

**APPLICATION FOR: 10057/APP/2014/4338**

HAYES AND HARLINGTON STATION STATION ROAD HAYES

**COMMITTEE:** Major Apps PC

**DATE:** 5th March 2015

I confirm:-

- All consultations have been completec
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- \_\_\_\_\_  
Case Officer

Signed:- \_\_\_\_\_  
Team Manager

Signed:- \_\_\_\_\_  
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- \_\_\_\_\_  
DC Tech Admin

**Item No.**            **Report of the Head of Planning, Building Control, Sport & Green Spaces**

**Address**            HAYES AND HARLINGTON STATION STATION ROAD HAYES

**Development:**    Application under Schedule 7 of the Crossrail Act 2008 for the approval of Plans and Specifications associated with the erection of a new station building, external lift shaft, footbridge with lift shafts, extension of platforms 2/3 and 4/5 with canopy modifications, new waiting room to Platform 4/5 and associated lighting.

**LBH Ref Nos:**     10057/APP/2014/4338

**Drawing Nos:**    WSN1B-ALL-DRG-AEA-000270 Rev A03  
 WSN1B-ALL-DRG-AEA-000271 Rev A02  
 WSN1B-ALL-DRG-AEA-000273 Rev A02  
 WSN1B-ALL-DRG-AEA-000278 Rev A03  
 WSN1B-ALL-DRG-AEA-000280 Rev A03  
 WSN1B-EAR-DRG-AEA-000011 Rev A08  
 WSN1B-EAR-DRG-AEA-000260 Rev A02  
 WSN1C-EAR-DRG-BEN-000250 Rev P02  
 WSN1C-EAR-DRG-BEN-000251 Rev P02  
 WSN1C-EAR-DRG-BEN-000252 Rev P02  
 WSN1C-EAR-DRG-BEN-000253 Rev P02  
 WSN1C-EAR-DRG-BEN-000254 Rev P02  
 WSN1C-EAR-DRG-BEN-000255 Rev P02  
 WSN1C-EAR-DRG-BEN-000256 Rev P02  
 WSN1C-EAR-DRG-BEN-000257 Rev P02  
 WSN1C-EAR-DRG-BEN-000258 Rev P02  
 WSN1C-EAR-DRG-BEN-000259 Rev P02  
 WSN1C-EAR-SKT-BEN-000005  
 WSN1C-EAR-SKT-BEN-000006  
 WSN1C-EAR-SKT-BEN-000007  
 WSN1B-CNS-PLD-NCA-000012 Rev A01  
 Written Statement for Information HIL/3/4/NR  
 Design and Access statement HIL/3/4/NR

**Date Plans Recieved:**    09/12/2014                    **Date(s) of Amendment(s):**

**Date Application Valid:**    09/12/2014

## 1. **SUMMARY**

The principle of the development has been established under the Crossrail Act 2008, however Schedule 7 requires the Local Planning Authority to approve details in relation to the erection of a new station building, external lift shaft, footbridge with lift shafts, extension of platforms 2/3 and 4/5 with canopy modifications, new waiting room to Platform 4/5 and associated lighting.

These construction arrangements contribute to improving the linkages within London and the overall regeneration objectives of the area in compliance with London Plan (July 2011) Policies, and it is recommended that the Plans and Specification submission for

permanent works under Crossrail Act 2008, Schedule 7 be approved.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **INFORMATIVES**

#### **1**

1. Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.

2. Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

3. Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

#### **2**

We expect that as part of the development there should be access and signage improvements to enhance the connectivity between the station and the towpath.

#### **3**

The applicant is encouraged to ensure that the lift shown on the approved drawings, remains open and operational for public use during the station opening hours.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

Hayes and Harlington Station is located on Station Road to the south of Hayes Town Centre. The railway line runs east to west with the current station building located on the Station Road bridge, which crosses the railway running north to south. Access to Platforms 4 and 2/3 is gained from two sets of staircases within the Station Building.

