

Report of the Head of Planning, Transportation and Regeneration

Address RURAL ACTIVITY GARDEN CENTRE WEST DRAYTON ROAD
HILLINGDON

Development: Erection of two single storey buildings to provide cafe, sales area, agricultural barn, access, car parking and associated works

LBH Ref Nos: 68554/APP/2019/3071

Drawing Nos: 2019/D287/P/03 Rev. B
2019/D287/P/11 Rev. B
2019/D287/P/12 Rev. B
2019/287/P Version 2 Design and Access Statement (November 2019)
2019/D287/P/13
1-38-4885/3 Tree Report (9th December 2019)
7838.01.001 Version 2 Ecological Assessment
2019/D287/P/14
2019/D287/P/01 Rev. A
2019/D287/P/04 Rev. A
2019/287/P Version 3 - Final Planning Statement (December 2019)
2019/D287/P/02 Rev. B
2019/D287/P/05 Rev. A
2019/D287/P/06 Rev. A
2019/D287/P/07 Rev. A
2019/D287/P/08 Rev. A
2019/D287/P/09 Rev. A
2019/D287/P/10 Rev. A

Date Plans Received: 18/09/2019 **Date(s) of Amendment(s):** 13/11/2019
Date Application Valid: 09/10/2019 10/01/2020

1. SUMMARY

This application seeks permission for the erection of two single storey buildings to provide a cafe, sales area, agricultural barn, access, car parking and associated works. The proposal is considered to be inappropriate development within the Green Belt but is considered acceptable due to very special circumstances. The proposal is also considered acceptable with regard to design, impact on the street scene, amenity, highways, refuse, landscaping, ecology, flooding, energy, noise, air quality, contamination and security matters.

Subject to conditions, the application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 SP01 Council Application Standard Paragraph

This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land.

COM3

~~The development hereby permitted~~ **Time Limit** 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.

3 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 2019/D287/P/02 Rev. B, 2019/D287/P/03 Rev. B, 2019/D287/P/04 Rev. A, 2019/D287/P/05 Rev. A, 2019/D287/P/06 Rev. A, 2019/D287/P/07 Rev. A, 2019/D287/P/08 Rev. A, 2019/D287/P/09 Rev. A, 2019/D287/P/10 Rev. A, 2019/D287/P/11 Rev. B, 2019/D287/P/12 Rev. B, 2019/D287/P/13, 2019/D287/P/14 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and the London Plan (March 2016)

4 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

5 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

6 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

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

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping
 - 2.a Refuse Storage (including bin store and bin collection point)
 - 2.b Cycle Storage (including 4 secure and covered cycle parking spaces)
 - 2.c Means of enclosure/boundary treatments
 - 2.d Car Parking Layouts for the new 24 car parking spaces (demonstrating provision of a pick-up and drop-off point, servicing and delivery area, 4 accessible car parking spaces, 5 active electric vehicle charging point parking spaces and 5 passive electric vehicle charging point parking spaces)
 - 2.e Hard Surfacing Materials
 - 2.f External Lighting
 - 2.g Other structures (such as furniture)

3. Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies DMHB 11, DMHB 14 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policies 5.10 and 5.17 of the London Plan (March 2016)

8 NONSC Contamination

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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 DMEI 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

9 NONSC Ecological Enhancement Scheme

Prior to above ground works, an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out how the development contributes positively to the ecological value of the area through the incorporation of features that support flora and fauna; as a minimum bat and bird boxes should be located throughout the site (on trees and on/in the fabric of the new buildings) as well as the location of refugia for various fauna for example through the location of log

piles; in addition the proposals should be amended (if feasible) to include a natural link to the pond under the access road (between car parking bay 5 and 6 or 11 and 10 - shown on drawing 2019/D287/P/03 rev B) which connects to an increased and diverse range of planting around the parking bays. The development must proceed in accordance with the approved plans.

REASON

To deliver a net ecological gain in accordance with the Policy EM7 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

10 NONSC Sustainable Urban Drainage

Prior to commencement,(excluding demolition and site clearance) a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority.

The scheme shall clearly demonstrate how it, manages water and demonstrate ways of controlling the surface water on site by providing information on:

a) Suds features:

- i. incorporating sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan. Where the proposal does not utilise the most sustainable solution, justification must be provided,
- ii. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume to Greenfield run off rates at a variety of return periods including 1 in 1 year, 1 in 30, 1 in 100, and 1 in 100 plus Climate change. This rate should be presented per hectare as well as the total for the whole site.
- iii. where it is intended to have above ground storage, overland flooding should be mapped, both designed and exceedance routes above the 100, plus climate change, including flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
- iv. Where infiltration techniques (soakaway) a site investigation must be provided to establish the level of groundwater on the site, and to demonstrate the suitability of infiltration techniques proposed on the site. (This should be undertaken at the appropriate time of year as groundwater levels fluctuate).

b) Minimise water use.

- i. incorporate water saving measures and equipment.
- ii. provide details of how rain and or grey water will be recycled and reused in the development.

c) Long Term Management and Maintenance of the drainage system.

- i. Provide a management and maintenance plan
- ii Include details of Inspection regimes, performance specification, (remediation and timescales for the resolving of issues where a PMC).
- lii Where overland flooding is proposed, the plan should include the appropriate actions to define those areas and actions required to ensure the safety of the users of the site should that be required.
- iii. Clear plans showing all of the drainage network above and below ground. The responsibility of different parties such as the landowner.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to:

- Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012),
- Policy 5.12, 5.13 and 5.15 of the London Plan (March 2016) and
- National Planning Policy Framework (February 2019), and the
- Planning Practice Guidance (Flood Risk and Coastal Change March 2014).

11 NONSC Written Scheme of Investigation

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

REASON

To safeguard the archaeological interest on this site in accordance with Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

12 NONSC Ancillary Use

The ancillary cafe and retail buildings hereby approved shall be maintained as ancillary to the main use of the site and shall not be run as a separate operation.

REASON

To maintain the purpose of the ancillary cafe and retail buildings and safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

13 COM31 Secured by Design

The buildings and car park hereby approved shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local

Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with Policies 7.1 and 7.3 of the London Plan (March 2016).

14 NONSC Travel Plan

Prior to the operation of the proposed use, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This Travel Plan should follow the guidelines and good practice issued by Transport for London.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the development does not have an unacceptable impact on local highways in accordance with Policies DMT 1, DMT 2, DMT 4 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

15 NONSC Low Emission Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall be linked to, and consistent with, the Travel Plan and include, but not be limited to;

- Use of Ultra Low NOx technology in relation to energy sources such as boilers or CHP;
- Provision of electric vehicle charging points as per the London Plan for both staff and users; and
- Incorporation of suitable green infrastructure such as trees and hedging to provide a barrier between users and the main road source.

REASON

To reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), London Borough of Hillingdon Air Quality Local Action Plan 2019-2024, Policy 7.14 of the London Plan (March 2016) and the Mayor of London "Sustainable Design and Construction" SPG.

16 NONSC Pick-Up and Drop-Off Point

Prior to completion of relevant works, details of a pick-up and drop-off point for mini-buses shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that provision is made for students who arrive by mini-bus rather than the private car, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

17 NONSC Servicing and Delivery Area

Prior to completion of relevant works, details of a servicing and delivery area shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that provision is made for servicing and delivery in order to avoid conflict with the function of the site, in accordance with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

18 NONSC Construction Environmental Management Plan

No development shall commence until a CEMP has been submitted to, and approved in writing by, the LPA. The Plan must be drawn up in accordance with the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document) and include compliance with the NRMM requirements for all relevant non-road mobile machinery used during the course of the construction of the development.

REASON

To reduce the impact on air quality in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020), London Borough of Hillingdon Air Quality Local Action Plan 2019-2024, Policy 7.14 of the London Plan (March 2016) and the Mayor of London "Control of Dust and Emissions from Construction and Demolition" SPG.

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.

DMCI 1	Retention of Existing Community Sport and Education Facilities
DMCI 1A	Development of New Education Floorspace
DMCI 2	New Community Infrastructure
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts

DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.16	(2016) Protection and enhancement of social infrastructure
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(2016) Waste capacity
LPP 5.21	(2016) Contaminated land
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 2	NPPF-2 2018 - Achieving sustainable development

3 170 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

4 173 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingsdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

5

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.

6

Written schemes of investigation (WSI) will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London.

The WSI condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

GLAAS advise that the archaeological fieldwork would comprise the following:

- An archaeological field evaluation involving exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

- Stage 1 of the WSI should comprise trial trenching over 4% of the site to inform detailed design of groundworks if significant remains are found.

7 I28 Food Hygiene

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

3. CONSIDERATIONS

3.1 Site and Locality

The Rural Activities Garden Centre (RAGC) first opened in 1981 and the centre now consists of two 100ft glass houses, five polytunnels, one shade tunnel and a wildlife pond all of which facilitate the delivery of adult education courses and enable the public access

of this site by visiting members of the public.

