

Report of the Head of Planning, Sport and Green Spaces

Address EURO GARAGES HEATHROW NORTH SHEPISTON LANE HAYES

Development: Single storey side extension and chiller unit to rear

LBH Ref Nos: 17981/APP/2016/3287

Drawing Nos: pln041.02.A1.B Rev. C
Planning Statement
pln041.01.A3
CS/090816-CAP-HGN-00-DR-C-0002 Rev. PO1
CS/090816-CAP-HGN-00-DR-C-0001 Rev. PO1

Date Plans Received: 31/08/2016 **Date(s) of Amendment(s):** 25/10/2016

Date Application Valid: 15/09/2016 15/09/2016

DEFERRED ON 24th November 2016 FOR FURTHER INFORMATION .

This application was deferred at the committee of the 24th November 2016 to enable officers to reconsult on the change to the red line site plan and for the Highway Officer to consider the implications for the servicing of the site.

The applicant has submitted two additional plans to show vehicle tracking, which clearly indicate that the proposal would not impact unduly on the servicing of the site. The Highway Officer has commented as follows on these plans:

"The auto tracks are acceptable. There are no alterations to the existing accesses, lorries will enter and leave the site as at present. Within the site, with the proposed extension, the tracking diagrams show lorries can manoeuvre satisfactorily."

1. SUMMARY

The proposal involves the erection of a single storey side extension to a petrol filling station in order to enhance its retail offer and ancillary customer facilities. The proposal includes the installation of chiller units to the rear of the building. No additional uses are introduced.

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 harm arises 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, numbers pln041.02.A1.B, CS/090816-CAP-HGN-00-DR-C-0002 Rev. PO1 and CS/090816-CAP-HGN-00-DR-C-0001 Rev. PO1.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

2 RES9 Landscaping (car parking & refuse/cycle storage)

Within three months of the date of this decision, a landscape scheme shall be submitted to and be approved in writing by the Local Planning Authority. The scheme shall include:

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Means of enclosure/boundary treatments

2.b Hard Surfacing Materials

2.c Pedestrian link to the relocated ATM

2.d External Lighting

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13 and BE38 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 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
LPP 7.16	(2016) Green Belt
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 (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.

4

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions. None took place in this case

However, the Council considers that the issues are straightforward and no negotiation was required.

3. CONSIDERATIONS

3.1 Site and Locality

The site lies on the southern 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 proposal involves the erection of a single storey side flat roofed extension and chiller unit to the rear. The existing ATM will be relocated to the front of the new building. It was noted from the site visit that the development is currently under construction. The existing building is 336 sqm and constructed in brick facing panels.

The extension to the shop floor will be 109 sqm resulting in an enlarged building of 445 sqm together with a chiller unit to be located to the rear. The purpose of the extension is to improve the customer facilities and the use of the extended building will remain ancillary to the use of the site as a petrol filling station.

3.3 Relevant Planning History

17981/ADV/2016/46 Euro Garages Heathrow North Shepiston Lane Hayes
Installation of 1 internally illuminated ATM sign

Decision: 20-07-2016 Approved

17981/APP/2006/1405 Heathrow North Service Station Shepiston Lane Hayes
ERECTION OF PETROL SERVICE STATION COMPRISING SALES BUILDING, 6 ISLAND FORECOURTS WITH CANOPY OVER, AUTOMATIC CAR WASH AND PLANT ROOM, 2 JET WASHES, 2 VACUUM MACHINES, LIQUID PETROLEUM GAS (LPG) STORAGE COMPOUND AND CLOSURE OF ONE EXISTING AND WIDENING OF REMAINING VEHICULAR CROSSOVER.

Decision: 04-07-2007 Approved

17981/APP/2016/1404 Euro Garages Heathrow North Shepiston Lane Hayes
Installation of ATM (Retrospective)

Decision: 20-07-2016 Approved

Comment on Relevant Planning History

The filling station was granted planning permission in 2006. It has not been subject to any significant extension since that time. (Reference No. 17981/APP/2006/1405)

Planning permission was granted in 2016 for installation of an ATM (retrospective). (Reference No. 17981/APP/2016/1404)

A concurrent application for an illuminated advertisement for the ATM received consent in 2016 (Reference No. 17981/ADV/2016/46).

The ATM is sited just to the left of the main pedestrian access to the current shop and this will be relocated to the front of the extension as part of the current proposals.

4. Planning Policies and Standards

The site is within the Green Belt. The issues associated with this designation are discussed elsewhere in the report.

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
- LPP 7.16 (2016) Green Belt
- 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 (The Premier Inn) was consulted via letter dated 19/09/2016 and a site notice was displayed on 23/09/2016.

No comments or objections were received.

Heathrow Aerodrome Safeguarding: No comments received.

Internal Consultees

Trees and Landscape Officer:

This site has a large apron of concrete hard-standing which accommodates covered petrol pumps, a shop, ancillary structures and space for parking and circulation. There is a swale with soft landscape to the West of the main area and soft landscape including trees, immediately to the East of the site. Views from the motorway, to the South, are partly obscured by an earth bund which has a few scattered trees on it.

