

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address WILLOWSLEA FARM KENNELS SPOUT LANE NORTH STANWELL MOOR

Development: Alteration, extension, refurbishment and change of use of existing commercial buildings to create a Remote Internal Temporary Storage Facility

LBH Ref Nos: 55936/APP/2021/2751

Drawing Nos: 506/P/1.1, Rev B
506/P/1.2, Rev A
506/P/1.3
506/P/1.4
506/P/1.5.1
506/P/1.5.2
506/P/1.6
506/P/1.7
Covering Letter
506/P/1.10.
506/P/1.5.3

Date Plans Recieved: 12/07/2021 **Date(s) of Amendment(s):** 12/07/2021

Date Application Valid: 02/08/2021

1. **SUMMARY**

The application seeks planning permission to reuse, refurbish and extend an existing building to create a Remote Internal Temporary Storage Facility. The building would act as border control storage and handling point for animals which have not yet cleared customs or are being prepared for export. There is a need for such a facility due to Brexit, increased animal movements and the existing animal handling capacity at Heathrow. The development would make good use of an existing building, within close proximity to Heathrow and whilst the site is located within the Green Belt, it is considered that very special circumstances exist which would outweigh the limited harm which would arise from the proposal. The application is therefore recommended for approval subject to conditions.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 **Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town and Country Planning Act 1990.

2 HO2 **Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 506/P/1.3, 506/P/1.4, 506/P/1.7 and 506/P/1.10.

REASON: To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3 COM7 **Materials (Submission)**

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

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

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

4 NONSC **Non Standard Condition**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be summarised in a report and submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DMEI 11: Protection of Ground Water Resources and DMEI 12: Development of Land Affected by Contamination.

5 NONSC **Non Standard Condition**

Prior to the first use/operation of the development hereby permitted, an electric vehicle charging point capable of charging 2no. vehicles at the same time shall be installed and made available to serve the proposed parking spaces. Thereafter, the electric vehicle charging point shall be maintained and retained for as long as the development exists.

REASON: To encourage sustainable means of transportation in compliance with Policy T6 of the London Plan (2021).

6 NONSC **Non Standard Condition**

The development shall only be used as a Remote Internal Temporary Storage Facility in relation to border control storage and handling of animals as detailed in the application. It shall not be used for any other purpose.

REASON: The particular use/development has been justified in the Green Belt location and to accord with Policy DMEI 4 of the Hillingdon Local Plan: Part 2 (January 2020).

7 B7A **Existing Screen Planting/Hedges**

The existing planting and/or hedging on the boundary with Spout Lane North which screens the approved extension shall be maintained for so long as the development remains in existence to a minimum height of 2 metres for the full depth of the development hereby approved. Any gaps which occur shall be filled with replacement planting of a similar size and species, or other boundary screening as agreed by the Local Planning Authority.

REASON: To safeguard the visual amenities of the area and designated greenbelt in accordance with Policies DMHB 11 and DMEI 4 of the Hillingdon Local Plan: Part 2 (January 2020), Policy G2 of the London Plan and the National Planning Policy Framework (2021)

INFORMATIVES

1

There is a possibility there may be some contaminating substances present in the ground. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may encounter. 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 this development is on former developed land. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site once works are complete to minimise risk to the occupants of the site.

2

It should be noted that any advertisement(s) shown on the proposed plans which does not benefit from deemed consent as set out in the Town and Country Planning (Control of Advertisements) Regulations 2007, requires advertisement consent and a separate application should be submitted for those works.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The development site is located on the north side of Spout Lane and to the west of the A3044. At present the site comprises a detached, single storey brick building (made of two parts) with metal sheet roof. To the immediate north and west are other buildings comprising kennels, offices and other ancillary structures. The subject building is visible from the street but is well screened by fences, gates and hedging. It is also worth noting that the site is located approximately 350m from Terminal 5, Heathrow Airport.

The development site is located within the Green Belt, Heathrow Archaeological Priority Zone and the Colne Valley Regional Park.

