

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

**Address** ST MARYS RC PRIMARY SCHOOL ROCKINGHAM ROAD UXBRIDGE  
**Development:** Siting of a double decker bus on the school playground for use as a library  
**LBH Ref Nos:** 9069/APP/2019/2686  
**Drawing Nos:** PL-1000  
PL-1001  
PL-2000  
PL-1010  
PL-4000  
Design and Access Statement

**Date Plans Received:** 12/08/2019 **Date(s) of Amendment(s):**

**Date Application Valid:** 12/08/2019

### 1. SUMMARY

The application seeks planning permission for the siting of a double decker bus on the school playground for use as a library. The proposed development complies with current local, London Plan and national planning policies which seek to support proposals which enhance education provision. Furthermore, the proposed building is considered to be visually acceptable in this location and it would have no unacceptable impact on residential amenity.

The application has been referred to committee as over 20 representations have been received (all in support of the proposal).

### 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: PL-2000 and PL-4000 and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

### INFORMATIVES

1 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
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 3.18	(2016) Education Facilities
LPP 7.4	(2016) Local character

## **3 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.

### **3. CONSIDERATIONS**

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

St Mary's RC Primary School occupies a 0.37 hectare site located on the southern side of Rockingham Road. The site is bordered to the south by 12-26 Rushes Mead and 12 Rockingham Close. 52 Rockingham Road and 2-10 Rockingham Close are located alongside the eastern boundary. The Rockingham Bridge Conservation Area is located to the North East.

#### **3.2 Proposed Scheme**

The application seeks planning permission for the siting of a double decker bus on the school playground for use as a library.

### 3.3 Relevant Planning History

9069/APP/2000/1946 St Marys Rc Primary School Rockingham Road Uxbridge  
ERECTION OF A SINGLE STOREY UNIT EXTENSION BETWEEN SCHOOL BUILDINGS

**Decision:** 23-10-2000 Approved

9069/APP/2003/1812 St Marys Rc Primary School Rockingham Road Uxbridge  
ERECTION OF A SINGLE STOREY ATTACHED BUILDING FOR USE AS FOUNDATION STAGE  
EXTENSION (INVOLVING DEMOLITION OF EXISTING NURSERY AND PART OF VICTORIAN  
BUILDING)

**Decision:** 22-09-2003 Approved

9069/APP/2004/481 St Marys Rc Primary School Rockingham Road Uxbridge  
DETAILS IN COMPLIANCE WITH CONDITION 2 (MATERIALS), CONDITION 6 (TREE  
PROTECTION) AND CONDITION 7 (LANDSCAPING SCHEME) OF PLANNING PERMISSION  
REF 9069/APP/2003/1812 DATED 22/09/2003: ERECTION OF A SINGLE-STOREY ATTACHE  
BUILDING FOR USE AS A FOUNDATION STAGE EXTENSION (INVOLVING DEMOLITION O  
EXISTING NURSERY AND PART OF VICTORIAN BUILDING)

**Decision:** 17-02-2005 Approved

9069/APP/2007/1754 St Marys R C Primary School Rockingham Road Uxbridge  
ERECTION OF TWO SINGLE STOREY REAR EXTENSIONS TO SCHOOL ON SOUTH-WEST  
ELEVATION.

**Decision:** 05-09-2007 Approved

9069/APP/2011/2931 St Marys Rc Primary School Rockingham Road Uxbridge  
Installation of a new canopy to eastern side of school building.

**Decision:** 12-07-2012 Approved

9069/APP/2017/4633 St Marys Rc Primary School Rockingham Road Uxbridge  
Installation of new modular building

**Decision:** 06-03-2018 Approved

9069/B/99/1731 St Marys Rc Primary School Rockingham Road Uxbridge  
Erection of a single storey attached classroom unit (works involve the demolition of an existing  
staff room)

**Decision:** 29-09-1999    Approved

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

The relevant planning history is listed above.

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

The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and are published for public consultation from 27 March to 8 May 2019.

Regarding the weight which should be attributed to the emerging LPP2, paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

With regard to (a) above, the preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

With regard to (b) above, those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

With regard to (c) it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2

Saved UDP Policies 2012.

