

Report of the Head of Planning & Enforcement Services

Address	SHERATON HOUSE, 2 ROCKINGHAM ROAD UXBRIDGE		
Development:	Change of first and second floor use from Class A2 (offices) to Class C3 (residential) to include 2 one- bedroom and 4 two-bedroom self-contained flats with alterations to existing side to include new dormer window at second floor and window at first floor, 6 balconys to rear, access ramp to front and associated parking.		
LBH Ref Nos:	51647/APP/2010/424		
Drawing Nos:	4582-1 Rev.A 4582-VIII Design & Access Statmement prepared by Dale Venn Associates Transport Assessment prepared by Dale Venn Associates dated February 2010 Letter from Simon Williams Commercial Property Consultants dated 16/11/09 Planning Report Email and attachments, including original decision notice, letting details relating to adjoining unit and photographs, from Jonabas Properties Ltd dated 09/06/10 Email and attachments, including supporting statements and details of noise attenuation, from Dale Venn Associates dated 06/06/10 4582-3 Rev.E		
Date Plans Received:	23/02/2010	Date(s) of Amendment(s):	10/03/0010
Date Application Valid:	10/03/2010		08/06/0010 09/06/0010 28/07/0010

1. SUMMARY

This application seeks full planning permission for the change of use of first and second floor offices (Class A2) into two 1-bedroom and four 2-bedroom self contained flats, at Sheraton House, which is located on the north west side of Rockingham Road in Uxbridge.

The application site falls within the North Uxbridge Industrial and Business Area as designated in the Hillingdon Unitary Development Plan Saved Policies (September 2007). The applicant has submitted a marketing history of the site and a planning report in support of the application. This demonstrates that the site has been vacant for a number of years despite having been well marketed and that due to the availability of competitively priced more modern buildings within the area the building is unlikely to be leased in the near future for industrial or commercial uses. It is considered that sufficient information has been provided to justify an exception to UDP policy and allow residential development in this location.

The proposed units meet relevant Council standards associated with internal and external living space and it is considered they would provide an appropriate form of accommodation for future users. The application complies with relevant UDP and London Plan policies and, accordingly, approval is recommended.

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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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).

4 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 building is occupied. Development shall be carried out in accordance with the approved details. The submitted details should include 2m high acoustic fencing between the car parking area and the amenity space.

REASON

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

5 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.

6 DIS5 Design to Lifetime Homes Standards

Notwithstanding the approved plans, a minimum of 700mm to one side, and 1100mm of clear space in front of the toilet pan, in each residential unit, shall be provided. Furthermore, all residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, and shall include within the design of each wheelchair unit internal storage space for the storage of mobility scooters/wheelchairs and associated charging points as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

7 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),
- Retained historic landscape features and proposals for their restoration where relevant.

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).

8 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).

9 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).

10 TL20 Amenity Areas (Residential Developments)

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

11 NONSC Cycle storage facilities

Prior to the commencement of development, details of covered and secure cycle storage provision for at least 6 bicycles for the proposed residential units, and at least 8 bicycles for the existing offices (for use by staff and visitors), shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed prior to the first occupation of the residential units hereby permitted and thereafter permanently retained and maintained for so long as the development remains in existence.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in the Council's Cycle parking Standards in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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 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 H7 Parking Arrangements (Residential)

The parking areas (including where appropriate, the marking out of parking spaces) including any garages and car ports shown on the approved plans, shall be 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 NONSC Parking allocation

Prior to commencement of development a scheme detailing the designation and allocation of parking spaces for the residential units on the site shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the parking spaces shall be allocated and provided for the use of those units only in perpetuity.

REASON

To ensure the scheme is supported by adequate parking provision in accordance with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

15 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 excising 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.

16 NONSC Sound insulation scheme

Development shall not begin until a sound insulation and ventilation scheme for

protecting the proposed development from road traffic and industrial noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall comprise such combination of sound insulation and ventilation measures as may be approved by the Local Planning Authority, and shall meet acceptable internal noise design criteria. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from road traffic and the neighbouring industrial uses in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

17 NONSC Sound insulation scheme

The development shall not begin until a sound insulation scheme for the control of noise transmission from the commercial uses on the ground floor of the building to the proposed residential units has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of sound insulation measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by noise from the commercial uses on the ground floor of the building in accordance with policy OE5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

18 NONSC Environment Agency condition - buffer zone

Prior to the commencement of development a scheme for the provision and management of a 4 metre wide buffer zone alongside the Grand Union Canal (GUC) shall be submitted to and agreed in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved scheme and any subsequent amendments shall be agreed in writing with the local planning authority. The scheme shall include:

- plans showing the extent and layout of the buffer zone;
- removal of non-native planting from the buffer zone and replacement with locally native species, of UK genetic provenance;
- details of the planting scheme (using locally native plant species);
- details demonstrating how the buffer zone will be protected during development and managed/maintained over the longer term.