The planning application site measures 0.9ha in size and is located on the north side of West Drayton Road. The site contains the existing RAGC facility which offers adult education courses on site, with an ancillary Cafe (Use Class A3) and Shop (Use Class A1). The adult education courses are focused on horticulture and therefore the horticultural activities on the site support the ancillary shop and cafe where products produced on site are sold.

The RAGC produces a large range of bedding plants, shrubs and herbaceous plants, plus seasonal fruit, vegetables and free-range eggs from chickens reared on site. The RAGC also has a small wooded area and other features to encourage wildlife including nest boxes and bird feeders.

The Use Class A1 and A3 ancillary function to financially support the wider delivery of adult education courses at the site.

The existing site has many trees and landscaping features both within and on the perimeter of the application site.

The site has a generally poor Public Transport Accessibility Level (PTAL). Based on TfL's WebCAT planning tool, the north-east side of the site has a PTAL of 2 and the south-west side of the site has a PTAL of 1b.

All of the application site is located within the designated metropolitan Green Belt and is also within an Air Quality Management Area.

3.2 Proposed Scheme

This application seeks permission for the following:

- Change of use of the existing Cafe (ancillary Use Class A3) to provide education and training accommodation (Use Class D1)
- Change of use of the existing shop (ancillary Use Class A1) to provide education, training and staff room accommodation (Use Class D1)
- Erection of a single storey building to relocate the Cafe and Shop (ancillary Use Class A1 and A3)
- Erection of a single storey barn building to provide education, training and storage facilities (ancillary Use Class D1)
- Provision of new 24 car parking spaces, including four accessible car parking spaces, five active electric car charging points and five passive electric car charging points.

The cafe building is proposed as a single storey black timber cladded structure with a shop area, seating area with a capacity for 60 seats, retractable awning, kitchen facilities and toilets. This would measure approximately 21.5 metres in width, 11 metres in depth and 4.9 metres at its highest point.

The agricultural barn is proposed as a single storey black timber effect cladded structure with a shallow dual pitched roof at 10 degrees. This would measure 18 metres in width, 12 metres in depth and 4.5 metres at its highest point.

3.3 Relevant Planning History

68554/APP/2012/1185 Rural Activity Garden Centre West Drayton Road Hillingdon

Alterations and additions to existing Rural Activities Garden Centre, including changes to parking and traffic arrangements, replacement of an existing modular building, relocation of existing modular storage building and addition of a new new modular office building (net gain in floor space 39sqm), as well as alterations to landscaping.

Decision: 03-07-2012 Approved

68554/APP/2012/1786 Rural Activity Garden Centre West Drayton Road Hillingdon

Details in compliance with conditions 3 (Materials), 4 (Levels), and 6 (Landscaping) of planning permission 68554/APP/2012/1185

Decision: 22-05-2013 Approved

68554/APP/2014/897 Rural Activity Garden Centre West Drayton Road Hillingdon

Amendment to the GA Plan for proposal to install office and storage

Decision: 14-06-2019 NFA

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 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).

Draft London Plan (Intend to Publish Version, December 2019)

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

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.CI1	(2012) Community Infrastructure Provision
PT1.EM11	(2012) Sustainable Waste Management
PT1.EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
PT1.EM6	(2012) Flood Risk Management
PT1.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMCI 1	Retention of Existing Community Sport and Education Facilities
DMCI 1A	Development of New Education Floorspace

DMCI 2	New Community Infrastructure
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 12	Development of Land Affected by Contamination
DMEI 14	Air Quality
DMEI 2	Reducing Carbon Emissions
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP 3.1	(2016) Ensuring equal life chances for all
LPP 3.16	(2016) Protection and enhancement of social infrastructure
LPP 5.12	(2016) Flood risk management
LPP 5.13	(2016) Sustainable drainage
LPP 5.17	(2016) Waste capacity
LPP 5.21	(2016) Contaminated land
LPP 6.12	(2016) Road Network Capacity
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 7.14	(2016) Improving air quality
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology
LPP 8.2	(2016) Planning obligations
LPP 8.3	(2016) Community infrastructure levy
NPPF- 12	NPPF-12 2018 - Achieving well-designed places
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment

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

NPPF- 2 NPPF-2 2018 - Achieving sustainable development

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 1st November 2019

5.2 Site Notice Expiry Date:- 11th November 2019

6. Consultations

External Consultees

PUBLIC CONSULTATION

Letters were sent to neighbouring properties, a site notice was erected and an advert was posted in the local paper. All consultations expired on the 11/11/2019. One objection has been received from a member of the public. This is summarised as follows:

- Concern that the centre will become commercialised with modern out-of-place design.
- The centre is just fine as it is.

A second round of consultation was carried out as plans and documentation for a revised scheme was received. All forms of consultation expired on the 01/01/2020 and no comments were received from members of the public.

STATUTORY CONSULTATION

GREATER LONDON ARCHAEOLOGICAL SERVICE (GLAAS):

The Greater London Archaeological Advisory Service (GLAAS) provides archaeological advice to boroughs in accordance with the National Planning Policy Framework and GLAAS Charter.

NPPF section 16 and the London Plan (2011 Policy 7.8) make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.

The planning application lies in an area of archaeological interest.

If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms. Applicants should also improve knowledge of assets and make this public.

Although this application does not lie within an Archaeological Priority Area it is a moderately-sized (0.9 hectare) development on a greenfield site. The land has remained fields since the 19th century and forms part of a sizeable block of land around Moorcroft Farm which has not been built over. The farm lies on gravel geology which is generally known to be favoured for prehistoric settlement and agriculture but there have been very few archaeological investigations in the immediate vicinity. Late Bronze Age and Early Iron Age remains were found to the northeast at Barncroft Close in the 1990s indicating potential for new discoveries.

The proposed development is relatively low intensity and if significant buried archaeological remains are found it should be possible to minimise harm through sensitive design of groundworks.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that I consider a two stage archaeological condition could provide an acceptable safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation. I therefore recommend attaching a condition as follows:

No demolition or development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted to and approved by the local planning authority in writing. For land that is included within the stage 2 WSI, no demolition/development shall take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. this part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Informative

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development Management Procedure) (England) Order 2015.

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be refused as it would not comply with NPPF paragraph 199.

I envisage that the archaeological fieldwork would comprise the following:

Evaluation

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

Stage 1 should comprise trial trenching over 4% of the site to inform detailed design of groundworks if significant remains are found.

TRANSPORT FOR LONDON:

No comment.

Internal Consultees

PLANNING POLICY OFFICER (OCTOBER 2019)

Please see the following as comments relating to planning application 68554/APP/2019/3071 on behalf of the Planning Policy Team.

Erection of a two single storey buildings to provide cafe, sales area, agricultural barn, access, car parking and associated works

Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Saved UDP Policies (2012)
The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 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).

Draft London Plan (Consolidated with Changes July 2019)

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. This Consolidated version remains under examination with a report by the appointed panel of Inspectors due in Autumn 2019.

1.6 The Council's general approach at this stage is to give limited weight to the draft London Plan as a material consideration when deciding planning applications given at this stage of preparation it remains subject to a large number of objections, and could still be subject to significant further change prior to publication.

Proposed Submission Local Plan Part 2 with Main Modifications (March 2019)

1.7 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.

1.8 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.

1.9 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 were published for public consultation from 27 March to 8 May 2019.

1.10 Taking para 48 of the NPPF into account, the Council's general approach to the weight which should be afforded to the draft LPP2 will be as follows:

1.11 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.

1.12 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.

1.13 Finally, 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.

1.14 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.

Designations

Green Belt

Principle of Development

All of the proposed development site is designated as Green Belt. The proposed development must therefore be assessed in accordance with the NPPF, London Plan policy 7.16, Saved UDP policy OL1 and emerging policy DME1 4 'Development on the Green Belt or Metropolitan Open Land'.

The Planning Statement identifies that the Rural Activities Gardens Centre was established as a Day Centre for adults with learning disabilities which provides educational, supported employment and volunteering for residents with additional needs. Consequently in terms of use class it is considered to be a D1 community use with ancillary A1 and A3 uses. Although the site has elements of outdoor recreation such as formal gardens these are also considered ancillary to its primary use as a day

centre and training facility. Based on this assessment of its current use and on the scale of the proposed development, the application to expand the facilities on the site is not considered to meet any of the exceptions set out in paragraph 145 of the NPPF. Consequently the proposals would be inappropriate development in the Green Belt which by definition is harmful. Any such proposal will need to demonstrate 'very special circumstances' to show that the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other planning considerations.