3.2 **Proposed Scheme**

The application seeks planning permission for the alteration, extension, refurbishment and change of use of existing commercial buildings to create a Remote Internal Temporary Storage Facility.

As confirmed by the applicant, the term 'buildings' in the description of the application refers to the fact that the existing workshop (subject of the proposed extension) has several components, however it is one building.

It should be noted that the planning application has been amended during the application process, through submission of revised Location and Block Plans to include the access to the building within the red line boundary. The enlargement of the red line surrounding the site is very minor and is entirely within the land owned and operated by the applicant. This minor change is not considered to prejudice third parties.

3.3 **Relevant Planning History**

55936/APP/2001/73 Land At Willowslea Kennels, Willowslea Farm Spout Lane North Stan
INSTALLATION OF AN AIR QUALITY MONITORING EQUIPMENT POLE FOR A 10 YEAR
PERIOD

Decision: 16-03-2001 ALT

55936/APP/2010/364 Willowslea Farm Kennels Spout Lane North Stanwell Moor
ANIMAL RECEPTION CENTRE - OUTLINE

Decision: 17-03-2010 Withdrawn

55936/APP/2020/1008 Airpets Ltd Spout Lane North Stanwell Moor

Use of the building as offices for the operation of the Airpets business including the minibus service used to transport clients/pets to and from their homes and/or to and from Heathrow Airport including parking of a minibus on the site (Application for a Certificate of Lawful Development for an Existing Development)

Decision: 15-06-2020 Approved

55936/APP/2020/2046 Airpets Ltd Spout Lane North Stanwell Moor

Erection of acoustic fencing, high weld mesh fencing and timber fencing

Decision: 16-09-2020 Refused

55936/APP/2021/2345 Willowslea Farm Kennels, Airpets Ltd Spout Lane Stanwell Moor

Replacement and upgrade of perimeter safety and security fencing, including secondary fencing and gates to separate secure exercise areas located within the site

Decision: 20-08-2021 Approved

55936/APP/2021/3090 Willowslea Farm Kennels, Airpets Ltd Spout Lane Stanwell Moor

Erection of a temporary building for Light Industrial and Storage use for a period of 5 years

Decision:

55936/PRC/2020/5 Airpets Ltd Spout Lane North Stanwell Moor

Continued use/operation of one minibus from the site to transport clients to and from the airport

Decision: 08-09-2020 NFA

Comment on Relevant Planning History

The site's planning history is set out in section 3.3 of this report. Planning application ref. 55936/APP/2021/3090 is a current application that is pending consideration.

4. Planning Policies and Standards

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.

Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

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

Part 2 Policies:

DMHB 11 Design of New Development

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMT 2 Highways Impacts

DMHB 7 Archaeological Priority Areas and archaeological Priority Zones

LPP GG2 (2021) Making the best use of land

NPPF11 NPPF 2021 - Making effective use of land

LPP G2 (2021) London's Green Belt

DMT 6 Vehicle Parking

LPP T6 (2021) Car parking

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF13 NPPF 2021 - Protecting Green Belt Land

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- **11th September 2021**

6. Consultations

External Consultees

Historic England (GLAAS):

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter. NPPF section 16 and the London Plan (2021 Policy HC1) make the conservation of archaeological interest a material planning consideration. 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. 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.

Officer Response: Noted. See section 7.03 of this report.

Internal Consultees

HIGHWAYS OFFICER:

If this application is recommended for approval the Highway Authority require that 1no. electric

vehicle charging point capable of charging 2no. vehicles at the same time is provided to serve the 5no. new car parking spaces. This should be secured through a planning condition. Subject to this condition there are no highway objections to this proposal.

CONTAMINATION OFFICER:

I've taken a look at the details within the planning statement and conducted a subsequent GIS search for more details on the landfill which you refer to.

The nearest mapped area to the site is the waste water treatment lagoon situated approximately 50 metres south of Spout Lane and directly opposite the proposed development.

