

Report of the Head of Planning, Sport and Green Spaces

Address 197 FIELD END ROAD EASTCOTE PINNER

Development: Installation of roller shutter.

LBH Ref Nos: 22149/APP/2017/2101

Drawing Nos: EFC-P1
EFC-1250 S01
EFC-50 S01

Date Plans Received: 08/06/2017

Date(s) of Amendment(s):

Date Application Valid: 03/07/2017

1. SUMMARY

The planning application was received on 08 June 2017 following previous Enforcement Action and is classified as retrospective since the development is already implemented. The development, subject of this report has caused a considerable level of public reaction, and has resulted in the registering of an e-petition against the development in question, the Local Planning Authority has received 50 objections received (at the time of drafting this report). Some letters of support were also received by the LPA.

It is considered that the development is an unwelcome addition which adds to visual clutter in the street-scene. It is detrimental to the setting of the adjacent locally listed buildings, and to the character of the adjacent conservation area and as such the development fails to accord with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), and Policies AM8, BE4, BE13, BE15, BE18 BE19, BE27, BE28 and BE29 of the Hillingdon Local Plan Part 2 (November 2012).

NB This list of policies is greater than that quoted in the Enforcement Notice as a result of reflecting on issues raised in the public consultation.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The roller shutters are considered to be a visual clutter detrimental to the fabric of the building and the wider street scene, its size, bulk, design and palette of colours neither preserve nor enhance this prominent corner plot adjacent to the Morford Way Conservation Area contrary to Policies BE1 and HE1 of the Hillingdon Local plan: Part One - Strategic Policies (November 2012), Policies AM8, BE4, BE13, BE15, BE18, BE19, BE27, BE28 and BE29 of the Adopted Hillingdon Local Plan : Part 2 Saved Policies (November 2012)

INFORMATIVES

1 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.

2 I52 Compulsory Informative (1)

The decision to REFUSE 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).

3 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE26	Town centres - design, layout and landscaping of new buildings
BE27	Advertisements requiring express consent - size, design and location
BE28	Shop fronts - design and materials
BE29	Advertisement displays on business premises
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 2.15	(2016) Town Centres
LPP 4.7	(2016) Retail and town centre development
LPP 7.8	(2016) Heritage assets and archaeology
NPPF12	NPPF - Conserving & enhancing the historic environment
NPPF2	NPPF - Ensuring the vitality of town centres
NPPF7	NPPF - Requiring good design
PPG19	Outdoor Advertisement Control
S12	Service uses in Secondary Shopping Areas

3. CONSIDERATIONS

3.1 Site and Locality

The subject property is a ground floor A1 retail unit located at the junction with North View Road (which is entirely residential) and Field End Road, Eastcote. The site is situated in a busy shopping parade, adjacent to the Morford Way Conservation Area. The parade and site form part of the Secondary Shopping Area of Eastcote Minor Town Centre.

3.2 Proposed Scheme

The application is retrospective, the proposed scheme is described as being for an installation of roller shutters to an external shopping trolley area and a storage for empty boxes.

The application proposal involves the installation of bright orange aluminium structures with perforated roller shutters of 2.595 m in height, 1.5 m in depth and 11.8 m in width with a flat roof have been erected on the main shop windows that previously existed. The proposal extends the South-Eastern elevation of the application property facing North View Road, resulting in creating an enclosed and extended shop floor space that is detrimental to the street-scene. The roller shutters have been erected in a manner that adds to visual clutter. The proposal lacks respect for the character of the local area and the adjacent Morford Way Conservation Area.

3.3 Relevant Planning History

22149/C/89/3640 197 Field End Road Eastcote Pinner
Installation of partial internally illuminated sign

Decision: 26-04-1990 Approved

22149/F/93/3078 197 Field End Road Eastcote Pinner
Installation of internally illuminated elevational signage

Decision: 27-08-1993 Approved

Comment on Relevant Planning History

Planning Application 22149/F/93/3079 for the installation of internally illuminated elevation signage.

