

Report of the Corporate Director of Planning & Community Services

Address 145 STATION ROAD WEST DRAYTON

Development: Change of use from a dog grooming centre (Sui Generis) to Class D1 (Non-residential Institutions) for use as Physiotherapy Unit and installation of ramp to front entrance.

LBH Ref Nos: 21936/APP/2009/2031

Drawing Nos: 01
HH145
Design and Access Statement
HH145 -1

Date Plans Received: 18/09/2009 **Date(s) of Amendment(s):**

Date Application Valid: 12/10/2009

1. **SUMMARY**

The proposed development would not result in the loss of a retail unit and therefore would not harm the vitality and viability of the Yiewsley/West Drayton Town Centre. The proposed use as a physiotherapy unit is considered appropriate with a town centre and is supported by NHS Hillingdon as it would form part of a range of patient and community services provided by Hillingdon Community Health. The amenities of adjoining residential properties would be safeguarded by appropriate conditions controlling hours of use, the implementation of an appropriate insulation scheme and control of delivery/servicing hours. Although the proposed use would be likely to result in a number of patients arriving by private car/taxi and the level of off-street car parking is not ideal, it is considered that given the community benefits afforded by the scheme and the site's town centre location, adjacent to the main bus routes and proximity of the public car park on Brandville Road, a reason for refusal on highway and pedestrian safety grounds would not be justified. Furthermore, a travel plan and a parking management plan are conditioned.

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 M2 **External surfaces to match existing building**

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing

building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved 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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 HLC5 Industrial and Commercial Development

The premises shall not be used except between 08:00 hours and 19:00 hours Mondays to Fridays, between 08:00 hours and 17:00 hours on Saturdays and at no time on Sundays and Bank and Public Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies OE1, OE3 and S6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 NONSC Hours of Use

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

REASON

To safeguard the amenity of surrounding areas, in accordance with Policies OE1, OE3 and S6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

6 N13 Sound insulation of commercial/entertainment premises

The development shall not begin until a sound insulation scheme for the control of noise transmission to the adjoining dwellings/premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policies OE1, OE3 and S6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

7 NONSC Parking Layout

Notwithstanding the parking layout shown on Drw. No. HH145-1 received on 7/12/09, a revised car parking layout with each of the bays measuring 4.8m by 2.4m, of which at

least one of the spaces should be a disabled person space measuring 3.6m by 2.4m shall be submitted to and approved in writing by the Local Planning Authority. The use shall be carried out in strict accordance with the revised layout.

REASON

To ensure that adequate off-street car parking spaces are provided on site, in accordance with the policies AM14 and AM15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 NONSC Travel Plan

Prior to the commencement of the use, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The use shall be carried out in strict accordance with the approved travel plan.

REASON

To ensure that the use does not give rise to conditions prejudicial to highway and pedestrian safety, in accordance with policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 NONSC Parking Management

Prior to the commencement of the use, a parking management plan to cover both commercial and residential uses of the application site shall be submitted to and approved in writing by the Local Planning Authority. The use shall be carried out in strict accordance with the approved parking management plan.

REASON

To ensure that the use does not give rise to conditions prejudicial to highway and pedestrian safety, in accordance with policy AM7(ii) of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

10 NONSC Cycle Storage

Prior to the commencement of the use, details of the provision to be made on site for the secure and covered parking of at least 8 cycles shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be provided on site in accordance with the approved details prior to the commencement of the ground floor use of the building hereby approved.

REASON

To ensure that the proposed use makes adequate provision for cycle storage, in accordance with policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted car parking standards.

11 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

12 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse and recycling, as well as separate storage facilities for any clinical waste at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

13 MCD9 No External Storage

No display, placing or storage of goods, materials, plant or equipment shall take place other than within the buildings.

REASON

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

14 NONSC Electric Charing Point

At least 1 car parking space is to be provided with an electric vehicle charging point, and this shall be installed prior to occupation of any of the buildings and retained for the lifetime of the buildings.

REASON

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

15 NONSC Delivery/Collection times

Deliveries or collections, including waste collections are only to be made to or dispatched from the site between 07800 hours and 1800 hours Mondays to Fridays, 0800 hours and 1300 hours Saturday and at no time 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).

INFORMATIVES

1 152 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).

2 153 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
OE1	Protection of the character and amenities of surrounding properties and the local area
S6	Change of use of shops - safeguarding the amenities of shopping areas
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS	Hillingdon Design & Accessibility Statement(HDAS): Accessible Hillingdon
LPP 4A.20	London Plan (February 2008)
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
R16	Accessibility for elderly people, people with disabilities, women and children
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
AM15	Provision of reserved parking spaces for disabled persons
BE4	New development within or on the fringes of conservation areas

3 11 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 13 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 15 Party Walls

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

6 16 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.

