

Report of the Head of Planning, Sport and Green Spaces

Address HILLINGDON GARDEN CENTRE FIELD HEATH ROAD HILLINGDON

Development: Temporary change of use from garden centre to long stay car parking, for a period of two years.

LBH Ref Nos: 13831/APP/2017/1217

Drawing Nos: Transport Statement dated March 2017
BUAPPK-GW-00-SIT-001D-Site Plan
BUAPPK-GW-00-LOC-001D-Location Plan
Covering Letter CP 3-4-17

Date Plans Received: 03/04/2017 **Date(s) of Amendment(s):**

Date Application Valid: 04/04/2017

1. SUMMARY

Planning permission is sought for use of part of the former Wyvdale Garden Centre site for long stay car parking, which would be carried out on a temporary basis for two years. Delivery and pick up of vehicles would be by staff from hotels and no members of the public would come to the site.

The site was recently acquired by Brunel University which has stated that a key aim of the proposals is to occupy what is a vacant site as soon as possible, in order to avoid any problems such as vandalism or illegal occupation.

The site can be considered as brownfield land within the Green Belt. No physical works are proposed to the site and it is anticipated that there would be less activity generated by the proposed use, compared with the historic authorised garden centre use. As such, it is considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location, than the authorised use.

The traffic generation of the proposed use will be significantly less than the existing use. The proposed development will therefore not have a material impact on the surrounding highway network. It is therefore considered that the proposed change of use is acceptable in transport terms.

Approval is recommended, subject to conditions controlling the number of vehicles entering or leaving the site, hours of use and the submission of a parking management and access control strategy.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC TIME LIMIT

The use hereby permitted shall be for a limited period of 24 months from the date of this decision. The use hereby permitted shall be discontinued and the land restored to a condition to be agreed with the Local Planning Authority on or before the expiration of the period of 24 months from the date of this decision, in accordance with a scheme of work that shall first have been submitted to and approved in writing by the Local Planning

Authority.

REASON

1. It is not considered appropriate to grant a permanent permission for the use until its effect on the amenities of the locality, the Green Belt and local highway network have been assessed.
2. In order to comply with the terms of the application.
3. To accord with Policies OL1, OE1 and AM7 of the the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

2 NONSC Non Standard Condition

Prior to commencement of the temporary use hereby approved, a parking management and access control strategy shall be submitted to and approved by the Local Planning Authority. The strategy shall include details of the methods of pick up and delivery of vehicles by members of staff and measures to ensure that:

- i) No more than 170 parking spaces in total shall be provided at any one time
- ii) The parking to be pre-booked by hotels and not available on a turn up and park basis by members of the public. Direct access to vehicle owners to be restricted whilst vehicles are in storage
- iii) The car parking is not available to staff or students of Brunel University
- iv) The use shall at all times be operated to enable vehicles to turn within the site boundaries so that they may enter and leave the site in forward gear

REASON

- i) To control the parking transfer arrangements between the long term car park and hotels using the facility
- ii) To ensure that highway and pedestrian safety is not prejudiced.
- iii) In order to comply with the Brunel University Travel Plan car parking cap.
- iv) To comply with Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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:

BUAPPK-GW-00-LOC-001D

BUAPPK-GW-00-SIT-001D

Transport Statement

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 Policies AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 COM22 Operating Hours

No vehicles shall enter or leave the site before 0800 hours or after 2000 hours Monday to Fridays, before 0800 hours or after 1800 on Saturdays, Sundays and Bank/Public Holidays.

REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not

adversely affected in accordance with Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

REASON

- i) To comply with the terms of the application
- ii) To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 NONSC Non Standard Condition

Prior to the commencement of the temporary use hereby approved, details of 3 parking spaces to be allocated to staff, of which at least one shall be designed for blue badge holder use, shall be submitted to and approved in writing by the Local Planning Authority. In addition, 2 secure and covered bicycle spaces shall be provided on site. Thereafter these spaces shall be retained/maintained for the duration of the use hereby approved.

