

Report of the Head of Planning, Sport and Green Spaces

Address EURO GARAGES HEATHROW NORTH SHEPISTON LANE HAYES

Development: Installation of ATM (Restrospective)

LBH Ref Nos: 17981/APP/2016/1404

Drawing Nos: NM-07-2015-81-01
NM-07-2015-81-02
Location Plan (1:1250)
Design and Access Statement
Block Plan (1:500)

Date Plans Received: 11/04/2016

Date(s) of Amendment(s):

Date Application Valid: 22/04/2016

1. SUMMARY

The proposal is a retrospective application for the installation of an ATM. The site is within the Green Belt. The development is considered not to be a disproportionate addition over and above the size of the original building and does not materially reduce the openness of the Green Belt or harm its visual amenities. No other harms arise from the development and it is recommended that planning permission be granted.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM4 Accordance with Approved Plans

The development hereby permitted shall be retained in complete accordance with the details shown on the submitted plans, number NM-07-2015-81-02.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and 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 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.
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.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
NPPF1	NPPF - Delivering sustainable development
NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land

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.

3. CONSIDERATIONS

3.1 Site and Locality

The site lies on the south side of Shepiston Lane opposite Cherry Lane Cemetery and just to the north of the M4 motorway and comprises a petrol filling station and ancillary facilities. The site is within the Green Belt.

3.2 Proposed Scheme

The application is a retrospective proposal for the installation of an ATM. It replaced an existing ATM which was located to the side of the building. The original structure was approximately 1 metre wide by 1 metre deep and 2 metres high. The ATM is housed in a simple metal box structure 2.1 metres high, 1.2 metres wide and 2.2 metres deep and painted in an off-white colour. It sits under the canopy of the main retail and paying area associated with the site. The ATM itself is 0.9 metres from ground level. It is within a pedestrianised area with level access to the ATM. Security bollards have been installed around the machine. These both protect members of the public from vehicular movement and are a security measure against 'ram-raiding'.

3.3 Relevant Planning History

17981/ADV/2016/46

Euro Garages Heathrow North Shepiston Lane Hayes

Installation of 1 internally illuminated ATM sign

Decision:

Comment on Relevant Planning History

There is a concurrent application for an illuminated advertisement for the ATM is also on this agenda (Reference No. 17981/ADV/2016/46).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

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.

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

OL4 Green Belt - replacement or extension of buildings

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

NPPF1 NPPF - Delivering sustainable development

NPPF7 NPPF - Requiring good design

NPPF9 NPPF - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

1 adjoining neighbour consulted via letter dated 26/04/2016 and a site notice was displayed on

28/04/2016. No comments or objections received.

Heathrow Aerodrome Safeguarding: No comments received.

Internal Consultees

Trees and Landscape Officer: There is a TPO on the land, reference 549. However, no trees are affected by the proposal.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of extending existing buildings in the Green Belt is acceptable, subject to their impact on the openness of the Green Belt and its visual amenities. These issues are discussed in Section 7.05.

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

No issues arise

7.05 Impact on the green belt

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

Paragraphs 79-92 of the NPPF give clear policy guidance on the functions the Green Belt performs, its key characteristics, acceptable uses and how its boundaries should be altered. Paragraph 89 of the NPPF states, inter-alia, that the extension or alteration of a building is not inappropriate provided that it does not result disproportionate additions over and above the size of the original building.

Policy 7.16 of the London Plan states that the Mayor supports the current extent of London's Green Belt and, inter-alia, its protection from inappropriate development. The strongest protection should be given to London's Green Belt, in accordance with national guidance.

Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that the Council will seek to maintain the current extent, hierarchy and strategic functions of the Green Belt. Any proposals for development in the Green Belt will be assessed against national and London Plan policies.

