

## Report of the Head of Planning, Transportation and Regeneration

**Address** VINE HOUSE HARLINGTON ROAD HILLINGDON

**Development:** Change of use from office (Use Class B1) to adult educational centre (Use Class D1)

**LBH Ref Nos:** 36297/APP/2018/2775

**Drawing Nos:** 4979-IIA  
4979-2 Rev. A  
Heritage Statement  
Design and Access Statement Rev. C  
Transport Assessment

**Date Plans Received:** 27/07/2018                      **Date(s) of Amendment(s):** 07/12/2018  
**Date Application Valid:** 29/08/2018                      05/12/2018

### 1. **SUMMARY**

The application seeks full planning permission for the change of use for the entire building from office (Use Class B1) to adult educational centre (Use Class D1) to provide a non-residential teaching facility. The proposed changes do not include any extensions or external works and internal alterations are considered to be of a minor scale.

The proposal would not have any detrimental impact on the amenities of the occupiers of neighbouring units and it is not considered that the development would lead to such a significant increase in traffic, such that refusal could be justified on highway grounds. The proposal is considered to comply with relevant Local Plan and London Plan policies.

It is considered that the proposal would not have any significant impact on the openness of the Green Belt. As such 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, numbers 4979-2 Rev. A, Design and Access Statement Rev. C and Transport Assessment.

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 COM12 Use Within Same Use Class**

The premises shall be used as an adult educational centre and for no other purpose (including any other purpose in Use Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

**REASON**

To ensure that the impact of any other use in terms of parking, impact on residential occupiers adjoining and noise and disturbance are considered in accordance with Policies AM7, AM14, OE1 and OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4 NONSC Non Standard Condition**

Prior to the occupation of the building details of proposed gate shall 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.

**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).

**5 NONSC Non Standard Condition**

There shall be no more than 6 service users on the premises at any one time unless otherwise agreed in writing by the Local Planning Authority.

**REASON**

In order to ensure that the impacts of higher pupils numbers on parking demand and on the local highway network can be fully assessed and understood in accordance with policies AM2, AM7, AM14 and AM15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**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.

|      |   |
|------|---|
| BE4  | New development within or on the fringes of conservation areas        |
| BE8  | Planning applications for alteration or extension of listed buildings |
| BE10 | Proposals detrimental to the setting of a listed building             |
| 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.  |
| BE24     | Requires new development to ensure adequate levels of privacy to neighbours.                       |
| OE1      | Protection of the character and amenities of surrounding properties and the local area             |
| R10      | Proposals for new meeting halls and buildings for education, social, community and health services |
| LPP 7.8  | (2016) Heritage assets and archaeology   |
| NPPF- 16 | NPPF-16 2018 - Conserving & enhancing the historic environment                                     |

### **3 159 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.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises of a two storey, detached, Grade II Listed building sited on the western side of Harlington Road. To the west of the site is The Lawns which is a two storey building with a similar use to the one proposed and to the rear of the application site is a car park which serves Moorcroft Special Educational Needs School. The application site falls within the Green Belt and has a PTAL of 2.

### **3.2 Proposed Scheme**

This application for full planning consent proposes the change of use from office (Use Class B1) to adult educational centre (Use Class D1) to provide a non-residential teaching facility.

The proposed development would serve as an adult educational centre, providing one to one teaching for up to 6 students. In addition to the 6 staff required to support the development of the service users, there would be an office administrator and manager based on site equating to 8 staff in total.

The proposed development would utilise the existing access into the Moorcroft School which will provide a suitable drop off point for the service users. The applicant has stated that the hours of operation, which are 10:00 to 16:00, would be divergent to the main Moorcroft School to ensure that access to the building can be provided without disruption to the main school or causing further congestion to the car park. The proposed site plan indicates a gate is to be installed to the side boundary, adjacent to the access way into the car park which will give services users access to the rear of the building from the drop off point.

### **3.3 Relevant Planning History**

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

An application for listed building consent was submitted however following a revised plan demonstrating the proposed ramp would not affect the listed building the councils Heritage Officer has confirmed listed building consent is not required.