Planning Application 22149/C/89/3640 for the installation of partial internally illuminated signage.

The site was previously used as a Pet Care Shop with rather simple corner shopfront with fully glazed shop windows in keeping with a number of the shop frontages within the immediate vicinity of the site. Historically there was a wooden fence with a dwarf wall on the South-Eastern side of property.

Enforcement Notices were authorised to be issued by the North Planning Committee on 13 July 2017.

Enforcement Notice Ref. HS/ENF/11919(A) relating to the unauthorised display of advertisement signs was served on 28 July 2017. This Enforcement Notice takes effect on 28 August 2017 with a time for compliance of one (1) calendar month.

Enforcement Notice Ref. HS/ENF/11919(B) relating to the installation of roller shutters and a roller shutter storage extension at the side of the building without planning permission was served on 28 July 2017. This Enforcement Notice takes effect on 28 August 2017 with a time for compliance of one (1) calendar month.

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.HE1 (2012) Heritage

Part 2 Policies:

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE18 Design considerations - pedestrian security and safety

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

BE26 Town centres - design, layout and landscaping of new buildings

BE27 Advertisements requiring express consent - size, design and location

BE28 Shop fronts - design and materials

BE29 Advertisement displays on business premises

DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LPP 2.15 (2016) Town Centres

LPP 4.7 (2016) Retail and town centre development

LPP 7.8 (2016) Heritage assets and archaeology

NPPF12 NPPF - Conserving & enhancing the historic environment

NPPF2 NPPF - Ensuring the vitality of town centres

NPPF7 NPPF - Requiring good design

PPG19 Outdoor Advertisement Control

S12 Service uses in Secondary Shopping Areas

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

10 neighbouring occupiers along with the Chiropractic Clinic and Barclays Bank Plc were consulted by letter.

Eastcote Residents Association were consulted by letter.

Eastcote Village Conservation Panel and Lawrence Rand Estate Agents were consulted by letter/email.

50 letters of objection were received by the Local Planning Authority (LPA). A summary of objectors comments are set out as follows:

The application proposal has already been completed without planning consent. The proposal has resulted in a development that is not in keeping with the local character of the area.

The application scheme is an alien feature in the street scene, it has an adverse impact upon the adjacent conservation area. The proposal extends retail floor space onto the public footpath, it impedes the free flow of pedestrian traffic, and is a hazard.

Two letters of support had no objection to the retail use, but objected to the use of bright orange colours on the erected shutters.

Eastcote Conversation Panel & Eastcote Resident's Association:

The submitted drawing does not bear any resemblance to the construction already in situ which obliterates the decorative brickwork; they ask application to be classed as a retrospective and consider this application as one which has caused a great public outcry against despoiling of a 'metroland' building and ask application to be refused

Ruislip, Northwood and Eastcote Local History Society:

The attached photographs and drawings are very misleading as they bear no resemblance to the actual roller shutters, which have been in place already for some weeks. The roller shutters which have been installed cover a large area and look very obtrusive as they are bright orange. They are totally out of keeping with all the surrounding buildings.

Internal Consultees

Transport Officer:

This application is for the installation of roller shutters on a shop at 197 Field End Road Eastcote. The shop is located on the corner of Field End Road and North View.

The shop is located at a traffic signal junction with pedestrian phases that commence adjacent to the development proposals. The site is adjacent to waiting and loading restrictions on North View.

The footpath adjacent to the site is narrow (approximately 1.8 m) for a busy site close to the traffic

signals. It would appear that the application for a roller shutter is retrospective as the facility is already operational with the applicant selling fruit and vegetables from the site. There is instances where goods are stored on the pavement which restricts pedestrian movement even further.

The roller shutter has been built right up to the applicant's boundary and trading is taking place on or very close to the boundary of the applicant's land and the footpath.

