

Report of the Head of Planning, Transportation and Regeneration

Address GOAL BUILDING SPRINGFIELD ROAD HAYES

Development: Variation of condition 8 (opening hours) of planning permission 49962/APP/2002/185 dated 28/11/2002 (erection of a multi-sport centre with sports pitches, changing facilities, social bar, heath and fitness suite and associated parking) to alter the opening time from 07:00 to 06:00 for use of the fitness suite only

LBH Ref Nos: 49962/APP/2018/3632

Drawing Nos: P100
P300A
P110/A
P200/A
HAY 702 (Location Plan - 1:1250)
HAY 702 (Ground and First Floor Plan)

Date Plans Received: 12/10/2018 **Date(s) of Amendment(s):**

Date Application Valid: 12/10/2018

1. SUMMARY

The application seeks the variation of condition 8 (opening hours) which would see the opening hours for the fitness suite within the Goals Building, Springfield Road change from 07:00 - 23:00 to 06:00 - 23:00. The proposal is not considered to have a negative impact on the Green Belt and complies with the relevant council policies. Taking into consideration the above and the comments from both the Environmental Protection and Highway Officers the application is recommended for approval.

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 P100, P300A, P110/A and P200/A 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 NONSC Non Standard Condition

Before any part of the approved development is commenced, a landscaping scheme shall be submitted to and approved by the local authority.

REASON

To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the visual amenity of the locality.

4 NONSC Non Standard Condition

All planting, seeding and turfing in the approved landscaping scheme shall be completed within eight months of the development commencing (or such period as agreed in writing by the Local Planning Authority) or prior to occupation of the building(s), whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, areas of amenity space shall be permanently retained or other planting which die, are removed or become seriously damaged or diseased within a period of 5 years from the completion of development, shall be replaced in the next planting season with others of similar species in accordance with the details approved by the Local Planning Authority.

REASON

To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the visual amenities of the locality.

5 RES22 Parking Allocation

The parking areas (including where appropriate 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 adequate facilities are provided.

6 A20 Access to Buildings for People with Disabilities

All facilities provided and designed specifically for people with disabilities shown on the approved plans (to include, where appropriate to this application, reserved/specifically designed parking spaces; ramped kerbs; ramped/level approaches to building entrances; types and dimensions of door and lobby openings at building entrances; residential units designed to wheelchair standard BS 5810) shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities.

7 ADV5 External lighting

Prior to the installation of any lighting at the site, a full specification of the lights including any details of measures to reduce stray light shall be submitted to and approved by the Local Planning Authority. The approved scheme of lighting shall be implemented only as approved and shall not be altered in any way without the prior written agreement of the Local Planning Authority.

REASON

In the interests of aircraft and highway safety and protect the amenities of nearby properties and the visual amenities of the Green Belt.

8 NONSC Non Standard Condition

Details of appropriate measures to prevent pollution of groundwater and surface water, including provision for monitoring, shall be submitted to and approved in writing by the Local Planning Authority within 1 month of development commencing. The development shall then proceed in strict accordance with the measures approved.

REASON

To prevent pollution of the water environment.

9 COM22 Operating Hours

No person other than staff shall be permitted to be on the premises between the hours of 23:00 and 06:00 hours.

REASON

To ensure that the use does not have a detrimental impact on the amenity of residents in the surrounding area generating late night car movements with associated noise and disturbance.

10 OM11 Floodlighting

The floodlights to the pitches shall only be used between the hours of 08:00 hours and 23:00 hours.

REASON

To ensure that the lights do not detract from the visual amenity of the Green Belt.

11 NONSC Non Standard Condition

Access to the building with respect to toilet facilities, changing rooms and refreshment area shall be made freely available for use by the general public visiting and using the Minet open space. Public access to the building shall be available at all times that the building is open.

REASON

The size of the building is permitted having regard to the Green Belt status of the site and the fact that the building serves the wider Minet open space.

12 LB9 Samples of materials

Notwithstanding the materials identified on the approved plans, development shall not begin until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved by the Local Planning Authority.