### **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.HE1 (2012) Heritage

Part 2 Policies:

BE4 New development within or on the fringes of conservation areas

BE8 Planning applications for alteration or extension of listed buildings

BE10 Proposals detrimental to the setting of a listed building

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.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

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

R10 Proposals for new meeting halls and buildings for education, social, community and health services

LPP 7.8 (2016) Heritage assets and archaeology

NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

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

**5.1** Advertisement Expiry Date:- Not applicable

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

### **6. Consultations**

#### **External Consultees**

#### **EXTERNAL CONSULTATION**

Letters were sent to 14 neighbouring properties and a site notice was displayed outside of the site for 21 days. Both methods of consultation expired 17/10/2018 and no responses were received.

#### **INTERNAL CONSULTATION**

#### Urban Design and Conservation comments:

The Heritage Statement suggests that the change of use would not require any alterations to the listed building except the replacement of an internal step. If the step is to be removed and a permanent ramp installed then this would require listed building consent. If the step is retained and a timber reversible ramp is installed then an application may not be required. I would suggest that further clarification is sought on this element of the proposals.

If the change of use requires further works to comply with the building regulations then this could impact on the character and special interest of the listed building and may require a separate listed building consent application to be submitted. This should be clarified or an informative put onto the decision notice indicating that listed building consent may be required for any works required under the Building Regulations.

Seek clarification on the internal ramp and whether or not further alterations are required under the Building Regulations associated with the change of use.

Case Officer comment: A revised plan has been submitted demonstrating that the step is to be retained with a timber reversible ramp installed thus satisfying the query raised by the Urban Design and Conservation Officer.

#### Highway comments:

This application proposes the change the use class of an existing B1 facility currently serving the Moorcroft Manor School and Hillingdon Manor School Group to an educational establishment (Use Class D1). You as the Local Planning Authority have advised me that the proposed use will be treated independently from the school.

Upon consulting the Trip Rate Information Computer System (TRICS) database, it is considered that whilst the proposed use will generate an increase in trip rates to and from the site, this would not warrant a highways objection.

However, the submitted information states that the facility will accommodate 10 students whom are to be supported on a 1:1 basis (10 members of staff) with an additional 2 members of staff for on the premises. The total occupancy would therefore be 22 daily.

The submitted plans depict 5 parking spaces to accommodate the proposed use. Not only is parking space 1 redundant by the tandem parking arrangement (therefore accommodating provision for 4 vehicles only), but it is considered that given the lack of parking associated with the site, will penultimately result in displaced parking along the highway network.

#### Case Officer comment:

After consultation with the the Highways Officer a revised scheme has been submitted demonstrating alternative hours of operation to the Moorcroft School and a drop of point of access for service users. A transport assessment has been submitted in support of the application as well as comments from the Councils Adult and Community Learning Service Manager stating the demand for this type of service is high.

#### Revised Highway Officer comments:

Whilst initial concerns were raised with the lack of parking, having carried out further assessments in terms of the sites available access to public transport facilities and that the proposed use of vine house is intrinsically linked to Moorcroft School which is considered to be more sustainable in

transport terms than the current (office) use with a greater propensity for shared journeys and use of non-car modes, I have no objections.

### **Internal Consultees**

## **7. MAIN PLANNING ISSUES**

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

The whole of the application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of development within the Green Belt and its impact on the openness, character and appearance of the Green Belt. Policies in the Hillingdon Local Plan endorse national and London Plan guidance. Part 2 Policy OL1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that within the Green Belt, as defined on the Proposals Map, the following predominantly open land uses will be acceptable:

- Agriculture, horticulture, forestry and nature conservation;
- Open air recreational facilities;
- Cemeteries

The Local Planning Authority will not grant planning permission for new buildings or for changes of use of existing land and buildings, other than for purposes essential for and associated with the uses specified at (i), (ii) and (iii) above. The number and scale of buildings permitted will be kept to a minimum in order to protect the visual amenity of the Green Belt. The proposal does not conform to the types of development allowed by Policy OL1.

The London Plan strongly supports the protection, promotion and enhancement of London's open spaces and natural environments. Policy 7.16: Green Belt states that in terms of planning decisions:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance".

The National Planning Policy Framework (NPPF) is also relevant. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking. Nevertheless, the document states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

However, paragraph 145 of the NPPF states that limited infilling, or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development, would not constitute inappropriate development in the Green Belt. To the extent that this is a less restrictive approach than UDP Policy OL1, it is entitled to greater weight.

