

Report of the Head of Planning, Sport and Green Spaces

Address SHELL SERVICE STATION HARMONDSWORTH ROAD WEST DRAYTON
Development: Installation of ATM unit (Retrospective)
LBH Ref Nos: 62937/APP/2016/3566
Drawing Nos: Location Plan (1:1250)
NW0175 Sheet 2
Design and Access Statement
NW0175 Sheet 1 Rev. 01
NW0176
NW0178
E008721 Rev. 01

Date Plans Received: 23/09/2016 **Date(s) of Amendment(s):**

Date Application Valid: 07/11/2016

1. SUMMARY

The application seeks retrospective planning permission for the installation of an ATM machine within the forecourt of the existing Service station and under an existing canopy. The ATM is considered to represent a minor alteration to the property, having an acceptable impact upon the visual amenity of the application property and the surrounding street scene which lies within the Metropolitan Green Belt and thus not representing an inappropriate form of development, whilst also providing a useful service to visiting customers and not causing a loss of residential amenity or highway safety concerns.

2. RECOMMENDATION

APPROVAL subject to the following:

1 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 NW0175 Sheet 2, NW0175 Sheet 1 Rev. 01, NW0176, NW0178 and E008721 Rev. 01 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 (2016).

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).

I53

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

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
BE15	Alterations and extensions to existing buildings
BE21	Siting, bulk and proximity of new buildings/extensions.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
LPP 7.16	(2016) Green Belt
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 (2016). 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 application property comprises of an existing Shell Service Station located on the corner of Harmondsworth Road with Holloway Lane which lies within the Metropolitan Green Belt as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The Service Station comprises of a large covered forecourt and convenience shop with the addition of a carwash facility. An ATM unit has been erected to the front of the shop in a covered area at the edge of the forecourt.

3.2 Proposed Scheme

The application seeks retrospective planning permission for the installation of an ATM unit.

3.3 Relevant Planning History

62937/ADV/2016/87 Shell Service Station Harmondsworth Road West Drayton
Installation of 5 non illuminated fascia signs

Decision:

62937/APP/2007/956 West Drayton Service Station Harmondsworth Road West Drayton
INSTALLATION OF AN ADDITIONAL JET WASH BAY TO EXISTING PETROL FILLING STATION

Decision: 18-07-2007 Approved

Comment on Relevant Planning History

A separate application for advertisement consent is submitted for the associated ATM signage under application reference 62937/ADV/2016/87.

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:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

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.

BE15 Alterations and extensions to existing buildings

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

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

OL4 Green Belt - replacement or extension of buildings

LPP 7.16 (2016) Green Belt

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

The Harmondsworth and Sipson Residents Association were consulted by letter dated 9.11.16 and

a site notice was displayed to the front of the site which expired on 9.12.16. No responses have been received.

Internal Consultees

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of development is considered acceptable.

7.02 Density of the proposed development

Not relevant to this application.

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

Not relevant to this application.

7.04 Airport safeguarding

Not relevant to this application.

7.05 Impact on the green belt

The NPPF states in paragraph 88, 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. Paragraph 89 states that the replacement of a building in the Green Belt is not appropriate provided that the building is in the same use and is not materially larger than the one it replaces.

Policy OL4 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

Section B (Planning Decisions) of Policy 7.16 UDP of The London Plan states "The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances".

The addition of the ATM is a modest addition to this service station which is not considered to materially affect the bulk or character of development on this Green Belt Site. The ATM is of a standard format, size and design and is typical of an ATM found within a garage/service station. As such it is considered that it does not injure the visual amenities of the Green Belt by reason of siting, materials, design, traffic or activities generated in accordance with both National and Local Policy.

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 by providing high quality urban design.

The application site comprises of a modern garage building and shop with a forecourt area upon which the ATM has been erected (against the backdrop of the modern shop building

and car wash). The ATM is of a standard format, size and design and is typical of an ATM found within a garage/service station. As such it is considered not to be detrimental to the street scene or the character and appearance of the surrounding area. As such, the ATM is considered to relate satisfactorily with the commercial appearance of the application site in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The installation of ATM's in quiet areas can sometimes lead to an increase in noise and disturbance. This development is located within an existing petrol filling station with convenience store which is open until late into the evening.

The installation of an ATM machine would not lead to a increase in the levels of noise and disturbance, to such a level as to warrant refusal of the application. Furthermore, in view of its relatively isolated location, there are no nearby residential properties. The proposal is thus considered to accord with Policies BE19, BE20, BE21, BE24 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not relevant to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The ATM is located directly to the front of the existing shop/station and would not obstruct access or exit to the service station. There are a number of customer parking spaces within the frontage of the forecourt which can be used by customers visiting the site to either use the shop or ATM without re-fuelling. No highways issues are considered to arise from users of the cash point and prejudicing the free flow of traffic. Therefore, the development is considered to comply with Policies AM2, AM7 and AM14 of the Hillingdon Local Plan (November 2012).

7.11 Urban design, access and security

Security

Whilst the overall security of the site is an issue for the operator, in this regard the proposal has been positioned in a part of the site likely to be accessed by most customers and thus subject to constant surveillance by members of the public, and staff. In conclusion, the proposal is acceptable.