This buffer zone shall be measured from the top of the bank (defined as the point at which the bank meets the level of the surrounding land). Domestic gardens and formal landscaping should not be incorporated into the buffer zone.

REASON

To mitigate for encroachment into the buffer zone by the development (for example the bin and cycle stores) and enhance the biodiversity of the existing buffer zone in compliance with Policies OE7 and EC2 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

19 NONSC Environment Agency condition - Lighting

There shall be no light spill into the watercourse or adjacent buffer zone. To achieve this, and to comply with sustainability, artificial lighting should be directional and focused with cowlings to light sources in close proximity to the river corridor.

REASON

In accordance with Policy EC2 of the Hillingdon Unitary Development Plan because artificial lighting disrupts the natural diurnal rhythms of a range of wildlife using/inhabiting the river and its corridor habitat. Sodium lamps should be used where possible as they have the least impact on wildlife, particularly invertebrates, which bats feed on. The use of mercury lamps should be avoided as they emit ultraviolet light which affects numerous insect species.

The corridor adjacent to a watercourse provides important habitat for the terrestrial life-stages of many aquatic insects e.g. dragonflies. In order that this river corridor can be of benefit to wildlife it should remain undeveloped and in a natural state.

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 10 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 SUS4 Code for Sustainable Homes

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

22 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) /if appropriate/ 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.

23 MRD8 Education Contributions

Before the development hereby permitted is commenced, a scheme shall be submitted to and approved by the Local Planning Authority detailing how additional or improved education facilities will be provided within a 3 miles radius of the site to accommodate the child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the Hillingdon Unitary Development plan Saved Policies (September 2007) and the Council's Supplementary Planning Guidance on Educational Facilities.

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
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas

BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H4	Mix of housing units
H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons

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 12 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

5 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).

6 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.

7 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.

8 111 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).

9 112 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.

10 115 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.

11 119 Sewerage Connections, Water Pollution etc.

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.
Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

12 134 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
- 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.

13 146 **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.

14 147 **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).

15

In respect of condition 23, the Council considers that one way to ensure compliance with the condition is to enter into an agreement with the Council to make a maximum contribution of £13,048 to ensure the provision of additional/improved educational facilities locally, proportionate to the child yield arising from the development.

16

With regards to condition 18 the Environment Agency have provided the following advice:

Where development is proposed adjacent to a watercourse the Environment Agency normally seeks the inclusion of a green buffer zone alongside the watercourse. Where such a buffer zone does not currently exist, the Environment Agency normally seek that it is established. This is a key way in which it carries out its legal duty to further and promote the ecological and landscape value of rivers and land associated with them.

Development that encroaches on watercourses has a potentially severe impact on their ecological value. This is contrary to government policy in Planning Policy Statement 1 and Planning Policy Statement 9 and to the UK Biodiversity Action Plan. Land alongside

watercourses is particularly valuable for wildlife and it is essential this is protected. Article 10 of the Habitats Directive also stresses the importance of natural networks of linked corridors to allow movement of species between suitable habitats, and promote the expansion of biodiversity. Such networks may also help wildlife adapt to climate change.

17

The Environment Agency have provided the following advice:

Proximity to the Grand Union Canal:

The Environment Agency would normally ask that there is no new built development within the buffer zone to a watercourse. The existing site does have a buffer zone, though it somewhat limited, and some additional development is proposed. Therefore, the Environment Agency has requested that mitigation for the loss of semi-natural buffer is provided.

The existing paving slabs should be omitted to retain a more natural buffer zone. This area would be suitable for planting up with a meadow grass mix, which should be appropriately managed through a simple landscape management plan.

Lighting:

External artificial lighting should be kept to the minimum required for safety and security and should be designed specifically to avoid light pollution along the river. The river channel with its wider corridor should be considered Intrinsically Dark Areas and treated as recommended under the Institute of Lighting Engineers Guidance Notes for the Reduction of Light Pollution.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 900m² plot located on the north west side of Rockingham Road in Uxbridge. It currently accommodates a three-storey office building, the second floor set within a mansard roof, providing approximately 685m² of floorspace. The applicant advises that the building has been largely vacant for the previous 10-years, the only occupier being a firm of solicitors who occupied approximately two thirds of the building on a three-year lease expiring May 2010. Recent site visits showed that the firm of solicitors appear to be occupying part of the building and the applicant has verbally confirmed that their lease has been renewed for the ground floor. Parking provision for 15 cars is located to the eastern side and rear of the building.

