

Report of the Head of Planning, Sport and Green Spaces

Address LAND ADJACENT TO SIPSON ROAD IN HOLLOWAY LANE
HARMONDSWORTH

Development: Section 73 application to vary Condition 1 of planning permission 46223/APP/2015/1195 dated 15th June 2015 (Variation of Condition 3 of planning permission 46223/APP/2013/2899 dated 4th December 2013 (Use of part of the site fronting Sipson Road, for a period of 18 months, as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover) to allow the continued use of the site until January 2016 (S73 Application))) to now extend the part use of the site until January 2017, as a construction compound and training facility in conjunction with rebuilding of the structural supports for the A4 Hammersmith Flyover

LBH Ref Nos: 46223/APP/2016/492

Drawing Nos: Covering Letter (AC/nd/8368) 8th February 2016
Design, Access, Planning, and Land Contamination Statement (Ref: SP/ND/lm/7887)
JTS/7887/S1
JTS/7887/S2
0020-HFO-0105-COS-DE-SKT-A2
0016-HFO-0101-COS-DE3-SKT-D-A
HAM_FLY-SK-GFM-00'
Addendum Planning Statement - November 2016
Photographic Schedule - October 2013

Date Plans Received:	08/02/2016	Date(s) of Amendment(s):	12/05/2016
Date Application Valid:	08/02/2016		11/10/2013 04/10/2013

1. SUMMARY

The application seeks to vary condition 1 of planning permission 46223/APP/2015/1195 dated 31st June 2015 to allow for the continued part use of the site until the 31st January 2017, as a construction compound and training facility in conjunction with rebuilding of the structural supports for the A4 Hammersmith Flyover.

The original temporary permission expired in May 2015. However, due to technical issues, the works to the Hammersmith Flyover could not be completed before this date. Therefore, a Section 73 application 46223/APP/2015/1195 was submitted and approved 15th June 2015 to extend the use. This permission expired on the 31st January 2016.

The cover letter submitted with this application states that works were near completion on the 31st January 2016 and that the site has been handed back to TfL. It explains that there is a need to retain the use until January 2017 to complete the works and to cover the defects and contract administration periods. Further works are also required which necessitates the extended temporary period of use.

It is considered that the health and safety benefits, together with the need to repair a vital part of London's transport infrastructure, outweigh the temporary harm caused to the

Green Belt. For the reasons outlined below, the continued use of the site as a works compound until the 31st January 2017 is considered to comply with local, regional, and national planning policy.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T5 Temporary Use - Discontinuance and Reinstatement

The use hereby permitted shall be discontinued, with any associated buildings and structures removed before 31 January 2017. A landscaping scheme for the restoration of the site shall be submitted to the Local Planning Authority six months prior to the completion of the use and approved in writing by the Local Planning Authority. The landscaping hereby approved shall be carried out within six months of the cessation of the use of the site as hereby approved.

REASON

The use of the site as a construction compound and training facility is not considered to be acceptable on a permanent basis, due to its location within the Green Belt, in compliance with 'saved' policy OL1 of the Unitary Development Plan (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 and documents: JTS/7887/S1, JTS/7887/S2, 0016-HFO-0101-COS-DE3-SKT-D-A, 0020-HFO-0105-COS-DE-SKT-A2, HAM_FLY-SK-GFM-001, Design, Access, Planning, and Land Contamination Statement - October 2013 and Addendum Planning Statement - November 2013 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (2012) and the London Plan (2015).

3 COM15 Sustainable Water Management

Should any hard-surfacing or drainage works be required or undertaken that falls outside the scope of the development hereby approved, no work shall commence until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will provide information on the SUDS features employed to retain the surface water on the site both during the temporary phase and when it is returned to its existing state. Thereafter the development shall be implemented and maintained in accordance with these details.

REASON

To ensure the development does not increase the risk of flooding in accordance with 'saved' policy OE8 of the Unitary Development Plan (2012) and policy 5.12 of the London Plan (2015).

4 COM30 Contaminated Land

Should any excavation or foundation work be required or undertaken that falls outside the scope of the development hereby approved, no work shall commence until the following has been submitted to, and approved in writing by the Local Planning Authority:

(i) A scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation.