REASON

To ensure that adequate facilities are provided in compliance with Policies AM9, AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 COM18 Control of specified activities

The use hereby permitted shall be limited to the car park and hard standing area shown on plan no. BUAPPK-GW-00-SIT-001 Rev.D and shall not be used in conjunction with any other use on the wider garden centre site, including the Garden Centre main building, aquatic building and outdoor retail area without the prior approval of the Local Planning Authority.

REASON

- i) To assess any cumulative impacts of activities on the wider Garden Centre site
- ii) To safeguard the amenity of the surrounding area
- iii) To ensure that highway and pedestrian safety is not prejudiced
- iv) To comply with Policies OE1, AM2 and AM7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 NONSC Non Standard Condition

Unless previously agreed in writing with the Local Planning Authority, there shall be no more than 40 vehicular movements (20 in and 20 out) in any one working day.

REASON

To comply with the terms of the application, to safeguard the residential amenity of the occupiers of nearby properties, to safeguard the amenity of the Green Belt and to ensure that pedestrian and vehicular safety is not prejudiced, in compliance with Policies OE1, OL1 and AM7 of the Hillingdon Local Plan: Part 2 - 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.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 6.13	(2016) Parking
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
PR22	Brunel University
NPPF	
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

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

The Local Planning Authority has actively engaged with the applicant at the application stage of the planning process, in order to achieve an acceptable outcome. 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 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance.

3. CONSIDERATIONS

3.1 Site and Locality

The application site extends to approximately 0.635 ha and is currently vacant. The last use of this site was a garden centre which had an associated car park comprising 142 spaces in the main car park and a further 46 spaces located to the north. These two car parking areas are the subject of the current application for temporary long term parking.

The previous garden centre had incorporated a car valeting centre, a timber merchant and an aquatics centre. The site gains access from Field Heath Road, via a dedicated access way. The site is well screened by existing dense vegetation and is not readily visible from surrounding roads and pedestrian paths. Most of the land immediately surrounding the site is open Green Belt, the exception being Field Heath Convent School to the east. There are also some houses on the opposite side of Field Heath Road to the south and further along Church Road to the west.

3.2 Proposed Scheme

Planning permission is sought to use the car parking and associated hard standing for long stay overflow car parking, in conjunction with hotels. It is proposed that this use is carried out for two years only. There would typically be 110 cars stored at any one time, with the potential to store up to 170 at peak times. Once the vehicles are parked up, they would remain from 5 days to 30 days, so movements will be few, as vehicles will be parked long term.

The site would have between three and five staff at any one time. Cars would be collected from hotels by staff. No members of the public would therefore come to the site. The hours of operation would be from 8am to 10pm. Car movements would take place mainly outside of peak hours and would involve about 10 arrivals and 10 departures each day.

No physical changes to the site are proposed.

A transport statement has been submitted in support of the application. This Transport Statement indicates that the proposed development will result in an overall reduction in vehicle movements. The statement concludes that the proposed development will therefore not have a material impact on the surrounding highway network and that the proposed change of use is acceptable in transport terms.

3.3 Relevant Planning History

13831/APP/2005/1948 Field Heath Garden Centre Field Heath Road Hillingdon

NON-COMPLIANCE WITH CONDITION 12 OF THE SECRETARY OF STATE'S APPEAL DECISION REF.LRP219/R5510/04 DATED 08/10/1992: THE RETENTION OF EXISTING RET, GARDEN CENTRE, INCLUDING REPLACEMENT BUILDINGS/STRUCTURES (APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR AN EXISTING USE OR OPERATION OR ACTIVITY)

Decision: 06-09-2005 Refused

Appeal: 04-09-2006 Allowed

13831/APP/2017/1216 Wyevale Garden Centre Field Heath Road Hillingdon

Change of use from garden centre to university use.

Decision: 06-06-2017 Withdrawn

Comment on Relevant Planning History

The Secretary of State approved the use of the land as a Garden Centre in 1992 on appeal (ref:LRP219/R5510/04 dated 08/10/1992), with requirements to return the land to the original state on expiry of the permission.

A Lawful Development Certificate ref:3831/APP/2005/1948 was granted on appeal on 4/9/2006 for the continued use of the site as a garden centre.

