

Report of the Head of Planning, Transportation and Regeneration

Address FORMER WYEVALE GARDEN CENTRE PIELD HEATH ROAD HILLINGDOI

Development: Change of use of existing buildings to commercial filming and erection of 5 no temporary workshops (retrospective application)

LBH Ref Nos: 13831/APP/2021/2233

Drawing Nos: Marengo Letter of Suppor
Education Note
Flood Risk Assessment and Drainage
Transport Statement
2720-PL-101 - Location Plan and Block Plan
2720-PL-102 - Proposed Site Plan
2720-PL-104 - Plans and Elevations.
2720-PL-103 - Plans and Elevations
2720-PL-106 - Plans and Elevations
2720-PL-105 - Plans and Elevations
Design and Access Statement
Planning Statement
Contamination letter ref:SN/BM12222 /LET-00'

Date Plans Received:	02/06/2021	Date(s) of Amendment(s):	12/08/2021
Date Application Valid:	18/06/2021		03/06/2021
			23/06/2021
			17/08/2021
			02/06/2021

1. SUMMARY

Planning permission is sought for a change of use of the site, including the existing building, to commercial filming for a temporary period of 12 months. The proposals include the erection of 5 temporary single storey workshop buildings on existing hard standing.

8 representations had been received objecting to the scheme. In addition, a petition has been received, bearing 108 signatures, objecting to the proposed development.

A significant element of the proposed development has been assessed as being inappropriate development, which is by definition harmful to the Green Belt. Notwithstanding the temporary nature of the proposed use, it is considered that the proposal would conflict with the purposes of the Green Belt. As such, the scheme would fail to comply with the NPPF and would amount to inappropriate development in the Green Belt.

As the proposal is inappropriate development in the Green Belt, it follows that there is a need to establish 'very special circumstances' to justify the development in this Green Belt location.

Although the temporary nature of the proposed development does lessen the potential harm to some extent, the inappropriate nature of the development still carries significant weight against the scheme. In addition, although there are some limited economic and

educational benefits that weigh in favour of the proposal, the applicant has not demonstrated the need for the proposal in this location. Consequently, the case has not been made for the proposed development to be in a Green Belt location.

Furthermore, the proposal has been assessed as harming the openness of the Green Belt, particularly when viewed from neighbouring gardens. There are physical works proposed to the site and it is anticipated that there would be more activity generated by the proposed use, compared with the historic authorised garden centre use. As such, it is considered that the proposed use would have a greater impact on the openness of the Green Belt in this location than the authorised use.

On balance, the economic benefit of the scheme and the other very special circumstance put forward by the applicant are not considered to outweigh the harm to Green Belt by reason of its inappropriateness. It is recommended that the application be refused on this basis.

The applicant has also failed to demonstrate a satisfactory policy-led approach to the provision of the car parking for the development. The car parking provision is in excess of the maximum parking standards, contrary to The London Plan and Local Plan Part 2 policy DMT6. It is recommended that the application be refused on this basis.

In addition, no Acoustic Assessment has been submitted in support of this application and as such, it is not clear what level of noise would be generated from the operational phase of the development. No assessment has been undertaken to identify whether the proposals would cause any significant impact on surrounding residents. It is not considered, given the nature of the development and the potential for operational noise generating activities, that conditions could be imposed to mitigate and / or protect surrounding residential properties from external noise sources to appropriate national and local standards. It is therefore recommended that the application be refused on this basis.

Based on the information submitted to date, there are a number of issues which are also considered unsatisfactory. However, it is considered that subject to appropriately worded conditions these issues could be resolved. These issues include; Sustainable Development; Heritage; Flood Risk and Surface Water Drainage; Landscaping; Contamination and Ecology.

The Mayor considers that the application does not comply with the London Plan but that the possible remedies set out in his Stage1 report could address these deficiencies. If the Council subsequently resolves to approve the application, it must consult the Mayor again. However, If the Council resolves to refuse permission, it need not consult the Mayor again. Accordingly the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident which either singularly or cumulatively overcome the presumption against inappropriate development in the Green Belt. The proposal is therefore contrary to the aims of Policy EM2 of the Local Plan Part 1 (2012), Policy DME114 of The Local Plan: Part 2 - Development Management Policies (2020), Policy G2 of the London Plan (2021) and paragraphs 147, 148 and 149 of the NPPF (2021).

2 NON2 Non Standard reason for refusal

The applicant has failed to demonstrate a satisfactory policy-led approach to the provision of the car parking for the development. The car parking provision is in excess of the maximum parking standards contrary to The London Plan (2021) Policy T6), Policy DMT6 of The Local Plan: Part 2 - Development Management Policies (2020), and paragraphs 104,110 and 112 of the NPPF (2021).

3 NON2 Non Standard reason for refusal

In the absence of a Noise Impact Assessment, the application fails to demonstrate that the scheme would not result in unacceptable noise generation from operational activities, prejudicial to the residential amenities of surrounding occupiers and to the River Pinn and Manor Farm Pastures Borough Grade II Site of Importance for Nature Conservation (SINC). This is contrary to Policies EM7 and EM8 of the Hillingdon Local Plan Part 1 (2012), Policies DMHB 11 and DMEI 7 of The Local Plan: Part 2 - Development Management Policies (2020), Policies D14 and G6 of the London Plan (2021) and paragraphs 174 and 180 of the NPPF (2021) and the Noise Policy Statement for England 2010.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan 2021 and national guidance.

DMEI 4	Development on the Green Belt or Metropolitan Open Land
DME 2	Employment Uses Outside of Designated Sites
DMEI 2	Development of Land Affected by Contamination
DMEI 9	Management of Flood Risk
DMHB 1	Heritage Assets
DMEI 14	Air Quality
DMHB 11	Design of New Development
DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
LPP D14	(2021) Noise
LPP D5	(2021) Inclusive design
LPP E11	(2021) Skills and opportunities for all
LPP G2	(2021) London's Green Belt
LPP G6	(2021) Biodiversity and access to nature

LPP G7	(2021) Trees and woodlands
LPP GG2	(2021) Making the best use of land
LPP HC1	(2021) Heritage conservation and growth
LPP HC5	(2021) Supporting London's culture and creative industries
LPP SI1	(2021) Improving air quality
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP SI5	(2021) Water infrastructure
LPP SI7	(2021) Reducing waste and supporting the circular economy
LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction

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The Local Planning authority has taken into consideration the requirements of the National Planning Policy Framework and has worked pro-actively with the applicant through extensive negotiations to address material planning issues wherever possible. Notwithstanding these discussions, the scheme was ultimately considered to fail to comply with the development plan for the reason identified above.

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During the determination of this application the applicant commenced works on site without the benefit of planning consent. As this decision notice refuses planning consent the applicant is requested to cease the use of the site for commercial filming and to remove any structures which do not benefit from planning consent from the site.

3. CONSIDERATIONS

3.1 Site and Locality

The application site extends to approximately 0.635 ha. The last use of this site was a garden centre which had an associated car park comprising 142 spaces in the main car park and a further 46 spaces located to the north. These two car parking areas were the subject of temporary approvals for parking for overspill Hillingdon Hospital staff.

The Garden Centre use ceased on 31/01/2017

The previous garden centre had incorporated a car valeting centre, a timber merchant and an aquatics centre. The application site currently consists of the former garden centre structures comprising one main single storey structure with a height of approximately 5.7 metres, with smaller ancillary outbuildings and hardstanding car parking.

The site gains access from Pield Heath Road, via a dedicated access way.

The site is screened by existing dense vegetation and is not readily visible from surrounding roads and pedestrian paths. Most of the land immediately surrounding the site is open Green Belt, the exception being Pield Heath Convent School to the east.

There are also some houses on the opposite side of Pield Heath Road to the south and

further along Church Road to the west.

3.2 Proposed Scheme

Planning permission is sought for a temporary Sui Generis commercial filming and workshop use for 12 months, after which the site would be returned to its current state.

The proposal would retain the existing structures. The main garden centre building would be repurposed for storage and wardrobe use connected to the proposed commercial filming use. The smaller outbuildings to the north would be repurposed as workshops 4 and 5. The proposed five temporary structures would be sited either side of the existing outbuildings.

The modular workshop buildings are quite substantial, with footprints of 20x25m, 20x30m and 20x35m in plan. Workshop 1 will have an eaves height of 6.2m and a ridge of 8.2m. Workshops 2 - 7 have eaves heights of 4.2m and a ridge height of 6.2m.

3.3 Relevant Planning History

13831/APP/2017/1217 Hillingdon Garden Centre Pield Heath Road Hillingdon

Temporary change of use from garden centre to parking for Hillingdon Hospital staff for a period two years.

Decision: 18-09-2018 Approved

13831/APP/2020/2469 Hillingdon Garden Centre Pield Heath Road Hillingdon

Variation of Condition 1 of planning permission Ref: 13831/APP/2017/1217 dated 18/09/2018 (Temporary change of use from garden centre to parking for Hillingdon Hospital staff) to allow an additional period of five years

Decision: 03-12-2020 Approved

Comment on Relevant Planning History

The former Wyevale Garden Centre site has been occupied since the late 19th century, when Milton Hutchings opened a plant nursery. This nursery expanded over the years and by 1964 occupied around 20 acres. The nursery appears to be the first development on the site.

The Secretary of State approved the use of the land as a Garden Centre in 1992 on appeal (ref:LRP219/R5510/04 dated 08/10/1992), with requirements to return the land to the original state on expiry of the permission.

A Lawful Development Certificate ref:3831/APP/2005/1948 was granted on appeal on 4/9/2006 for the continued use of the site as a garden centre.

An application ref:13831/APP/2017/1216 for the use of the garden centre site for University use was withdrawn on 6/6/2017 following concerns raised by the Local Planning Authority.

An application ref: 13831/APP/2017/1217 for the temporary change of use from garden centre to parking for Hillingdon Hospital staff for a period of two years was granted permission on 20/09/18.

A section 73 application (ref:13831/APP/2020/2469) to vary Condition 1 planning permission Ref: 13831/APP/2017/1217 dated 18/09/2018, to allow an additional period of 5 years, for temporary change of use from garden centre to parking for Hillingdon Hospital staff was approved on 22/12/2021.

The Garden Centre use ceased on 31/01/2017.