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iv) A landfill gas survey in the ground at the former landfill site. Some of the landfill gas tests within the survey shall be taken below the proposed footprint of temporary buildings for the compound. If a landfill gas risk is found the applicant shall provide the details of protection measures to prevent gas ingress to any structures on the site to the satisfaction of the LPA. The measures shall be implemented as agreed with LPA.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with 'saved' policy OE11 of the Unitary Development Plan (2012).

5 COM8 Tree Protection

No site clearance works shall be commenced until fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained has been erected. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until the development has been decommissioned.

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 and decommissioning work and to ensure that the development conforms with 'saved' policy BE38 of the Unitary Development Plan (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 'saved' policy BE38 of the Unitary Development Plan (2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

7 B10 Parking/Turning/Loading Arrangements etc.

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be permanently retained for the duration of the use of the site, and used for no other purpose. No parking shall occur outside of the site boundaries.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with 'saved' policies AM3 and AM14 of the Unitary Development Plan (2012) and Chapter 6 of the London Plan (2015).

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 'saved' policies of the Unitary Development Plan (2012), including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
LPP 2.6	(2015) Outer London: vision and strategy
LPP 2.8	(2015) Outer London: Transport
LPP 4.1	(2015) Developing London's economy
LPP 5.1	(2015) Climate Change Mitigation
LPP 5.12	(2015) Flood risk management
LPP 5.13	(2015) Sustainable drainage
LPP 5.21	(2015) Contaminated land
LPP 6.1	(2015) Strategic Approach
LPP 6.3	(2015) Assessing effects of development on transport capacity
LPP 7.1	(2015) Lifetime Neighbourhoods
LPP 7.16	(2015) Green Belt
LPP 7.4	(2015) Local character
NPPF	National Planning Policy Framework

3

With regard to Condition 4, the Council's records show that the temporary compound is

on a former landfill site. The condition is required to clarify whether or not there is any hazard due to gas migration from the landfill to the temporary buildings on the site, and if there is a hazard to ensure any necessary gas protection work is completed prior to use. Advice on this condition can be obtained from the Environmental Protection Unit on 01895 277440.

4 I60 Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction or decommissioning. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, Cranes and Other Construction Issues (available at www.aoa.org.uk/publications/safeguarding.asp).

5

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be re-submitted as part of this new planning permission where those details would remain the same.

3. CONSIDERATIONS

3.1 Site and Locality

The site is rectangular in shape, with principal boundaries to the M4 motorway (north), Holloway Lane (south), Sipson Road (east) and Harmondsworth Road (west).

The site is generally level, although there is a gentle fall from north to south. There is a mound in the south-west corner adjacent to the junction of Holloway Lane and Harmondsworth Road. Vehicular access is from Sipson Road, adjacent to a gas sub-station (to the north-east corner of the site).

The boundaries of the site are formed by hedge and tree lines. A low, planted, bund has been constructed just inside the Holloway Lane and Sipson Road frontages. There is an area of hard standing in the eastern part of the site (adjacent to the Sipson Road frontage) and a mobile phone mast in the central northern part.

That part of the M4 motorway, which runs adjacent to the northern boundary of the site, is elevated and blocks all views from the north. A coach depot, operated by National Express, occupies the triangle of land to the east, between Sipson Road, Holloway Lane and the motorway. A garden centre, quarry and agricultural land lie to the south across Holloway Lane and a petrol filling station and commercial units lie to the west across Harmondsworth Road.

Generally, the land to the south of the M4 motorway and to the north of Heathrow Airport, is open and comprises agricultural fields and existing and former mineral extraction/landfill sites (such as the subject site). The landscape is generally level and interspersed by commercial uses. A Holiday Inn hotel lies to the south-east on Sipson Road.

