

## Report of the Head of Planning, Sport and Green Spaces

**Address** BRUNEL UNIVERSITY KINGSTON LANE HILLINGDON

**Development:** Removal of condition 1 (Retention of Structures) of planning permission ref: 532/APP/2013/1586 dated 10/10/2013 (Single storey structure to accommodate 3 x test chambers and associated roof plant for a temporary period of 10 years, following demolition of existing building)

**LBH Ref Nos:** 532/APP/2016/4568

**Drawing Nos:** Covering Letter/Planning Statement  
P(0)01 Rev. B  
Existing Site Layout  
P(0)04 Rev. B  
P(0)03 Rev. B  
P(0)06 Rev. A  
P(0)05 Rev. A  
P(0)07 Rev. D  
Design and Access Statement

**Date Plans Received:** 20/12/2016

**Date(s) of Amendment(s):**

**Date Application Valid:** 20/12/2016

### 1. SUMMARY

The application seeks permission for the removal of condition 1 (Retention of Structures) of planning permission ref: 532/APP/2013/1586 dated 10/10/2013 (Single storey structure to accommodate 3 x test chambers and associated roof plant for a temporary period of 10 years, following demolition of existing building). The applicant has advised that it was assumed at the time of the previous application that the life span of the extension was only 10 years, however, the building is in fact designed to last as long as any other building at the campus. The actual reason for requesting a temporary 10 year consent was that this was the length of the original funding for the research. However, the funding and proposed research is no longer time limited. The retention of this building on a permanent basis is not considered to have an unacceptable impact on the Metropolitan Green Belt and would not result in any highway safety or residential amenity concerns. The application is therefore recommended for approval.

### 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 P(0)04 Rev. B, P(0)05 Rev. A, P(0)06 Rev. A and P(0)07 Rev. D 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

### 1 152 **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).

### 2 153 **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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

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
BE19	New development must improve or complement the character of the area.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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. 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.

### 4 115 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The Elliott Jaques Building lies at the South East corner of the Uxbridge campus close to Kingston Lane. The building is T-shaped in plan and it is surrounded by car parking broken up by trees and soft landscaping. A tree belt separates the site from Kingston Lane which runs along the Eastern boundary line of the site and screens the building from view. The building is single storey with a partial mezzanine level. The elevations of the existing building are of red brick with timber framed horizontal strip windows, the roof is a low dual pitched form clad in red colour coated metal panels. The extension to which this application relates is to the South Eastern corner of the building, which replaced an existing smaller ancillary storage building.

Brunel University is a Major Developed Site within the Metropolitan Green Belt as identified in the Policies of the Hillingdon Local Plan (November 2012).

#### 3.2 Proposed Scheme

The application seeks permission for the removal of condition 1 (Retention of Structures) of planning permission ref: 532/APP/2013/1586 dated 10/10/2013 (Single storey structure to accommodate 3 x test chambers and associated roof plant for a temporary period of 10 years, following demolition of existing building).

#### 3.3 Relevant Planning History

532/APP/2013/1586	Elliott Jaques Building, Brunel University Kingston Lane Hillingdon
	Single storey structure to accommodate 3 x test chambers and associated roof plant for a temporary period of 10 year, following demolition of existing building.

**Decision:** 24-09-2013 Approved

#### Comment on Relevant Planning History

The original approval reference 532/APP/2013/1586 dated 10/10/2013 was for a single storey structure to accommodate 3 x test chambers and associated roof plant for a temporary period of 10 years, following demolition of existing building. The committee report stated:

"The applicant has applied for a 10 year consent for the proposal. With a lack of support evidence provided behind the reasoning for the 10 year consent, it is assumed that this is the operational lifespan of the extension, before a replacement is required. Therefore, a condition relating to its removal after 10 years is recommended to ensure it does not remain vacant in perpetuity."

#### **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.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

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.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

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 Cleveland Road Neighbourhood Watch and the Cleveland Road Residents Association were consulted by letter dated 4.1.17 and a site notice was displayed on Kingston Lane which expired on 27.1.17. No response received.

## Internal Consultees

Highways Officer:

The proposal will result in the loss of 8 car parking spaces, however the Brunel campus has around 2000 car parking spaces overall, with a cap of 2080 spaces. The loss is therefore minimal and unlikely to result in a material impact on the demand for car parking spaces. No objections are raised on highway grounds.