Policy OL4 of the Hillingdon Local Plan: Part Two states that:

The local planning authority will only permit the replacement or extension of buildings within the green belt if:

- (i) the development would not result in any disproportionate change in the bulk and character of the original building;
- (ii) the development would not significantly increase the built up appearance of the site;
- (iii) having regard to the character of the surrounding area the development would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated

As stated above, the principle of extending existing buildings in the Green Belt is not inappropriate development and thus the the main issues for determination are whether the

proposal would result in a disproportionate change in the bulk and character of the original building, whether it would significantly increase the built up appearance of the site and whether it would injure the visual amenities of the Green Belt.

In consideration of these issues it should be noted that the development replaces a structure measuring 1 metre wide x 1 metre deep x 2 metres high with one which is 1.2 metres wide x 2.2 metres deep x 2.1 metres high. The structure has been increased minimally in terms of its width and height and whilst there is a greater increase in its depth, its location under the canopy of the main building and the fact it has been painted in an off-white colour to match the building means that its impact on the Green Belt would be very limited. The development is thus, not considered to be a disproportionate addition over and above the size of the original building and does not materially reduce the openness of the Green Belt or harm its visual amenities.

7.07 Impact on the character & appearance of the area

The proposal is a small addition to the building which sits beneath the existing canopy and does not spread the built form beyond the existing developed area of the site. It has very low visual impact when viewed from outside.

7.08 Impact on neighbours

There are no residential neighbours. There is a hotel to the west, the M4 motorway to the south, open land to the east and a cemetery to the north. The ATM has an extremely low visual impact and as there are no dwellings in close proximity no adverse impact on residential neighbours will arise.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two considers traffic generation of new development particularly with regard to highway and pedestrian safety. The ATM is part of the overall complex of petrol filling station and facilities. Whilst it can be accessed and used separately from the petrol related facilities, there is a large area of off-street parking and the use is unlikely to have any material impact on local traffic. In terms of pedestrian safety, the ATM is in a part of the site associated with pedestrian activity. Bollards have been provided which separate the ATM from vehicular movement. The ATM has level access which allows for use by people with disabilities. No adverse traffic or pedestrian safety issues arise and the development is considered to comply with policy AM7.

Policy AM14 of the Hillingdon Local Plan: Part Two states the need for all development to comply with the Council's adopted parking standards. The ATM is within the body of the site which includes off-street parking. The proposal is not considered to require additional car parking. Whilst it can be separately accessed, it is likely that much of its use will come from motorists purchasing fuel or other goods on the site. No adverse issues arise and the proposal is considered to comply with Policy AM14.

7.11 Urban design, access and security

The ATM and housing is located against the existing main building on the site and under its canopy. It is a simple off-white metal structure with a flat roof. The main building is a modern flat-roofed structure. Its size is limited in relation to the overall scale of development on site and thus its visual impact is considered acceptable. The issues of access and security have been considered in other parts of this report.

7.12 Disabled access

There is level access to the ATM which is designed to be accessible to wheelchair users.

7.13 Provision of affordable & special needs housing

- Not applicable to this application.
- 7.14 Trees, landscaping and Ecology**
- No trees, landscaping or ecological considerations arise
- 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 consultation responses were received.
- 7.20 Planning obligations**
- Not applicable to this application.
- 7.21 Expediency of enforcement action**
- This is a retrospective application and in the event of refusal enforcement action would need to be considered.
- 7.22 Other Issues**
- None.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act