3.2 Proposed Scheme

This application seeks to vary condition 1 of planning permission 46223/APP/2015/1195

dated 15th June 2015 (Variation of Condition 3 of planning permission 46223/APP/2013/2899 dated 4th December 2013 (Use of part of the site fronting Sipson Road, for a period of 18 months, as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover) to allow the continued use of the site until January 2016 - S73 Application) to now allow for the continued part use of the site until 31st January 2017, as a construction compound and training facility in conjunction with rebuilding of the structural supports for the A4 Hammersmith Flyover.

Condition 1 states:

'The use hereby permitted shall be discontinued, with any associated buildings and structures removed before 31 January 2016. A landscaping scheme for the restoration of the site shall be submitted to the Local Planning Authority six months prior to the completion of the use and approved in writing by the Local Planning Authority. The landscaping hereby approved shall be carried out within six months of the cessation of the use of the site as a construction compound and training facility.'

REASON

The use of the site as a construction compound and training facility is not considered to be acceptable on a permanent basis, due to its location within the Green Belt, in compliance with Policy OL1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).'

It is not proposed to change the way in which the compound is used, only to extend the period of use to complete the works and to cover the defects and contract administration periods as explained in the cover letter submitted with the application. The letter also refers to further works that necessitate the extended temporary period of use.

The original proposal sought temporary planning permission for part use of the site that fronts Sipson Road, for a period of 18 months (from 4th December 2013), as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover. This was subsequently extended to the 31st January 2016. The current proposal would extend it to the 31st January 2017.

3.3 Relevant Planning History

46223/APP/2013/2899 Land Adjacent To Sipson Road In Holloway Lane Harmondsworth

Use of part of the site fronting Sipson Road, for a period of 18 months, as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover.

Decision: 28-11-2013 Approved

46223/APP/2015/1195 Land Adjacent To Sipson Road In Holloway Lane Harmondsworth

Variation of Condition 3 of planning permission 46223/APP/2013/2899 dated 4/12/13 (Use of part of the site fronting Sipson Road, for a period of 18 months, as a construction compound and training facility in conjunction with the rebuilding of the structural supports for the A4 Hammersmith Flyover) to allow the continued use of the site until January 2016 (S73 Application)

Decision: 11-06-2015 Approved

Comment on Relevant Planning History

In late 2011, faults were found in the reinforced concrete arch supports that hold up the Hammersmith Flyover. Investigations established that the steel cables within the concrete had become so weakened by salt water (arising from winter road gritting) that 11 of the arches had to be replaced. The Flyover was closed for a number of weeks, in the winter of 2011/12, as temporary repair works were carried out.

The main rebuilding contract started in early 2014. A number of holding compounds were created under the Flyover but, and due to the built up nature of the area, and the need to keep the Flyover open during the re-build programme, the main works compound was established at Sipson Road, in Hillingdon (the application site). It includes the main depot and materials store, together with a scale replica of part of the bridge. The latter was built so that workers could be trained in the complex task of replacing the existing steel reinforcing rods, in-situ, and at height, with traffic passing both underneath and overhead.

Planning permission was granted for the facility in December 2013 (application ref: 46223/APP/2013/2899) on the grounds that the health and safety benefits, together with the need to repair a vital part of London's transport infrastructure, outweighed the temporary harm caused to the Green Belt. It was envisaged that the contract would take approximately 18 months to complete and the permission was, therefore, granted until 31st May 2015.

In order to keep the Flyover open, the deck has had to be jacked up, supported on temporary structures whilst the arches are rebuilt, and then lowered back onto the new arches - with the horizontal re-enforcing steels in the deck being tied back into the vertical steels in the new arches.

When work commenced on site, it was found that the concrete, in approximately 50% of the bearing pits (8 out of 15), which support the arches, was in such poor condition that the arches could not support the initial lift of the deck. It took eight months to investigate, design, trial and implement a solution. As a result, the works to the Hammersmith Flyover could not be completed before the expiration of the original permission. Hence, a Section 73 application 46223/APP/2015/1195 was submitted and approved 15th June 2015 to extend the use. This permission expired on the 31st January 2016.