EPU: No Objections.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The application site lies within a Major Developed Site located inside the Metropolitan Green Belt. Accordingly, the proposal for additions to the building is subject to the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The extension has been built and was granted condition for a 10 year period. The committee report accompanying the original permission advised:

"The applicant has applied for a 10 year consent for the proposal. With a lack of support evidence provided behind the reasoning for the 10 year consent, it is assumed that this is the operational lifespan of the extension, before a replacement is required. Therefore, a condition relating to its removal after 10 years is recommended to ensure it does not remain vacant in perpetuity."

The applicant has advised that it was assumed at the time of the previous application that the life span of the extension was only 10 years, however, the building is in fact designed to last as long as any other building at the campus. The actual reason for requesting a temporary 10 year consent was that this was the length of the original funding for the research. However, the funding and proposed research is no longer time limited.

Overall, it is considered that the retention of this extension on a permanent basis would not significantly impact on the bulk or character of the existing building. The extension is subordinate in size and scale to the parent building and is sympathetic in design in terms in that it has a functional appearance, related to the research type use of the parent building. It is considered that this extension does not impact on the openness or significantly increase the built up appearance of the site, nor does it have any detrimental impact on the character of the surrounding area.

The retention of this building on a permanent basis is considered to fully comply with the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), by not impacting on the openness of the Green Belt and no objection is raised to the principle of the development.

### **7.02 Density of the proposed development**

Not relevant to the consideration of this application.

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

Not relevant to the consideration of this application.

### **7.04 Airport safeguarding**

Not relevant to the consideration of this application.

### **7.05 Impact on the green belt**

The proposal is considered not to have a detrimental impact on the Green Belt or

surrounding area as discussed within the 'Principle of development' and 'Impact on the character & appearance of the area' sections of this report.

#### **7.06 Environmental Impact**

The retention of the extension on a permanent basis would not have any adverse environmental impacts.

#### **7.07 Impact on the character & appearance of the area**

The application site lies within a Major Developed Site located inside the Metropolitan Green Belt characterised by large education related buildings. The extension has been built and the application seeks permission to remove the temporary permission. The design and scale of the extension is considered sympathetic and subordinate to the overall building and, having regard to the immediate context, it is considered that its retention on a permanent basis would not harm the openness or amenity of the Green Belt. There is no policy objection to the proposal, which would accord with Policies OL1, OL4 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that the proposal would not harm the overall character or appearance of the University Campus and surrounding area. Accordingly, the proposal would accord with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.08 Impact on neighbours**

The retention of this extension on a permanent basis would not have any detrimental impact on the amenity of the existing Elliott Jaques Building, any teaching space or to any neighbouring halls of residence. It is noted that the extension is not readily visible from outside of the University Campus, being located over 16m from Kingston Lane. It is further noted that there are a significant number of trees obscuring the view of the application building from Kingston Lane. Given the distances involved and the nature of the development, the proposal would have no detrimental impact on any residential properties and would therefore accord with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### **7.09 Living conditions for future occupiers**

Not relevant to the consideration of this application.

#### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP 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. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The Council's Highways Engineer has not raised any objection to the scheme. The proposal would not give rise to any negative concerns regarding parking, traffic generation, highway safety or pedestrian safety owing to the scale and location of the development.

#### **7.11 Urban design, access and security**

Not relevant to the consideration of this application.

#### **7.12 Disabled access**

Not relevant to the consideration of this application.

#### **7.13 Provision of affordable & special needs housing**

Not relevant to the consideration of this application.

#### **7.14 Trees, landscaping and Ecology**

Not relevant to the consideration of this application.

**7.15 Sustainable waste management**

Not relevant to the consideration of this application.

**7.16 Renewable energy / Sustainability**

Not relevant to the consideration of this application.

**7.17 Flooding or Drainage Issues**

Not relevant to the consideration of this application.

**7.18 Noise or Air Quality Issues**

Not relevant to the consideration of this application.

**7.19 Comments on Public Consultations**

No comments have been received from external consultees.

**7.20 Planning obligations**

Not relevant to the consideration of this application.

**7.21 Expediency of enforcement action**

Not relevant to the consideration of this application.

**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 the consideration of this application.

#### **10. CONCLUSION**

The applicant has advised that it was assumed at the time of the original application that the life span of the extension was only 10 years, however, the building is in fact designed to last as long as any other building at the campus. The actual reason for requesting a temporary 10 year consent was that this was the length of the original funding for the research. However, the funding and proposed research is no longer time limited. The retention of this building on a permanent basis is not considered to have an unacceptable impact on the Metropolitan Green Belt and would not result in any highway safety or residential amenity concerns. The application is therefore recommended for approval.