I am concerned that this application interferes with the safe operation of the footpath. By having goods for sale on the boundary of the applicant's land customers are obstructing the free flow of pedestrians which results in pedestrians being forced into the road. On the basis of the above comments I suggest you refuse this application on pedestrian safety grounds.

Conservation and Design Officer:

The proposal would be considered in principle unacceptable. The roller structure has been installed on site prior to the determination of the application. As existing the shutter and structure itself would be considered an incongruous, highly intrusive addition to the building. It would detract from the established local distinctiveness of Eastcote's main shopping core. The addition it has also hidden the existing pilaster features along this elevation of the building. The vivid nature of the shuttering and use of shop as existing fails to safely and aesthetically interact with the surrounding environment and the shop's threshold, particularly in regards to the structure directly abutting the footpath.

The clutter of signage along the side of the building would cause detrimental harm to the amenity of the surrounding area and are not considered in keeping with the streetscene. Furthermore due to the number of signs, the location and scale of the signage it may also require further advertisement consent. On an additional note there are concerns regarding the removal of the entire shopfront (glazing), which has been replaced with orange shutters.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Minor alterations to shop fronts would not create adverse impact nor visual clutter. However the erection of roller shutters designed for use on warehouse and industrial buildings is not suitable development in a high street. A high street, that has developed over time with respect for the character of the local area, has now a detrimental feature, that neither respects the human scale of the parade of shops, its uniformity and close proximity to the adjacent conservation area. The shutters have an agricultural feel and are alien in the street-scene. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies AM8, BE4, BE13, BE15 and BE28 of the Adopted Hillingdon Local Plan : Part 2 Saved Policies (November 2012).

The application scheme impedes the free flow of pedestrian traffic and safety and would be a hazard, contrary to Policies BE18 and BE19 of the local plan.

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

The application proposal fails to respect the character of the local area, and the listed heritage assets in close proximity to the development. The scheme is incongruous and unacceptable. The proposal is not in keeping with Policy BE4 of the Hillingdon Local Plan: Part Two.

7.04 Airport safeguarding

Not applicable to the consideration of this application.

7.05 Impact on the green belt

Not applicable to the consideration of this application.

7.07 Impact on the character & appearance of the area

The application site is located in close proximity to Morford Way Conservation Area along a busy junction of Field End Road, North View and Elm Avenue. The scheme is a discordant feature in this modest parade, that has a coherent form and structure.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of Conservation Areas and those features which contribute to the special architectural qualities. The retrospective application fails to comply with the advice contained in Policy BE4 of the Hillingdon Local Plan: Part Two.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require alterations and extensions to harmonise with the scale, form, architectural composition and proportions of the original building. Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The submitted retrospective scheme is an unacceptable development, that created visual clutter and presents a hazard to pedestrian safety.

The shutters have a sharp urban edge in an area, that has a sense of openness.

7.08 Impact on neighbours

The impact has been sited in the body of the Officers Report.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The observations of the Highways Officer cannot be ignored, the scheme is an unacceptable hazard to pedestrian safety and movement. The proposal does not comply with Policy BE18 and BE19 of the Hillingdon Local Plan: Part Two.

7.11 Urban design, access and security

Set out in the body of the Officers Report.

7.12 Disabled access

None.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Set out in summary.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

The Enforcement Notices were issued against the applicant on 17 July 2017:

First Enforcement Notice was issued relating to the unauthorised display of advertisement signs on the front and side elevation of subject property.

Second Enforcement Notice concerns the installation of roller shutters and a roller shutter storage extension at the side of the building without planning permission.