The site is bounded to the south by the Dolphin Public House; to the south east by Rockingham Road, beyond which are residential properties; to the north by an office building currently occupied by Xerox, and two industrial units, one of which is occupied by a lift services company and one of which appears to be currently vacant; and to the west by the Grand Union Canal, beyond which is Dolphin Bridge House, an office building.

The entire site falls within the North Uxbridge Industrial and Business Area as shown on the Hillingdon Unitary Development Plan Proposals Map, and it falls within a Strategic Industrial Location as designated in the London Plan (2008). The Grand Union Canal, located to the rear of the building, is designated as a Nature Conservation Site of Metropolitan or Borough Grade I Importance. Rockingham Road is designated as a London Distributor Road.

3.2 Proposed Scheme

This application seeks full planning permission for the change of use of existing office accommodation at first and second floor level to two 1-bedroom flats and four 2-bedroom flats. Three units would be provided per floor, two 2-bedroom units and one 1-bedroom unit on each level. Each unit would provide one or two bedrooms, a living/dining room with integrated kitchen unit, and a bathroom. The existing office space would be retained at ground floor level.

Externally, balconies would be provided for each unit at first and second floor levels. Six existing windows in the rear elevation would be replaced with doors to provide access to the balconies and two new obscure glazed windows would be provided in the south elevation. The only other external alteration to the building would be the provision of an access ramp to the front.

A total of 11 car parking spaces would be provided, four adjacent to the building's eastern boundary, and seven towards the rear of the site. Two cycle stores, one for the proposed residential units and one for the remaining offices, and refuse stores would also be provided. A grassed amenity area comprising several trees and shrubs would be provided alongside the canal.

3.3 Relevant Planning History

Comment on Relevant Planning History

Relevant planning history relating to the site can be summarised as follows:

2460/E/81/1452 - Erection of three industrial units and three storey office block with car parking on land adjoining the Dolphin Public House, Dolphin Wharf, Rockingham Road (outline application) - Approved 08/01/82

Notably condition 10 of that consent restricts the hours of use of the site to 7am to 7pm Monday to Saturday. Condition 11 of that consent confirms that the industrial units shall be used for light industry only in compliance with Use Class III of the Town and Country Planning (Use Classes) Order 1972. This would now be recognised as class B1 use.

The applicant has advised that the building has been largely vacant for approximately 10 years. The property had been let to Deloitte on a 25 year lease since 1985. This expired in May 2010. However, they moved out of the property in 2000 and have since tried to sublet the whole or part of the premises. The only occupier since 2000 has been a firm of solicitors, who have sublet two thirds of the building since 2007 for a period of three years.

The applicant has verbally confirmed that this lease has now been renewed for the ground floor only.

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Guidance 13: Transport
Planning Policy Guidance 24: Planning & Noise
Supplementary Planning Document - Noise
Supplementary Planning Document - Planning Obligations
Supplementary Planning Document - Accessible Hillingdon

Supplementary Planning Document - Residential Layouts

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.
- PT1.12 To avoid any unacceptable risk of flooding to new development in areas already liable to flood, or increased severity of flooding elsewhere.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.24 To reserve designated Industrial and Business Areas as the preferred locations for industry and warehousing.
- PT1.25 To encourage the provision of small industrial, warehousing and business units within designated Industrial and Business Areas.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

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.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE25 Modernisation and improvement of industrial and business areas
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE5 Siting of noise-sensitive developments
- OE7 Development in areas likely to flooding - requirement for flood protection measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- H4 Mix of housing units

H5	Dwellings suitable for large families
H8	Change of use from non-residential to residential
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LE2	Development in designated Industrial and Business Areas
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
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:- **14th April 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 15 local owner/occupiers. One response has been received from the adjoining public house, which raises the following concerns:

- i) Overlooking of private garden space to the rear of the pub from a new side window and the proposed balconies would affect privacy.
- ii) Rooms above the pub have never been let out as suggested in the application documents. They are used by the landlord's family only.

- ENVIRONMENT AGENCY

No objection subject to conditions regarding the provision of a 4m wide buffer zone alongside the canal, and light spill into this area and the watercourse.

- BRITISH WATERWAYS

British Waterways has no objection in principle to this proposal. However, an unobtrusive low barrier such as a safety kerb, should be placed in the grassed area and not interfering with the six trees and the underplanting on the canal side. The reason for this is safety so that no vehicles will fall into the canal. It was noted on site that vans were parked close to the canal edge. The Design

and Access statement discusses under amenity that a garden area alongside the canal has been planted with trees, having a paved area for seating for residents. The trees and shrubs should be protected from damage or physical disturbance. There is hard lined edging to the canal itself. It should be noted that British Waterways has no right of support in this case.