Access to Platform 1 is gained via a staircase directly from Station Road located immediately south of the bridge parapet on the eastern flank. This staircase also provides access to the station car park. A further footbridge, to the eastern end of the station, connects Platforms 2/3 and 4/5. In addition, a subway runs from Blyth Road to the west, under Station Road, and provides further access to Station Approach.

Hayes and Harlington Station contains five Platforms. Platform 1 is the southernmost platform, followed by island Platform 2/3. The majority of Platform 4 is a single faced Platform with the remainder comprising an island platform with Platform 5.

A secondary station building is located on Platform 4 and contains a currently unused ground level platform access.

The Platform 4 canopy is an extension of the secondary station building roof. Platform 2/3 is served by a canopy extending between the eastern access staircase and existing ticket

office. Within this canopy is located a platform waiting room. There is no canopy on platform 1.

The station building is locally listed and Nestles Conservation Area is located to the south of the site.

The surrounding area is mixed use in character with a mix of residential, commercial, industrial and office uses in the immediate vicinity of the site.

### **3.2 Proposed Scheme**

The Crossrail Act 2008 provides powers for the construction and operation of Crossrail. Schedule 1 of the Act describes time 'scheduled works' that the nominated undertaker will be authorised to carry out.

The Crossrail Act gives deemed planning permission for the proposed works, subject to conditions imposed by Section 10 and Schedule 7 of the Act, which requires plans and specifications for the operations and works and construction arrangements to be approved by the Local Planning Authority. It sets out the items requiring further detailed approval for both permanent works (referred to as 'plans and specification') and temporary works (referred to as construction arrangements).

This application includes information supporting the Plans and Specifications submission in relation to a number of matters as follows:

- Construction works;
- Minor Construction Works;
- Artificial Lighting;
- Fences and Walls.

The permanent works required with this submission are as follows:

#### **1. New Station Building**

It is proposed to demolish the existing commercial building and construct a new station building at midlevel between Station Road and Station Approach. The forecourt and concourse will be at street level with Station Road with steps providing access up to this level from Station Approach. The building will be approximately 10 metres in height above Station Approach and 6.7 metres above Station Road.

#### **2. New External Lift Shaft**

An 8.4 metre high external lift shaft is proposed on the eastern elevation of the new building, which will be constructed from glass panels on the north and south elevations, and anodized metal panels on the east and west elevations. This has been incorporated into the scheme so as to provide a covered step-free access route from Station Approach to forecourt level.

#### **3. New Footbridge with lift shafts**

A new footbridge is proposed which extends 52 metres in length from the main station building across to Platform 1. These will be constructed in a similar style to that of the new station building with glazed windows along the upper sections to allow natural light to permeate the structure.

#### **4. Platform extensions**

- Platform 2/3 will be extended by 76.7m along both faces and includes maintenance access steps for staff.

- Platform 4/5 will be extended by 81.9m and widened to create an island platform of 237.0m in length.

#### 5. New Platform 4/5 Canopy and Waiting Room

It is proposed to remove and replace the canopy and building on Platform 4. The new canopy structure will extend 58 metres in length from the new footbridge stairs along the length of the platform. The requirement for new canopies and waiting room is derived from the need to widen and expand the length of platform 4/5 to facilitate the longer Crossrail trains.

#### 6. Modification of Platform 2/3 Canopy

As a result of the positioning of the new Platform 2/3 staircase, it is necessary to cutback the existing canopy. The canopy will be cutback by 15 metres and reinstated to provide 28 metres of coverage along the platform between the new and existing footbridges.

#### 7. New Lighting

This will be installed along the platform extensions, canopies, new footbridge and staircases and within the new station building and canopy. Platform lighting will consist of a combination of 5 metre tall single and twin headed columns located at 6m centres. Around the station, there will be two way mounted luminaires on the external canopy columns and recessed uplighters set along the main building line internally and externally.

### 3.3 Relevant Planning History

10057/APP/2011/2478 Hayes And Harlington Station Station Road Hayes

Application under Schedule 7 of the Crossrail Act 2008 for approval of Construction Arrangements in respect of handling or re-use of spoil and top soil, storage sites, screening, artificial lighting, suppression of dust and measures to prevent mud on highway. The Construction Arrangements to be associated with the construction of an extension to the southern most rail platform at the existing Hayes and Harlington rail station.

**Decision:** 07-12-2011 Approved

10057/APP/2011/2479 Hayes And Harlington Station Station Road Hayes

Application under Schedule 7 of the Crossrail Act 2008 for approval of plans and specifications for the construction of a platform extension at Hayes & Harlington Station and associated installation of fencing and lighting.

**Decision:** 19-01-2012 Approved

10057/APP/2014/1058 Hayes & Harlington Station Station Approach Hayes

Application under Schedule 7 of the Crossrail Act 2008 for approval of Construction Arrangements in association with Hayes and Harlington Station. The Construction Arrangements to be associated with the demolition of the existing commercial buildings on Station Road and the existing secondary station building, and construction of a new station building and canopy modifications.

**Decision:** 20-05-2014 Approved

#### Comment on Relevant Planning History

There have been a number of submissions under the Crossrail Act for associated works, which are listed above.

## 4. Planning Policies and Standards

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.T2 (2012) Public Transport Interchanges

Part 2 Policies:

- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
  - (i) Dial-a-ride and mobility bus services
  - (ii) Shopmobility schemes
  - (iii) Convenient parking spaces
  - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- BE13 New development must harmonise with the existing street scene.
- LPP 2.8 (2011) Outer London: Transport
- LPP 5.3 (2011) Sustainable design and construction
- LPP 6.2 (2011) Providing public transport capacity and safeguarding land for transport
- LPP 7.14 (2011) Improving air quality
- LPP 7.15 (2011) Reducing noise and enhancing soundscapes
- LPP 7.19 (2011) Biodiversity and access to nature
- LPP 6.4 (2011) Enhancing London's Transport Connectivity
- LPP 7.4 (2011) Local character
- LPP 7.5 (2011) Public realm
- LPP 7.6 (2011) Architecture
- NPPF1 NPPF - Delivering sustainable development
- NPPF4 NPPF - Promoting sustainable transport
- NPPF7 NPPF - Requiring good design
- OE1 Protection of the character and amenities of surrounding properties and the local area
- R16 Accessibility for elderly people, people with disabilities, women and children

## 5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **2nd February 2015**
- 5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

649 residents and businesses were consulted on the application and four responses were received. The comments made are as follows:

1. Serious concerns with regards to vehicle access to Station Approach;
2. The plans show that the roundabout will be relocated to outside the High Point Village car park which will reduce the amount of space for vehicles;
3. Four spaces outside Tesco Express is not enough;
4. Station Approach is not suitable for a drop off area due to the lack of space and at rush hour it becomes very congested and noisy;
5. Taxi company park in the short term drop off zones and on the pavement/access point to Station Approach, which worsens the problems. This will only get worse with Crossrail;
6. Upkeep of the area and lighting needs to be carefully considered and designated so that the area is properly maintained;
7. The PA system/speakers need to be carefully considered so as to avoid disturbance to residents;
8. Object to the demolition of the historic 19th Century building alongside Platform 4 and more attempt should be made to retain this as part of the new development rather than reusing the bricks.

#### SUPPORT

1. Excellent for progress and job creation;
2. No objection to the plans provided there is no disruption during construction
3. The site restoration scheme needs to be carefully agreed and should look at promoting pedestrianisation and cycling and more greening of the area to absorb noise;

#### NATURAL ENGLAND

No objection as the proposal does not affect any priority areas for Natural England.

#### ENVIRONMENT AGENCY

No objections or comments

#### CANAL AND RIVERS TRUST

No objection to the proposed new station but have the following comments to make: Given the proximity to the Grand Union Canal, we would anticipate both pedestrians and cyclists to make use of the towpath as part of their commute getting to and from the station. We would therefore expect that as part of the development there should be access and signage improvements to enhance the connectivity between the station and the towpath. If any funding is made available for access enhancements as part of the upgrade, please contact the Canal and River Trust so that the Trust can work proactively with other key stakeholders.

#### TfL

TfL are unable to provide a response at this time but will endeavour to respond as soon as possible.