4. Planning Policies and Standards

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 - Development Management Policies (2020)

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

The West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2021)

Material Considerations

1.3 The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.EM1 (2012) Climate Change Adaptation and Mitigation

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

PT1.EM7 (2012) Biodiversity and Geological Conservation

PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DME 2 Employment Uses Outside of Designated Sites

DMEI 12 Development of Land Affected by Contamination

DMEI 9 Management of Flood Risk

DMHB 1 Heritage Assets

DMEI 14 Air Quality

DMHB 11 Design of New Development

DMHB 14	Trees and Landscaping
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D12	(2021) Fire safety
LPP D13	(2021) Agent of change
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LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **4th August 2021**

5.2 Site Notice Expiry Date:- Not applicable

27th July 2021

6. Consultations

External Consultees

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015. 23 adjoining owner/occupiers have been consulted. At the time of writing this report 8 representations had been received objecting to the scheme. In addition, a petition bearing 108 signatures has been received objecting to the proposals. The comments received comprise:

The original application claims that work had not started. This is totally untrue, work commenced during the first week of May 2021.

Claims site to be vacant. That is again untrue. The car parking is in use by Hillingdon Hospital staff and the buildings were in use by Brunel University for storage.

There is a small stream and marshland immediately adjacent, probably within 2m of the southern boundary and this feeds directly into the river Pinn with the potential for contamination of the watercourse by runoff from the site. The applicant fails to indicate how surface water will be disposed of - the new buildings will create a significant amount with the potential to cause flooding in the vicinity.

Foul Sewage - disposal will not connect to an existing drainage system? This could be considered to be non-environmentally friendly and potentially polluting.

If there are several thousand square metres of workshop building scenery and similar, what will happen to both the solid and liquid waste created here?

The application fails to acknowledge the extreme close proximity of residential properties - the nearest being under 10 metres from the boundary,

Noise: Since the beginning of May the noise has been incessant, This is generated by the use of cranes, scissor lifts, excavators, other heavy machinery, and large goods vehicles, along with hammering, grinding, smashing concrete and undertaking groundworks.

It has often been the case that vehicles would be left with engines running close to the residential properties.

The level of noise is at times so great that it penetrates the residential buildings close by.

When the workshops are in use - what will the level of noise be? Using the noise levels from internal construction work as a base, with no sound insulation installed and an increase to 100 staff the level of noise will further worsen to unacceptable levels of intrusion.

Hours of Operation: The Cottee document states "with some occasional weekend working". Since early May, there has been working on site every weekend - obviously not occasional.

Groundworks: Within the documentation attached to the application, it states no groundwork will be undertaken. This is untrue, and we are aware of excavation and breaking up of hard standings being carried out.

Vehicles: The site has designated parking areas at the East end of the site away from where the majority of residential properties affected are located. Instead the contractors are choosing to use land previously used for storage and retail behind the old garden centre structure where they drive their vehicles around without any consideration of the impact of the noise of their use has on neighbouring properties.

Wildlife: Until work started on the site sightings of both deer -, including Muntjacs and Roe, either individually or in small family groups and foxes (up to 20) were daily occurrences. These sightings have now dropped to zero since the work commenced.

The land is Green Belt and unsuitable for industrial activities.

The proximity of residential properties again makes it unsuitable for industrialisation.

The applicants have already demonstrated their unwillingness to keep noise levels under control and the development is likely to result in noise levels significantly greater than those previously experienced close to the site which will continue to cause distress to the local residents

The application contains many errors, false claims, inaccurate statements, and attempts at deception and should be rejected because of this.

Concerned over the working hours leading into evenings & weekends and the disruption/noise this will cause us, as we have health problems and will lead to more stress for us.

Planning permission is being sought approximately 2 months after the actual work has commenced which makes a mockery of the planning process that the rest of the borough are required by law to follow.

Nexus Planning have not had the human decency to consult with us about the works, especially given we live only 10 metres from the boundary of the site.

The negative impact the work is having on the wild animals that inhabit the area behind our house and next to the site the planning permission is being requested (we have rarely seen the family of muntjacs that until the work started were visible to us daily).

Given the planning applicants have been willing to construct this project at risk, we have major concerns over their compliance, and wonder what they might decide to construct or change next on site.

We are also concerned regarding the level of noise that will come from the site once the proposed use activity commences and up to 100 people are employed in the "workshops".

The temporary buildings are disproportionate in height (with eaves at 8.2m) compared to what already existed on the site

The yard in the South West corner is being used for car and van parking which was never the case when it was the garden centre. It had been used for storage and there are defined parking areas on the site.

The traffic movements, including HGVs into and out of the yard occur within 10 metres of our property and thus are adding to the noise concerns.

The area is within the Metropolitan Green Belt and industrial use is inappropriate.

Proximity to residential properties and the noise nuisance it will cause.

Setting a very poor planning precedent of allowing industrial development to be almost complete, before the planning application is considered by the council.

Were concerned that any future industrial use may pollute the river at the bottom of our garden.

Whilst this application is notionally for the erection of temporary buildings, supporting documents suggests that this is not so.

Even if the film industry relinquishes the site, it seems unlikely that once planning approval had been given for additional buildings, other applications would not follow.

The developers would not keep to what is agreed, and that their attention to detail is questionable.

The application form ignores that part of the area is in an area of flood risk.

The application form says that the proposal will use existing toilet and washing facilities. However these were not designed with a development of this scale in mind, and in particular the significantly increased number of people permanently on the site.

The assertion that the proposal will increase employment fails to address whether this will be jobs which are displaced from elsewhere. we cannot be sure that local people will benefit from the proposal.

There is no information on the type of machinery likely to be installed. Without that it is not possible to comment on the likely noise impact on the locality.

Despite assertions to the contrary the site can be seen from Field Heath Road, particularly from on a bus! It can also be seen from the adjacent common land.

Although there is vehicle analysis documentation, this fails to take properly into account the differing effects of an HGV and a car.

Given the proximity of the site to both a special school and Hillingdon Hospital, further traffic calming measures near the site would be advisable.

In addition to the above representations, a petition has been received, bearing 108 signatures, objecting to the proposed development on the following grounds:

Refuse the planning application and instruct the applicants to remove the buildings constructed without consent. This will ensure protection of the Green

The land is designated Green Belt and borders a nature conservation area and it is understood the application does not accord with the provisions of the local development plan;

Industrialisation of the area is inappropriate given the residential nature of the locality with houses starting just 10m from the site;

The potential levels of noise will continue to be intrusive and disturbing to local residents;

ENVIRONMENT AGENCY

Thank you for consulting us on the above application. We have no objection to the application.

Sequential test - advice to Local Planning Authority

In accordance with the National Planning Policy Framework (paragraph 158), development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower probability of flooding.

It is for the local planning authority to determine if the sequential test has to be applied and whether or not there are other sites available at lower flood risk. Our flood risk standing advice reminds you of this and provides advice on how to apply the test.

Advice to applicant

We have no objection to the proposed development. The developer may however wish to consider including measures to mitigate the impact of more extreme future flood events. Measures could include raising ground/ finished floor levels and/ or incorporating flood proofing measures. Further guidance on preparing properties for flooding can be found at <https://www.gov.uk/government/publications/prepare-your-property-for-flooding>.

GREATER LONDON AUTHORITY (GLA)

I refer to the copy of the above planning application, which was received from you on 05 July 2021. On 10 August 2021 the Mayor considered a report on this proposal, reference 2021/0741/S1. A copy of the report is attached, in full. This letter comprises the statement that the Mayor is required to provide under Article 4(2) of the Order.

The Mayor considers that the application does not yet comply with the London Plan for the reasons set out in paragraph 65 of the above-mentioned report; but that the possible remedies set out in that report could address these deficiencies.

If your Council subsequently resolves to approve the application, it must consult the Mayor again under Article 5 of the Order and allow him fourteen days to decide whether to allow the draft decision to proceed unchanged; or direct the Council under Article 6 to refuse the application. You should therefore send the Mayor a copy of any representations made in respect of the application, and a copy of any officer's report, together with a statement of the decision your authority proposes to make, and (if it proposed to grant permission) a statement of any conditions the authority proposes to impose and a draft of any planning obligation it proposes to enter into and details of any proposed planning contribution.

If your Council resolves to refuse permission it need not consult the Mayor again (pursuant to Article 5(2) of the Order), and your Council may therefore proceed to determine the application without further referral to the Mayor. However, you should still send a copy of the decision notice to the Mayor, pursuant to Article 5 (3) of the Order.

Please note that the Transport for London case officer for this application is Emily Hindle, email v_EmilyHindle@tfl.gov.uk.

GLA Stage 1 Report (Summary)

London Plan policies on Green Belt, urban design, heritage, sustainable development, noise, and transport are relevant to this application. The application does not currently comply with these policies, as summarised below:

- Land use principles: The proposal is considered inappropriate development within Green Belt land. The applicant must undertake a thorough assessment of the harm to openness and any other harm by submitting a more compelling very special circumstances cases, including a rigorous alternative

site search and a more robust visual impact analysis which considers longer range views. As it stands, the application does not comply with Policy G2 of the London Plan, and the NPPF.

- Urban design: The applicant is required to submit CGI visuals and views analysis of the development in order to assess thoroughly impact upon the Green Belt.
- Heritage: Further information is required regarding any potential impacts to the nearby designated Grade II and Grade II* heritage assets on Church Road, and neighbouring Cowley Church (St. Laurence) Conservation Area.
- Sustainable development and environmental issues: Further information is required regarding energy and noise. The applicant should demonstrate opportunities to avoid and mitigate impacts on the SINC.
- Transport: The proposals do not fully comply with transport policies of the London Plan; to rectify this, more work is needed on the transport assessment, car and cycle parking, and deliveries and servicing.

HISTORIC ENGLAND (GLAAS)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

The former Wyevale Garden Centre site has been occupied since the late 19th century, when Milton Hutchings opened a plant nursery. This nursery expanded over the years and by 1964 occupied around 20 acres. The nursery appears to be the first development on the site.

The application site is not located within an archaeological priority area and the proposed development does not involve the breaking of ground. Therefore the proposed development is unlikely to impact any potential archaeological remains. application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

No further assessment or conditions are therefore necessary. This response relates solely to archaeological considerations. If necessary, Historic England's Development Advice Team should be consulted separately regarding statutory matters.

TRANSPORT FOR LONDON (TfL)

I write to provide detailed strategic transport comments on this application reference 13831/APP/2021/2233. The comments below summarise Transport for London's (TfL) views on the proposed development. Please note that these comments represent the views of TfL officers and are made entirely on a "without prejudice" basis.