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

10. CONCLUSION

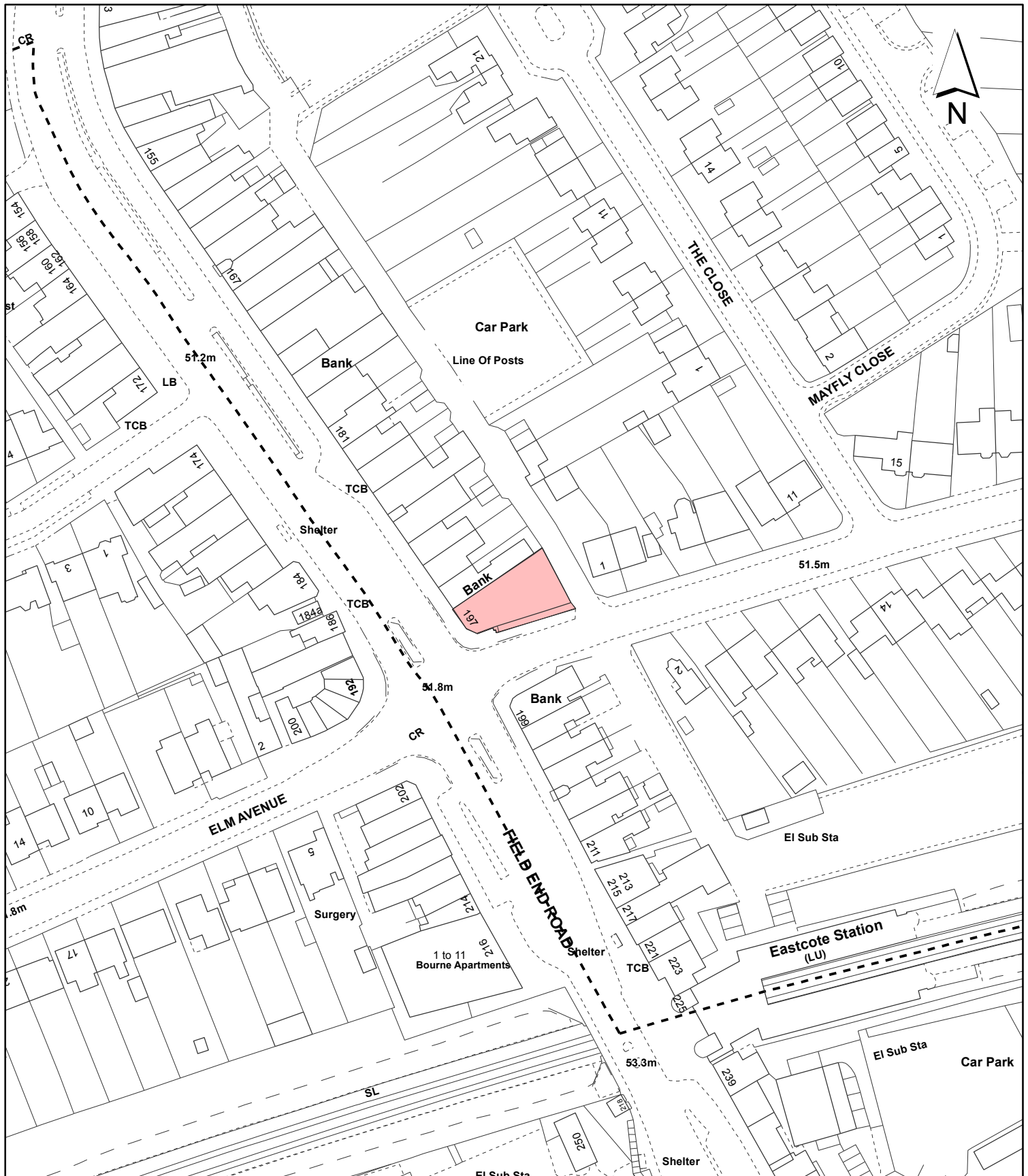
It is concluded that the proposed development fails to accord with Policies BE1 and HE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), and Policies AM8, BE4, BE13, BE15, BE18, BE19, BE27, BE28 and BE29 of the Hillingdon Local Plan Part 2 (November 2012), as such it is recommended for a refusal

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)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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Site Address:

197 Field End Road

Planning Application Ref:

22149/APP/2017/2101

Planning Committee:

North

Scale:

1:1,250

Date:

August 2017

LONDON BOROUGH OF HILLINGDON

Residents Services Planning Section
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