

Report of the Head of Planning & Enforcement

Address YIEWSLEY GRANGE HIGH STREET YIEWSLEY

Development: Amendment (to allow for widening of entrance gates and increase in number of car parking spaces) to planning permission ref.866/APP/2009/1884 dated 30/11/2009: Change of use from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear.

LBH Ref Nos: 866/APP/2009/2641

Drawing Nos: 4549-II
4549-III
4549-V A
Flood Risk Assessment
Flood Warning and Evacuation Strategy
4549-9
4549-IV
4549-VI
4549-VII
Design and Access Statement August 2009
Addendum to Design and Access Statement September 2009
Transport Assessment
Travel Plan
4549-4
4549-5
4549-6
4549-7 A
4549-11 A
Design and Access Statement December 2009
4549-19 B

Date Plans Received: 07/12/2009 **Date(s) of Amendment(s):** 23/12/2009
Date Application Valid: 23/12/2009 25/02/2010

1. **SUMMARY**

Full planning permission is sought for an amendment to planning permission ref. 866/APP/2009/1884 dated 30 November 2009 for the change of use of the property, a Grade II listed building, from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear. The amendments comprise:

- * An increase in the width of the entrance gates at the front of the property from 3.2 metres to 4.8 metres.
- * An increase in the number of on site car parking spaces from 13 to 15.
- * The re-siting of the proposed refuse and cycle stores.
- * The retention of the existing gravel surface to the car parking area in lieu of the concrete block paving previously approved.

All other aspects of the scheme would remain as previously approved.

There is no objection in principle to the widening of the entrance gates, the increase in on site car parking from 13 to 15 spaces and the retention of the existing gravel surface in relation to the impact on the listed building, the street scene or the amenities of the occupiers of neighbouring residential properties. Whilst, concerns are raised at the re-siting of the proposed refuse and cycle stores, it is considered that more suitable locations for these structures could be secured by appropriate planning conditions. Approval is therefore recommended subject to 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 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 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M3 Boundary treatment - details

No development shall take place until details of the design of the proposed 2 metre high timber acoustic fencing on the boundary with properties in Philpots Close have been submitted to, and approved in writing by, the Local Planning Authority. The fencing shall be erected in accordance with the approved details before the use hereby permitted is commenced and shall thereafter be permanently retained.

REASON

To ensure that the design of the proposed fencing is in keeping with the character and appearance of the listed building and in the interests of the visual and aural amenities of the occupiers of adjoining residential properties in accordance with Policy BE8 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Details of gates and gate piers

Notwithstanding the details shown on the approved drawings, no development shall take place until details of the design, including structural details, of the proposed entrance gates and gate piers, have been submitted to, and approved in writing by, the Local Planning Authority. Such details shall include details and samples of the mortar mixes, bond and any new bricks/tiles to be used in the gate piers including the capping to the piers and the coping/tile creasing detail. These shall include the utilisation of existing materials where feasible and a sample brick panel detailing brick type, bond and mortar mixes which shall be retained on site for the duration of works.

REASON

To ensure that the design of the proposed entrance gates and gate piers is in keeping

with the character and appearance of the listed building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 M4 Fencing to side of listed building

Notwithstanding the details shown on the approved drawings, no development shall take place until details of the proposed timber fencing to the side of the listed building shown on drawing no. 4549-IV, including its form of construction and external treatment, have been submitted to, and approved in writing by, the Local Planning Authority. The fencing shall be erected in accordance with the approved details before the use hereby permitted is commenced and shall thereafter be permanently retained.

REASON

To ensure that the design of the proposed fencing is in keeping with the character and appearance of the listed building in accordance with Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 MCD10 Refuse Facilities

Notwithstanding the details shown on the approved drawings, no development shall take place until details of the siting of the proposed covered and secure timber fenced refuse and recycling store have been submitted to, and approved in writing by, the Local Planning Authority. The store shall be erected in accordance with the approved details before the use hereby permitted is commenced and shall thereafter be permanently retained.

