

Report of the Head of Planning, Sport and Green Spaces

Address CHADWICK BUILDING BRUNEL UNIVERSITY KINGSTON LANE
HILLINGDON

Development: Variation of condition 1 of planning permission reference 532/APP/2013/3688 to allow the temporary Chadwick Building to be retained for a further five year

LBH Ref Nos: 532/APP/2016/3606

Drawing Nos: BUCHDK-GW-00-PLN-002
BUCHDK-GW-00-SIT-002
BUCHDK-GW-00-EXT-001
BUCHDK-GW-01-EXT-101
BUCHDK-GW-00-ELE-003
Covering Letter/Statement

Date Plans Received: 28/09/2016 **Date(s) of Amendment(s):**
Date Application Valid: 30/09/2016

1. **SUMMARY**

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years years, in order to provide decanting facilities for the University.

No changes to the appearance of the building are proposed and so there would be no change to the impact of the building on the street scene or the Green Belt.

The proposed retention of the building for another five years complies with Policies BE13 and OL4 of the Hillingdon Local Plan: Part 2 - Saved UDP Polices (November 2012). It is therefore recommended that the application is approved.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T4 **Temporary Building - Removal and Reinstatement**

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

REASON

The building, by reason of its design is not considered suitable for permanent retention in compliance with Policies BE13 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

2 NONSC **Non Standard Condition**

The accommodation hereby approved shall be occupied solely by persons associated with Brunel University in accordance with Class D1 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON

To safeguard the visual amenities of the area, having regard to the Green Belt setting of the proposed development and the residential amenity of surrounding properties, in

compliance with Policies OL4 and OE1 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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/REFUSE 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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE13	New development must harmonise with the existing street scene.
OL4	Green Belt - replacement or extension of buildings
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM7	Consideration of traffic generated by proposed developments.
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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises the Chadwick Building located within Site 1 of the Brunel University campus. The building is accessed from the West Spur Road running east/west off Cleveland Road.

The Chadwick Building is bordered to the east by the Arts and Social Sciences Faculty (Gaskell Building) and by a student residential accommodation block to the west. The Phase 3 students' Halls of Residence is located north of the site whilst to the south lie residential properties in Ratcliffe Close.

The entire University campus together with land to the south is located within the Green Belt. Sites 1 and 2 of the University Campus have historically been identified as a 'Major Developed Site', in which certain forms of infilling and redevelopment are considered appropriate.

3.2 Proposed Scheme

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years in order to accommodate staff displaced by the major refurbishment

work within the Wilfred Brown building and elsewhere on the campus.

The spaces will be used in conjunction with refurbishment of the Wilfred Brown building, which remains ongoing, and other refurbishment projects involving internal refurbishment of buildings at the campus. Permission is sought to retain the building for a period of five years, until these projects are scheduled to be completed. No elevational changes are proposed.

3.3 Relevant Planning History

Comment on Relevant Planning History

532/HQ/86/1760 - Erection of two-storey portakabin duplex building

532/NS/96/1836 - Renewal of planning permission ref. 532HQ/86/1760 dated 05/01/87; Erection of a two storey portakabin (duplex series MKII)

532/APP/2013/3688 - Retention of two storey pre-fabricated building for a period of three years.

Brunel University has an extensive planning history, most of which is not relevant to this application.

Outline planning permission was granted on 19 April 2004 for the erection of 48,064 square metres of new academic floor space, 69,840 square metres of new student residential accommodation, ancillary floor space and infrastructure, provision of 645 additional parking spaces, improved access from Kingston Lane, new access from Cowley Road, highway improvements to Cleveland Road, improved pedestrian and cycle routes, landscaping and environmental improvements, involving demolition of 18,600 square metres of existing floor space.

It should be noted that this part of the campus is earmarked for redevelopment for academic floor space, as part of the 2004 outline masterplan permission.

The existing prefabricated building was granted a 10 year temporary planning permission under reference 532/HQ/86/1760 on 05/01/87. On the 10/02/1997. Permission was granted under reference 532/NS/96/1836 for a further 5 years, subject to the removal of the building and restoration of the land to a state agreed with the Local Planning Authority within 5 years of the date of the permission (e.g. 10/02/2002).