The works appear to be largely complete. However, continued temporary use of the site is required to complete the works and to cover the defects and contract administration periods. The cover letter submitted with this application also refers to further associated works being required which necessitates the extended temporary period of use.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012)
London Plan (2015)(MALP 2016)
National Planning Policy Framework (2012)
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

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
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.T1 (2012) Accessible Local Destinations
- PT1.T3 (2012) North-South Sustainable Transport Links

Part 2 Policies:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- OE11 Development involving hazardous substances and contaminated land - requirement for ameliorative measures
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
 - (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
 - (iii) Convenient parking spaces
 - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- LPP 2.6 (2015) Outer London: vision and strategy
- LPP 2.8 (2015) Outer London: Transport
- LPP 4.1 (2015) Developing London's economy
- LPP 5.1 (2015) Climate Change Mitigation
- LPP 5.12 (2015) Flood risk management
- LPP 5.13 (2015) Sustainable drainage

- LPP 5.21 (2015) Contaminated land
- LPP 6.1 (2015) Strategic Approach
- LPP 6.3 (2015) Assessing effects of development on transport capacity
- LPP 7.1 (2015) Lifetime Neighbourhoods
- LPP 7.16 (2015) Green Belt
- LPP 7.4 (2015) Local character
- NPPF National Planning Policy Framework

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date:- **4th May 2016**
- 5.2** Site Notice Expiry Date:- Not applicable

7th March 2016

6. Consultations

External Consultees

Consultation letters were sent to 21 local owner/occupiers on 11th February 2016, a site notice erected 15th February 2016, and a press notice published 20th April 2015. No responses have been received.

GLAAS (HISTORIC ENGLAND ARCHAEOLOGY)

Comments (summary): No objection

MINISTRY OF DEFENCE

Comments (summary): No objection

NATS SAFEGUARDING

Comments (summary): No objection

BAA

Comments: No comment received.

HEATHROW VILLAGES CONSERVATION AREA ADVISORY PANEL

Comments:

Nearly a year ago, in relation to the previous application to extend this planning permission, we wrote to say "We are - prepared to accept the proposed extension, but only on condition that no further extensions will be granted as we do not want to see this use become permanent."

We understand the emergency intervention for the investigation of the Hammersmith Flyover and associated temporary repairs have now concluded. These works had been the justification for the grant of a limited period permission to use part of this Green Belt site. As we said previously, we feel strongly that the reinstatement of the land is an essential part of this permission and should now be undertaken without further delay as the particular extenuating circumstances that led to the exception to Green Belt policy have ceased to apply.

We believe the partial reconstruction of the flyover piers is a separate and subsequent operation. This, just like any other construction project, that should be undertaken from those compounds that the contractor has planning permission to use. It was at the contractor's risk to have bid for the contract without ensuring that an appropriate compound was available. To grant permission for the use of this Green Belt site in these circumstances would set an unacceptable precedent so we hope that permission will not be granted for a further extension of the permission - which was initially granted in 2013 for 18 months.

Officer's responses: Please see the main body of the report for consideration of the concerns raised.

Internal Consultees

FLOODWATER MANAGEMENT OFFICER:

Comments (summary): No objection

ENVIRONMENTAL PROTECTION UNIT:

Comments (summary): No objection

HIGHWAY ENGINEER:

Comments (summary): No objection

TREE AND LANDSCAPE OFFICER:

Comments (summary): No objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal involves the temporary use of a portion of open space which has been derelict for a number of years. The proposal is required to support the completion of the programmed rebuilding and strengthening of the A4 Hammersmith Flyover. These works appear to be near completion. The extension to the current temporary use would enable these works to finish and for the defects and contract administration periods to end. The temporary nature of this application would preserve the character and appearance of this sensitive area in the long term. This is further discussed in section 7.05 of this report with regards to its impact on the Green Belt.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Only minor structures are proposed as part of this development. As such, no safeguarding issues would arise.

7.05 Impact on the green belt

Policy EM2 'Green Belt, Metropolitan Open Land and Green Chains' of Hillingdon's Local Plan: Part 1 - Strategic Policies (November 2012) explains that the Council will seek to maintain the current extent, hierarchy and strategic functions of the Green Belt, Metropolitan Open Land and Green Chains and that development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test.