The site has established use as an office. It is considered that the site can be considered as brownfield land for the purposes of NPPF paragraphs 145-146. As stated elsewhere in

this report, no physical works are proposed to the site and whilst there may be a slight rise in activity generated by the proposed use compared with the authorised office use, in terms of vehicular movements to and from the site, it is not considered that this would be to such an extent as to justify refusal.

Given the above, it is considered that the proposal would not conflict with the purposes of including the site within the Green Belt. As such, the scheme would comply with paragraph 146 of the NPPF and would not amount to inappropriate development in the Green Belt. As the proposal does not amount to inappropriate development in the Green Belt, it follows that there is no need to establish whether very special circumstances arise.

**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**

See 'The principle of the development' section.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), requires the appearance and layout of developments to harmonise with the existing street scene and the surrounding area whilst policy BE19 seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

The application site falls within the Green Belt, with its immediate context characterised by a number of educational use buildings no more than two stories in height and residential dwellings and flatted developments to the north and north east. The proposed development does not include any alterations or extensions to the building which could affect the openness of the Green Belt. The application site comprises of a listed building however the proposal does not involve any significant alterations or additions to the existing main building which would require listed building consent.

The landscaping alterations are considered to be minor in scale and involve a gate to be installed to the side of the boundary adjacent to the access way into the Moorcroft School and the installation of cycle parking facilities to the rear.

There is no policy objection to the proposal, which would accord with Policies OL4, BE8, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.08 Impact on neighbours**

Local Plan Policy OE1 states that planning permission will not normally be granted for uses and associated structures which are, or are likely to become detrimental to the character or amenities of surrounding properties.

The application site is located on the western side of Harlington Road. To the south of the site is the Moorcroft School and associated car park and there is set of educational use buildings to the south east referred to as "The Lawns". The nearest residential properties are approximately 51 metres from the application site and are on the opposite side of Harlington Road.

Whilst the proposed use does present an increase in the intensification of the site, this is considered to be a minor increase given the fact that the application does not involve an extension to the building.

Given the location of the site within an area of established educational use buildings with no residential properties within close proximity, it is considered that the proposed development would not give rise to any additional amenity impact. The proposal is considered to accord with Local Plan Policies OE1 and OE3 and is therefore acceptable.

**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 the proposed development 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 Highways Officer originally raised concerns with regards to the lack of parking provision to serve the 8 on site staff. The proposed plans indicate 6 parking spaces are to be provided, one of which would be a tandem parking space. The Highways Officer has stated that the 8 staff based on site should each be provided with a parking space however taking into consideration that the council does not have a specific parking standard for this type of development an on-balance view can be taken and following the receipt of additional information, including a transport assessment, the Highway Officer has stated that having carried out further assessments in terms of the sites available access to public transport facilities and that the proposed use of Vine House is intrinsically linked to Moorcroft School which is considered to be more sustainable in transport terms than the current (office) use with a greater propensity for shared journeys and use of non-car modes, I have no objections.

**7.11 Urban design, access and security**

Addressed in other areas of this report

**7.12 Disabled access**

A ramp is proposed, which would not affect the listed building but would provide the required access..

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

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

The landscaping alterations are considered to be minor in scale and involve a gate to be installed to the side of the boundary adjacent to the access way into the Moorcroft School and the installation of cycle parking facilities to the rear.

**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**

There proposed plans demonstrate there are to be no changes to the existing layout which would have an additional impact on flooding. The application site is not located within a



flood risk area therefore the proposed development is considered acceptable.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

Not applicable to this application.

**7.20 Planning obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to 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 to this application.

**10. CONCLUSION**

The application seeks full planning permission for the change of use for the entire building from office (Use Class B1) to adult educational centre (Use Class D1) to provide a non-residential teaching facility. The proposed changes do not include any extensions or external works and internal alterations are considered to be of a minor scale.

The proposal would not have any detrimental impact on the amenities of the occupiers of neighbouring units and it is not considered that the development would lead to such a significant increase in traffic, such that refusal could be justified on highway grounds. The proposal is considered to comply with relevant Local Plan and London Plan policies.

It is considered that the proposal would not have any significant impact on the openness of the Green Belt.

