

## Report of the Head of Planning & Enforcement Services

**Address** BUILDERS YARD JOEL STREET NORTHWOOD

**Development:** Retention of boundary fence

**LBH Ref Nos:** 16194/APP/2010/2780

**Drawing Nos:** 1728/05

**Date Plans Received:** 01/12/2010 **Date(s) of Amendment(s):**

**Date Application Valid:** 13/01/2011

### 1. SUMMARY

Planning permission is sought for the retention of a 3m high palisade fence. The fence will not be visible from Joel Street and will be screened by existing tree/vegetation from other viewpoints. It will therefore not impact on the openness of the Green Belt or the visual amenities of the area.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 NONSC Non Standard Condition

The palisade fence hereby approved shall be painted dark green and so maintained for as long as the development remains in existence.

REASON: The safeguard the visual amenities of the area in accordance with policy BE13 of the UDP.

#### 2 TL5 Landscaping Scheme - (full apps where details are reserved)

Within 3 months of the date of this permission a landscape scheme providing full details of soft landscaping works shall be submitted to the Local Planning Authority and these works shall be carried out as approved in the first planting season following approval of the details. The scheme shall include: -

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 3 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the approval of the landscaping scheme. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992)

'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### INFORMATIVES

##### **1            I3                    Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

##### **2            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).

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of

new planting and landscaping in development proposals.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the east side of Joel Street opposite its junction with Norwich Road and comprises a builder's merchants yard. The site is approximately 0.13 hectares and is surrounded to the north, east and south by open fields. To the west and on the opposite side of Joel Street are 150 and 154 Joel Street, a surgery and dwelling house, respectively. The application site lies within the Green Belt as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 3.2 Proposed Scheme

Planning permission is sought for the retention of 3m high green painted steel palisade security railings along the eastern boundary of the site. The palisade fence ties into the existing green painted steel palisade security railings and access gates approved in 2008.

#### 3.3 Relevant Planning History

16194/APP/2008/401 Lander Bros. Builders Merchants Joel Street Northwood  
INSTALLATION OF 2100mm AND 3000mm HIGH GREEN PALISADE SECURITY RAILINGS AND GATE TO FRONT AND PART SIDE OF BOUNDARY (RETROSPECTIVE APPLICATION).

**Decision:** 08-05-2008 Approved

#### Comment on Relevant Planning History

As above.

#### UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

### 5. Advertisement and Site Notice

**5.1** Advertisement Expiry Date:- **8th February 2011**

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

### 6. Consultations

## External Consultees

2 adjoining occupiers and the Ickenham Residents Association consulted. No replies received.

The Northwood Hills Residents Association:

We, at the Northwood Hills Residents Association understand the need of the builder's yard to provide added security for their high value merchandise, but we are also concerned about the height and visibility of the fence in a green belt area.

We do not think it is unreasonable for them to ask for fencing for added security but at the same time we do not think that it would be unreasonable to put a condition to plant hawthorn along the fence to help it blend with the surrounding area. Hawthorn is native to the local area, is fast growing and is thorny so it would be an added security measure for the builder's Yard.

## Internal Consultees

Trees/Landscape:

The site is a builders yard (Grant & Stone) situated within the Green Belt. There is no landscaping within the site. Offsite, to the north and east, there are trees and woodland. The southern boundary is defined by an off-site field hedge and there is a conifer hedge on the road frontage (east), at the southern end. There are no significant landscape features on the site which constitute a constraint on development.

There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

The proposal is to erect, 3.00 metre high, dark green palisade fencing along the south and east boundaries in order to improve the security of the site. The fencing will match the existing boundary treatment to the north and west, albeit the fence along the road frontage is lower.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- The new fencing has already been erected and the existing hedges retained.
- A previous application for a new building, associated with the builders merchant, included the provision of new hedge planting (within the site) along the front boundary. This should be grown and maintained at the height of the fence. It is intended to reduce the visual impact of the fence and views of the storage and activities within the compound.
- Details of the establishment, management/maintenance plan is required to ensure that the landscape is maintained in accordance with the landscape proposals.

## RECOMMENDATIONS:

No objection, subject to the above observations and conditions TL5, TL6.

## 7. MAIN PLANNING ISSUES

### 7.05 Impact on the green belt

Planning Policy Guidance Note 2: Green Belts (PPG2) states that the most important attribute of the Green Belt is its openness. Therefore, the construction of new buildings in the Green Belt is inappropriate unless it is for a limited range of uses including agriculture, forestry, recreation, limited alteration/re-building of dwellings, and infilling major developed sites as identified in adopted plans.

PPG2 also makes clear that inappropriate development is, by definition, harmful to the

Green Belt and should not be approved except in very special circumstances. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations and that it is for the applicant to show why permission should be granted. Although the existing use does not form part of those acceptable uses within the green belt, the application site is an established builder's merchants yard with associated buildings, within the green belt. The applicant has advised that the palisade fence has been erected to increase security, and this is considered to be acceptable and in compliance with Policies OL2 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

The palisade fence, by reason of its siting to the rear of the site is not visible from Joel Street. It relates satisfactorily with the existing palisade fencing to the south and the railings and gates fronting Joel Street. As such, the development does not injure the visual amenities of the Green Belt or represent an increase in the built up appearance of the site as the railings maintain views into and out of the yard, when viewed from the east, in accordance with policies BE13, BE19 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### **7.08 Impact on neighbours**

There are no residential properties nearby that would be adversely affected by the proposed development.