Despite being within the 250 metre radius buffer zone of the lagoon site, the available details refer to a low gas risk.

The Councils records do not contain site specific reports or other details relating to land condition at the area of the proposed development.

However, there is a possibility that made ground, (associated with the earlier construction works), will be present at the site.

I therefore recommend the following informative and condition be applied if planning permission is awarded:

Contamination Informative

There is a possibility there may be some contaminating substances present in the ground. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may encounter. 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 this development is on former developed land. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site once works are complete to minimise risk to the occupants of the site.

Imported Materials Condition

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be summarised in a report and submitted to the Local Planning Authority for approval.

REASON: To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Hillingdon Local Plan: Part 2 (January 2020) Policies - DME1 11: Protection of Ground Water Resources and DME1 12: Development of Land Affected by Contamination.

Officer Response: Noted. The suggested conditions and informatives have been recommended for inclusion on the decision, should permission be granted.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of siting the proposed development within the Green Belt is discussed at section 7.05 of this report.

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

Policy DMHB 7: Archaeological Priority Areas and Archaeological Priority Zones states that 'The Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds'.

The development site is located within the Heathrow Archaeological Priority Zone. As advised in section 6 of this report, GLAAS have been consulted on the proposed development and have advised that the proposal is unlikely to raise any Archaeological concerns.

7.05 Impact on the green belt

The proposed development site is located entirely within the Green Belt.

Policy DME1 4 of the Hillingdon Local Plan - 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'.

Policy G2 (A) of the London Plan (2021) states 'The Green Belt should be protected from inappropriate development: 1) development proposals that would harm the Green Belt should be refused except where very special circumstances exist'.

The NPPF was updated in July 2021, as such it provides the most up to date planning guidance for how development in the Green Belt should be treated. It is therefore considered to be a significant material consideration. Paragraph 149 (c) of the NPPF states that 'A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are...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'.

The existing building is approximately 5.25m high, 37m deep and 10.7m wide. It has a footprint of 403m² (including its enclosed canopy area) and has been finished in brick with a dual pitched metal sheet roof. The proposed extended building would be 5.25m high, 46.7m deep and 18.7m wide resulting in a 644m² footprint. The proposal would therefore result in a building of similar height but with a 59% footprint increase. It would also be larger in width and depth. Taking into consideration the increase in the building's width, footprint and bulk, the proposal is considered by definition to be 'inappropriate' development in the Green Belt.

Large portions of the proposed extension would be obscured from public views because of boundary treatments surrounding the site, and the resulting building would be no higher than that existing. Taking these factors into account, it is considered that the proposed development is unlikely to cause any significant visual harm to the openness of the Green Belt, despite falling under the definition of inappropriate development as mentioned above. The visual impact of the proposal would also be lessened as the building is in an

urbanised area of the Green Belt and is part of an existing cluster of buildings to the south-west of the site. It would therefore appear as part of the collective, as opposed to an isolated development where its prominence would be more noticeable. The external alterations and new fenestration detailing are also unlikely to cause any visual harm to the Green Belt, nor would the proposed parking areas. Notwithstanding the above, due to the increased footprint of the building, the proposal would cause some limited spatial harm to the openness of the Green Belt.

At present Airpets Ltd (site operators) act as Animal export agents (preparing animals and documents to leave the UK). They also provide the following services: customs clearance agent for animals entering the UK; Heathrow ground handling agent (delivering animals direct to aircraft); licensed cat and dog boarding kennel services; licensed quarantine kennels for cats, dogs and small mammals (preventing rabies from entering the UK); licensed private hire operator to transport pet owners; and air travel kennel manufacturing. The existing site (and land around it) is therefore already subject to a high level of activity and has been used for the pet/animal related business for almost half a century according to the planning history and documents submitted in support of the application. The proposed use of the building for a temporary animal storage facility would therefore not be out of character with the site's existing use, nor is it likely to result in an unacceptable intensification of the site's use in this Green Belt location.