#### **Internal Consultees**

##### TREES AND LANDSCAPING

##### LANDSCAPE CHARACTER / CONTEXT:

Site description:

- The site is occupied by Hayes & Harlington Station, which is approached from the west via Station Road and from the north by Station Approach.
- The railway line runs approximately east-west, with Hayes Town Centre situated to the north.
- A recent development of flats is situated directly to the north, occupying the former goods yard, beyond which is the Grand Union Canal.
- Land to the south of the railway is occupied by industrial / commercial development, with residential streets beyond.
- Due to the operational nature of the railway there are no trees or landscape enhancements within

the curtilage of the railway.

Landscape Planning designations:

- There are no Tree Preservation Orders and no Conservation Area designations directly affecting the site.
- The Nestle Factory to the south-east of the railway lies within the Botwell Nestle Conservation Area.

PROPOSAL:

The proposal is an application under Schedule 7 of the Crossrail Act 2008 for the approval of Plans and Specifications associated with the erection of a new station building, external lift shaft, footbridge with lift shafts, extension of platforms 2/3 and 4/5 with canopy modifications, new waiting room to Platform 4/5 and associated lighting.

LANDSCAPE CONSIDERATIONS:

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.

- No trees or other landscape features of merit will be affected by the proposal.
- Some indicative tree planting and bike storage is shown on drawing No. WSN1C\_EAR\_DRG\_BEN\_000251 Rev P.02.
- According to the Design & Access Statement, section 2 Design Rationale confirms that 'the landscaping and non-structural works within the curtilage are shown for information only and not for approval as part of this plans and specification submission'.
- It goes on to say that 'these matters will be contained in the Site Restoration Scheme, which will be agreed with the London Borough of Hillingdon at a later date'.
- In section 3, the design aims for the Emerging Public Realm Plan are set out.
- If the application is recommended for approval, it is understood that proposals for the enhancement of the public realm (hard and soft landscape) will follow. These should be complement the high profile design concept promoted by Crossrail.

RECOMMENDATIONS:

This application has been subject to pre-application discussions with planning and specialist officers.

It is understood that public realm improvements associated with the station development will follow.

ACCESS

Planning permission is sought to construct a new Hayes & Harlington Station to support the implementation of the new Crossrail train service. The work includes an external lift shaft with a feature lift, a new footbridge with lift, as well as extension and modifications to the platforms. An extension, new canopy and a waiting room is also proposed for platform 4 & 5.

The new station building is to be located North of the current building in place of the commercial building. Level access into the station from Station Road is an integral part of the design, with lift access into the station provided from Station Approach. Access for older and disabled people, and for those with young children, to all platforms would be possible via a series of lift and footbridge arrangements.

This application has been the subject of detailed pre-planning discussions and has undergone a number of iterations prior to this submission. The proposal is therefore fundamentally acceptable from an accessibility perspective, however, the following minor alteration is requested:

1.The artist's impression illustrates a handrail on the left when facing the Station Road entrance. An additional handrail should also be provided on the right (facing).

2.An alternative to minimise the risk of slips and trips, particularly by people with a visual impairment, the outer edge of the steps (where they abut the level pavement) on the Station Road entrance should ensure a contrast of no less than 30 points Light Reflectance Value (LRV).

#### Recommended Informatives

1.Induction loops should be specified to comply with BS 7594 and BS EN 60118-4, and a term contract planned for their maintenance.

2.Care must be taken to ensure that overspill and/or other interference from induction loops in different/adjacent areas does not occur.

3.Flashing beacons/strobe lights linked to the fire alarm should be carefully selected to ensure they remain within the technical thresholds not to adversely affect people with epilepsy.

#### Conclusion:

No objection, subject to the above observations

#### ENVIRONMENTAL PROTECTION UNIT

No objection

### **7. MAIN PLANNING ISSUES**

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

The Crossrail Act 2008 granted the principle of a cross route railway and gives deemed planning permission for the proposed works, subject to conditions imposed by Section 10 and Schedule 7 of the Act, which requires plans and specifications for the operations and works to be approved by the Local Planning Authority.

