

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

**Address** ANSELL GARDEN CENTRE HOLLOWAY LANE HARMONDSWORTH

**Development:** Replacement of shop and canopy destroyed by fire and retention of a dog grooming parlour.

**LBH Ref Nos:** 1114/APP/2017/2104

**Drawing Nos:** MSC1655-02D  
MSC1655-04G  
MSC1655-05C  
MSC1655-06D  
MSC1655-07B  
MSC1655-08B  
MSC1655-01D  
Planning Statement

**Date Plans Received:** 09/06/2017 **Date(s) of Amendment(s):**

**Date Application Valid:** 26/06/2017

### 1. SUMMARY

The use of the site as a garden centre is established and the proposal would not increase either the built up area of the site, or the intensity of the use of the site, to a proportion that would be damaging to the integrity and openness of the green belt.

The design of the building is sympathetic towards its surroundings and represents an improvement on the previous collection of buildings on site which appeared somewhat cluttered. The replacement building would provide a uniform layout and cohesiveness.

Parking facilities, which incorporate a total of 96 car parking spaces, of which 8 will be disabled bays, as well as the provision of parking for 5 bicycles are suitable for the scale of the development. The existing site access would also be improved to include more effective visibility splays and safer pedestrian access.

The retail offer is concentrated to horticultural products and those associated with gardening and the overall amount of retail space provided would be reduced from 6,504 m<sup>2</sup> to 6,018 m<sup>2</sup>. Provided controls are imposed on the range and amount of goods that can be offered, the proposal would not adversely impact upon town centre retail viability and vitality.

### 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:-

MSC1655-01D;  
MSC1655-02D;  
MSC1655-04G  
MSC1655-05C;  
MSC1655-06D;  
MSC1655-07B;  
MSC1655-08B;

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:

Planning Statement (incorporating Retail Impact Assessment, Transport Statement and Travel Plan, Flood Risk Statement, Energy Statement and Planting Plan.

Thereafter the development shall be retained/maintained in accordance with these details 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).

**4 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policies OE 1 and OL 4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**5 COM22 Operating Hours**

The retail operation of the site shall be allowed during the following hours only:-

09:00 and 18:00, Mondays - Saturdays  
10:00 to 16:30, Sundays, Public or Bank Holidays.

**REASON**

To safeguard the character of the green belt in accordance with Policy OL 4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**6 COM12 Use Within Same Use Class**

The premises shall be used as a garden centre only and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

**REASON**

To ensure that the approved retail use does not adversely impact upon the viability and vitality of town centre retail in accordance with para. 24 of the National Planning Policy Framework (NPPF) and Policies 4.7 and 4.8 of the London Plan (2016).

**7 NONSC Non Standard Condition**

The division of the retail floor space shall accord with the designated square meterage set out within the Planning Statement, in particular, the following areas shall not exceed the square metre's shown :-

Garden furniture/barbecues/outdoor living/christmas goods - 400 m<sup>2</sup>  
Garden gifts/books - 300 m<sup>2</sup>  
Ancillary coffee shop 265 m<sup>2</sup>  
Children's play area - 100 m<sup>2</sup>

**REASON**

To ensure that the approved retail use does not adversely impact upon the viability and vitality of town centre retail in accordance with para. 24 of the National Planning Policy Framework (NPPF) and Policies 4.7 and 4.8 of the London Plan (2016).

**8 RPD12 Restrictions - Enlargement of Industrial/Warehouse Buildings**

Notwithstanding the provisions of Part 7, Schedule 2 of the The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the buildings shall not be extended without the prior written consent of the Local Planning Authority.

REASON

To enable the Local Planning Authority to assess all the implications of the development in accordance with Policies .

**9 COM14 No additional internal floorspace**

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised by this permission.

REASON

In order to prevent further intensification in the use of the site that would detract from the character of the green belt in compliance with Policy OL 4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**10 MCD1 Ancillary Uses**

The coffee shop, dog grooming and aquatic centre floorspace hereby permitted shall be used only for purposes ancillary to the use of the premises as a garden centre and shall not be expanded above the figures provided within the accompanying Planning Statement.

REASON

In order that the overall character of the site remains as a garden centre in the interests of the viability and vitality of town centres and to prevent over intensive and inappropriate use of the site that would detract from the character of the green belt in compliance with para. 24 of the NPPF and Policies 4.7 and 4.8 of the London Plan (2016).

**11 COM31 Secured by Design**

The building shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

**12 COM7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE 13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**13**        **COM29**        **No floodlighting**

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered other than for routine maintenance which does not change its details.

**REASON**

To safeguard rural nature of the surrounding green belt land, in accordance with Policy OL 4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**14**        **COM6**        **Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE 13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**15**        **COM8**        **Tree Protection**

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

## REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE 38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **16 COM9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate.
  
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Covered Cycle Parking for 5 bicycles
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including 6 passive and 6 active electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
  
3. Living Walls and Roofs
  - 3.a Justification as to why no part of the development can include living roofs
  
4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
  
5. Schedule for Implementation
  
6. Other
  - 6.a Existing and proposed functional services above and below ground
  - 6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

## REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE 13, BE 38 and AM 14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (2016)

### **17 H15 Cycle Storage - In accordance with approved plans**

The development hereby permitted, shall not be occupied until the cycle storage, changing facilities, lockers and shower facilities for cyclists have been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available for the use of cyclists.

## REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2016).

### **18 H10 Parking/Turning/Loading Arrangements - Commercial Devs.**

The roads, turning, loading facilities, sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

## REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM 7 and AM 14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

### **19 H4 Pedestrian/cyclist's access - construction**

The building hereby permitted shall not be occupied until the means of access for pedestrians and cyclists has been constructed in accordance with the approved plans. Thereafter, this means of access shall be retained and kept open for pedestrians and cyclists using the building.

## REASON

To ensure that safe and convenient access is provided for pedestrians and cyclists prior to the occupation of the building in accordance with Policy AM 7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (2016).

### **20 DIS2 Access to Buildings for People with Disabilities**

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

## REASON

To ensure that people with disabilities have adequate access to the development in accordance with London Plan (2016) Policies 3.1 and 3.8.

## 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.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE1	Development within archaeological priority areas
BE13	New development must harmonise with the existing street scene.
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.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 4.1	(2016) Developing London's economy
LPP 4.11	(2016) Encouraging a connected economy
LPP 4.7	(2016) Retail and town centre development
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(2016) Waste capacity
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 6.13	(2016) Parking
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF12	NPPF - Conserving & enhancing the historic environment
NPPF2	NPPF - Ensuring the vitality of town centres
NPPF3	NPPF - Supporting a prosperous rural economy
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures



OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings

### 3

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.

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

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

### LIGHT

Any light installed shall operate in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination, so as not to cause nuisance to nearby businesses/offices/dwellings. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155)

### 5 118 **Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

**6            I24            Works affecting the Public Highway - General**

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

**7            I3            Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

**8            I43            Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act 1980.

**9            I45            Discharge of Conditions**

Your attention is drawn to conditions 11, 13, 14, 15 and 18 which must be discharged prior to the commencement of works and conditions 16 and 17 which must be discharged prior to the occupation of the development. You will be in breach of planning control should you commence these works and/or occupy the development prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Residents Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

**10          I47          Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Heathrow Airport Safeguarding have recommended that Ash trees are not used within the proposed landscaping scheme due to their potential to attract birds that may pose a danger to the operation of aircraft.

The landscaping details to be submitted as required by condition 16 should take this into account.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site is located within the Green Belt between Heathrow Airport to the south and West Drayton to the north. The site accommodates a garden centre and associated parking. The majority of the garden centre buildings were recently destroyed or damaged beyond repair by a fire.

The site is adjacent to the A3044 (Holloway Lane) which passes to the north and the road frontage is bordered by an approximately 2 metre high metal palisade fence which is flanked by a belt of mature trees and hedgerow. A hard surfaced dropped kerb access is provided from Holloway Road.

The site was formerly a nursery and permission for change of use to a garden centre was granted in on the 30th of April 1980 following application 1114/M/80/0118. Subsequent permissions for additional buildings and provision of a car wash facility have been approved in the intervening period.

The majority of the buildings occupying the site were located towards its south eastern corner and were in garden centre retail and ancillary use. Adjacent to the buildings along the eastern boundary was a significant uncovered sales area. Open air storage space was provided to the rear of buildings in the far south eastern corner of the site. A hard surfaced car parking area was positioned to the west of the buildings and uncovered sales area.

There are open fields to the north and south of the site. To the east is a waste processing and landfill site with fields further to the east. To the west, on the other side of Holloway Road, is a light industrial site. The nearest residential areas are in the small villages of Sipson, approximately 400 metres to the southeast and Harmondsworth, approximately 380 metre to the south-west.

#### 3.2 Proposed Scheme

##### NEW BUILDINGS:

The proposal involves the rebuild of the established garden centre use following a serious fire that damaged the majority of the buildings on site at the time beyond repair. The overall area of retail space (including ancillary offices and facilities) would be reduced from the 6,504 m<sup>2</sup> offered previously to 6,018 m<sup>2</sup>. It should, however, be noted that the proposed sales area would be configured differently to the previous arrangement, with an increase of 395 m<sup>2</sup> in covered sales areas, the reduction of overall sales area on site being as a result of a decrease in the amount of open sales areas.

The proposed covered sales area would be contained within a single building and an

attached open side canopy. The proposed building would be approximately 60 metres in length at its widest point, towards the centre of the structure, and approximately 41 metres in width at the frontage. It would consist of four connected segments, each with a gable roof arrangement, three of the segments would be 10 metres in width, with the southernmost segment being 11 metres. The southernmost segment would also incorporate a two-storey flat roof element that would be 25.48 metres in length, with office space and staff facilities occupying the first floor. The footprint of the building would be 2127 m<sup>2</sup> as opposed to the footprint of the previous shop buildings which was 1679 m<sup>2</sup>.

Overall height to ridge level of the single-storey gable roofed elements is approximately 5.7 metres with eaves height at approximately 3.5 metres. The two-storey flat roof element of the building would be approximately 7 metres to roof top height. Levels taken from ground level to the rear are increased by approximately 0.5 metres due to a gentle slope on the site.

External finishing of the building would consist, predominantly, of timber cladding to the frontage and metal cladding to the side and rear. The frontage of the segment containing the main building entrance will be glazed to eaves height and there will also be glazed sections on the southern (side) and rear elevations. A section of living wall would be incorporated on the southern (side) elevation. The roof surface would be metal, with a quantity of polycarbonate roof lights installed to allow sunlight permeation.