7.12 Disabled access

No issues raised.

7.13 Provision of affordable & special needs housing

Not relevant to this application.

7.14 Trees, landscaping and Ecology

Not relevant to this application.

7.15 Sustainable waste management

Not relevant to this application.

7.16 Renewable energy / Sustainability

Not relevant to this application.

7.17 Flooding or Drainage Issues

Not relevant to this application.

7.18 Noise or Air Quality Issues

Not relevant to this application.

7.19 Comments on Public Consultations

No comments have been received.

7.20 Planning obligations

Not relevant to this application.

7.21 Expediency of enforcement action

Not relevant to this application. Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

7.22 Other Issues

No other issues raised.

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 relevant to this application.

10. CONCLUSION

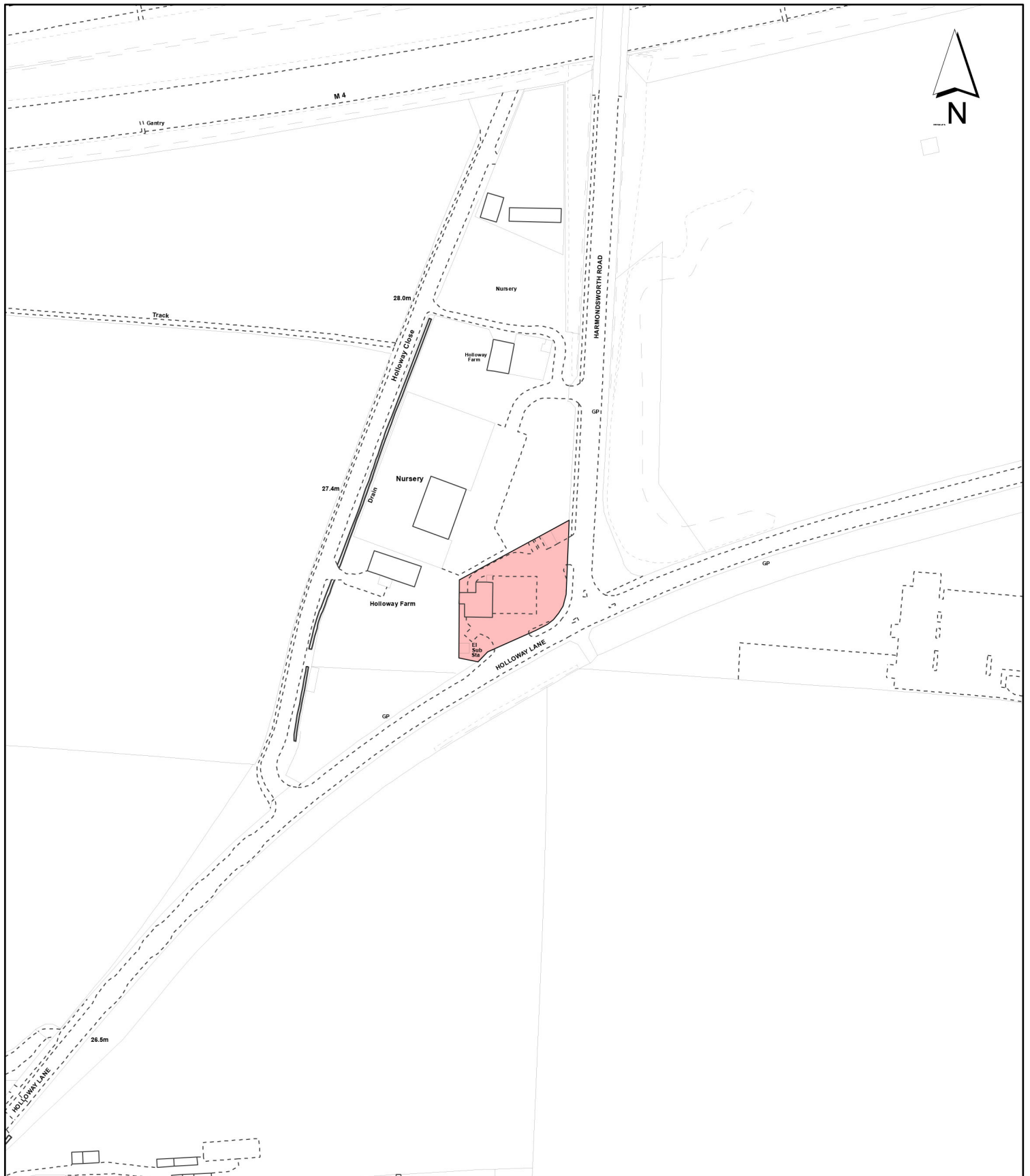
The application seeks retrospective planning permission for the installation of an ATM machine within the forecourt of the existing Service station. The ATM is considered to represent a minor alteration to the property, having an acceptable impact upon the visual amenity of the application property and the surrounding street scene which lies within the Metropolitan Green Belt, whilst also providing a useful service to visiting customers and not causing a loss of residential amenity or highway safety concerns.

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 (2016)
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

**Shell Service Station
 Harmondsworth Road**

Planning Application Ref:
62937/APP/2016/3566

Planning Committee:
Central & South

Scale:
1:2,500

Date:
January 2017

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