The extent of the deemed planning permission is determined by works covered by Schedules 1 and 2 of the Act and by the limits set out in the deposited Parliamentary approved plans. The Act also provides for the scheduled works to be constructed on land within the lateral limits of deviation (LoD) shown on the deposited plans and sections and provides for an upward limit of deviation.

Schedule 7 to the Act defines the detailed planning regime which applies to the Local Planning Authority (LPA) affected by works to construct and operate Crossrail. It sets out the items requiring further detailed approval for both permanent works and construction arrangements. It also sets out the grounds in which the LPA can impose conditions. Schedule 7 is a completely separate regime to that of the Town and Country Planning Act in terms of submission details and content. Furthermore, Schedule 7 sets out the matters or operations or works that require further detailed approval from the LPA for both permanent and temporary works.

Applications made under the Crossrail Act 2008 are different from planning applications made under the Town and Country Planning Act as they have received deemed approval through Royal Assent, subject to certain details for Local Planning Authority's approval. Thus, Local Planning Authority's powers in deciding applications made under the Schedules are limited by the provisions of the Act. The Council signed up to become a 'Qualifying Authority' to have powers to consent to a wider range of detailed matters made under Schedule 7 (Planning Conditions Schedule) of the Act.

A Qualifying Authority may refuse to approve an application for 'reserved' matters as well as details of conditions that can be imposed upon applications recommended for approval, subject to the conditions set out under Schedule 7 of the Act. A Qualifying Authority can only refuse or impose conditions on a Schedule 7 application on the basis of grounds specified in the schedule, which is;

'that arrangements ought to be modified to preserve the local environment or local amenity or to reduce the prejudicial effects on road safety or on the free flow of traffic in the local area and are reasonably capable of being modified'.

The Environmental Statement (ES) deposited with the Crossrail Bill identifies the likely significant effects that will arise from the construction and operation of Crossrail, and identifies the range of mitigation measures that could be used to reduce or eliminate these effects. It serves as the Environmental Impact Assessment of the project and has been updated through the passage of the Bill in the Houses of Parliaments. The Crossrail Act made provisions that all applications cannot exceed the impacts assessed by the ES. It is the intention of the Secretary of State to carry out the project so that its impacts are as assessed in the ES.

Given such, the principle of this development has been established.

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

Not applicable to the consideration of this application.

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

Hayes and Harlington Station is a Locally Listed Building and it is proposed to demolish this in order to facilitate the development. Whilst the loss of the buildings are regrettable, given the alterations required to make improvements to the access, platforms, canopies and modernisation of the station, and accommodate the Crossrail trains in general, it has not been possible to retain these. The historic wall fronting Station Approach is however going to be carefully demolished and the bricks re-used to construct the crash wall along the northern part of the site. No objection is raised to this, and this proposal is considered to preserve part of the heritage and historic appearance of the site.

Nestles Conservation Area is located to the south of the application site. Given the acceptable design and scale of the proposed station building and associated platform alterations, footbridges and buildings, the proposals are not considered to have a detrimental impact on the character and appearance of the adjacent Conservation Area.

#### **7.04 Airport safeguarding**

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

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

The station building will be constructed on a raised plinth approximately 3.2 metres above ground level and at the same level as Station Road. A new canopy is proposed to extend above the forecourt on Station Road and will be approximately 6.7 metres above the ground level.

The building is set away from the High Point Village development to the east and extends to a height of 10 metres above Station Approach. A partially glazed lift shaft is proposed at this level also to provide access to the station buildings/platforms.

In terms of the layout and siting of the proposed station, the proposed building provides a continuation from the established pattern of development within this part of Station Road and Station Approach, and its overall design, scale and orientation towards the Town Centre and Blyth Road, ensures that the building is visible within the surrounding area. Whilst the new building would be prominent in view from the surrounding street scape, it is considered that the overall size and scale of the proposed building would be appropriate for its setting and not detract from the character and appearance of more recent developments within the surrounding area.