Should planning permission be granted an informative advising the developer to contact British Waterways in order to ensure necessary consents are obtained and works are compliant with the "Code of Practice for Works affecting British Waterways" should be attached.

Internal Consultees

- TREES/LANDSCAPE OFFICER

The Design & Access Statement refers briefly to the amenity space along the canal and the drawings show some of the existing planting along the canalside, but not in the brick planters to the front of the building.

The opportunity should be taken to review the condition and quality of the planting in front of the building and along the canal - and ensure that a management /maintenance plan is in place to ensure that the landscape is maintained and replaced as appropriate.

No objections are raised subject to conditions TL5, TL6 and TL7.

- POLICY AND ENVIRONMENTAL PLANNING (PEP)

1. The site is designated employment land (North Uxbridge IBA).
2. North Uxbridge IBA is designated a Strategic Industrial Location in the London Plan.
3. The Employment Land Study (London Borough of Hillingdon, 2009) recommends the site remains within the boundary of North Uxbridge IBA as designated industrial land.
4. Officers will need to be satisfied that (i) there is no realistic prospect of the land being used for industrial or warehousing purposes in the future, (ii) the proposed use does not conflict with other UDP policies, and (iii) the proposal better meets the plan's objectives, particularly in relation to affordable housing and economic regeneration, in accordance with UDP Policy LE2.
5. It is noted that the site is located on the edge of the IBA, adjacent to a Public House and offices, opposite residential properties, and not adjacent to heavy industrial uses.
6. The positioning of sensitive land uses (ie residential) adjacent to neighbouring B1/B2/B8 may affect the ability of the IBA to function effectively by neutralising extant industrial uses. Officers should therefore consider very carefully whether this land should be released given the above considerations.

- ENVIRONMENTAL PROTECTION UNIT (EPU)

In terms of road traffic noise data has been taken from <http://www.noisemapping.defra.gov.uk> which indicates that the proposed road fronting facade of this site is likely to be exposed to noise levels of the order of Lnight 50.0-54.9 dB(A) and would put the site into the NEC B, PPG 24.

NEC B states that Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.

Conditions regarding sound insulation would be required should approval be granted to ensure the proposed development satisfies the requirements of this Borough's Noise SPD.

Additional information has been provided to lessen concerns about the noise impact on the proposed residential flats from the adjoining industrial units. This new information comprises: the neighbouring industrial units are restricted to Old Class III under the 1972 Order (i.e. Light Industrial only) so that B2 and B8 uses are not permitted; the industrial units are subject to

restrictions on hours of use; and the industrial unit closest to the canal has been converted to 70% offices.

On this basis, no objections are raised subject to imposition of appropriate conditions to ensure the development is suitable mitigated against noise impacts from adjoining uses.

- ACCESS OFFICER

Some of the bathrooms do not provide the required 700mm to one side and 1100mm in front of the WC pan.

On the basis that the above recommendations can be incorporated into revised plans, no objections would be raised to the proposed development.

Officer comment: This is conditioned.

- HIGHWAY ENGINEER

No objection.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site falls within the North Uxbridge Industrial and Business Area as designated in the Hillingdon Unitary Development Plan Saved Policies (September 2007) (UDP) and is identified as a Strategic Employment Location in the London Plan. Policy LE2 of the UDP states that such areas are designated for business, industrial and warehousing purposes falling within use classes B1-B8 and for sui generis uses appropriate in an industrial area. It goes on to clarify that other uses will not be permitted unless (i) there is no realistic prospect of the land being used for industrial or warehousing purposes in the future, (ii) the proposed alternative use does not conflict with the policies of this plan, and (iii) the proposal better meets the plan's objectives particularly in relation to affordable housing and economic regeneration. Officers in the Council's Planning and Environmental Policy Team have objected to the proposal on the basis that the site is designated as industrial/commercial land and the applicant has failed to adequately address conditions (ii) and (iii) of Policy LE2 to justify an exception to current planning policy.

Nevertheless, in contrast to Policy LE2, UDP Policy H4 encourages the provision of one and two bedroom units in the borough, and Policy H8 states that the change of use from non-residential to residential will be permitted if (i) a satisfactory residential environment can be achieved; (ii) the existing use is unlikely to meet demand for such accommodation in the foreseeable future; and (iii) the proposal is consistent with other objectives of this plan.