REASON

To ensure the development presents a satisfactory appearance.

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

Development shall not begin until details of the cycle stands, refuse bin area and equipment store have been submitted and approved by the Local Planning Authority.

REASON

To ensure the the development presents a satisfactory appearance.

14 TL7 Maintenance of Landscaped Areas

Details of the arrangements to ensure the continued maintenance of all landscape areas

within the development shall be submitted to and approved in writing by the Local Planning Authority before any part of the approved development is commenced.

REASON

To ensure that the landscaping carried out is properly maintained and that the Local Planning Authority are aware of all or any piece of land within the development.

15 NONSC Non Standard Condition

The screen planting and/or hedges shown on the approved landscaping scheme shall be maintained to a minimum height of 1.5 metres any any gaps which may occur shall be filled with replacement planting of a similar size and species.

REASON

To ensure that the development has a satisfactory appearance in this Green Belt location.

16 NONSC Non Standard Condition

The fencing or other means of enclosure shown on the approved plans shown on the approved plans shall be erected prior to the development commencing and thereafter permanently retained.

REASON

To safeguard the privacy of adjoining residents

17 NONSC Non Standard Condition

No more than 2 playing pitches shall be used at any time between the hours of 16:00 and 07:00 hours weekdays, unless otherwise agreed formally in writing by the Local Planning Authority.

REASON

In the absence of a traffic impact assessment being submitted, the applicant has failed to demonstrate that the junction of Springfield Road and Uxbridge Road can accommodate the additional traffic generated by the full use of all playing pitches at the peak weekday evening period.

18 NONSC Non Standard Condition

Prior to development works commencing, details of full signage to be placed on the site, identifying the fact that the building is to have a public access/use shall be submitted to and be approved in writing by the Local Planning Authority. The approved signage shall be permanently retained and maintained, so long as the building remains in existence.

REASON

To ensure that the public are aware of facilities of toilets and changing rooms within the building.

INFORMATIVES

1

The applicant is advised that where the conditions requiring the submission of details have been discharged in connection with the original permission, the Local Planning Authority will not require these details to be resubmitted as part of this new planning permission where those details would remain the same.

2

You are advised the the Council may consider a variation of planning condition 16 concerning the number of pitches to be used, if a detailed traffic impact assessment of the junction of Springfield Road and Uxbridge Road is submitted as well as a Green Travel Plan. Such as an assessment would need to establish that the additional traffic generated from a more comprehensive use of pitches can be accommodated by the junction at issues.

3 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).

4 I53 Compulsory Informative (2)

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

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

5 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.

6 147 **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).

7 12 **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.

8 115 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises of the fitness suite at the Goals Building which is located on

the westerns side of Springfield Road Hayes. The site is bordered to the north by Hayes Gate Football Club and Hillingdon Cycle Circuit. Minet Country Park lies south of the site. The fitness suite, which is positioned on a mezzanine, covers 160 sq.m of the 751 sq.m of floor area.

3.2 Proposed Scheme

This application seeks permission to alter condition 8 (opening hours) of planning permission 49962/APP/2002/185 dated 28/11/2002 (erection of a multi-sport centre with sports pitches, changing facilities, social bar, heath and fitness suite and associated parking).

Condition 8 restricts those who are permitted to be on the premises between 23.00 and 07.00 to staff only. This application seeks to alter this permission to permit use of the fitness suite between 06.00 until 23.00 which are common opening hours across the vast majority of fitness suites/gymnasiums.

3.3 Relevant Planning History

49962/APP/2002/185 Part Of Minet Site D Springfield Road Hayes

ERECTION OF A MULTISPORT CENTRE WITH SPORT PITCHES, CHANGING FACILITIES, SOCIAL BAR, HEALTH AND FITNESS SUITE AND ASSOCIATED PARKING

Decision: 28-11-2002 Approved

Comment on Relevant Planning History

49962/APP/2002/185 Approved dated 28/11/2002

Erection of a multi-sport centre with sports pitches, changing facilities, social bar, heath and fitness suite and associated parking.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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

Part 2 Policies:

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

OL4 Green Belt - replacement or extension of buildings

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 7.16	(2016) Green Belt
NPPF9	NPPF - Protecting Green Belt land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **22nd November 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A site notice was displayed between 01/11/2018 and 21/11/2018 No responses were received.