REASON

To ensure that the design of the proposed refuse store is in keeping with the character and appearance of the listed building and in order to safeguard the amenities of the area, in accordance with Policies BE8 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

7 H16 Cycle Storage - details to be submitted

Notwithstanding the details shown on the approved drawings, no development shall take place until details of the siting and design of the proposed covered and secure cycle store to accommodate a minimum of 24 cycles have been submitted to, and approved in writing by, the Local Planning Authority. The store shall be erected in accordance with the approved details before the use hereby permitted is commenced and shall thereafter be permanently retained.

REASON

To ensure that the design of the proposed cycle store is in keeping with the character and appearance of the listed building and to ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policies BE8 and AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

8 TL1 Existing Trees - Survey

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 TL2 Trees to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority.

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

10 TL3 Protection of trees during site clearance and development

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation to be retained are not damaged during

construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

11 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).

12 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).

13 H7 Parking Arrangements (Residential)

The parking areas including any garages and car ports shown on the approved plans, shall be marked out, constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

14 SUS6 Green Travel Plan

Prior to the commencement of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as

submitted shall follow the current Travel Plan Development Control Guidance issued by Transport for London and will include:

- (1) targets for sustainable travel arrangements for a 10 year period;
- (2) effective measures for the ongoing monitoring of the Travel Plan;
- (3) a commitment to delivering the Travel Plan objectives; and
- (4) effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

REASON

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Policies 3C.1, 3C.2 and 3C.3 of the London Plan (February 2008).

15 NONSC Porous surface to car parking spaces

The car parking spaces hereby approved shall be constructed using a porous surface unless otherwise agreed in writing by the Local Planning Authority.

REASON

To limit surface water run off in order to ensure the proposed development does not create a new surface water flooding problem in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

16 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 AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

17 DIS3 Parking for Wheelchair Disabled People

The use hereby permitted shall not be commenced until the 2 car parking spaces for people with disabilities shown on drawing no. 4549-19 Rev A have been implemented and thereafter these facilities shall be permanently retained.

REASON

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

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

NONSC

The development hereby proposed is in accordance with the Flood Risk Assessment dated May 2009 (Ref. 1259) accompanying the application and in particular the use hereby permitted shall not be commenced until the proposed flood protection measures detailed on Pages 12 and 13 of the aforementioned Flood Risk Assessment have been implemented and the proposed flood escape route shown on drawing no. 4549-12 Rev B forming part of planning permission ref. 866/APP/2009/1884 has been constructed in full and these measures shall thereafter be permanently retained.

REASON

To ensure that future occupants of the building are not subject to risks from flooding in accordance with Policy OE7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the character and appearance of the listed building and the amenity of surrounding properties in accordance with policies BE8 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

20 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 phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 4 for maximum permitted working hours).
- (iii) 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.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) 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).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) 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).

21 **NONSC** **Lighting**

The lighting of the school buildings shall employ devices that automatically turn the lights off when the rooms are not in use.

REASON

In the interests of energy conservation, in accordance with Policy 4A.3 of the London Plan.

22 **NONSC** **Treatment of car parking area - details**

No development shall take place until details and samples of the treatment of the proposed car parking area including surfacing materials, marking out of parking spaces and any associated lighting and signage have been submitted to, and approved in writing by, the Local Planning Authority. The proposed car parking area shall be constructed in accordance with the approved details before the use hereby permitted is commenced and shall thereafter be permanently retained.

REASON

To ensure that the design of the proposed car parking area is in keeping with the character and appearance of the listed building and does not prejudice highway conditions by reason of surfacing materials being deposited on the adjoining highway in accordance with Policies AM7 and BE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 **H3** **Vehicular access - details to be submitted**

No development shall take place until details of the proposed vehicular access to High Street have been submitted to, and approved in writing by, the Local Planning Authority. The use hereby permitted shall not be commenced until the approved vehicular access has been constructed.