The applicant has submitted various pieces of information, including a planning report and marketing history, in support of the application, and full consideration needs to be given to this in considering whether an exception should be made to policy LE2 in this instance.

The Planning Report submitted with the application confirms that it has not been possible to find tenants for the site for a period of 10 years. This is backed up by the marketing history, prepared by Simon Williams Commercial Property Consultants, which explains that the current leaseholders of the site have been trying to sublet/assign the premises either as a whole or in part since 2000, firstly via Vail Williams (real estate agents) and then since 2005 jointly with themselves. The marketing history explains that the site has

been available to let on reduced rental terms and with large rent free periods on offer. Nevertheless, the only occupier that has taken a lease over this period is API Solicitors who agreed to sublease two floors of the building for three years, ending in 2010, at a rate of £15/sq.ft and with a 1.5 year rent free period and other incentives (such as capped service charge, limit on repairing liability, etc). Although the marketing report states that API Solicitors will not be renewing their lease, which ends in 2010, it is understood from the applicant that the lease has now been renewed for the ground floor only.

There is evidence that a number of marketing initiatives have been carried out including production of a full colour marketing brochure which has been extensively mailed; a prominently displayed 'To let' board at the premises; direct marketing to local occupiers and businesses in Uxbridge and the surrounding area on a regular basis; advertising in local papers, property magazines/papers, and on property websites; via Agency Clearing House which is mailed to a list of over 700 property agents for consideration in connection with all the requirements they are handling on behalf of occupiers; and promotion on Simon Williams website.

There is evidence that the property is difficult to let because the premises are situated in a cramped mixed use area not conducive to modern office occupation or image; the adjoining industrial units, although not used for intensive industrial uses, present issues in terms of image; the premises lack modern specification such as air conditioning, under floor trunking and ample natural light; the site is not a suitable headquarters building (for the reasons listed); better specified offices are available nearby at Riverside Way to the south and closer to the town centre along Oxford Road; there is decreased demand across all sizes, but particularly in the size category this premises falls within.

The marketing report goes on to confirm that since the current agents have been involved with the letting of the premises there has always been a good supply of similarly sized but better specified and located offices within the area and that this competing supply has been available at rents which make Sheraton House an unviable alternative for most businesses. It goes on to confirm that even excluding buildings for sale and in other nearby town centres, there are numerous buildings offering similar floorspace available on the agent's own website, and many of these are newer and thus provide better facilities.

In addition to the above the Planning Report argues that the proposal complies with guidance within PPS3: Housing, which states that local planning authorities should have regard to the suitability of sites for housing, taking into consideration their environmental sustainability and use of land in an effective and efficient way. It contends that the limited extent of construction works proposed are relevant to the environmental sustainability of the proposal. It further argues that the site is on the edge of the Industrial and Business Area, opposite residential properties and adjacent to a public house with residential accommodation above. Therefore it lies within a residential context. It goes on to argue that an appropriate form of residential accommodation would be provided, in accordance with principles outlined in PPS3 and that, given the offices have been vacant for 10 years, would result in no loss of employment at the site.

In the supporting information the applicant provides a copy of the original decision notice for the site and the adjacent industrial units. This confirms that, in accordance with that planning permission, the industrial units can be used for light industry only. In addition, a copy of an advertisement advertising one of the units for lease has been provided. This advertises the building as a 'warehouse/industrial unit and offices' and confirms that 232m² of the 343m² building has been converted to offices. This seeks to put forward the argument that the setting of the application site on the edge of the Industrial and

Business Area is appropriate for residential use. A number of photographs which seek to demonstrate the mixed use nature of the surrounding area have also been provided. Whilst the use of the adjacent industrial units for light industry only, rather than for B8 uses, means they are less likely to produce unacceptable levels of noise at unreasonable hours, careful consideration will need to be given to appropriate conditions to ensure the residential units are appropriately insulated against noise from these units. Issues associated with noise are further discussed in part 7.18 of this report.

The applicant also provides information relating to 69 Rockingham Road, an existing two-storey building located to the north east of the application site on the opposite side of Rockingham Road. That property was used as offices and for light industrial purposes, and was recently granted planning permission for redevelopment into residential use. The applicant argues that both sites are located in a similar location within 25m of each other, that the redevelopment of 69 Rockingham Road requires a total rebuild whereas the appearance of Sheraton House will remain largely unchanged, the ground floor will remain as offices and the proposals would have no impact on the streetscene. Whilst the applicant's arguments relating to the similarity between the location of these two sites is noted, it is nevertheless not considered that the sites are directly comparable. Whilst located in close proximity to the application site, 69 Rockingham Road is not located within the industrial and Business Area. Rockingham Road, a busy distributor road, provides a significant barrier between the largely industrial and commercial area to the north west, and the more residential area to the south east, and 69 Rockingham Road clearly adjoins existing Victorian terraces, whereas Sheraton House clearly adjoins commercial/industrial buildings, the only exception being landlord accommodation within the Dolphin Public House.

