

Report of the Head of Planning, Sport and Green Spaces

Address BATTLE OF BRITAIN MUSEUM AND VISITOR CENTRE WREN AVENUE
UXBRIDGE

Development: Installation of a 5.4m high sculpture of Sir Keith Park.

LBH Ref Nos: 585/APP/2017/4538

Drawing Nos: 2017/D/235/P/02 Existing Site Plan-Layout1-A3 Landscap
2017/D/235/P/03 Proposed Location of Sir Keith Park St
2017/D/235/P/01 Location Plan-A4 Portrai

Date Plans Received: 20/12/2017

Date(s) of Amendment(s):

Date Application Valid: 20/12/2017

1. SUMMARY

The application is for the installation of art comprising of a 5.43m high sculpture of Sir Keith Park. The sculpture would be located on a square base of 1.35m (w) x 1.35m (d) and would be constructed of a polymer resin bond material.

The sculpture is proposed to commemorate Air Chief Marshal Sir Keith Park who commanded RAF squadrons in 1940 and would be located adjacent to the new Battle of Britain Visitors Centre.

The scheme is deemed to be of an acceptable scale and is considered to be an appropriate proposal in this location. It is not considered to result in any detrimental impact on adjacent occupiers, the Grade I listed 'Group Operations Room' Bunker or on the Green Belt. As such the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 SP01 Council Application Standard Paragraph

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land.

2 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.

3 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 plan, number 2017/D/235/P/03 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.

BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 7.16	(2016) Green Belt
LPP 7.5	(2016) Public realm
R7	Provision of facilities which support arts, cultural and entertainment activities
R8	Loss of facilities which support arts, cultural and entertainment activities

3 I70 **LBH worked applicant in a positive & proactive (Granting)**

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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site forms part of St Andrews Park (the former RAF Uxbridge Site), for which outline consent was granted under application reference 585/APP/2009/2752 for a residential led, mixed-use development, and amended under application reference 585/APP/2015/848.

The RAF Bunker site is currently used by the Friends of the Bunker volunteers who manage the use of the adjacent Grade I Listed 'Group Operations Room' underground

bunker, a structure used during the Battle of Britain and now a visitor centre with the recreated plotting room and numerous RAF exhibits. Within the site is the new visitors centre that is close to completion. The site also includes the Uinter Building (Cold War Bunker) to the north and electricity substation to the east.

The site is located within the green belt as designated by the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The application is for the installation of art comprising of a 5.43m high sculpture of Sir Keith Park. The sculpture would be located on a square base of 1.35m (w) x 1.35m (d) and would be constructed of a polymer resin bond material.

The sculpture is proposed to commemorate Air Chief Marshal Sir Keith Park who commanded RAF squadrons in 1940 from within the adjacent Group Operations Room bunker. The sculpture would be located adjacent to the new Battle of Britain Visitors Centre on a grassed traffic island within the new lower level car park.

3.3 Relevant Planning History

585/APP/2009/2752 R A F Uxbridge Hillingdon Road Uxbridge

1. Outline application (all matters reserved, except for access) including demolition of some existing buildings and:

- a) Creation of up to 1,296 residential dwellings (Class C3) of between 2 to 6 residential storeys;
- b) Creation of up to 77 one-bedroom assisted living retirement accommodation of between 3 to 6 storeys;
- c) Creation of a three-form entry primary school of 2 storeys;
- d) Creation of a hotel (Class C1) of 5 storeys of up to 90 beds;
- e) Creation of a 1,200 seat theatre with ancillary cafe (Sui Generis); office (Class B1a) of up to 13,860sq.m; energy centre (Sui Generis) of up to 1,200sq.m; and retail (Class A1, A2, A3, A4, A5) of up to 2,850sq m; in buildings of between 4 to 6 storeys as well as a tower element associated with the theatre of up to 30m;
- f) Creation of a local centre to provide up to 150sq.m of retail (Class A1 and A2) and 225sq.m G surgery (Class D1); Means of access and improvements to pedestrian linkages to the Uxbridge Town centre; car parking; provision of public open space including a district park; landscaping; sustainable infrastructure and servicing.

2. In addition to the above, full planning permission for:

- a) Creation of 28 residential dwellings (Class C3) to the north of Hillingdon House of between 2 to 3 storeys as well as associated amenity space and car parking;
- b) Change of use of Lawrence House (Building No. 109) to provide 4 dwellings (Class C3), associated amenity space and car parking including a separate freestanding garage;
- c) Change of use and alterations to the Carpenters building to provide 1 residential dwelling (Class C3);
- d) Change of use and alterations to the Sick Quarters (Building No. 91) to provide 4 dwellings (Class C3) as well as associated amenity space and car parking;
- e) Change of use of Mons barrack block (Building No. 146A) to provide 7 dwellings (Class C3) as well as associated amenity space and car parking.
- f) Change of use of the Grade II listed former cinema building to provide 600sq.m Class D1/2 use (no building works proposed);
- g) Change of use and alterations to the Grade II listed Hillingdon House to provide 600sq.m for a restaurant (Class A3) on the ground floor and 1,500sq.m of office (Class B1) on the ground, first and second floors;