The applicant's Planning Statement does not currently set out in detail any very special circumstances as it has identified the proposed development as outdoor recreation which it states would fall under one of the exceptions in the NPPF. For the reasons set out above the LPA does not agree with this assessment of the existing use, and therefore requires further information to determine if very special circumstances can be demonstrated. Information that has been shared does identify the educational role played by the RAGC in providing training and employment opportunities for adults with additional needs, and states that the size of the existing facilities is constraining the number courses which can be delivered resulting in a waiting list. The proposed development seeks to allow for the creation of enhanced classrooms facilities by repurposing the existing cafe in to an additional classroom and building a new cafe building which would help the RAGC become more 'sustainable' and provide visitors with fit for purpose facilities.

Once additional evidence has been provided it will be possible to assess whether very special circumstances can be demonstrated which would outweigh the harm to the Green Belt.

FURTHER PLANNING POLICY OFFICER COMMENTS (DECEMBER 2019):

Designations

Green Belt

Principle of Development

All of the proposed development site is designated as Green Belt. The proposed development must therefore be assessed in accordance with the NPPF, London Plan policy 7.16, Saved UDP policy OL1 and emerging policy DME1 4 'Development on the Green Belt or Metropolitan Open Land'.

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Based on this assessment of its current use and on the scale of the proposed development, the application to expand the facilities on the site is not considered to meet any of the exceptions set out in paragraph 145 of the NPPF. Consequently the proposals would be inappropriate development in the Green Belt which by definition is harmful. Any such proposal will need to demonstrate 'very special circumstances' to show that the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other planning considerations.

The applicant's Planning Statement has been revised since original comments were made in October 2019 to provide more evidence both in terms of the need for new facilities to be provided on this site given its location in the Green Belt and to provide information which could justify very special circumstances to outweigh the harm identified in national, regional and local planning policies.

Sequential Site Assessment

Given the inappropriate nature of the proposed development on the Green Belt, it is first necessary to consider if reasonable alternative site options have been considered before bringing development proposals on a Green Belt. The Planning Statement outlines how the courses provided at the RAGC form part of the overall package of Adult Learning courses provided by the London Borough of Hillingdon. Consequently it has been considered appropriate to assess if the additional courses proposed could be provided at any of the other Adult Learning Centres within the borough. The criteria used to inform this assessment includes the requirement for outdoor horticultural/ gardening plots to be available to all students to enable them to undertake the growing activities associated with these courses. There are currently eight Adult Learning Centres within the London Borough of Hillingdon including the RAGC. All of the seven alternative sites have been assessed for their ability to accommodate the additional horticultural courses. However, due to the requirement for outdoor space, the constrained urban nature of the sites or the shared provision within mainstream schools, has led to the alternative sites being assessed as unsuitable within the applicant's planning statement. Having reviewed the applicant's assessment, I agree both with the approach taken by the applicant in identifying alternative adult education centres as a reasonable alternative location and that the requirement to provide outdoor space does limit the suitability of alternative sites. Furthermore, whilst some of the alternative site do have outdoor space, these are part of a wider education facilities which at present can only be used in the evening for adult education provision. I am therefore supportive of the conclusion that there are no alternative suitable sites within the Council's adult learning portfolio where the proposed facilities and courses could be accommodated.

Very Special Circumstances

Given that the need for additional development of this site has been accepted in principle based on the sequential assessment, the next step is to consider whether very special circumstances exist that would outweigh the harm to the Green Belt. Factors consider under this section include:

- Potential to redevelop the existing site
- Proposed Layout
- Need for additional education provision

Potential Redevelopment of the Existing Site

A further section of the applicant's planning statement considers whether there is scope to accommodate the additional facilities within the built footprint of the existing RAGC rather than expanding onto undeveloped areas of Green Belt. Such an approach would have the possible benefit of enabling the expansion to fall under the exceptions in para. 145 of the NPPF for infill development and redevelopment of an appropriate scale. However the applicant concludes through a review of the existing build development that the existing buildings are either required for the continuation of their current use or too small to provide the enhanced level of learning provision being sought through the proposed development. Having reviewed the information submitted by the applicant, I do believe that there is the potential for further consideration of how the existing site could be reconfigured to accommodate the additional built facilities within the existing built footprint of the site thus reducing the harm to the Green Belt. Whilst it is acknowledged that existing facilities will be repurposed and are therefore not technically redundant, it is considered that a masterplanning exercise of the whole site to demonstrate whether new, larger buildings could have been used to re-provide the current provision as well as allow for the enhanced teaching provision that would have been beneficial in supporting the applicant's case. If feasible, it is likely that such an approach would have reduced the impact of the proposed expansion on the openness of the Green Belt.

Whilst not set out in the planning statement, it is assumed that the need to ensure continuity of provision whilst the site is under redevelopment and the need to minimise the costs and therefore

fully utilise the existing facilities as much as possible, may have also influenced the preferred expansion option. Whilst these are not significant considerations in terms of the overall planning balance, they do perhaps provide an explanation as to why alternative masterplanning options have not been considered. It would however be useful for the applicant to provide further evidence as to why the redevelopment of the existing site has not been explored more fully to support their case for very special circumstances.

Proposed Layout

It is recognised that the proposed layout of the expanded facilities has altered significantly from the plans originally submitted with the application with the intention of reducing the impact Green Belt both in terms of overall footprint and impact on openness. The reduction in car parking in particular is welcomed, as is the relocation of the new built form to the part of the site nearest the road which benefits for existing screening by trees. However, the proposed development does still represent a significant encroachment on to an area of previously undeveloped Green Belt and it is likely that there could be opportunities to further reduce the impact such as a reduction in the scale and layout of the access road or the reduction of two buildings to one given that the education role of the proposed barn is unclear. Again, the appropriateness of this approach to the development is difficult to fully assess in the absence of a masterplanning approach showing how all options for expansion have been explored. However in the context of very special circumstances test, it is considered that subject to appropriate screening and architectural design, the redesigned layout of the scheme has reduced its impact on openness demonstrating a small benefit of the revised plans.

The Need for Additional Adult Education Courses

The applicant sets out in their Planning Statement that the Council has a statutory duty under the Care Act 2014 to provide a level of care to its residents. The RAGC and the wider delivery of adult learning courses (accredited and non-accredited) is part of the delivery of the Care Act requirements, with a wide variety of courses aimed at those with identified special educational needs. From the evidence provided in the Planning Statement, it is clear that the number of residents with special educational needs is rising and that the proposed expansion of courses at RAGC is part of the Council's overall plan to meet these needs. Failure to deliver additional courses could lead to a failure of the Council to accord with the Care Act.

For the last academic year, the adult education and learning courses had 5,170 enrolments. Of these enrolments, 122 were for courses at the RAGC site. Of the 122 enrolments, 88 of the enrolments at RAGC had an identified special educational need. This is an exceptionally high percentage of total intake however, the courses on offer at the RAGC are targeted to special educational needs learners. This also shows the significant role played by RAGC in meeting the Council's duty to provide assistance to adult learners with special education needs.

The planning statement details how the delivery of improved and enlarged facilities at the RAGC will not only facilitate the completion of the full Royal Horticultural Society course at RAGC (only 2/3s of the course can currently be completed on site), but it would enable the delivery of a large number of additional courses aimed at supporting adults with special educational needs. The applicant argues that the RAGC would be the optimum facility to deliver these additional courses on site, as the resources already exist on-site and can easily be utilised to deliver these new courses. As many new courses as possible would be made available (as is the existing situation) to learners with special educational needs. The existing on-site charity, HACS, are also able to foster the delivery of new courses for adults with special educational needs as well as expand the delivery of the existing courses already on offer.

The Council's overall aim is to provide sufficient facilities (as per the proposed development) to

secure a total of 450 enrolments at the RAGC site per annum going forward, with a minimum of 200 of those enrolments for adults with special educational needs and disabilities. This is an ambitious aim, however the delivery of the additional floorspace for teaching facilities and external learning areas which facilitate meeting these aims for Borough residents. It is hoped that based on the current proportion of RAGC enrolments, that the overall number of learners with special educational needs will exceed 200. Without the delivery of enhanced facilities as proposed, the expansion of the courses on offer will not proceed.

It is considered that on the basis of the evidence set out above taken from the applicant's Planning Statement, that the need for additional adult learning courses to support those with special education needs, is a significant very special circumstance justifying the provision of additional learning facilities at RAGC. This is concluded in the context of the applicant's sequential assessment demonstrating that the expansion of such provision is not possible at other adult education centres in the borough.

Conclusion

Based on all the information summarised above, it is considered that there is a clear needs-based case for the provision of additional adult learning courses at RAGC to support adults with special education needs. Opportunities to explore re-provision within the existing site have also been explored. Whilst there may be some scope for reconfiguration, on balance the need to retain and expand the existing provision does significantly limit this option. The balance between the harm to the Green Belt and demonstration of very special circumstances is ultimately a matter for the case officer to assess as part of the overall planning balance.

