compliance with conditions 8 (site survey) and 10 (tree protection) of planning permission ref. 29439/APP/2009/411 dated 28 May 2009: Alterations and extension to existing football clubhouse to provide new youth centre facilities.

Decision: 24-06-2011 NFA

29439/APP/2009/411 Brook House Football Club Kingshill Avenue Hayes

Alterations and extension to existing football clubhouse to provide new youth centre facilities.

Decision: 12-05-2009 Approved

Comment on Relevant Planning History

29439/APP/2009/1770 - Details in compliance with conditions (approved)

29439/APP/2009/411 - Alterations and extension to the clubhouse (approved)

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

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

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

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

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

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

OL4 Green Belt - replacement or extension of buildings

LPP 7.16 (2015) Green Belt

NPPF National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

4 neighbouring properties were consulted with an expiry date of 9 March. No response was received from the neighbouring properties.

A second site notice has been displayed and this expires on 29 April 2016.

Internal Consultees

Trees/Landscaping - No objections

Highways - The site has a low PTAL (1b) indicative of high car use. The proposal should include a transport assessment report considering traffic generation from the proposed nursery and the cumulative assessment with the Youth Club and Football Club. The proposed provision of 12 car park spaces should be justified and a layout plan provided. Additional information was supplied and the Highways Officer confirmed that he raises no objection, given that the large Football Club car park will be available for use by parents.

Officer response: The Agent has provided details within the Design and Access Statement and confirms that the nursery would operate between 8.00 am and 4.00 pm every weekday during term time. The existing car park is spacious and used principally by the football supporters at the weekends and public holidays, entirely free of traffic during the opening hours of the nursery. Also a large proportion of children would arrive on foot from the nearby housing areas and car parking demand would therefore be small. Since the Youth Club and Football Club operate exclusively during the evenings and weekends there would be no effect on the small volume of traffic associated with the nursery.

Access Officer - No response

Flood and Water Management - The site is in flood zone 1 but sits in between two water courses and part of the wider site lies in flood zone 2. There are no objections as the new units are raised slightly above ground level which will provide some protection.

Green Spaces Division - No response

Hillingdon Families' Information Service - We do have a shortage of childcare places in this area. In particular there are a lack of spaces to meet the local authority's statutory duty to provide free childcare for disadvantaged two year olds. 79 two year olds living in this area are eligible but there are only 22 places available, meaning that there are not sufficient places for 57 two year olds. There is also a shortfall in neighbouring wards.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework states that the essential characteristics of Green

Belts are their openness and their permanence. Therefore, the provision of new buildings in the Green Belt is inappropriate except in very special circumstances. These can include limited infilling or partial redevelopment of previously developed sites. This is an existing developed site, which is currently used as a football club and a youth club for the local community.

The proposed development is to provide a children's nursery school in an area identified in need of additional nursery school provision. The applicant states that they have tried without success to find an alternative suitable location within the Barnhill Estate. This site already provides certain community facilities and is within convenient walking distance of the catchment area.

Although there are existing buildings on the site, the applicant states that these are not suitable to provide an adequately safe environment for young children, which would comply with Ofsted requirements. This includes toilet facilities, storage requirements and direct access from the only available room to outside, meaning they could not provide a free flow environment.

The proposed development is relatively small in scale in the context of the wider site. It will fit discretely behind the existing buildings, out of site of the road and in an area currently occupied by some storage containers which will be removed. Given the backdrop of the structure against the other buildings within a site enclosed within well established hedgerows, it is not considered the proposal would significantly increase of the built up appearance of the site or harm the visual amenity of the Green Belt.

On balance: it is considered that the combination of the lack of appropriate alternative sites in the local area; the inability to accommodate the use in the existing building due to a lack of facilities; and the identified need for childcare provision in this area, taken together demonstrate sufficient very special circumstances to allow for this development in the Green Belt.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

The proposal would involve installation of a portacabin within an established Youth Club and Football Club. The proposed structure will be set to the rear of the existing buildings and will not be visible from outside of the site and the wider Green Belt. Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that any development is not disproportionate, does not injure the visual amenities of the Greenbelt and does not create a 'built-up appearance'. Therefore the proposal is considered acceptable.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

The proposed portacabin structure is relatively modest in scale and will be finished in

natural colours, details of which could be conditioned to ensure it would harmonise with surrounding area.

Portacabins are normally associated with temporary structures and therefore would only normally be allowed for a temporary period give their poor visual appearance. However in this instance, in addition to the finish being controlled by condition, the proposed development would be adequately screened by the existing planting and would not be unduly prominent or visible to the wider area.

On balance therefore it is considered that the proposed development would not detract from the visual amenities of the street scene and character and appearance of the area in accordance with Policy BE1 of the Hillingdon Local Plan: Part One -Strategic Policies (November 2012) and Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policies BE19, BE20 and BE24 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012) seek to ensure that the amenities of adjoining occupiers are protected in new developments.