1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

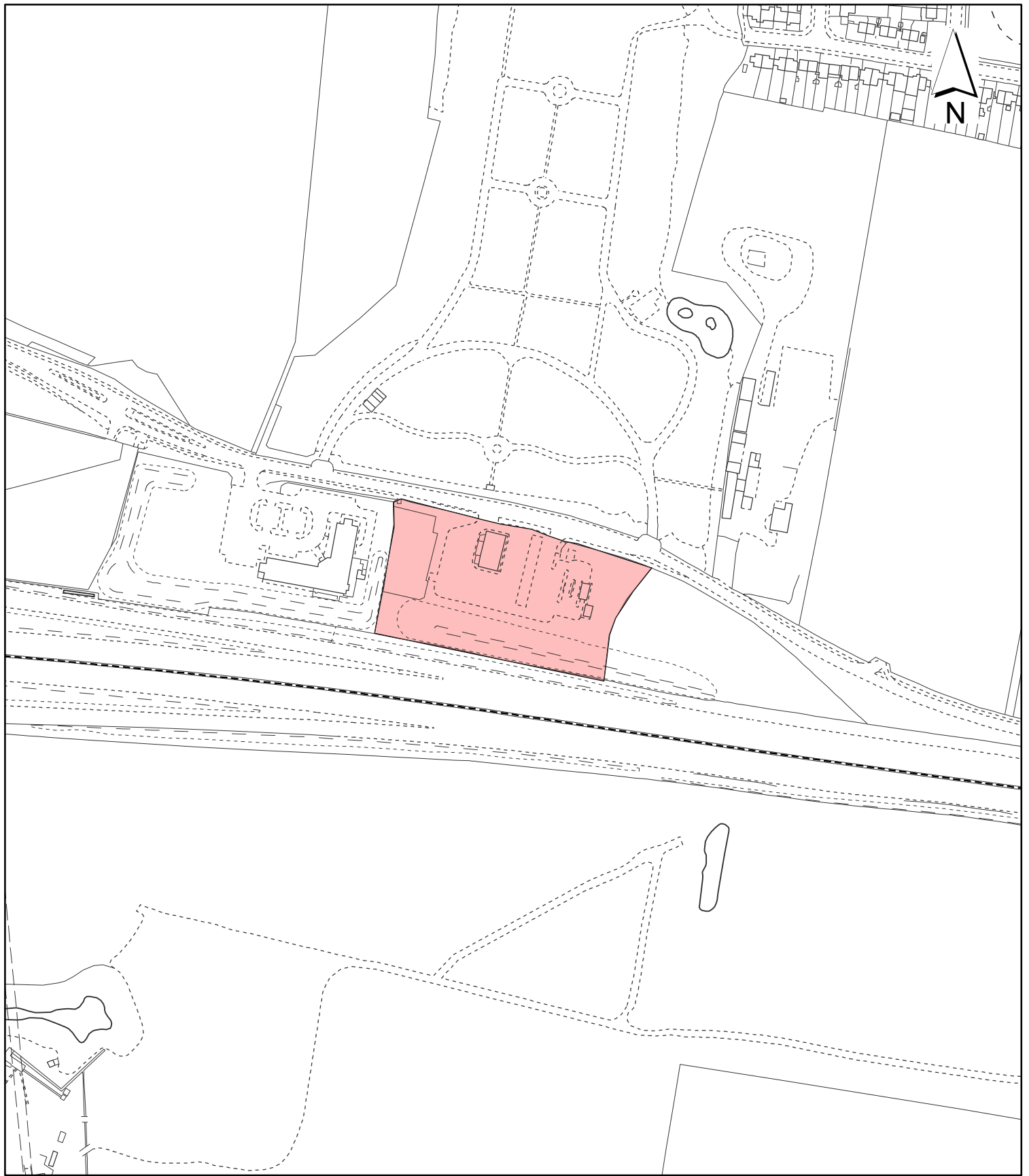
The proposal is a retrospective application for installation for an ATM. The site is within the Green Belt. The development is considered not to be a disproportionate addition over and above the size of the original building and does not materially reduce the openness of the Green Belt or harm its visual amenities. No other harms arise from the development and it is recommended that planning permission be granted.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2015)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Cris Lancaster

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Notes:

 Site boundary

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Site Address:

**Euro Garages Heathrow North
 Shepiston**

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

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

Planning Application Ref:

17981/APP/2016/1404

Scale:

1:3,500

Planning Committee:

Central & South

Date:

July 2016



HILLINGDON
 LONDON