Internal Consultees

Highways

Having assessed the submissions, I do not consider this application to have adverse impacts upon highway safety and convenience of use. Mindful of the above, no objections

Environmental Protection/Noise:

I have read through the submitted documents and I do not have any objections to vary the opening times from 07:00 to 06:00 for the fitness suite only.

I have concluded that the change in time will have no adverse impact in regards to increased levels of noise (pollution) on the local amenity.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located in the Metropolitan Green belt (MGB) therefore the proposal to amend the opening hours is subject to Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Section 9 of the NPPF deals with the protection of Green Belt. It notes that new development in the Green Belt should be regarded as being inappropriate unless it falls within one of six categories, referred to as 'exceptions'. One of these categories includes development involving the "provision of appropriate facilities for outdoor sport and outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it."

The proposed development is for alterations to the hours of use and does not include any

alterations or extensions to the existing building. The proposal would not, therefore impact on the openness of the Green Belt and thus the principle of development is considered to be acceptable.

7.02 Density of the proposed development

Not applicable this application.

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

Not applicable this application.

7.04 Airport safeguarding

Not applicable this application.

7.05 Impact on the green belt

The proposal is not considered to have any additional impact on the Green Belt or surrounding area as discussed within the principle of development section of this report.

7.06 Environmental Impact

Not applicable this application.

7.07 Impact on the character & appearance of the area

Policies OL1, OL4 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) set out the types of development within the green belt which would be considered acceptable and would not be detrimental to the openness of green belt.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance.

The application does not involve any alterations to the layout of the site or alterations to the building and therefore it is not considered to impact the character and appearance of the area.

7.08 Impact on neighbours

Policy OE1 of the Local Plan states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties. As there are no physical alterations to the building involved, the issue is whether an increase in opening hours, by one hour earlier in the morning would be detrimental to adjoining residential occupiers in terms of noise and disturbance due to increased activity.

The site is located some considerable distance from residential occupiers, with the immediately adjoining neighbours being commercial/industrial uses and the Guru Nanak Sikh School. The proposal would, thus, not impact unduly on adjoining residential or other occupiers.

7.09 Living conditions for future occupiers

Not applicable this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP 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 of the Local Plan (Part Two) specifies that new development will only be permitted where it is in accordance with the Councils adopted car parking standards.

Whilst the application is to increase the opening hours which in-turn is viewed as an intensification of the site, it is a minor variation, of which the councils Highways Officer has raised no concerns with the proposed variation.

7.11 Urban design, access and security

Not applicable this application.

7.12 Disabled access

Not applicable this application.

7.13 Provision of affordable & special needs housing

Not applicable this application.

7.14 Trees, landscaping and Ecology

Not applicable this application.

7.15 Sustainable waste management

Not applicable this application.

7.16 Renewable energy / Sustainability

Not applicable this application.

7.17 Flooding or Drainage Issues

Not applicable this application.

7.18 Noise or Air Quality Issues

See 'Impact on neighbours' section.

7.19 Comments on Public Consultations

No comments received.

7.20 Planning obligations

Not applicable this application.

7.21 Expediency of enforcement action

Not applicable this application.

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

Not applicable this application.