## **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:

BE4 New development within or on the fringes of conservation areas  
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  
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LPP 3.18 (2016) Education Facilities  
LPP 7.4 (2016) Local character

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

5.1 Advertisement Expiry Date:- **9th October 2019**

5.2 Site Notice Expiry Date:- Not applicable

### **6. Consultations**

#### **External Consultees**

48 neighbours were consulted by letter dated 28.8.19 and a site notice was displayed to the front of the site which expired on 24.9.19.

21 letters of support have been received for the proposal.

#### **Internal Consultees**

Access Officer:

I have considered the detail of this planning application and have no accessibility concerns at this planning stage. However, the following informative should be attached to any grant of planning permission: The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Conservation Officer: No comments.

## **7. MAIN PLANNING ISSUES**

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

Policy R10 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to encourage the provision of enhanced educational facilities across the borough. This overall objective is reiterated in the London Plan Policy 3.18. At national level the DCLG Policy Statement on Planning for Schools Development and the NPPF are particularly supportive of applications which enhance existing schools.

The proposal is considered to comply with these policy objectives and, accordingly, no objections are raised to the principle of the development subject to the proposal meeting site specific criteria.

### **7.02 Density of the proposed development**

Not relevant to the consideration of this application.

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

Policies BE13, BE15 and BE19 seek to ensure that new development complements or improves the character and amenity of the area. The scale, bulk and siting of buildings are key determinants in ensuring that the amenity and character of an area is not compromised by new development. The application site lies to the south of the Rockingham Bridge Conservation Area Boundary. Accordingly the development is required to conserve or enhance the setting of the Conservation Area in accordance with the requirements of the NPPF and Policy BE4 of the Local Plan.

The siting of the proposed bus is bounded by a mixture of school development, including the school playground, school buildings and residential properties. The bus would be seen in context with the existing school site including the much larger main school building, tall boundary treatment and larger areas of hardstanding comprising the playground and car park itself. Accordingly, in compliance with the above mentioned policies, it is not considered that it would have any significant detrimental impact on the visual amenities of the street scene and given its distance from the boundary with the Rockingham Bridge Conservation Area, is not considered to have any impact upon this designated heritage asset.

### **7.04 Airport safeguarding**

Not applicable to this application.

### **7.05 Impact on the green belt**

Not applicable to this application.

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

The issues are addressed in the sections above,

### **7.08 Impact on neighbours**

Local Plan: Part 2 policies BE19, BE20, BE21 and BE24, in addition to the Council's Supplementary Planning Document on Residential Layouts, seek to safeguard residential amenity.

The proposed bus is to be sited within the school playground to the north of the school. The closest residential dwellings are numbers 71 and 52 Rockingham Road, which are some 45 and 30m away respectively. Given the degree of separation, it is not considered that the development would have any detrimental impact on residential amenity.

### **7.09 Living conditions for future occupiers**

Not applicable to this application.

### **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Local Plan: Part 2 policies AM2 and AM7 seek to safeguard highway and pedestrian safety

and ensure that developments do not have an adverse impact on the surrounding highway network.

No alterations to the existing car parking layout or access arrangements are proposed. Furthermore, the proposal will not result in an increase in pupil or staff numbers. Accordingly, it is not considered that the development would have any detrimental impact on highway or pedestrian safety.

**7.11 Urban design, access and security**

No issues are raised.

**7.12 Disabled access**

No accessibility issues are raised,

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

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

Not applicable to this application.

**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**

The comments are addressed in the sections above.

**7.20 Planning obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

No other issues raised.

**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 planning permission for the siting of a double decker bus on the school playground for use as a library. The proposed development complies with current local, London Plan and national planning policies which seek to support proposals which enhance education provision. Furthermore, the proposal is considered to be visually acceptable in this location and it would have no unacceptable impact on residential amenity.

