

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

**Address** NORTHWOOD COACHWORKS STATION APPROACH NORTHWOOD  
**Development:** Installation of canopy and side screen over car wash area (Retrospective).  
**LBH Ref Nos:** 70958/APP/2017/4344  
**Drawing Nos:** Location Plan  
KS/2017/01

**Date Plans Received:** 30/11/2017                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 30/11/2017

### 1. **SUMMARY**

The application seeks retrospective planning permission for the installation of canopy and side screen over car wash area.

The development is considered to be minor and attached to an industrial building and would therefore be acceptable in this location. The structure is located to the rear of the property not readily visible from the surrounding area and would therefore have little impact on the character or appearance of the wider Conservation Area.

Therefore the application is recommended for approval. It should be noted that this has been referred to Committee as there has been an enforcement notice issued. However, this related to a separate structure to the rear of the site which has been removed and therefore complied with.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### 1            COM4            **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan number KS/2017/01 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            I59            **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

## **2            I52            Compulsory Informative (1)**

The decision to 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).

## **3            I53            Compulsory Informative (2)**

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

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LE1	Proposals for industry, warehousing and business development
LE5	Small scale business activities within the developed area
LPP 5.3	(2016) Sustainable design and construction

## **4            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).

## **5            I25            Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

## **6            I2            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

## **7 15 Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site is located on the East side of Station Approach set behind the row of commercial/retail units fronting Station Approach. To the West is Northwood Station and railway lines, to the South is the car park and to the east is a public footpath leading to Green Lane to the North. The site is enclosed and screened from the footpath by a 2m high timber fence. The site is located within a small pocket of light industrial and commercial units.

The application site lies within Northwood Town Centre, Green Lane Conservation Area. It is also within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2 Proposed Scheme**

The application seeks retrospective planning permission for the installation of canopy and side screen over car wash area.

#### **3.3 Relevant Planning History**

70958/APP/2015/3347 Northwood Coachworks Station Approach Northwood

The erection of wooden storage space in the Yard and the erection of wooden space for car wash in the yard

**Decision:** 12-11-2015 NFA

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

None directly relevant to this application.

#### **4. Planning Policies and Standards**

##### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

LE1 Proposals for industry, warehousing and business development

LE5 Small scale business activities within the developed area

LPP 5.3 (2016) Sustainable design and construction

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

**5.1 Advertisement Expiry Date:- 14th February 2018**

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

#### **6. Consultations**

##### **External Consultees**

14 neighbouring properties and Northwood Residents Association were consulted on 10.01.2018 and the site notices were displayed to the front of the site on 12.01.2018.

No objections or comments have been received.

##### **Internal Consultees**

Conservation/Urban Design:

The site is discretely located within the Northwood Town Centre Green Lane Conservation Area. The canopy whilst industrial in appearance is attached to a Late Victorian/Edwardian industrial building and is not, therefore, considered to be inappropriate in this location. The structure is also located to the rear of the property and would have little impact on the character or appearance of the wider Conservation Area. No objection.

#### **7. MAIN PLANNING ISSUES**

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

The site operates as a car repairs unit and also other related uses such as car washing. As such there is no in principal objection to the proposal.

**7.02 Density of the proposed development**

Not applicable to this application.

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

Policy BE4 of the Hillingdon Local Plan - Saved UDP Policies (November 2012), states that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities; development should avoid the demolition or loss of such features. There will be a presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area. Policy BE4 reflects the relevant legal duties.

The Conservation Officer has confirmed there are no objections to the proposal and states:

The site is discretely located within the Northwood Town Centre Green Lane Conservation Area. The canopy whilst industrial in appearance is attached to a Late Victorian/Edwardian industrial building and is not, therefore, considered to be inappropriate in this location. The structure is also located to the rear of the property and would have little impact on the character or appearance of the wider Conservation Area. No objection.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

Not applicable to this application.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 & BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development in residential areas complements or improves the amenity and character, therefore the scale and character of a new development is a material consideration.

The structure is located to the rear of the property not readily visible from the surrounding area and would therefore have little impact on the character or appearance of the wider Conservation Area.

As such, the proposal would be in compliance to the requirements of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE4, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.08 Impact on neighbours**

Given the position of the site and the size and scale of the mono-pitched roof canopy which is set well below the main pitch roof, it would not cause an adverse impact on the neighbours' amenity. As such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion.

The application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.09 Living conditions for future occupiers**

- Not applicable to this type of planning application.
- 7.10 Traffic impact, car/cycle parking, pedestrian safety**
- Not applicable to this type of planning application.
- 7.11 Urban design, access and security**
- This has been addressed earlier within this report.
- 7.12 Disabled access**
- Not applicable to this type of planning application.
- 7.13 Provision of affordable & special needs housing**
- Not applicable to this type of planning application.
- 7.14 Trees, Landscaping and Ecology**
- There are no trees on site.
- 7.15 Sustainable waste management**
- Not applicable to this type of planning application.
- 7.16 Renewable energy / Sustainability**
- Not applicable to this type of planning application.
- 7.17 Flooding or Drainage Issues**
- The site is not located with a flood zone, there are are no Flooding or drainage issues.
- 7.18 Noise or Air Quality Issues**
- Not applicable to this type of planning application.
- 7.19 Comments on Public Consultations**
- None.
- 7.20 Planning Obligations**
- Not applicable to this type of application.
- 7.21 Expediency of enforcement action**
- The application is retrospective and, if refused, it will be necessary to consider the expediency of enforcement action.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control. In any event this application has been submitted following ongoing communications with the Council's Enforcement Team.