Site and surroundings

The site is located to the north of Pield Heath Road. The nearest part of the Transport for London Road Network (TLRN) is The Parkway, east of the site and Western Avenue to the north.

Outside the site access, there are two bus stops on either side of the road, both served by routes U3 and U5. The U3 and U5 bus services provide access to the nearest station, Uxbridge Underground, which is served by the Metropolitan and Piccadilly lines.

The site is in an area of Public Transport Access Level (PTAL) 2 on a scale of 0 to 6b, where 6b represents the highest level of connectivity.

Trip Generation

The Transport Statement has attempted to assess the anticipated number of staff vehicle trips and HGV trips associated with the installation, operation and dismantle phases of the development. During the operation of the site, this equates to 350 car movements per day and 4 daily HGV movements. The assessment assumes that all staff trips will be made via private car. However, TfL would expect the assessment to include trip generation for other individual transport modes to allow TfL to assess the impact on the public transport network, and to ensure the development aligns with the Mayor's strategic target, which is to get 80% of all trips in London completed by walking, cycling or public transport by 2041.

The Transport Statement, including section 5 (Transport policy) should be updated to include reference to the 2021 London Plan, which was formally published in March 2021. The proposed development should meet the standards set out in this document as set out below.

The applicant should also consider Vision Zero, the Mayor's approach to eliminating death and serious injury from London's transport network by 2041 and set out how the design and management of the development will contribute to achieving this target and encourage safer road use behaviour, especially given the sites proximity to a school and the anticipated HG movements.

Active Travel Zone

The Transport Statement should be updated to include an Active Travel Zone (ATZ) assessment, undertaken in line with TfL guidance, available here: <https://content.tfl.gov.uk/atz-assessment-instructions.pdf> This will support policy T2 (Healthy Streets) of the London Plan.

Cycle parking

13 cycle parking spaces are proposed. This should be increased to 15 long stay and 7 short stay cycle parking spaces. The long-stay cycle parking should consist of a variety of stands and include at least 20% Sheffield stands and a further 5% wider spaces for non-standard bicycles.

All cycle parking and cycle parking access should be designed and laid out in accordance with Chapter 8 of the London Cycling Design Standards (LCDS). The applicant should confirm where the cycle parking will be placed, so TfL can assess the suitability of the location. TfL reminds the applicant that short stay cycle parking should be located in the public realm, close to building entrances in an area with good natural surveillance.

Car parking

As the Transport Statement states, this development will operate similarly to a B2/B8 use. The London Plan states that car parking provision at use class B2/B8 should have regard to policy T6.2 (Office parking) of the London Plan. Therefore, a maximum of 65 car parking spaces should be provided for a development of this size. However, 108 marked car parking spaces are set to be retained. TfL resists any application that exceeds these maximums, and therefore the proposed provision must be reduced to comply with the London Plan. The total provision should include disabled persons parking, provided in line with policy T6.5 (Non-residential disabled persons parking) of the London Plan.

At least 20% of the spaces should offer active electric vehicle charging, with passive provision for all remaining spaces.

A Parking Design and Management Plan should be submitted and secured by condition, indicating how car parking will be designed and managed.

Travel Plan

A Travel Plan is recommended to be secured in the Section 106 (S106) agreement to encourage a sustainable mode shift for all staff and visitors accessing the site. This will help the development in achieving the Mayor's strategic target.

Deliveries, servicing and construction

All delivery and servicing will take place on site, which is welcomed. The applicant should provide a swept path analysis, demonstrating that vehicles will be able to access and egress the site in a forward gear. This should be included in a Delivery and Servicing Plan (DSP), developed in line with TfL's latest guidance, and secured by condition.

TfL recommends a Construction Logistics Plan (CLP) to be provided and secured by condition to help minimise impacts on the highway network during the installation of the temporary structures.

COUNTRYSIDE CHARITY

CPRE London is a membership based charity with 2500 members across London, concerned with the preservation and enhancement of London's vital green spaces, as well as the improvement of London's environment for the health and wellbeing of all Londoners.

We are writing to object to the above application on the following basis:

- This is inappropriate development on the Green Belt. Exceptional circumstances cannot be said to exist.
- The site has always been used for growing plants and food crops and more recently as a garden centre. The industrialising effect of the development will spoil the character of this tranquil section of the green belt.
- The development may disturb or destroy habitats used by local wildlife including families of deer.

We are also concerned that work already appears to have begun on the site before planning permission has been obtained.

Internal Consultees

POLICY AND ENVIRONMENTAL PLANNING (PEP)

Proposal

Change of use of existing buildings to commercial filming and erection of 5 no. temporary workshops

Development Plan Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. 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) The London Plan - 2021 The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Designations

Green Belt

Principle of Development

The proposed development site is designated as Green Belt. It forms part of broader area of Green Belt that creates a corridor along the River Pinn and separates Cowley from Colham Green. Consequently, new development is regarded as inappropriate unless it accords with specific

exceptions set out in the NPPF, or it can demonstrate very special circumstances. The proposed development must also be in accordance with London Plan policy G2 and Local Plan Part 2 policy DME1 4 'Development on the Green Belt or Metropolitan Open Land'.

The use class of the proposed development is a temporary Sui Generis commercial filming and workshop use for 12 months, after which the site would be returned to its current state. The existing garden centre E class building will be repurposed for the sui generis use and the construction of five temporary workshops.

The reuse of the existing building would not be inappropriate development as set out in paragraph 150 (d) of the NPPF. However, the proposed warehouses would not accord with any of the exceptions set out in the NPPF. The scale of the proposed development is beyond what could be regarded as limited infilling. The creation of significant additional built form (even if temporary) would also have greater negative impact on the openness of the Green Belt than the existing area of hardstanding.

As stated above, the NPPF states that when considering any planning application, substantial weight should be given to any harm to the Green Belt and that very special circumstances will not exist unless the potential harm to the Green Belt is clearly outweighed by other considerations. Therefore, the applicant must set out the very special circumstances they believe would outweigh the substantial harm to the Green Belt.

Green Belt - Very Special Circumstances

a) Location and Need

The Planning Statement identifies that the proposal has been specifically designed to meet the requirements of a global production company that require the site to support a production at Pinewood Studios (in Slough BC), which is approximately 5.5 miles from the proposed development. Evidence is provided from various national reports on the need for film and studio space. However, no details are provided on why such space cannot be delivered within the Pinewood Studios campus.

A reference is also made to the possibility of work experience for students at the adjacent Brunel University. However, this link does not appear substantial enough to require proximity to the proposed development. Given the lack of evidence on the specific need to utilise this site, the case presented is given very limited weight in favour of the proposal.

b) Lack of Alternative Sites

The next issue for consideration is the need for the development to occur on the application site given its Green Belt designation. The application should demonstrate through a sequential assessment that no alternative brownfield sites are available. There is no evidence in the Planning Statement that consideration has been given to alternative brownfield sites or to explain the specific reasons that this is the only suitable available site to meet the needs of the proposed development. As the applicant has not provided any substantive details of the suitability of alternative sites in the wider area, the selection of a Green Belt site for the proposal has not been justified. This weighs substantially against the proposal.

c) Potential Economic Benefits

The Planning Statement identifies that the proposed development could create up to 100 temporary jobs together with supply chain benefits such as the use of local shops, hotels and restaurants. The

application is also supported by letters from the British Film Commission Film London and West London Business. It is accepted that there would be some positive economic impacts arising from the proposal. However, it is also likely that these benefits could also be provided if the proposed development took place on an alternative site not located within the Green Belt. Again, the lack of evidence that alternative brownfield sites have been considered weighs against the proposal.

d) Social Impacts

As referenced above, the proposed development could provide opportunities for work experience for students at Brunel. However, the information provided on this aspect of the proposal is minimal and such opportunities are not an integral part of the proposal. Consequently, they cannot be considered to weigh in favour of the proposal.

e) Impact on character and openness

The NPPF and relevant planning policies (G2 and DME14) require any new development should also seek to minimise its impact on the openness of the Green Belt considering the visual amenity and character of the surrounding Green Belt land.

Despite their temporary nature, the addition of the five workshop buildings would significantly increase the level of built development on the site. This would also be accompanied by an increase in on-site activity from the intensification of use. Therefore, the loss of openness would be significant, particularly when viewed from the surrounding residential gardens and the school. This impact would be tempered to some extent by its temporary nature. However, given this would be in addition to the inappropriate nature of the proposal, it carries significant weight against the proposal.

Conclusion

A significant element of the proposed development has been assessed as being inappropriate development, which is by definition harmful to the Green Belt. This harm should be given substantial weight in the assessment of the proposal. The temporary nature of the proposed nature of the development does lessen the potential harm to some extent, but it still carries significant weight against the scheme. The assessment of the application has demonstrated that although there are some limited economic benefits that weigh in favour, the applicant has not shown the need for the proposal in this location. Consequently, the case has not been made for the proposed development to be in a Green Belt location. In combination these factors weigh substantially against the scheme.

Furthermore, the proposal has been assessed as harming the openness of the Green Belt, particularly when view from neighbouring gardens. This means that on balance, the economic benefit of the scheme is not considered to outweigh the harm to Green Belt by reason of its inappropriateness. This is contrary to paragraph 147 of the NPPF.

FLOOD AND WATER MANAGEMENT

There are no objections in principle to the proposed change of use following the submission of an FRA. However a condition to ensure the drainage system has been checked and is clear and in good condition has been requested. It should be noted that the properties that experienced flooding in 2016 adjacent to the site were as a direct result of SW and overland flow from this site and the wider catchment area. The FRA does not contain any site specific drainage information and assumptions made that the site drainage is adequate and functioning. As a minimum a site specific survey should be provided confirming that the drainage system is clear and in good condition, where the site has been closed for many years and possibly not maintained and where it drains to, as it may drain to the watercourse which resulted in flooding in 2016. It is reasonable to ensure that the system is in working order, to that the risks to the existing buildings can be managed which are to be

converted and remain at ground level, and lie in the path of any overland flow towards the river.

HIGHWAY ENGINEER

Proposed Development:

Change of use of existing buildings to commercial filming and erection of 5 no. temporary workshops.

The site contains a number of buildings, 124 marked parking spaces and two large outdoor servicing areas in connection with the former Wyevale garden centre.

The proposals include retaining the existing buildings with the largest building being used for storage, wardrobe and hair & makeup and the smaller building being sub-divided into workshops. In addition, 5 temporary buildings would be erected to also be used as workshops.