REASON

In the interests of pedestrian and highway safety in High Street in accordance with Policies AM7 and AM8 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

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)**

There is no objection in principle to the proposed amendments to planning permission ref. 866/APP/2009/1884 comprising the widening of the entrance gates, the increase in on site car parking from 13 to 15 spaces and the retention of the existing gravel surface in relation to the impact on the listed building, the street scene or the amenities of the occupiers of neighbouring residential properties. Whilst, concerns are raised at the re-siting of the proposed refuse and cycle stores, it is considered that more suitable locations for these structures could be secured by appropriate planning conditions.

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.

OL5	Development proposals adjacent to the Green Belt
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE7	Development in areas likely to flooding - requirement for flood protection measures
R10	Proposals for new meeting halls and buildings for education, social, community and health services
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

3 112 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

4 115 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.

5 I43 **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.

6 I11 **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

7 I14C **Compliance with Building Regulations Access to and use of**

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
- 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.
- 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.

· 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.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

8 118 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

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You are advised that the property and buildings are Grade II listed and of considerable historical significance. The heritage status of the property and buildings means that any further works (including internal changes) would require listed building consent.

10 145 Discharge of Conditions

Your attention is drawn to conditions 3, 4, 5, 6, 7, 8, 10, 12, 14, 20, 22 and 23 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).

3. CONSIDERATIONS

3.1 Site and Locality

The application site has an area of 0.6 hectares and is located on the east side of High Street, Yiewsley adjacent to the River Pinn. It contains a two storey timber framed property originally used as a house with a modern extension built in the 1980s to the rear. It has a floor area of approximately 830 sq metres.

The property is Grade II listed and was last used as offices. It is currently vacant. There is a stable block at the side of the building connected to the main building by a covered walkway. There is some landscaping and hard surfaced parking areas to the front and side of the building with extensive grounds to the rear.

The area surrounding the site is mixed in character with a renovated barn complex housing a pharmaceutical company and two storey dwellings in Philpots Close to the south of the site. On the opposite side of High Road is a retail park with associated surface car parking.

3.2 Proposed Scheme

Full planning permission is sought for an amendment to planning permission ref.

886/APP/2009/1884 dated 30 November 2009 for the change of use of the property from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear. The amendments comprise;

- * An increase in the width of the entrance gates at the front of the property from 3.2 metres to 4.8 metres.
- * An increase in the number of on site car parking spaces from 13 to 15.
- * The re-siting of the proposed refuse and cycle stores.
- * The retention of the existing gravel surface to the car parking area in lieu of the concrete block paving previously approved.

All other aspects of the scheme would remain as previously approved.

3.3 Relevant Planning History

866/APP/2009/1884 Yiewsley Grange High Street Yiewsley

Change of use from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear.

Decision: 24-11-2009 Approved

866/APP/2009/1885 Yiewsley Grange High Street Yiewsley

Change of use from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear. (Application for Listed Building Consent).

Decision: 24-11-2009 Approved

Comment on Relevant Planning History

Planning permission and listed building consent were granted on 30 November 2009 for the change of use of the property from Class B1 (Business) to Class D1 (Non-Residential Institution) for use as a specialist educational day centre, including re-siting of existing garden sheds and new fencing to rear (Ref. 866/APP/2009/1884 & 1885). The permissions have not yet been implemented.

4. Planning Policies and Standards

Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Guidance Note 13 (Transport) (April 2001)
Planning Policy Guidance Note 15 (Planning and the Historic Environment) (September 1994)
Planning Policy Statement 25 (Development and Flood Risk) (December 2006)
The London Plan (February 2008)

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.9 To seek to preserve statutory Listed Buildings and buildings on the Local List.
- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.

