

Report of the Head of Planning, Sport and Green Spaces

Address BRUNEL UNIVERSITY KINGSTON LANE HILLINGDON
Development: Relocation of ancillary waste and chemical stores (Retrospective)
LBH Ref Nos: 532/APP/2017/2319
Drawing Nos: 81
80

Date Plans Received: 26/06/2017 **Date(s) of Amendment(s):**
Date Application Valid: 10/07/2017

1. **SUMMARY**

The application seeks retrospective planning permission for the relocation of ancillary waste and chemical stores.

The proposed stores were shown on the approved layout for the AMCC 2 development (application reference 532/APP/2015/3350). However, it was not realised at the time that the stores were outside the planning application red line boundary. The stores have been built already, so a retrospective planning application is being made to resolve this anomaly.

The stores are for refuse and chemicals and are essential to the operation of the surrounding research buildings. They were present before the AMCC 2 development, but had to be relocated. The stores have been positioned so as to minimise any visual impact. The new location ensures that they are much less visible than before the AMCC 2 development. As such the application is recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 80 and 81 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

INFORMATIVES

1 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.

| | |
|----------|---|
| OL1 | Green Belt - acceptable open land uses and restrictions on new development |
| OL4 | Green Belt - replacement or extension of buildings |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM14 | New development and car parking standards. |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| LPP 7.16 | (2016) Green Belt |
| NPPF9 | NPPF - Protecting Green Belt land |

3. CONSIDERATIONS

3.1 Site and Locality

The site is located to the South East side of the University campus. The site forms part of the Science Park and is adjoined by Nursery Lane to the South, with the BCAST AMCC 1 and Gardiner Buildings to the East and the Russell Building to the North.

The entire University campus together with land to the South is located within the Green Belt. There are 5 defined parts of the larger campus with sites 1 and 2 of the University Campus having been historically identified as a 'Major Developed Site', in which certain forms of infilling and redevelopment are considered appropriate. The application site lies within the Major Developed Site known as Site 2.

3.2 Proposed Scheme

The application seeks retrospective planning permission for the relocation of ancillary waste and chemical stores.

The proposed stores were shown on the approved layout for the AMCC 2 development (application reference 532/APP/2015/3350). However, it was not realised at the time that the stores were outside the planning application red line boundary. The stores have been built already, so a retrospective planning application is being made to resolve this anomaly.

The stores are for refuse and chemicals and are essential to the operation of the surrounding research buildings. They were present before the AMCC 2 development, but had to be relocated. The stores have been positioned so as to minimise any visual impact. The new location means that they are much less visible than before the AMCC 2 development.

3.3 Relevant Planning History

532/APP/2015/3350 Brunel University Kingston Lane Hillingdon

Construction of a research building, together with associated substation, car parking, access and landscaping.

Decision: 13-01-2016 Approved

Comment on Relevant Planning History

There is a lengthy planning history at Brunel University. The application of reference to this application, as referred to above is reference 532/APP/2015/3350 for the Construction of a research building, together with associated substation, car parking, access and landscaping which was approved.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

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

OE1 Protection of the character and amenities of surrounding properties and the local area

LPP 7.16 (2016) Green Belt
NPPF9 NPPF - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The Cleveland Road Neighbourhood Watch and Cleveland Road Residents Association were consulted by letter dated 12.7.17 and a site notice was displayed which expired on 13.9.17. No response received.

Internal Consultees

EPU: No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

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

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The relocated storage buildings are not considered to have a detrimental impact on the Green Belt or surrounding area as discussed within section 7.0.

7.07 Impact on the character & appearance of the area

The application site lies within a Major Developed Site located inside the Metropolitan Green Belt characterised by large education related buildings. The storage buildings were required to be re-located to enable the construction of the research building. The stores are shown on the approved plans for the research building, but lying outside of the original red edged application site area, a fresh application is required to regularise their re-location. The stores are considered to be in a less visually prominent position from their original position and are considered sympathetic and subordinate to the overall nearby buildings. Having regard to the immediate context, it is considered that they do not harm the openness or amenity of the Green Belt. There is no policy objection to the proposal, which would accord with Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

7.08 Impact on neighbours

This part of the Brunel Campus is not readily visible from outside of the University Campus area. Given the distances involved and the nature of the development, the proposal would have no detrimental impact on any residential properties and would therefore accord with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Not applicable to this application.

