

Report of the Head of Planning, Transportation and Regeneration

Address COLNE PARK CARAVAN SITE CRICKETFIELD ROAD WEST DRAYTON

Development: Construction of a bund to the south eastern boundary of the site

LBH Ref Nos: 8706/APP/2019/16

Drawing Nos: 718-PK-PL-2
718-PK-PL-1
718-PK-PL-1
Covering Letter

Date Plans Received: 02/01/2019

Date(s) of Amendment(s):

Date Application Valid: 03/01/2019

1. SUMMARY

The application seeks to extend an existing bund to the south eastern boundary of the site on green belt land. The bund would be next to the boundary fence of the British airways land on the British Airways green belt land. The bund is a practical solution to prevent flytipping (which currently blights this part of the Green belt). The application would preserve the openness of the Green Belt. The proposal, given its siting would not have an impact on the streetscene or the amenities of the occupiers of the nearby caravan site. This application is recommended for approval.

2. RECOMMENDATION

To approve this application.

1 HH-T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans 718-PK-PL-1, 718-PK-PL-1, 718-PK-PL-2 and Covering Letter hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (November 2012).

3 COM15 Sustainable Water Management

The proposal hereby approved shall provide a 15cm drainage channel between slabs.

REASON:

To ensure the development does not increase the risk of flooding in accordance with

Policy OE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.12.

4 COM30 Contaminated Land

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

- (i) No site derived material shall be used in the creation of the bund.
- (ii) Only clean inert material shall be imported and used to construct the bund.
- (iii) All material deliveries shall be logged, with appropriate carrier notices identifying the source sites of the material to demonstrate only clean inert material is imported. A monitoring report shall be provided to the Local Authority on a weekly basis with details of the imported material (quality and quantity). If as a result of the monitoring reports contamination is identified, a remediation scheme then must be agreed with the LPA before the completion of the development. All works which form part of a remediation scheme shall be completed and a verification report submitted to the Council's Contaminated land officer within one month of the Council's approval of such details, unless the LPA dispenses with any such requirement specifically and in writing.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 TL6 Landscaping Scheme - implementation

The bund shall be subject to planting of grass within the first planting and seeding season following the completion of the development. The planting 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, the grassed areas shall be permanently retained.

REASON:

in order to preserve and enhance the visual amenities of the locality and to preserve the openness of the Green Belt in accordance with policies OL2 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the 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.

AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE34	Proposals for development adjacent to or having a visual effect on rivers
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
LPP 7.16	(2016) Green Belt
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment

3. CONSIDERATIONS

3.1 Site and Locality

The application is located to the south western boundary of the Colne Park Caravan Park. The Wraysbury River is on the western boundary of the site, to the south of the site is the M4, to the north is Cricketfield Road. The lies within the Metropolitan Green Belt.

3.2 Proposed Scheme

Planning permission is sought for the extension of an existing landscaped bund which already runs along the western boundary of the caravan park site. This extended bund would be 2.44 metres in height and 3.05 metres wide. The new bund would be 0.5m from the boundary fence (re: As close as it can get without damaging the fence). The proposed bund is required for the purposes of preventing and deterring any future deposits of waste on land to the south and west of Colne Park Caravan Site.

3.3 Relevant Planning History

8706/APP/2001/1603 Colne Park Caravan Site Cricketfield Road West Drayton
ERECTION OF FIRE WALLS TO PROVIDE FIRE PRECAUTION WORKS

Decision: 24-10-2001 ADH

8706/APP/2007/2921 Colne Park Caravan Site Cricketfield Road West Drayton
ERECTION OF A SINGLE-STOREY SEMI-DETACHED PITCHED ROOF UTILITY BLOCK.
LAYOUT OF CONCRETE HARDSTANDING AND ERECTION OF FENCING TO FORM TWO
ADDITIONAL RESIDENTIAL PLOTS. INSTALLATION OF NEW PLAYGROUND EQUIPMENT
AND A FENCED GAMES COURT ON EXISTING PAVED AREA IN COMMUNAL USE

