



HILLINGDON  
LONDON



# Central & South Planning Committee

## To Councillors on the Committee

John Hensley (Chairman)  
Judith Cooper (Vice-Chairman)  
Paul Buttivant  
Peter Curling  
Janet Duncan  
Dominic Gilham  
Brian Stead

**Date:** TUESDAY,  
23 NOVEMBER 2010

**Time:** 7.00 PM

**Venue:** COMMITTEE ROOM 5 -  
CIVIC CENTRE,  
HIGH STREET,  
UXBRIDGE  
UB8 1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

**This agenda and associated  
reports can be made available  
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further information.**

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This Agenda is available online at:  
<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=123&Year=2010>

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INVESTOR IN PEOPLE

# Useful information

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

Please switch off any mobile telephones and BlackBerries™ before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

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## A useful guide for those attending Planning Committee meetings

### Security and Safety information

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### Petitions and Councillors

**Petitions** - Those who have organised a petition of 20 or more borough residents can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council 48 hours before the meeting date. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

**Ward Councillors** - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

### How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant

followed by any Ward Councillors;

4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

### About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

## Agenda

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### Non Major Application without a Petition

	Address	Ward	Description & Recommendation	Page
28	37 & 39 Clayton Road, Hayes  67283/APP/2010/2112	Botwell;	Change of use to form light commercial vehicle service centre, with ancillary sales showroom, offices and storage and alterations to existing elevations, involving demolition of an existing unit to provide vehicle parking and display area.  <b>Recommendation: Approval</b>	1 - 32

The Chairman has agreed to accept this report as a late item as the applicant's existing site is currently subject to a Compulsory Purchase Order as part of the Crossrail project and due to business constraints there is a need for the applicant to establish a new business base within the Borough quickly or otherwise relocate to a site outside of the Borough.

## Report of the Head of Planning & Enforcement Services

**Address** 37 AND 39 CLAYTON ROAD HAYES

**Development:** Change of use to form light commercial vehicle service centre, with ancillary sales showroom, offices and storage and alterations to existing elevations, involving demolition of an existing unit to provide vehicle parking and display area.

**LBH Ref Nos:** 67283/APP/2010/2112

**Drawing Nos:** 1496/1  
1496/9  
1496/2  
1496/3  
1496/4  
1496/5 Rev A  
1496/6 Rev A  
1496/7 Rev A  
1496/8 Rev B

**Date Plans Received:** 09/09/2010                      **Date(s) of Amendment(s):** 09/09/2010

**Date Application Valid:** 09/09/2010                      08/10/2010

### Reason for Urgency

The Chairman has agreed to accept this report as a late item as the applicant's existing site is currently subject to a Compulsory Purchase Order as part of the Crossrail project and due to business constraints there is a need for the applicant to establish a new business base within the Borough quickly or otherwise relocate to a site outside of the Borough.

### 1. SUMMARY

Planning permission is sought for the demolition of the existing unit (No 39) nearest to the highway, to provide a vehicle parking and display area and the conversion of the remaining building into a light commercial vehicle service centre (with class 7 MOT bay) together with ancillary showroom, offices, parts storage. This would also involve the existing elevations of the building to be overclad, minor alterations to the fenestration on the building, replacement boundary fencing and associated landscaping.

The site is located within a Industrial and Business Area as identified in the Hillingdon Unitary Development Plan (Saved Policies September 2007), and by way of background, it is worth noting that the applicant has been required by a compulsory purchase order, issued by Cross Rail to vacate their current premises, and while vehicle sales is not a use which would typically be encouraged in an IBA, in this case there is a large component of the business which would be compliant with the objectives of the IBA policy LE2, and there are compelling reasons relating to retention of employment within the Borough, which form extenuating circumstances in this case.

The external alterations to the fenestration on the remaining building are considered to be in-keeping with the architectural style of this building and the resulting external hard and soft landscaped areas are also considered to successfully integrate into the existing

street scene and the wider area. Furthermore, the substantial landscaped areas proposed together with the frontage trees are considered to mitigate the visual impact of the proposal and provide a visual improvement to the existing street scene. As such the proposal is not considered to adversely affect the existing building or the wider street scene. The highway engineer has confirmed no objection would be raised on existing highway safety or parking concerns and it is considered the noise impacts of the proposal have been adequately addressed.

The application is recommended for APPROVAL subject to appropriate conditions.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1 T8 Time Limit - full planning application 3 years**

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

#### **REASON**

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

### **2 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved, and in particular the vehicles sales and display area shown on Plan No.1496-8 Rev B shall not be increased, unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### **REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **3 OM2 Levels**

No development shall take place until plans of the site showing the existing and proposed ground levels, including the vehicle display area, have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

#### **REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **4 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

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

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. 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.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),

#### **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).

#### **6 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 completion of the development or the occupation of the buildings, whichever is the earlier period.

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 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).

**7 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

**REASON**

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

**8 H6 Car parking provision - submission of details**

The customer/visitor parking spaces, including the 3 disabled bays shown on the approved plan, shall be reserved for the sole use of customer/visitor parking and for no other purpose, as long as the development remains in existence.

**REASON**

To ensure that adequate facilities are provided in accordance with Policies AM14, AM15 and the parking standards as set out in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 NONSC Hours of operation**

The Premises shall not be used outside the hours of 08:00 and 21:00, Monday to Friday, and between the hours of 08:00 and 13:00 on Saturdays. The premises shall not be used on Sundays, Public or Bank Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**10 NONSC Noise affecting residential property**

The rating level of noise emitted from the extract and compressor units hereby approved and any jet wash installed shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**11 NONSC Hours for deliveries**

The site shall not be used for delivery and the loading or unloading of goods outside the hours of 08:30 and 18:00, Monday to Friday, and between the hours of 09:00 and 12:00



on Saturdays. The site shall not be used on Sundays, Public or Bank Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 NONSC Vehicle repair and maintenance work shall only take place wi**

Vehicle repair and maintenance work shall only take place within the building as shown on the plans hereby approved.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**13 N11 location of Jet wash to be agreed**

No Jet Wash machinery shall be used on the premises until the position and location of this machinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented in accordance with these approved details and thereafter shall only be used in accordance with these agreed details as long as the building remains in this use. Additionally, the Jet wash shall not be used outside the hours of 08:30 and 18:00, Monday to Friday, and between the hours of 09:00 and 13:00 on Saturdays. The Jet wash shall not be used on Sundays, Public or Bank Holidays.

**REASON**

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**14 NONSC Imports Condition**

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

**REASON**

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the use hereby permitted is commenced. Development shall be carried out in accordance with the approved details.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**16 SUS8 Electric Charging Points**

Before development commences, plans and details of 2 electric vehicle charging point(s), serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan Policy 4A.3.

**17 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**18 DIS3 Parking for Wheelchair Disabled People**

Development shall not commence until details of parking provision for disabled persons, have been submitted to and approved in writing by the Local Planning Authority. Notwithstanding the submitted plans the disabled persons parking provision should be equivalent to 10 percent of the total number of staff and customer spaces. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure adequate car parking and convenient access to building entrances is provided in accordance with Policy AM5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**19 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (ii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iii) Traffic management and access arrangements (vehicular and pedestrian) and

parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(iv) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(v) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **20 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

#### **21 OM8 Personal Permission**

The non Class B1 and B2 use hereby permitted shall be carried out only by Dagenham Motors. The non Class B1 and B2 use shall cease when the premises cease to be occupied by Dagenham Motors.

#### REASON

The proposed use is contrary to the Council's planning policies, however the particular circumstances of the applicant warrant an exception being made and in compliance with policy LE2 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Planning Policy Statement 4 - Planning for Sustainable Economic Growth.

#### **22 OM7 Refuse**

Details of on-site refuse storage (including any open-air storage facilities) for waste material awaiting disposal, including details of any screening, shall be indicated on plans to be submitted to and approved by the Local Planning Authority. Such facilities shall be provided prior to occupation of the development and thereafter permanently retained.