The applicant has demonstrated that all or part of the site has been largely vacant for a period of over 10-years despite significant advertising and competitive leases. Given the difficulty the applicant has had in leasing the site in the past combined with the availability of more modern better specified offices within the Uxbridge area it is considered unlikely the offices would be easily let within the near future. Based on the information provided it is considered that the applicant has sufficiently addressed point (i) of UDP Policy LE2.

The proposal complies with Policies H4 and H8 which encourage the provision of residential development in the borough. It also complies with relevant Council standards regarding internal and external living space for future occupiers and complies with relevant UDP policies and planning guidance regarding residential amenity. The main concern regarding the suitability of the site for residential purposes relates to noise from the adjoining uses. However, given that the use of the adjoining units is restricted to light industry and limits the hours of use, it is considered that this could be appropriately dealt with by way of condition. Therefore, it is not considered that the proposal would conflict with other policies or objectives of the UDP and that condition (ii) of Policy LE2 has been addressed.

The use of the site for residential purposes would also ensure that the site would not run into disrepair which could be a risk if the building remains vacant, detracting from the character and appearance of the area. In its current use the site has been largely vacant for a period of 10-years and, as such, it is not considered that the change of use of the site would result in loss of employment in this location or have a detrimental impact on the economy of this part of the borough. Whilst no affordable housing would be provided as part of the scheme, one and two bedroom units are being provided in compliance with UDP Policy H4. Accordingly, it is considered point (iii) of Policy LE2 has been appropriately addressed.

Taking on board the applicant's arguments, relevant planning policy and the marketing history of the site, it is considered that, on balance, sufficient information has been provided to demonstrate that there is no realistic prospect of the land being used for industrial or warehousing purposes in the future and to justify an exception to policy LE2 in this instance.

7.02 Density of the proposed development

The site has a PTAL of 1b. The London Plan 2008 range for sites with a PTAL of 0-1 in a central area (an area within 800m walking distance of a major town centre) is 150-300 habitable rooms per hectare and 40-100 units per hectare. Given the size of the proposed living rooms at over 20m² these would count as the equivalent of 2 habitable rooms in compliance with the Council's Supplementary Planning Document on Residential Layouts.

As such, based on a total site area of 900m² the site would have a density of 66.7 units per hectare and 244.5 habitable rooms per hectare. This complies with the London Plan (2008) guidelines.

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

The edge of Uxbridge Moor Conservation Area is located approximately 20m to the south of the site. However, given the minor nature of the changes proposed it is not considered that the proposal would have any detrimental impact on the character or appearance of the conservation area.

Mill House, a locally listed building is located approximately 80m away to the west. However, Dolphin House, opposite the application site, obscures Sheraton House from that building.

The site does not fall within an Archaeological Priority Area and there are no Areas of Special Local Character within the vicinity of the site.

7.04 Airport safeguarding

Not applicable. There is no requirement to consult with the airport safeguarding authorities in this instance.

7.05 Impact on the green belt

Not applicable. There is no Green Belt land within the vicinity of the site.

7.07 Impact on the character & appearance of the area

Only minor alterations are proposed to the external appearance of the existing building. Very limited views of additional windows in the west elevation and balconies to the rear would be visible from the street. Whilst the balconies would be visible from the canal towpath to the rear of the building, given the building's set back from the canal behind the car parking area and amenity space, it is not considered that these would have any significant detrimental impact on the visual amenities of the Grand Union Canal. It is not considered that the addition of a disabled access ramp at the front of the building would have a significant impact on the character or appearance of the building or on the visual amenities of the streetscene.

7.08 Impact on neighbours

It is not considered that the proposed change of use of the building would have any detrimental impact on surrounding properties. There would be no increase in overlooking to residential properties on the opposite side of Rockingham Road, over that from the existing offices. Concerns have been raised over increased overlooking to the adjacent public house. Two new obscure glazed windows would be provided at first and second floor levels in the south west elevation. These would provide natural light to the kitchen areas in each property. The kitchen from parts of wider living/dining rooms and accordingly these windows would serve as a secondary light source to the larger room.