Decision: 27-02-2008 Approved

8706/E/81/1749 Colne Park Caravan Site Cricketfield Road West Drayton
Alterations to elevation (P)

Decision: 13-01-1982 ADG

8706/F/82/1036 Colne Park Caravan Site Cricketfield Road West Drayton
Res.development - Caravan site (Full) (P)

Decision: 06-09-1982 ADH

8706/PRE/2002/82 Colne Park Caravan Site Cricketfield Road West Drayton
TP PRE-CORRES: ERECTION OF A SINGLE-STOREY AMENITY BLOCK, ALL WEATHER
SOFT PLAY SURFACE & 2 METRE HIGH WIRE FENCE (ASKED FOR APPLICATION TO BE
RETURNED TO PAM LOCKLEY)

Decision:

Comment on Relevant Planning History

There is no relevant planning history. The Councils ASBI team advised in a pre-application meeting that they were very supportive of this proposal.

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:

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE34 Proposals for development adjacent to or having a visual effect on rivers

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

LPP 7.16 (2016) Green Belt

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

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

OL2	Green Belt -landscaping improvements
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **31st January 2019**

6. Consultations

External Consultees

This application was consulted on between 03-01-2018 and 24-01-2018. At the time of writing this report, no objections were received, should any objections or comments come forward before this application is presented to committee, they will be reported through the Committee addendum.

Internal Consultees

Flood Risk Officer

The boundary of the site lies out the outer extent of Flood Zone 2. It is suggested there is an existing bund to be refurbished which is the area just on the edge of Flood Zone 2. There are therefore no objections to the refurbishment and installation of a bund to the south of the area at this location. However, it notes that there is no Surface Water drainage within the site and a continuous line of bund preventing water from dissipating off site might increase the risk to the occupants and some small gaps may need to be allowed between the blocks.

Officer comment: A condition is recommended which requires the applicant to made allowances for 150 mm drainage gaps for every 1.5m across the bund.

Landscaping Officer:

No objection.

Highways Officer:

There are no highway, traffic or transportation objections to this application.

Contaminated land officer:

As a responsible planning authority we have to be mindful that any activity that involves the importation of material has the potential to be mismanaged if not adequately controlled. Even a responsible landowner may not be aware of nefarious activity until too late. To that end, I would suggest a condition that controls the following:

- (i) No site derived material shall be used in the creation of the bund (justification: site derived material may well be contaminated as a consequence of the fly tipping).
- (ii) Only clean inert material shall be imported and used to construct the bund.
- (iii) All material deliveries shall be logged, with appropriate carrier notices identifying the source sites of the material to demonstrate only clean inert material is imported. A monitoring report shall be provided to the Local Authority on a weekly basis with details of the imported material (quality and quantity). A suitable wording then needs to be added to enable rectification works if the monitoring

report identifies concerns.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework (NPPF) attaches great importance to the Green Belt. 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. The NPPF states that once Green Belt boundaries have been defined, LPAs should plan positively to enhance the beneficial use of the Green Belt. NPPF paragraph 81 sets out that LPAs should plan positively to enhance beneficial use of the Green Belt, including providing access, opportunities for recreation, landscape enhancement, and improvement of derelict and damaged land.

The NPPF lists five purposes of including land in the Green Belt. These are listed as:

- To check the unrestricted sprawl of large built-up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns;
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land
- The fundamental aim of Green Belt Policy is to keep land permanently open."

Policy OL2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that where development proposals are acceptable in principle, the local planning authority will seek comprehensive landscaping improvements to achieve enhanced visual amenity and open land objectives.

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."

In terms of local policy, Part 1 of the Local Plan continues to give strong protection to Green Belt land. The relevant policy in the Local Plan is EM2 which makes clear that:

"Any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test".