## **11. Reference Documents**

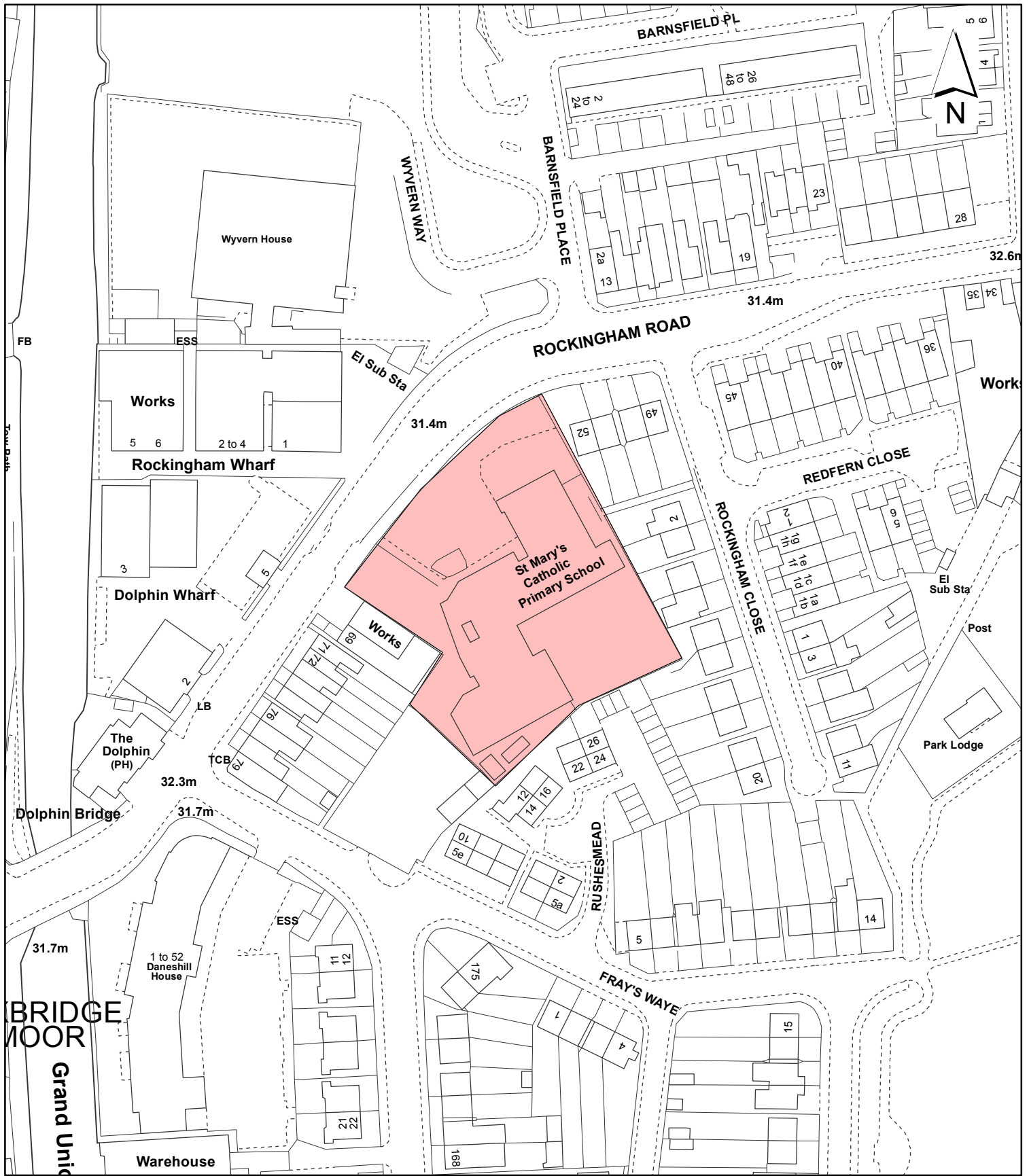
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)



Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies with Modifications  
(March 2019)  
The London Plan (2016)  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

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**Notes:**

 Site boundary

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Site Address:

**St Marys RC Primary School  
 Rockingham Road**

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

Planning Application Ref:  
**9069/APP/2019/2686**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South**

Date:  
**November 2019**