The building would incorporate an active glazed frontage onto Station Road and is considered to enhance and complement the appearance of the surrounding area through its associated improvements. The largely glazed design of the building will allow views through the station to surrounding areas, and this design approach and proposed material palette, is not out of keeping with the evolving development in the surrounding street scene. Overall, the design of the station buildings are considered to enhance this part of Hayes Town Centre and to complement the existing recent redevelopments and long term plans for Hayes Town.

The amendments to the platforms, footbridges, canopies and ancillary station buildings are also considered to be of an acceptable design and scale, and given their location and the level differences of the site, are not deemed to have a detrimental impact on the character and appearance of the surrounding area.

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

In terms of the impact of the proposal on neighbouring residents, the design, scale and siting of the buildings proposed, are not considered to have a detrimental impact on the amenities of the surrounding occupiers.

Concerns have been raised with regards to the noise from the station announcements. Crossrail have been advised of these comments and will provide a response on these matters, which will be included within the addendum to the application.

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

Not applicable to the consideration of this application.

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

Concerns have been raised with regards to the traffic congestion within Station Approach, its suitability for use in conjunction with the rail station, the lack of drop off parking spaces and proposed relocation of the roundabout.

This submission is solely to consider the proposed new station buildings, platform and canopy alterations. Works to improve the public realm, integration of transport modes, pedestrian environment, link to the town centre, cycle access and parking form part of an emerging public realm plan. This plan, which is aimed at the surrounding public realm and highways network is being designed jointly by stakeholders from the London Borough of Hillingdon, Crossrail and TfL.

The Council has made Crossrail and TfL aware of the comments in relation to the surrounding road network and it is hoped that these will be addressed within the wider plans for the area/Site Restoration Scheme.

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

See section 7.07 'Impact on the Character and Appearance of the Area'

## ACCESS

In terms of access to the site, this will still be retained from both Station Approach and Station Road. Significant improvements are proposed to the accessibility of the site for all users, to ensure that this is step free from both routes into the station and also to generally improve the movement in and around the station. No objections are raised to the improvements proposed, which are considered to improve the accessibility of the area.

### **7.12 Disabled access**

The new station building is to be located further north of the current building, in place of the commercial building. Level access into the station from Station Road is an integral part of the design, with lift access into the station provided from Station Approach. Access for older and disabled people, and for those with young children, to all platforms would be possible via a series of lift and footbridge arrangements.

The Access Officer has reviewed the application and raises no objection to the access arrangements proposed.

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

Not applicable to the consideration of this application.

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

No trees or other landscape features of merit will be affected by the proposal. The scheme has been reviewed by the Councils Trees and Landscape Officer who raises no objection to the construction of the new station buildings, platforms and canopies.

The wider public realm improvements do not form part of this application and will be submitted as part of a Site Restoration Scheme.

### **7.15 Sustainable waste management**

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

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

Concerns have been raised with regards to the noise from station announcements and whether the new station design will improve the acoustics so that residents in High Point Village are not disturbed by these.

These concerns have been referred to Crossrail who will be providing a response on this matter. This will be reported in the addendum to the committee report.

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

The public consultation issues and comments have been addressed in the main body of the report.

### **7.20 Planning obligations**

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

### **7.22 Other Issues**

There are no other issues for consideration with this application.

## **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 to the consideration of this application.

## **10. CONCLUSION**

The principle of the development has been established under the Crossrail Act 2008, however Schedule 7 requires the Local Planning Authority to approve details in relation to the erection of a new station building, external lift shaft, footbridge with lift shafts, extension of platforms 2/3 and 4/5 with canopy modifications, new waiting room to Platform 4/5 and associated lighting.

These construction arrangements contribute to improving the linkages within London and the overall regeneration objectives of the area in compliance with London Plan (July 2011) Policies, and it is recommended that the Plans and Specification submission for permanent works under Crossrail Act 2008, Schedule 7 be approved.

## **11. Reference Documents**

Crossrail Act 2008

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

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan (July 2011)

National Planning Policy Framework

Hillingdon Supplementary Planning Document - Noise

**Contact Officer:** Charlotte Bath

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