10. CONCLUSION

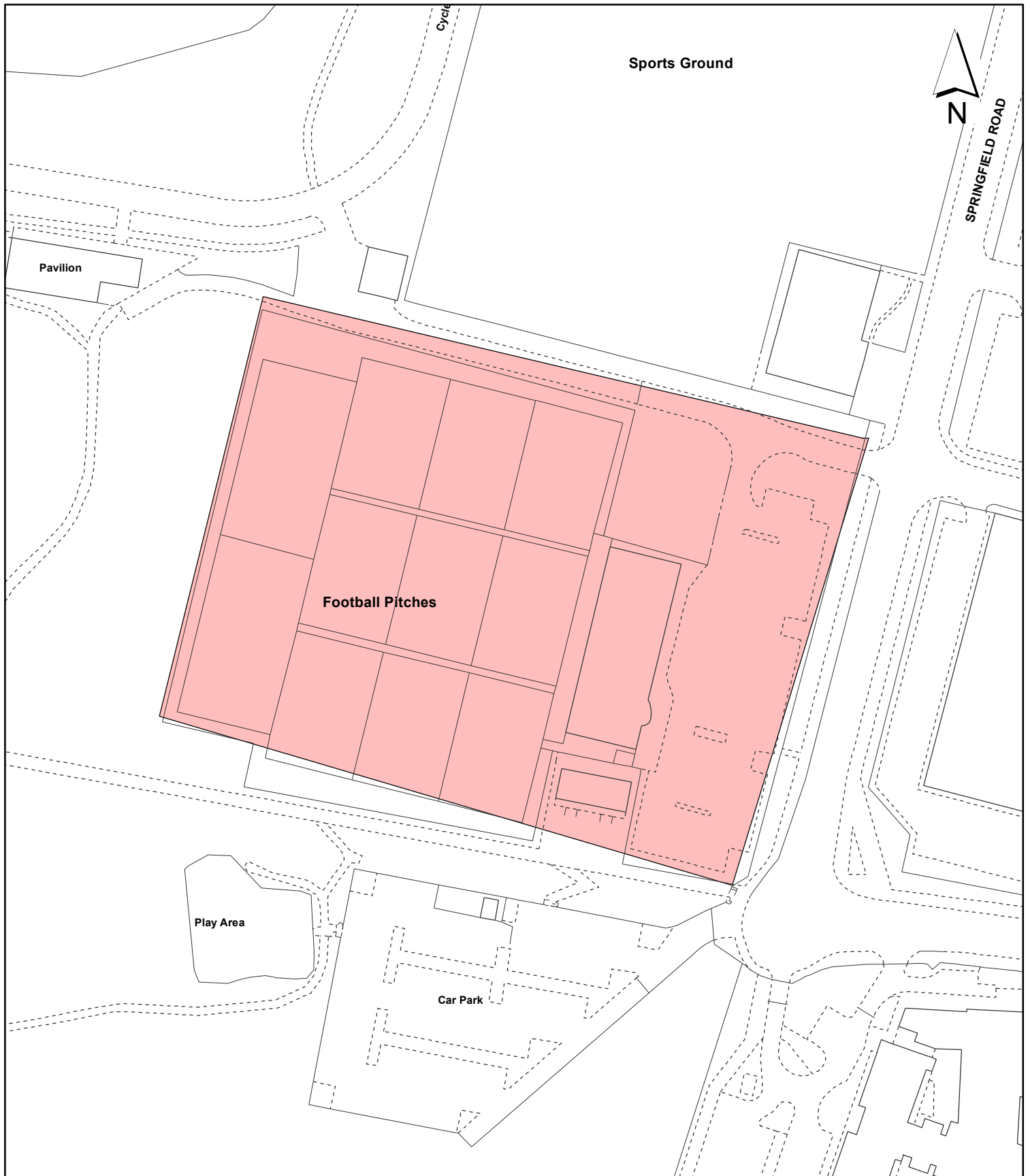
The application seeks the variation of condition 8 (opening hours) which would see the opening hours for the fitness suite within the Goals Building, Springfield Road change from 07:00 - 23:00 to 06:00 - 23:00. The proposal is not considered to have a negative impact on the Green Belt and complies with the relevant council policies. Taking into consideration the above and the comments from both the Environmental Protection and Highway Officers the application is recommended for approval.

11. Reference Documents

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

Contact Officer: Christopher Brady

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Goal Building
 Springfield Road
 Hayes**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

49962/APP/2018/3632

Scale:

1:1,250

Planning Committee:

Central & South

Date:

January 2019



HILLINGDON
 LONDON