Taking into consideration all of the above, the proposal is considered to be 'inappropriate development' as defined in the NPPF, which would cause limited spatial harm to the Green Belt. Section 13 of the NPPF (2021), Local Plan Policy DME1 4 (2020) and Policy G2 of the London Plan (2021) advise that inappropriate and harmful development to the Green Belt will only be permitted where very special circumstances (VSC) are demonstrated. The VSC test is set out below:

Very Special Circumstances (VSC) Test

The applicant has submitted a substantial amount of information in support of their application, to demonstrate VSC. The following considerations are considered to weigh in favour of the proposed development:

Need for the Facility

As of 1st March 2022, The UK will be listed by the EU as a "Third Country", meaning that the majority of animal arrivals into the UK must pass through a Border Control Post (BCP). Evidence has been submitted which suggests that Cat and dog movements in and out of Heathrow have steadily increased over the past few years. Imports into the UK, (through Heathrow) have grown over the past three years. According to figures provided by the Animal and Plant Health Agency (APHA), a total of 2,898 commercial cats and dogs combined flew into Heathrow from the 1st April 2018 to 31st March 2019. This increased to 3,470 in the same period for 2019-2020 and 5,622 for 2020-2021. As such increased demand means there is an increased need for a facility of the nature proposed, or for capacity increase at the existing facility Heathrow Animal Reception Centre (HARC).

At present, animals arriving at Heathrow Airport are stored and dealt with by Heathrow Animal Reception Centre (HARC), a border control facility at Heathrow.

The applicant has submitted a number of emails and letters, which support their case that there is a need for the proposed facility to meet increasing demand.

Taking into consideration the above it is considered that the applicant has demonstrated a

need for an additional animal BCP facility, as it is a way that increased demand can be facilitated whilst meeting the requirements of a Border Control Post and animal welfare needs.

Furthermore the applicant has advised that due to landownership and security reasons most of the land around Heathrow is restricted from public use, meaning that members of the public who would potentially wish to pick up pets from other potential sites around Heathrow cannot do so. Border Control Posts that operate in areas of regular transport movements must have a dedicated access lane. This is not possible at an on-airport location. This limits the potential for alternative sites which would be able to provide such a facility around Heathrow Airport. Conversely the development site is close to Heathrow and has no such restrictions and is therefore favourable for the facility.

Overall, more than moderate weight is given to the need for the facility.

Other Beneficial Considerations

The NPPF and London Plan Policy GG2 support the more efficient use of land and the reuse of buildings. Using an existing building within an existing commercial site is therefore supported by the NPPF (2021) and London Plan. Moderate weight is given to this consideration.

The proposed development would support the existing and future operation of Heathrow Airport (National Infrastructure) by providing an additional animal border control facility. Heathrow is the UK's biggest port by value and is crucial to the UK's 'Global Britain' objectives - for example, over half of all UK trade of live animals passes through Heathrow. These movements are due to Heathrow's status as the UK's only hub airport. Airlines, businesses, and passengers choose Heathrow as a result of the global connectivity and frequencies only available at Heathrow.

The proposed development site is located within 350m of Terminal 5, Heathrow Airport. It is therefore well placed to allow for easy animal movements (drop off and collection) to and from Heathrow Airport, reducing the need for extensive journeys, which can be stressful for the animals being transported and is detrimental to the environment. Additionally the proposed development site and its operators have a long standing history of handling and storing animals, therefore the proposed use would be compatible with the operation of the site.

The above considerations are considered to indicate that the proposed site is a suitable location for a BCP facility having regard to locational requirements and this is afforded significant weight in favour of the proposed development.

An operational plan has been submitted for the resulting building (506/D/03, Rev D). The plan shows that all of the space applied for is necessary for the safe functioning of the building and therefore the size of the extension is justified commensurate to its purpose. This is afforded moderate weight in favour of the proposal as the reuse of buildings is promoted in the NPPF and Local Plan guidance. Furthermore the extension to the existing building is shown to not be in excess of what is reasonably required.