The proposals would retain 108 marked parking spaces, with the existing northern row of spaces temporarily removed to improve access to the workshop buildings.

The workshops will be used to construct props and sets for the filming industry.

The site is not within a Controlled Parking Zone (CPZ) however Field Heath Road has double yellow lines on both sides of the road which do not permit parking on-street at any time.

Around 40m east of the site access, there is a CPZ (HH) which operates Monday to Friday between 9am and 5pm. All on-street parking must be within designated bays and resident permits must be displayed during the CPZ restrictions

The TfL WebCAT service indicates that the site is within a PTAL 2 location whilst the site access is within a PTAL 3.

Highways Comments:

The proposals are for a temporary change of use and erection of temporary buildings to support filming productions to construct props and sets which will then be transported to film sets and studios.

The proposals will retain 108 marked parking spaces with a reduction in 16 marked parking spaces compared to the existing layout.

The London Plan adopted March 2021 sets the new maximum car parking standards on the London Boroughs and which came into immediate effect by further reductions in car parking provisions (with exceptions to very low PTAL areas/opportunity areas). Where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity.

The London Plan states:

For industrial sites, the role of parking - both for workers and operational vehicles - varies considerably depending on location and the type of development proposed. Provision should therefore be determined on a case-by-case basis, with the starting point for commuter parking being the standards in Table 10.4 with differences in employment densities taken into account. Flexibility may then be applied in light of site-specific circumstances as above. Operational parking should be considered and justified separately.

Car parking provision at Use Classes Order B2 (general industrial) and B8 (storage or distribution) employment uses should have regard to these office parking standards and take account of the significantly lower employment density in such developments. A degree of flexibility may also be applied to reflect different trip-generating characteristics. In these cases, appropriate provision for electric or other Ultra-Low Emission vehicles should be made.

The London Plan parking standards for Outer London is: Up to 1 space per 100 sq.m. (GIA), and DMT6 states 2 spaces plus 1 space per 50 - 100 sqm of gross floorspace; the London Plan also states "Where Development Plans specify lower local maximum standards for general or operational parking, these should be followed", given the London Plan standard has the lower maximum standard, matching the Local Plans lower level of parking, 1 space/100m² should be applied. Also given the sites PTAL rating of 2/3 the lower level of parking standard is justified to be applied.

In the TS it states 'The existing and proposed temporary structures will have a combined GFA of around 6,500 sqm meaning that the site should provide a maximum of between 67 and 132 car parking spaces.' Both the London Plan and DMT6 require the lower level of 1 space/100m² to be applied therefore parking provision of 108 spaces is in excess of the maximum allowed of 67 spaces contrary with both the London Plan and DMT6.

Whilst the proposals are for temporary use both the London Plan and Policy DMT6 make no distinction between temporary or permanent use concerning parking standards.

The HA accepts that that there is substantial space throughout the site to safely and efficiently accommodate all delivery and servicing vehicles as demonstrated in the plan attached at Appendix B of the TS.

The development should attempt to encourage improved pedestrian links and the use of public transport, as well as bicycle to minimise vehicular movements. It will also ensure car parking provision does not exceed the London Plan or the DMT6.

For industrial sites, the role of parking - both for workers and operational vehicles - varies considerably depending on location and the type of development proposed. Provision should therefore be determined on a case-by-case basis, with the starting point for commuter parking being the standards in Table 10.4 with differences in employment densities taken into account. Flexibility may then be applied in light of site-specific circumstances as above. Operational parking should be considered and justified separately.

A Parking Design and Management Plan should be submitted alongside all applications which include car parking provision, indicating how the car parking will be managed, with reference to Transport for London guidance on parking management and parking design.

In the TS conclusions it states 'The proposals include retaining a minimum of 108 marked car parking spaces on-site for staff and visitors. This level of provision is expected to exceed the demand of the site and the proposals will therefore not impact on the surrounding highway network.' The London Plan makes it clear that over provision of parking than is needed is not supported.

Cycle parking should be at least in accordance with the minimum standards set out in the London Plan/DMT6 for all uses proposed on site. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.182 Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people.

No mention of EV charge points have been made, in line with The Hillingdon Local Plan: Part 2

Development Management Policies (2020) Policy DMT 6: there is also a requirement for an Electric Vehicle Charging Point (EVCP) provision.

In the London Plan there is a requirement for the provision of rapid electric vehicle charging points for freight vehicles. Also to support carbon-free travel from 2050, the provision of hydrogen refuelling stations and rapid electric vehicle charging points at logistics and industrial locations is supported.

RECOMMENDATION:

Refuse

Reasons for Refusal:

The applicant has failed to demonstrate a satisfactory policy-led approach to the provision of the car parking for the development. The car parking provision is in excess of the maximum parking standards contrary to The London Plan and policy DMT6. Other aspects of the development can be addressed by appropriate conditions.

CONTAMINATION OFFICER

This land is the site of a former nursery and has a long history, with some potential for contamination previously noted as fuel storage and the use of pesticides etc. However, I have no specific information on contamination for the site to be developed.

The following informative is recommended as a precaution that is offered on the grounds of health and safety.

Contamination Informative

There is a possibility there may be some contaminating substances present in the ground. We have no site specific information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any excavated material with clean shallow soils that are to remain on site.

REASON

You are advised that based on Council Records the proposed development is on the site of a former nursery with a long history that once extended well beyond the outline of the current site. Our records indicate a possibility of contamination based on past use in some areas of the site. The advice is offered on the grounds of Health and Safety of workers on site and to ensure the appropriate restoration of the site once works are complete and to minimise risk to future occupants of the site.

URBAN DESIGN AND CONSERVATION OFFICER

The planning application seeks permission to change of use of the existing buildings on site to commercial filming and to erect 5 temporary workshops on the existing tarmac surfaces.

Site and Surrounds

The Site comprises the former Wyevale Garden Centre, which closed in January 2017. The site is located on the northern side of Pield Heath Road, set back in excess of 50m, with an area of woodland which screens the site. The site is located in the green belt and close to heritage assets.

Proposals

It is proposed that the existing garden centre structure will be retained and used for wardrobe and storage space. It is not proposed to make alterations to the exterior of the building other than undertake necessary repairs and therefore the works would have no impact on the site and surrounds.

Workshops 4 & 5 will be formed in the existing brick structure. All works to the building will also be internal or cosmetic enhancement to the fabric and would also have no impact on the site and surrounds.

The new build elements would be in the form of five temporary workshops that would be built on the northern part of the site. The structures are constructed from lightweight aluminium portal frames, with powder coated insulated cladding panels and stretched fabric roofing. These would sit directly on to the existing macadam surface and do not require footings. The temporary nature of the buildings would mean that they could be easily dismantled and removed at a later date and the land restored back to its former state.

The modular workshop buildings are quite large at 20x25m, 20x30m and 20x35m in plan. Workshop 1 will have an eaves height of 6.2m and a ridge of 8.2m. Workshops 2 - 7 have eaves heights of 4.2m and a ridge of 6.2m and would impact upon the openness of the Green Belt.

Heritage

The site is not within a conservation area however, a Grade II* and Grade II listed buildings are located within 235 meters of the site, which consist of the Church of St Laurence and the former Rectory at 27C Church Road. These sites also fall within the Cowley Church (St. Laurence) Conservation Area. There are also locally listed buildings close by with Pied Heath Convent Schools with linked stables 60m to the southeast and 1 and 2 Manor Lodge, Church Road to the southwest which are also within the Cowley Church (St. Laurence) Conservation Area.

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. In relation to listed buildings, all planning decisions should "have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

The application does not include a heritage assessment, nor assessed the potential impact the development would have on the listed buildings or nearby Conservation Area. Having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservations Areas) Act 1990, and NPPF requirements in relation to listed buildings, structures and conservation areas, given the close distance from the proposed development to the listed buildings and nearby Conservation Area, the applicant should assess any potential impacts on the designated heritage assets to ensure compliance with London Plan Policy HC1.

Notwithstanding the above it is likely that the temporary workshops would have little impact on the heritage assets given the separation distances between them and the tree coverage surrounding the site. This would, however, need to be verified through the Heritage Impact Assessment. If the proposals were for no longer than the year specified, then there would unlikely be an objection to the proposals.

There is a concern, like many of these 'temporary applications' that the structures become more permanent over time and the temporary permission continues to be extended each year.

Conclusion

A Heritage Impact Assessment should be provided to demonstrate that there would be no harm to

the setting of the heritage assets.

TREES AND LANDSCAPE

This site is occupied by the buildings, and hard-standing used for car parking and an external plant sales area formerly used by Wyevale Garden Centre, located on the north site of Pield Heath Road. The main glasshouse building is located in the south-west corner of the site which is set well back from the road and is largely screened on all sides by woodland, scrub and /or trees within hedgerows. Two large brick-built sheds remain in a secure compound on the north boundary, together with some smaller out-buildings. The main landscape feature within the site is the two rows of established birch trees on an east-west axis separating the car park rows in the south-east corner. There are no TPO's or Conservation Area designations affecting the site. The area to the south is a designated SINC.

COMMENT This submission follows previous applications, including 13831/APP/2017/1217, for a change of use of the land for car parking. The current proposal necessitates no loss of, or impact on, trees. The car park will remain unaffected by the proposal to retain and re-use the existing buildings and infill the areas of hard-standing along the northern boundary with 5 infill temporary workshops. However, if the application is approved, the trees should be protected from accidental / unintended damage associated with the installation of the workshops and the operational activities associated with the proposed use of the site.

RECOMMENDATION No objection subject to conditions COM8 and COM10.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The whole of the application site is designated as Green Belt. The main policy issue in relation to this development is considered to be the principle of additional development within the Green Belt and its impact on the openness, character and appearance of the Green Belt.

Policies in the Hillingdon Local Plan reflect national and London Plan guidance. The London Borough of Hillingdon Local Plan: Part 1 Policy EM2: (Green Belt, Metropolitan Open land and Green Chains) states that the Council will seek to maintain the current functions of the Green Belt and that any development proposed within the Green Belt will be considered against national and London Plan policies.

The London Borough of Hillingdon Local Plan: Part 2 Policy DME1 4 (Development in the Green Belt or on Metropolitan Open land) reiterates that inappropriate development will not be permitted unless there are very exceptional circumstances, while noting that redevelopment on sites will be permitted only where they would not harm openness or conflict with the purposes of including land within the Green Belt.