#### **7.14 Trees, Landscaping and Ecology**

Policy OL2 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) states that within the Green Belt the Local Planning Authority will, where appropriate, seek comprehensive landscape improvements. There are trees and greenery to the north and east of the application site that provide some screening of the railings. However, much of this is outside the site and could be removed exposing the fencing. It is therefore recommended that conditions requiring details of landscape works within the site are attached to any permission granted. Subject to these conditions the proposal is considered to comply with policies OL2 and BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

The third party comments are addressed in the report.

### **8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **10. CONCLUSION**

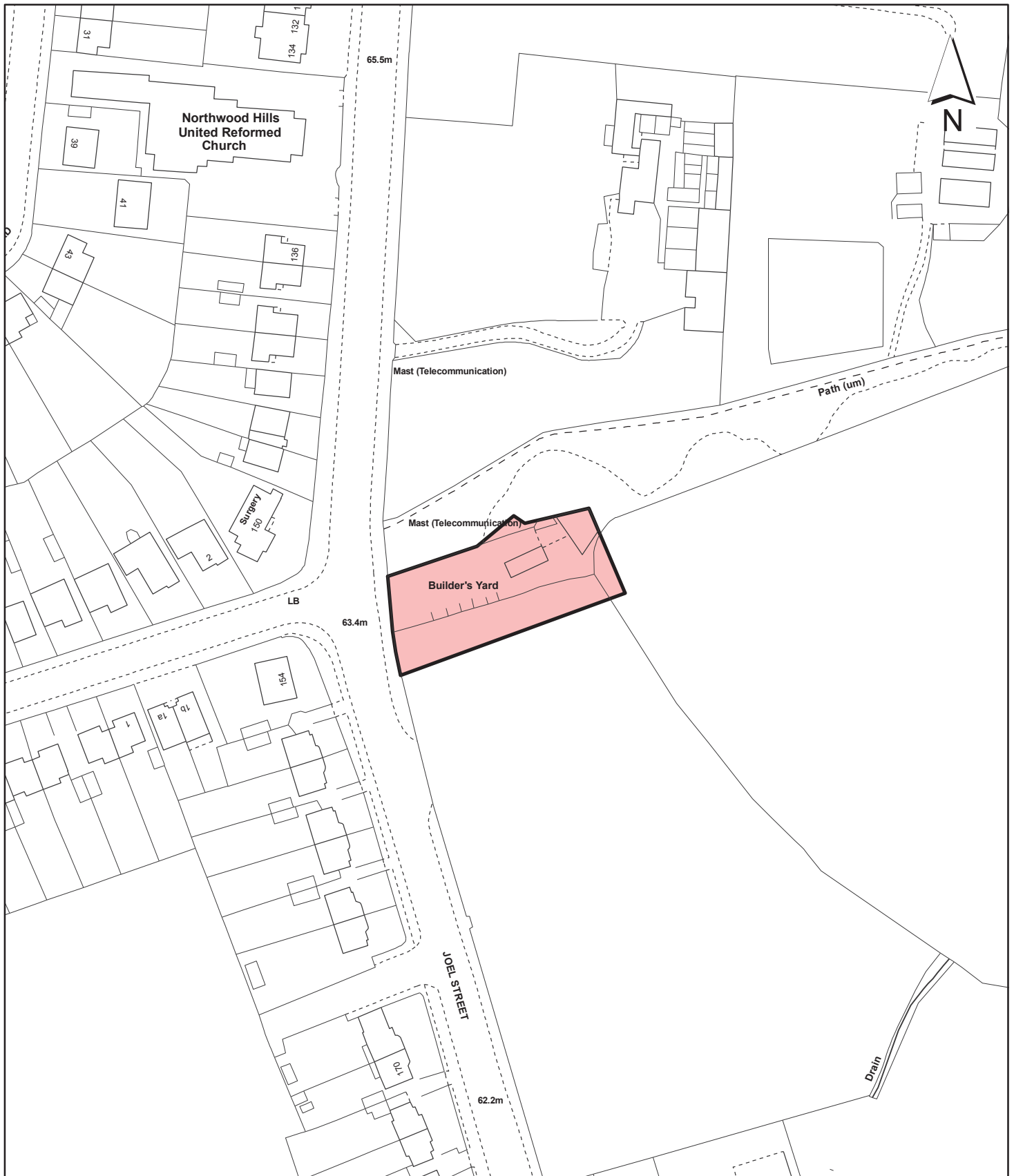
For the reasons outlined above and that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for approval.

## **11. Reference Documents**


Planning Policy Guidance Note: 2 Green Belts  
Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2011 Ordnance Survey 100019283

Site Address	
<b>Builders Yard Joel Street Northwood</b>	
Planning Application Ref:	Scale
<b>16194/APP/2010/2780</b>	<b>1:1,250</b>
Planning Committee	Date
<b>North</b>	<b>August 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**  
 Planning,  
 Environment, Education  
 & Community Services  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON