

## Report of the Head of Development Management and Building Control

<b>Address:</b>	MEADOW HIGH SCHOOL ROYAL LANE HILLINGDON		
<b>Development:</b>	Temporary redevelopment of the site to provide a single storey temporary modular classroom (Use Class F1)		
<b>LBH Ref Nos:</b>	3348/APP/2024/74		
<b>Drawing Nos:</b>	TVC0024-NOV-V4-XX-IM-A-PL31 Rev. P01 TVC0024-NOV-V4-XX-IM-A-PL32 Rev. P01 Planning Statement Rev. P02 (Dated 22nd January 2024) Site Inspection Request & Preconstruction Information HD/13642/01 TH 4452 Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) (Dated 25th January 2024) TVC0024-NOV-V4-XX-DR-A-PL27 Rev. P01 TVC0024-NOV-V4-01-DR-A-PL25 Rev. P01 TVC0024-NOV-V4-00-DR-A-PL24 Rev. P01 TVC0024-NOV-V4-XX-DR-A-PL28 Rev. P01 TVC0024-NOV-V4-XX-DR-A-PL26 Rev. P01 TVC0024-NOV-V4-00-DR-A-PL34 Rev. P01 TVC0025-NOV-V4-XX-RP-A-PL33 Rev. P01 Design & Access Statement (Dated 20th December 2023) TVC0024-NOV-V4-XX-IM-A-PL29 Rev. P01 TVC0024-NOV-V4-XX-IM-A-PL30 Rev. P01 Construction Logistics Version 1 (Dated 15th March 2024) Construction Logistics Plan Rev. 4 (Dated 14th March 2024) TVC0024-NOV-V4-00-DR-A-PL20 Rev. P01 TVC0024-NOV-V4-00-DR-A-PL21 Rev. P01 TVC0024-NOV-V4-00-DR-A-PL22 Rev. P01 TVC0024-NOV-V4-00-DR-A-PL23 Rev. P01 Cover Letter (Dated 10th January 2024)		
<b>Date Plans received:</b>	11-01-2024	<b>Date(s) of Amendments(s):</b>	11-01-2024
<b>Date Application valid</b>	22-01-2024		22-01-2024
			24-01-2024
			27-02-2024

### 1. SUMMARY

Hillingdon Planning Committee - 11th April 2024

PART 1 - MEMBERS, PUBLIC & PRESS

This application seeks planning permission for the installation of a single-storey temporary classroom (Use Class F1) for a period of 24 months. The classrooms are required until the new facility at the Harefield Academy site is completed (approved under application ref. 17709/APP/2023/2673, dated 8th February 2024), which is anticipated to be in 2025. A temporary period of 24 months allows sufficient time for the buildings to be installed on site and then removed once the pupils and staff have moved into the new building at Harefield Academy.

The application is needed to support uninterrupted provision of SEND school places within the borough. On the basis that temporary permission is granted and subject to conditions, this application is recommended for approval.

## 2. RECOMMENDATION

**APPROVAL subject to the following:**

### 1. COM3 **Temporary Building - Removal and Reinstatement**

The development hereby permitted shall be removed within 24 months of the date of this planning permission and the area where the development sat shall be restored to a space of at least equivalent quality as the pre-existing space, including the tree planting provisions detailed on approved drawing reference "TVC0024-NOV-V4-00-DR-A-PL34 Rev. P01 Removal Reinstatement Plan".

#### REASON

The buildings, by reason of their temporary design, are not considered suitable for permanent retention in compliance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020). Also, the site should be restored to a condition fit for purpose and in accordance with the tree planting provisions secured under previous planning applications permitted.

### 2. COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers:

#### Location Plan

TVC0024-NOV-V4-00-DR-A-PL20 Rev. P01;

#### Proposed Plans

TVC0024-NOV-V4-00-DR-A-PL22 Rev. P01;

TVC0024-NOV-V4-00-DR-A-PL24 Rev. P01;

TVC0024-NOV-V4-XX-DR-A-PL26 Rev. P01;

TVC0024-NOV-V4-XX-DR-A-PL28 Rev. P01; and

TVC0024-NOV-V4-00-DR-A-PL34 Rev. P01.

Thereafter, the development shall be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **3. COM5 General compliance with supporting documentation**

The development hereby permitted shall not be carried out and operated except in accordance with the specified supporting documents:

TVC0025-NOV-V4-XX-RP-A-PL33 Rev. P01 Design & Access Statement (Dated 20th December 2023);  
Planning Statement Rev. P02 (Dated 22nd January 2024);  
Construction Logistics Plan Rev. 4 (Dated 14th March 2024);  
Construction Logistics Version 1 (Dated 15th March 2024); and  
TH 4452 Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) (Dated 25th January 2024).

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

#### **REASON**

To ensure the development complies with the provisions Hillingdon Local Plan: Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

### **4. NONSC Non-Road Mobile Machinery**

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in chapter 7 of the GLA's supplementary planning guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the local planning authority. The developer shall keep an up to date list of all NRMM used during the demolition, site preparation and construction phases of the development on the online register at <https://nrmm.london/>."

#### **REASON**

To comply with the London's Low Emission Zone for non-road mobile machinery as per requirements of the London Environment Strategy, in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DME1 14 of the Hillingdon Local Plan: Part 2 (2020), Policy SI 1 of the London Plan (2021).

### **5. NONSC Fire Safety**

Prior to first operation of the development, fire safety details shall be submitted to and approved in writing by the Local Planning Authority. These details shall ensure that they:

i) identify suitably positioned unobstructed outside space:

- a) for fire appliances to be positioned on;
- b) appropriate for use as an evacuation assembly point;

ii) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active

fire safety measures;

iii) are constructed in an appropriate way to minimise the risk of fire spread;

iv) provide suitable and convenient means of escape, and associated evacuation strategy for all building users;

v) develop a robust strategy for evacuation which can be periodically updated and published, and which all building users can have confidence in; and

vi) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

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

#### REASON

To achieve the highest standards of fire safety and ensure the safety of all building users, in accordance with Policy D12, part A), of the London Plan (2021).

## INFORMATIVES

### 1. I52 **Compulsory Informative (1)**

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

### 2. I70 **LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### 3. I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

#### 4.

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

#### 5. I47 **Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

#### I53 **Compulsory Informative (2)**

The decision to GRANT 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.

DMCI 1            Retention of Existing Community Sport and Education Facilities

DMCI 1A	Development of New Education Floorspace
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 1	Living Walls and Roofs and Onsite Vegetation
DMEI 10	Water Management, Efficiency and Quality
DMEI 14	Air Quality
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D11	(2021) Safety, security and resilience to emergency
LPP D12	(2021) Fire safety
LPP D14	(2021) Noise
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D8	(2021) Public realm
LPP G1	(2021) Green infrastructure
LPP G5	(2021) Urban greening
LPP G6	(2021) Biodiversity and access to nature
LPP G7	(2021) Trees and woodlands
LPP S3	(2021) Education and childcare facilities
LPP S5	(2021) Sports and recreation facilities
LPP S11	(2021) Improving air quality
LPP S12	(2021) Flood risk management
LPP S13	(2021) Sustainable drainage
LPP S12	(2021) Minimising greenhouse gas emissions
LPP T1	(2021) Strategic approach to transport
LPP T2	(2021) Healthy Streets
LPP T4	(2021) Assessing and mitigating transport impacts
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T7	(2021) Deliveries, servicing and construction
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF14 -23	NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change

NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF8 -23	NPPF8 23 - Promoting healthy and safe communities
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

### **3. CONSIDERATIONS**

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

Meadow High School is a Special Education Needs and Disabilities (SEND) School located on the west side of Royal Lane. The site measures approximately 2.1 hectares in area and currently comprises of a cluster of low-rise buildings, hard surface play areas and a sports field. The site is bounded by residential properties to the north, east and south, with properties located on Benson Close, Royal Lane and Clarkes Drive. The school has a substantial area of hard surfacing to the front of the site which currently facilitates car parking. Designated Green Belt land is located to the west of the sports field and the site has a low Public Transport Accessibility Level (PTAL) of 2.

#### **3.2 Proposed Scheme**

This application seeks planning permission for the installation of a single-storey temporary classroom (Use Class F1) with a total floor area of 93sq.m (GIA)/97sq.m (GEA). The installation would comprise two classrooms each of 46sq.m and will accommodate up to 10 students in each (20 students in total), both supported by 2 members of staff each (4 staff in total).

It is proposed that the temporary classrooms will be installed in the summer 2024 ready for occupation in September 2024. The classrooms will be required until the new facility at the Harefield Academy site is complete anticipated to be in 2025. Planning permission is being sought for a temporary period of 24 months which allows for sufficient time for the buildings to be installed on site and then removed once the pupils and staff have moved into the new building at Harefield Academy.

The classrooms will be sited within the northern section of the site, within the courtyard area of the two storey sixth form block, adjoining Benson Close and Peel Way. The development would be located on a concrete pad requiring minimal intrusive work with lightweight surfacing used around the buildings to provide access.

The installation of the temporary classrooms is proposed to take a period of 6 weeks and would be done during school holidays to avoid disruption to teaching. The temporary classrooms would be brought to the site using the front car park area where a crane would be sited to lift the classrooms into place.

#### **3.3 Relevant Planning History**

17709/APP/2022/1387 Harefield Academy Northwood Way Harefield

Change of use of former residential school (Use Class C2) to education facility (Use Class F.1), two storey extension to provide additional teaching space, construction of a Multi-Use Games Area,

revised vehicular access, landscaping, car and cycle parking, and associated works.

**Decision:** 26-07-2022      Approved

17709/APP/2023/2673      Lord Adonis House Harefield Academy Northwood Way Harefield

Demolition of former residential school and erection of academic building (Use Class F1) and ancillary structures including heat pump and substation enclosures, construction of a multi-use games area, revised vehicular access, landscaping, car and cycle parking and associated works.

**Decision:** 08-02-2024      Approved

3348/APP/2012/2433      Meadow High School Royal Lane Hillingdon

Removal of existing modular units and the construction of a new two storey sixth form block with associated hard & soft landscaping

**Decision:** 04-12-2012      Approved

3348/APP/2020/1589      Meadow High School Royal Lane Hillingdon

Demolition of existing buildings and replacement with a new two storey building, sports hall, multi use games court, hard play areas, substation and revised vehicular access, pupil drop off and parking

**Decision:** 19-08-2020      Approved

3348/APP/2023/138      Meadow High School Royal Lane Hillingdon

Erection of a two-storey academic building (Use Class F1), demolition of existing temporary modular structures and partial demolition of existing main teaching building to facilitate connections to the main school, redevelopment of external hard and soft landscaped areas and associated works

**Decision:** 29-03-2023      Approved

3348/APP/2023/2809      Meadow High School Royal Lane Hillingdon

Non-Material Amendment to planning permission ref. 3348/APP/2023/138, dated 02-06-2023, (Erection of a two-storey academic building (Use Class F1), demolition of existing temporary modular structures and partial demolition of existing main teaching building to facilitate connections to the main school, redevelopment of external hard and soft landscaped areas and associated works) to amend Condition 2 (Accordance with Approved Plans) in order to make alterations to the design and to amend the trigger point of Condition 14 (Energy).

**Decision:** 19-10-2023      Approved

3348/APP/2023/419      Meadow High School Royal Lane Hillingdon

Temporary redevelopment of site including removal of existing external spaces to provide a temporary two-storey academic building (Use Class F1).

**Decision:** 29-03-2023      Approved



## **Comment on Relevant Planning History**

### Temporary Permissions:

Application reference 3348/APP/2006/549 granted temporary 2-year planning permission for the retention of a single storey detached temporary building, located immediately to the north of the school's western wing. This permission expired 17th May 2008 and the building is being removed as part of the development permitted under application reference 3348/APP/2023/138.

Application reference 3348/APP/2008/1544 granted temporary 5-year planning permission for the erection of two portacabins as temporary classrooms within the northern section of the school site, adjoining the access off Benson Close/Peel Way. This permission expired 1st July 2013 and the building is being removed as part of the development permitted under application reference 3348/APP/2023/138.

Application reference 3348/APP/2020/899 granted permission for the construction of two temporary single storey modular classroom units. This permission expired on 1st August 2022. Based on a site visit carried out in February 2023, these temporary units are no longer in situ.

Application reference 3348/APP/2023/419 granted permission for the redevelopment of site to provide a temporary two-storey academic building. This permission expires on 31st March 2025.

### Permanent Planning Permissions:

Application reference 3348/APP/2010/1210 granted temporary 3-year planning permission for the erection of building for use as classrooms within the northern section of the school site.

Application reference 3348/APP/2012/2433 granted permission for the removal of existing modular units and the construction of a new two storey sixth form block within the northern section of the school site. This permitted the permanent retention of the modular unit granted as part of application reference 3348/APP/2010/1210.

Application reference 3348/APP/2020/1589 granted permission for the demolition of existing buildings and replacement with a new two storey building, sports hall, multi use games court, hard play areas, substation and revised vehicular access, pupil drop off and parking. This permission has been implemented and is currently in operation.

Application reference 3348/APP/2023/138 granted permission for the erection of a two-storey academic building (Use Class F1), demolition of existing temporary modular structures and partial demolition of existing main teaching building to facilitate connections to the main school, redevelopment of external hard and soft landscaped areas and associated works. This permission is being implemented at the time of the current submission.

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

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 West London Waste Plan (2015)  
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2023) 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.CI1 (2012) Community Infrastructure Provision  
PT1.CI2 (2012) Leisure and Recreation  
PT1.EM1 (2012) Sustainable Waste Management  
1  
PT1.EM5 (2012) Sport and Leisure  
PT1.EM6 (2012) Flood Risk Management  
PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

DMEI 10 Water Management, Efficiency and Quality  
DMEI 1 Living Walls and Roofs and Onsite Vegetation  
DMHB 12 Streets and Public Realm  
LPP D12 (2021) Fire safety

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LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D8 (2021) Public realm

DMEI 14 Air Quality

DMCI 1 Retention of Existing Community Sport and Education Facilities

DMCI 1A Development of New Education Floorspace

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 7 Biodiversity Protection and Enhancement

LPP G1 (2021) Green infrastructure

LPP G5 (2021) Urban greening

LPP G6 (2021) Biodiversity and access to nature

LPP G7 (2021) Trees and woodlands

LPP T1 (2021) Strategic approach to transport

LPP T2 (2021) Healthy Streets

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

DMEI 9 Management of Flood Risk

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP D11 (2021) Safety, security and resilience to emergency

LPP D14 (2021) Noise

LPP D5 (2021) Inclusive design

LPP S3 (2021) Education and childcare facilities

LPP S5 (2021) Sports and recreation facilities

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 T4 (2021) Assessing and mitigating transport impacts

LPP T7 (2021) Deliveries, servicing and construction

NPPF11 - NPPF11 23 - Making effective use of land  
23

NPPF12 - NPPF12 23 - Achieving well-designed and beautiful places  
23

NPPF14 - NPPF14 23 - Meeting the challenge of climate change, flooding and coastal change  
23

NPPF15 - NPPF15 23 - Conserving and enhancing the natural environment  
23

NPPF2 - NPPF2 2023 - Achieving sustainable development  
23

NPPF4 - NPPF4 23 - Decision making  
23

NPPF8 - NPPF8 23 - Promoting healthy and safe communities  
23

NPPF9 - NPPF9 23 - Promoting sustainable transport  
23

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

**5.1** Advertisement Expiry Date: Not Applicable

**5.2** Site Notice Expiry Date: Not applicable

## **6. Consultations**

### **External Consultees**

A total of 250 no. letters have been sent to neighbouring residents as part of the public consultation

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exercise. A site notice displayed on site and an advert was posted in the local newspaper. All forms of consultation expire on 8th March 2024.

One comment from a neighbouring resident has been received and is summarised below:

- No consideration has been taken in planning and designing the building.
- Neighbours have had to deal with constant building works for years.
- Trees have been replaced with an ugly fence with netting attached.
- The unit should be located somewhere else.

#### PLANNING OFFICER COMMENT:

All material planning considerations are addressed within the main body of the report.

Specifically, the proposed temporary classrooms unit is proposed to be sited in the northern section of the site adjacent to the sixth form block as it is the only feasible location within the site. The remaining sections of the site are subject to construction works, are occupied by school buildings or tree planting, or are used to provide space for play and sport. There are no other locations within the site which could feasibly deliver the proposal without adversely impacting on the education of the students.

It is also noted that the fencing comprises weld mesh fencing which is generally considered to be acceptable design on school sites. The netting attached to the fence is to be replaced with wooden screening which is considered to be a betterment in the interim.

#### LONDON FIRE BRIGADE:

No comments received.

#### Internal Consultees

##### ACCESS OFFICER:

This proposal is for permission to site a single storey temporary modular classroom. The proposed classroom appears to be fundamentally accessible to disabled children using a wheelchair, however there is no toilet accommodation close by. No accessibility objection is raised on the understanding that the classroom is required to support the construction phase and would be removed once the new school building is completed and occupied. CONCLUSION: acceptable.

##### HIGHWAYS OFFICER (Initial Comments):

##### Site Description

The application site is located on Royal Lane, a mainly residential road with a 30mph speed limit, and lies to the north of Baitul Aman Mosque. School Keep Clear zig zag markings which prevent stopping Mon-Fri 7-11am and 1.30-5.30pm are located on Royal Lane outside the school. The application site is located within Parking Management Scheme HH which restricts parking to permit holders only Mon-Fri 9am-5pm with some pavement parking provision allowed in marked bays. Royal Lane is also subject to single and double yellow line waiting restrictions.

Transport for London use a system called PTAL (Public Transport Accessibility Level) to measure access to the public transport network. PTAL assesses walk times to the nearest public transport location taking

into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 2 indicating access to public transport is poor compared to London as a whole, suggesting that most trips to and from the application site would be made by the private motor car which fails to concur with the published London Plan (2021) and the Mayors Transport Strategy (2022)

### Access

The application proposes to provide a temporary building with an area of 93m<sup>2</sup> providing 2no classrooms of 46m<sup>2</sup> each accommodating up to 10no. pupils and 2no. teaching staff per classroom which, as students would arrive by minibus, would be unlikely to impact on highway safety or capacity.

### Car Parking

The additional 4no. teaching staff that would be employed at the proposed temporary building would not be provided with additional car parking spaces, however, the school has an acceptable Travel Plan which would allow for staff to use alternative forms of transport which would therefore be unlikely to increase parking stress and would likely be acceptable.

### Proposed Works

The applicant has submitted a Construction Logistics Plan (CLP) Rev 1 dated 16th January 2024 which states that works are expected to take six weeks and would be carried out during the summer school holidays when the car park at the front of the school would be available which would be acceptable, however, the period of work should be conditioned to minimise impact on the local highway network should works overrun.

The CLP 2.2 Vehicle Delivery Routes states 'A 3 day parking suspension will be required to Violet avenue for the duration of the delivery period week commencing 12th August 2024' which would be likely to be acceptable as similar proposals were allowed under highway comments to application ref. 3348/APP/2023/138. The cost of making any necessary changes to the Traffic Order must be borne in full by the applicant and secured through a 1990 Town and Country Planning Act s.106 legal agreement, however, the applicant should be aware that the application may be refused if the traffic order cannot be amended for any reason e.g., objection.

The CLP 3 Construction Programme and Methodology provides Site Working Hours and Delivery Times which would be acceptable but should be amended to 'Holidays Only'. Works during term times would be likely to have increased impact on the local highway network which may not be acceptable.

The CLP 3.1 Construction Programme Phases provides details of plant and machinery that would be used on site which would be acceptable. A mobile crane would be required to lift and position the temporary cabins.

The Design and Access Statement ref TVC0025-NOV-V4-XX-R -A-PL33 Rev P01 5.1 Use provides a site layout drawing indicating locations of the proposed temporary building and crane and entrance and exit routes, however, it is noted that construction vehicles would be likely to use the existing 'exit' as an access which would be acceptable during holiday times when the school is not operational, however, all vehicles should enter and leave the site in a forward gear which should be conditioned.

### Recommendation

The Highway Authority are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns and would therefore offer no objection to the application but would require the following conditions to be applied to any approval:

#### Conditions

1) No works shall commence on site until a Temporary Traffic Regulation Order secured through a 1990 Town and Country Planning Act s.106 legal agreement to suspend parking on Violet Avenue for 3 days commencing 12 August 2024 has been secured

REASON: To be in accordance with the published London Plan (2021) Policy T4 Assessing and Mitigating Transport Impacts and Policy T7 Deliveries, Servicing and Construction

2) No works shall commence on site until a Construction Logistics Plan to concur with Construction Logistics Planning (CLP) Guidance Version: v1.2 (April 2021) has been submitted to and approved in writing by the Highway Authority.

REASON: To be in accordance with the published London Plan (2021) Policy T4 Assessing and Mitigating Transport Impacts

3) No works to the temporary redevelopment of the site or loss of car parking required to install the single storey temporary modular classroom are to be undertaken during term time

REASON: To be in accordance with the published London Plan (2021) Policy T4 Assessing and Mitigating Transport Impacts and Policy T7 Deliveries, Servicing and Construction

4) All vehicles must enter and leave the site in a forward gear

REASON: To be in accordance with the published London Plan (2021) Policy T4 Assessing and Mitigating Transport Impacts and Policy T7 Deliveries, Servicing and Construction

#### PLANNING OFFICER COMMENT:

Parking suspensions are secured via a Temporary Traffic Regulation Order (TTRO) which is separate to the planning process. It is not necessary to secure this through a S106 legal agreement.

All matters relating to construction, including the recommended conditions 1 to 4 above have been addressed by the amended Construction Logistics Plan submitted.

The Council's Highways Officer has reviewed the amended Construction Logistics Plan and does not raise any objections to the proposal.

#### AIR QUALITY OFFICER:

I have no air quality concerns in regards to this temporary application.

## **7. MAIN PLANNING ISSUES**

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

**Hillingdon Planning Committee - 11th April 2024**

**PART 1 - MEMBERS, PUBLIC & PRESS**

## PROPOSED EDUCATION FACILITY AND SPORT/RECREATION IMPACT

Meadow High School is at capacity with 257 pupils and there is a need to provide improved and additional school SEND places. Currently, there are only three schools in Hillingdon that support children with SEND requirements and each school is full, with demand increasing. The need is urgent as the pupils are already in primary schools and this needs to be reflected in an increase of secondary school provision.

Paragraph 99 of the NPPF (2023) states that it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education

Policy S3 of the London Plan (2021) seeks to ensure there is a sufficient supply of good quality education facilities to meet demand and offer educational choice.

Policy S5 of the London Plan (2021) requires that existing sports and recreation facilities should be retained unless the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location.

At the local level, Policy CI 1 of the Hillingdon Local Plan: Part 1 (2012) supports the retention and enhancement of existing community facilities.

Policy DMCI 1 of the Hillingdon Local Plan: Part 2 (2020) establishes the principle that development should not result in the loss of an existing community facility. Policy DMCI 1A of the Hillingdon Local Plan: Part 2 (2020) also states that proposals for new schools and school expansions will be assessed against the following criteria:

- A) The size of the site, its location and suitability to accommodate a new school or school expansion taking account of compatibility with surrounding uses, and existing planning policy designations (e.g. conservation areas, MOL, Green Belt).
- B) The impact on green open space, games pitches, outdoor play and amenity space, taking account of the character of the area, whether the site is within an area of open space deficiency and whether the school has sufficient outdoor space for play and games.
- C) The location and accessibility of the site in relation to:
  - i) the intended catchment area of the school;
  - ii) public transport; and
  - iii) the local highway network and its ability to accommodate new or additional school trips without adverse impact on highway safety and convenient walking and cycling routes to schools.
- D) The extent to which the building design contributes towards the government target that schools and colleges should be zero carbon from 2016.

This application seeks planning permission for the installation of a single-storey temporary classroom unit (Use Class F1) for a period of 24 months. The classrooms are required until the new facility at the Harefield Academy site is completed (approved under application ref. 17709/APP/2023/2673, dated 8th February 2024). The application is needed to support uninterrupted provision of SEND school places within the borough. Evidently, the proposal would not result in the loss of a community facility, and forms part of a development programme which would suitably provide a new school facility on previously developed land.

The development would take place within the courtyard area of the sixth form block. It would not be



permanent development, however, and a planning condition would be secured, if approved, requiring that the area where the development sat shall be restored to a space of at least equivalent quality as the pre-existing space, including the tree planting provisions detailed on approved drawing reference "TVC0024-NOV-V4-00-DR-A-PL34 Rev. P01 Removal Reinstatement Plan".

Subject to the above planning condition, the development is considered to be acceptable in principle.

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

Not applicable to the consideration of the application.

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

Not applicable to the consideration of the application.

#### **7.04 Airport safeguarding**

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) The Council will support the continued safe operation of Heathrow Airport and RAF Northolt and will consult with the airport operator on proposals in the safeguarded areas. Proposals that may be a hazard to aircraft safety will not be permitted.

B) In consultation with the Airport Operator, the Council will ensure that:

- i) areas included in Airport Public Safety zones are protected from development which may lead to an increase in people residing, working or congregating in these zones; and
- ii) sensitive uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is not located within an air safeguarding zone. As such, the proposed development is not considered likely to pose any safeguarding impacts and would accord with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 (2020).

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

Not applicable to the consideration of the application.

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

Policy BE1 of the Hillingdon Local Plan: Part 1 (2012) requires all new development to improve and maintain the quality of the built environment to create successful and sustainable neighbourhoods.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

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

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

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

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

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

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of

heritage assets, designated and un-designated, and their settings; and  
v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposed single-storey temporary classroom would be sited in the northern portion of the school site, in the courtyard area serving the sixth form block, adjoining Benson Close and Peel Way. The structure would measure 13.42m by 7.15m and 3m in height. The structure would utilise steel panels in goosewing grey as the main facing material, alongside blue grey windows and a slate grey door. The development would be located on a concrete pad requiring minimal intrusive work with lightweight surfacing used around the buildings to provide access.

Whilst the temporary unit would be visible from Benson Close, it would not be considered as imposing as the adjoining sixth form block. It would be subordinate to this building and due to the proposed temporary willow screening which is to be attached to the existing boundary fencing, the unit would not be fully visible from the street scene. It is noted that such screening would give privacy to both students and neighbouring residents.

The temporary nature of the development means that only a temporary planning permission is considered appropriate. Based on the grant of a temporary planning permission, requiring the removal of the development at a later date, the proposed development is not considered contrary to the requirements of Policy BE 1 of the Hillingdon Local Plan: Part 1 (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

## **7.08 Impact on neighbours**

With regard to the impact on neighbouring residents, relevant planning policies and the associated supporting text is copied below for reference.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020) states that:

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

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 (2020) states: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the

most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The classrooms would be sited within the northern section of the site, within the courtyard area of the two storey sixth form block, adjoining Benson Close and Peel Way. The development would be located circa 22m away from the closest properties on Benson Close, including numbers 1 to 11 Benson Close, and circa 25m from number 47 Peel Way. Screening is also to be fixed to the existing 1.8m high fence and would prevent any intervisibility between the classrooms and neighbouring properties. In light of this, the development is considered unlikely to pose a detrimental impact in terms of amenity, outlook or daylight and sunlight, in accordance with Policy DMHB 11, part B), of the Hillingdon Local Plan: Part 2 (2020).

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

Not applicable to the consideration of the application.

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

The site is located on Northwood Way. Based on TfL's WebCAT planning tool, the site has a PTAL rating of 2 (low). This indicates that access to public transport is moderate and that there is a dependency on the private car for trip making to and from the site.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 (2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity. This should be viewed in conjunction with Policy T6 of the London Plan (2021).

Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. This is supported by Policy T4 of the London Plan (2021).

The application proposes to provide a temporary building with an area of 93m<sup>2</sup> providing 2no classrooms of 46m<sup>2</sup>, accommodating up to 20no. pupils and 4no. teaching staff. As students would arrive by minibus it is considered unlikely that this increase would result in a detrimental highway safety impact. The additional 4no. teaching staff would not be provided with additional car parking spaces, however, the school Travel Plan would encourage staff to use alternative forms of transport and it would therefore be unlikely to result in an unacceptable increase to parking stress.

The applicant has submitted a Construction Logistics Plan which states that works are expected to take six weeks and will be carried out during the summer school holidays when the car park at the front of the school will be available. A 3 day parking suspension will also be required to Violet avenue

for the duration of the delivery period week commencing 12th August 2024. Following the receipt of a revised Construction Logistics Plan, the Highway Authority have confirmed no objection.

Accordingly, the proposed temporary development would not be considered contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 (2020) and Policies T4 and T6 of the London Plan (2021).

### **7.11 Urban design, access and security**

#### URBAN DESIGN

Please see Section 07.07 of the report.

#### ACCESS

Please see Section 07.12 of the report.

#### SECURITY

Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles. Where relevant, these should be included in the Design and Access Statement. Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

This is supported by Policy D11 of the London Plan (2021).

The development would not compromise the security of the school site and would be located within a contained area of the site, with boundary fencing separating the development and Benson Close. The development is considered to accord with Policy DMHB 15 of the Hillingdon Local Plan: Part 2 (2020) and Policy D11 of the London Plan (2021).

### **7.12 Disabled access**

Policy D5 of the London Plan (2021) states that development should achieve the highest standards of accessible and inclusive design. Specifically, it should be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment.

An accessibility ramp is proposed and would provide level access to the classroom units. The Access Officer notes that the development does not provide an accessible toilet accommodation but is accepted on the basis that the development is temporary. On balance, the proposal is considered to accord with reasonable requirements of Policy D5 of the London Plan (2021).

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

Not applicable to the consideration of the application.

#### **7.14 Trees, landscaping and Ecology**

Policies DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020) require that new development is high quality, sustainable, adaptable, and harmonises with the local context. Landscaping and tree planting should enhance amenity, biodiversity and green infrastructure. Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

Whilst not protected by a TPO or Conservation Area designation, there is a line of trees a short distance to the north of the proposed development. The classrooms are not located within the root protection area (RPA) of the trees on Benson Close and only require small pad foundations with minimal intrusive work required. The access ramp and platform is nearer to the RPA but again not considered to be within it and requires an even less intrusive foundation to provide support.

Planning permission reference 3348/APP/2012/2433 secured the provision of tree planting in the area of the site which is proposed to accommodate the temporary unit. It is understood that this tree planting was never provided. A post development restoration plan has therefore been submitted and confirms the provision of three trees once the development has been removed. This includes one Magnolia Grandiflora and two Conifers. This is accepted and supported.

Subject to compliance with the detail submitted, the proposal would accord with Policy DMHB 11 and DMHB 14 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.15 Sustainable waste management**

The proposed development would not impact on sustainable waste management operating at the school site and is considered acceptable.

#### **7.16 Renewable energy / Sustainability**

Not applicable to the consideration of the application.

#### **7.17 Flooding or Drainage Issues**

Policy SI 12 of the London Plan (2021) requires that development proposals ensure that flood risk is minimised and mitigated. Policy SI 13 of the London Plan (2021) also requires that development proposals utilise sustainable urban drainage systems (SuDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. This is supported by Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020).

The sustainable water management measures for the area of the site affected by the proposal have already been implemented and the proposed development would not have a material impact on this consideration. As such, the proposal is not considered contrary to Policies SI 12 and SI 13 of the London Plan (2021), Policy EM6 of the Hillingdon Local Plan: Part 1 (2012) and Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020).

#### **7.18 Noise or Air Quality Issues**

NOISE

Policy D14 of the London Plan (2021) states:

A) In order to reduce, manage and mitigate noise to improve health and quality of life, residential and

other non-aviation development proposals should manage noise by:

- 1) avoiding significant adverse noise impacts on health and quality of life
- 2) reflecting the Agent of Change principle as set out in Policy D13 Agent of Change
- 3) mitigating and minimising the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses
- 4) improving and enhancing the acoustic environment and promoting appropriate soundscapes (including Quiet Areas and spaces of relative tranquillity)
- 5) separating new noise-sensitive development from major noise sources (such as road, rail, air transport and some types of industrial use) through the use of distance, screening, layout, orientation, uses and materials - in preference to sole reliance on sound insulation
- 6) where it is not possible to achieve separation of noise-sensitive development and noise sources without undue impact on other sustainable development objectives, then any potential adverse effects should be controlled and mitigated through applying good acoustic design principles
- 7) promoting new technologies and improved practices to reduce noise at source, and on the transmission path from source to receiver.

Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to ensure that noise sensitive development and noise generating development are only permitted if noise impacts can be adequately controlled and mitigated.

As existing, the application site facilitates a breaktime space for sixth form students. The proposed development would therefore displace this use to another area of the school site, further away from neighbouring residents located along Peel Way and Benson Close. Unlike the current situation, the outdoor area would only be used by staff and students accessing the classrooms, therefore resulting in less disturbance.

The temporary development would be located over 22 metres from the nearest residential properties located on Benson Close and Peel Way. In light of this, the proposed units and their associated use would not pose a detrimental impact in terms of noise, particularly as the activities associated with the classrooms would be internal as opposed to the existing external use of the play space.

It is noted that there would be noise impacts associated with the construction of the development, but this is controlled by The Control of Pollution Act 1974, the Clean Air Acts and other related legislation.

Given the considerations above, the proposed development would not be contrary to the requirements of Policy D14 of the London Plan (2021) and Policy EM8 of the Hillingdon Local Plan: Part 1 (2012).

## AIR QUALITY

Policy EM8 of the Hillingdon Local Plan: Part 1 (2012) states that the Council will seek to safeguard and improve all land, water, air and noise quality. All development should not cause deterioration in the local air quality levels and should ensure the protection of both existing and new sensitive receptors. Policy SI 1 of the London Plan (2021) further supports this.

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) states:

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

B) Development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The proposed development is located in the Hillingdon Air Quality Management Area and within the catchment of the Hillingdon Hospital Air Quality Focus Area which is located circa 300m to the north-east. The proximity of Hillingdon Hospital is regarded as a sensitive receptor in regard to the impacts of pollution from both the demolition and construction phases, and in the operational phase, from any impacts caused by any increases in traffic generation and/or exacerbation of congestion in the local area.

Whilst the proposed development would increase the number of staff by 4 and pupils by 20, the pupils would access the site by minibus and the school Travel Plan is proposed to encourage sustainable travel by staff. In view of the temporary permission sought, no significant air quality harm is anticipated. The Council's Air Quality Officer has confirmed no objection to the proposals.

In terms of construction, the development would be subject to a Construction Logistics Plan that would seek to minimise the impacts of construction traffic, controlled by condition, and the proposed works, which would be limited by their scale and nature, should be carried out in accordance with the Mayor of London's Control of Dust and Emissions during Construction and Demolition SPG. This includes the requirement to comply with the Non Road Mobile Machinery Low Emission Zone regulations.

Given the above considerations, the proposed development would not be considered contrary to Policy DMEI 14 of the Hillingdon Local Plan: Part 2 (2020) and Policy EM8 of the Hillingdon Local Plan: Part 1 (2012).

### **7.19 Comments on Public Consultations**

Please see Section 06.1 of the report.

### **7.20 Planning obligations**

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

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

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

- i) to secure the provision of affordable housing in relation to residential development schemes;
- ii) where a development has infrastructure needs that are not addressed through CIL; and
- iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

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

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

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

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, it is not considered reasonable to request any planning obligations.

#### COMMUNITY INFRASTRUCTURE LEVY (CIL):

The scheme would also be liable for payments under the Community Infrastructure Levy.

Please be advised that as from 1 April 2012, all planning approvals for schemes with a net additional internal floor area of 100m<sup>2</sup> or more will be liable for the Mayoral Community Infrastructure Levy (Mayoral CIL), as legislated by the Community Infrastructure Levy Regulations 2010 and The Community Infrastructure Levy (Amendment) Regulations 2011. The liability payable will be equal to £60 per square metre (from April 2019). The London Borough of Hillingdon is a collecting authority for the Mayor of London and this liability shall be paid to LBH in the first instance.

In addition the development represents Chargeable Development under the Hillingdon Community Infrastructure Levy, which came into effect on 1st August 2014. The liability payable is equal to £0 for the proposed school use.

#### **7.21 Expediency of enforcement action**

Not applicable to the consideration of the application.

#### **7.22 Other Issues**

##### FIRE SAFETY

Policy D12 of the London Plan (2021) states:

A) In the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety and ensure that they:

- 1) identify suitably positioned unobstructed outside space:
  - a) for fire appliances to be positioned on
  - b) appropriate for use as an evacuation assembly point
- 2) are designed to incorporate appropriate features which reduce the risk to life and the risk of serious injury in the event of a fire; including appropriate fire alarm systems and passive and active fire safety measures
- 3) are constructed in an appropriate way to minimise the risk of fire spread
- 4) provide suitable and convenient means of escape, and associated evacuation strategy for all building users
- 5) develop a robust strategy for evacuation which can be periodically updated and published, and



which all building users can have confidence in

6) provide suitable access and equipment for firefighting which is appropriate for the size and use of the development.

B) All major development proposals should be submitted with a Fire Statement, which is an independent fire strategy, produced by a third party, suitably qualified assessor.

It is noted that the proposed development does not constitute major scale development and as such a Fire Statement does not technically need to be submitted as per part B) of Policy D12. This policy does, however, require that the highest standards of fire safety are achieved under part A). This is especially important given the proposed school use of the development.

The Planning Statement states that a Fire Strategy is in place at Meadow High School to ensure the safe escape of pupils and staff in the event of a fire or other emergency. This new facility would be required to operate in accordance with this established strategy. The temporary classrooms themselves would be built to be fully compliant with the relevant Building Regulations with regard to fire safety.

If recommended for approval, details to accord with Policy D12, part A), of the London Plan (2021) shall be secured by planning condition.

## **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 proposed installation of a single-storey temporary classroom (Use Class F1) for a period of 24 months is required until the new facility at the Harefield Academy site is completed (approved under application ref. 17709/APP/2023/2673, dated 8th February 2024), which is anticipated to be in 2025. The application is needed to support uninterrupted provision of SEND school places within the borough. On the basis that temporary permission is granted and subject to conditions, this application is recommended for approval.

### **11. Reference Documents**

National Planning Policy Framework (December 2023)

The London Plan (March 2021)

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

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

Accessible Hillingdon Supplementary Planning Document (September 2017)

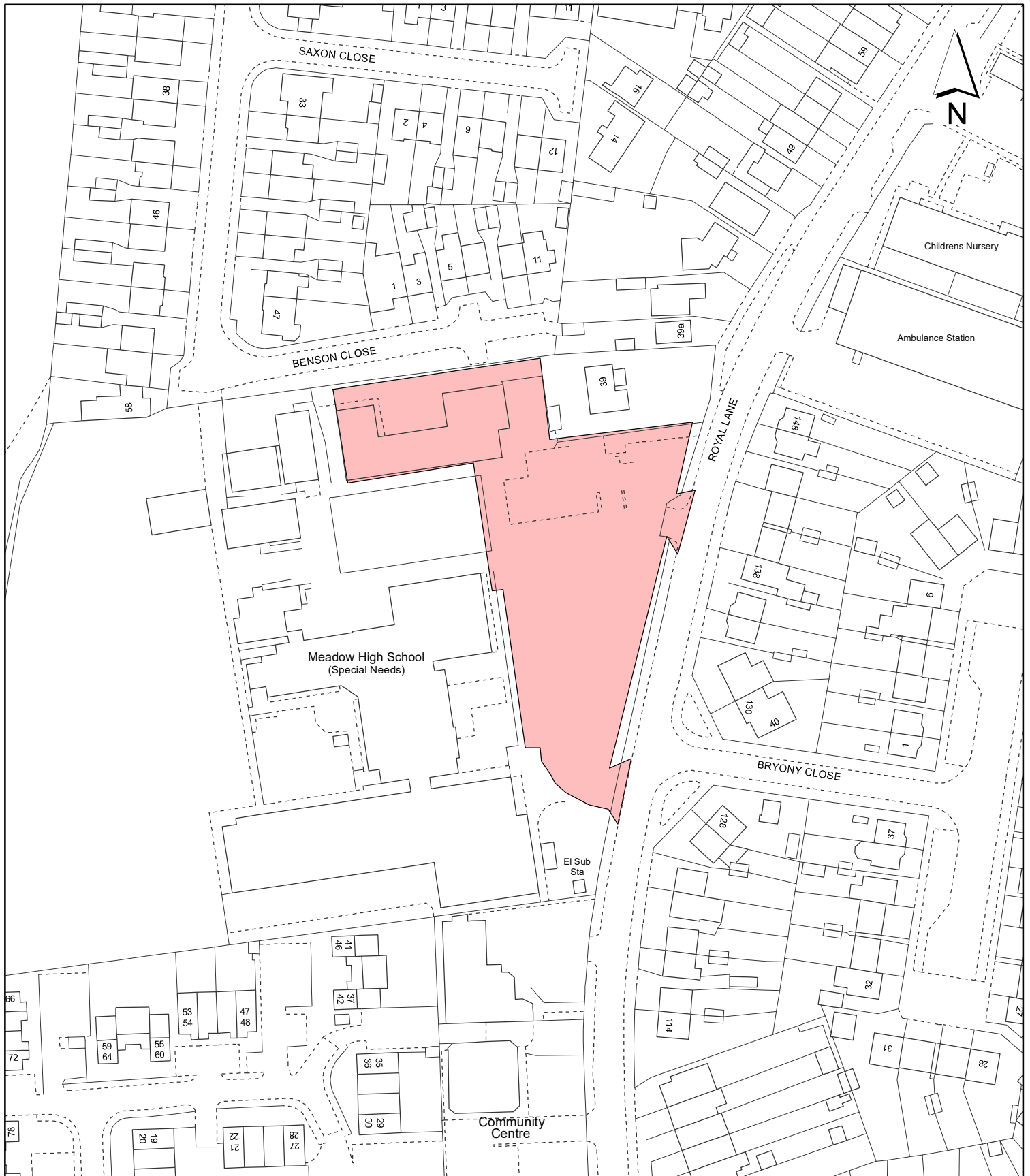
Planning Obligations Supplementary Planning Document (July 2014)

**Contact Officer:**

Michael Briginshaw

**Telephone No:**

01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
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Site Address:

**Meadow High School**

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

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

Planning Application Ref:

**3348/APP/2024/74**

Scale:

**1:1,250**

Planning Committee:

**Minor**

Date:

**April 2024**



**HILLINGDON**  
 LONDON