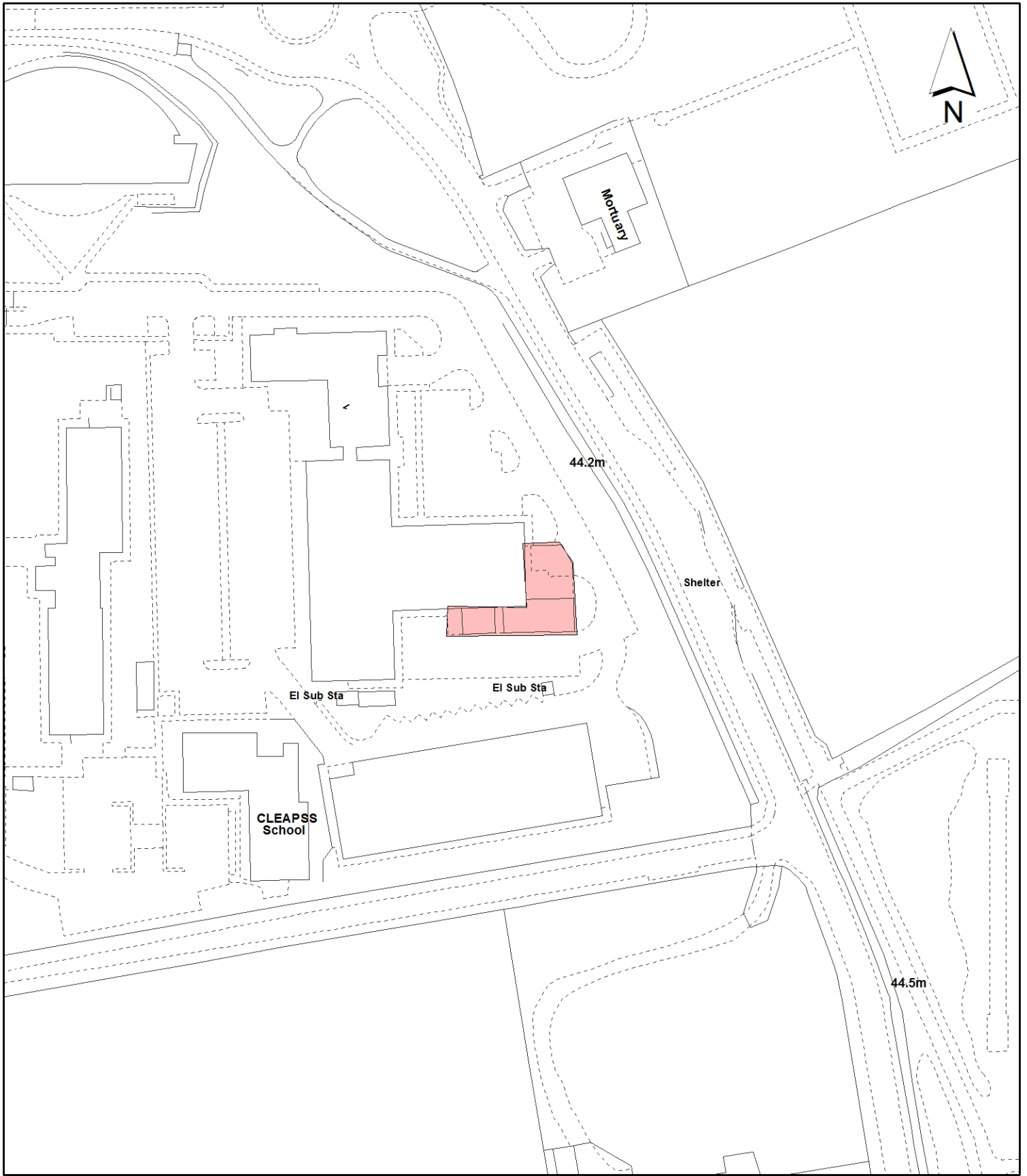
#### **11. Reference Documents**

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:** Nicola Taplin

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**Notes:**

 Site boundary

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Site Address:

**Brunel University**

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

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

Planning Application Ref:

**532/APP/2016/4568**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**March 2017**



**HILLINGDON**  
 LONDON