An application ref:13831/APP/2017/1216 for the use of the garden centre site for University use was withdrawn on 6/6/2017 following concerns raised by the Local Planning Authority.

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.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM7 (2012) Biodiversity and Geological Conservation
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EC3	Potential effects of development on sites of nature conservation importance
EC5	Retention of ecological features and creation of new habitats
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL5	Development proposals adjacent to the Green Belt
LPP 5.1	(2016) Climate Change Mitigation
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 6.13	(2016) Parking
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
PR22	Brunel University
NPPF	
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPG-CS	Community Safety by Design, Supplementary Planning Guidance, adopted July 2004

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **3rd May 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015. Adjoining owner/occupiers (9) have been consulted. Site notices were also posted.

3 responses have been received to the public consultation, the contents of which are summarised below:

- The ex Garden Centre should be replaced with something more permanent in nature which the local residents can make use of.

- A temporary plan for 2 years for a long stay car park does not give stability to the local area and adversely promotes unnecessary traffic.
 - There are many elderly people in the area and so something like a day centre for them would be a decent proposal.
 - There are many young children in the area and so something like a children's park or children's day centre or even a library would be useful.
 - I am strictly against the long stay car-park proposal and I hope the Council understands the traffic it will create.
 - Under the terms of the Brunel campus redevelopment proposals a Travel Plan, was agreed with LBH and TfL that parking levels would be reduced to 2,088 by 2012. This proposal contravenes this commitment.
- (The proposed parking is not for University use).
- The application for use as a long term car park is rather vague and goes against restricted uses available for the land.
 - The land is Green Belt and as such development of the land is not normally acceptable.
 - The Secretary of State approved the use of the land as a Garden Centre in 1992 with requirements to return the land to the original state on expiry of the permission. However, the continued use, as a garden centre, was established due to the passage of time
 - Any change of use should not be permitted and any variation of permission will need the approval from the current Secretary of State.
 - The application has numerous errors

ST LAWRENCE (COWLEY) RESIDENTS ASSOCIATION

No response.

Internal Consultees

HIGHWAY ENGINEER

This application is for the change of use of an existing garden centre car park off Pield Heath Road to be used as long term car parking. There is a Transport Statement (TS) by Cottee dated March 2017 in support of the application.

The existing garden centre is located on Pield Heath Road which is a classified road and there is an existing access into the site but no formed footpath into the site. The car park and hard standing has the capacity to accommodate approximately 170 cars. There is a bus stop close to the site entrance.

The proposal is to use the existing car park for long stay car parking associated with hotels whereby cars will be delivered to the site and stored for between 5 and 30 days. The cars are then returned to the hotel at the end of the stay. The proposals will use the existing car parking spaces and hard stand areas. The permission is for two years only.

The TS suggests the traffic generation of the proposed use will be significantly less than the existing use.

I do not have significant highways concerns over the proposals but I would suggest a number of conditions are applied:

- The car park is not available for public car parking for payment. Direct access to vehicle owners to be restricted for the duration of the proposed development;
- The car parking is not available to staff or students of the nearby University as they have a cap on car parking.

On the basis of the above comments I do not have significant highway concerns over the proposals.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The whole of the application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the openness, character and appearance of the Green Belt.

Policies in the Hillingdon Local Plan endorse national and London Plan guidance. Part 2 Policy OL1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that within the Green Belt, as defined on the Proposals Map, the following predominantly open landuses will be acceptable:

- Agriculture, horticulture, forestry and nature conservation;
- Open air recreational facilities;
- Cemeteries

The Local Planning Authority will not grant planning permission for new buildings or for changes of use of existing land and buildings, other than for purposes essential for and associated with the uses specified at (i), (ii) and (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the Green Belt. The proposal does not conform to the types of development allowed by Policy OL1.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance".

The National Planning Policy Framework (NPPF) is also relevant. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Nevertheless, the document states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

However, paragraph 89 of the NPPF states that limited infilling, or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, would not constitute inappropriate development in the Green Belt. To the extent that this is a less restrictive approach than UDP Policy OL1, it is entitled to greater weight by virtue of NPPF para. 215.