Part 2 Policies:

- OL5 Development proposals adjacent to the Green Belt
- BE8 Planning applications for alteration or extension of listed buildings
- BE9 Listed building consent applications for alterations or extensions
- BE10 Proposals detrimental to the setting of a listed building
- BE19 New development must improve or complement the character of the area.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- AM7 Consideration of traffic generated by proposed developments.
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was advertised as development affecting the setting of a listed building under the Planning (Listed Buildings and Conservation Areas Act 1990) and 35 neighbours were consulted together with the Yiewsley Community Involvement Group, Chamber of Commerce and Yiewsley & West Drayton Town Centre Action Group. 1 reply has been received from the Yiewsley & West Drayton Group raising no objections provided that the integrity of the Grade II listed building remains intact.

Internal Consultees

PRINCIPAL CONSERVATION AND URBAN DESIGN OFFICER

Yiewsley Grange is a timber framed house of late C16 or early C17 date although much altered circa 1700, with later C18 and C19 additions. Most of the original fabric is concealed, but some chamfered beams and framing are visible at ground floor level. It has an early C18 red brick front of 2 storeys, 5 windows wide, now crowned by 2 Victorian gable ends. To the left there is a late C18 battlemented gothic tower in light red brick. On the left hand return this is partly concealed by a late C19 canted bay. There is also an attractive group of single storey outhouses located to the rear of the house.

There is a long, well designed two storey modern (1980s) range of offices to the rear of the original house, with some landscaping and hard surfaced parking areas to the front and side of the building.

No objection is raised in principle to the detailing of the new entrance, although the detailed design of the new gates and gate piers should be subject to safeguarding conditions, as the gates are likely to be heavier than those existing (which are relatively modern) and require additional support and possibly an amended design to accommodate this. Where possible the existing bricks should be reused, as should the capping to the piers and the coping/tile creasing detail should be replicated. It should be noted that the detailing of the brick work as shown on drawing no. 4567-VI is not accurate in terms of bond. Sample panels will be required to check brick type, bond and mortar mixes.

The proposed bin store enclosure would be 1.5m high and 3m long and appears to sit slightly forward of the main elevation. It is considered that it would appear quite visible from the frontage and has the potential to detract from the setting of the house. In addition, the bike store, which appears rather large, would be visible from the site entrance. Both of these features should be relocated to more discrete locations. If possible the bike store should be reduced in size, and would be less intrusive if left uncovered. If the store does need to be covered, and is visible from the frontage area, then an improved design should be sought.

It would be preferable for larger areas of planting to be retained directly in front of the house and further details of hard/soft landscape proposals for the site, particularly the frontage, should be provided.

The timber fence to the side of the house would be acceptable if close boarded, rather than of pre-constructed panels, and painted or stained a dark colour. Drawing no. 4549-IV is not clear on this.

TREES AND LANDSCAPE OFFICER

There are several trees at the front of the site and alongside the River Pinn, and woodland at the rear. TPO 303 protects the mature Beech (T13), Ash (T14), and False Acacia (T15) at the front of the site, and many of the trees and trees in the woodland (area A1) at the rear. These trees are valuable features that should be retained as part of the development of the site, which should also make provision for tree planting as part of a comprehensive landscaping scheme in compliance with Saved Policy BE38.

Rows of mature conifers form a high hedge along the rear boundary of the site. There are also semi-mature trees located in the grounds of Philpots Close, which reinforce the features in the middle of the site.

The scheme takes account of the level changes near to the river, retains all of the protected trees on the site and reserves sufficient space for landscaping, including the planting of trees on the road frontage of the site.

Subject to conditions TL1 (services, levels), TL2, TL3, TL6 and TL7, the revised scheme is

acceptable in terms of Saved Policy BE38 of the Unitary Development Plan.

HIGHWAYS ENGINEER

No objection.

ACCESS OFFICER

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the development has already been accepted in the granting of planning permission ref. 866/APP/2009/1884.

7.02 Density of the proposed development

Not relevant to the application.