London Plan Policy G2 seeks to protect Green Belt from inappropriate development in accordance with the National Planning Policy Framework (NPPF). Development proposals that would harm Green Belt should be refused except where very special circumstances exist.

The National Planning Policy Framework (NPPF) is also relevant. At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-making. Nevertheless, the document states that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land

permanently open; the essential characteristics of Green Belts are their openness and their permanence. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

Paragraph 149 of the NPPF sets out that the construction of new buildings on Green Belt should be regarded as inappropriate barring the limited exceptions to this:

- 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; 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.

The application is seeking permission to build five temporary structures for the purposes of commercial filming on previously developed land in use as a garden centre. Temporary buildings are excluded from the exceptions test, and similarly a material change of use to commercial filming would not qualify for any exceptions. Consequently, the proposals would therefore be considered inappropriate development on the Green Belt, which is harmful by definition and would not accord with Section 13 of the NPPF or London Plan Policy G2. Accordingly, it is necessary to demonstrate that very special circumstances exist in order for the development to be considered acceptable.

The NPPF is clear at paragraph 148 that when considering applications on the Green Belt, substantial weight should be given to any harm to Green Belt and that '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.

As stated elsewhere in this report, there are physical works proposed to the site and it is anticipated that there would be more activity generated by the proposed use compared with the historic authorised garden centre use. As such, it is considered that the proposed use would have a greater impact on the openness of the Green Belt in this location than the authorised use.

Notwithstanding the temporary nature of the proposed use, it is considered that the proposal would conflict with the purposes of the Green Belt. As such, the scheme would fail to comply with the NPPF and would amount to inappropriate development in the Green Belt. As the proposal is inappropriate development in the Green Belt, it follows that there is

a need to establish 'very special circumstances' to justify the development in this Green Belt location.

Green Belt - Very Special Circumstances (VSCs)

The applicant has acknowledged and accepted that the proposed development would be inappropriate and does not meet any of the exception tests of the NPPF. The applicant has therefore set out what they consider to be very special circumstances that would outweigh the harm to the Green Belt as follows:

- facilitating the investment of major film production company in the Borough;
- the creation of 100 direct jobs on Site and supporting a further 100 jobs in the supply chain;
- enhancing the vitality of local services including hotels, restaurants, convenience stores and taxi companies;
- the creation of educational opportunities to support the next generation of skilled personnel;
- promoting the effective use of PDL; and
- returning the Site to its former condition following the expiry of any planning permission given.

Officers have assessed the very special circumstances set out by the applicant, The applicant has argued that the existing site is significantly limited in its overall contribution to the openness of the Green Belt, and under any objective assessment does not serve any of the five purposes of Green Belt. Thus, the applicant has argued that it is with this understanding that the following very special circumstances are identified and discussed, and concluded that the VSCs individually and cumulatively, along with any such impacts occurring only temporarily, justify the development within Green Belt.

a) Location and Need

The Planning Statement identifies that the proposal has been specifically designed to meet the requirements of a global production company that require the site to support a production at Pinewood Studios (in Slough BC), which is approximately 5.5 miles from the proposed development. Evidence is provided from various national reports on the need for film and studio space. However, no details are provided on why such space cannot be delivered within the Pinewood Studios campus.

The proposed development could provide opportunities for work experience for students at Brunel University. However, this link does not appear substantial enough to require proximity to the proposed development. Given the lack of evidence on the specific need to utilise this site, the case presented is given very limited weight in favour of the proposal.

b) Lack of Alternative Sites

The next issue for consideration is the need for the development to occur on the application site given its Green Belt designation.

Whilst the potential economic and other benefits of the development to the wider economy in West London are recognised, and notwithstanding the site's history of development for use as a garden centre, (which has resulted in the site being largely covered in built structures and hardstanding), the applicant has not demonstrated that an alternative sites search analysis has been undertaken. Therefore, officers and the Mayor do not accept that

the applicant has demonstrated compelling reasons why the proposal cannot be located on a non-Green Belt site.

The application has failed to demonstrate through a sequential assessment that no alternative brownfield sites are available. There is no evidence in the Planning Statement that consideration has been given to alternative brownfield sites or to explain the specific reasons that this is the only suitable available site to meet the needs of the proposed development. As the applicant has not provided any substantive details of the suitability of alternative sites in the wider area, the selection of a Green Belt site for the proposal has not been justified. Officers consider that this weighs substantially against the proposal.

c) Potential Economic Benefits

The Planning Statement identifies that the proposed development could create up to 100 temporary jobs together with supply chain benefits such as the use of local shops, hotels and restaurants. The application is also supported by letters from SDTA Productions, the British Film Commission Film London and West London Business. It is accepted that there would be some positive economic impacts arising from the proposal. However, it is also likely that these benefits could also be provided if the proposed development took place on an alternative site not located within the Green Belt. Again, the lack of evidence that alternative brownfield sites have been considered weighs against the proposal.

d) Social Impacts

Reference is also made to the possibility of work experience for students at the adjacent Brunel University. The applicant has submitted an Educational Benefits Note in support of the application offering the following commitments:

- i Use reasonable endeavours to provide 5 paid internships in each year for a period of not less than 1 month each for students of Brunel University London, or such other similar provisions as agreed with the University;
- ii Advertise roles as 'extras' for students of Brunel University London in relation to any productions taking place at the Site;
- iii Explore, where appropriate, any academic collaborations with the University including the potential for course development and research projects;
- iv Use reasonable endeavours to organise guest lectures by industry experts at the University; and
- v Use reasonable endeavours to enable students to utilise facilities managed by the Applicant

It is noted that these commitments suggest a long term residency on the site. In addition, the reference to productions actually taking place on the site weighs heavily against the proposal, given the likely levels of activity and potential noise generation such activity is likely to generate.

e) Impact on character and openness

The suggestion that the site does not serve any of the five purposes of Green Belt is discounted, as the site is Green Belt and has been designated as such through a plan-led process.

The NPPF and relevant planning policies (London Plan Policy G2 and Local Plan Part 2 Policy DME14) require any new development should also seek to minimise its impact on the

openness of the Green Belt considering the visual amenity and character of the surrounding Green Belt land.

Despite their temporary nature, the addition of the five workshop buildings would significantly increase the level of built development on the site. This would also be accompanied by an increase in on-site activity from the intensification of use. Therefore, the loss of openness is considered to be significant, particularly when viewed from the surrounding residential gardens and the school.

This impact would be tempered to some extent by its temporary nature. The applicant has stated that following the expiration of the sought planning permission, the site would return to its current condition as a lawfully established garden centre. Officers note that the Secretary of State approved the use of the land as a garden centre in 1992 on appeal (ref: LRP219/R5510/04 dated 08/10/1992) with requirements to return the land to the original state on expiry of the permission on 8 April 1994. A Lawful Development Certificate was then granted on appeal in 2005 (ref: APP/R5510/X/06/2010373 and APP/R5510/X/06/2010363) acknowledging the breach of two conditions attached to the original appeal decision of 1992, and regularising the use as a garden centre. However, given this temporary development would be in addition to the inappropriate nature of the proposal, it carries significant weight against the proposal.

CONCLUSION

In conclusion, it is considered that the proposed development is inappropriate development within the Green Belt and very special circumstances therefore need to be demonstrated. Officers consider that the harm by reason of inappropriateness is not clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify it.

The Mayor, in his stage 1 report states that the applicant needs to submit a more compelling Very Special Circumstances case; including a more rigorous alternative site search, undertake a thorough assessment of the harm to openness and any other harm, and a more robust visual impact analysis which considers longer range views with acceptable impact mitigation measures.

As no very special circumstances have been demonstrated, the application is recommended for refusal, on the basis that it significantly harms the openness of the Green Belt, contrary to the aims of Policy EM2 of the Local Plan Part 1 (2012), Local Plan Part 2 Policy DME114, Policy G2 of the London Plan (2021) and para 147 of the NPPF (2021).

7.02 Density of the proposed development

Not applicable to this application.

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

The NPPF states that when considering the impact of the proposal on the significance of a designated heritage asset, great weight should be given to the asset's conservation and the more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. Significance is the value of the heritage asset because of its heritage interest, which may be archaeological, architectural, artistic or historic, and may derive from a heritage asset's physical presence or its setting. Where a proposed development will lead to 'substantial harm' to or total loss of the significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the

substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss. Where a development will lead to 'less than substantial harm', the harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

London Plan Policy HC1 (2021) states that development should conserve heritage assets and avoid harm.

Archaeology

In terms of archaeology, GLAAS notes that the application site is not located within an archaeological priority area and the proposed development does not involve the breaking of ground. Therefore the proposed development is unlikely to impact any potential archaeological remains. application, GLAAS therefore concludes that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest and no further assessment or conditions are therefore necessary.

Listed Buildings and Conservation Area

The site is not in a conservation area however, a Grade II* and Grade II listed building are located within 235 meters of the site, which consist of the Church of St Laurence and the former Rectory at 27C Church Road. These sites also fall within the Cowley Church (St. Laurence) Conservation Area. The locally listed Field Heath Convent School is located to the east of the application site.

The application has not included a heritage assessment, nor assessed the potential impact the development would have on the listed buildings or nearby Conservation Area. Having regard to the statutory duties in respect of listed buildings and conservation areas in the Planning (Listed Buildings and Conservation Areas) Act 1990, and NPPF requirements in relation to listed buildings, structures and conservation areas, given the relatively close distance from the proposed development to the listed buildings and nearby Conservation Area, the Mayor in his Stage 1 Report states that the applicant should assess any potential impacts on the designated heritage assets to ensure compliance with London Plan Policy HC1.

However, it is noted that the site does not fall within close proximity to any statutory listed buildings, conservation areas, or areas of special local character. The nearest conservation area is the Cowley Church (St. Laurence) Conservation area to the south west which is located some distance from the application site. It is considered that the conservation area will not be adversely affected by the proposed development.

The Urban Design and Conservation Officer considers that it is likely that the temporary workshops would have little impact on the heritage assets, given the separation distances between them and the tree coverage surrounding the site. This would, however, need to be verified through the Heritage Impact Assessment, which could be secured by condition in the event of an approval. However, the Urban Design and Conservation Officer considers that if the proposals were for no longer than the year specified, then there would unlikely be an objection to the proposals.

In conclusion, notwithstanding the lack of a Heritage Impact Assessment, given the temporary nature of the development and that the physical works associated with the proposed temporary use are some distance from the statutory and locally listed buildings

and conservation area, it considered that the proposal would not lead to 'substantial harm' to the heritage assets, in accordance with Policies DMHB 3 and DMHB 4 of The Local Plan: Part 2 - Development Management Policies (2020), London Plan Policy HC1 and the provisions of the NPPF.