The applicant has put forward that numerous buildings have been cleared from the site between 2007 - 2019 (see plan -506/P/1.6), therefore improving the openness of the Green Belt. However, this point is afforded no weight in favour of the proposed development, as no evidence has been submitted to suggest the buildings existed. Nor does their demolition relate to this proposal as the demolitions took place prior to this

application and part of a wider project to clean up the site.

Construction works and purchase of materials are likely to benefit the local economy. This consideration is given limited weight in favour of the development as there is no guarantee that materials or workers will be locally sourced, although it is conceded that workers are likely to use local shops and amenities during construction.

Taking the above matters into account, it is concluded that the limited harm arising from the proposal would be clearly outweighed by other considerations. It is therefore concluded that very special circumstances exist which would justify the location of the development in the Green Belt in this particular case. As the proposal is considered to be justified by special circumstances, a planning condition has been recommended to restrict the use of the development to that which is being applied for.

7.07 Impact on the character & appearance of the area

Local Plan Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place'.

Policy DMHB 11 states 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment'.

The development site is located on the north side of Spout Lane and to the west of the A3044. At present the site comprises a detached, single storey brick building (made of two parts) with metal sheet roof. To the immediate north and west are other buildings comprising kennels, offices and ancillary structures. The building is visible from the street via the site's gated entrance, however it is obscured by fences and hedging from most of Spout Lane.

The existing building is approximately 5.25m high, 37m deep and 10.7m wide, it has a footprint of 403m² (including its enclosed canopy area) and has been finished in brick with a dual pitched metal sheet roof. The proposed resultant building would be 5.25m high, 46.7m deep and 18.7m wide, resulting in a 642m² footprint. Despite its increase in footprint and bulk, the proposed extension is not considered to cause any significant harm to the appearance of the building. New windows, doors and roof would be considered to complement the building's refurbished design.

Due to the fact that large portions of the proposed extension would be obscured from public views because of boundary treatments surrounding the site, and the fact that the resulting building would be no higher than the existing building, the proposed development is unlikely to cause any visual harm to the character and appearance of the area. The visual impact of the proposed works would also be lessened as the building is located in the urbanised part of the site and is part of an existing cluster of buildings. It would therefore not be isolated, which would have increased the prominence of the proposed works.

The existing site (and land around it) is already subject to a high level of activity and has been used for the pet/animal related business for almost half a century. The proposed use of the building for a temporary animal storage facility would therefore not be out of character with the site's existing use.

Overall it is considered that the proposed development would cause no significant visual harm to the character and appearance of the area.

7.08 Impact on neighbours

Policy DMHB 11 of the Local Plan states 'Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space'.

Due to the nature of the proposed works, the site's existing use, isolated location and significant separation distance from neighbouring properties (including the on-site residence) the proposed development is not considered to cause any loss of light, privacy, outlook or in any other way harm the amenities of neighbours or nearby occupiers.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy DMT 2 of the Local Plan states 'Development proposals must ensure that: i) safe and efficient vehicular access to the highway network is provided to the Council's standards; ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents; iii) safe, secure and convenient access and facilities for cyclists and pedestrians are satisfactorily accommodated in the design of highway and traffic management schemes; iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.'

Policy DMT 6 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.'

The development site is located within Willowslea Farm, the site has adequate open space for the turning and manoeuvring of large and small vehicles. The building would be accessed via the existing gated access from Spout Lane. No changes are proposed to the existing access. 5 new parking spaces are proposed which is considered acceptable. The Borough's Highway Officer has raised no objections to the proposed development subject to electric vehicle charging point provision being secured. Condition 5 as recommended in this Committee Report would satisfy this requirement.

The proposed development is therefore considered to be acceptable in terms of highway safety and parking provision.

7.11 Urban design, access and security

Not applicable to the proposed development.