Decision: 18-01-2012 Approved

585/APP/2014/3739 The Battle Of Britain Bunker, Raf Uxbridge Hillingdon Road Uxbridge
Erection of a temporary modular building with associated works and installation of a temporary road

Decision: 10-12-2014 Approved

585/APP/2014/3910 The Battle Of Britain Bunker, Raf Uxbridge Hillingdon Road Uxbridge
Erection of Battle of Britain Education and Visitor centre with exhibition space, auditorium, meeting rooms, library, cafe and shop and associated parking area and landscaping.

Decision: 08-01-2015 Approved

Comment on Relevant Planning History

Planning permission was approved on 10 December 2014 under application reference 585/APP/2014/3739 for the erection of a temporary modular building with associated works and installation of a temporary road. These are works were to enable the continued operation of the facilities during demolition and construction of the new visitors centre.

Prior approval was granted for the demolition of the former AUS building on 17 November 2014.

Planning permission was approved on 18 January 2015 under application reference 585/APP/2014/3910 for the Erection of Battle of Britain Education and Visitor centre with exhibition space, auditorium, meeting rooms, library, cafe and shop and associated parking area and landscaping.

4. Planning Policies and Standards

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

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

- BE10 Proposals detrimental to the setting of a listed building
- BE13 New development must harmonise with the existing street scene.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- LPP 7.16 (2016) Green Belt
- LPP 7.5 (2016) Public realm
- R7 Provision of facilities which support arts, cultural and entertainment activities
- R8 Loss of facilities which support arts, cultural and entertainment activities

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **29th January 2018**
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 8 local owner/occupiers on 4th January 2017. The application was also advertised by way of site and press notices. No responses were received.

ENGLISH HERITAGE

This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice.

Internal Consultees

CONSERVATION AND DESIGN

No objection

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The sculpture is proposed to commemorate Air Chief Marshal Sir Keith Park who commanded RAF squadrons in 1940 and would be located adjacent to the new Battle of Britain Visitors Centre. The proposed artwork has been chosen to reflect the historic interest of the site and will primarily only be visible from within the site or as you approach the new visitor centre building.

Policies R7 and R8 of the Hillingdon Local Plan (November 2012) and Policy 7.5 of the London Plan (2016) support the provision of public art and cultural facilities. The scheme is deemed to be of an acceptable scale and is considered to be an appropriate proposal in this location that will enhance the public realm. The sculpture is not deemed to have any detrimental impact on the green belt and seeks to promote its recreational use. There are no objections raised therefore to the principle of the development.

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

Given the location of the sculpture and its modest size and scale, the scheme is not considered to have a detrimental impact on the character, appearance and setting of the adjacent Grade I listed bunker. In addition both English Heritage and the Council's Conservation Officer have been consulted on the proposals and have raised no objections

to the application. As such the application is deemed to accord with policies BE4 and B10 of the Hillingdon Local Plan (November 2012).

7.04 Airport safeguarding

Not applicable to the consideration of this application.

7.05 Impact on the green belt

The scheme is deemed to be of an acceptable scale and is considered to be an appropriate proposal in this location. The sculpture would be located within a car park setting and is not considered to result in any detrimental impact on the Green Belt. The artwork which sits alongside the new visitor centre seeks to promote the recreational use of the Green Belt, in accordance with NPPF policies.

7.07 Impact on the character & appearance of the area

The proposed sculpture is considered to improve the appearance of the public realm, providing interest and vibrancy. The artwork has been chosen to reflect the historic interest of the site and will primarily only be visible from within the site or as you approach the new visitor centre building.

The Council's Conservation and Design Officer has raised no objections to the proposal. The impact of the artwork on the character and appearance of the locality is considered to be acceptable and as such the application is deemed to accord with policies BE4 and B10 of the Hillingdon Local Plan (November 2012).

7.08 Impact on neighbours

The proposed sculpture would be of a modest scale and will be located approximately 60m from the nearest residential property on Patch Close. The scheme is therefore not considered to result in any detrimental impact on neighbouring occupiers.

7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposals result in no change to the car parking layout or access into or out of the site.

7.11 Urban design, access and security

Not applicable to the consideration of this application.

7.12 Disabled access

Not applicable to the consideration of this application.

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, landscaping and Ecology

Not applicable to the consideration of this application.

7.15 Sustainable waste management

Not applicable to the consideration of this application.

7.16 Renewable energy / Sustainability

Not applicable to the consideration of this application.

7.17 Flooding or Drainage Issues

Not applicable to the consideration of this application.

7.18 Noise or Air Quality Issues

Not applicable to the consideration of this application.