#### REASON

To ensure that visual amenities are not prejudiced, in accordance with policy OE1 and BE25 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **23 NONSC Restriction on loading area**

The hatched area within the communal driveway shown on Plan 1496/8 Rev B shall only be used intermittently by Heavy Goods Vehicles for the loading and unloading of vehicles associated with the use hereby approved, and shall not be used for parking of service delivery or any other vehicles. When not in use, the area shall be kept free and clear.

### **REASON**

To ensure that the accessway is available for users of the wider Industrial and Business Area, apart from those occasions when it is necessary to load/unload from Heavy Goods Vehicles, the vehicles associated with the use, and to accord with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **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 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.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management

		schemes
AM14		New development and car parking standards.
LPP 2A.10		London Plan Policy 2A.10 - Strategic Industrial Locations
LPP 3B.4		London Plan Policy 3B.4 - Industrial Locations
LPP 4A.20		London Plan Policy 4A.20 - Reducing Noise and Enhancing Soundscapes
LPP 4A.3		London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4B.5		London Plan Policy 4B.5 - Creating an inclusive environment.

**3            I1            Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

**4            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).

**5            I6            Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

**6            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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic

Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

## **7            134            Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

## **8**

There is a possibility there may be some contaminating substances present in the ground under the hard standing. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination

they may find. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### REASON

You are advised this development is on a former Engineering works and possible clay pit based on Ordnance Survey data. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate restoration of the site once works are complete to minimise risk to the users of the site.

## 9

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in The control of dust and emissions from construction and demolition: best practice guidelines, Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the north side of Clayton Road and forms two of six industrial/warehouse units arranged in two terraces built in the mid 1970's. The two buildings to which the application relates are situated in the south west corner of this industrial site, adjacent to Clayton Road and opposite No.s 74-92 (even) Clayton Road, residential properties fronting the south side of this road. The application site comprises 2 substantial buildings, with low pitched roofs and associated parking and hardstanding. The street scene is predominantly industrial in character and appearance, although there are residential properties on the south side. The site lies within the 'Blythe Road/Printing House', Industrial and Business Area (IBA) as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies September 2007).

#### 3.2 Proposed Scheme

Planning permission is sought for demolition of unit 39 to form a vehicle parking and display area, conversion of Unit 37 to form light commercial vehicle service centre together with ancillary showroom, offices, parts storage. This would also involve the existing elevations of the building to be overclad, minor alterations to the fenestration on the building, replacement boundary fencing and associated landscaping.

The design and access statement submitted with the application states 'Ford Retail Ltd' has owned and operated the 'Dagenham Motors Ford and Iveco' dealership on Dawley Road, Hayes for 12 years. This site is now subject to a compulsory purchase notice in connection with the Crossrail Project. As a result, the company has until the 3rd June 2011 to vacate the site.

The Dagenham Motors Company continues to hold the Ford Franchise for the Hayes territory for as long as in can maintain a suitable premises. The relocation to Clayton Road will enable this representation to be maintained. Unfortunately the lack of certainty created by the compulsory purchase has led to the split from Dagenham Motors of Iveco.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

34/APP/2009/2472 - related to unit 37 and sought permission for the removal of condition 5 of planning permission 34AE/82/377, this condition related to the restriction on loading/unloading/day time restrictions. This application was refused due to the lack of noise impact assessment in relation to the impact on nearby residential properties.

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

### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures



AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM14	New development and car parking standards.
LPP 2A.10	London Plan Policy 2A.10 - Strategic Industrial Locations
LPP 3B.4	London Plan Policy 3B.4 - Industrial Locations
LPP 4A.20	London Plan Policy 4A.20 - Reducing Noise and Enhancing Soundscapes
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.
LPP 4B.5	London Plan Policy 4B.5 - Creating an inclusive environment.

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

**5.1** Advertisement Expiry Date:- Not applicable

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

## **6. Consultations**

### **External Consultees**

38 letters have been sent to neighbouring properties and other interested parties, and two responses have been received, that make the following comments -

1. We consider it is totally inappropriate to site a commercial vehicle service, repair and sales operation in this location
2. It will hinder other users of the estate, is too close to residential housing and cause worsening of already bad traffic problems in the Hayes one-way system
3. Clayton Road is the main by-pass route for the pedestrianised Town Centre and carries high levels of traffic, including buses and commercial vehicles. It is very narrow and one-way traffic operates.
4. The demolition of the existing unit to create a parking and circulation road, indicates a considerable increase in traffic volume (there are approx 39 additional parking spaces shown, plus about 20 vehicles receiving servicing and repair shown inside the unit.
5. In addition a permanent HGV parking space is shown - where none exists presently, and this is in the middle of the access roadway to other units - This will prevent vehicles being loaded end-on in units 25-27
6. The proposed traffic movements shown in the design and access statement do not seem to correspond with the parking and HGV provision.
7. The applicant states there is considerable traffic problems at the Dawley Road site, and claims Clayton Road is no worse, this is not so - it is very narrow, single lane, one-way, jammed frequently when parked vehicles hinder buses and lorries.
8. Turning into the access road is already difficult due to on-street parking. The proposed circulation provides no proper exit back onto Clayton Road for larger commercial vehicles, unless on-street parking is reduced further, affecting local residents and businesses.
9. The comment about better visual amenity - a 2.4m high security fence will serve no purpose other than to look worse than the well designed existing railings.
10. The road is congested and more vans from the application proposal would make traffic worse.

Crossrail Limited on behalf of Transport for London and the Department for Transport - Thank you for your letter dated 20 Sept 2010, requesting the views of the Chelsea-Hackney Line Project Team on the above application. The application has been considered, and we do not wish to make any comments.

## Internal Consultees

### ENVIRONMENTAL PROTECTION UNIT

The proposed use of this site has the potential to have a significant noise impact, with noise from vehicle servicing and repair, MOT tests, plant and vehicle movements. The applicants should therefore provide a BS4142 noise impact assessment and provide details along with any proposed mitigation measures. Details of proposed plant should be included. With regards to the above application, whilst we would normally ask for an air quality report for this type of application, as the business is relocating locally (due to crossrail) rather than bringing new emissions into the area, it is considered the an air quality report is not necessary in this instance.

OFFICER COMMENT - this comment has been forwarded to the applicant's agent and further details have been provided. Following the receipt of the noise assessment the Council's EPU reviewed the amended details and provided the following comment:

### ENVIRONMENTAL PROTECTION UNIT

With regards to the above application I have now received the noise report and have the following comments to make:

The noise report covers the hours of 07:30 to 18:30 which are different to those requested in the planning application. Looking at the data provided in the report the background noise level used would still be appropriate later in the evening however the data suggests the period between 19:30 and 21:00 is the most sensitive as the background noise levels were consistently down around 49dB during this period. The report does not consider Lmax levels and does not account for the added effect of the various servicing and repair operations. The noise report does not attach a 5dB penalty for distinctive noise but they do set a target of 10dB when we only require it to be at least 5dB below background.

I would therefore prefer to see shorter permitted hours but I understand from the agent that the applicants are proposing to work a shift system and are not able to be flexible on these hours.

I would recommend that the following conditions are attached:

Hours of operation (the hours given below are those requested by the applicant however as stated above we would prefer to see shorter hours)

#### Premises/site/plant/process

The Premises shall not be used outside the hours of [08:00] and [21:00], Monday to Friday, and between the hours of [08:00] and [13:00] on Saturdays. The premises shall not be used on Sundays or Bank Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

#### Noise affecting residential property

The rating level of noise emitted from the Jet wash, extract and compressor units hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 Method for rating industrial noise affecting mixed residential and industrial areas .

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

#### Hours for deliveries - Loading/unloading/deliveries

The site shall not be used for delivery and the loading or unloading of goods outside the hours of

[08:30] and [18:00], Monday to Friday, and between the hours of [09:00] and [12:00] on Saturdays. The site shall not be used on Sundays or Bank Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

location of Jet wash to be agreed

Hours for jet wash (I would suggest shorter hours such as those the applicants requested for sales as this will make it easier to comply with the noise condition above)

Premises/site/plant/process

The Jet wash shall not be used outside the hours of [08:30] and [18:00], Monday to Friday, and between the hours of [09:00] and [12:00] on Saturdays. The Jet wash shall not be used on Sundays or Bank Holidays.