7.14 Trees, landscaping and Ecology

The proposed development site is located within a historically urbanised part of Colne Valley Regional Park. The extension itself would be located upon existing cleared land which is currently used for parking, manoeuvring and accessibility around the site. The extension is therefore unlikely to result in any significant loss of vegetation. The existing hedgerows are shown to be retained on the proposed plans and a condition is recommended to ensure this is the case.

Bats are a protected species under the Wildlife and Countryside Act (1981) (as amended) and Conservation of Habitats and Species Regulations (2017) (as amended).

The National Planning Practice Guide (NPPG) advises that roof alterations to buildings could impact adversely on bats and their roosts and that therefore in appropriate situations a bat survey should be submitted.

The NPPG then goes on to outline circumstances where bats are likely to exist in a building and therefore a survey should be submitted. Guidance states the following:

Buildings that bats use

You're more likely to find bats using a building (particularly during summer) because of certain features including that it:

- is not affected by artificial light levels
- is close to woodland or water
- was built a long time ago (particularly early 20th century or before), but bats use modern houses too
- has cracks or crevices
- has a roof warmed by the sun
- has an uneven roof covering with gaps (but is not too draughty)
- has entrances bats can fly into
- has a large roof area with clear flying spaces
- has large roof timbers with cracks, joints and holes
- has hanging tiles or wood cladding, especially on south-facing walls

You're less likely to find bats using a building (particularly during summer) if it:

- is in a heavily urbanised area with few green spaces or suitable habitat
- is an active industrial premises
- was built after the 1970s with few gaps
- is prefabricated with steel and sheet materials
- has a small or cluttered roof space (especially for long-eared bats).

The applicant has confirmed that the existing/most recent use of the building is as a work shop for the manufacturing of wooden animal travel kennels. As such the associated noise and activity levels would provide an environment which is unsuitable for bats. Furthermore the building is open from ground floor to internal ridge beam, as such there are no safe, enclosed roof spaces for bats to roost. Additionally the building is lit by artificial lighting, increasing the unsuitability of the building for bats. The enclosed canopy section of the building is of similar use and has similar lighting. Taking into consideration the above, it is unlikely that bats exist within the building, which would be harmed by the proposed development and a bat survey is not considered necessary in line with NPPG Guidance. Nevertheless, the grant of planning permission does not supersede the developer's legal obligations under the relevant environmental legislation should bats subsequently be discovered.

The proposed development is therefore considered to have an acceptable landscaping and ecological impact.

7.15 Sustainable waste management

Not applicable to the proposed development.

7.17 Flooding or Drainage Issues

The site is not located within Flood Zone 2 or 3, and is not within a critical drainage area.

As such, no significant drainage or flood risk concerns are raised.

7.19 Comments on Public Consultations

A notice advertising the proposed development was placed at the site on 16/08/21. In addition, 5 addresses were notified by letter on 11/08/21. No comments were received in response. External and internal consultee responses have been outlined in section 6 of this report.

7.20 Planning obligations

Not applicable to the proposed development.

7.22 Other Issues

Not applicable to the proposed development.