The site has established use as a garden centre. It is considered that the site can be considered as brownfield land for the purposes of NPPF paragraph 89. As stated elsewhere in this report, no physical works are proposed to the site and it is anticipated that there would be less activity generated by the proposed use compared with the historic authorised garden centre use. As such it is considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location than the

authorised use. Having regard to the temporary nature of the proposed use, it is not considered that the proposal would conflict with the purposes of including within the Green Belt. As such, the scheme would comply with the final bullet point in NPPF paragraph 89 and would not amount to inappropriate development in the Green Belt.

As the proposal does not amount to inappropriate development in the Green Belt, it follows that there is no need to establish whether very special circumstances arise.

In terms of the proposed use, the activity applied for could potentially be used for an off airport car park that is being used to avoid the cap on parking within the airport, which would be contrary to Saved UDP Policy A4. However, the material supplied does not indicate that the development site would be used as a car park to satisfy the needs of off-site Heathrow airport car parking demand. Since there is no evidence that this would be the case, it is not considered to be a sustainable reason to refuse the application.

With regard to London Plan Policies 6.1, 6.6 and 6.13, these seek to encourage development that is less reliant on access by private cars. However, there is no basis to conclude that these policies preclude the provision of long term car parking on a temporary basis as is now proposed.

Given the above considerations, no objection is raised to the principle of the temporary use of the existing hardstanding for long term car parking at this location.

7.02 Density of the proposed development

Not applicable to this application.

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

The site does not fall within close proximity to any statutory listed buildings, conservation areas, or areas of special local character.

The nearest conservation area is the Cowley Church (St. Laurence) Conservation area to the south west which is located some distance from the application site. It is considered that the conservation area will not be adversely affected by the proposed development.

The locally listed Field Heath Convent School is located to the east of the application site. However, it is not considered that this heritage asset would be affected by the the proposed temporary change of use.

Given that there are no physical works associated with the proposed temporary change of use, it is considered that the proposal would not have a detrimental impact on the heritage assets, in accordance with Saved Policies BE4 and BE10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

There is no requirement to consult the aerodrome safeguarding authorities on a development of this nature in this location.

7.05 Impact on the green belt

Saved Policy OL2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks landscape improvements within the Green Belt. Saved Policy OL5 will only permit proposals for development adjacent to or conspicuous from the Green Belt if it would not harm the character and appearance of the Green Belt. Saved policy OL26 seeks the protection and enhancement of trees, woodland and landscape features

The proposed use would not generally involve any significant material changes to the

appearance of the site, given that no physical changes or built development are proposed as part of the proposals. The existing car park is already authorised for that use, in association with the garden centre and the site is relatively well screened from the public domain. In addition, the proposed use would also involve less activity than the previous use as a Garden Centre, which included a car valeting centre, timber merchant, aquarium centre and retail sales.

It is therefore considered that the visual impacts of the proposal are unlikely to be of significant detriment to the character of the area, or the perception of openness of the Green Belt, in accordance with Saved Policies OL1, OL2, OL5 and OL26 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

Part 1 policy BE1 requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods. Saved Part 2 Policy BE13 seeks to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

No physical changes to the site are proposed. In that context, an active use is considered to be no worse and in some senses better than an empty, derelict site.

The vehicles will not be prominent when viewed from public vantage-points around the perimeter of the site and as such, it is considered that the proposed use would not harm the appearance of the area, particularly in view of its historic garden centre use.

It is therefore considered that a temporary use of the site for long term car parking would not harm the character and appearance of the area, in compliance with Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), relevant London Plan policies and design guidance.

7.08 Impact on neighbours

In relation to outlook, Policy BE21 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires new residential developments to be designed to protect the outlook of adjoining residents. Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours. In relation to sunlight, Saved Policy BE20 seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses.

The closest residential properties to the site are located in Church Road to the east of the site. However, these properties are located some distance from the proposed car parking area and given there are no physical works involved, it is not considered that there would be any adverse impacts to residential amenity in terms of loss of outlook, light or privacy.

In terms of activity, the applicants have applied for the car park to be open from 8 am to 10 pm. However it is considered that in order to protect the amenity of surrounding residents, the opening hours should be limited to between 8 am and 8 pm, which is similar to the opening hours of the former garden centre use. Given the relatively modest total number of vehicular movements likely to be involved and the broader noise climate, it is considered that such movements, which would in any case be less than those associated with the authorised garden centre use, would not harm neighbours' living conditions, in accordance with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not relevant to this type of application. Guidelines referring to living conditions relate to residential developments.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that proposals for development will be assessed against their contribution to traffic generation and impact on congestion, having regard to the present and potential capacity of public transport and that the traffic generated by proposed developments would need to be accommodated on principal roads without increasing access demand along roads or at junctions already used to capacity, not prejudice the free flow of traffic, nor diminish environmental benefits brought about by other road improvement schemes or infiltrate local roads.

Parking Standards

The proposal is to use the car parking and associated hard standing for long stay overflow car parking, in conjunction with hotels, although the hotels are not specified.

The activity applied for could potentially be used for off airport car parking and Saved UDP Policy A4 seeks to limit airport related activity within the boundaries of the airport. However, the material supplied does not indicate that the development site would be used as a car park to satisfy the needs of off-site Heathrow airport car parking demand. Since there is no evidence that this would be the case, it is not considered to be a sustainable reason to refuse the application.

With regard to London Plan Policies 6.1, 6.6 and 6.13, these seek to encourage development that is less reliant on access by private cars. However, it is considered that there is no basis to conclude that these policies preclude the provision of car parking on a temporary basis as is now proposed.

Traffic generation

The Transport Statement indicates that the proposed development will result in an overall reduction in vehicle movements. For the existing garden centre use assuming 3,572 sqm ground floor area the following number of vehicle trips can be expected during a weekday:
Garden Centre Arrivals -593
Garden Centre Departures - 598
Garden Centre Total - 1191

In terms of the proposed use, cars would be collected from hotels by staff. No members of the public would therefore come to the site. The operator who will be responsible for managing the parking has indicated the following:

- The site will be used as a long term car park in which cars will be parked between 5 and 30 days;
- The cars will be associated with hotels
- There will be about 110 to 170 vehicles parked at any one time;
- No members of the public will be come to the site because the operator will arrange vehicles to be picked up from the hotels, by virtue of a valet type service;
- It is anticipated that about 10 vehicles will arrive each day and 10 vehicles leave each day;
- The car park will be open from 0800 to 2200 each day; and
- There will be between 3 and 5 staff on site each day at any one time.

The above information demonstrates that daily flows will be significantly less than the existing garden centre traffic. It is therefore considered that the use would not result in an unacceptable increase in vehicular movements, unacceptable traffic congestion in the area, or a material impact on the surrounding highway network. The Highway Engineer therefore considers that the proposed change of use is acceptable in transport terms. Conditions are recommended limiting the number of vehicle movements to no more than 40 in total in any working day, requiring the submission of a parking management and access control strategy and controlling the time for the delivery and pick up of vehicles.

Having regard to the above mentioned considerations and subject to the recommended conditions, it is not considered that there would be a conflict with Saved UDP Policy AM2, because the level of traffic generation and impact on the highway network is less than the authorised use. Similarly, the proposal is also considered to be compliant with Saved UDP Policy AM7, because the level of traffic generation is acceptable and the activity would not unacceptably increase the use of junctions at or near capacity, or prejudice the free flow of traffic or conditions of highway or pedestrian safety.

Access and Manouvering

The site gains access from Pield Heath Road, via a dedicated access way. It is considered necessary to ensure that there is provision on the site for vehicles to turn and enter the highway in forward gear. Given the transient nature of the parking, it is not considered necessary for specific details of the turning area to be agreed with the Local Planning Authority at this stage. However, a condition is recommended to ensure that a turning area is available at all times within the site boundary, to enable vehicles to turn. Such a condition is considered to meet the tests in the NPPF and would not be unduly onerous.

7.11 Urban design, access and security

Urban design and access issues have been dealt with in relevant sections of this report. In terms of security, the applicant submits that a key aim of the proposals is to occupy what is a vacant site as soon as possible. This is in order to avoid any problems such as vandalism or unauthorised occupation of the site.

7.12 Disabled access

No members of the public will access the facility. As such there is no requirement to provide disabled parking, apart from one blue badge space for staff. This is secured by condition. The scheme is therefore considered to comply with Policy R16 of the Hillingdon Local Plan:Part 2 -Saved UDP Policies (November 2012), London Plan policies 7.1 and 7.2 and the Council's Supplementary Planning Document HDAS: Accessible Hillingdon.

7.13 Provision of affordable & special needs housing

Not relevant to this application. There is no requirement for this type of development to contribute towards the borough's affordable or special housing needs.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

No physical works are proposed as part of the development and no trees will be affected. Given the the transient nature of the parking, it is not considered necessary for landscaping enhancements in this case.

7.15 Sustainable waste management

Refuse will be stored within the dedicated areas that were used by the garden centre. This

is within the service yard, next to the aquatics centre.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The site is located within Flood Zone 1 and is less than 1ha in size. As such, no Flood Risk Assessment is required. London Plan policies 5.12 and 5.13 require development proposals to use sustainable urban drainage systems (SUDS) unless there are good reasons for not doing so. Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) requires that surface water run off is controlled to ensure the development does not increase the risk of flooding.

The use is appropriate in Flood Zone 1 and it is considered that vehicles would be at negligible risk of flooding from surface water or other sources, in compliance with London Plan Policy 5.12, Strategic Part 1 Policy EM6 and NPPF guidance.

It is considered that it would be disproportionate to require a sustainable drainage system [SuDS] on what is expressly sought to be a two year temporary permission. To impose such a condition would therefore be contrary to the paragraph 206 of the NPPF which states that conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

7.18 Noise or Air Quality Issues

NOISE

Noise might arise from vehicles being manoeuvred on site or taken to and from the site, but that is inherent to the permitted use and it is noted that there has been no complaint on the grounds of harm to neighbours' living conditions. Hours of operation are to be conditioned and in the circumstances, taking account of the temporary nature of the planning permission that is being sought, substantive works such as a noise barrier would be unreasonable.

AIR QUALITY

The site falls within an Air Quality Management Area and it is acknowledged that vehicle movements result in an adverse cumulative impact from vehicle emissions. However, trip generation is likely to be significantly less than that associated with the authorised use. The proposed use would therefore not have a harmful effect on air quality or conflict with Policy OE1 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012).

7.19 Comments on Public Consultations

The main issues raised have been dealt with in the main body of this report. In terms of the status of the existing use, the site benefits from a Lawful Development Certificate for the continued use as a garden centre. There is no requirement to seek the approval from the current Secretary of State for the proposed use.

7.20 Planning obligations

The development will not be liable for the Mayoral CIL or Hillingdon's own CIL.

7.21 Expediency of enforcement action

Not relevant to this application.

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.

10. CONCLUSION

It is anticipated that there would be less activity generated by the proposed use compared with the historic authorised garden centre use. As such it is considered that the proposed use would not have a greater impact on the openness of the Green Belt in this location than the authorised use.

The visual impacts of the proposal are unlikely to be of significant detriment to the character of the area, or the perception of openness of the Green Belt. In addition the vehicles will not be prominent when viewed from public vantage-points around the perimeter of the site. As such, it is considered that the proposed use would not harm the appearance of the area.

It is not considered that vehicular movements, which would be less than those associated with the authorised garden centre use, would harm neighbours' living conditions. The use would not result in an unacceptable increase in vehicular movements, unacceptable traffic congestion in the area, or a material impact on the surrounding highway network.