Notwithstanding this condition, since 10/02/2002 the building has remained in situ and been used for the temporary accommodation of various faculties during refurbishment of existing university buildings.

In 2013, permission was granted for a further three years (reference 532/APP/2013/3688), to provide decant space in conjunction with refurbishment of the Wilfred Brown Building. It was originally hoped that these works could be completed within three years, but the accommodation remains in use for this purpose, due to delays in construction.

While no application has ever been submitted to the Local Planning Authority seeking to confirm the lawful use of the building, it is noted that the building has been in situ for more than 10 years since its removal was required by condition. Based on the information currently before the Council, the building would appear to be immune from enforcement action and, had an application for a certificate of lawfulness been submitted, the Council may have concluded that the building was lawful.

It is considered that this application seeking permission for retention of the building for a further temporary time period must be considered on its individual merits and on the basis for which permission is sought (e.g. temporary consent). However the fact that the current building may be immune from enforcement action and that it has been in situ for circa 27 years without any adverse planning impacts is a significant material consideration in determining the application.

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:

BE13 New development must harmonise with the existing street scene.

OL4 Green Belt - replacement or extension of buildings

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

AM7 Consideration of traffic generated by proposed developments.

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.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 25th November 2016

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 9 local owners/occupiers, the Cleveland Road Neighbourhood Watch and the Cleveland Road Residents Association. To date one response has been received making the following comments

- Occupants of Chadwick on the upper floor look straight into our rooms

- If the building is to continue in use, Brunel should take measures to substantially reduce the amount of interference from security lights since this impacts a number of properties in Ratcliffe Close.

Internal Consultees

None.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies the Metropolitan Green Belt and historically has been identified as a 'Major Developed Site', in which certain forms of infilling and redevelopment are considered appropriate. Accordingly, the proposal is subject to the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The proposal is to retain an existing temporary building for an additional five years.

There are no changes proposed to the appearance of the building which has been in situ for circa 27 years and so there would be no change in the visual impact on the Green Belt. Given the temporary nature of the proposal and its location within a major developed site, the proposal is considered consistent with Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to this application.

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

The site is not within an Archaeology Area, Conservation Area or Areas of Special Character, nor does it affect the setting of a Listed Building.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The impact on the Green Belt is discussed in Section 7.01.

7.06 Environmental Impact

This application relates to the retention of an existing temporary building. As such there would be no construction or operational impacts on the environment.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to protect the character and appearance of the street scene. The existing building is to be retained for an additional five years and no elevational changes are proposed. There would therefore be no change in the impact of the building on the street scene, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The original siting of the building was considered to be appropriate, taking into account the need to ensure residential amenity was not impacted. It is not considered that the continued use of the building for purposes relating to the University would lead to any new or unforeseen impacts on residential amenity.

The building is over 26m from the nearest residential property which is located outside of the university site. As such, it is considered that the proposed retention of the building for an additional five years would not impact on residential amenity, in terms of outlook loss of privacy or light. The proposal is therefore considered to comply with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

No specific car parking has been allocated for the Chadwick Building, which has been served historically by the adjoining parking areas accessed from the West Spur Road. Parking would not be affected by the retention of the building. These parking arrangements

have not given rise to any problems to date and the University is confident that this will continue to be the case. In addition, there is not anticipated to be an increase in traffic to and from the site as a result of the proposal.

No objections are raised on highways and transportation grounds in terms of traffic generation, on-site parking or access issues, in compliance with Policies AM7, AM14 and AM15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

No changes are proposed to the building in terms of design, access and security.

7.12 Disabled access

The proposal seeks to retain an existing building and there would be no change to the existing accessibility of the building.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

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

The issues raised have been covered in the main body of the report.

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

Planning permission is sought for the retention of a two storey pre-fabricated building for a period of five years, in order to accommodate staff displaced by the major refurbishment work within the Wilfred Brown building and elsewhere on the campus.