7 115 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.

8 143 Keeping Highways and Pavements free from mud etc

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

9 145 Discharge of Conditions

Your attention is drawn to conditions 6, 7, 8, 9 and 10 which must be discharged prior to

the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

10 146 **Renewable Resources**

To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

11 147 **Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern side of Station Road, some 50m south of its junction with Brandville Road, and comprises a 3 storey detached building. The ground floor, the subject of this application is currently in use as a dog grooming parlour. The two upper floors are in residential use, comprising 5 units. The driveway runs along the southern boundary of the site and provides access to the rear, which is used for parking. The street scene comprises a mix of commercial and residential uses and the application site lies within the Yiewsley/ West Drayton Town Centre, as designated in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and on the edge of the West Drayton Green Conservation Area, the boundary of which is some 20m to the south.

3.2 Proposed Scheme

Planning permission is sought for a change of use of the ground floor from a dog grooming centre (sui generis) to an NHS physiotherapy unit. The ground floor would comprise a reception with waiting area, physiotherapy area, consulting room, kitchen, WC and storage area.

The proposed centre would be open from Monday to Saturdays from 8am to 5pm with the occasional late evening until 7pm. 5 full-time staff would be employed; four qualified physiotherapists and a receptionist.

The applicant has advised that the proposed use would provide an out patient physiotherapy service as part of a range of out patient and community services provided by Hillingdon Community Health and Hillingdon NHS. Patients would be referred by their GP and attend for an initial assessment and an average of 3 follow up sessions. It is

anticipated that each physiotherapist would see an average of 7-8 patients a day resulting in an average daily attendance of some 32 patients.

The external alterations comprise the installation of a ramp with handrails located at the front entrance to the premises. The proposed ramp landing area would measure 1.5m by 1.2m and the ramp element would be 3.8m long and have a gradient of 1:20. The railings would be 1.2m high.

3.3 Relevant Planning History

21936/APP/2004/3313 145 Station Road West Drayton

CHANGE OF USE FROM CLASS B1 (OFFICE) TO USE FOR PURPOSES OF DOG GROOMING/ TRAINING (SUI GENERIS)

Decision: 03-02-2005 Approved

Comment on Relevant Planning History

As 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:

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough.
- PT1.26 To encourage economic and urban regeneration in the Hayes/West Drayton Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- OE1 Protection of the character and amenities of surrounding properties and the local area
- S6 Change of use of shops - safeguarding the amenities of shopping areas
- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- HDAS Hillingdon Design & Accessibility Statement(HDAS): Accessible Hillingdon

LPP 4A.20	London Plan (February 2008)
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
R16	Accessibility for elderly people, people with disabilities, women and children
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
AM15	Provision of reserved parking spaces for disabled persons
BE4	New development within or on the fringes of conservation areas

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

35 adjoining owner/occupiers have been consulted. 1 letter has been received neither for or against the proposal but querying how the parking would be managed by the new occupiers as they currently have access to 2 spaces.

Officer comments: This is addressed in the report.

Internal Consultees

Highways:

The extant planning consent provided a parking layout showing 7 spaces whilst only 6 are currently marked on site. These spaces are substandard in width by about 200mm. Only 5 standard spaces can be accommodated on site.

A site visit late afternoon found 2 cars on site, 1 parked and the other leaving. If all the patients drive to the site then the parking provision would only be adequate if they are permitted to use the vacant residential parking spaces. However, if some are dropped off and picked up then the provision without shared use with the residential flats would appear to be acceptable.

In the circumstances, no objection is raised on highway grounds, subject to conditions requiring the submission of a travel plan and a parking management plan covering commercial and residential parking.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies within the Yiewsley/West Drayton Town Centre outside of the primary and secondary areas. As the proposal would not result in the loss of a retail unit, it would not alter the overall composition of the retail frontage or result in an over concentration of non-retail uses.

There are no policies in the adopted Hillingdon Unitary Development Plan Saved Policies

(September 2007) that seek to resist the loss of the current use.

With regards to the proposed use, paragraph 9.30 of the saved UDP recognises the importance of local medical/health care services. Such a use is considered appropriate in a town centre location, subject to policy S6. The proposed use is supported by the Hillingdon NHS and it would not result in the loss of residential accommodation.

Given the above, it is considered that the proposed change of use is acceptable in principle, subject to other policies in the saved UDP.

7.02 Density of the proposed development

N/A to this application for a change to medical use.

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

The proposal would not affect any listed building or archaeological remains. Although the application is close to the boundary of the West Drayton Green Conservation Area, given the nature of the works, the proposal would not adversely affect its character or appearance. The proposal would comply with policy BE4 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.04 Airport safeguarding

N/A to this application for a change of use and an access ramp.

7.05 Impact on the green belt

N/A to this application.

7.07 Impact on the character & appearance of the area

The only alteration proposed to the building is the installation of the access ramp. This would be located to the front of the building, on land within the boundary of the site and would not unacceptably detract from the appearance of the building or the street scene. The proposal would comply with policies BE13 and BE15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.08 Impact on neighbours

In terms of assessing the effects of the proposal on residential amenity, the relevant factors are those of noise and general disturbance. The nearest residential properties are situated above the ground floor unit. The proposed use is likely to generate additional noise, particularly as the applicant has estimated that on average, some 32 patients would be in attendance per day. However, it is considered that planning conditions requiring the installation of appropriate sound attenuation and insulation between floors and the imposition of limitations on hours of operation and deliveries would be sufficient to maintain the residential amenity of the occupiers of adjoining and nearby residential properties, should planning permission be granted.

The proposed ramp would be sited to the front of the existing shop window and would not adversely affect the amenities of surrounding residential properties.

The proposal would therefore comply with policies BE20, BE21, OE1 and S6 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and 4A.20 of the London Plan (February 2008).

7.09 Living conditions for future occupiers

N/A to this proposal.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's car parking standards do not stipulate a parking requirement for medical and other health practice uses. The car parking requirement would normally be determined on an individual basis using a transport assessment and/or travel plan. The

application has not been accompanied by a transport assessment or travel plan.

The application site is sited within, but towards the edge of the Yiewsley/West Drayton Town Centre. It lies adjacent to the main bus routes through the town centre and the Brandville Road public car park is within 70m of the site.

The proposed use would provide 4 consulting rooms. The applicant has advised that patients will generally arrive by private vehicle or public transport. However, the condition of some of the patients would prevent them from using public transport and as such, the private car or taxi would often be the preferred mode of travel.

The Council's Highway Engineer advises that following a site visit, only 5 standard spaces can be accommodated on site. If all the patients drive to the site then this level of parking provision would only be adequate if they are permitted to use the vacant residential parking spaces. However, if some are dropped off and picked up then the provision without shared parking with the residential flats would appear to be acceptable.

In these circumstances, the Highway Engineer raises no objection on highway grounds, subject to conditions requiring the submission of a travel plan and a parking management plan covering commercial and residential parking. A condition has also been attached requiring the submission of a revised car parking plan to ensure that the car parking spaces are to standard, to include a disabled space.

The Council's minimum cycle parking standard for Class D1 uses is 2 spaces per consulting room. The applicant has not proposed any cycle parking spaces for the proposed uses. This would be controlled by condition.

As such, subject to the imposition of conditions to secure a travel plan, parking management plan, revised parking layout and cycle storage, the scheme is considered acceptable in accordance with policies AM7(ii), AM14 and AM15 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7.11 Urban design, access and security

N/A to this development for a change of use.

7.12 Disabled access

The proposal would provide a disabled persons' toilet and a ramped access. The Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon advises at paragraph 6.18 that where external ramps exceed a gradient of 1:20, a level landing and handrails should be provided. The proposed ramp would have a gradient of 1:20. Nevertheless, a level landing and handrails have been provided. The proposal would therefore comply with the above guidance and policy R16 of the saved UDP.

7.13 Provision of affordable & special needs housing

N/A to this application.

7.14 Trees, landscaping and Ecology

N/A to this application.

7.15 Sustainable waste management

N/A to this development for a change of use.

7.16 Renewable energy / Sustainability

N/A to this development for a change of use.

7.17 Flooding or Drainage Issues

N/A to this development for a change of use.

7.18 Noise or Air Quality Issues

N/A to this development for a change of use.

7.19 Comments on Public Consultations

This has been considered in the main report and would be dealt with by means of a parking management plan, covered by condition.

7.20 Planning obligations

N/A to this type and scale of development.

7.21 Expediency of enforcement action

N/A to this application site.

7.22 Other Issues

N/A to this application.

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

None.

