

Report of the Head of Planning, Transportation and Regeneration

Address LAND WEST OF FORE STREET EASTCOTE

Development: Erection of security fencing and replacement access gate (Part Retrospective)

LBH Ref Nos: 73373/APP/2018/1999

Drawing Nos: Site Aerials
6
6 Fence
1729/4
Design & Access Statement
3
5

Date Plans Received: 30/05/2018 **Date(s) of Amendment(s):** 30/05/2018

Date Application Valid: 30/05/2018

1. SUMMARY

The application seeks planning permission for the installation of security fencing and replacement gates. The proposal would improve security at this site and would not detract from the visual amenities of the locality, create highway or pedestrian safety concerns or result in a loss of residential amenity.

The proposal is therefore recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be completed before the expiration of 6 months 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 1729/4; 6 Fence and 5, 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 COM7 Materials (Submission)

Notwithstanding the details already submitted, no development shall take place until details of all make, colour and finish of the replacement gates and the finish and colour for

the fencing 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 BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 COM9 Landscaping (car parking & refuse/cycle storage)

Notwithstanding the details already submitted no development shall take place until a landscape scheme for the front hedging around the entrance has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include for a native mixed hedgerow appropriate for a rural/Green Belt location.

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 BE13, BE38 and AM14 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 (2015)

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 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).

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

In dealing with the application the Council has implemented the requirement in the Nationa

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 site comprises an area of approximately 1900 sq.m and is situated on the South West side of Fore Street, opposite no. 176 - 184 and to the North of Haste Hill Nursery. The site was granted approval under a certificate of lawful use (70717/APP/2015/921) as a storage facility (Class B8). The site has access onto Fore Street and it was noted at that time, that the front of the site was secured with a tall corrugated gate and fence, with the fence set behind a well established hedgerow. The rear of the site is bordered by a tall hedge with mature oak trees set within. There were two storage compounds either side of the entrance enclosed with very high fences and there were the remains of a building centrally positioned, surrounded by a 2 m high security fence. Similar fencing ran along the shared boundary with the nursery and the Northern boundary of the site was open.

Since that time the central building has been removed and the hard standing (as shown on historical aerial photo 2003) has been cleared/restored. A new 2.75 m high security fence has been erected around the site and currently houses some containers and skips. Scaffolding material is also being stored on open racks to the front of the enclosure.

The site is set within the edge of the Green Belt with the Developed Area following the edge of the road to the front.

3.2 Proposed Scheme

The proposal is for the erection of the security fencing and replacement of the access gate.

3.3 Relevant Planning History

73373/PRC/2017/225 Land West Of Fore Street Eastcote

Erection of boundary fence, replacement gate, maintenance of hard standing and use of onsite containers at existing storage facility.

Decision: 21-02-2018 NO

Comment on Relevant Planning History

70717/APP/2018/1386 - Provision of hard standing and associated use of land for storage (Application for a Certificate of Lawful Development for an Existing Development) (approved)

70717/APP/2015/921 - Use of land for storage purposes within Class B8 (Application for a Certificate of Lawful Development for an Existing Development) (approved)

The previous submissions established the lawful use of the site as a B8 storage use with the provision of hard standing.

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.

BE13 New development must harmonise with the existing street scene.

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

BE20 Daylight and sunlight considerations.

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

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

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

OL2 Green Belt -landscaping improvements

LPP 7.16 (2016) Green Belt

NPPF- 13 NPPF-13 2018 - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Eight neighbours and the Northwood Hills Residents Association were consulted for a period of 21 days expiring on the 4 July 2018. One response was received advising that the aerial photographs are outdated and bear no resemblance to the site now. An up to date photograph would show the damage done to this green field site.

Officer response - the site has been subject of a visit by officers and information in this report reflects the up-to-date position.

Internal Consultees

Highways - In broad terms there is no objection to the boundary fence and proposed relocation of the vehicular access. However as highlighted in our pre-app response, it would be useful to have an indication of the likely level of site activity which is missing. Without such detail a full highway assessment cannot be undertaken.

Officer response: The agent has confirmed that the proposed development will not increase the extent of access onto Fore Street and there is no proposal to intensify the use of the site for

storage. The Highway Officer has not raised any further objections.