Policy OL1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) restricts development of Green Belt land to predominantly open uses, however it specifically states that limited infilling or redevelopment of major existing development sites is considered appropriate.

Policy OL2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that within the Green Belt, where development proposals are acceptable in principle in accordance with the above policy, comprehensive landscaping improvements to achieve enhanced visual amenity and other open land objectives will be sought.

Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Council will only permit the replacement or extension of buildings within the green belt if the development would not result in any disproportionate change in bulk and character of the original building; the development would not significantly increase the built up appearance of the site; and the character of the surrounding area would not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated.

Policy 7.16 'Green Belt' of the London Plan (2015) gives the strongest protection to the Green Belt, in accordance with national guidance. That guidance is contained in chapter 9 of the National Planning Policy Framework (NPPF) which notes that the essential characteristics of Green Belts are their openness and permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the most important attribute of Green Belts is their openness. Policy OL1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that there is a presumption against inappropriate development. It states that agriculture, horticulture, nature conservation, open-air recreation and cemeteries are the only uses that are acceptable within the Green Belt, and that new buildings are only acceptable if they are essential for the open land use.

Any development, which is contrary to policy OL1 is considered 'inappropriate' development. The NPPF states that 'inappropriate development' is, by definition, harmful to the Green Belt. Such development should not be approved, except in very special circumstances. The NPPF states that 'a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt, with few exceptions.

The National Planning Policy Framework states 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

The applicant had identified a number of alternative sites for the proposed compound, and only two of six sites investigated met the required criteria. One of these was not available for use, which left this site as the preferred option. The site has good access to the M4, is close to the majority of suppliers, which are located to the west of London, it is level enough and large enough to house the required elements of the compound, the site has enough space to install the bridge mock-up, and the site is accessible by public transport (with the applicant providing a shuttle to Heathrow Underground Station).

The applicant highlighted the following 'very special circumstances' in their original submission:

a) The site is a former quarry and landfill and has been identified by the Borough Council as 'derelict land'. Apart from its openness, it has little intrinsic landscape value. The proposed compound will be well screened by existing development (including the M4 motorway) and trees and hedgerows. The facility is needed for an additional 8 months, following which the site will be returned to its existing condition (once the contract has been completed). Accordingly, the 'harm caused by reason of inappropriateness' is both very limited and

temporary.

b) The site is of little ecological value and the few habitats that it provides (which are primarily limited to the boundary hedgerows) will not be affected by the proposal. It has good vehicular access and a direct link to the M4 motorway. Importantly, there are no residential properties in the immediate vicinity (and there are few along the short route between it and the M4). Accordingly, the proposal will cause very little, if any, harm to any other planning interests.

c) The proposed facility will greatly assist the provision of a safe working environment (for both operatives and the general public) at the Hammersmith Flyover construction site. Its availability will shorten the length of the overall construction programme and allow materials to be delivered on a 'just in time' basis. Accordingly, it will help reduce the impact on both Hammersmith and everyone who lives and works in the M4/A4 West London corridor. The benefits of allowing the site to be used as a temporary construction compound and training facility are clear and significant.

In this case the proposed structures could be considered to be inappropriate. However, the temporary buildings will not be detrimental to the character of the Green Belt in the longer term, as the openness and character of this area will be restored, following the removal of these buildings and the restoration of the site at the expiration of any permission. It would provide for improved safety of the working environment, without impacting on any significant landscape or ecological features of the site, allowing it to be restored following its use.

In addition, the view from public areas within the Green Belt would be largely unchanged, particularly given the position of the existing landscaping on the site and the M4 to the north of the site. Therefore, the sense of openness and spaciousness in the Green Belt is not adversely affected.

In conclusion, it is considered that following the restoration of the site at the expiration of this permission, this part of Green Belt land would continue to effectively fulfil its function of checking unrestricted urban sprawl and assist in safeguarding the countryside from encroachment, in compliance with 'Policy OL1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), policy 7.16 of the London Plan (2015) and the provisions of the National Planning Policy Framework (2012).

7.07 Impact on the character & appearance of the area

The NPPF makes it clear that the visual amenities of the Green Belt should not be injured by proposals for development within or conspicuous from the Green Belt which, although they would not prejudice the purposes of including land in Green Belts, might be visually detrimental by reason of their siting, materials or design.