If the application is recommended for approval and the special circumstances prevail, landscape

conditions should be imposed to reinforce the existing (weak) landscape structure to the site edges. This should include new tree/woodland planting.

Highways:

No objections but notes that the submitted block plan indicates a footpath to the extension but the plans do not.

Officers comment: Clearly pedestrian access to the relocated ATM will be required. The applicant's attention has been alerted to the discrepancy and an amended plan has now been submitted showing the buildings existing raised pedestrian footpath extended around the proposed addition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of extending existing buildings in the Green Belt is acceptable providing the extensions do not result in a disproportionate increase over the original building and subject to their impact on the openness of the Green Belt and its visual amenities.

Para 89 of the NPPF states that the extension or alteration of a building would not be considered inappropriate development provided that it does not result in a disproportionate increase in the size of the building. If a proposal is considered to be inappropriate it is necessary to consider whether very special circumstances exist to justify the development.

These issues are discussed in Section 7.05.

The applicant has submitted a supporting statement to justify the proposals. In this the issue of retail impact is discussed. The document states:

"4.1 The Proposed Development comprises the extension of the shop within an established existing petrol station and as such it is considered the principle of this form of development is established in this location.

4.2 The proposed development will enhance the current offer with associated economic benefits in terms of jobs creation and increased spend locally. The redevelopment will include a larger convenience offer together with Starbucks counter within the main sales building, as existing. These elements are inextricably linked and form part of the modern petrol station offer.

4.3 The forecourt and sales building are used in conjunction, principally by the motoring public, relying largely on the interception of pass-by trade, but also in this locality by local motorists. Typically, in excess of 90% of customer visits to sites of this nature are undertaken for the purpose of fuel, either exclusively or in conjunction with the use of other site facilities.

4.4 The Proposed Development will be used by motorists using the highway network as well as local motorists seeking a modern and efficient facility within an easy reach of their home or workplace. Based on the nature and operation of such facilities, the proposal will not undermine the vitality and viability of any existing identified centre, as trade will be drawn from a wide geographical area with, to a lesser extent, local concentration in the immediate locality. As such, the Proposed Development is unlikely to result in any significant increase in the number and length of car journeys to the site at present, due to the combined use of forecourt and sales buildings.

4.5 In light of the above, we consider that the operation and trading characteristics of the Proposed Development will be entirely acceptable. Further, on the basis that the use is established on the site it should be considered acceptable in principle."

In this regard, the proposed use is considered to be ancillary to the sites use as a petrol station. Whilst there will be some journeys where the primary purpose will be to use the shop, these are likely to be a relatively low in number and unlikely to have any significant or harmful impact on local shopping facilities or town centres.

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. If a proposal is deemed to be inappropriate it is necessary to consider whether any very special circumstances exist to justify the development.

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.

The essential characteristics of Green Belts are their openness and their permanence. Therefore the provision of new buildings in the Green Belt is inappropriate except in very special circumstances. These can include limited infilling, extending or partial redevelopment of previously developed sites. The extension of an existing building would not be considered inappropriate provided that it does not result in a disproportionate

increase in the bulk and character of the original building, does not significantly increase the built up appearance of the site and does not injure the visual amenities of the Green Belt.

The existing building is approximately 336 sqm and the extension will add 109 sqm or just under 30% additional floorspace. The proposed extension is small in scale in comparison with the existing commercial operation. From most public viewpoints it sits behind the visually dominant pump canopy. From the side and rear is well screened by the existing shop and mature landscaping along Shepiston Lane. It is functionally designed to fit in with the character and appearance of the existing building and will be relatively inconspicuous in its setting. This is already a busy commercial site and the proposal will have little effect on either openness or character and appearance.

It is generally well-screened from public view and the condition to secure improved landscaping recommended by the Trees and Landscape Officer would supplement this. 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. As it is considered that the development is appropriate there is no need to consider very special circumstances.

7.07 Impact on the character & appearance of the area

The proposal is a small addition to the building which does not spread the built form beyond the existing developed area of the site. It has very low visual impact when viewed from outside of the site. From most public viewpoints the existing building and large canopy over the pumps is likely to absorb the impact of this subordinate extension.

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 extension and chiller unit are considered to have a 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 extension is part of the overall complex of petrol filling station and facilities. There is a substantial area of off-street parking and the use is unlikely to have any material impact on local traffic. In terms of pedestrian safety, the extension is within a part of the site associated with pedestrian activity. The extension is accessed via the shop which has level access and 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 extension is within the body of the site which includes extensive off-street parking. The proposal is not considered to require additional car parking. No adverse issues arise and the proposal is considered to comply with Policy AM14.