REASON: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

Vehicle repair and maintenance work shall only take place within the building.

Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in The control of dust and emissions from construction and demolition: best practice guidelines , Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

Contamination Informative

There is a possibility there may be some contaminating substances present in the ground under the hard standing. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

REASON

You are advised this development is on a former Engineering works and possible clay pit based on Ordnance Survey data. The advice is provided on the grounds of Health and Safety of the workers

on site and to ensure the appropriate restoration of the site once works are complete to minimise risk to the users of the site.

The Design and Access Statement indicates there will be soft landscaping based on the architects drawings (not available on Ocella). It seems likely soil would have to be imported, so as a minimum the following imports condition needs to be included in any permission which may be given.

#### Imports Condition

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

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### HIGHWAYS ENGINEER

The traffic generated by the proposed development is already on the local highway network. Due to the nature of the business, traffic is spread out during the day and the major contributor to peak hour traffic would be staff. There would be 28 staff and 17 staff car parking spaces. The trip generation during peak hours is not considered to impact adversely on the highway network.

The only junction in the vicinity which, with committed developments at Hayes Football Club and Hayes Pool, is likely to reach capacity is the Botwell Lane/ Church Road roundabout. Both the Football Club and any future approval of the pool site have/will have conditions requiring off site highway improvements to this roundabout.

No objections are raised on highway grounds.

#### POLICY COMMENTS

The relevant tests related to the principle of the proposed use are contained in policy LE2 of the UDP (Saved Policies) 2007. This designates IBAs for business, industrial and warehousing purposes and for sui-generis uses appropriate in an industrial area. I couldn't see any information on the length of time that the site has been vacant or marketed for industrial purposes, however on balance I am minded to accept that the proposal is an appropriate sui-generis use within an IBA. As such, the proposal is in accordance with policy LE2.

Trees and Landscape Officer - The site is a 1970s industrial estate situated on the north side of Clayton Road, whose northern boundary is defined by the Grand Union Canal. The Clayton Road boundary features raised brick planters and steel gates, and there is evidence (not inspected) of vegetation on the canal side. However, the site is dominated by buildings and hard landscape associated with the operational requirements of the industrial estate. There are no TPOs or Conservation Area designations affecting the site, or constraining development.

The proposal is to adapt the site and create a vehicle showroom with offices and workshops. The unit closest to Clayton Road (39) will be demolished to create external circulation and show space and existing buildings will be adapted. The Design & access Statement refers to the removal of the

brick planters, the provision of more attractive, but secure, boundary fencing and soft landscape enhancement. GRS drawing No. 1496/8 indicates two modest areas of soft landscape near the site entrance and exit.

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.

Saved policy BE32 seeks to secure environmental improvements next to the Grand Union Canal.

Saved policy BE25 seeks to ensure the modernisation and improvement of industrial and business areas, including landscape and environmental enhancements.

- There are no landscape features of such significance that they should be retained as part of any redevelopment.

- This industrial site requires particular attention to its appearance and affect on the local environment because it is directly opposite a terrace of residential properties.

- The layout and detailing of the hard and soft landscape should ensure that the development secures landscape / environmental improvements to the site and the local area.

RECOMMENDATIONS: No objection in principle subject to the above considerations and conditions TL5, TL6 and TL7.

Access Officer - No comments received

## **7. MAIN PLANNING ISSUES**

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

Policy LE1 of the UDP (Saved Policies September 2007) states proposals for industry, warehousing and business will be assessed by taking into account other policies in this plan, and where appropriate would consider matters such as; the overall objective of securing appropriate development; existing extant planning permissions, developments currently under construction or vacant floorspace; existing transport and road facilities; the possible impact on community facilities; and provision for people with disabilities. The proposal is not considered to conflict with any of the criteria listed or to be contrary to other policies in the plan and as such would accord with LE1 of the UDP (Saved Policies September 2007).

Policy LE2 of the UDP (Saved Policies September 2007) designates IBAs for business, industrial and warehousing purposes and for sui-generis uses appropriate in an industrial area.

The policy states the Local Planning Authority will not permit development for other uses in IBA's unless it is satisfied that; there is no realistic prospect of the land being used for industrial or warehousing uses in the future; the proposed alternative use does not conflict with other policies and objectives of the plan; and the proposal better meets the objective of the plan.

The site is currently vacant and the agent has confirmed the units have been on the market for over 18 months, furthermore, it is considered that this proposal comprises a large component of vehicle servicing and repair. The sales component of the business having been reduced following the split from the Dagenham Motors operation of the Iveco element.

The applicant has been required by a compulsory purchase order, issued by Cross Rail to vacate their current premises, and while vehicle sales is not a use which would typically be encouraged in an IBA, in this case there is a large component of the business which

would be compliant with the objectives of the IBA policy LE2, and there are compelling reasons relating to retention of employment within the Borough, which form extenuating circumstances in this case.

Given the circumstances in which Dagenham Motors are placed, and the desire to retain employment associated with the business in the Borough objection is not raised to this proposal. However, it is acknowledged that the scheme would not strictly comply with policy LE2 given the sales component of the business, as such a condition is recommended to limit the permission to Dagenham Motors only.

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

Not applicable to this application

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

Not applicable to this application

#### **7.04 Airport safeguarding**

Not applicable to this application

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

Not applicable to this application

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

The proposal comprises the removal of the building nearest to Clayton Road (No 39), this would be replaced by a vehicle parking and display area. It is not considered the appearance of the built development on the site would be materially altered, however it is noted the scheme would also result in the loss of the fence and frontage wall to the site, replacing this with a dual guard security fence. The current boundary details are not unattractive in appearance, although due to the sparse landscaping, the street scene appears relatively harsh. The proposed replacement fencing would be a dual guard security fence, whilst this is considered to have more of an 'industrial' appearance, it provides high visibility through to the site and the proposed vehicle display area. There is a concern that this display area could have a negative effect in the street scene, particularly in relation to the properties situated opposite the site, however, revised drawings have been received which show the provision of 3 trees spaced along this frontage which would break up this area, and due to the existing on-street parking these properties already look out onto parked vehicles.

As such, the proposal is not considered to result in a material harm to the character and appearance of the existing site or the wider street scene in compliance with policies BE13 and BE15 of the UDP (Saved Policies September 2007).

Policy BE25 of the UDP (Saved Policies September 2007), states the Local Planning Authority will seek to ensure modernisation and improvement of industrial and business areas through careful design and landscaping of buildings and external spaces. The existing site has minimal landscaped areas, however, the proposed layout plan shows the introduction of larger significant soft landscaped areas to either end of the site together with 3 trees to be planted along the frontage. Subject to condition requiring the implementation and management of these areas, it would be considered to result in a visual improvement to this section of Clayton Road. It is therefore considered the development would comply with the intentions of this policy.

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

With regard to the proposed impact of the proposal in relation to the amenities of any nearby properties. It is considered the main properties to be affected would be those

situated on the opposite side of the road (Numbered 74 - 92 (even) Clayton Road). Currently unit no 39 is situated within 23m of the front elevations of these properties, the proposal would result in the demolition of this unit (which would be replaced by a vehicle parking and display area), this would result in the nearest built development to these properties being extended to over 42m from the same. It is considered this will give a more open appearance to the frontages of these affected dwellings. Therefore, it is considered that the proposal would not impact on the amenities of adjoining buildings or adjacent properties by reason of loss of sunlight or overshadowing, and no adverse privacy impacts are anticipated given the distance to the nearest residential property. As such, the proposal is in accordance with Policies BE20, BE21 and BE24 of the UDP (Saved Policies September 2007).