An Enforcement Notice was issued previously, however this related to an unauthorised structure to the rear of the site unrelated to this application and which has been complied with.

**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 seeks retrospective planning permission for the installation of canopy and side screen over car wash area.

The development is considered to be minor and attached to an industrial building and would therefore be acceptable in this location. The structure is located to the rear of the property not readily visible from the surrounding area and would therefore have little impact on the character or appearance of the wider Conservation Area.

Therefore the application is recommended for approval.

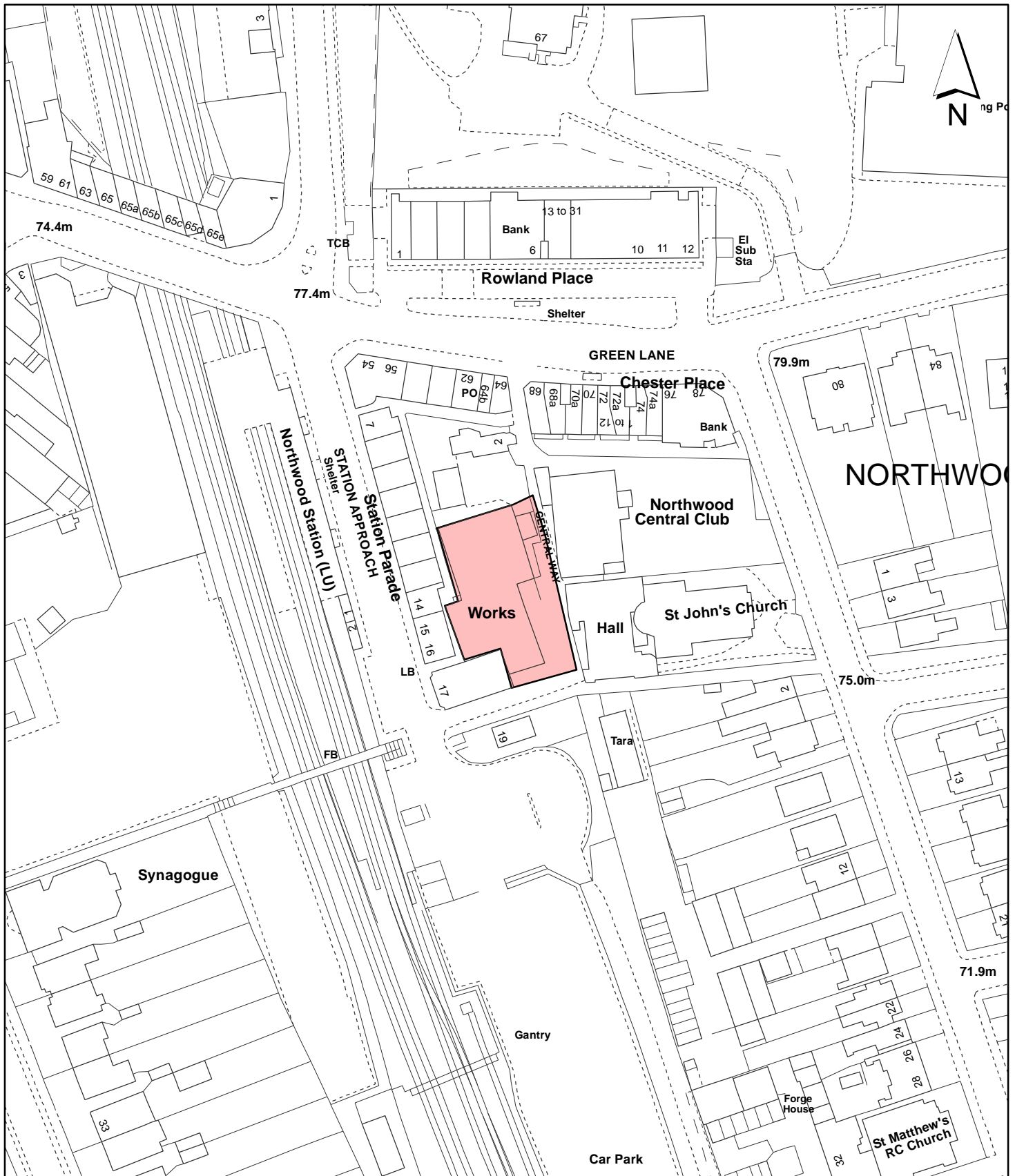
#### **11. Reference Documents**


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

**Contact Officer:** Hardeep Ryatt

**Telephone No:** 01895 250230





<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;"><b>Northwood Coachworks Station Approach</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p><b>Residents Services</b></p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>70958/APP/2017/4344</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>North Application</b></p>	<p>Date</p> <p style="text-align: center;"><b>March 2018</b></p>	



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