HIGHWAYS OFFICER (OCTOBER 2019):

- The entrance gate would need to be set back a minimum of 12 metres in order to accommodate agricultural type vehicles.
- Swept Path analysis drawings should be provided for service vehicles associated to the cafe.
- In accordance with the London Borough of Hillingdon's car parking standards, the proposed cafe (Use class A3) would require 4 spaces with the agricultural barn (Use Class B2 & B8) requiring 2 spaces (6 total). You have advised me that this scheme seeks 60 parking spaces (30 dedicated spaces and 30 'overflow' spaces) which is a significant overprovision. Notwithstanding that the site would in part have an educational/training use, it is still considered that the quantum of parking should be reduced and any overprovision justified.

CASE OFFICER COMMENT:

Revised plans were submitted by the applicant in response to the Highways Officer comments. Based on the revised plans, the new main gates to the proposed site would be set back approximately 15 metres from West Drayton Road. The number of proposed parking spaces is also reduced from 60 to 24, totalling 40 car parking spaces on site. Service vehicles are also now proposed to service the proposed buildings from the primary access road located within the site.

FURTHER HIGHWAYS COMMENTS (JANUARY 2020)

Upon assessing the submitted information, it is my understanding that the site will be treated as D1 use in its entirety. The site currently enrolls 122 pupils and aims to enrol an additional 328 upon implementation of this scheme.

In terms of car parking, the site currently makes use of 16 parking spaces with this application

proposing an additional 24 spaces. This provided an overall total of 40 on-site spaces. The site as existing comprises a parking ratio of 0.13. For consistency, it is required that this parking ratio be maintained. When taking into account both the proposed and existing spaces against the proposed enrolment number (450). A parking ratio of 0.08 is provided. This generates a parking shortfall of 19 spaces. However, it is noted that 72% of attendants to the proposed educational facility will have special needs. On this basis, it is assumed that the majority of pupils would be dropped off/picked up. In the spirit of compromise, it is requested that a dedicated drop-off and pick up facility be provided to accommodate this need. I trust this can be secured by way of condition. In addition, whilst I am satisfied with the dimensions of the access road, I would also request that a dedicated servicing and delivery area be provided for both refuse and servicing provision.

Mindful of the above, subject to the conditioning of a travel plan, I would have no objections to this application.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection to the proposals. The site is not at risk of flooding and is not located in a Critical Drainage Area. As the proposals do not constitute a major development, no upfront drainage information is required. I have reviewed the proposed site layout and there is sufficient space to enable the provision of Sustainable Drainage Systems (SuDS). As this is a Council lead scheme for a horticultural development, the drainage strategy should maximise the use of green infrastructure and be a case study for developments in the Borough. A suitably worded bespoke condition should be applied to the permission to secure the details of an above-ground sustainable drainage network. Any design refinements should not minimise the area of land allocated to natural features (including the pond and planted verges). All hard surfaces should be made permeable wherever possible including the access road and hardstanding for the outdoor display areas. A green roof should be incorporated onto any roof areas that are shallow in pitch, however small. This will help to mitigate for any loss of biodiversity as a result of the scheme and contribute towards creating a net gain in biodiversity.

WASTE STRATEGY OFFICER:

The proposed new service road and turning head are not wide enough to accommodate a refuse vehicle to access the rear of the cafe to carry out collections. BS 5906:2005 recommends a minimum of 5 metres width for roads to allow safe vehicle access. The road and turning head will need to be widened or a temporary collection point for the bins to be presented. The collection point should have a hard standing surface, free from steps and be located within 10 metres of the nearest stopping point for the collection vehicle.

CASE OFFICER COMMENT:

The applicant submitted revised plans removing the service road to the rear of the proposed buildings, meaning that the buildings are serviced from the front on the proposed access road within the site. These roads are approximately 6 metres wide, meeting the 5 metre road width requirement, and bin storage details are to be secured by condition.

ACCESS OFFICER:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. 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.

CONTAMINATION OFFICER:

1 Summary of Comments:

Following a review of available details, I have no concerns which would necessitate an objection with respect to land affected by contamination within the existing and proposed new areas of the site.

However, it is recommended that the following condition is applied to ensure no contaminants are introduced to the site for all proposed earthworks, construction works and general landscaping purposes etc., where imported soils may be a requirement:

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

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).

2 Reason for Refusal (if objecting):
N/A

3 Summary Observations:

Site History (OS Mapping + GIS)

Reviewed maps show no evidence of contaminative uses for the land.

Geology (BGS mapping)

Superficial deposits = Black Park Gravel Member - Sand and gravel, with possible lenses of silt, clay or peat.

Bedrock = London Clay Formation - Clay, Silt and Sand, Underlain by Chalk

Hydrogeology (DEFRA 'Magic' App)

Sands and gravels = Secondary A Aquifer (permeable layers capable of supporting water supplies at a local rather than strategic scale, and in some cases forming an important source of base flow to rivers. These are generally aquifers formerly classified as minor aquifers)

London Clay = Unproductive strata These are rock layers or drift deposits with low permeability that have negligible significance for water supply or river base flow.

Chalk = Principal Aquifer. These are layers of rock or drift deposits that have high intergranular and/or fracture permeability - meaning they usually provide a high level of water storage. They may support water supply and/or river base flow on a strategic scale. In most cases, principal aquifers

are aquifers previously designated as major aquifer. (Groundwater Vulnerability = high)

TREES AND LANDSCAPING OFFICER:

This site is occupied by an agricultural field adjacent to the Rural Activities Garden Centre (RAGC), situated to the north-west of West Drayton Road. The field forms part of the Moorcroft Farm estate to the west, and can be accessed via the RAGC to the north. The southern boundary is defined by a small residential cul-de-sac, Old Orchard Close. The field boundary is defined by hedgerows with trees, generally quite thick and dense, although there are more open, or filtered, views through gaps in the southern boundary. There are no TPO's or Conservation Area designations affecting the site. The site lies within the Green Belt, a designation which aims to retain the openness of the countryside and prevent inappropriate development.

COMMENT

A site inspection was undertaken on 21 October 2019. The proposed development affects a small area of the existing RAGC in the south-east corner of the site and 0.8ha of the field in the north-east corner. A tree report has been prepared by John Cromar, dated September 2019. The report has identified and assessed 39 trees which are close enough to be influenced by the proposed development and associated work. These trees are situated along the northern boundary of the field and the corridor of land which links the main RAGC entrance to the field entrance. According to the assessment there are no 'A' grade trees. 12 trees are 'B' grade, 21 are 'C' and five are category 'U'. Of these, one 'B' grade tree, T18 birch, will be removed to facilitate the development, together with 7 'C' grade trees and one 'U'. Further to this, one 'B' grade oak, T33, will be re-pollarded - a form of management that is required for safety reasons. The proposed site plan and tree report indicate that replacement tree planting will be undertaken as part of a comprehensive landscape scheme - to be provided by condition. The proposed site plan (1 of 2) provides indicative areas of structure planting (trees and hedges) within the development site and notably around the boundaries. The developed area is concentrated in the northern half of the field which is generally well-screened from the public realm - although can be seen Old Orchard Close. The illustrative design of the barn is intended to be agricultural in character and visually recessive in this context. Regular parking spots will be screened with trees and hedges - although the overflow parking will not.

RECOMMENDATION

1. No objection to the layout and tree removal proposals subject to the adherence to the tree protection measures and the design and implementation of a robust landscape scheme, by condition. 2. The use of a concrete re-inforced grass system for the overflow parking is not recommended. Further details required, by condition. 3. No detailed assessment of the visual impact on local receptors has been submitted, nor a 'whole site' / context plan. Woodland planting along the Old Orchard Close boundary should be considered. 4. If the scheme is deemed to be acceptable in the Green Belt due to exceptional / special circumstances, the following conditions should be imposed: pre-commencement COM8, post-commencement COM9 (parts 1,2,4 and 5) and COM10.

TREES AND LANDSCAPING OFFICER FOLLOW-UP:

This submission includes updated information resulting in fewer car park spaces and other minor amendments including clarification about existing and proposed trees planting proposals. A site inspection was undertaken on 21 October 2019. The proposed development affects a small area of the existing RAGC in the south-east corner of the site and 0.8ha of the field in the north-east corner. A tree report has been prepared by John Cromar, dated September 2019. The report has identified and assessed 39 trees which are close enough to be influenced by the proposed development and associated work. These trees are situated along the northern boundary of the field and the corridor of land which links the main RAGC entrance to the field entrance. According to the assessment

there are no 'A' grade trees, two trees are 'B' grade, 21 are 'C' and five are category 'U'. Of these, one 'B' grade tree, T18 birch, will be removed to facilitate the development, together with 7 'C' grade trees and one 'U'. Further to this, one 'B' grade oak, T33, will be re-pollarded - a form of management that is required for safety reasons. The proposed site plan and tree report indicate that replacement tree planting will be undertaken as part of a comprehensive landscape scheme - to be provided by condition. The proposed site plan (1 of 2) provides indicative areas of structure planting (trees and hedges) within the development site and notably around the boundaries. The developed area is concentrated in the northern half of the field which is generally well-screened from the public realm - although can be seen Old Orchard Close. The illustrative design of the barn is intended to be agricultural in character and visually recessive in this context. Regular parking spots will be screened with trees and hedges, although the overflow parking will not.