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

Not applicable to this application

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

With regard to traffic impact, additional information/clarification was sought regarding these issues. The applicants agent confirmed the following -

1. The total number of staff that will be employed on site is 28.
2. The vehicle display area, & this includes demonstrator parking, is restricted to the area of forecourt directly behind the pavement to Clayton Road & the rear of the proposed parking bays. Two additional display spaces are provided as a feature just inside of the site
3. There are 43 formal parking bays, these are all lcv standard & are allocated for customer parking (3 of which are oversized for accessibility).
4. In addition to the above there are a further 5 parking spaces allocated for customers travelling in passenger cars.
5. Staff parking is separated from all other onsite parking and comprises of 17 spaces located in the rear forecourt.
6. In addition to the parking provision detailed above we have also provided secure cycle & motorcycle parking as the applicant has identified that several members of staff employ both modes of transport.
7. The MOT facility is a single, class 7 bay, suitable for light commercial vehicles. Two of the 43 spaces allocated for customers will be specifically white lined & delineated for MOT use as required by the Department of Transport.

The Highway Engineer has been consulted on the application and has commented that the traffic generated by the proposed development is already on the local highway network and due to the nature of the business traffic is spread out during the day, with the major contributor to peak hour traffic being staff. There would be 28 staff and 17 staff car parking spaces. The trip generation during peak hours is not considered to impact adversely on the highway network.

The only junction in the vicinity which, with committed developments at Hayes Football Club and Hayes Pool, is likely to reach capacity is the Botwell Lane/ Church Road roundabout. Both the Football Club and Hayes Pool proposals have conditions and planning obligations requiring off site highway improvements to this roundabout.

As such, there are no objections are raised on highway grounds and therefore the proposal would be in accordance with Policy AM7, AM8 and AM14 of the UDP (Saved Policies September 2007).

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

See above

#### **7.12 Disabled access**

The design and access statement submitted with the proposal clearly indicates that all aspects of the proposal would comply with Part M Building Regulations and therefore would also comply with the intentions of Policy 3A.4 and 3A.5 of the London Plan and the Council's Accessible Hillingdon SPD January 2010. There is a condition proposed recommending that final details of disabled parking be provided to and approved by the Local Planning Authority.

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

Not applicable to this application

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

The Trees and Landscaping Officer has been consulted and has commented that the site is a 1970's industrial estate situated on the north side of Clayton Road, whose northern boundary is defined by the Grand Union Canal. The Clayton Road boundary features raised brick planters and steel gates, and there is evidence (not inspected) of vegetation on the canal side. However, the site is dominated by buildings and hard landscape associated with the operational requirements of the industrial estate. There are no TPO's or Conservation Area designations affecting the site, or constraining development.

The proposal is to adapt the site and create a vehicle showroom with offices and workshops. The unit closest to Clayton Road (39) will be demolished to create external circulation and show space and existing buildings will be adapted. The Design & access Statement refers to the removal of the brick planters, the provision of more attractive, but secure, boundary fencing and soft landscape enhancement. GRS drawing No. 1496/8 indicates two modest areas of soft landscape near the site entrance and exit. There are no landscape features of such significance that they should be retained as part of any redevelopment. This industrial site requires particular attention to its appearance and affect on the local environment because it is directly opposite a terrace of residential properties. The layout and detailing of the hard and soft landscape should ensure that the development secures landscape / environmental improvements to the site and the local area. As such, there is no objection in principle subject to the above considerations and conditions requiring a landscaping scheme, together with its implementation and a maintenance schedule, to enhance the visual amenities of the area in compliance with policy BE38 of the UDP (Saved Policies September 2007). The comments are in full above.

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

Not applicable to this application

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

Not applicable to this application - This is an existing industrial site although the proposed plans indicate the existing windows would be replaced with new double glazed thermally broken aluminium frames.

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

Not applicable to this application

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

Policy OE1 states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties, and Policy OE3 deals with development which has the potential to cause noise annoyance.

The Environmental Protection Unit has been consulted on this application, and has



commented that whilst an air quality assessment report would normally be requested, as the business is relocating locally (the existing use/business is within 500m of the application site) rather than bringing new emissions into the area, it is considered the an air quality report is not necessary in this instance.

With regard to noise issues a number of safeguarding conditions have been suggested relating to hours of operation, deliveries, control over plant and machinery, together with a number appropriate infomatives. Therefore, subject to these details the proposal is considered to accord with policy OE1 and OE3 of the UDP (Saved Policies, September 2007). The comments are in full above.

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

With regard to point 5, the agent has confirmed the HGV parking space is shown on the hard surface of the industrial service road and that it is a communal facility for all the units. The remaining issues are covered in the full report.

#### **7.20 Planning obligations**

Not applicable to this application

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

Not applicable to this application

#### **7.22 Other Issues**

None

### **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'.

### **9. Observations of the Director of Finance**

Not applicable to this application

**10. CONCLUSION**

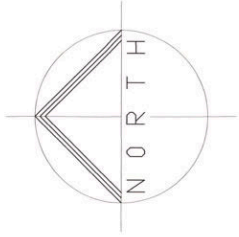
In summary, it is considered the proposal would not result in any adverse impacts and would comply with all relevant policies contained in the UDP (Saved Policies September 2007) and therefore the proposal is recommended for Approval.

**11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
The London Plan (2008)

**Contact Officer:** Catherine Hems

**Telephone No:** 01895 250230

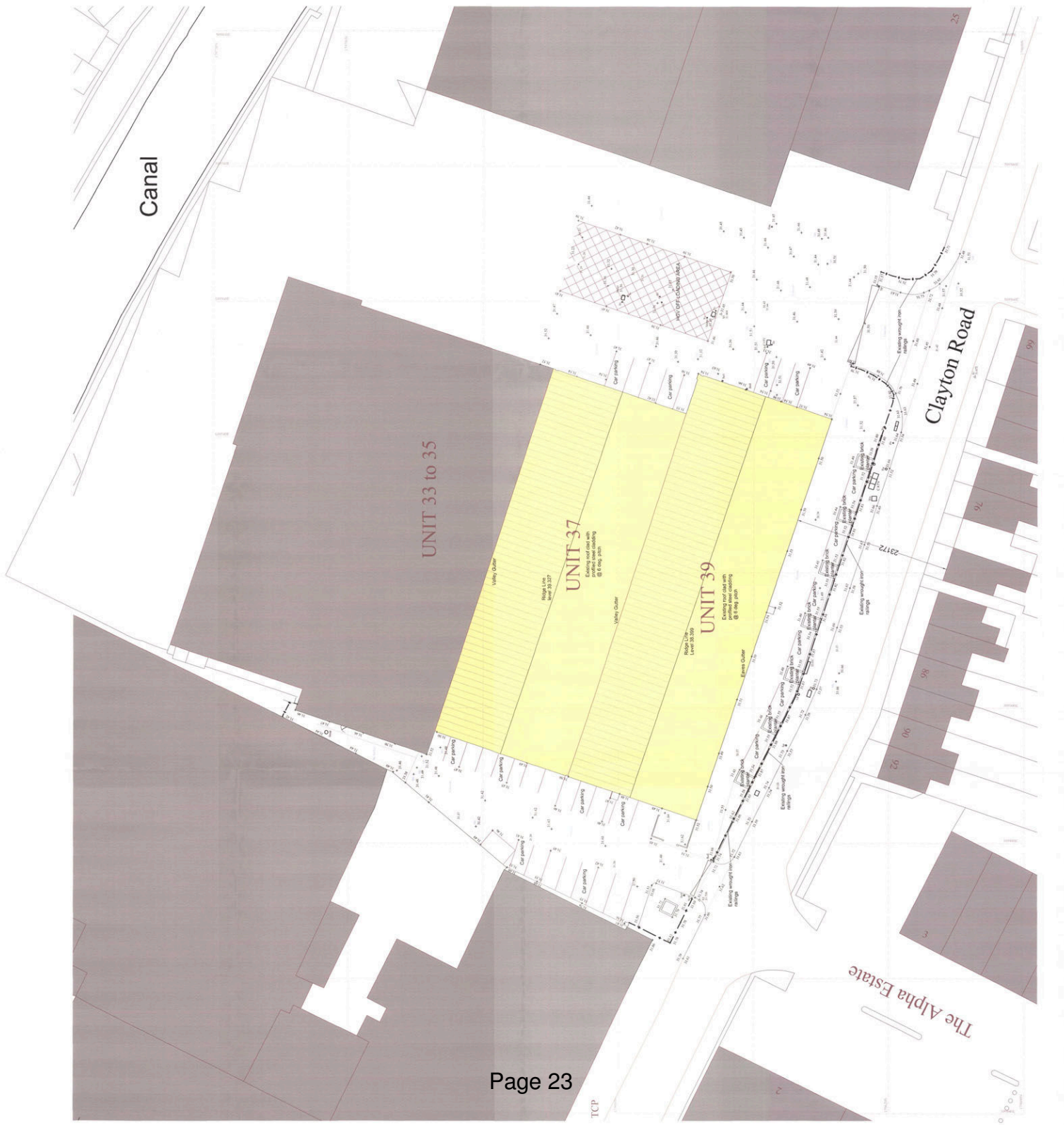


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GRS ARCHITECTS LIMITED  
Equity Chambers, 249 High Street North,  
Poole, Dorset, BH15 1DX  
Tel : 01202 677313 Fax : 01202 677313  
E-mail : gystorey@grsarchitects.co.uk

Client: DAGENHAM MOTORS  
Project: PROPOSED LIGHT COMMERCIAL CENTRE  
UNIT 37  
NEW TRADING ESTATE  
HAYWARDS  
LONDON

Drawing: EXISTING SITE PLAN  
Scale: As Shown  
Date: 1200 AUGUST 2010  
Drawing No: 1496/1



Canal

UNIT 33 to 35

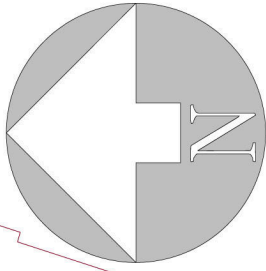
UNIT 37  
Ridge Line  
Level 33.527  
Existing roof loading  
@ 15 kg/m<sup>2</sup>

UNIT 39  
Ridge Line  
Level 33.530  
Existing roof loading  
@ 15 kg/m<sup>2</sup>

Clayton Road

The Alpha Estate

TCP



Works

Units 33 to 35

Dagenham Motors  
Light Commercial Centre  
Unit 37

Existing roof clad with  
profiled cladding  
@ 6 deg. pitch

Revision B : Additional tree added to Clayton Road frontage 10/0.  
Revision A : Additional ramp added to Clayton Road frontage 0/0.

GRS / ARCHITECTS LIMITED  
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Tel : 01202 677313 Fax : 01202 677318  
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Client  
DAGENHAM MOTORS

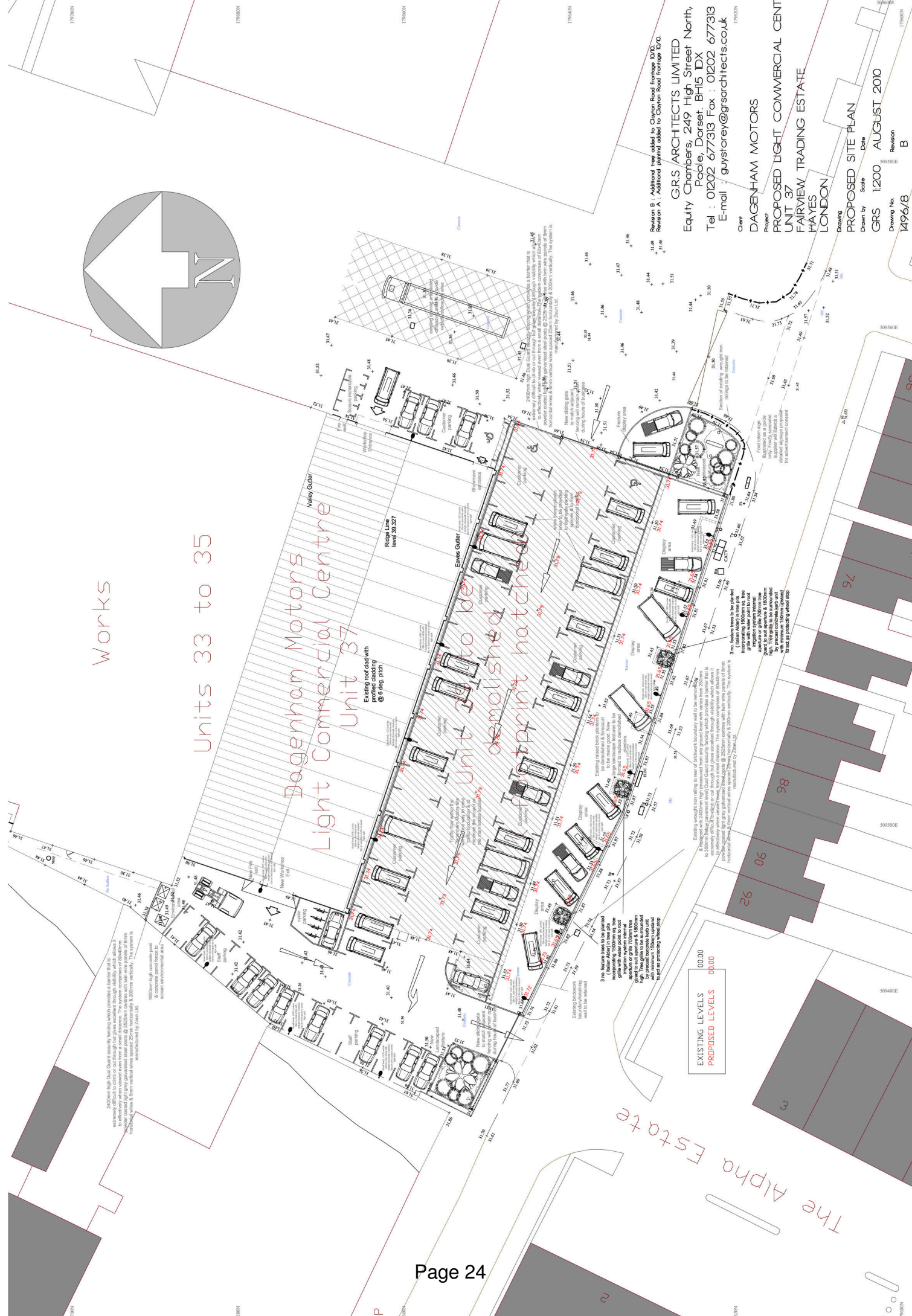
Project  
PROPOSED LIGHT COMMERCIAL CENTRE  
UNIT 37  
FAIRVIEW TRADING ESTATE  
HAYES LONDON

Drawn by  
GRS 1200 AUGUST 2010

Scale  
1:496/8

Date  
14/9/10

Revision  
B



EXISTING LEVELS	00.00
PROPOSED LEVELS	00.00

The Alpha Estate

99

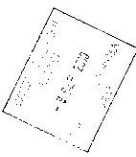
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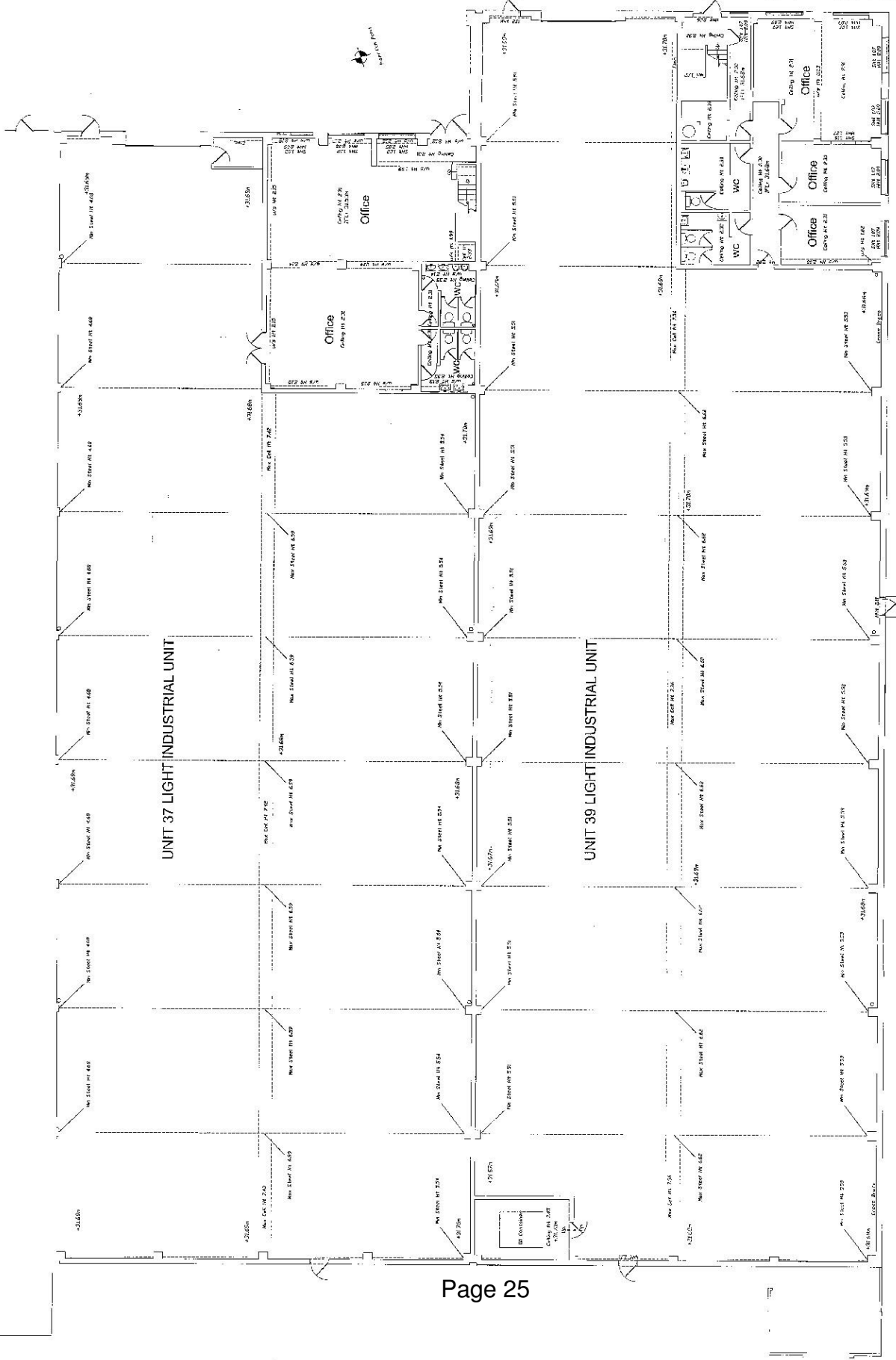
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GRS ARCHITECTS LIMITED  
 Equity Chambers, 249 High Street North,  
 Podle, Dorset, BH15 1DX  
 Tel : 01202 677318 Fax : 01202 677316  
 E-mail : gystorey@grsarchitects.co.uk

Client  
**DAGENHAM MOTORS**  
 Project  
**PROPOSED LIGHT COMMERCIAL CENTRE**  
 Unit 37  
**FAIRVIEW TRADING ESTATE**  
**HAYES**  
**LONDON**

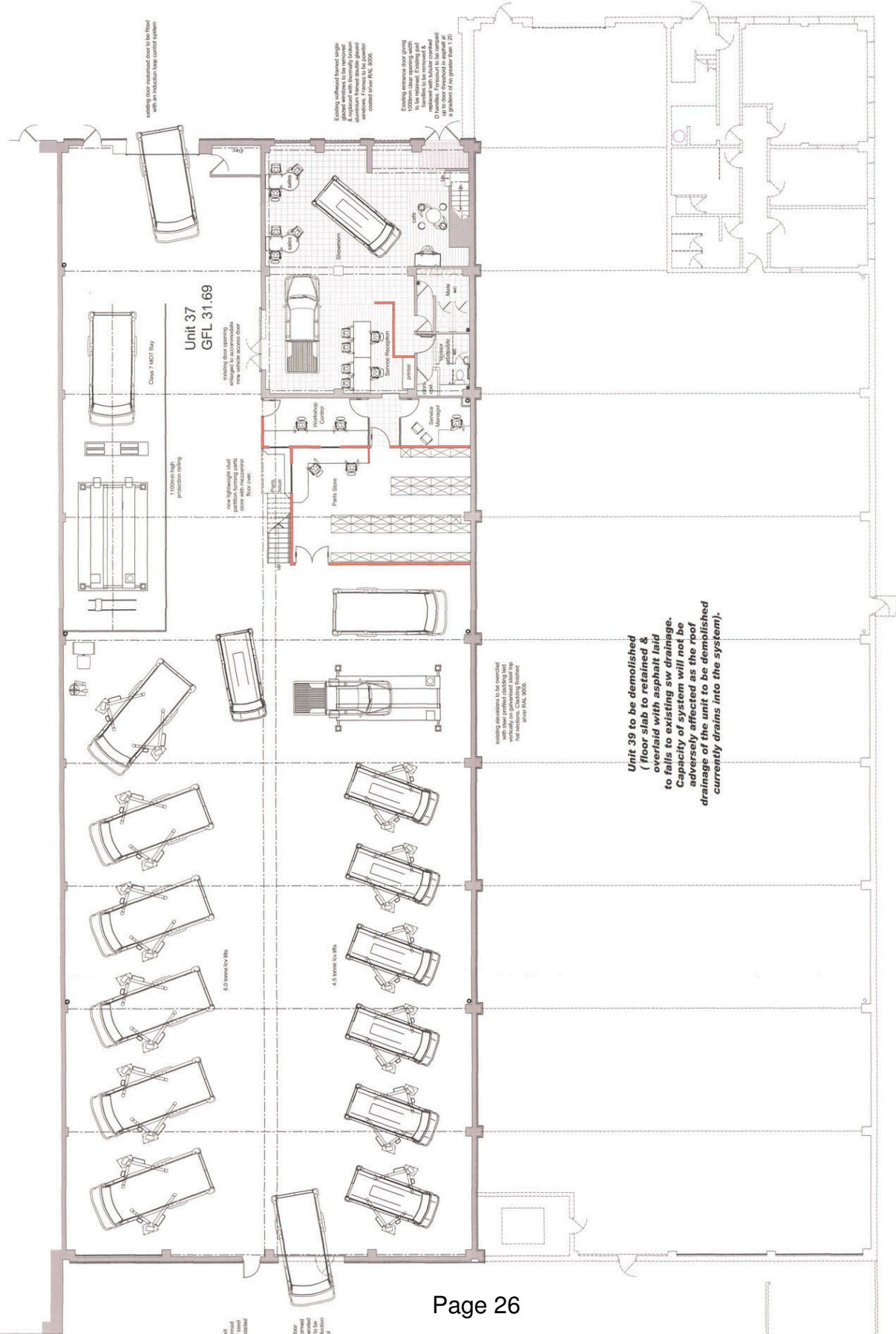
Drawing  
**EXISTING GROUND FLOOR PLAN**  
 Drawn by  
 Site  
 GRS  
 Date  
**1100**  
 August 2010  
 Drawing No.  
**1496/2**  
 Revision