The proposed open sided canopy would be attached to the northern elevation of the main building and would measure 8.6 metres in width by 53.1 metres in depth. The structure would be open on all sides and would have a metal framework with an arched roof surfaced in polythene.

The north eastern corner of the site would be used for open air sales space, as was the previous arrangement.

A modestly sized outbuilding (19 m<sup>2</sup>) and adjoining decked area would be retained on site for use as a dog grooming parlour.

#### CAR PARKING AND ACCESS:

Car parking facilities would be provided within the footprint of the existing car park. The existing car park provides 96 car parking bays and this amount would also be continue to be provided within the revised car park layout which includes slight modifications in the orientation of bays, the provision of 8 disabled parking bays and 2 electric vehicle charging points. The overall amount of car parking spaces provided on site would remain at 96 and no additional areas of hard standing would be created.

#### RETAIL MIX:

The retail space offered would amount to 5418 m<sup>2</sup> and be allocated as follows:-

#### SHOP:

GARDEN TOOLS/CHEMICALS/LAWNCARE/WATERING - 500 m<sup>2</sup> (9% of overall retail space)

GARDEN FURNITURE/BARBECUES/OUTDOOR LIVING/CHRISTMAS GOODS - 400 m<sup>2</sup> (7% of overall retail space)

GARDEN GIFTS/BOOKS - 300 m<sup>2</sup> (6% of overall retail space)

COFFEE SHOP - 265 m<sup>2</sup> (5% of overall retail space)  
HOUSEPLANTS/FLORISTRY - 240 m<sup>2</sup> (5% of overall retail space)  
WILD BIRD CARE/PET PRODUCTS - 100 m<sup>2</sup> (2% of overall retail space)

**CANOPY SALES AREA:**

BEDDING PLANTS/CHRISTMAS TREES/SEASONAL PLANTS - 116 m<sup>2</sup> (2% of overall retail space)  
PEAT AND COMPOST - 90 m<sup>2</sup> (2% of overall retail space)  
PLANT POTS - 110 m<sup>2</sup> (2% of overall retail space)  
FENCING/ARCHES ETC - 75 m<sup>2</sup> (1% of overall retail space)  
GARDEN SUNDRIES - 76 m<sup>2</sup> (1% of overall retail space)

**OPEN SALES AREA:**

SHRUBS/TREES - 2,095 m<sup>2</sup> (39% of overall retail space)  
STONEWARE/PAVING ETC - 751 m<sup>2</sup> (14% of overall retail space)  
DISPLAY GARDENS - 120 m<sup>2</sup> (2% of overall retail space)  
CHILDREN'S PLAY AREA - 100 m<sup>2</sup> (2% of overall retail space)  
OUTDOOR AQUATIC PRODUCTS - 90 m<sup>2</sup> (2% of overall retail space)

The remaining 600 m<sup>2</sup> of floor space within the main building (which includes all of the first floor level floor space) would be utilised for non-retail facilities (checkouts/toilets/staff room/offices/store/plant room).

**LANDSCAPING:**

Existing landscaping would be bolstered by new tree planting on the site boundaries and within and around the car park. A new native hedgerow of 117 linear metres in length would extend from the existing hedgerow on the eastern boundary on to the southern site boundary to the front of the proposed buildings.

### 3.3 Relevant Planning History

1114/AA/87/2337                      Wyevale Garden Centre Holloway Lane Harmondsworth  
Erection of new building for additional retail space & installation of sewage treatment plant  
(Outline)

**Decision:** 25-03-1988      Refused

1114/ADV/2011/89                      Ansell Garden Centre Holloway Lane Harmondsworth  
Installation of 1 x non-illuminated vinyl banner, 4 x non-illuminated plaques, 1 x non-illuminated  
free standing sign

**Decision:** 02-03-2012      Refused

1114/AF/92/1296                      Hurrans Garden Centre Holloway Lane Harmondsworth  
Erection of a front canopy over existing walkways in seasonal plant area and garden hardware  
area

**Decision:** 11-11-1992      Refused

- 1114/AH/93/0313            Hurrans Garden Centre Holloway Lane Harmondsworth  
Erection of a front canopy over existing walkways, seasonal planting area and garden hardware area  
**Decision:** 16-04-1993    Approved
- 1114/APP/2005/1856        Ansell Garden Centre Holloway Lane Harmondsworth  
ERECTION OF A SINGLE STOREY DETACHED BUILDING IN THE EXISTING PARKING ARE FOR THE USE OF A JET/CAR WASHING FACILITY  
**Decision:** 02-08-2005    Refused
- 1114/APP/2005/2151        Ansell Garden Centre Holloway Lane Harmondsworth  
ALTERATIONS TO ELEVATIONS AND ERECTION OF A FIRST FLOOR EXTENSION WITH EXTERNAL STAIRCASE TO SOUTH AND EAST ELEVATION AND EXTENSION TO EXISTING GREENHOUSE  
**Decision:** 20-09-2005    Refused
- 1114/APP/2006/1637        Ansell Garden Centre Holloway Lane Harmondsworth  
ERECTION OF A SINGLE STOREY DETACHED BUILDING FOR RETAIL USE (INVOLVING DEMOLITION OF EXISTING BUILDING).  
**Decision:** 30-07-2009    Refused
- 1114/APP/2011/2683        Ansell Garden Centre Holloway Lane Harmondsworth  
Use of part of Garden Centre car park as ancillary hand car wash.  
**Decision:** 24-01-2012    Approved
- 1114/L/79/1204            Wyevale Garden Centre Holloway Lane Harmondsworth  
Use of land as a garden centre (section 53)  
**Decision:** 15-01-1980    Refused
- 1114/M/80/0118            Wyevale Garden Centre Holloway Lane Harmondsworth  
Change of use to garden centre  
**Decision:** 30-04-1980    Approved
- 1114/P/81/0006            Wyevale Garden Centre Holloway Lane Harmondsworth  
Erection of buildings, new hard surface and security fence to form garden centre.