7.04 Airport safeguarding

There is no requirement to consult the aerodrome safeguarding authorities on a development of this nature in this location.

7.05 Impact on the green belt

Policy DME1 4 of The Local Plan: Part 2 - Development Management Policies (2020) states that

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to: i) the height and bulk of the existing building on the site;

ii) the proportion of the site that is already developed;

iii) the footprint, distribution and character of the existing buildings on the site;

iv) the relationship of the proposal with any development on the site that is to be retained;

and v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

The London Plan emphasises that openness and permanence are essential characteristics of the Green Belt. In considering this aspect, the Mayor and officers have had regard to National Planning Practice Guidance (NPPG) which states that assessing the impact on openness is effectively a planning judgement based on the circumstances of a particular application; therefore, proposals must be considered on a case-by-case basis.

In this case, an assessment must consider the temporary nature of the proposed structures, bearing in mind both harms caused when they are in place (including assembly and disassembly) and any enduring harms subsequent to their removal. The proposal would be for a temporary 12 month period of time, and the applicant has stated that the site would be returned to its current state after that time.

The reuse of the existing building would not be inappropriate development as set out in paragraph 150 (d) of the NPPF. However, the proposed use would involve significant material changes to the appearance of the site, given that physical changes involving built development in the form of 5 substantial workshop buildings are proposed as part of the proposals. The proposed warehouses would not accord with any of the exceptions set out in the NPPF. In addition, the scale of the proposed development is considered to be beyond what could be regarded as limited infilling. The creation of significant additional built form (even if temporary) would also have greater negative impact on the openness of the Green Belt than the existing area of hardstanding.

The Mayor in his Stage 1 report has reviewed the proposed scale of the five new temporary structures, noted to be between 6.2 to 8.2 metres high, but considers there to be insufficient information on the scale and massing of the existing buildings in order to assess how the proposals relate to the surrounding context. All proposed workshop buildings exceed the original buildings in height by up to 2.5m, which are considered to have a further impact on the openness of the Green Belt compared to the existing garden centre structures.

As noted above, the applicant has not demonstrated how the heights of the units relate to the prevailing heights of the existing garden centre buildings in streetscape and visual impact terms. Nevertheless, on the basis of the submitted information, which shows that there would be a greater spread of built development on the site, at a greater height to the existing structures, officers consider that there would be a greater impact on openness, which causes further harm to the Green Belt.

It is acknowledged that the existing buildings and car park are already authorised for a use in association with a garden centre and that the site is relatively well screened from certain views. However, notwithstanding that the application seeks a temporary consent for a period of twelve months, it is considered that in the short to medium term, the construction of the workshop buildings will significantly impact upon the openness of the Green Belt during the works, totally affecting its character.

It is considered that the proposed works would result in an industrial/commercial appearance, which effectively extends into relatively open land. The finished effect of developing this Green Belt site would project industrial development into the surrounding Green Belt. In effect, the development would result in commercial sprawl encroaching into the surrounding open land and would be alien to the Green Belt character of the wider area.

In conclusion, the proposal would diminish the intrinsic character of this Green Belt land, by transforming the site to a harder, industrial character, encroaching into the spacious green landscape of the surrounding area and influencing views and vistas to and from the Green Belt.

Should the proposed development be permitted, it is considered that the visual impacts of the proposal are likely to be of significant detriment to the character of the area, and the perception of openness of the Green Belt. This part of this Green Belt land would no longer effectively fulfill its function of checking unrestricted urban sprawl, or assist in safeguarding the countryside from encroachment. No very special circumstances have been demonstrated, contrary to Local Plan (Part 1) Policy EM2, Local Plan (Part 2) Policy DME1 4 and London Plan Policy G2 and the provisions of the NPPF.

7.06 Environmental Impact

Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that the Council will expect proposals for development on contaminated land to provide mitigation strategies that reduce the impacts on surrounding land uses. Major development proposals will be expected to demonstrate a sustainable approach to remediation that includes techniques to reduce the need to landfill.

Policy DME1 12 (Development of Land Affected by Contamination) of the Local Plan: Part 2 - Development Management Policies (2020) says that the Council will support planning permission for 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 used through remediation.

The existing buildings on site will be used for film production, in addition to this, five temporary workshop units are proposed to be located on the existing hardstanding car park. The applicant submits that no breaking of the ground will be undertaken for the placement of the temporary workshop units; therefore, no pathway exists for any contamination to reach the receptor. In the event of a pathway existing, it is considered that the risk would be low/moderate to humans. It is noted that whilst no footings are required for the new workshop buildings, some excavations have taken place, presumably for laying

of services.

The Council's contamination officer has reviewed the submitted documentation and notes that there is a possibility there may be some contaminating substances present in the ground, with some potential for contamination previously noted as fuel storage and the use of pesticides etc. However, the Council does not have site specific information on the ground conditions. Precautions should therefore be taken to minimise the mixing of any excavated material with clean shallow soils that are to remain on site.

The contamination Officer therefore recommends an informative, in the event of an approval, advising the applicant of the above mentioned potential risks to human health. The Contamination Informative is set out in the Internal Consultee section of the report.

On this basis, it is considered that the impact of the development on ground contamination can be mitigated, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), and Policy DMEI 12 (Development of Land Affected by Contamination) of the Local Plan Part 2: Development Management Policies (2020) .

7.07 Impact on the character & appearance of the area

The impact on the character and appearance of the area has been dealt with elsewhere in this report.

7.08 Impact on neighbours

Policy DMHB 11 Local Plan: Part Two - Development Management Policies (2020) advises that proposals should not have an adversary impact on the amenity, daylight and sunlight of adjacent properties and open space. Policy DMHD 1 also requires that there is no unacceptable loss of outlook to neighbouring occupiers.

There are no immediate neighbours within the vicinity of the proposed development. The works would be sufficiently remote from surrounding residents so that their amenities in terms of loss of light, loss of privacy and outlook would not be adversely affected. As the development would be sited a sufficient distance away from adjoining properties, it is not considered that there would be any loss of amenity to surrounding occupiers, in compliance with relevant Local Plan Policies and standards.

However issues relating to noise generated by the proposed use remain a concern and are dealt with in Section 7.18 of this report.

7.09 Living conditions for future occupiers

Not applicable to this application. .

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The NPPF says that plans and decisions should take account of whether safe and suitable access to the site can be achieved for all people; and development should only be prevented or refused on transport grounds where the residual cumulative impact of development are severe. The NPPF also says that developments should be located and designed where practical to give priority to pedestrian and cycle movements; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.

Policy DMT 1 (Managing Transport Impacts) of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. Policy DMT 2 (Highways Impacts) of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) seeks to minimise the impact on the

surrounding highway with regards of traffic, air quality, noise, local amenity and safety.

Policy DMT 6 (Vehicle Parking) of the Hillingdon Local Plan Part 2 -Development parking standards outlined in Appendix C Table 1. Policy 6.3 of the London Plan requires development proposals to ensure that the impacts on transport capacity and the transport network are fully assessed. In this regard a Transport Statement (TS) has been submitted in support of this application.

The Council's Highway Engineer has conducted an extensive review of the Transport Statement, (TS).which is included in the 'Internal Consultees' section of this report.

The proposals are for a temporary change of use and erection of temporary buildings to support filming productions to construct props and sets which will then be transported to film sets and studios. The proposals will retain 108 marked parking spaces with a reduction in 16 marked parking spaces compared to the existing layout.

Trip Generation

The assessment undertaken within the TS for the authorised garden centre, which has a total GFA of 3,572 sqm, indicates that between 450-500 staff and visitor movements per day would occur, equating to 50 visitors per hour, with each parking space being used around 4 times per day. The assessment is considered to provide a good representation of the number of vehicle movements generated by the existing use.

The assessment undertaken within the TS demonstrates that in total, the proposals are expected to generate around 204 vehicle movements per day during the construction and disassembly periods, and around 354 vehicle movements per day during the operation of the site. This demonstrates that daily flows will be significantly lower than the existing/authorised use of the site as a garden centre and as such, the proposals are considered acceptable in terms of trip generation. The Highway Engineer raises no objections in this regard.

Access and Servicing

Hillingdon Council is responsible for the road network in this area. TfL buses operate in the area.

It is considered that adequate vehicular access can be provided and that there is substantial space throughout the site to safely and efficiently accommodate all delivery and servicing vehicles as demonstrated in the plan attached at Appendix B of the TS.

Vehicular Parking Provision

The London Plan adopted March 2021 sets the new maximum car parking standards on the London Boroughs. The London Plans says that the maximum parking standards set out in Table 10.4 should be the basis for considering planning applications, Where no standard is provided, the level of parking should be determined on a case-by-case basis taking account of Policy T6 Car parking, current and future PTAL and wider measures of public transport, walking and cycling connectivity.

The London Plan states that: for industrial sites, the role of parking - both for workers and operational vehicles - varies considerably depending on location and the type of

development proposed. Provision should therefore be determined on a case-by-case basis.

The Highway Engineer notes that whilst the proposals are for temporary use, both the London Plan and Local Plan Policy DMT6 make no distinction between temporary or permanent use concerning parking standards.

The London Plan commercial parking standards for Outer London is: Up to 1 space per 100 sq.m. (GIA), Policy DMT6 states 2 spaces plus 1 space per 50 - 100 sqm of gross floorspace. It should be noted that the London Plan also states that where Development Plans specify lower local maximum standards for general or operational parking, these should be followed. The Highway Engineer considers that given the London Plan standard has the lower maximum standard, matching the Local Plan's lower level of parking, 1 space/100m² should be applied. Also given the sites PTAL rating of 2/3 the lower level of parking standard is justified.

The existing and proposed temporary structures will have a combined GFA of around 6,500 sqm meaning that the site should provide a maximum of between 67 and 132 car parking spaces in accordance with Policy DMT6 guidance. However, as stated above, both the London Plan and Policy DMT6 require the lower level of 1 space/100m² to be applied. Therefore parking provision of 67 spaces is the maximum provision in this instance.

The TS states that the proposals will retain a minimum of 108 marked car parking spaces on-site for staff and visitors. The TS states that this level of provision is expected to exceed the demand of the site. 108 spaces is in excess of the maximum allowed of 67 spaces. The London Plan makes it clear that over provision of parking than is needed is not supported and the proposed parking provision is contrary to both the London Plan and DMT6.