7.11 Urban design, access and security

The issues relating to design are addressed in the sections above.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate. The approved plans for the research building included the siting of the relocated stores which were considered acceptable in landscaping terms. It is not considered necessary to impose any conditions with regard to landscaping given the retrospective nature of the proposal and the appearance and siting of the stores in relation to landscape features on the university campus.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

No comments were received.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

7.22 Other Issues

No other issues raised.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

It is considered that the relocated stores do not have any significant impact on the openness of the Green Belt within this Major Developed Site and the amenities of nearby occupiers remain unaffected. The proposal is also considered acceptable in all other regards.

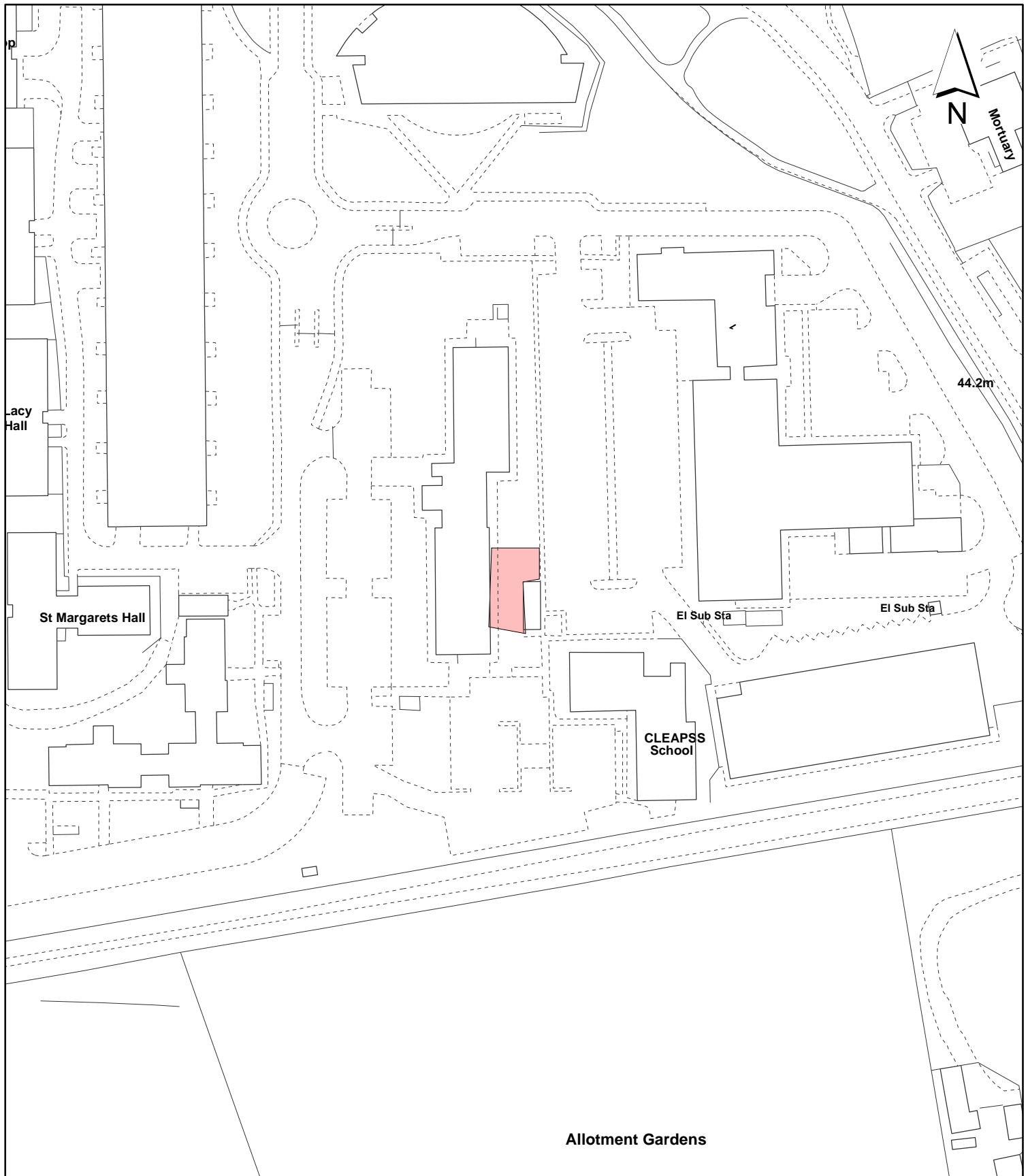
Accordingly, the application is recommended for approval

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

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Notes:

 Site boundary

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 Telephone No.: Uxbridge 250111

Planning Application Ref:
532/APP/2017/2319

Scale:
1:1,250

Planning Committee:
Central & South

Date:
September 2017