Trees/Landscaping - No trees will be affected by the new fencing. According to the aerial photographs the site has a history of activity and storage use which is currently the subject of enforcement action. As described above, the current fencing, including several fenced compounds within the site, is brash and industrial - and detrimental to the character and appearance of the area. Had an application been made prior to installation the type of fencing and finished colour would have been conditioned to ensure that a better looking (weldmesh) and more recessive colour was specified. An appropriate specification would have provided the desired level of security with significantly less visual intrusion. **RECOMMENDATION** This fence type and colour is unacceptable in this location.

Officer response: As the central fencing has been erected under permitted development this is beyond the remit of this application. The external fencing could be painted green and with adequate landscaping substantially screened. The gate as erected is inappropriate but not as show on the plans. This could be conditioned to be replaced in accordance with details to be agreed by the Council. The Landscape Officer has agreed this would resolve his objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

National Planning Policy Framework states there is a presumption in favour of sustainable development which is described for decision taking as "approving development proposals which accord with the development plan."

It further advises that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para. 89 of the NPPF also advises that exceptions are limited to the partial or complete redevelopment of previously development sites, whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt.

Policy OL4 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) advises that replacement buildings within the Green Belt will only be permitted if the development would not result in any disproportionate change in the bulk and character of the original building; the development would not significantly increase the built up appearance of the site or having regard to the character of the surrounding area would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

This site has an existing use as a storage facility, which originally comprised a large area of hardstanding, a large central building and internal fencing.

Therefore having regard to this the Council would not have an 'in principle' objection to the proposed development, subject to an application demonstrating compliance with all of the above criteria and relevant Development Plan policies.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The application site is located within the green belt and as such the development must be

considered against relevant policy and guidance contained within the NPPF.

Policy OL2 advises within the Green Belt where proposals are acceptable in principle, the Local Planning Authority will where appropriate seed comprehensive landscaping improvements to achieve enhanced visual amenity.

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 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

The application includes the provision of a 2.4 m high palisade boundary fence with central partitions within the site. The extent of the fencing is in excess of that previously seen on the site particularly along the Northern boundary however this sort of fencing is commonly seen with this type of land use. It is also noted that a fence of up to 2 m could be erected under permitted development. Concerns have been raised by the Landscape Officer over the style of fencing and the bright steel finish. Discussions with the applicant have established the fence could be painted and have suggested that RAL 6002 (leaf green) may be appropriate. These details have not been agreed but could be conditioned if all other aspects were acceptable. The style and colour of the entrance gates as installed are not acceptable. However the plans appear to show a different design much more mesh like akin to the Weldmesh suggested by the Landscape Officer. The proposal includes the planting of screen hedging, which in part the Landscape Officer has found acceptable but full details and positioning could be conditioned for submission. Therefore the proposal would comply with Policies OL2, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

As detailed above.

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that become detrimental to the amenity of the adjoining occupiers or surrounding area will not be approved. Policy OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new development or uses which have the potential to cause noise annoyance will only be permitted if measures can be undertaken to alleviate the potential disturbance where a development is acceptable in principle.

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to safeguard neighbouring residential amenity from inappropriate development. The existing site has permission for a B8 storage use. The adjacent property is also a commercial unit operated as a Nursery Gardens. The nearby residential properties are situated opposite the site on Fore Street approximately 18 m from the entrance. It is not considered that the proposed alterations would result in any additional impact on the surrounding properties or businesses to that already in existence. As such it is not considered that there would any detrimental impact on amenity of neighbouring occupiers in accordance with the requirements of Policies BE20, BE21 and BE24.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed

developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Council's Highway Officer has advised that there is no objection to the proposed relocation of the gates, setting them back from the road with the concrete apron allowing vehicle to pull off the road to the benefit of highway safety. Although initial comments were raised with regard to vehicle movements, the existing use of the site is for storage and the applicant has advised that the proposed alterations would not intensify the use or result in any significant alterations in traffic movements. No further objections have been received from the Highways Officer. The proposal is therefore considered to comply with the requirements of Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The proposal includes the provision of a Hornbeam Hedgerow along the external west and northern boundary, which would significantly reduce the built up appearance and screen the site from the green belt. The proposal also includes the provision of a Photinia Hedge around the entrance. The Landscape Officer has advised that whilst the Hornbeam Hedge would be acceptable the Photinia Hedge is unsuitable and should be replaced with a mixed native hedge, which will be more appropriate in this rural edge / Green Belt location. Details of this could be conditioned if all other aspects of the proposal were acceptable.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Issues raised have been addressed appropriately in the report.