The proposed site is located within designated Green Belt the proposal is required to meet with the fundamental aim of Green Belt policy which is to keep land permanently open.

Paragraph 146 of NPPF (2018) recognises that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These include engineering operations.

The proposed extension of the existing bund would constitute engineering operations which

would not impact upon the openness of the Green Belt in which it is located. It is required to preserve the openness of the site. The bund would be seen against the existing perimeter fence both to the BA land and the Colne Park Caravan site.

It is concluded that the proposals are 'appropriate' development in Green Belt. The bund will help to improve its openness, appearance and landscape value by deterring the illegal depositing of waste and fly tipping.

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 impact on the Green Belt is covered in section 07.1 of this report.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that the layout and appearance of new development harmonises with features of the area which are considered desirable to retain or enhance.

The site has limited visibility from public vantage points. The most prominent views are from within the site, however it is viewed within the back drop of existing metal palisade fencing and the adjoining caravan site.

The proposal includes the provision of planting over the bund. This will, when considered under the circumstances of the current site and surroundings, not be unduly harmful because in long views, there is a significant belt of trees screening the bund. The provision of landscaping will therefore soften the visual impact of the bund and help to stabilise it.

7.08 Impact on neighbours

Saved Policy OE1 and OE3 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seek to protect the environment from the adverse effects of pollutants and to ensure sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

Although the caravan site is situated 5m from the application site, given the siting and scale of the bund, it is unlikely to harm the amenity of adjoining occupiers. The proposed bund would improve amenities by preventing large deposits of illegal waste and fly tipping from occurring.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed bund is unlikely to result in harm to highways and pedestrian safety given its siting.

7.11 Urban design, access and security

See section 07.7 of this report.

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

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping within development proposals should be provided wherever it is appropriate.

No trees will be affected by the proposal to extend the bund along the full length of the boundary. A planning condition requires the bund to be landscaped with grass to improve the visual aesthetic of this area and to prevent erosion. As noted above, the bund would improve the landscape value of the overall site.

7.15 Sustainable waste management

The contaminated land officer has highlighted that we have to be mindful that any activity that involves the importation of material has the potential to be mismanaged if not adequately controlled. They suggest a condition that controls the following:

(i) No site derived material shall be used in the creation of the bund (justification: site derived material may well be contaminated as a consequence of the fly tipping).

(ii) Only clean inert material shall be imported and used to construct the bund.

(iii) All material deliveries shall be logged, with appropriate carrier notices identifying the source sites of the material to demonstrate only clean inert material is imported. A monitoring report shall be provided to the Local Authority on a weekly basis with details of the imported material (quality and quantity). A suitable wording then needs to be added to enable rectification works if the monitoring report identifies concerns.

A suitably worded condition is proposed.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The application site lies just outside flood zone two. A condition is recommended that secures drainage channels across the proposed bund so that the bund does not cause problems when surface water flooding occurs to neighbouring land.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Although the land has been prone to extensive fly-tipping this is not a planning enforcement issue.

The Councils ASBI team advised in a pre-application meeting that they were very supportive of this proposal.

7.22 Other Issues

None identified.

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 development.