RECOMMENDATION

1. No objection to the layout and tree removal proposals subject to the adherence to the tree protection measures and the design and implementation of a robust landscape scheme, by condition. 2. The use of a concrete re-enforced grass system for the overflow parking is not recommended. Further details required, by condition. 3. No detailed assessment of the visual impact on local receptors has been submitted, nor a 'whole site' / context plan. Woodland planting along the Old Orchard Close boundary should be considered. 4. If the scheme is deemed to be acceptable in the Green Belt due to exceptional / special circumstances, the following conditions should be imposed: pre-commencement COM8, post-commencement COM9 (parts 1,2,4 and 5) and COM10.

SUSTAINABILITY OFFICER:

I have no objections to the proposed development.

Ecology

The proposed development will be situated on an area of maintained grassland with minimal ecological value. The access road on to the new part of the site is through an existing gap in the vegetation resulting in minimal loss.

The proposals are not likely to have an adverse impact on ecological value and I agree with the findings of the ecology report.

Notwithstanding, the site is part of a wider ecosystem relatively free of human activity and accordingly the proposals would introduce an increase degree of activity that would have an impact on the areas of note around the site e.g. the mature trees and hedges. The introduction of the pond in the centre of the access road is welcomed as a diversification of the ecological value of the area; however, this is constrained by the presence of the road surrounding it on all sides as well as well as the presence of several benches encouraging footfall and further undermining the value of the pond as an ecological receptor.

The applicant should consider the option of a natural link under the roadway (ideally between parking bays 5 and 6) and an increased and diverse mix of planting around the car parking.

The following condition is necessary:

Condition

Prior to above ground works, an ecological enhancement scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall set out how the development contributes positively to the ecological value of the area through the incorporation of features that

support flora and fauna; as a minimum bat and bird boxes should be located throughout the site (on trees and on/in the fabric of the new buildings) as well as the location of refugia for various fauna for example through the location of log piles; in addition the proposals should be amended (if feasible) to include a natural link to the pond under the access road (between car parking bay 5 and 6 or 11 and 10 - shown on drawing 2019/D287/P/03) which connects to an increased and diverse range of planting around the parking bays. The development must proceed in accordance with the approved plans.

Reason

To deliver a net ecological gain in accordance with the Local Plan Policy EM7

AIR QUALITY OFFICER:

The application site is within a declared Air Quality Management Area which requires planning applications to consider their impact on air pollution and provide any necessary mitigation. It is not, however, within an Air Quality Focus Area where the pollution levels are predicted to be above the air quality limits. Whilst there is no air quality assessment with this planning application, the issue has been addressed by means of a Technical Note.

The Technical Note refers to a total of an additional 60 car parking spaces, it is understood the application has reduced this figure to the provision of 24 additional car parking spaces. The site is set back from the main road which would be the major pollution source in terms of negative impacts on users of the site. The air quality comments are made in advance of any comments from highways and are based upon the information in the Technical Note. This states that the traffic levels associated with the development will not impact negatively on the surrounding road network. Should highways comments differ from this conclusion and identify there are negative impacts, such as congestion and queuing on the local road network, the air quality comments may require reviewing.

The development should be clean by design, including any construction phase, and as such should adhere to the relevant standards as outlined in the Mayor of London Sustainable Design and Construction SPG and Control of Dust and Emissions from Construction and Demolition SPG. If this site is to be approved the following conditions should be applied:

Condition - Provision of a Low Emissions Strategy

No development shall commence until a low emission strategy (LES) has been submitted to and approved in writing by the Local Planning Authority. The LES shall be linked to, and consistent with, the Travel Plan and include, but not be limited to;

- Use of Ultra Low NOx technology in relation to energy sources such as boilers or CHP;
- Provision of electric vehicle charging points as per the London Plan for both staff and users;
- Incorporation of suitable green infrastructure such as trees and hedging to provide a barrier between users and the main road source;

Reason - to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DME1 14 of the London Borough of Hillingdon Local Plan (part 2), London Borough of Hillingdon Air Quality Local Action Plan 2019-2024, London Plan Policy 7.14 and in accordance with Mayor of London "Sustainable Design and Construction" SPG (or any successor document)

Construction Management Plan (CEMP) condition

No development shall commence until a CEMP has been submitted to, and approved in writing by,

the LPA. The Plan must be drawn up in accordance with the GLA Control of Dust and Emissions from Construction and Demolition SPG (or any successor document) and include compliance with the NRMM requirements for all relevant non-road mobile machinery used during the course of the construction of the development.

Reason - to reduce the impact on air quality in accordance with policy EM8 of the Local Plan: Part 1 (November 2012), policy DMEI 14 of the London Borough of Hillingdon Local Plan (part 2), London Borough of Hillingdon Air Quality Local Action Plan 2019-2024, London Plan Policy 7.14 and in accordance with the Mayor of London "Control of Dust and Emissions from Construction and Demolition" SPG (or any successor document)

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The Rural Activities Garden Centre (RAGC) provides educational, supported employment and volunteering for borough residents and more specifically for residents with additional educational needs. Consequently, the Use Class for the site is considered to be D1 educational use with ancillary Use Class A1 and A3.

Policy CI1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that community and social infrastructure is provided in Hillingdon to cater for the needs of the existing community and future populations by:

2) Supporting the retention and enhancement of existing community facilities.

Policy DMCI 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) seeks to retain community facilities but states that proposal involving the loss of an existing community facility will be permitted if:

i) the specific use is no longer required on-site. In such circumstances, the applicant must provide evidence demonstrating that:

a) the proposal would not lead to a shortfall in provision for the specific use within the local catchment area;

b) there is either no demand for another suitable social infrastructure use on-site, or that the site/premises is no longer appropriate for social infrastructure uses; and

c) any replacement/relocated facilities for the specific use provides a level of accessibility and standard of provision at least equal to that of the existing facility.

ii) the activities carried out are inconsistent and cannot be made consistent with acceptable living conditions for nearby residents; and

iii) the redevelopment of the site would secure an over-riding public benefit.

Policy DMCI 1A of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals for new schools and school expansions will be assessed against the following criteria:

i. The size of the site, its location and suitability to accommodate a new school or school expansion taking account of compatibility with surrounding uses, and existing planning policy designations (e.g. conservation areas, MOL, Green Belt).

ii. The impact on green open space, games pitches, outdoor play and amenity space, taking account of the character of the area, whether the site is within an area of open space deficiency and whether the school has sufficient outdoor space for play and games.

iii. The location and accessibility of the site in relation to:

- the intended catchment area of the school;

- public transport; and

- the local highway network and its ability to accommodate new or additional school trips without adverse impact on highway safety and convenient walking and cycling routes to schools.

iv. The extent to which the building design contributes towards the government target that schools and colleges should be zero carbon from 2016.

Policy DMCI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Proposals for the refurbishment and re-use of existing premises for community facilities will be supported.

B) Proposals for the provision of new community facilities will be supported where they:

- i) are located within the community or catchment that they are intended to serve;
- ii) provide buildings that are inclusive, accessible, flexible and which provide design and space standards that meet the needs of intended occupants;
- iii) are sited to maximise shared use of the facility, particularly for recreational and community uses; and
- iv) make provision for community access to the facilities provided.

The proposed development includes the change of use of the existing Cafe (ancillary A3) to provide D1 (education and training) accommodation, change of use of the existing shop (ancillary A1) to provide D1 accommodation (education and training; staff room), erection of a single storey building to relocate the ancillary A1 and A3 uses (cafe and shop), erection of a single storey barn building to provide ancillary D1 facilities (to include education and training, storage for the primary D1 use) and provision of 24 additional car parking spaces to serve the site.

The RAGC offers residents accredited and non accredited horticulture led courses but is only currently able to offer the first part of the accredited RHS course on site. Any current participants must complete the final unit off-site, travelling to Enfield which is the closest facility offering the unit. A review of the existing site and buildings has established that the existing facility is not able to facilitate the required facilities to provide additional adult learning courses. The proposal would allow for the RHS course to be completed within Hillingdon Borough and allow for the delivery of further adult education courses, which represents a driving factor behind the proposal. Notably, the RAGC's adult learning courses form part of the delivery of the Care Act 2014 and helps residents (including those with special educational needs) to learn new skills, meet new people, achieve a qualification and further careers. Section 7.05 of this report details the need to provide these additional educational courses in more detail.

Evidently, the proposed development would accord with Policy CI1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMCI 1, DMCI 1A, DMCI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

The principle of the development within the Green Belt is addressed in the 'Impact on the Green Belt' section of the report.