These windows would overlook the side elevation of the adjacent pub, which does not have any windows. Whilst views of the rear private garden area may be visible from here and from the proposed balconies, it is not considered that this would result in a significant loss of privacy sufficient to justify refusal. Notably, Sheraton House projects further back towards the canal than the adjacent public house. Given this, and the orientation of the building, it is not considered significant overlooking would occur. Should approval be granted a condition could be attached to ensure the windows are retained with obscured glazing.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document on Residential Layouts states that 50m² internal floor space should be provided for one-bedroom flats and 63m² internal floorspace should be provided for two-bedroom flats. With floor areas of approximately 51.6m² and 50.6m² for the one-bedroom units and floor areas of approximately 72.9m², 78.2m², 67.8m² and 71.1m² for the two-bedroom flats respectively, the proposal complies with these standards. All rooms would receive adequate daylight and the privacy of future occupiers would not be prejudiced by the position of adjoining properties. Conditions attached to the original consent for the adjacent industrial units restrict their use to light industry only and to between the hours of 7am and 7pm Monday to Saturday only. The applicant has committed to providing sound attenuation measures and, accordingly, it is not considered that noise associated with the site's location would be an issue, detrimental to the residential amenity of future occupiers. Issues relating to noise are further addressed below in part 7.18 of the report.

The Council's Supplementary Planning Document on Residential Layouts states that 20m² amenity space should be provided for one-bedroom units and 25m² for two-bedroom units. Accordingly a total of 140m² external amenity space should be provided. A communal amenity area of approximately 140m² would be provided to the rear of the car parking spaces, alongside the canal. In addition, each flat would have a private balcony area of 6m² or 7m². Accordingly, the proposal complies with Council guidelines regarding amenity space. Whilst the amenity area is located to the rear of the car parking area, it is considered that its location adjacent to the canal and existing tree and shrub planting here would provide a pleasant outlook for residents. Further details of this area would be required by way of condition require an acoustic barrier between this area and the car park. In terms of proximity to larger areas of amenity space it should be noted that the site lies within approximately 200m of a large recreation ground to the west, and just over 400m away from the entrance to Fassnidge Park to the north east.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The plans indicate that a total of 11 car parking spaces, including two disability standard spaces, would be provided. Four of these would be located adjacent to the building's north east elevation and the remaining seven would be located towards the rear of the site.

Four spaces, would be allocated to the ground floor offices in compliance with the Council's current Car Parking Standards which require one space to be provided per 50m² of A2 office space.

Seven spaces would be allocated to the flats. Whilst this is below the Council's maximum parking provision standards it exceeds London Plan Policy which requires one space or less to be provided for one/two bedroom units. Although the site has a low PTAL it is located within close proximity of Uxbridge Town Centre and less than 800m walking distance from Uxbridge Underground Station and bus station. Accordingly the proposed parking provision is considered to be acceptable in this location. The Council's Highway

Engineer has confirmed that the provision of one space per unit would be acceptable in this location.

Two separate bicycle storage facilities would be provided, one for the residential units and one for the offices. This is considered appropriate and aids security. In compliance with the Council's Cycle Parking Standards for A2 offices one space should be provided per 25m². Accordingly a total of eight spaces should be provided for the offices. At least one space should be provided per residential unit. Accordingly a total of 14 spaces should be provided. Full details of cycle parking allocation would be required by way of condition should approval be granted.

The plans indicate that a bin store would be located toward the front of the site, adjacent to the building's north east elevation. This location is consistent with advice from the Council's Highway Engineer.

No changes would be made to the existing access arrangements to the site. Notably the car parking spaces take up the same space currently allocated for parking for the existing offices at Sheraton House. Whilst larger vehicles, mostly vans, would need to access the site to serve the adjacent industrial units, it is considered that sufficient space would be available for them to manoeuvre, albeit that they would need to enter the application site. The applicant has advised that the site access and majority of the parking/yard area to the rear of Sheraton House is within his ownership and that this situation would be no different to that which would currently occur at the site if Sheraton House was fully occupied. Accordingly, whilst not ideal, given it is an existing situation, and that the proposed use would be likely to generate considerably less traffic than offices at the site if fully occupied, it is not considered that refusal could be justified on these grounds.

7.11 Urban design, access and security

- Urban Design

Only limited changes would be made to the external appearance of Sheraton House including the provision of an access ramp in the front elevation, the provision of steel balustrade balconies in the rear elevation and the provision of additional windows in the south west elevation. It is not considered these alterations would have a detrimental impact on the character or appearance of the building or on the visual amenities of the surrounding area.

- Security

The development should incorporate measures to reduce the risk of crime. Should approval be granted a condition would be required to ensure the development meets the Metropolitan Police's 'Secured by Design' criteria.