**Decision:** 24-03-1981    Approved

1114/Z/87/2338                      Wyevale Garden Centre Holloway Lane Harmondsworth  
Change of use of store area to provide extra retail space

**Decision:** 24-02-1988    Approved

#### **Comment on Relevant Planning History**

Planning permission for the use of the site as a garden centre was originally granted under application 1114/M/80/0118. This involved the use of existing nursery greenhouses occupying the site, as well as newly built greenhouse buildings providing an additional floor area of 12,000 square feet (approximately 1,115 m<sup>2</sup>). The original greenhouses were in a similar position to the proposed building, although they extended further to the north of the site.

The amount of buildings on the site has both expanded and contracted in the intervening period, with the glasshouses being replaced by more permanent buildings.

#### **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.EM2      (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6      (2012) Flood Risk Management

Part 2 Policies:

- AM7            Consideration of traffic generated by proposed developments.
- AM14          New development and car parking standards.
- BE1            Development within archaeological priority areas
- BE13          New development must harmonise with the existing street scene.
- 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.
- BE3            Investigation of sites of archaeological interest and protection of archaeological remains
- BE38          Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- LPP 3.1        (2016) Ensuring equal life chances for all
- LPP 4.1        (2016) Developing London's economy

LPP 4.11	(2016) Encouraging a connected economy
LPP 4.7	(2016) Retail and town centre development
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 5.11	(2016) Green roofs and development site environs
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(2016) Waste capacity
LPP 5.3	(2016) Sustainable design and construction
LPP 5.7	(2016) Renewable energy
LPP 6.13	(2016) Parking
LPP 7.13	(2016) Safety, security and resilience to emergency
LPP 7.15	(2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.21	(2016) Trees and woodlands
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
NPPF	National Planning Policy Framework
NPPF1	NPPF - Delivering sustainable development
NPPF11	NPPF - Conserving & enhancing the natural environment
NPPF12	NPPF - Conserving & enhancing the historic environment
NPPF2	NPPF - Ensuring the vitality of town centres
NPPF3	NPPF - Supporting a prosperous rural economy
NPPF9	NPPF - Protecting Green Belt land
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **31st July 2017**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**



## **External Consultees**

### **HEATHROW AERODROME SAFEGUARDING:**

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicants attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome.

We have noted from the Planting Plan that 25% of the proposed new trees will consist of Ash. Ash is very attractive to Birds which pose a threat to the operation of aircraft. We recommend that Ash is removed from the planting plan to eliminate potential future safety implications. If however the applicant is minded to keep Ash, we recommend planting ideally at 15 m centres to prevent canopies joining together, attracting certain species of bird.

Officer Comment: Ash represents 25% of the indicative proposed tree planting. An informative has been added advising the applicant that the landscape scheme submitted to discharge condition 16 should take account of these concerns.

### **GREATER LONDON ARCHAEOLOGICAL ADVICE SERVICE: (GLAAS):**

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Although the Heathrow plateau is well known for its prehistoric and later archaeology the Ansell Garden Centre Site lies just outside Hillingdon Council's Heathrow Archaeological Priority Zone. This is because the land to both north and south of the site has been quarried leaving the site itself as a small isolated 'island'. On balance I consider that the relatively small-scale proposed replacement of buildings in this location is unlikely to cause significant harm to archaeological interest.

No further assessment or conditions are therefore necessary.

### **HARMONDSWORTH CONSERVATION AREA ADVISORY PANEL:**

The height and floor area of the proposed buildings are greater than the ones they are replacing but because they are set back from the road and screened by trees these changes will have little visual impact. We have no objection to the proposed buildings.

### **GREATER LONDON AUTHORITY (GLA):**

London Plan policies on Green Belt and transport are the strategic issues relevant to this planning application. The application complies with these policies for the following reasons:

Principle of land use: Although there is a slight increase in the built form, which has been justified; the proposal meets the test of the NPPF exception under paragraph 89 bullet point (iii) limited infilling. Therefore, it is appropriate development on Green Belt and the proposal is acceptable.

Transport: There are no strategic transport concerns.

The application does not need to be referred back to the Mayor.

## **Internal Consultees**

### **LANDSCAPES:**

The glasshouses (used as indoor sales areas) are set well back from the road behind an external plant sales area. A car park to the west is well screened by road side vegetation. No trees or other significant landscape features will be affected by the proposed development. The new building appears to have a much larger footprint than those that it replaces. A former storage yard in the south-east corner of the site will be built over.

