

Report of the Head of Planning, Sport and Green Spaces

Address SOUTHALL WATERSIDE HAYES BY PASS HAYES

Development: Construction of new switchroom to enable operation of Western Access Road to the former Southall Gasworks site.

LBH Ref Nos: 54814/APP/2017/1643

Drawing Nos: DIS1915-Switchroom Sketch-1 Rev B
A720-E05-IW-HED-LS-DR-0011 Western Access - Switch
A720-E05-IW-MTU-C-DR-0006
A720-E05-IW-MTU-C-DR-0005
Switchroom- Covering Letter

Date Plans Received: 05/05/2017 **Date(s) of Amendment(s):**

Date Application Valid: 05/05/2017

1. SUMMARY

The application is for the erection of a switchroom. The proposed new switchroom would provide the required power for lighting, signals and illuminated signage for the new Western Access road. This new road facilitates access to the Southall Waterside development (the former Southall Gasworks site), and forms part of an original planning consent (54814/APP/2009/430) dated 29/10/2010.

The setting and location of the switchroom, which is proposed to be located essentially beneath the Parkway flyover and approximately 18m from where Pump Lane goes beneath the Parkway. It has been carefully considered to ensure a reduced impact on the site and surrounding area. In doing so, the proposal's impact on ecological and arboricultural impacts have also been reduced.

Particular attention has been given to this ecological impact and, as required by relevant planning policy, an ecological assessment has been submitted with this application. Within this assessment are a series of suggested mitigation and enhancement methods, which would be implemented to ensure a minimised impact and the proposal's adherence with planning policy.

In summary, the proposed switchroom is of an acceptable design which is sympathetic to its setting, forms part of necessary infrastructure, and is compliant with national, regional and local policy.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 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

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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).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Southall Waterside Ecological Assessment by Ramboll Environ dated 28/04/2017

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON

To ensure that the development complies with the objectives of Policy EC5 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

Notwithstanding the plans hereby approved an anti graffiti finish shall be applied to the brickwork.

REASON

To ensure that the development complies with the objectives of Policy BE13 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 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.

LPP 7.16	(2016) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
EC5	Retention of ecological features and creation of new habitats
EC6	Retention of wildlife habitats on derelict or vacant land
NPPF9	NPPF - Protecting Green Belt land

3 I59 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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

5

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy (CIL) which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority.

In addition the development hereby approved represents chargeable development under the Hillingdon Community Infrastructure Levy. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738.

3. CONSIDERATIONS

3.1 Site and Locality

The location of the proposed switchroom lies within the wider Southall Waterside development site. Southall Waterside is primarily situated in the London Borough of Ealing (LBE). However, the western part of the site (to the west of the Grand Union Canal) is within LBH. It is bordered by Beaconsfield Road to the north, The Straight and the London to Cardiff mainline railway to the southeast and Grand Union Canal and A312 to the west.

It is proposed to locate the switchroom on an 123 sqm area of land to the south of Pump Lane as it crosses under the A312 The Parkway (the Site). This part of the site is a vegetated area of land which is part of the Pump Lane highway verge. To the west of the Site is a 2.5m palisade fence which is the boundary of the adjoining aggregate works. The bridge supports to the A312 also fall to the west of the Site. The proposed area of land is to be cleared as part of the highway works approved under planning consent 54814/APP/2009/430.

The Site is located in the Green Belt.

3.2 Proposed Scheme

It is proposed to locate the switchroom on an 123 sqm area of land to the south of Pump Lane as it crosses under the A312 The Parkway (the Site).

It is proposed to erect an electricity switchroom in association with the new Western Access to the Southall Gasworks regeneration site. The switchroom is 3.6m x 6.2m in size. The immediate area surrounding the switchroom will feature gravel, and the wider area will feature various plants.

The proposed switchroom is some 3.0m in height to the top of the coping. The roof is flat. It is proposed that the switchroom is constructed from Sevenoaks Yellow Stock bricks and will be yellow in colour. The proposed doors are to be steel and louvred. The brick building will not be fenced off but will be surrounded by green screen planting to shield the structure from view and a 46sqm wildflower meadow.

The switchroom is to be located in an area which currently forms part of the Pump Lane highway verge. This area of land has been cleared as part of the Western Access works permitted under planning permission 54814/APP/2009/430. The facility will not be publicly accessible and entry will be prohibited except for authorised personnel.