7.12 Disabled access

An access ramp would be provided at the front of the site to ensure level access is provided to both the ground floor offices and the proposed first and second floor residential units. Existing lift access within the building would provide access to the upper floors. The applicant has confirmed that all flats would fully comply with relevant criteria of the the Disability Discrimination Act 1995. The Council's Access Officer has requested additional information to ensure the units fully meet Lifetime Home requirements. However, should approval be granted it is considered that this could be required by way of condition.

7.13 Provision of affordable & special needs housing

There is no requirement to provide affordable or special needs housing for a development of this size.

7.14 Trees, landscaping and Ecology

The plans indicate a landscaped amenity area would be provided to the rear of the site alongside the canal. Whilst an existing part grassed, part paved area existing here, this area would be enlarged and entirely grassed with limited addition shrub planting also proposed. It is considered that additional landscaping, in the form of a small hedge would enhance the appearance of this area and provide an appropriate buffer between this area and the adjacent car parking spaces. It is also considered that the opportunity should be taken to enhance the existing landscaping at the front of the site where necessary. Nevertheless, it is considered that these details could appropriately be required by way of condition should approval be granted and notably, the Council's Trees/Landscape Officer has raised no objections.

7.15 Sustainable waste management

The plans indicate that refuse storage facilities for the proposed residential units would be provided towards the front of the site, where they would be easily accessible to refuse collection vehicles from Rockingham Road. This location is considered to be acceptable and is consistent with advice from the Council's Highway Engineer. Should approval be granted full details of the proposed bin stores would be required by way of condition.

7.16 Renewable energy / Sustainability

Given the relatively small scale of the proposal there is no requirement for the development to meet a portion of its energy needs through the use of renewable energy sources. Nevertheless, London Plan Policy 4A.1 requires all developments to make the fullest contribution to the mitigation of and adaptation to climate change to minimise emissions of carbon dioxide. Therefore, should approval be granted, a condition would be added to ensure the development achieves Level 3 of the Code for Sustainable Homes.

7.17 Flooding or Drainage Issues

The application site falls within flood zones 2 and 3. However, the proposal makes use of an existing building and would not increase the level of hardstanding on site. Accordingly, it is not considered that it would increase the risk of flooding in this location. The Environment Agency have been consulted and have raised no objections subject to appropriate conditions relating to protection of the canal.

7.18 Noise or Air Quality Issues

- Noise

The application site is located adjacent to, and shares an access with, an adjacent office building and two B1 industrial units. One of these units is used by Freeway Lift Services and the other appears to be currently vacant, although evidence provided by the applicant suggests it has been largely converted to office space. Conditions attached to the original planning permission for those units restricts their use to light industrial only, and to between 7am and 7pm Mondays to Saturdays and not at all on Sundays, Christmas day of Bank Holidays.

Given the restrictions associated with the adjoining uses, Officers in the Council's Environmental Protection Unit have confirmed that, on balance, the proposed development would be acceptable on noise grounds, subject to conditions to ensure appropriate sound insulation and ventilation schemes are provided.

- Air quality

It is not considered that the proposal would have any impact on air quality over and above the existing use on site. Accordingly, no objections are raised on air quality grounds.

7.19 Comments on Public Consultations

One letter of objection has been received which raises concerns over loss of privacy and confirms that rooms in the adjacent public house are not let out as suggested by the applicant. Issues relating to privacy and overlooking have been addressed in the report.

It is noted that the adjacent public house is used for landlord accommodation only.

7.20 Planning obligations

Policy R17 of the UDP states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support the arts, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals. The Director of Education has advised that a contribution of £13,048 towards school places is required. This can be secured by an appropriate planning permission should approval be granted.

7.21 Expediency of enforcement action

Not applicable.

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.

10. CONCLUSION

On balance, it is considered that sufficient information has been submitted to justify an exception to UDP Policy relating to appropriate development within designated Industrial and Business Areas. Therefore, no objections are raised to the principle of the development in this location. The proposed units meet relevant Council standards

associated with internal and external living space and it is considered they would provide an appropriate form of accommodation for future users. The proposed level of parking provision is considered to be acceptable and no objections have been raised on noise grounds, subject to the implementation of appropriate mitigation measures. The application complies with relevant UDP and London Plan policies concerning residential development and, accordingly, approval is recommended, subject to appropriate conditions.

11. Reference Documents


Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (Consolidated with Alterations since 2004)
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Guidance 13: Transport
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Supplementary Planning Document - Residential Layouts

Contact Officer: Johanna Hart

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Notes

 Site boundary

For identification purposes only.

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Planning Application Ref:

51647/APP/2010/424

Scale

1:1,250

Planning Committee

Central and South

Date

July 2010



HILLINGDON
LONDON