7.19 Comments on Public Consultations

None received

7.20 Planning obligations

Not applicable to the consideration of this application.

7.21 Expediency of enforcement action

Not applicable

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

None

10. CONCLUSION

The application is for the installation of a 5.43m high sculpture of Sir Keith Park. The sculpture is proposed to commemorate Air Chief Marshal Sir Keith Park who commanded RAF squadrons in 1940 and would be located adjacent to the new Battle of Britain Visitors Centre.

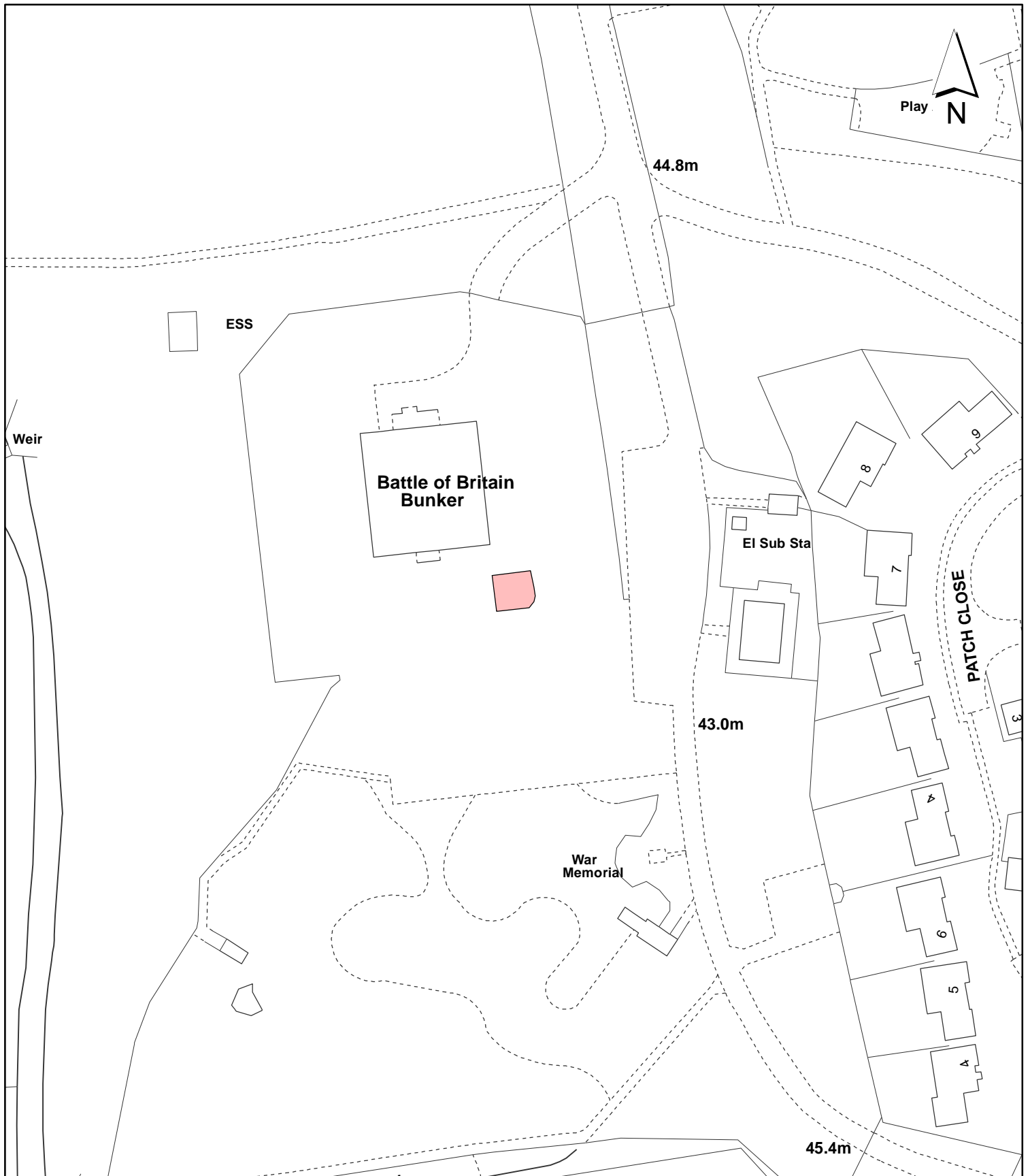
The scheme is deemed to be of an acceptable scale and is considered to be an appropriate proposal in this location. It is not considered to result in any detrimental impact on adjacent occupiers, the Grade I listed Bunker or on the Green Belt. As such the application is recommended for approval.

11. Reference Documents

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

Contact Officer: Ed Laughton

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Notes:

 Site boundary

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Site Address:

**Battle of Britain Bunker
 St Andrews Park**

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

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

Planning Application Ref:

585/APP/2017/4538

Scale:

1:1,000

Planning Committee:

Major

Date:

February 2018



HILLINGDON
 LONDON