The proposed works would be located towards the southeast corner of the larger Costain site, opposite the existing built development and the National Express depot to the east, and would be screened from Holloway Lane and Sipson Road by existing landscaping. Given the temporary nature of the proposal, and the small scale of the temporary structures proposed, it is considered that the proposal would not impact on the character or appearance of the wider area.

7.08 Impact on neighbours

The existing structures to be retained on a temporary basis are of a small scale when viewed in conjunction with the wider area. Although the development results in the continued use of the site beyond the time frame originally envisaged, this would only be for

a temporary period. In addition, the nearest residential properties are located over 120 metres from the northern boundary of the site, and are separated from the site by the elevated M4. As such, it is considered that the scheme would not result in any impacts on the neighbouring properties.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Of particular relevance to this application are Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Policy AM7 requires developments not to prejudice the free flow of traffic or conditions of highway/ pedestrian safety whilst Policy AM14 sets out the Council standards for car parking.

The proposal is not considered to create a significant amount of additional operational traffic to the site, as trip numbers are likely to be limited to 30 and spread across the day. In addition, the use of the site is only for a temporary period. Therefore, it is not considered that any impacts on the highway network would occur. Suitable car parking provision is proposed on the site.

Overall, the Council's Highway Engineer is satisfied with the proposal and has not raised an objection to extending the temporary use.

7.11 Urban design, access and security

It is considered that there are no urban design or security issues arising from the proposal. Access is considered in section 7.12 of this report.

7.12 Disabled access

Given the temporary and minor nature of the building works proposed, and that the building will have a level access, as it would be at ground level, there are not considered to be any access issues relating to the proposal.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The application site does not contain any individual trees of outstanding merit, and none are protected by Tree Preservation Order or Conservation Area designation. However, it is considered that the collective value of the established boundary hedges, trees and shrubs contribute to the verdant nature and visual amenity of the area.

The trees surrounding the development site are to be retained, and as such the proposal does not have any implications with regards to tree retention or removal. However, it is considered reasonable that the trees around the boundary of the site continue to be protected via condition.

Subject to conditions, it is considered that the proposal would achieve appropriate outcomes in terms of Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.15 Sustainable waste management

Only marginal amounts of waste are expected to be generated from the site given the small scale of the works and the temporary period of the use. As such, it is considered that refuse would be managed adequately by the user of the site.

7.16 Renewable energy / Sustainability

Given the small scale of the building works proposed, and that the use of the site is only for

a temporary period, it is considered that this issue is not considered relevant to the application.

7.17 Flooding or Drainage Issues

As the application site is in an area of low risk (Flood Zone 1), there is no concern in principle with the use of this land. The Council's Floodwater Management Officer has raised no objection to this extension of time application.

7.18 Noise or Air Quality Issues

NOISE

It is considered that the proposed development would not result in any increased noise levels over and above the existing uses in the area, and the background noise generated by the M4 and Heathrow. Notably, the Council's Environmental Protection Unit has not raised an objection to the previous applications.

AIR QUALITY

The Environmental Protection Unit has raised no objections on air quality grounds.

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning obligations

There are no planning obligations in relation to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

CONTAMINATION

The site is the location of an area of former landfill. Due to the previous use of the site, a report was originally submitted to consider the potential for contamination on the site. The Council's Environmental Protection Unit recommended that a condition be imposed on the original permission. It is considered reasonable to retain this condition which requires remediation should any contamination be found during the works. It also requires that landfill gas be surveyed and monitored.

Subject to condition, the proposal is considered acceptable and would ensure that future users of the site would not be exposed to adverse risks, in accordance with 'saved' policy OE11 of the Unitary Development Plan (2012).