GRS ARCHITECTS  
 - 8 SEP 2010  
 Planning / HANBURYTON  
 0202 677313

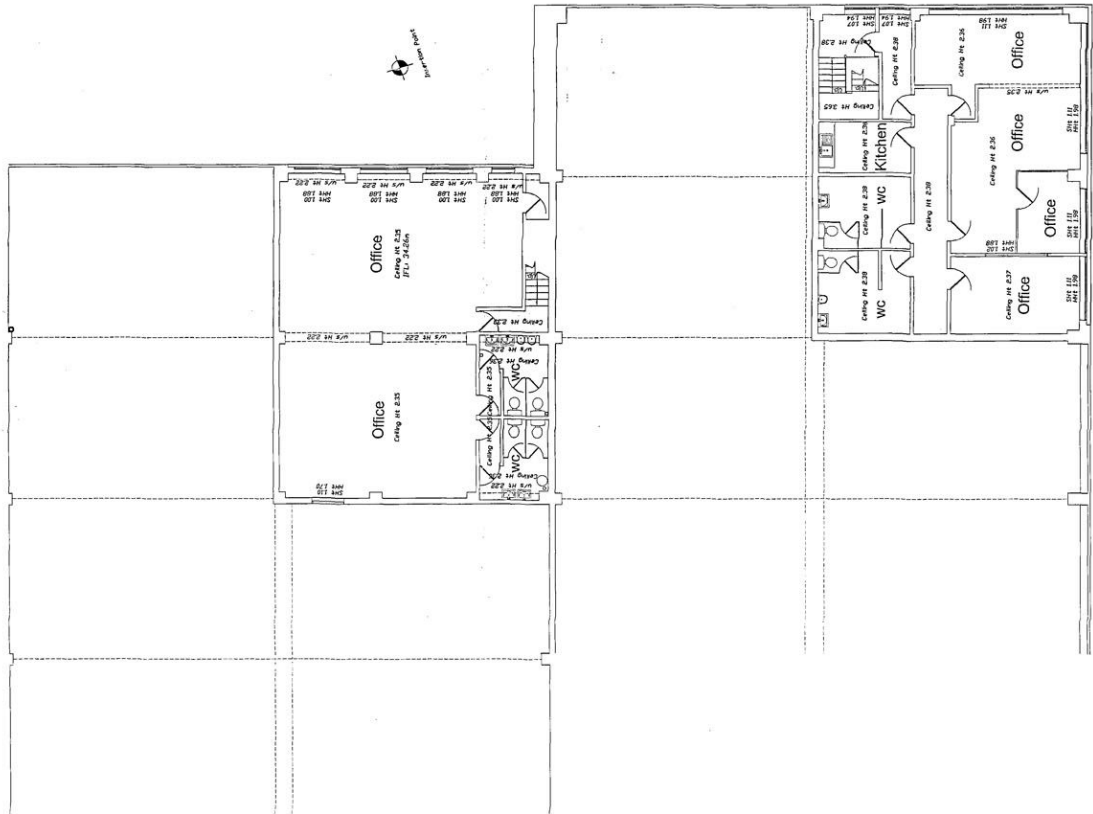
Revision A: Parts shown not reduced & accurate as issued (08/10)  
 GRS ARCHITECTS LIMITED  
 Equity Chambers, 249 High Street, North  
 Pole, Dorset, BH15 1DX  
 Tel: 01202 677313 Fax: 01202 677318  
 E-mail: gus@grsarchitects.co.uk

Client: DAGENHAM MOTORS  
 Project: PROPOSED LIGHT COMMERCIAL CENTRE  
 Unit 37  
 FAIRVIEW TRADING ESTATE  
 HAYES  
 LONDON  
 Drawing: PROPOSED GROUND FLOOR PLAN  
 Drawn by: GRS 1100  
 Date: AUGUST 2010  
 Scale:  
 Drawing No: 1496/5  
 Revision: A



Unit 37  
 GFL 31.69

**Unit 39 to be demolished  
 ( floor slab to retained &  
 overlaid with asphalt laid  
 to falls to existing sw drainage.  
 Capacity of system will not be  
 adversely affected as the roof  
 drainage of the unit to be demolished  
 currently drains into the system).**



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 Equity Chambers, 249 High Street North,  
 Poole, Dorset. BH15 1DX  
 Tel : 01202 677313 Fax : 01202 677313  
 E-mail : guystorey@grsarchitects.co.uk

Client  
 DAGENHAM MOTORS

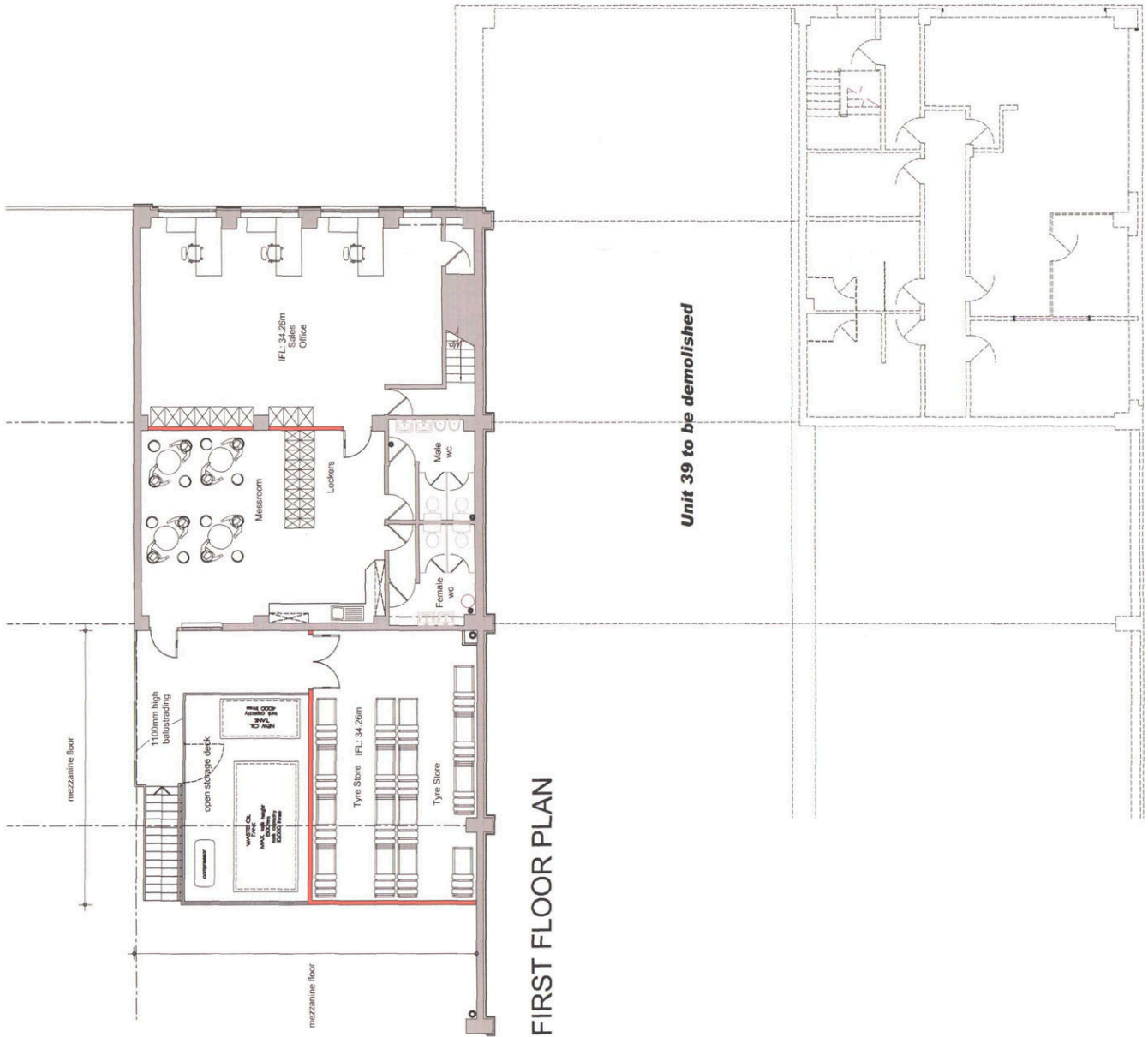
Project  
 PROPOSED LIGHT COMMERCIAL CENTRE  
 UNIT 37  
 FAIRVIEW TRADING ESTATE  
 HAYES  
 LONDON

Drawing  
 EXISTING FIRST FLOOR PLAN

Drawn by  
 GRS 1:00

Date  
 AUGUST 2010

Revision  
 1496/3



FIRST FLOOR PLAN

Unit 39 to be demolished

LOANED BY HILLWOOD  
 RECEIVED  
 - 9 SEP 2010  
 PLANNING & TRANSPORTATION  
 GROUP

Revision A : Minor internal layout amendments 09/10

G.R.S ARCHITECTS LIMITED  
 Equity Chambers, 249 High Street North,  
 Poole, Dorset. BH15 1DX  
 Tel : 01202 677313 Fax : 01202 677313  
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Client  
 DAGENHAM MOTORS