The siting of the proposed development would ensure it would be located a considerable distance away from the neighbouring residential properties and would not be visible from outside of the application site. It is considered that the proposed development would not impact on the amenities of the adjoining occupiers in terms of visual intrusion, overlooking, loss of daylight or loss of sunlight in accordance with Policies BE19, BE20 and BE24 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Highways initially raised concerns over the potential cumulative increase in traffic to the site. However it is noted that the use of the proposed nursery would not take place at the same times as the use of the site for the Youth Club or the Football Club, as the nursery will operate during the day in term times, whilst the other uses are primarily during the evenings, weekends and holiday periods. Therefore it is not considered that there would be any significant cumulative increase on the existing use of the site and thus would not impact upon parking provision, traffic or pedestrian safety in accordance with Policy AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Not relevant to this application.

7.12 Disabled access

Ramped entrances suitable for disabled access over level thresholds would be installed to the front and rear of the building. The Access Officer has not submitted any objection to the proposal.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, landscaping and Ecology

No trees or other landscape features of merit will be affected by the proposal.

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

Not applicable to this application

7.20 Planning obligations

Not relevant to this application.

7.21 Expediency of enforcement action

Not relevant 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

10. CONCLUSION

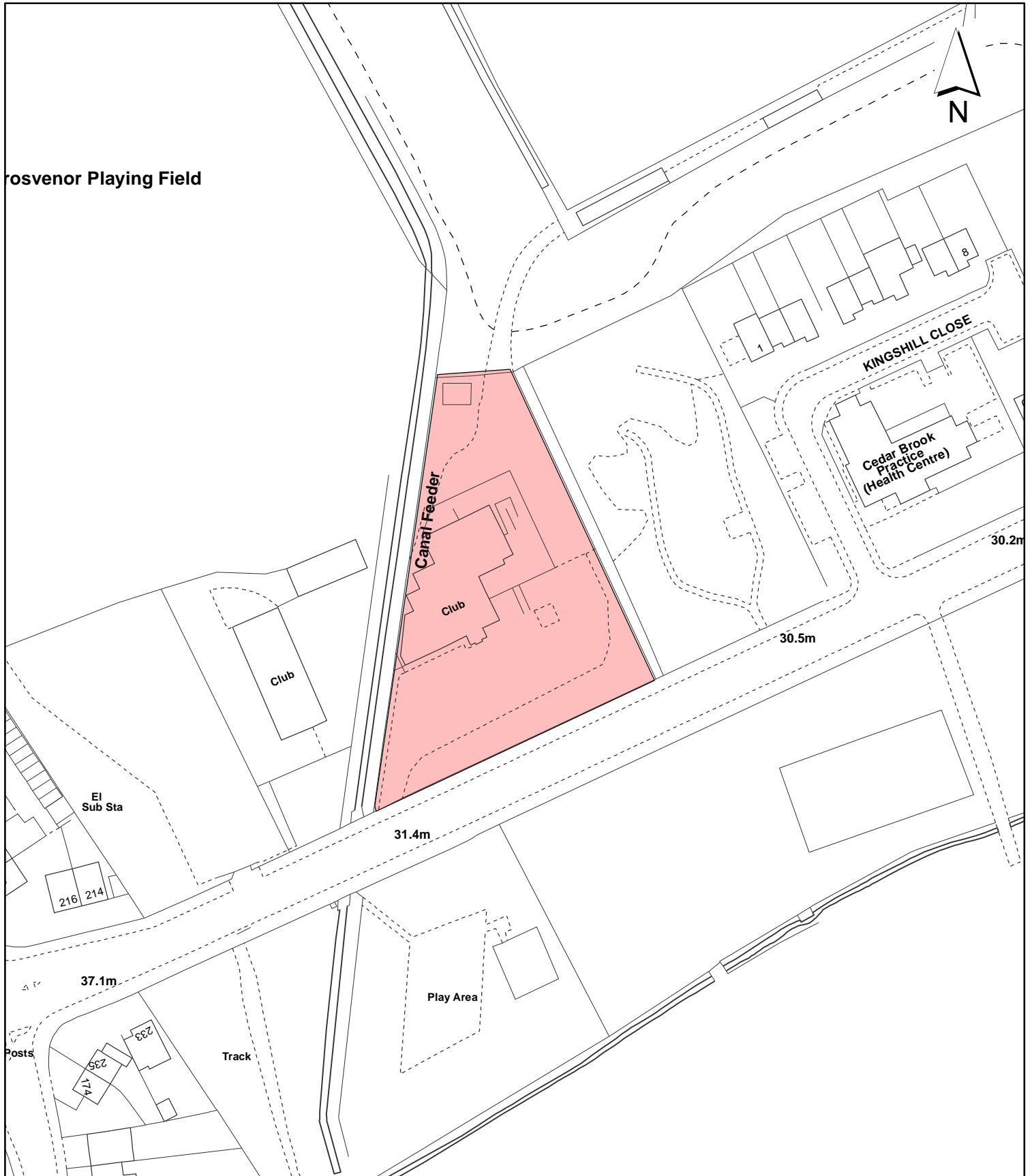
For the reasons outlined above and given that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies November 2012), this application is recommended for approval.



11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan.
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



<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).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2016 Ordnance Survey 100019283</p>	<p>Site Address:</p> <p>Hayes Football Club Yard</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
<p>Planning Application Ref:</p> <p>29439/APP/2016/322</p>	<p>Scale:</p> <p>1:1,250</p>		
<p>Planning Committee:</p> <p>Central & South</p>	<p>Date:</p> <p>May 2016</p>		