7.02 Density of the proposed development

Not applicable to the consideration of this application.

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

ARCHAEOLOGY

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through

archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

As advised by the Greater London Archaeological Advisory Service (GLAAS), the planning application lies in an area of archaeological interest. Although this application does not lie within an Archaeological Priority Area, it is a moderately-sized (0.9 hectare) development on a greenfield site. The land has remained fields since the 19th century and forms part of a sizeable block of land around Moorcroft Farm which has not been built over. The farm lies on gravel geology which is generally known to be favoured for prehistoric settlement and agriculture but there have been very few archaeological investigations in the immediate vicinity. Late Bronze Age and Early Iron Age remains were found to the northeast at Barncroft Close in the 1990s indicating potential for new discoveries.

The proposed development is relatively low intensity and if significant buried archaeological remains are found it should be possible to minimise harm through sensitive design of groundworks. GLAAS note that the development could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. In this case, GLAAS consider the nature of the development, the archaeological interest and/or practical constraints are such that a two stage archaeological condition could provide an acceptable safeguard. This comprises an evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by a full investigation.

Subject to a condition securing the Stage 1 and Stage 2 Written Scheme of Investigation, the proposed development is not considered contrary to Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

CONSERVATION AREAS, LISTED BUILDINGS AND AREAS OF SPECIAL LOCAL CHARACTER

The application site is not designated as a Conservation Area or Area of Special Local Character and does not have any Listed Buildings located on site.

7.04 Airport safeguarding

Not applicable to the consideration of this application.

7.05 Impact on the green belt

The application site is located within Green Belt land and is subject to the following policy considerations:

Paragraph 143 of the NPPF (February 2019) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 144 continues this, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 145 of the NPPF (February 2019) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but that exceptions to this include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a

change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;

c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or

- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy 7.16 of the London Plan (March 2016) supports this, stating:

"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, the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) gives strong protection to Green Belt land. Policy EM2 states that the Council will seek to maintain the current extent of the Green Belt and any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan (March 2016) policies, including the very special circumstances test.

Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also states that: A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

The RAGC provides education, employment support and volunteering experience for residents with additional needs. Consequently, the Use Class for the site is considered to be D1 use with ancillary Use Class A1 and A3. Although the site has elements of outdoor recreation, such as formal gardens, these are also considered to be ancillary to its primary use as a day centre and training facility. Based on this, the proposed development would not meet the exceptions outlined by Paragraph 145 of the NPPF (February 2019), is considered to be inappropriate development by definition and requires 'very special circumstances' to show that the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other planning considerations.

SEQUENTIAL SITE ASSESSMENT

Given the inappropriate nature of the proposed development in the Green Belt, it is necessary to consider if reasonable alternative site options have been considered. The Planning Statement assesses if the courses could be provided at any of the other Adult Learning Centres within the London Borough of Hillingdon. There are currently eight Adult Learning Centres within the London Borough of Hillingdon including the RAGC. Due to the

requirement for outdoor space, the constrained urban nature of the sites or the shared provision within mainstream schools, the alternative sites to the RAGC are assessed as being unsuitable. The Council's Planning Policy Officer agrees with this approach and supports the conclusion that there are no alternative suitable sites within the Council's adult learning portfolio where the proposed facilities and courses could be accommodated.

VERY SPECIAL CIRCUMSTANCES

As the proposal is considered acceptable in principle based on a sequential assessment, very special circumstances are required in order to outweigh the harm to the Green Belt. Factors include:

- Potential to redevelop the existing site;
- Proposed Layout; and
- Need for additional education provision

Potential to Redevelop the Existing Site:

The applicant's Planning Statement considers whether there is scope to accommodate the additional facilities within the built footprint of the existing RAGC rather than expanding onto undeveloped areas of Green Belt. It is concluded that the existing buildings are either required for the continuation of their current use or too small to provide the enhanced level of learning provision being sought through the proposed development. There is also a need to ensure continuity of provision whilst the site is under redevelopment and the need to minimise the costs and therefore fully utilise the existing facilities as much as possible, which has influenced the preferred expansion option.

Proposed Layout:

The proposed development represents encroachment onto an area of previously undeveloped Green Belt land. Amended plans have, however, been submitted during the application process in order to reduce the harm posed to the Green Belt. Notably, the proposed buildings were moved to the southernmost part of the site towards West Drayton Road. This is considered to better contain the development towards the edge of the site, improving the relationship between developed land and the Green Belt. The proposed barn building has been revised to reduce its height from 5.7 metres to 4.5 metres, reducing its impact on the openness of the Green Belt. The number of car parking spaces proposed has been reduced from 60 to 24 and represents a significant reduction. Additional tree planting is also proposed on the west side of the site in order to screen the proposed built form. This planting is also integrated throughout the site in order to better complement the Green Belt aesthetic.

The Council's Planning Policy Officer considers that there are opportunities to further reduce the impact on the Green Belt. It is noted, however, that in the context of the very special circumstances test, the redesigned layout of the scheme has reduced the impact on the openness of the Green Belt.

Need for Additional Education Provision:

The Planning Statement sets out that the Council has a statutory duty under the Care Act 2014 to provide a level of care to its residents. The RAGC and the wider delivery of adult learning courses is part of the delivery of the Care Act requirements. Based on the evidence provided, it is clear that the number of residents with special educational needs is

rising and that the proposed expansion of courses at RAGC is part of the Council's overall plan to meet these needs. Failure to deliver additional courses could lead to a failure of the Council to accord with the Care Act.

For the last academic year, 122 out of 5,170 enrolments in adult education and learning courses were at the RAGC. Notably, 88 of these 122 enrolments had an identified special educational need. This shows the significant role played by RAGC in meeting the Council's duty to provide assistance to adult learners with special education needs.

The Planning Statement details how the delivery of improved and enlarged facilities at the RAGC would enable the delivery of a large number of additional courses aimed at supporting adults with special educational needs. The applicant argues that the RAGC would be an optimum facility to deliver these additional courses on site, as the resources already exist on-site and can easily be utilised to deliver the new courses. The existing on-site charity, Hillingdon Autistic Care and Support, are also able to foster the delivery of new courses for adults with special educational needs as well as expand the delivery of the existing courses already on offer.

The Council's overall aim is to provide sufficient facilities to secure a total of 450 enrolments at the RAGC site per annum, with a minimum of 200 of those enrolments for adults with special educational needs and disabilities. The delivery of the additional floorspace for teaching facilities and external learning areas would facilitate this and achieve the aims set. Without the delivery of enhanced facilities as proposed, the expansion of the courses on offer will not proceed.

As stated by the Council's Planning Policy Officer, on the basis of the evidence provided, the need for additional adult learning courses to support those with special education needs is a significant very special circumstance justifying the provision of additional learning facilities at RAGC. This is concluded in the context of the applicant's sequential assessment demonstrating that the expansion of such provision is not possible at other adult education centres in the borough.

SUMMARY

The proposed development is considered to be inappropriate development by definition and requires very special circumstances to show that the potential harm by reason of inappropriateness, and any other harm, is clearly outweighed by other planning considerations. It is considered that there is a clear needs-based case for the provision of additional adult learning courses at RAGC to support adults with special education needs. The need for these additional facilities is required by the Care Act 2014 and the RAGC site is the only site available to offer a viable opportunity to deliver the adult learning courses.

It is noted that amended plans were submitted during the application process in order to reduce harm posed to the Green Belt. The revised scheme moved all built form to the southernmost part of the site, reduced the height of the proposed cafe and shop building, reduced the number of car parking spaces proposed from 60 to 24 and increased additional tree planting. By virtue of these revisions, the proposal is considered to minimise its impact on the function and openness of the Green Belt both in terms of location and footprint.

In accordance with paragraph 144 of the NPPF (February 2019), whilst the development is deemed to be harmful to the Green Belt, significant weight is given the Council's need to

make provision for the additional adult education facilities a very special circumstance which, in the absence of any suitable alternative sites, is considered to outweigh the identified harm to the Green Belt. In addition it is considered that the revisions to the scheme to reduce the overall level of car parking and to relocate and reduce the bulk of the proposed buildings has minimised the level of harm to the Green Belt. On this basis, the proposed development is considered to be acceptable in principle.

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- scale of development, considering the height, mass and bulk of adjacent structures;
- building plot sizes and widths, plot coverage and established street patterns;
- building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
- architectural composition and quality of detailing;
- local topography, views both from and to the site; and
- impact on neighbouring open spaces and their environment.

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The proposed development site would measure 0.9 hectares in size and forms part of a wider site. Specifically, the green space which the site forms part of measures approximately 2.5 hectares in size, meaning the area of the site to be developed equates to approximately 32%. Much of the proposed development area is to consist of hard and soft landscaping, including a looped access road and pedestrian areas. It is, however, noted that the site also includes soft landscaping features, including a pond feature within the looped access road and integrated planting between car parking spaces and within the pedestrian areas.