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

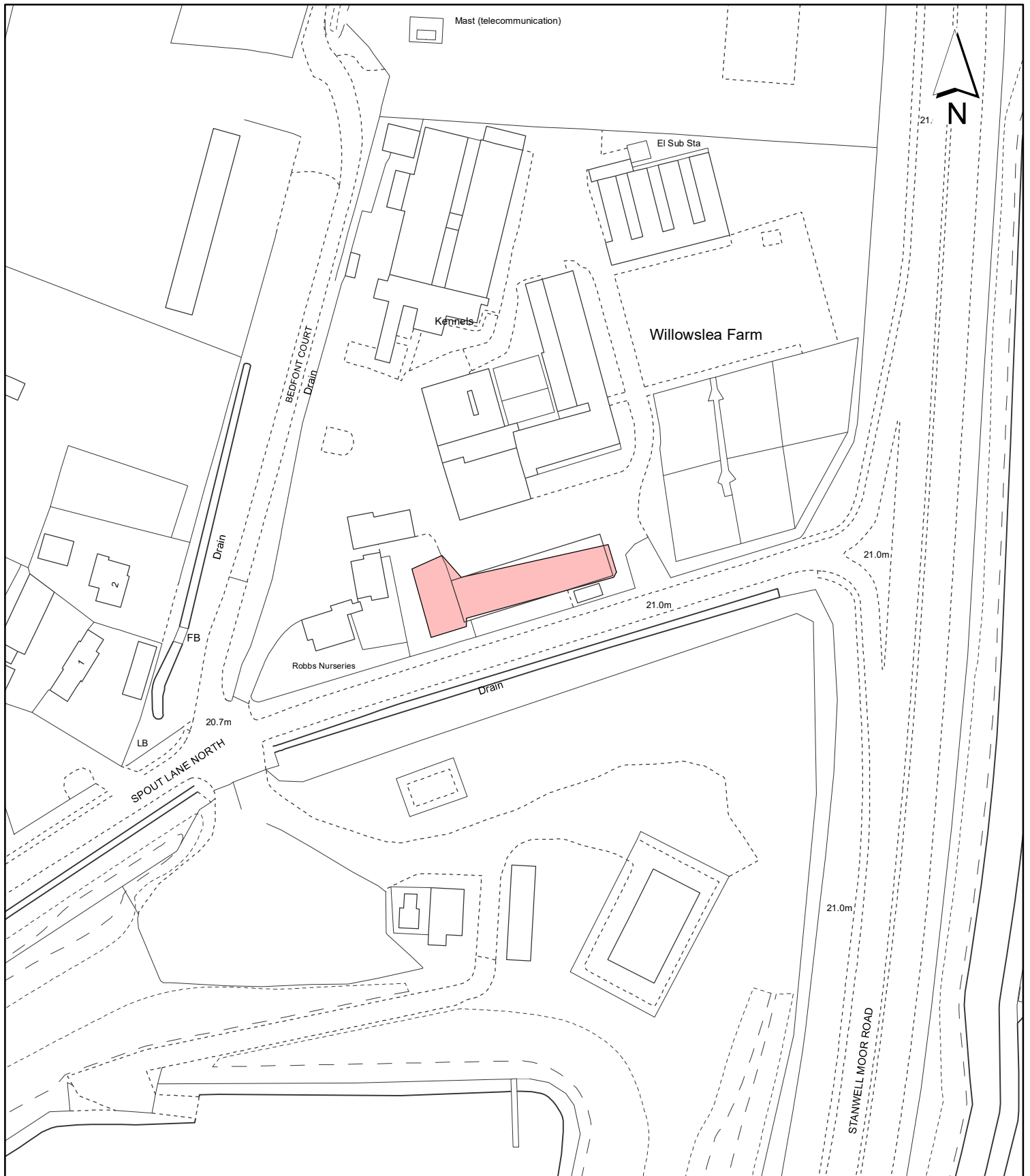
The proposal to reuse, refurbish and extend the existing building to create a Remote Internal Temporary Storage Facility to act as a border control storage and handling point for animals would be compatible with the use and nature of the site. It would not give rise to harmful highway, amenity, or ecological impacts and the design of the proposed extension would be considered appropriate for the building and context. The limited spatial harm that would be caused to the Green Belt, is considered to be outweighed by special circumstances that justify the granting of planning permission.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
The London Plan (March 2021)
National Planning Policy Framework (NPPF) (July 2021)
National Planning Practice Guidance (NPPG)

Contact Officer: Haydon Richardson

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Notes:

 Site boundary

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Site Address:

Willowsea Farm

Planning Application Ref:

55936/APP/2021/2751

Planning Committee:

Borough

Scale:

1:1,250

Date:

December 2021

LONDON BOROUGH OF HILLINGDON
Residents Services Planning Section

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