The London Plan makes it clear that over provision of parking than is not supported. The Highway Engineer recommends that the application be refused on the basis that the applicant has failed to demonstrate a satisfactory policy-led approach to the provision of the car parking for the development. The car parking provision is in excess of the maximum parking standards contrary to The London Plan and policy DMT6. This view is supported by the Mayor in his Stage 1 report and TfL.

Cycle parking

Cycle parking should be at least in accordance with the minimum standards set out in the London Plan and Policy /DMT6 for all uses proposed on site. Cycle parking should be designed and laid out in accordance with the guidance contained in the London Cycling Design Standards.¹⁸² Development proposals should demonstrate how cycle parking facilities will cater for larger cycles, including adapted cycles for disabled people. This requirement could be secured by condition, in the event of an approval.

Electric Vehicle Charging Point (EVCP) provision.

No mention of EV charge points have been made, in line with The Hillingdon Local Plan: Part 2 Development Management Policies (2020) Policy DMT 6. There is also a requirement for an Electric Vehicle Charging Point (EVCP) provision. In the London Plan there is a requirement for the provision of rapid electric vehicle charging points for freight vehicles. Also to support carbon-free travel from 2050, the provision of hydrogen refuelling

stations and rapid electric vehicle charging points at logistics and industrial locations is supported. This requirement could be secured by condition, in the event of an approval.

TfL recommends a deliveries and servicing plan, a Construction Logistics Plan (CLP) a Travel Plan and a Design and Management Parking Plan. These could be secured by conditions, in the event of an approval.

7.11 Urban design, access and security

Urban Design issues have been dealt with elsewhere in this report.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies(2020) says (amongst other things) that all developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit and that development proposals will be required to provide a landscape scheme. The policy also seeks to protect existing trees through tree root protection areas and an arboricultural method statement where appropriate. Where trees are to be removed, proposals for re-planting of new trees on-site must be provided or include contributions to offsite provision.

London Plan Policy G7 seeks to ensure that wherever possible, existing trees of value are retained.

There are a number of existing trees on and adjacent to the site. However the site is occupied mainly by buildings, and hard-standing used for car parking and external plant sales areas formerly used by Wyevale Garden Centre. The main landscape feature within the site is the two rows of established birch trees on an east-west axis separating the car park rows in the south-east corner. There are no TPO's or Conservation Area designations affecting the site.

The Tree and Landscape Officer notes that the current proposal necessitates no loss of, or impact on, trees. The car park will remain unaffected by the proposal to retain and re-use the existing buildings and infill the areas of hard-standing along the northern boundary with 5 infill temporary workshops. However, if the application is approved, the trees should be protected from accidental / unintended damage associated with the installation of the workshops and the operational activities associated with the proposed use of the site.

The Mayor, in his Stage 1 Report has stated that a Landscape Environmental Management Plan should be secured by condition for any approval. This mechanism would work to establish a framework that would lead to an overall net improvement in the site condition and ultimate return to the original natural state of the land.

Had the development been acceptable in other respects, subject to compliance with these conditions, it is considered that the scheme would satisfactorily address tree and landscape related issues, in compliance with Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies(2020)) Policy G7 of the London Plan (2021) and the aspirations of the NPPF.

ECOLOGY

Policy EM7 (Biodiversity and Geological conservation) of the Local Plan: Part 1 - Strategic Policies (2012) seeks the protection and enhancement of populations of protected species as well as priority species and habitats identified within the UK, London and the Hillingdon Biodiversity Action Plan and will (amongst other things) seek the provision of biodiversity improvements from all development, where feasible. This is further reiterated by Policy DMEI 7 of the Local Plan Part 2; Development Management Policies (2020).

The site adjoins the River Pinn and Manor Farm Pastures Borough Grade II Site of Importance for Nature Conservation (SINC). No Ecology Report has been submitted in support of this application and the Mayor notes that no consideration of the potential impact of the proposed development on the SINC has been provided. In accordance with Policy G6 of the London Plan the applicant should avoid impacts to the SINC, and should have set out in the application how they will avoid direct or indirect impacts on the SINC. This should include construction and decommissioning impacts including indirect impacts of noise and lighting.

The site is within the Green Belt and it is considered that the proposed development would not make any positive contribution to the biodiversity or recreational value of the Green Bel

Given the SINC designation and the lack of information submitted with respect to noise, it is not considered that there is insufficient information to consider the impact of the proposals on the SINC. It is therefore recommended that the application be refused on that basis.

7.15 Sustainable waste management

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management policies (January 2020) requires new developments to be provided with satisfactory arrangements for the storage and collection of waste and recycling. Refuse storage needs to be well-designed; external bins should be located and screened to avoid adverse visual impacts and nuisance to both occupiers and neighbours.

It is considered that that the provision of adequate refuse and recycling facilities could be secured by way of planning condition in the event of an approval. As such, the proposed development is considered to accord with Policy EM11 of the Local Plan: Part 1 - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local,Plan: Part 2 - Development Management Policies (January 2020).

7.16 Renewable energy / Sustainability

Policies DMEI 1 and DMEI 3 of the Local Plan: Part 2 - Development Management Policies (2020) relate to reducing carbon emissions (and decentralising energy). Policy EM1 of the Local Plan: Part 1 - Strategic Policies (2012) relates to climate change. Policy SI 2 of the London Plan (2021) requires development proposals to make the fullest contribution to minimising carbon dioxide emissions by employing the hierarchy of using less energy; supplying energy efficiently; and using renewable technologies. Part B of the policy currently requires non domestic buildings to achieve a 35% improvement on building regulations 2013.

Parts C & D of the policy require proposals to include a detailed energy assessment. An Energy Strategy has not been submitted with the application.

In terms of the energy strategy, the Mayor has stated that the applicant should confirm how carbon emissions arising from the operation of the proposed existing and temporary building use will be minimised; the applicant should confirm if any significant servicing plant is required for the operation of the proposed development for the proposed time period of use; the applicant should outline how the existing building and the temporary buildings will

limit the operational energy consumption of the proposed operations. This should consider the requirement for any heating, hot water, cooling and lighting.; the applicant should outline if renewable energy generation can be proposed for the site to offset the energy use of the proposed site operation. The Mayor also notes that no information is provided as to the targeted Wat 01 credits for the non-residential uses on site. In addition, no information is provided as to how the water consumption targets are to be achieved. As such, the proposed development does not meet the requirements of The London Plan 2021 Policy SI5 as it does not meet the water consumption targets of these policies.

Notwithstanding the above, the Mayor in assessing the proposals against London Plan energy policies, considers that given the nature of the development, which is for the temporary filming use, that the application of specific policies is not appropriate in this case, due to the short lifespan. However, the applicant should confirm how carbon emissions arising from the operation of the proposed existing and temporary building use will be minimised and confirm if any significant servicing plant is required for the operation of the proposed development for the proposed time period of use. In addition, the applicant should outline how the existing building and the temporary buildings will limit the operational energy consumption of the proposed operations. This should consider the requirement for any heating, hot water, cooling and lighting. Finally, the applicant should outline if renewable energy generation can be proposed for the site to offset the energy use of the proposed site operations. It is considered the these matters could be addressed by a suitably worded condition, in the event of an approval.

Subject to the suggested condition outlined above, it is considered that the scheme could have satisfactorily addressed the issues relating to the mitigation and adaptation to climate change and to minimising carbon dioxide emissions, in compliance with Policies DMEI 1 and DMEI 3 of the Local Plan: Part 2 - Development Management Policies (2020), Policy EM1 of the Local Plan: Part 1 - Strategic Policies (2012) Policies S15 and S12 of the London Plan, and the NPPF.

7.17 Flooding or Drainage Issues

Policy EM6 (Flood Risk Management) of the Local Plan Part 1 Strategic Policies (2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated. Policies DMEI 9, DMEI 10 and DMEI 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) seek to ensure that new development incorporates appropriate measures to mitigate against any potential risk of flooding.

It is also necessary for the development to demonstrate that it would incorporate sustainable drainage techniques and reduce the risk of flooding in accordance with the requirements Policies SI 12 and SI13 of the London Plan (2021) and the NPPF (2021).

The site is partially located in Flood Zone 2 and greater than 1 hectare in size. A Flood Risk Assessment (FRA) has been submitted as required under the National Planning Policy Framework (NPPF). The FRA adequately assesses the risk of flooding from fluvial, pluvial, sewer, groundwater, and reservoir flooding, which is considered to be low. The approach to flood risk management for the proposed development complies with the London Plan 2021 Policy SI12.

The Drainage Strategy identifies that the temporary proposals, in place for no more than a year, will have no effect on the volume of surface water runoff and as a result no assessment of existing or proposed flows are required. The proposals also state that the installation of SuDS for this time period would be impractical. Whilst in agreement with the above, the GLA determines that if the proposals were to be in place in excess of a year,

sustainable drainage measures would be necessary. This could be secured with an appropriately worded condition in the event of an approval.

However, it should be noted that the properties that experienced flooding in 2016 adjacent to the site were as a direct result of Surface Water and overland flow from this site and the wider catchment area. The applicant has provided insufficient information to accurately assess the impact on flow paths, exceedance events and the impact on the existing drainage assets. In addition, the Drainage Strategy fails to highlight the impact on maintenance should it be required in the year in which the development is in place. In absence of this, the applicant should prove the suitability of the existing drainage network through CCTV survey, repairing any defects found. This could be secured through an appropriately worded planning condition in the event of an approval.

The Environment Agency raises no objections to the proposals.

The Flood and Water Management team raise no objections in principle to the proposed change of use, following the submission of an FRA. However, in the event of an approval, it recommends a condition to ensure the drainage system has been checked and is clear and in good condition.

As a minimum a site specific survey should be provided confirming that the drainage system is clear and in good condition, where the site has been closed for many years and possibly not maintained and where it drains to, as it may drain to the watercourse which resulted in flooding in 2016. It is reasonable to ensure that the system is in working order, so that the risks to the existing buildings can be managed, which are to be converted and remain at ground level, and lie in the path of any overland flow towards the river.

Had the development been acceptable in other respects, subject to compliance with these conditions, it is considered that the scheme would satisfactorily address flood and drainage related issues, in compliance with Policy EM6 (Flood Risk Management) of the Local Plan Part 1 Strategic Policies (2012) Policies DMEI 9, DMEI 10 and DMEI 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) Policy SI13 of the London Plan (2021) and the aspirations of the NPPF.