7.11 Urban design, access and security

The extension is located adjoining the existing main building on the site. It is a simple brick-panel clad structure with a flat roof. The existing main building is a modern pitched-roofed structure and the proposed cladding is the same material. Its size is limited in relation to

the overall scale of development on site and thus its visual impact is considered to be low. The issues of access and security have been considered in other parts of this report.

7.12 Disabled access

There is level access to extension via the main shop which is designed to be accessible to wheelchair users. The extension is accessed internally and will be level. A condition is recommended which seeks details of pedestrian access to the relocated ATM. In determining these details, access for people with disabilities will be part of the consideration.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

No trees are affected by the proposal. The Trees and Landscape Officer recommends a condition to secure additional planting to reduce the visual impact.

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.

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.

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 extension and a chiller unit to the rear. 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

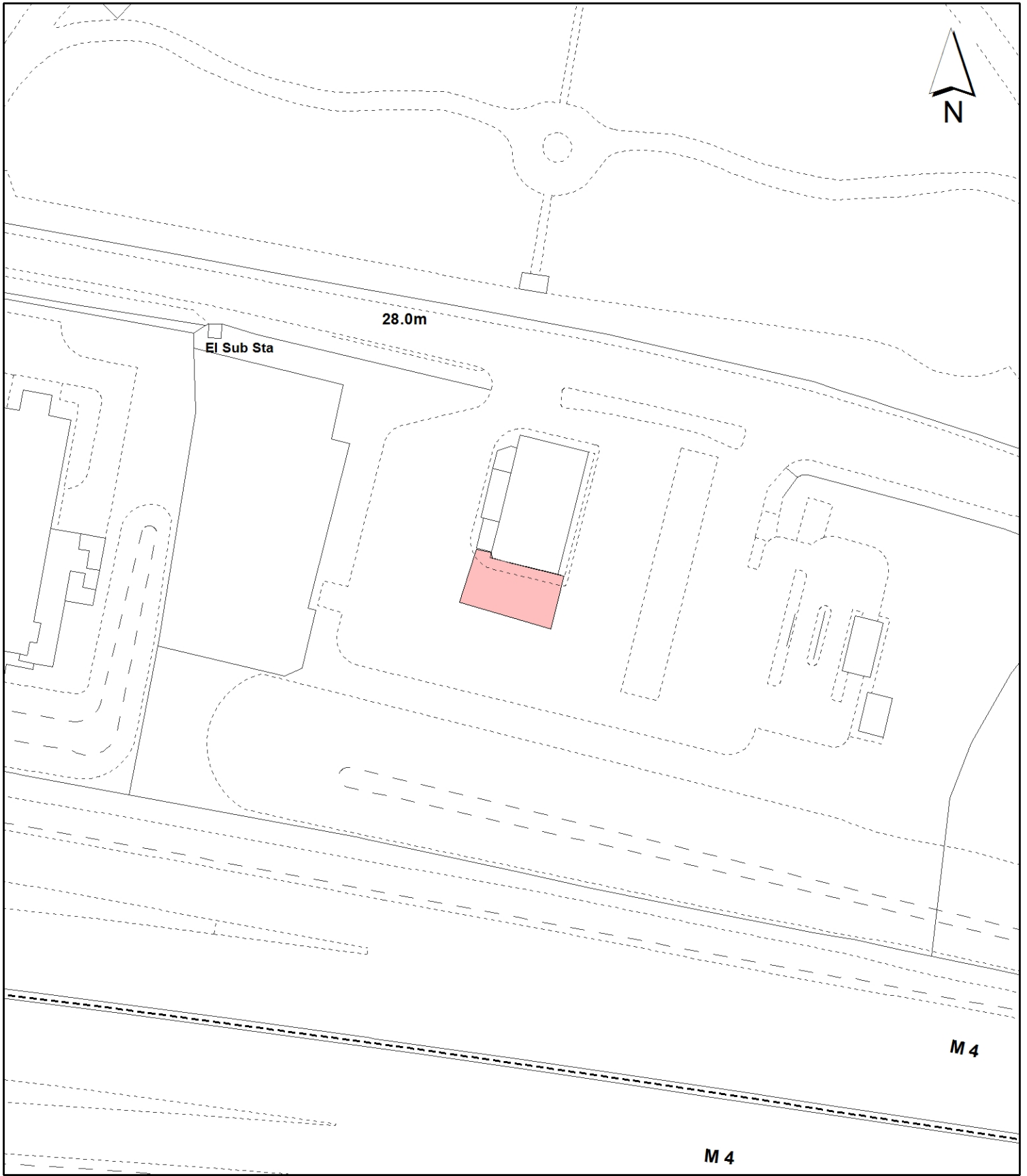
harm arises from the development and it is recommended that planning permission be granted.

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 (2016)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Meghji Hirani

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:

**Euro Garages
 Heathrow North
 Shepiston Lane**

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

Planning Application Ref:

17981/APP/2016/3287

Scale:

1:1,000

Planning Committee:

Central & South

Date:

February 2017



HILLINGDON
 LONDON