The relevant statutory notices will be affixed to the doors of the switchroom to deter unauthorised entry. The switchroom has been located in proximity to the public highway to ensure that 24 hour access can be provided to the statutory authority.

3.3 Relevant Planning History

Comment on Relevant Planning History

Planning application 54814/APP/2009/430 was submitted by National Grid Property Limited to the LBE and LBH respectively on 9 October 2008. The application was recommended for refusal.

The London Mayor called in the application and resolved to grant planning permission on 25 March 2010 subject to the prior completion of a Section 106 Agreement. The Section 106 Agreement was signed on 29 September 2010 and planning permission was granted on the same day.

Further to the approval of planning permission 54814/APP/2009/430 in 2010, there has been just one planning application of relevance to the site. This was a "Non-material amendment to rectify incorrect drawing references to LB Hillingdon conditions 2, 9 and 11", which had the reference 54814/APP/2013/3372 and was approved on 10 December 2013.

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
- PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

- LPP 7.16 (2016) Green Belt
- OL1 Green Belt - acceptable open land uses and restrictions on new development
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- EC5 Retention of ecological features and creation of new habitats
- EC6 Retention of wildlife habitats on derelict or vacant land
- NPPF9 NPPF - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th June 2017**

5.2 Site Notice Expiry Date:- **26th May 2017**

6. Consultations

External Consultees

A site notice was displayed and a notice placed in the local press. There are no residential or commercial premises anywhere near the site given its location with a country park. No comments were received.

Internal Consultees

TREES & LANDSCAPING

This site lies at the western edge of the Southall Waterside development, next to the junction of the proposed western access highway with Pump Lane. The site is at the southern end of Hillingdon's Minet Park and has recently been cleared in preparation for the new access road. An Ecological Assessment by Ramboll, referring to previous surveys confirms that 'by undertaking the remaining works in accordance with the mitigation and enhancement measures outlined in this report, no significant residual effects on ecological features will occur.' The planting proposals by HED include evergreen ground cover and planted screens, together with a 46m² area of wildflower meadow. No objection.

FLOOD WATER MANAGEMENT

There are no objections to the proposed switchroom as it lies outside the floodplain.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site forms part of the Green Belt. The NPPF advises that the essential characteristics of Green Belts are their openness and permanence. Paragraph 87 advises that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 advises that '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.' At paragraph 89, the NPPF goes on to advise that the construction of new buildings should be regarded as inappropriate.

Policy 7.16 of the London Plan seeks to maintain the protection of London's Green Belt and seeks to ensure that inappropriate development in the Green Belt should not be approved except in very special circumstances.

Policy EM2 in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) advises that any proposal for development in Green Belt will be assessed against national and London Plan policies, including the very special circumstances test.

Policies in the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) endorse national and regional guidance, in particular, policies OL1 and OL4 which assess new buildings in the Green Belt. Furthermore, the application site is not identified in the Local Plan as a 'Major Developed Site'; is not a site suitable for deletion from the Green Belt; and is not a damaged, derelict or degraded land site. The proposal therefore represents inappropriate development and 'very special circumstances' therefore need to be demonstrated.

The proposed switchroom lies within land allocated as Green Belt where development is inappropriate, save for those uses identified within Paragraphs 89 and 90 of the NPPF.

Paragraph 90 states that "local transport infrastructure" is not considered to be inappropriate development provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt.

Planning approval for the Western Access was granted on the 29 September 2010. The road alignment is safeguarded in the adopted Local Plan and the emerging Local Plan Part 2, as shown on Figure 4. Local Plan Policy AM4 seeks to prevent any development which will prejudice the implementation of the Western Access. The location of the proposed switchroom falls within the land identified within the Road Safeguarding and is to be delivered in association within the highway works. In particular, the switchroom will deliver essential power for the delivery of road lighting and junction control on the Western Access. The switchroom is therefore considered to be local transport infrastructure in accordance with paragraph 90 of the NPPF and Policy AM4 of the Local Plan.

The proposed location of the switchroom is on the fringe of the Green Belt adjoining the A312 and Pump Lane and currently serves as verge adjoining the highway. As the switchroom proposed is as a single storey structure it is considered that development in this piece of land will not impact on the openness of the Green Belt or conflict with the 'purpose of including land within the Green Belt'.

7.02 Density of the proposed development

Not Applicable.

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

Not Applicable.

7.04 Airport safeguarding

No safeguarding issues arise from the proposed development.

7.05 Impact on the green belt

Please refer to the principle of development section.

7.07 Impact on the character & appearance of the area

Given the relatively secluded location of the proposed switchroom together with the proposed green screening, the structure will not be readily visible from public vantage points. The proposed development is therefore considered to have minimal impact on the character and appearance of the area and is deemed acceptable.

7.08 Impact on neighbours

There are no residential properties near the site given its location under a flyover within the Minet Country park.

7.09 Living conditions for future occupiers

Not Applicable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The switchroom is to be located in an area which currently forms part of the Pump Lane highway verge. This area of land has been cleared as part of the Western Access works permitted under planning permission 54814/APP/2009/430. The facility will not be publicly accessible and entry will be prohibited except for authorised personnel. The relevant statutory notices will be affixed to the doors of the switchroom to deter unauthorised entry. The switchroom has been located in proximity to the public highway to ensure that 24 hour access can be provided to the statutory authority.

7.11 Urban design, access and security

A condition is recommended requiring an anti graffiti finish to be applied to the brickwork.

7.12 Disabled access

Not Applicable.

7.13 Provision of affordable & special needs housing

Not Applicable.

7.14 Trees, landscaping and Ecology

The proposed development does not have a detrimental impact on any existing landscape features. The planting proposals by HED include evergreen ground cover and planted screens, together with a 46m² area of wildflower meadow. The Trees and Landscape Officer has reviewed the proposals and raised no objection. The scheme is therefore considered acceptable in this regard and accords with Policy BE38.

7.15 Sustainable waste management

Not Applicable.

7.16 Renewable energy / Sustainability

Not applicable to this type of application.

7.17 Flooding or Drainage Issues

No drainage issues arise from the proposals.

7.18 Noise or Air Quality Issues

Not Applicable.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

Not Applicable.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

Ecology

The siting of the switchroom has been carefully considered to ensure it is located largely in an area of open verge with reduced tree cover. Vegetation on the application site included field maple and several other young specimens such as sycamore 'Acer pseudoplatanus' and wild cherry 'Prunus avium'. These were confirmed to be of little significance by the tree surveyor, and were cleared as part of clearance work for the Southall Waterside development in February 2017. In accordance with Strategic Policy EM2 of the LBH Local Plan it is not considered that the visual amenity value of this space will be detrimentally affected by the proposals.

The ecological assessment (as required by Policy EC1) submitted with this application has confirmed that impacts on ecological features as a result of the proposed development relate to the loss of habitats from the site already undertaken during the initial clearance for the wider Southall Waterside development. Prior to this clearance it was confirmed that no nesting birds or other protected species were present.

Of some mention in the ecological assessment is the impact of dust, run-off and noise during the construction process. In view of this, commitments have been made to ecological mitigation and enhancement, including appropriate timing of work, an appropriate CEMP, appropriate planting and in-built bird and bat boxes. These measures have been to ensure a reduced impact to the nearby Nature Conservation Site of Metropolitan or Borough Grade I Importance, and are therefore in line with Policy EM7.

By undertaking the remaining work in accordance with the mitigation and enhancement measures outlined in the ecological assessment, it is considered that no significant residual effects on ecological features will occur, meaning the proposed development will adhere to planning policy, as well as legislation relating to ecology.

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

10. CONCLUSION

The application is for the erection of a switchroom. The proposed new switchroom will provide the required power for lighting, signals and illuminated signage for the new Western Access road. This new road is necessary for the Southall Waterside development (the former Southall Gasworks site), and forms part of an existing planning consent (54814/APP/2009/430).

The setting and location of the switchroom has been carefully considered to ensure a reduced impact on the site and surrounding area. In doing so, the proposal's impact on ecological and arboricultural impacts have also been reduced.

Particular attention has been given to this ecological impact and, as required by relevant planning policy, an ecological assessment has been submitted with this application. Within this assessment are a series of suggested mitigation and enhancement methods, which

will implemented to ensure a minimised impact and the proposal's adherence with planning policy.