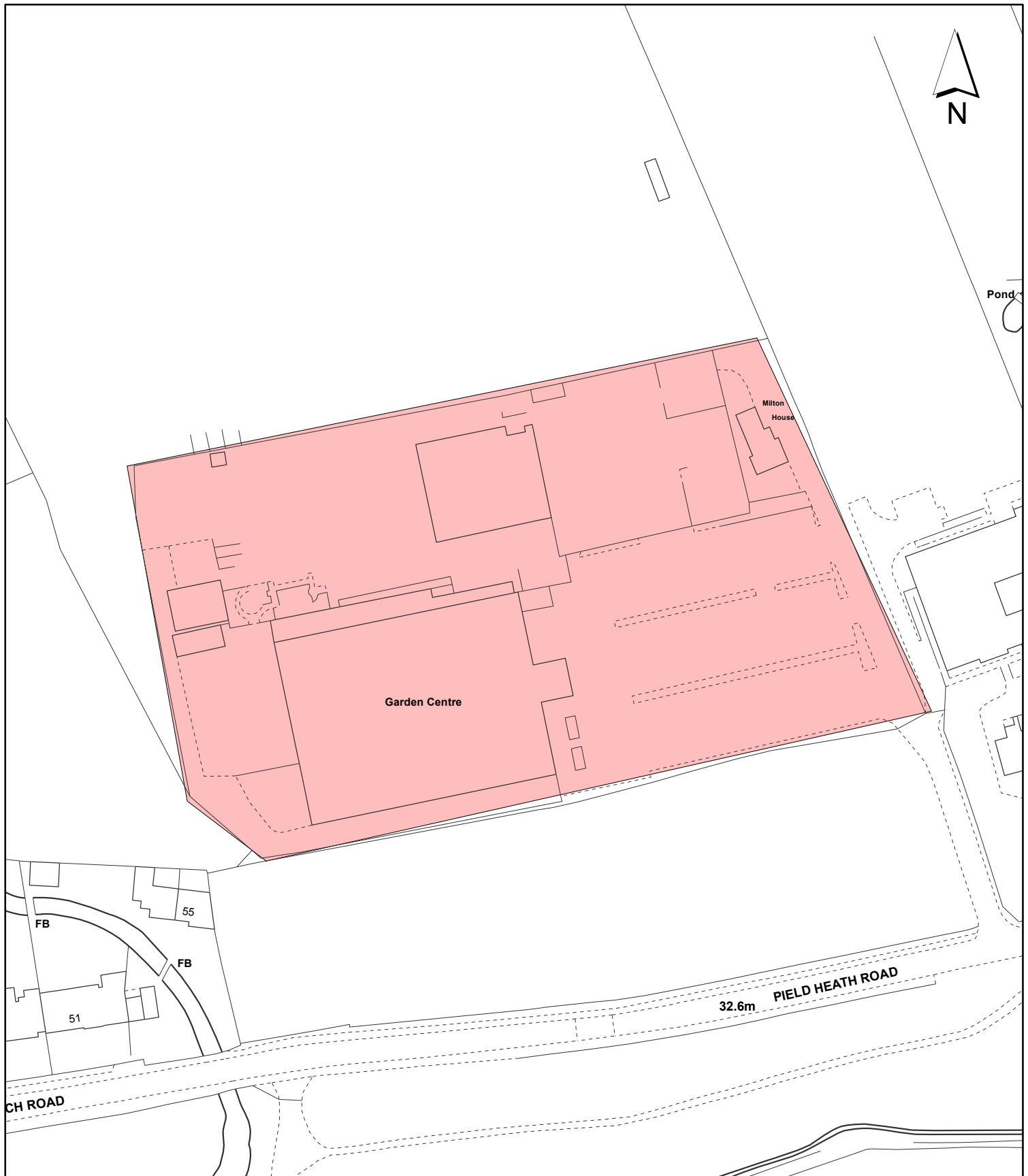
Approval for a temporary period of 2 years is recommended accordingly.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
Hillingdon Supplementary Planning Document: Accessible Hillingdon (May 2013)
London Plan (2016)
National Planning Policy Framework (March 2012)

Contact Officer: Karl Dafe

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Notes:

 Site boundary

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Site Address:

**Hillingdon Garden Centre,
 Field Heath Road**

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

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

Planning Application Ref:

13831/APP/2017/1217

Scale:

1:1,250

Planning Committee:

Central & South

Date:

August 2017



HILLINGDON
 LONDON