10. CONCLUSION

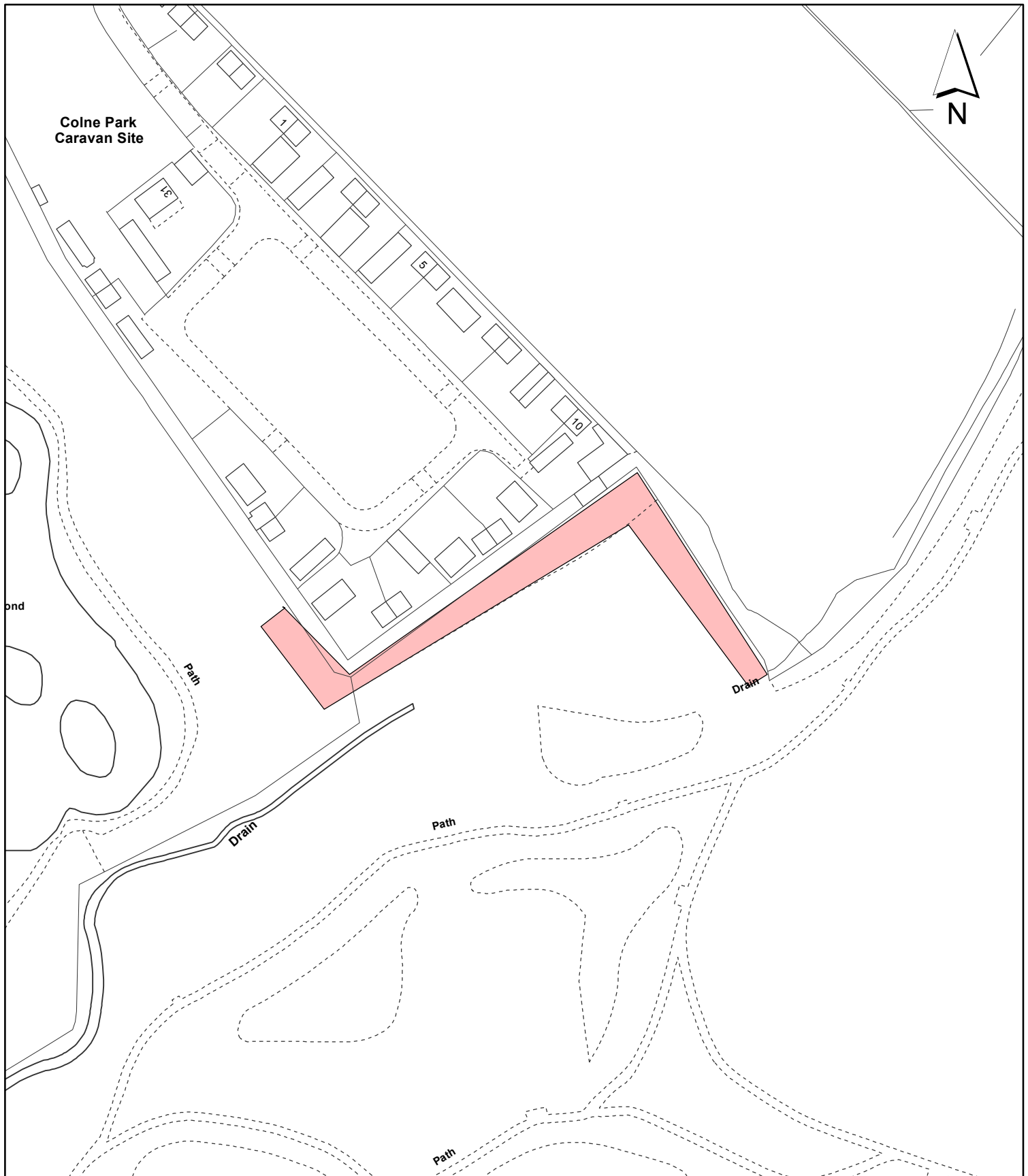
The proposal seeks to provide a bund to prevent illegal deposits of waste and fly tipping across the site. The site is located within the Green Belt and the proposed bund would constitute engineering operations which is an appropriate form of development within the Green Belt. The proposed bund would contribute to the landscape character and openness of the Green Belt. Given its siting and scale, the proposed bund would not result in a visually obtrusive form of development nor would it harm the amenities of adjoining occupiers. For the reasons set out in this report, this application is recommended for approval subject to no new issues being raised through the public consultation process.

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)
National Planning Policy Framework (2018)

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Notes:

 Site boundary

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Site Address:

BA Bund

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

Planning Application Ref:
8706/APP/2019/16

Scale:
1:1,250

Planning Committee:
Major

Date:
January 2019

