

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Katherine Mills

Signature:

Date: 15th October 2020

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

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

Address O/S 149 - 151 ST DUNSTANS CLOSE HAYES

Development: Removal of public payphone

LBH Ref Nos: **75815/APP/2020/2622**

Drawing Nos: Payphone Notice
Location of Payphone - St Dunstans Close

Date Plans received : 11/08/2020

Date(s) of Amendment(s):

Date Application Valid: 11/08/2020

1. SUMMARY

This is a consultation regarding the proposed removal of a public payphone located on a section of pavement outside 149-151 St Dunstans Close. BT are required by Ofcom to consult with the relevant local planning authority on the proposed removal and to provide the local community with the opportunity to adopt the phone box.

A public consultation was carried out via letters to local owners/occupiers. No responses have been received from the public consultation and there is no wish to adopt the payphone box.

The removal of the public payphone would remove a highly visible item of street furniture from an open section of pavement, reducing street clutter within the surrounding area and thereby improving pedestrian amenity and the character and appearance of the immediate street scene and surrounding area.

The proposed removal of the public payphone complies with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMT 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policy D8 of the emerging London Plan (December 2019).

Therefore there is no objection to the removal of the public payphone.

2. RECOMMENDATION

NO OBJECTION

1 NONSC Non Standard Condition

Following a full public consultation, no letters of representation or interest have been received with regard to the proposals to remove the public payphone outside 149-151 St Dunstans Close. The Council therefore raise no objection to the removal of the payphone, subject to the satisfactory restoration of the public footpath.

INFORMATIVES

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a public payphone located on a wide section of pavement

outside of 149-151 St Dunstons Close, two retail stores located at the end of a row of maisonettes. A block of flats is located on the opposite side of the road. Canford Park Academy is located approximately 26m north of the application site.

3.2 Proposed Scheme

This is a consultation regarding the proposed removal of a public payphone located on a wide section of pavement outside 149-151 St Dunstons Close. BT are required by Ofcom to consult with the relevant local planning authority on the proposed removal and to provide the local community with the opportunity to adopt the phone box.

3.3 Relevant Planning History Comment on Planning History

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

BT placed their own consultation notice on the public payphone advising of the proposal to remove the payphone. A sample copy of this consultation notice has been provided to the Council.

EXTERNAL

Consultation letters were sent to 13 local owner/occupiers. No responses were received.

INTERNAL

Highways:

There are no highway objections to this proposal.

Highways Inspection & Enforcement:

No response received.

6. 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

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMT 5 Pedestrians and Cyclists

In addition: London Borough of Hillingdon Development Plan (from 6th April 2020):

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

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

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

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019):

1.5 The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

1.6 The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

1.7 More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The public payphone is located on a section of pavement outside 149-151 St Dunstons Close. The surrounding area is mainly residential although 149 and 151 St Dunstons Close are both retail stores. It is considered that the removal of the public payphone would not have a detrimental impact on neighbouring properties.

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires that new developments achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to ensure that proposals complement or improve the character and appearance of the area. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to protect and improve the public realm, including streets.

Policy D8 of the emerging London Plan (December 2019) seeks to ensure that the public realm is safe and accessible and prevent barriers to movement for pedestrians. The policy also states that street clutter, including street furniture that is poorly located, unsightly, in poor condition or without a clear function, should be removed to ensure that pedestrian amenity is improved. The use, design and location of street furniture should complement the use and function of the space.

The proposal would remove an existing public payphone which is located on a wide section of pavement outside 149-151 St Dunstons Close. Whilst there is a limited amount of street furniture in the immediate area, mainly comprising of sign posts and lamp posts, this section of pavement is fairly open and so the public payphone is highly visible, particularly given its position close to the kerb line. It is therefore considered that the removal of the public payphone would be acceptable by removing street clutter, improving pedestrian amenity and the character and appearance of the immediate street scene and surrounding area.

The proposal to remove the public payphone is therefore in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policy D8 of the emerging London Plan (December 2019).

7.3 Traffic Impact / Pedestrian Safety

Policy DMT 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) seeks to improve the pedestrian network by providing safe routes and encouraging a high quality pedestrian/public realm environment.

The public payphone is located on a section of pavement outside 149-151 St Dunstons Close. The Council's Highways Engineer has no objection to the removal of the public payphone. However, given its location on a public footpath, the pavement should be restored to a satisfactory condition following the removal of the public payphone.

The proposal therefore complies with Policy DMT 5 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

7.4 Carparking & Layout

Not applicable to this application.

7.5 Urban Design, Access and Security Considerations

Not applicable to this application.

7.6 Other Issues

None

8. Reference Documents

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

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

Emerging London Plan (December 2019)

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