### **HIGHWAYS:**

The overall retail area is reduced from 6504 sq m to 6018, the reduction is predominantly in the open sales area with an increase of 325 sq m in the shop area.

The site has a very low PTAL of 1a. In any case most customer trips to the centre are likely to be by motorised transport to take home bulky goods. The transport statement provides profiles of estimated daily and monthly car arrivals. The busiest months are April, May and June and the busiest day is Saturday between 11.00 am and 2 pm. The maximum estimated hourly arrivals during the above hours are 139 compared to the existing 135. It is not anticipated that the proposal will result in a material increase in the AM and PM peak hour trips or result in a material increase in car parking demand.

There are currently 96 car parking spaces and there are no proposals to increase them. A total of 8 accessible spaces are being provided( there are currently none) as well as 2 spaces allocated for electric charging points. There are currently no cycle parking facilities, 5 are being provided together with showers and changing facilities for staff.

A Condition is required to ensure cycle parking is in a covered and secure location. There are two bus services ( the 350 and U3) running part way along Holloway Lane from Harmondsworth with the bus stop located approx. 250m from the site entrance. A Travel Plan for staff is being provided. No objections are raised on highway grounds.

### **ENVIRONMENTAL PROTECTION UNIT (EPU):**

No objection.

Officer Comment: A standard informative has been attached to remind the applicant of their duties during demolition and construction works as set out in the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990.

### **DRAINAGE OFFICER:**

The Planning Statement states that rainwater collection system will be installed to collect rainwater from the roof of the new building for reuse irrigating plants and in the pot wash machine in the kitchen. It's not clear if all of the surface water from the roof will drain into this. The capacity of the tank needs to be provided as well as the calculations used to determine this. All associated pipework needs to be included on the drawings.

If there is to be any surface water discharge from the site to a main sewer the rate of discharge should be restricted to greenfield runoff rates. Available capacity within the network will also need to be confirmed with Thames Water.

The site is currently served by three soakaways. It's not clear if these soakaways will be used to

take surface water from the new development. If so, the condition of these should be inspected and also to confirm the condition of the associated pipework.

There may also be potential to include more sustainable drainage techniques on the site such as living roofs, basins or ponds. If these are not viable justification is needed.

The access road and associated alterations will drain to new soakaways. This is acceptable to the Council and should be included in the drawings. A full site investigation will be done to confirm suitability. The results of which should be provided to the Council.

A detailed management and maintenance plan for any SuDS needs to be provided. This should include detail of who is responsible for what as well as inspection regimes required.

OFFICER COMMENT: The details requested are expected to be provided by the applicant in due course. An update on drainage matters will be provided within the addendum papers.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the green belt where the principle of inappropriate development is resisted in the interests of maintaining the openness and tranquillity of the surrounding environment.

Paragraph 89 of the National Planning Policy Framework (NPPF) regards any construction of new buildings within the green belt as inappropriate. However, a list of exceptions to this general rule are provided, one of which is the replacement of a building, provided it remains in the same use as the previous building and is not materially larger than the previous structure.

The NPPF Policy position is complimented by Policy OL 4 of the Local Plan (Part 2) which states that the replacement or extension of a building within the Green Belt will only be permitted if it meets a list of criteria including that the development would not result in any disproportionate change in the bulk and character of the original building and the development would not significantly increase the built up appearance of the site.

Whilst there are no set definitions within the NPPF describing what constitutes a proportionate extension, it is well established through appeal decisions/case law that increases in footprint of greater than 50% are not considered proportionate.

The floor area of the original building is regarded as the extent of the building as permitted upon commencement of the use of the site as a garden centre. Planning records show that existing greenhouses on site were extended and linked together through the use of additional buildings with a combined footprint of 952 m<sup>2</sup>. The footprint of the existing greenhouses cannot be ascertained from records but the proposed plan shows that occupy a sizeable part of the site, at least the same amount of area as the additional buildings and it is therefore reasonable to conclude a combined footprint approaching 2,000 m<sup>2</sup>.

The planning history of the subject site illustrates that the buildings were subsequently extended, removed or altered on a number of occasions such that the main building footprint at the time of the recent fire was 1,679 m<sup>2</sup>.

It is therefore considered that the proposed development satisfies the criteria as an

exception as the use of the building would remain as a garden centre and the footprint of the building, as well as the siting, would be similar to the buildings that have occupied the site throughout the lifetime of the garden centre use. Furthermore, the proportional increase in footprint from the 1,679 m<sup>2</sup> of the buildings occupying the site at the time of the fire and the 2,127 m<sup>2</sup> proposed would amount to approximately 27% only. This is considered to be an acceptable proportionate extension.

The principle of the development is therefore considered to be acceptable, subject to the satisfaction of relevant planning policies and the adherence to relevant conditions that would be attached to any approval given. An assessment of the proposed development against these policies forms the main body of this report.

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

Not applicable to the proposed development.

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

The site is surrounded by the Heathrow Archaeological Priority Zone but does not form part of it as it has been the subject of quarrying.

The Greater London Archaeological Advice Service (GLAAS) have been consulted and have raised no objections to the proposed development.

The site is not located close to any heritage assets and, therefore, would not result in any negative impacts upon such features.

It is therefore considered that the proposal does not conflict with Local Plan Policies BE 1 and BE 3.

#### **7.04 Airport safeguarding**

The site is located approximately 1.3 km to the north of Heathrow Airport. The buildings are not of a sufficient height to impact upon airport operations.

Advice has been received from Heathrow Aerodrome Safeguarding relating to the positioning of Ash trees that form part of the proposed landscaping scheme so as to prevent canopies forming that may encourage congregations of birds that could affect the safe operation of aircraft. Final landscaping details would be required prior to commencement of the development and the species of trees included can be adjusted in accordance with these comments.

It should be noted that Condition 8 of this recommendation prohibits any further extensions to the building without an application being submitted. This included increasing the height of the buildings.

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

The proposed development will involve the replacement of existing buildings with a new main structure which, whilst occupying a larger footprint, would not result in a significant increase in the built up area of the site. The new building and canopy will be located in the south eastern corner of the site, as is the case with the existing buildings, and the increase in footprint will be achieved by building over an established hard surfaced yard / storage area. The height of the two-storey element of the building will be minimised through the use of a flat roof design and will not be significantly taller than the previous building, which incorporated a first floor.

It is therefore considered that the proposal would not introduce any element of sprawl within the green belt as the built area of the site will remain concentrated in the south

eastern corner. It would also not result in the loss of any significant landscape features as the footprint would occupy that of the previous buildings and hard surfaced yard area.

The proposed canopy that would be attached to the northern elevation of the main building is considered to be modestly sized in terms of height and, due to this and its open sided nature, would not be visually prominent. The structure would be attached to the existing building and would not project beyond its front or rear elevations so as not to appear as an isolated feature within the green belt.

The open sales area would be screened by existing metal palisade security fencing which is approximately 2 metres in height and largely screened by existing landscaping. A condition would be attached to any approval given to control the height at which materials can be stored and stacked in this area in order to minimise visual impact.

By incorporating internal storage space, in place of the existing open yard, it is considered that a further reduction in clutter within the site would be achieved.

There are no public footpaths within the immediate surrounding countryside. Surrounding roads, namely Holloway Lane to the north, Sipson Road to the east and Hamondsworth lane to the south are bordered by contiguous hedging and trees as is the site itself. As a result, the remains of the existing buildings are effectively screened from view from the surrounding countryside and, therefore, do not appear as a visually intrusive presence. It is considered that the proposed development, due to its modest scale, would also be well screened and that the effectiveness of this screening will be enhanced by the supplementary landscaping scheme included as part of the proposal.

The proposal does not result in an increase in the area of retail space offered on site and parking provision would not be increased. As a result, it is not considered that the intensification of the use would be increased to the extent that it would be materially greater than previously and disruptive to the tranquillity of the surrounding rural environment.

It is therefore considered that the proposal would not injure the visual amenities of the green belt and would therefore be in accordance with Local Plan policy OL 4 and Policy 7.16 of the London Plan.

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

As fully discussed in section 7.05 of this report, the proposed buildings would not result in any significant visual impact within the surrounding area. The use as a garden centre is established and the intensity of the use would remain at a similar level to previously.

It is considered that the appearance of the site itself would be improved as the proposal involves the replacement of a collection of buildings and extensions of various designs and scales with a more cogent and articulated building that will result in the site appearing less cluttered and more effectively laid out. Existing storage sheds and containers will also be removed, further reducing clutter.

The mix of external finishes employed, including the sections of living wall on the southern elevation, would prevent the building from appearing monotonous and the use of valley roofs would help break up the mass of the building as would the staggered design to the frontage and rear elevation. It is also considered that the choice of external finishes would be sympathetic towards the surrounding rural area and would ensure that the building did not appear overly utilitarian.

In regard to the dog parlour operation, this use is regarded as sui generis and would therefore involve a Change of Use of part of the site. However, given the modest scale of the building and the fact that the operation would clearly be ancillary to the wider use of the site as a garden centre, it is considered that such a use would be acceptable. Attention is drawn to the existing permission for a car wash to operate on site (ref: 1114/APP/2011/2683) which was granted due to it being an ancillary function to the main use of the site.

It is therefore considered that the proposed development would not detract from the character and appearance of the surrounding area, in accordance with Local Plan Part 2 Policy BE 13 and London Plan Policies 7.4 and 7.6.

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

Due to its rural location, the nearest neighbouring residential dwellings are in Harmondsworth, approximately 360 metres to the south west of the site, Sipson, approximately 400 metres to the south east of the site and in West Drayton, approximately 370 metres to the north of the site.

It is not considered that the proposal would result in a use that generate levels of noise or traffic that would be disruptive to neighbouring residents and detract from their amenities.

The modest scale of the buildings, combined with the amount of separation between them and neighbouring properties, the self contained nature of the site and the screening offered by existing and proposed landscaping would prevent the proposed buildings from appearing overbearing and from causing overshadowing of neighbouring property.

The adjacent site to the east is occupied by a landfill and processing facility. The proposed development is not considered to be noise sensitive and would not prejudice the continued operation of the landfill site.

It is therefore considered that the proposed development complies with Local Plan Part 2 Policies BE 20, BE 21, BE 24, OE 1 and OE 5 and London Plan Policies 7.6 and 7.15.

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

Not applicable to this development.

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

The garden centre will continue to utilise the current access from Holloway Lane. This access serves a two lane road which leads to the car parking area and allows two way traffic. It is not considered that any revisions to this arrangement are required. A designated pedestrian access, which is not currently available to the site, would also be provided to the side of the access road, thereby improving pedestrian safety.

The number of car parking spaces provided would be 96, as is the case with the previous scheme. The proposed redevelopment of the site would not result in a significant intensification in its use. As such, the car parking arrangements are considered to be sufficient. The car parking offer would also be enhanced through the creation of 8 disabled parking bays and the provision of 2 ev charging points. It is considered that the number of spaces are acceptable, taking into account that the majority of customers will access the site by car due to the rural location of the site as well as the nature of products sold.

It is therefore considered that the proposed development is in compliance with Local Plan Policies AM 7 and AM 13 and London Plan Policy 6.13.

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

## SECURITY:

The site is in a fairly isolated location and retail goods would be stored within the open sales area. As such, it is considered that security measures should be provided in order to ensure that the development does not become a target for crime, particularly after closing time.

It is therefore considered that a condition requiring the development to achieve Secured by Design accreditation prior to occupation should be attached to any approval.

The proposal would therefore satisfy London Plan Policy 7.13.

### **7.12 Disabled access**

The Design & Access Statement accompanying the application confirms that the site is not steeply sloped and that the shop, canopy and open sales area would all have step free access.

A total of 8 disabled parking bays would be provided close to the store entrance. The offices and the staff facilities at first floor level would be accessible by a lift.

A condition would be attached to any approval requiring full details of accessibility measures, which would also include doorway widths, lobby opening dimensions, turning areas for wheelchairs users and signposting, to be submitted to the Council and approved prior to commencement of construction.

It is therefore considered that the proposed development would meet the requirements of London Plan Policy 3.1.

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

Not applicable to the proposed development.

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

The site is currently well screened by trees and hedging on and around all boundaries. The proposal would include supplementary planting of native trees and hedgerow that would enhance the level of screening at the site in a sympathetic way.

Trees would be concentrated on and around site boundaries and the proposed hedgerow would provide an extension to an existing hedgerow on the eastern boundary to take it along the southern boundary of the site, connecting with an existing hedgerow on the southern boundary.

The augmenting of existing hedgerows would improve wildlife connectivity whilst the use of native planting for all proposed trees and hedgerow will increase the habitat value of the site whilst also ensuring that the planting appears in keeping with its rural surroundings.

It is therefore considered that the proposal satisfies the requirements of Local Plan Policies BE 38 and OL 2 and London Plan Policy 7.21.

### **7.15 Sustainable waste management**

The Planning Statement accompanying the application states that a baler and waste storage area is to be incorporated into the new building. Recycling facilities are also to be provided in the form of composting facilities, plant pot recycling bins and an anaerobic digestion unit for food waste.

The site includes adequate access for servicing vehicles.

### **7.16 Renewable energy / Sustainability**

The buildings would be partially heated through the use renewable sources of energy by way of a geo-thermal system to be installed under the grassed area adjacent to the car park. A heat extractor would also be installed in the kitchen to filter hot air and recycle within the shop.

Filtered and UV treated roof water would be recycled for irrigating plants in the Planteria as well as for flushing toilets and for the coffee shop potwash/washing machine.

### **7.17 Flooding or Drainage Issues**

The site is located within Flood Zone 1 and is not located within a Critical Drainage Area. As such, the proposed development would not be subject to significant risk of flooding and it is not considered that any specific requirements for flood proofing should be demanded.

Part of the south eastern corner of the site is at risk of flooding by surface water and, given the buildings will be located on this part of the site, it is important that appropriate mitigation measures are adopted and maintained in order to prevent the risk of surface water flooding from being exacerbated. The applicant is currently discussing suitable arrangements with the Council's Drainage Officer and details will be submitted in due course.

The proposed building would incorporate a storage tank for water discharged from the roof. The hard surfaced car parking area would not be increased and, whilst the building footprint is larger than the cumulative area of the previous structures, it should be noted that the increased footprint would occupy an area which is currently a hard surfaced yard space.

Provided a suitable surface water management scheme is adopted and maintained, the proposal would accord with local Plan Policy OE 8.

### **7.18 Noise or Air Quality Issues**

The nature of operations on site would not be altered as a result of the proposal. The intensity of the use would not increase to the extent that it would result in increase noise emissions within the green belt whilst there are also no material concerns regarding air quality.

### **7.19 Comments on Public Consultations**

### **7.20 Planning obligations**

Given the nature of the development, it is not considered that there are any requirements for contributions that would need to be secured through the use of a Section 106 agreement.

The development is liable to both Mayoral and London Borough of Hillingdon CIL payments and a separate notice setting out the required payments would be issued should planning approval be granted.

### **7.21 Expediency of enforcement action**

### **7.22 Other Issues**

RETAIL IMPACT:

Para. 24 of the National Planning Policy Framework (NPPF) requires local planning authorities to apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up-to-date Local Plan. The site is not located within a town centre and the local plan does not include any policy



directions with regard to garden centres. However, the use of the the site as a garden centre has already been established and was approved under planning application 1114/M/80/0118 and expanded in size under application 1114/P/81/0006 and, as such, a sequential test is not required.

The overall retail sales area would not be increased as a result of the proposal although the complexion may be altered, with the size of the covered sales area increasing in area. However, the majority of the retail space would remain open air and the submitted retail statement confirms that the majority of produce on sale would be gardening related. Given the nature of the produce sold, it is not considered that this would result in any material loss in trade in surrounding town and local centres, with any increased share of trade most likely to be taken from similar garden centres nearby.

Given a garden centre is an A1 use, a condition would be attached to any approval prohibiting the use of the site for any other purpose with class A1. The proportion of convenience goods and food sales would also be limited by condition to ensure that the products available on site remain largely horticultural in nature, in keeping with the rural surroundings and to discourage increased frequency of HGV deliveries to the site.

The proposal would incorporate a coffee shop that would occupy a relatively small proportion of the overall floor space. A condition would be attached to any approval restricting the operation of the coffee shop to that of an ancillary use to the garden centre that would not be opened additional hours and would not increase in floor space without the prior written approval of the Local Planning Authority in order to control the use of the site.

It is therefore considered that the proposal would be acceptable in terms of the requirements of the NPPF and London Plan Policy 4.7.

## **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**

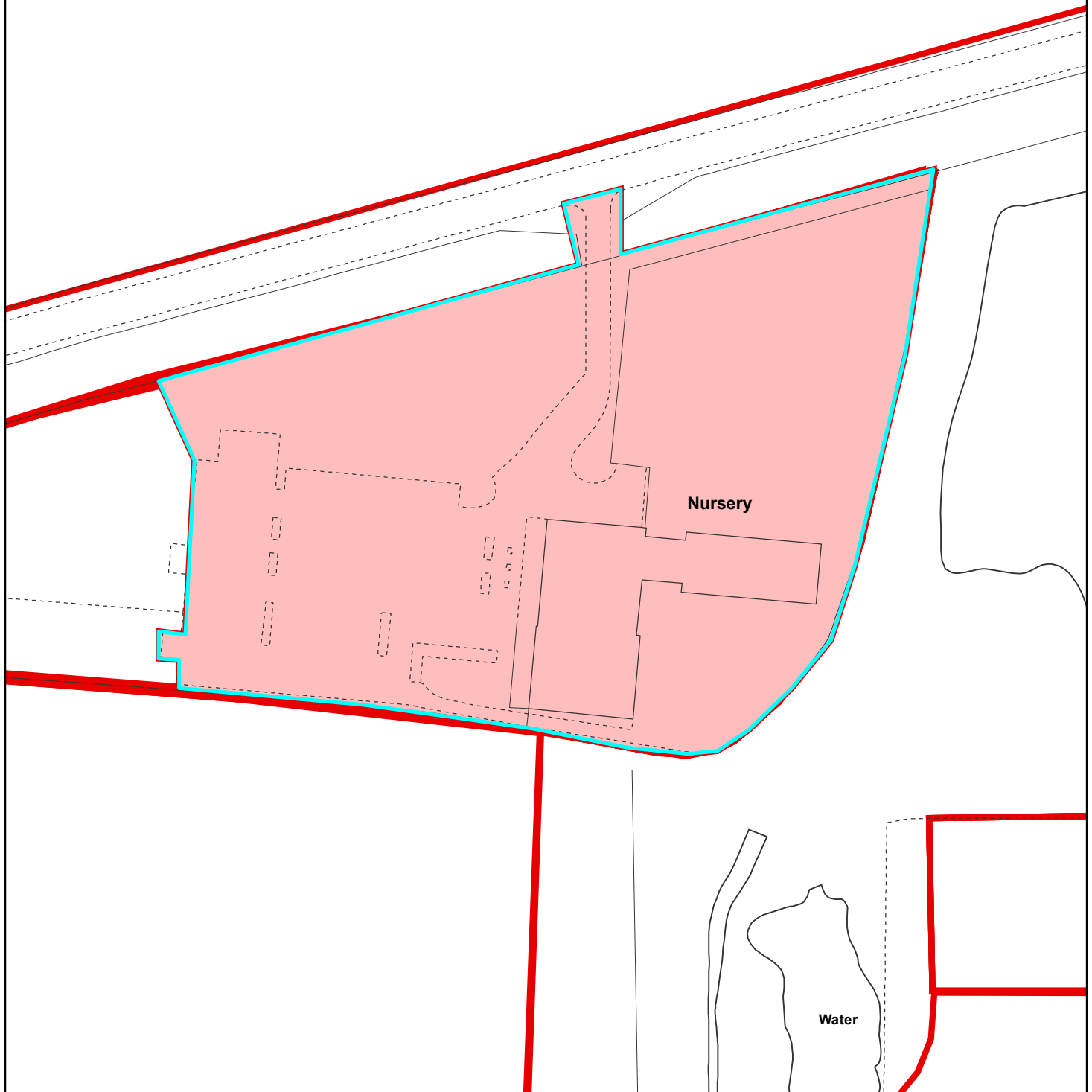
It is recommended that the application is approved, subject to conditions.

## **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 Planning Obligations SPD

**Contact Officer:** James McLean Smith

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2013 Ordnance Survey 100019283

Site Address

**Ansell Garden Centre**

Planning Application Ref:

**64322/APP/2017/3185**

Scale

**1:1,250**

Planning Committee

**Major Application**

Date

**December  
2017**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services**

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



**HILLINGDON**  
LONDON