No changes to the appearance of the building are proposed. As such there would be no change to the impact of the building on the street scene and the Green Belt. The proposed retention of the building for another five years for use associated with the University is considered to be compliant with Policies BE13, OE1, OL4 and relevant residential amenity

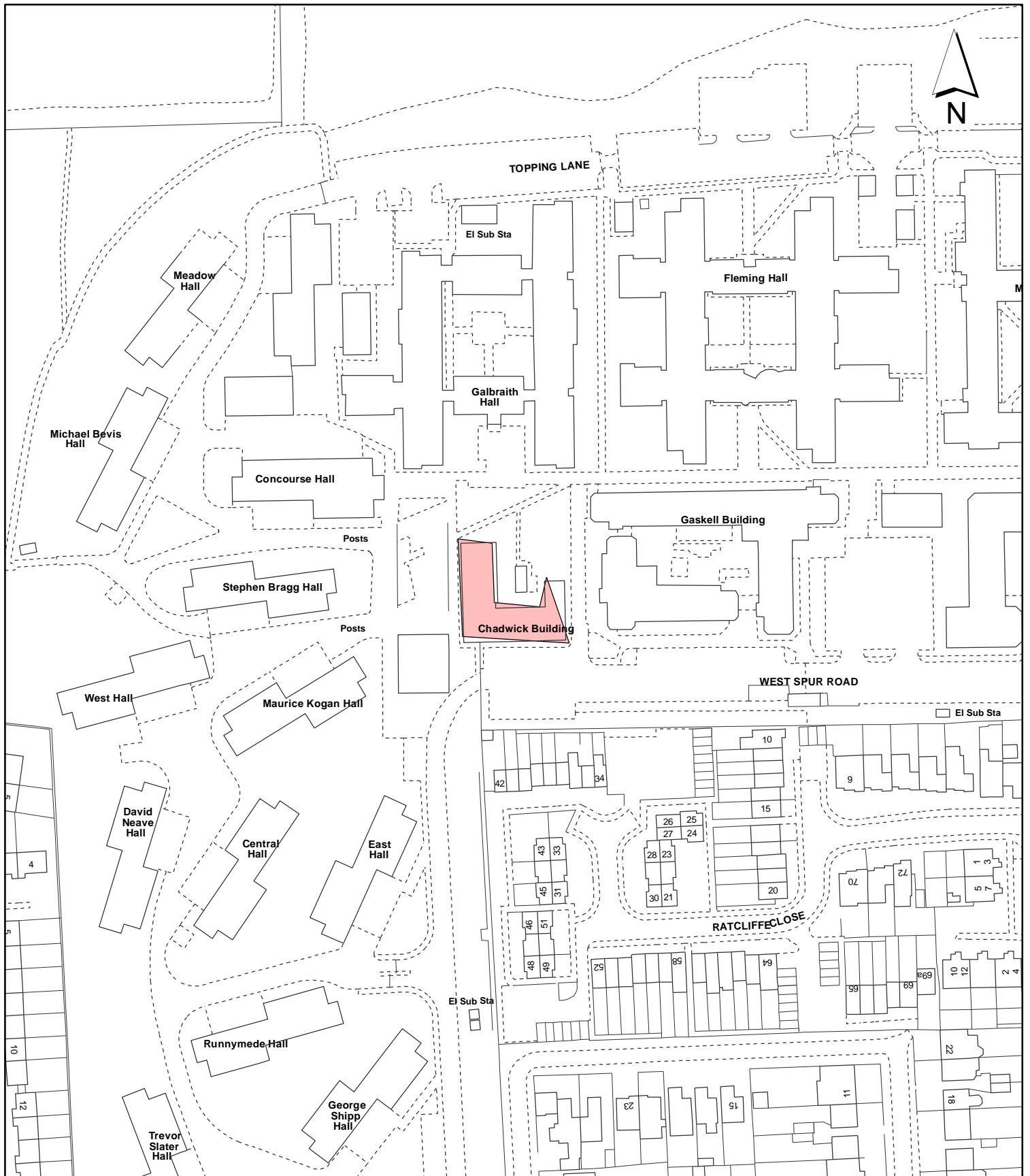
policies of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). It is therefore recommended that the application is approved.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan 2016
National Planning Policy Framework (NPPF)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Chadwick Building
 Brunel**

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

Planning Application Ref:
532/APP/2016/3606

Scale:
1:1,500

Planning Committee:
Central and South

Date:
December 2016