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

Policy BE8 of the Hillingdon Unitary Development Plan Saved Policies September 2007 states that applications for planning permission to alter or extend statutory listed buildings or buildings on the local list will normally only be permitted if no damage is caused to historic structures. Any additions should be in keeping with other parts of the building and any new external or internal features should harmonise with their surroundings.

The impact of the proposed development on the existing listed building and street scene has already been considered in relation to application ref. 866/APP/2009/1884.

With regard to the amendments now sought, the Conservation and Urban Design Officer raises no objection in principle to the proposed widening of the entrance gates by 1.2 metres in relation to the impact on the listed building or the street scene.

The re-siting of the proposed refuse and cycle stores is however of concern due to their exposed locations. However notwithstanding the details shown on the submitted drawings, it is considered that alternative less intrusive locations for these structures could be secured through appropriate planning conditions.

It is not considered that the provision of 2 additional car parking spaces at the front of the property would have a significantly greater impact on the listed building or the street scene subject to implementation of the proposed landscaping scheme. Accordingly no objection is raised in listed building or street scene terms to the proposed amendments. As such, the scheme is considered to comply with Saved Policy BE8.

7.04 Airport safeguarding

Not relevant to the application.

7.05 Impact on the green belt

The grounds at the rear part of the site fall within the Green Belt. However as these will remain open the development would have no impact on the Green Belt.

7.07 Impact on the character & appearance of the area

Refer to sections 7.03 and 7.05.

7.08 Impact on neighbours

The impact of the proposed development on the occupiers of neighbouring residential properties has already been considered in relation to planning application ref. 866/APP/2009/1884. Subject to appropriate conditions, it was not considered that there would be any undue loss of amenity to the occupiers of neighbouring properties as a result of the scheme. It is not considered that the proposed amendments to the scheme would have any significantly greater impact on neighbouring occupiers.

7.09 Living conditions for future occupiers

Not relevant to the application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

In relation to the original application for the proposed change of use (Ref. 866/APP/2009/1884), the Council's Highways Engineer raised no objection to the development in terms of the impact of the traffic generated on the highway network and this remains the same with the amended scheme. There is no objection in highways terms to the increase width of the entrance gates from 3.2 to 4.8 metres or the increase in the number of on-site car parking spaces from 13 to 15, subject to details of the proposed vehicular access to High Street being submitted to, and approved by, the Local Planning Authority. This can be secured by an appropriate condition in the event of planning permission being granted.

The original application for the proposed change of use (Ref. 86/APP/2009/1884) was accompanied by a draft Travel Plan to encourage means of travel to the site other than the private car and a condition was imposed requiring a detailed travel plan to be submitted to, and approved by, the Local Planning Authority. It is considered that this should be re-imposed in relation to the amended scheme.

In relation to the original application, a cycle store for 24 cycles was proposed at the side of the building which was considered adequate to meet the needs of the proposed development. The amended scheme proposes a cycle store of similar size but in a more exposed location in relation to the listed building. Whilst the size of the structure is considered acceptable in principle, its siting and design will need to be subject to further discussion to ensure that it does not detract from the character and appearance of the listed building. This can be secured by an appropriate condition in the event of planning permission being granted.

7.11 Urban design, access and security

These issues are considered to be appropriately addressed elsewhere in this report.

7.12 Disabled access

The amended car parking layout would include the provision of two spaces for people with disabilities and all other aspects of the scheme in relation to the provision of facilities for people with disabilities would remain as approved under application ref. 866/APP/2009/1884. The amended scheme is therefore considered to provide adequate access for people with disabilities.

7.13 Provision of affordable & special needs housing

Not relevant to the application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies states that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate.

There are several trees at the front of the site and alongside the River Pinn, and woodland at the rear. TPO 303 protects the mature Beech (T13), Ash (T14), and False Acacia (T15) at the front of the site, and many of the trees and trees in the woodland (area A1) at the rear. These trees are valuable features that should be retained as part of the development of the site, which should also make provision for tree planting as part of a comprehensive landscaping scheme in compliance with Saved Policy BE38.