The cafe building is proposed as a single storey black clad building with a shop area, seating area with a capacity for 60 seats, retractable awning, kitchen facilities and toilets. This would measure approximately 21.5 metres in width, 11 metres in depth and 4.9 metres at its highest point. This creates a structure with approximately 225 square metres in Gross External Area (GEA) and approximately 1,102 cubic metres of volume.

The agricultural barn is proposed as a single storey black timber effect cladded structure with a shallow dual pitched roof at 10 degrees. This would measure 18 metres in width, 12 metres in depth and 4.5 metres at its highest point, creating 216 square metres GEA and 1,231 cubic metres of volume.

The proposed buildings are considered to be appropriate in size and are located on the side of the field adjoining West Drayton Road, reducing their impact on the open field, but located between 7 and 10 metres back from the existing line of trees and hedging. The proposed buildings are agricultural in appearance and harmonise with the general aesthetic of the green space.

The proposed structures would have a limited impact on the street scene due to the level of tree and hedge coverage which exists on site alongside West Drayton Road. Notably, the proposal would not be seen from West Drayton Road but views of the proposal can be seen from Old Orchard Close. It is noted that this viewpoint would be located over 80 metres away from the proposal and would be, in part, screened by proposed tree planting.

If recommended for approval, the proposed materials, landscaping and bin storage details are to be secured by condition. Subject to these conditions, the proposal is considered to accord with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The nearest residential properties in relation to the application site are located to the south on the south side of West Drayton Road. Notably, these properties would be located over 40 metres from the application site. As such, the proposed development is not considered to compromise the daylight and sunlight received by neighbouring properties, maintains privacy and would not result in a significant loss of residential amenity. The proposal is therefore considered to accord with part B) of Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.09 Living conditions for future occupiers

Not applicable to the consideration of this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

The site has a generally poor Public Transport Accessibility Level (PTAL). Based on TfL's WebCAT planning tool, the north-east side of the site has a PTAL of 2 and the south-west side of the site has a PTAL of 1b. Based on a worst case scenario PTAL of 1b, Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that parking spaces for the adult training centre (Use Class D1) is calculated on an individual basis.

During the application process, revised plans were submitted in order to reduce the number of car parking spaces proposed from 60 to 24, totalling 40 car parking spaces on site. This includes 4 accessible car parking spaces, which equates to 16% of the proposed car parking spaces. Further, 5 active electric car charging points and 5 passive electric car charging points are proposed, equating to 20% active provision and 20% passive provision.

As required by the Highways Officer, the entrance gates to the site are set back at least 12 metres from West Drayton Road, ensuring that the flow of traffic of this road is not compromised.

Service vehicles are proposed to service the proposed buildings from the primary access road located within the site. Details of a servicing and delivery area are to be secured by condition.

Car parking provision has been assessed by the Highways officer and is considered to be sufficient to service the expanded educational facilities at the site. It is notable that whilst additional courses will be offered on the site, they will not all take place at any one given time and will be distributed over the course of a calendar year. This does not therefore generate a sufficiently greater trip generation from the development site. The proposals would not result in a severe impact on the local highway network by virtue of the expanded

facilities.

It is notable that the site will be facilitating a greater number of students with additional educational needs who often arrive on site by mini-bus rather than the private car. In these cases, it is necessary to ensure that adequate pick up and drop is facilitated on site for such trips, and therefore a condition is proposed requiring part of the land in front of the new cafe/shop building to be given over to a dedicated pick up and drop off point. This can be facilitated within the site and will be delivered prior to the first occupation of the new facilities.

In accordance with local and regional policies, a Travel Plan will also be secured by condition to encourage travel to the site by sustainable modes. Based on the need to provide sustainable transport options for staff, a total of 4 secure and covered cycle parking spaces are secured by condition.

Subject to conditions, the proposed development is considered to accord with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.11 Urban design, access and security

Please see the 'Impact on the character & appearance of the area' section of the report.

SECURITY

Policy DMHB 15 of the Local Plan: Part 2 - Development Management Policies (2020) requires all new development to ensure safe and attractive public and private spaces.

If recommended for approval, a condition will be attached in order to ensure that the proposal achieves 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

7.12 Disabled access

Policy 7.2 of the London Plan (March 2016) requires that the all new development provides the highest standards of accessible and inclusive design.

As stated by the Council's Access Officer, the proposal raises no accessibility concerns and is not considered contrary to Policy 7.2 of the London Plan (March 2016).

7.13 Provision of affordable & special needs housing

Not applicable to the consideration of this application.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) All developments will be expected to retain or enhance existing

landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The submitted tree report identifies and assesses 39 trees which are close enough to be influenced by the proposed development. According to the assessment there are no 'A' grade trees, two trees are 'B' grade, 21 are 'C' and five are category 'U'. Of these, one 'B' grade tree, T18 birch, will be removed to facilitate the development, together with 7 'C' grade trees and one 'U'. Further to this, one 'B' grade oak, T33, will be re-pollarded. As stated by the Council's Trees and Landscaping Officer, there is no objection to the layout and tree removal proposals subject to the adherence to the tree protection measures and the design and implementation of a robust landscape scheme. If recommended for approval, tree protection and a landscaping scheme condition shall be attached. Subject to such conditions, the proposal is considered to accord with Policy 5.10 of the London Plan (March 2016), Policy DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

ECOLOGY

Paragraph 170 of the NPPF (February 2019) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy 7.19 of the London Plan (March 2016) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the design and layout of new development should retain and enhance any existing features of biodiversity within the site.

The proposed development would be situated on an area of maintained grassland with minimal ecological value. The proposed access road which would remove a small area of vegetation resulting in minimal loss in terms of ecology. As stated by the Council's Sustainability Officer, the proposals are not likely to have an adverse impact on ecological value.

It is, however, noted that the site is part of a wider ecosystem and the proposals would increase human activity on site and would have an impact on the areas of note around the site. The introduction of the pond in the centre of the access road is welcomed as a diversification of the ecological value of the area; however, this is constrained by the presence of the road surrounding it on all sides as well as the presence of several benches encouraging footfall and further undermining the value of the pond as an ecological receptor. The Sustainability Officer advises that the applicant should consider the option of a natural link under the roadway (ideally between parking bays 5 and 6) and an increased and diverse mix of planting around the car parking. If recommended for approval, this detail can be secured by a landscaping condition and ecological enhancement condition. Subject to this condition, the proposal would be considered to accord with the NPPF (February 2019), Policy 7.19 of the London Plan (March 2016) and Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.15 Sustainable waste management

Policy 5.17 of the London Plan (March 2016) sets out the Mayor's spatial policy for waste management, including the requirements for new developments to provide appropriate facilities for the storage of refuse and recycling.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The revised plans submitted by the applicant indicate that the proposed buildings are to be serviced from the front on the proposed access road within the site. These roads are approximately 6 metres wide, according with the BS 5906:2005 5 metre road width requirement, and bin storage details are to be secured by condition. Subject to condition, the proposal is considered to accord with Policy 5.17 of the London Plan (March 2016) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan (March 2016) requires that development proposals make the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy: Be lean: use less energy; Be clean: supply energy efficiently; and Be green: use renewable energy.

Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will ensure that climate change mitigation is addressed at every stage of the development process. This includes the reduction of carbon emissions through low carbon strategies and encouraging the installation of renewable energy to meet the targets set by the London Plan (March 2016).

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that: A) All developments make the fullest contribution to minimising carbon dioxide emissions in accordance with London Plan targets; B) All major development proposals must be accompanied by an energy assessment showing how these reductions will be achieved; C) Proposals that fail to take reasonable steps to achieve the required savings will be resisted. However, if the Council is minded to approve the application despite not meeting the carbon reduction targets, then it will seek an off-site contribution to make up for the shortfall. The contribution will be sought at a flat rate at of £/tonne over the lifetime of the development, in accordance with the current 'allowable solutions cost'.

The proposed development is not classed as a major scale form of development and does not meet the threshold stated within Policy 5.2 of the London Plan (March 2016) which requires that major development proposals include a detailed energy assessment to demonstrate how targets for carbon dioxide emissions reduction are to be met within the framework of the energy hierarchy. As such, the proposed development is not considered contrary to Policy 5.2 of the London Plan (March 2016), Policy EM1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.17 Flooding or Drainage Issues

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policies DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

The application site is not at risk of flooding and is not located in a Critical Drainage Area. As stated by the Council's Flood and Water Management Officer, there is sufficient space to enable the provision of Sustainable Drainage Systems (SuDS) and the drainage strategy should maximise the use of green infrastructure. Subject to a condition securing details of sustainable urban drainage, the proposed development would be in accordance with Policy 5.13 of the London Plan (March 2016), Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

7.18 Noise or Air Quality Issues

NOISE

The Government's National Planning Policy Framework (NPPF) gives the Government's guidance on noise issues. Policy 7.15 of the London Plan (2016) seeks to reduce noise and minimise the existing and potential adverse impacts of noise on, from, within, or in the vicinity of, development proposals.