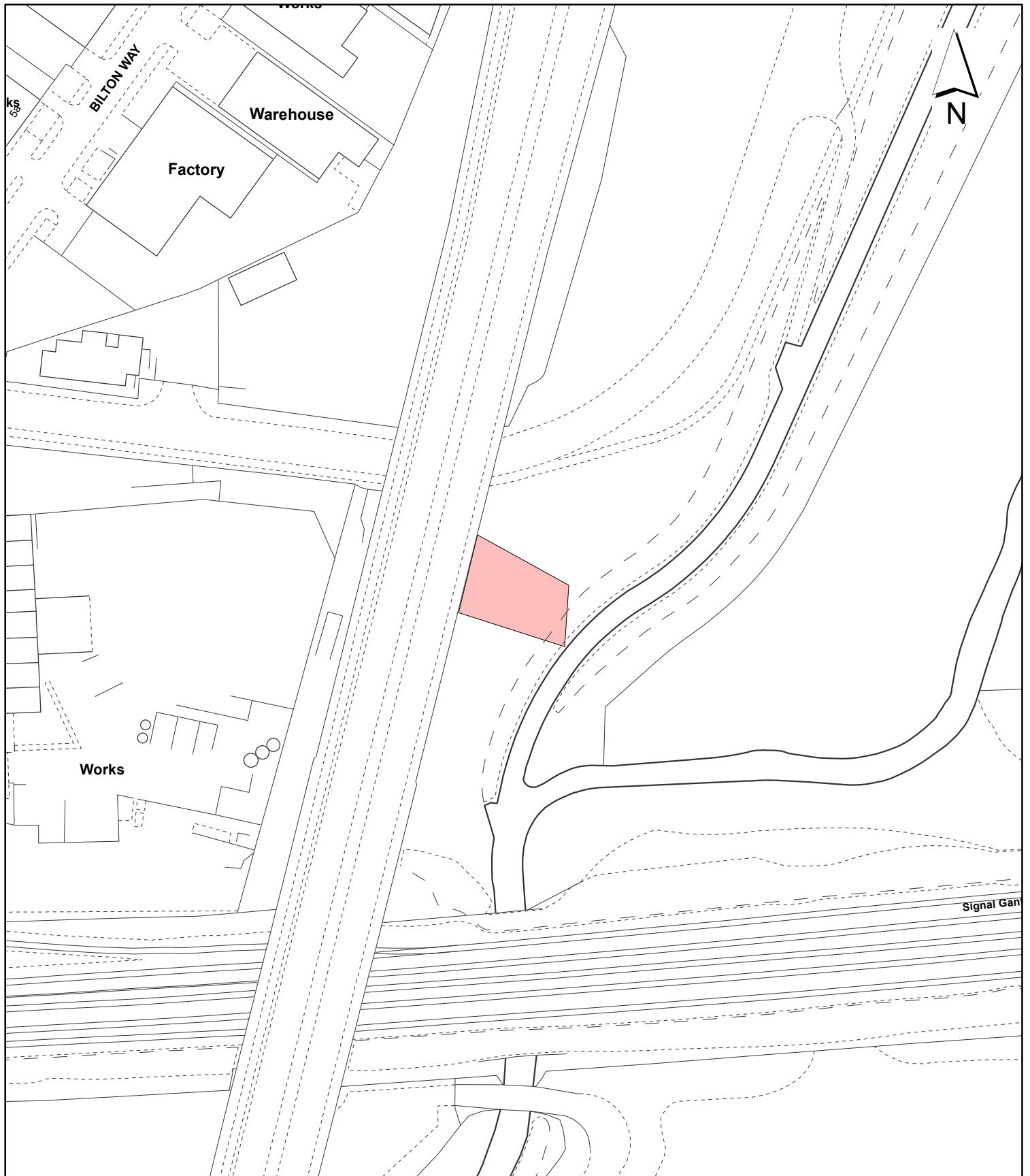
In summary, the proposed switchroom is of an acceptable design which is sympathetic to its setting, forms part of necessary infrastructure, and is compliant with national, regional and local policy.

11. Reference Documents

London Plan (2016)
Hillingdon Local Plan: Part 1 - Strategic Policies (2012)
Saved Unitary Development Plan Policies (2007)
The West London Waste Plan
The National Planning Policy Framework (NPPF, March 2012),

Contact Officer: Matt Kolaszewski

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

Southall Gass Works

Planning Application Ref:

54814/APP/2017/1643

Planning Committee:

Major

Scale:

1:1,250

Date:

June 2017

LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111



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