Rows of mature conifers form a high hedge along the rear boundary of the site. There are also semi-mature trees located in the grounds of Philpots Close, which reinforce the features in the middle of the site.

The scheme takes account of the level changes near to the river, retains all of the protected trees on the site and reserves sufficient space for landscaping, including the planting of trees on the road frontage of the site.

The Trees and Landscape Officer is satisfied that the proposed increase in on-site car parking provision from 13 to 15 spaces would still allow the provision of adequate landscaping at the front of the property in order to enhance the setting of the listed building and the appearance of the street scene. A detailed landscaping scheme has been submitted with the proposal which is considered acceptable.

Accordingly, the amended scheme is considered acceptable in terms of Saved Policy BE38 subject to conditions requiring details of the routing of services, levels, tree protection measures and landscape maintenance in the event of planning permission being granted.

7.15 Sustainable waste management

The amended scheme includes the provision of a refuse and recycling store at the side/front of the building. Whilst the size and design of the structure is considered acceptable in principle, it is in a more exposed location than previously approved. Its siting will therefore need to be subject to further discussion to ensure that it does not detract from the character and appearance of the listed building. This can be secured by an appropriate condition in the event of planning permission being granted. As such, the amended scheme would comply with Policy 4A.22 of the London Plan.

7.16 Renewable energy / Sustainability

No specific renewable energy / sustainability measures were required as part of the original application as in this instance it was considered that any such measures could adversely affect the character and appearance of the listed building. This remains the same for the amended scheme.

7.17 Flooding or Drainage Issues

The site lies within Flood Zone 3 defined by Planning Policy Statement 25 as having a high probability of flooding. In relation to the original application for the proposed change

of use (Ref. 86/APP/2009/1884), the Environment Agency raised no objection, subject to flood proofing measures being carried out in accordance with the Flood Risk Assessment accompanying the application and the identification and provision of a safe route into and out of the site to an appropriate safe haven in the event of a flood.

In order to comply with the Environment Agency's requirements, the approved drawings indicate the provision of a flood escape route from the side of the building and around the car parking area to the existing pedestrian gate on the High Street frontage. This would comprise a raised timber walkway at a height of 0.8 metres above ground level and would be screened by appropriate landscaping. This has been included in the amended scheme. Subject to a condition to secure this and the flood proof measures contained in the Flood Risk Assessment accompanying the original application, no objection is raised to the amended scheme from a flooding point of view.

7.18 Noise or Air Quality Issues

It is not considered that the proposal would give rise to any issues with regard to noise or air quality.

7.19 Comments on Public Consultations

The issues raised are dealt with in the body of the report.

7.20 Planning obligations

Not relevant to the application.