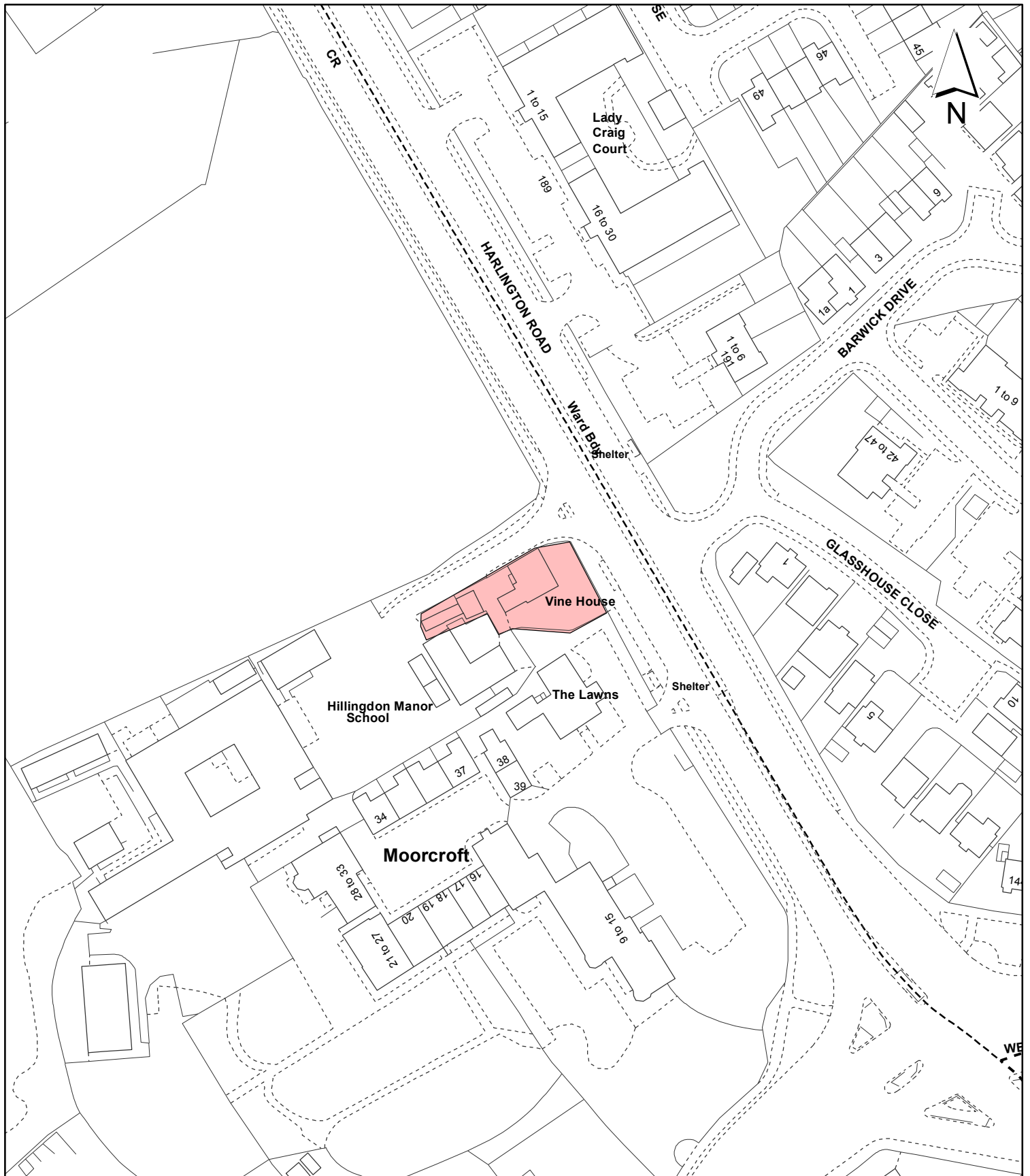
As such the application is recommended for approval.

**11. Reference Documents**

Hillingdon Local Plan: Part 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

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**Notes:**

 Site boundary

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Site Address:

**Vine House  
 Harlington Road  
 Hillingdon**

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

Planning Application Ref:

**36297/APP/2018/2775**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**January 2019**



**HILLINGDON**  
 LONDON