7.18 Noise or Air Quality Issues

The Government's National Planning Policy Framework (NPPF) gives the Government's guidance on noise issues. It states that planning decisions should

- (i) avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development, and
- (ii) mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from new development, including through the use of conditions.

According to the Government's Noise Policy Statement for England (NPSE) of March 2010, these aims should be achieved within the context of Government policy on sustainable development.

London Plan Policy D14 aims to reduce and manage noise to improve health and quality of life and supports the objectives of the Mayor's Ambient Noise Strategy.

Hillingdon LPP1 Policy EM8 seeks to promote the maximum possible reductions in noise levels and minimise the number of people potentially affected in target areas as identified by the Defra Noise Action Plan.

No Acoustic Assessment has been submitted in support of this application and as such, it is not clear what level of noise would be generated from the operational phase of the development. There is no information about the type of machinery or plant likely to be installed. Without that information, it is not possible to assess the likely noise impact on the locality.

The nearest noise sensitive properties (residential areas) are situated in Church Road and The Mead to the west and along Pield Heath Road to the east. The nearest of these properties are at 55 Church Road (and the adjoining semi), which are situated approximately 30 metres away from the site. The nearest sensitive receptor to the east is Pield Heath Convent, which is situated approximately 26 metres away. In addition, the neighbouring SINC lies directly to the north, It is noted that surrounding residents have complained about the noise generated from the unauthorised construction activities associated with this development.

Whilst the submitted Design and Access Statement indicates that insulation measures form part of the design of the proposed film workshops, no assessment has been undertaken to identify whether the proposals would cause any significant impact. It should also be noted that the site has designated parking areas at the east end of the site, away from where the majority of residential properties affected are located. Instead the applicants are using land previously used for storage and retail behind the old garden centre structure, closer to neighbouring properties. In addition, once the proposed use activity commences, up to 100 people are to be employed on the site. Finally, the application is silent/offers no information on the proposed opening hours of the site. There is no detail of whether the site would be a 24 hour operation or not. Without a noise report, there is no way of the operations being assessed. A noise impact assessment would therefore be required to ensure compliance with relevant Local Plan policies and London Plan Policy D14.

It is not considered given the nature of the development and the potential for operational noise generating activities, that conditions would be appropriate to mitigate and / or protect surrounding residential properties from external noise sources to appropriate national and local standards, in compliance with Policy EM8 of the Hillingdon Local Plan Part 1, DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D14 of the London Plan and the NPPF. A noise Impact Assessment should be provided at determination stage. It is therefore recommended that the application be refused on this basis..

7.19 Comments on Public Consultations

The application has been advertised under Article 15 of the Town and Country Planning General Development Management Order 2015 as a Major Development.

32 surrounding property owners/occupiers have been consulted. At the time of writing this report 8 representations had been received objecting to the scheme. In addition, a petition bearing 108 signatures has been received objecting to the proposals.

The main issues raised are summarised in the 'External Consultee' section of this report. Many of the concerns raised have been assessed and addressed by officers in this report in the relevant section. Officers have tried to ensure that the report sections cover objections where they relate to material planning considerations

7.20 Planning obligations

As the applicant is seeking a temporary permission for a 12 month period there are no CIL liability requirements generated for this development.

7.21 Expediency of enforcement action

Subject to the outcome of this application, the site may be subject to enforcement action, as development has commenced without the benefit of planning permission.

7.22 Other Issues

FIRE SAFETY

Policy D12 (Fire safety) of the London Plan says that in the interests of fire safety and to ensure the safety of all building users, development proposals must achieve the highest standards of fire safety. In this regard an Outline Fire Strategy has been submitted as part of the application.

A Design Fire Safety Strategy does not accompany this submission. However It is considered that a condition could be added to any permission to secure the submission, agreement and implementation of a detailed Fire Strategy for all parts of the development in accordance with Policy D12 (Fire safety) of the London Plan.

PLANNING BALANCE

A significant element of the proposed development has been assessed as being inappropriate development, which is by definition harmful to the Green Belt. This harm has been given substantial weight in the assessment of the proposal. The temporary nature of the proposed nature of the development does lessen the potential harm to some extent, but it still carries significant weight against the scheme.

The assessment of the application has demonstrated that although there are some limited economic benefits that weigh in favour, the applicant has not shown the need for the proposal in this location. Consequently, the case has not been made for the proposed development to be in a Green Belt location. In combination, these factors weigh substantially against the scheme.

Furthermore, the proposal has been assessed as harming the openness of the Green Belt, particularly when view from neighbouring gardens. This means that on balance, the economic benefit of the scheme is not considered to outweigh the harm to Green Belt by reason of its inappropriateness. This is contrary to paragraph 147 of the NPPF.

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

The proposal is considered inappropriate development within Green Belt land. The applicant has failed to undertake a thorough assessment of the harm to openness and any other harm. It is not considered that the applicant has provided a compelling very special circumstances case, or a rigorous alternative site search. The application does not comply with Policy G2 of the London Plan, and the NPPF.

Whilst the potential economic and other benefits of the development to the wider economy in West London are recognised, and notwithstanding the site's history of development for use as a garden centre which has resulted in the site being largely covered in built structures and hardstanding, the applicant has not demonstrated that an alternative sites

search analysis has been undertaken. Therefore, officers do not accept that the applicant has demonstrated compelling reasons why the proposal cannot be located on a non-Green Belt site. Furthermore, the visual impact of the inappropriate development on Green Belt, although temporary, could not be thoroughly assessed from the submitted documents.

The car parking provision is in excess of the maximum parking standards, contrary to The London Plan and Local Plan Part 2 policy DMT6. It is recommended that the application be refused on this basis.

In addition, no assessment has been undertaken to identify whether the proposals would cause any significant impact on surrounding residents. It is therefore recommended that the application be refused on this basis.

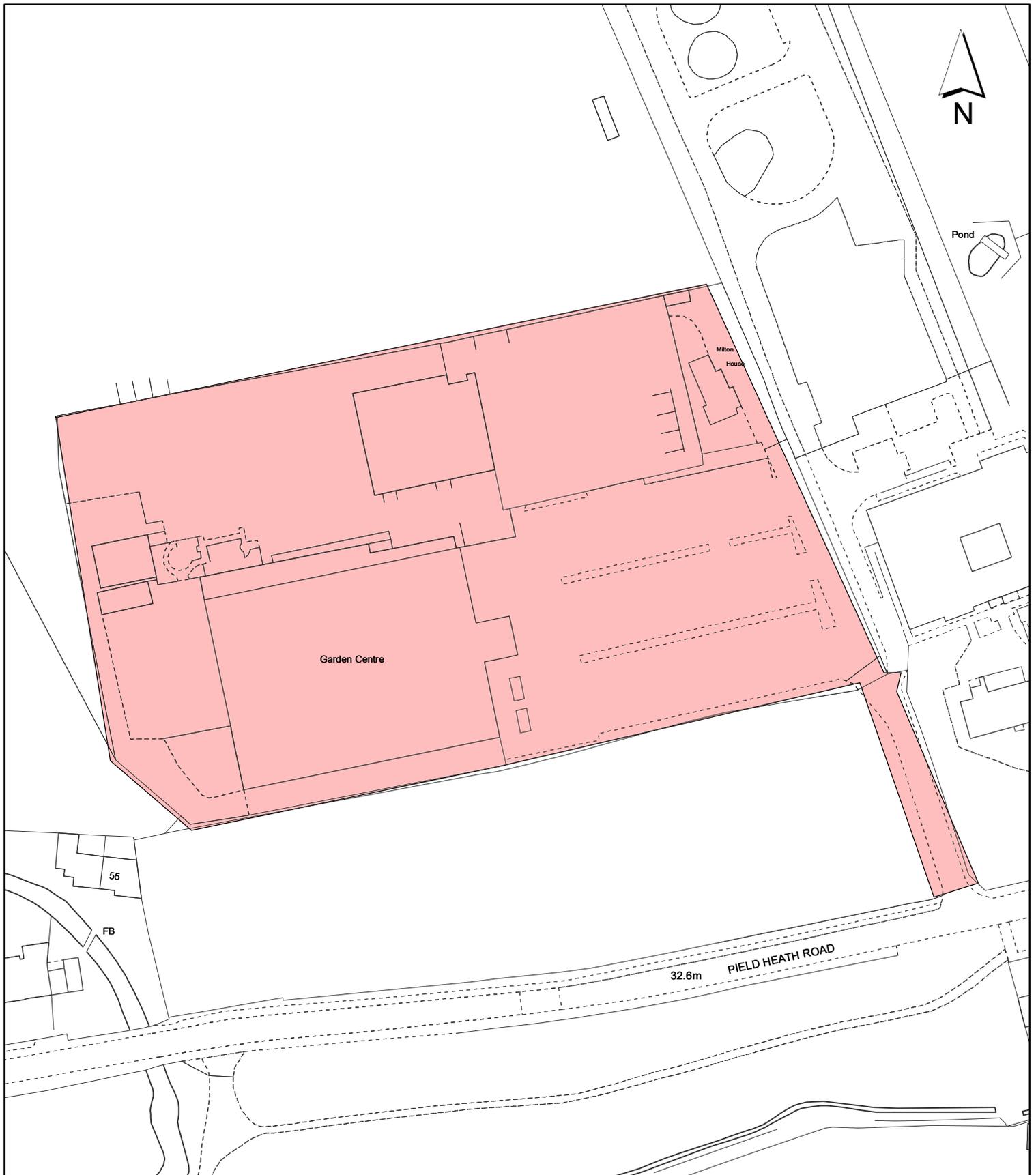
Based on the information submitted to date, there are a number of issues which are also considered unsatisfactory. However, it is considered that subject to appropriately worded conditions, these issues could be resolved. These issues include; Sustainable Development; Heritage; Flood Risk and Surface Water Drainage; Landscaping; Contamination and Ecology.

11. Reference Documents

The Hillingdon Local Plan: Part 1- Strategic Policies (8th November 2012)
The Hillingdon Local Plan: Part Two - Development Management Policies (2020)
London Plan 2021
National Planning Policy Framework (NPPF 2021)

Contact Officer: Karl Dafe

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**Former Wyevale Garden Centre
 Field Heath Road**

Planning Application Ref:

13831/APP/2021/2233

Planning Committee:

Major

Scale:

1:1,200

Date:

September 2021

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111



HILLINGDON
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