7.21 Expediency of enforcement action

Not relevant to the 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

10. CONCLUSION

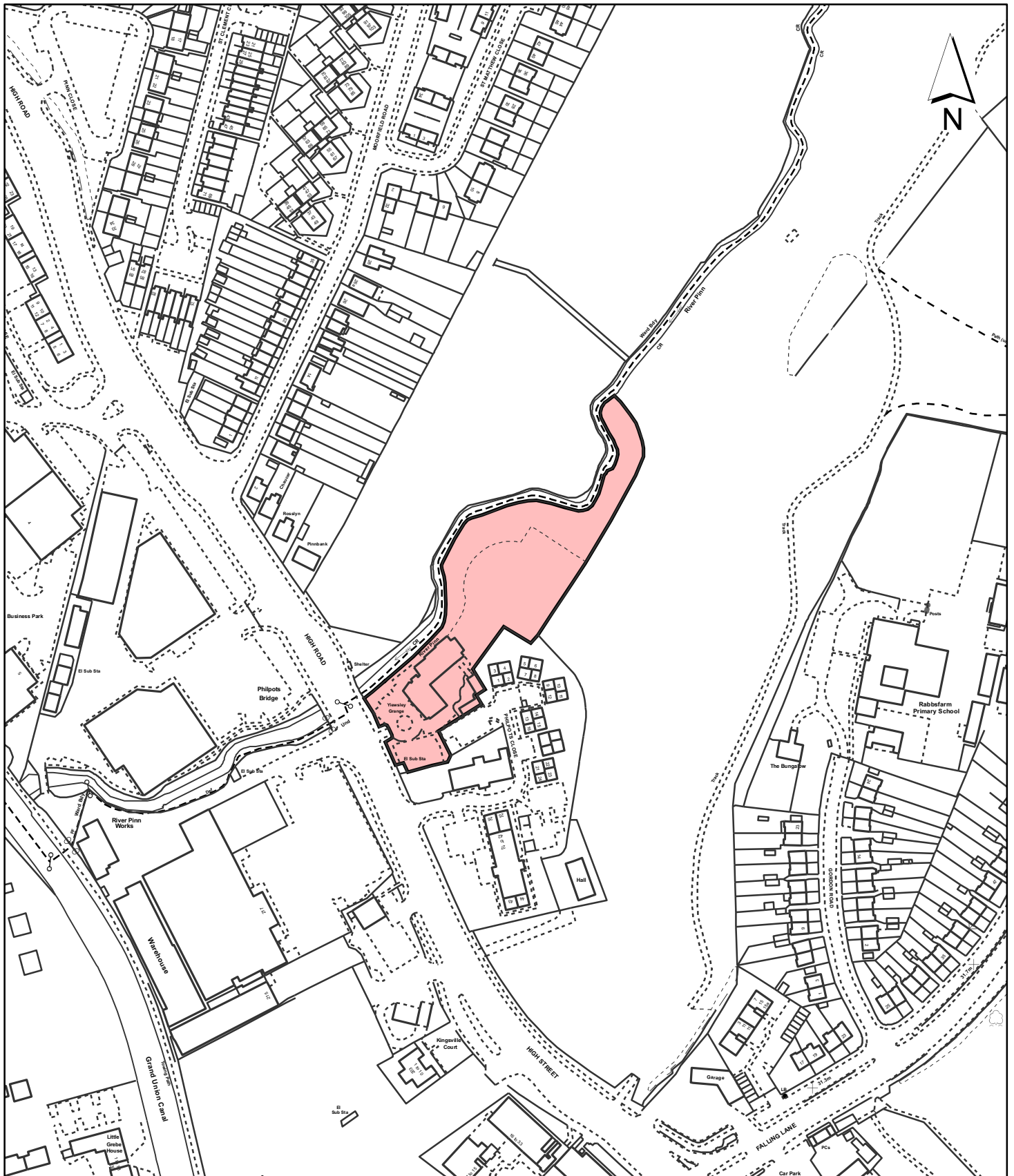
There is no objection in principle to the proposed amendments to planning permission ref. 866/APP/2009/1884 comprising the widening of the entrance gates, the increase in on site car parking from 13 to 15 spaces and the retention of the existing gravel surface in relation to the impact on the listed building, the street scene or the amenities of the occupiers of neighbouring residential properties. Whilst, concerns are raised at the re-siting of the proposed refuse and cycle stores, it is considered that more suitable locations for these structures could be secured by appropriate planning conditions. Approval is therefore recommended subject to conditions.

11. Reference Documents


Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Guidance Note 13 (Transport) (April 2001)
Planning Policy Guidance Note 15 (Planning and the Historic Environment) (September 1994)
Planning Policy Statement 25 (Development and Flood Risk) (December 2006)
The London Plan (February 2008)
Hillingdon Unitary development Plan Saved Policies (September 2007)

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Notes

 Site boundary

For identification purposes only.

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Site Address

**Yiewsley Grange
High Street
Yiewsley**

Planning Application Ref:
866/APP/2009/2641

Planning Committee
Central and South

Scale
1:2,500

Date
February 2010

**LONDON BOROUGH
OF HILLINGDON
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