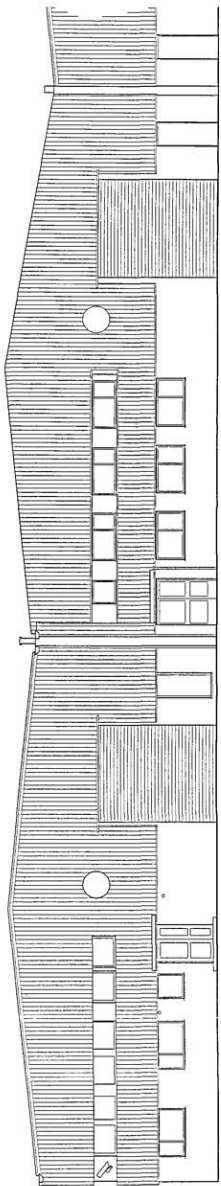
Project  
 PROPOSED LIGHT COMMERCIAL CENTRE  
 UNIT 37  
 FAIRVIEW TRADING ESTATE  
 HAYES  
 LONDON

Drawing  
 PROPOSED FIRST FLOOR PLAN

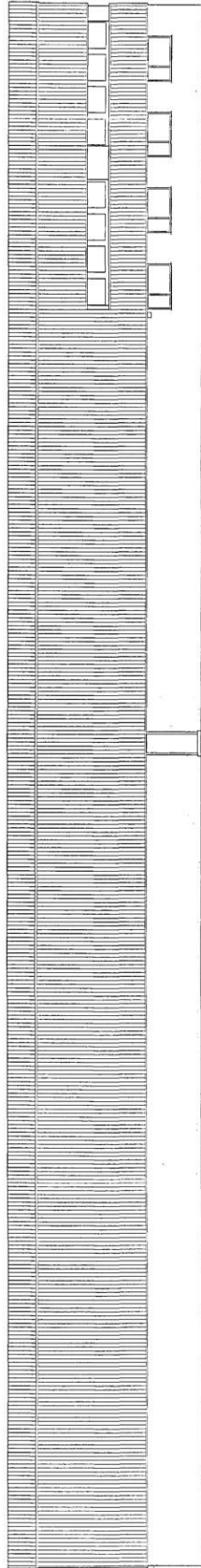
Drawn by  
 Scale  
 Date  
 GRS 1:100 AUGUST 2010

Drawing No.  
 Revision  
 1496/6  
 A

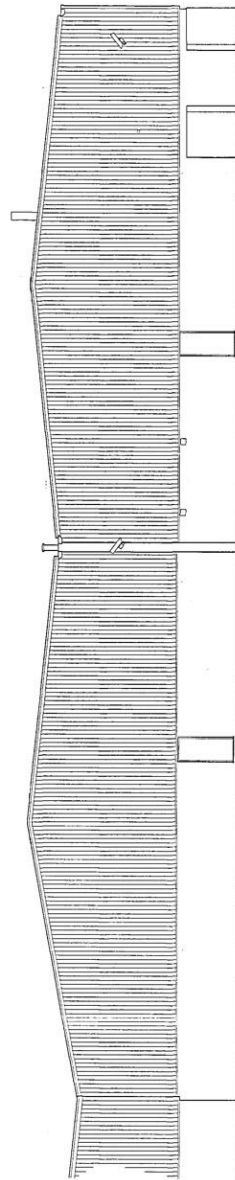




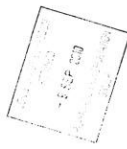
**South East Elevation**  
Datum Level: 25.00m



**South West Elevation (Clayton Road)**  
Datum Level: 25.00m



**North West Elevation**  
Datum Level: 25.00m

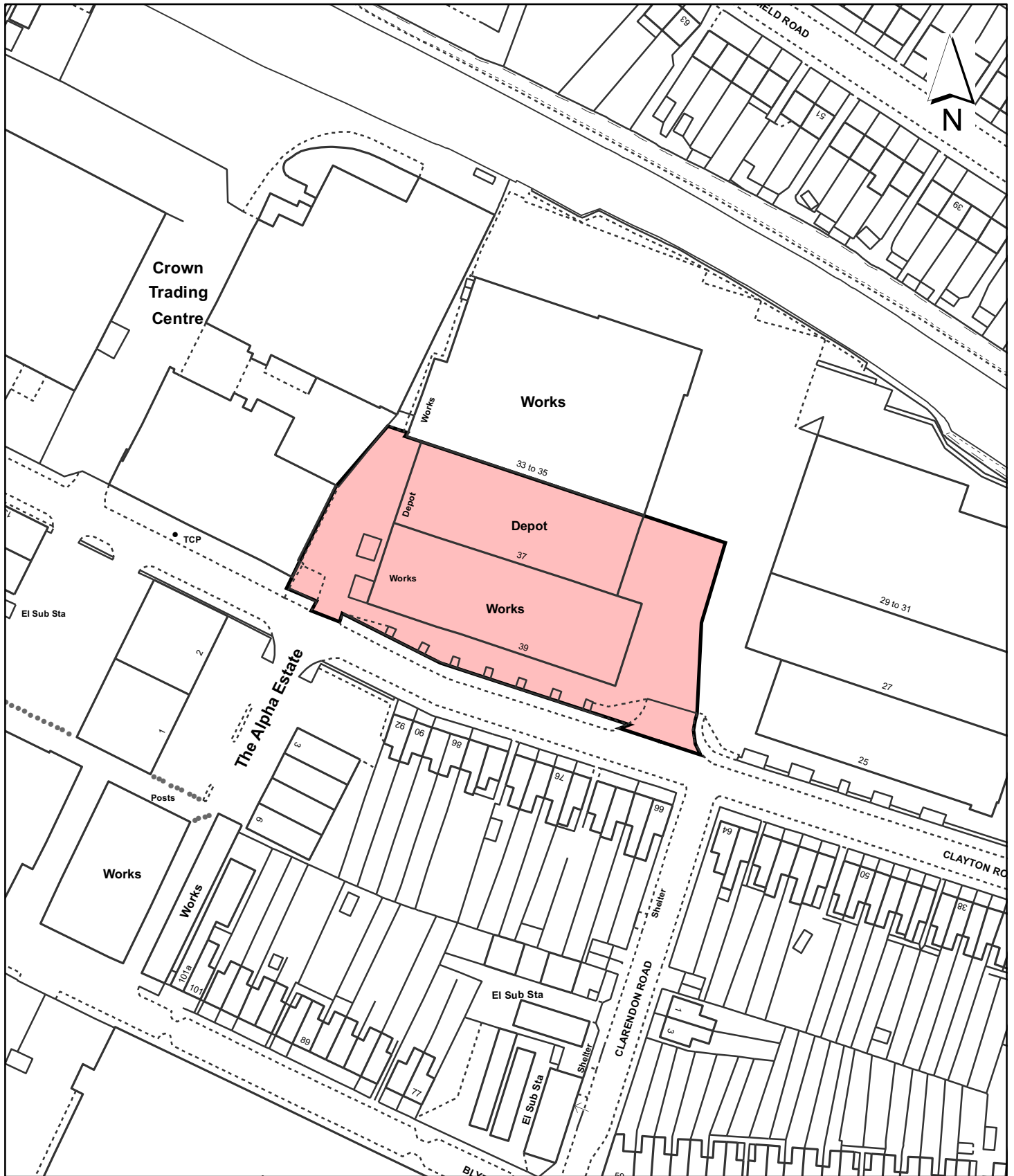


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Client: DAGENHAM MOTORS  
Project: PROPOSED LIGHT COMMERCIAL CENTRE  
UNIT 37  
FAIRVIEW TRADING ESTATE  
HAYES  
LONDON

Drawing: EXISTING ELEVATIONS  
Drawn by: GRS  
Scale: 1:100  
Date: AUGUST 2010  
Revision: 1496/4





**Notes**

 Site boundary

For identification purposes only.

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Site Address

**37 and 39 Clayton Road  
Hayes**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning, Environment  
& Community Services**

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

Planning Application Ref:

**67283/APP/2010/2112**

Scale

**1:1,250**

Planning Committee

**Central and South**

Date

**November  
2010**



**HILLINGDON**  
LONDON

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