The nearest residential properties in relation to the application site are located on the south side of West Drayton Road. Notably, these properties would be located over 40 metres from the application site across a B class road. The proposed development is not, therefore, considered likely to compromise the amenities of surrounding properties by virtue of noise. The function of the proposed cafe, retail and training accommodation is also not considered to generate detrimental impacts in terms of vibration, emission of dust, smell or other pollutants. If recommended for approval, a condition will be attached to secure the use of the proposed buildings as ancillary to the main function of the site as an adult education centre and garden centre.

AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy 7.14 of the London Plan (March 2016) further supports this.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.

B) Development proposals should, as a minimum:

i) be at least "air quality neutral";

ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and

iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The application site is located within an Air Quality Management Area but is not located in an Air Quality Focus Area where pollution levels are predicted to be above the legal limits. As such, the proposal does not introduce people to an area of poor air quality.

The proposed development would provide an additional 24 car parking spaces, including 5 active and 5 passive electrical vehicle charging points, totalling 40 car parking spaces on site. The proposed development is located over 40 metres away from the nearest residential properties situated to the south of West Drayton Road and is set back between 13 and 16 metres from the road. The development incorporates green infrastructure through planting trees, hedging and general planting and the operation on site involves the cultivation and growing of plants. The submitted Air Quality Technical Note states that low energy devices and technologies, including new gas fired boilers and kitchen extraction systems with filters to meet the current standards, are to be provided.

The Council's Air Quality Officer states that the development should be clean by design, including any construction phase, and as such should adhere to the relevant standards as outlined in the Mayor of London Sustainable Design and Construction SPG and Control of Dust and Emissions from Construction and Demolition SPG. If recommended for approval, a Low Emission Strategy and Construction Environmental Management Plan shall be secured by condition.

Subject to conditions, the proposal is not considered to pose a detrimental impact to local air quality considered to accord with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policy DME1 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 7.14 of the London Plan (March 2016).

7.19 Comments on Public Consultations

Please see the 'External Consultees' section of the report.

7.20 Planning obligations

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the National Planning Policy Framework (February 2019) have put three tests on the use of planning obligations into law. Planning obligations should be:

- i. necessary to make the development acceptable in planning terms
- ii. directly related to the development, and
- iii. fairly and reasonable related in scale and kind to the development

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the

Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

i) to secure the provision of affordable housing in relation to residential development schemes;

ii) where a development has infrastructure needs that are not addressed through CIL; and

iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Council's Section 106 Officer has reviewed the proposal, as have other statutory consultees. The comments received indicate that there is no need for any contributions or planning obligations to mitigate the impact of the development.

7.21 Expediency of enforcement action

None.

7.22 Other Issues

CONTAMINATION

Policy 5.21 of the London Plan (March 2016) states that appropriate measures should be taken to ensure that development on previously contaminated land does not activate or spread contamination.

Policy DME1 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) Proposals for development on potentially contaminated sites will be expected to be accompanied by at least an initial study of the likely contaminants. The Council will support planning permission for any development of land which is affected by contamination where it can be demonstrated that contamination issues have been adequately assessed and the site can be safely remediated so that the development can be made suitable for the proposed use.

B) Conditions will be imposed where planning permission is given for development on land affected by contamination to ensure all the necessary remedial works are implemented, prior to commencement of development.

C) Where initial studies reveal potentially harmful levels of contamination, either to human health or controlled waters and other environmental features, full intrusive ground investigations and remediation proposals will be expected prior to any approvals.

D) In some instances, where remedial works relate to an agreed set of measures such as the management of ongoing remedial systems, or remediation of adjoining or other affected land, a S106 planning obligation will be sought.

The Council's Contamination Officer has confirmed that there are no concerns which would necessitate an objection with respect to land affected by contamination within the existing and proposed new areas of the site. If recommended for approval, a condition will be attached to ensure no contaminants are introduced to the site. Subject to this condition, the proposal is considered to accord with Policy DME1 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) and Policy 5.21 of the London Plan (March 2016).

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

10. CONCLUSION

In conclusion, the proposed erection of two single storey buildings to provide a cafe, sales area, agricultural barn, access, car parking and associated works is considered to be inappropriate development within the Green Belt but is considered acceptable due to very special circumstances. The proposal is also considered acceptable with regard to design, impact on the street scene, amenity, highways, refuse, landscaping, ecology, flooding, energy, noise, air quality, contamination and security matters. Subject to conditions, the application is recommended for approval.

11. Reference Documents

National Planning Policy Framework (February 2019)

The London Plan (March 2016)

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

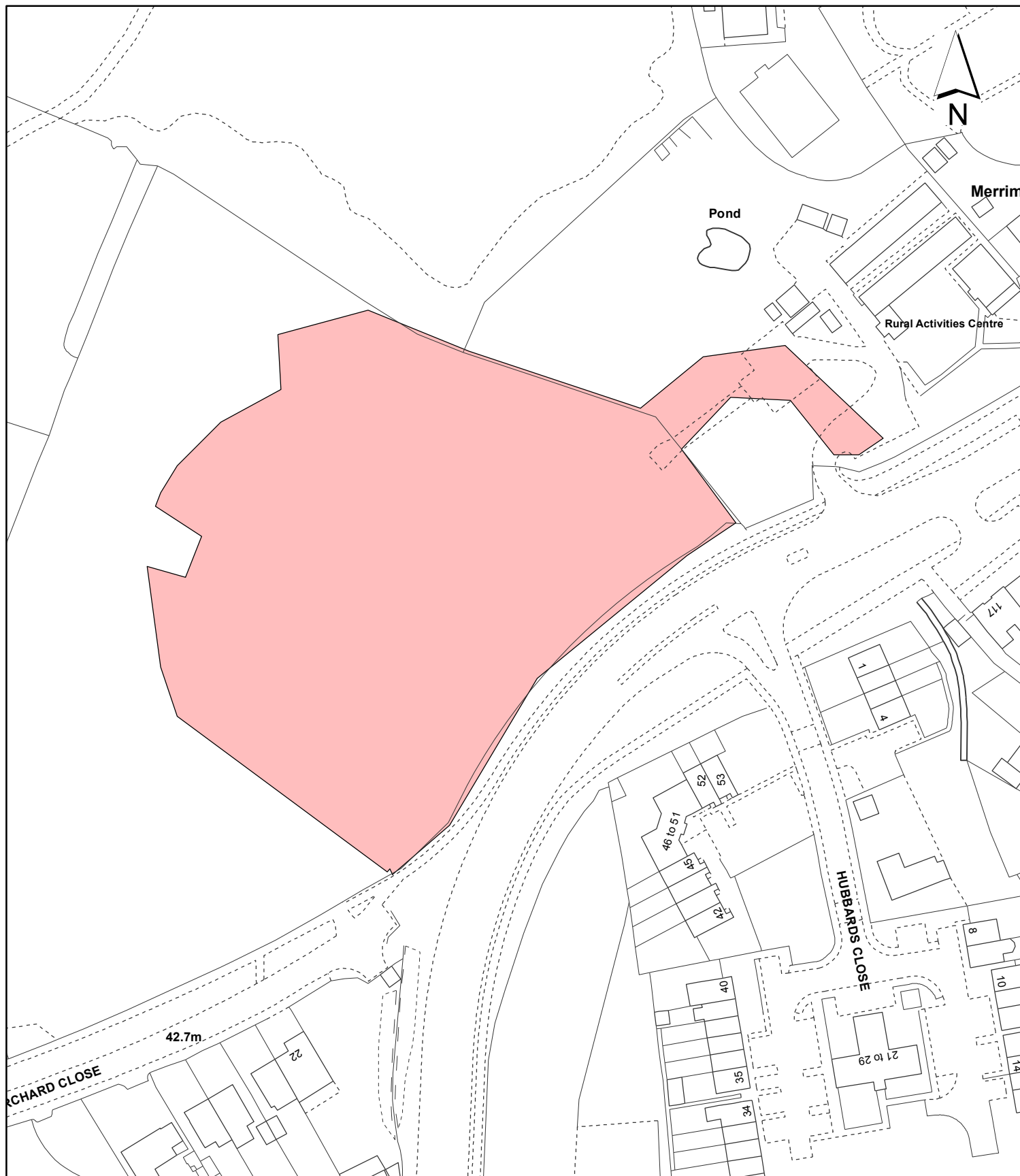
Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

Accessible Hillingdon Supplementary Planning Document (September 2017)

Planning Obligations Supplementary Planning Document (July 2014)

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Notes:

 Site boundary

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Site Address:

Rural Activity Garden Centre

Planning Application Ref:

68554/APP/2019/3071

Planning Committee:

Major

Scale:

1:1,250

Date:

January 2020

**LONDON BOROUGH
OF HILLINGDON**

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