10. CONCLUSION

The proposed development would not result in the loss of a retail unit and use as a physiotherapy unit is considered appropriate to a town centre location. Any adverse impact upon neighbouring residential properties can be mitigated by means of the recommended conditions. Although the proposed use would be likely to result in a number of patients arriving by private car/taxi and the level of off-street car parking is not

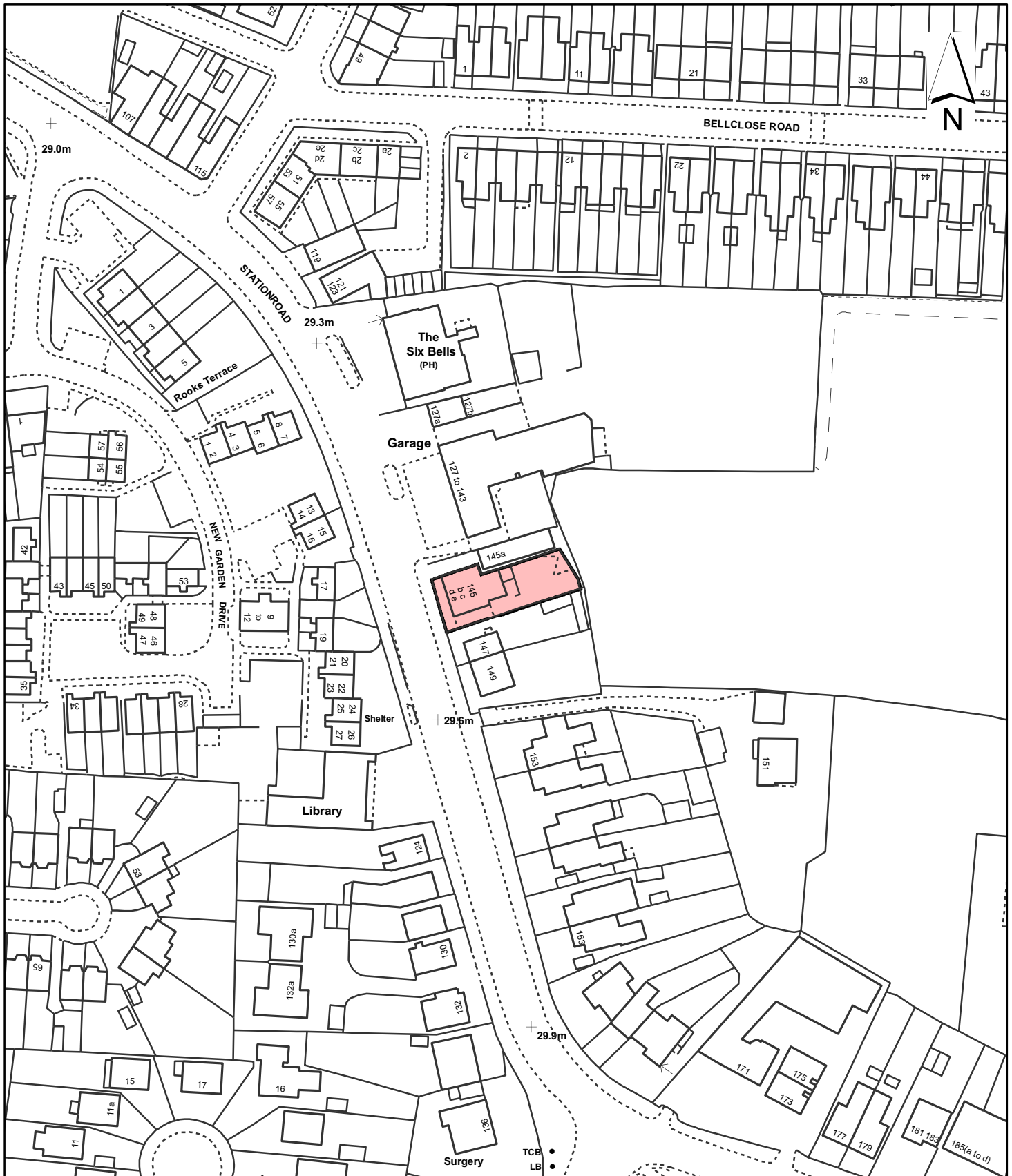
ideal, given the existing use of the site by the residential flats above, it is considered that the site is within the Yiewsley/West Drayton Town Centre, adjacent to the main bus routes and is close to the public car park on Brandville Road. Given the obvious community benefits of such a use, it is considered that a reason for refusal on highway and pedestrian safety grounds would not be justified, particularly as the impact upon highway safety could be mitigated by means of an appropriate travel plan and a parking management plan. The scheme is recommended for approval.

11. Reference Documents


- (a) Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)
- (b) Hillingdon Design & Accessibility Statement (HDAS): Accessible Hillingdon
- (c) London Plan (February 2008)
- (d) Consultation responses

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**145 Station Road
West Drayton**

**LONDON BOROUGH
OF HILLINGDON
Planning &
Community Services**

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

Planning Application Ref:
21936/APP/2009/2031

Scale
1:1,250

Planning Committee
Central and South

Date
December 2009



HILLINGDON
LONDON