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

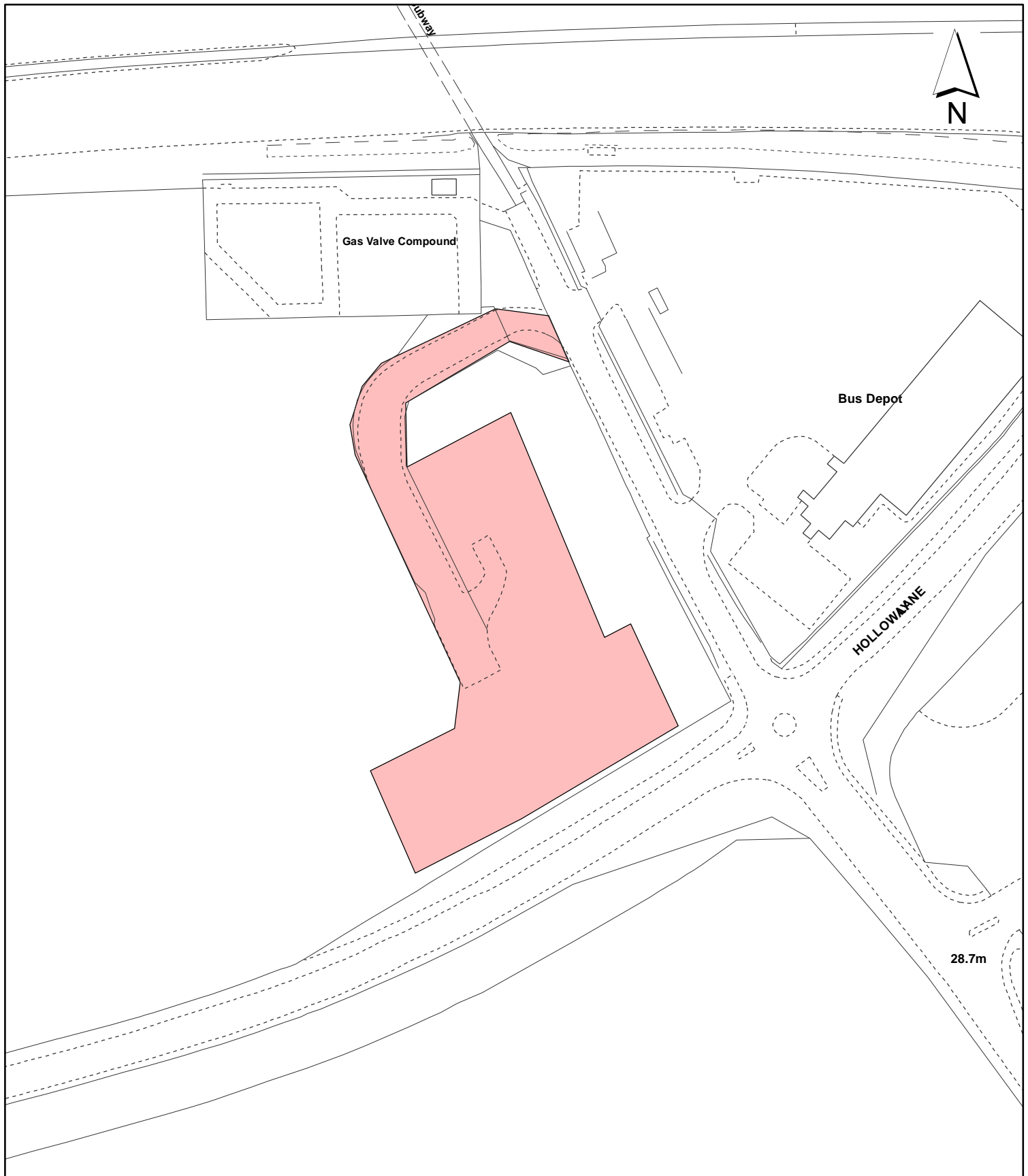
For the reasons set out in this report, the continued temporary use of the site as a works compound until January 2017 would be considered acceptable, in accordance with local, regional, and national planning policy.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2015)(MALP 2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Richard Conroy

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 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.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**Land Adjacent to Sipson Road
 in Holloway Lane**

Planning Application Ref:

46223/APP/2016/492

Planning Committee:

Central & South

Scale:

1:1,250

Date:

June 2016

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services
 Planning Section**

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



HILLINGDON
 LONDON