7.20 Planning Obligations

The proposal would not necessitate the provision of planning obligations; however based on the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Should the proposal be considered unacceptable then the merits of enforcement action would need to be considered.

7.22 Other Issues

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.

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

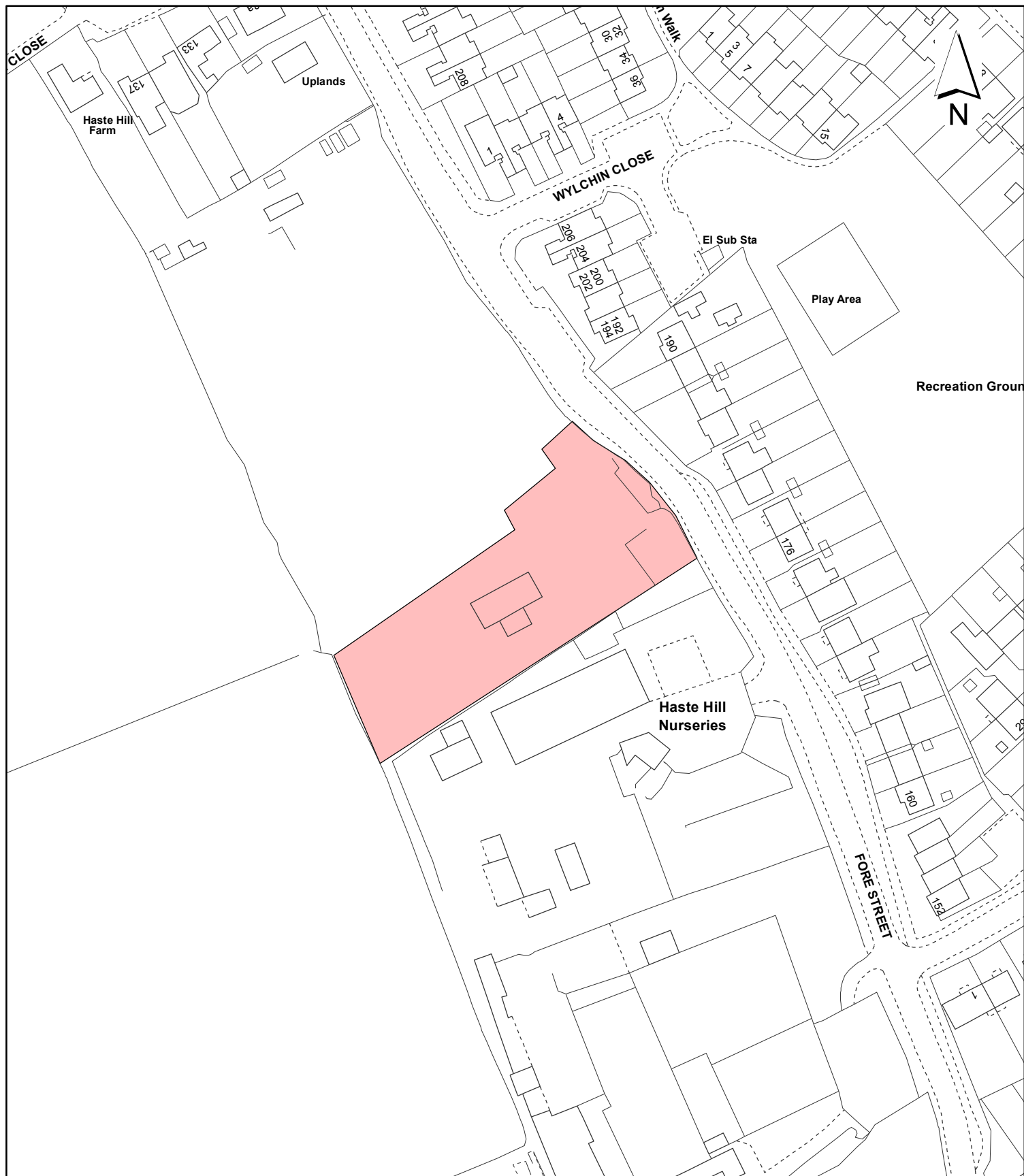
The application seeks planning permission for the installation of security fencing and replacement gates. Having regard to the existing use of the site, it is considered the proposal would not have any significant impact on the openness of the Green Belt. As such the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (2016).
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework. (2018)

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

Land west of Fore Street

Planning Application Ref:

73373/APP/2018/1999

Planning Committee:

North

Scale:

1:1,250

Date:

October 2018

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



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