

Report of the Head of Planning & Enforcement Services

Address 235-237 CHURCH ROAD HAYES

Development: Two storey end-of-terrace building with habitable roofspace comprising 1 studio flat and 2 two- bedroom flats, with associated parking and amenity space, involving demolition of existing temporary steel and steel sheets structure.

LBH Ref Nos: 42401/APP/2010/172

Drawing Nos: 235/0110/03 rev.D
235/0110/05 rev.D
235/0110/07A rev.D
235/0110/06 rev.D
235/0110/07B rev.D
235/0110/04B rev.D
235/0110/04A rev.D
Design & Access Statement
Unnumbered Location Plan
235/0110/02 rev.E

Date Plans Received: 29/01/2010 **Date(s) of Amendment(s):** 29/01/2010

Date Application Valid: 12/02/2010

1. SUMMARY

This application seeks full planning permission for the demolition of the existing industrial buildings at 235-237 Church Road in Hayes and the redevelopment of the site to provide three residential units with associated car parking and landscaping.

The application originally proposed a mews type property to the rear. However, this was omitted and amended plans received following concerns raised over residential amenity and lack of sufficient amenity space.

No objections are raised to the principle of the development in this location. The proposal would be in keeping with the character and appearance of adjoining properties and the surrounding area, and it is not considered that it would be detrimental to the visual amenities of the streetscene or the Hayes Village Conservation Area. An appropriate form of residential accommodation would be provided for future occupiers, in compliance with relevant Council standards, and the parking provision is considered to be acceptable. The proposal is considered to comply 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 Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 OM2 Levels

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

REASON

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

4 M1 Details/Samples to be Submitted

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

- * all doors and windows;
- * walls;
- * roofs;
- * dormers;
- * brick arches over doors, windows, etc;
- * cills;
- * chimneys and
- * any verges to be provided on site.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 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.

REASON

To safeguard the visual amenities of the area in accordance with Policy BE13 of the

Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NONSC Retention of wall along western boundary

Notwithstanding the approved plans, the existing wall, which provides the western boundary between the application site and no.1 Church Green and no.22 Lych Gate Walk shall be retained and maintained for the lifetime of the development.

REASON

In the interests of visual and residential amenity in compliance with policies BE4, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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 the defensive space shown to the rear of the ground floor studio flat) 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 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.

12 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.

13 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

14 DIS3 Parking for Wheelchair Disabled People

Development shall not commence until details of parking provision for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure 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.

15 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards

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, as set out in the Council's Supplementary Planning Document '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.

16 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).

17 H16 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 4 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

REASON

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 Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

18 OM14 Secured by Design

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

REASON

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

19 NONSC Contamination

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works, which form part of this remediation scheme, shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material (i.e. soil) shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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 I15 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) 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).
- (v) The storage of demolition/construction materials on site.

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

REASON

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

21 SUS3 Energy Efficiency DC Applications

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The report shall identify measures that will be integrated into the development to improve energy efficiency in accordance with the Mayor's energy Hierarchy. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.9, and 4A.10 of the London Plan (February 2008)

22 SUS4 Code for Sustainable Homes details

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).

23 SUS5 Sustainable Urban Drainage

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

REASON

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

24 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 mile 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.

25 NONSC Windows and doors to be recessed

Notwithstanding the approved plans, all windows and doors shall be recessed to match those in adjoining properties along Church Road.

REASON

In the interests of visual amenity in accordance with policies BE4 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all

relevant material considerations, including the London Plan (February 2008) and national guidance.

BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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
OE5	Siting of noise-sensitive developments
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative 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
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 I1 Building to Approved Drawing

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

requires the written consent of the Local Planning Authority.

4 I2 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 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 I5 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 I6 Property Rights/Rights of Light

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

8 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).

9 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 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

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

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

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

11 I19 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 I34 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 I46 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 I47 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).

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In respect of condition 24, 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 £6,936 to ensure the provision of additional/improved educational facilities locally, proportionate to the child yield arising from the development.

3. CONSIDERATIONS

3.1 Site and Locality

The application site currently comprises a single-storey workshop building, and a single-storey storage building, formerly used for steel shutter engineering, located on an irregularly shaped plot of approximately 0.04ha on the western side of Church Road in Hayes. The site is bounded to the north by an ambulance station; to the south and west by residential properties; and to the east by Church Road, beyond which are mainly residential properties, some with business uses at ground floor level. The site falls within an Archaeological Priority Area and the Hayes Village Conservation Area as shown on the Hillingdon Unitary Development Plan Proposals Map. No.138 Church Road, which lies opposite the site, is a locally listed building.

3.2 Proposed Scheme

It is proposed to demolish the existing industrial buildings and redevelop the site to provide a residential development. Towards the front of the site, fronting Church Road, a two-storey block, with roof accommodation within a mansard style roof, would be provided. This block would comprise one studio flat at ground floor level, and two 2-bedroom flats at first and second-floor levels. The ground floor unit would comprise a living area with kitchenette and a bathroom. The first and second-floor units would comprise a living room with kitchenette, bathroom and two bedrooms.

Access to the rear of the site would be provided via an undercroft. Four car parking spaces would be provided towards the middle of the site and communal amenity space would be provided towards the rear. Refuse storage and cycle stores would also be provided.

3.3 Relevant Planning History

Comment on Relevant Planning History

The planning history can be summarised as follows:

42401/88/2268 - Retention of temporary building for office and storage use and erection of replacement wooden fence - Approved 10/05/89

42401/F/95/0216 - Change of use from builders yard to storage and assembly of security grilles and shutters plus associated portable office building - Approved 12/04/95

42401/G/96/0337 - Use of premises for storage and assembly of security grilles and shutters (involving renewal of planning permission ref: 42401/F/95/0216) and erection of a single-storey office extension, retention of existing store and erection of 2m high close boarded fence - Approved 08/05/96

42401/H/96/3242 - Installation of a non-illuminated sign - Approved 17/01/97

42410/APP/2010/173 - Demolition of existing temporary steel sheets structure (Application for Conservation Area Consent) - No decision to date

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
Supplementary Planning Document - Noise
Supplementary Planning Document - Planning Obligations
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Accessible Hillingdon

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.7 To promote the conservation, protection and enhancement of the archaeological heritage of the Borough.
- PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.
- 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.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- 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:

- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE18 Design considerations - pedestrian security and safety
- 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.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- 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
- OE5 Siting of noise-sensitive developments

OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative 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
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:- **31st March 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 33 local owner/occupiers and the Hayes Village Conservation Panel. It was also advertised by way of press notice. Eight letters of objection have been received which raise the following concerns:

- i) There was no consultation with 1 Church Green.
- ii) Overlooking of adjacent gardens.
- iii) The rear steel structure that will be demolished is fixed to a very old wall that forms the length of an adjacent garden.
- iv) It is not clear what height the rear building will be.
- v) The application states there will be a roof dwelling which is confusing.
- vi) Insufficient parking.
- vii) A high wall should be provided around the boundaries to ensure adjoining properties are secure.
- viii) Loss of privacy to neighbouring properties.
- ix) Loss of natural light to properties in Lych Gate Walk.
- x) If the proposed detached building was not proposed this space could be used to provide adequate onsite parking.

- xi) The site is in a conservation area.
- xii) It will cause further traffic congestion.
- xiii) Parking in the surrounding area is already limited.
- xiv) The football ground is due to be redeveloped for housing which will put increased pressure on Church Road and local resources.
- xv) Any further affordable housing should be located in a less congested area.
- xvi) Inconvenience during construction.
- xvii) Impact on drainage system. Drains are situated beneath the properties and access to them is probably limited. If additional drains are connected there could be issues over capacity.
- xviii) The area is already overcrowded with housing.
- xix) Detrimental impact on the area around the Church and nearby buildings of historic importance which should be protected for the community.
- xx) This area is already congested which delays response times of ambulances from the adjacent ambulance station.

A 21 signature petition was also received which raises the following objections:

- a) The site is in a conservation area.
- b) The development will cause increased traffic congestion.
- c) The proposal will make the narrowest part of Church Road even more dangerous.

The petition also requests that yellow lines be removed from one side of the road as this encourages vehicles to speed endangering the safety of residents.

One letter of support has been received which states that subject to the provision of a high boundary wall and access gates for security purposes, and the relocation of the bin stores from adjacent to a residential boundary, no objections are raised as it is believed the proposal will enhance the area.

Councillor Lynne Allen has requested that the application be determined by Committee.

Following the submission of amended plans, residents were reconsulted on 18/10/10. Two additional letters were received from adjoining properties, including one strongly in support of the proposals, which made the following points:

- i) The removal of the rear accommodation is positive.
- ii) Although the amended plans allow for more parking spaces per unit, this is still not enough.
- iii) Significant concern is raised over the indication of a 1.5m high wooden fence on the plans. The existing wall, at the rear of site, which provides a boundary between the site and adjacent properties and has historical value, should be retained.
- iv) The proposed development will enhance the area.
- v) The vacant property is a haven for rats. Therefore the sooner the property becomes habitable the better.
- vi) Support is given for the development to go ahead.

ENGLISH HERITAGE

No objection subject to a condition requiring the applicant to submit further details relating to archaeology.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER

This site lies at the heart of the Hayes Village Conservation Area. It is surrounded by two to two

and a half storey buildings, mostly of some age and of traditional appearance. To the south of the site are a number of modern terraced two storey residential blocks. There are also a number of locally and statutory listed buildings within the immediate vicinity, including the listed church, which forms the context of the site. In addition, the site lies adjacent to an ambulance station which comprises single storey buildings, making it a highly visible location when viewed from the north.

The quality of the surroundings in this case warrants a good quality design that reflects the scale and overall character of the surrounding buildings. The application has been subject to pre-application discussion.

The current scheme reflects the discussions held with the applicant and proposes new build of a traditional appearance that reflects the character of the adjoining/adjacent buildings.

The proposals are generally acceptable in design terms, subject to some minor revisions:

The ground floor plan needs to be annotated to show the position of the rear arch and the side wall to the entrance. The side boundary is also quite tight on the window and stack at ground level, consideration will need to be given as to how these elements are to be maintained once constructed. The parapet wall over the arch to the rear needs to be more clearly defined on the drawing of the rear elevation, including the detail/finish of the parapet.

If possible, the double party wall upstand to the front should be reduced in width to reflect the proportions of the existing party walls between the adjoining roofs. The eaves detail of the gable end should be designed to match those existing.

The roof plan needs to include the stack and the stack should be finished with traditional clay pots to hide flue terminals etc.

The front elevation of the building in the rear garden should include windows, or some modelling, possibly blind windows, to avoid a blank wall. All windows/openings in the side elevations should include brick arches for consistency. The windows and dormers should be detailed as 3/6 sashes for the same reason.

If minded to recommend this application for approval, a detailed scheme for landscaping/planting should be agreed via condition, as should the frontage /road side treatment. Samples of all materials will need to be submitted and also detailed drawings of the new external doors and windows.

No objections are raised subject to the above.

Officer comment: The applicant has submitted amended plans which address the Conservation Officer's comments.

TREES/LANDSCAPE OFFICER

The site is a redundant business premises and enclosed yard to the west of Church Road and south of Lych Gate Walk, within the Hayes Village Conservation Area. There are no trees, or other landscape features, on the site. However, there are trees in the adjacent gardens which surround the site, whose locations have been indicated approximately on plan.

The proposed layout shows 4No. parking spaces, with access /manoeuvring space and a some residual areas of soft landscape / amenity space.

Saved policy BE38 seeks the retention and enhancement of landscape features on development

sites. In this case there are no landscape features worthy of retention. However, the layout provides scope and opportunity for high quality hard and soft landscape detailing in accordance with BE38 and BE4 (Conservation Area enhancement).

The external spaces appear to be shared / communal. Unless these spaces are allocated and designated within the deeds of individual properties, the Local Planning Authority should seek details of management and maintenance of the communal areas to ensure that they are established and maintained in accordance with the design intentions.

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

ENVIRONMENTAL PROTECTION UNIT

- Noise and Air quality

No objections are raised to the proposal.

EPU received a noise complaint regarding working hours at the existing land use at the time, Harling Security Systems, 237 Church Road, in July 2006.

There is potential for noise disturbance from the neighbouring ambulance station. However, there are existing residential properties within the same proximity.

Should planning permission be granted, standard informatives regarding construction should be added.

- Contamination

The application is on the site of an old brewery that is marked on the 1846-1901 historic map. This is a low risk as regards contamination. However it makes the site brownfield with the possibility of made ground (brick, metal, concrete, ash etc) from historic demolitions. Also the brewery may have had heating tanks for the process and hydrocarbons may be present. There was the clean up of a scrapyards on Lych Gate Walk next to the site in the 1990s however it is unlikely this extended to the site of this application.

Therefore, should approval be granted a condition requiring the submission of a site survey, to assess the land contamination levels, should be added.

ACCESS OFFICER

No objection subject to a condition to ensure level access is provided to the ground floor unit.

WASTE STRATEGY

The plans indicate that space has been allocated for four smaller wheeled bins. At present the Council does not provide wheeled bins of this size for individual households.

The current collection system is based on sacks for refuse which residents purchase themselves; and clear plastic sacks for recycling that the Council provides. The Council also provides reusable canvas bags for green gardens waste collection. The residents with a garden would be entitled to three of these.

The waste should be presented for collection within 15m of where the collection vehicle can access. The access from Church Road to the waste storage area is within this parameter.

EDUCATION

A contribution of £6,936 is required towards additional nursery, primary, secondary and post-16 places in the local area.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Whilst the site is used as an industrial premises, it lies within a predominantly residential area and does not have an industrial or business use designation in the Council's Unitary Development Plan Saved Policies (September 2007) (henceforth known as the UDP).

Policy H8 of the UDP suggests that change of use from non-residential to residential use will be permitted provided a satisfactory residential environment can be achieved, there is unlikely to be any demand for the existing use in the foreseeable future, and other UDP objectives are met.

However, UDP Policy LE4 states that proposals which involve the loss of existing industrial floorspace or land outside designated industrial and business areas will normally only be permitted if at least one of the matters set out below are applicable:-

- (i) The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion or an adverse impact on the character or appearance of an area; or
- (ii) The site is unsuitable for industrial redevelopment because of the site, shape, location or lack of vehicular access; or
- (iii) There is no realistic prospect of the land being used for industrial and warehousing purposes in the future; or
- (iv) They are in accordance with the Council's regeneration policies for an area.

The application site is abutted by residential properties to the south and west. The site, although currently vacant, comprises workshops and materials associated with engineering works. The buildings appear to be in a relatively poor condition, and there are large piles of materials, associated with the previous works, stacked around the site. Given the type of use and character of the site, it is likely works at the site would have created some noise and disturbance, and officers in the Council's Environmental Protection Unit have confirmed that complaints regarding noise from the site have been received in the past. Accordingly, it is considered that the proposal would address point (i) of the policy both in terms of improving the visual amenity of the Hayes Village Conservation Area and in terms of providing a use more compatible with surrounding noise sensitive developments.

In terms of point (ii), although there is an existing industrial premises on the site with vehicular access off Church Road, given the constraints presented by the irregular shape of the site and surrounding sensitive uses, it is not considered that the site is an ideal location for industrial development.

With regard to point (iii), the site is currently vacant and it is believed that it has been vacated within the last 12 months. Whilst it is not clear whether the site has been marketed for alternative industrial uses, given the constraints presented by its relatively small size, irregular shape, location within a conservation area, and close proximity to residential properties, it is considered unlikely that it would be attractive to most industrial or warehouse occupiers. Regardless of this, the benefits of removing such a use from this sensitive location in terms of both visual and residential amenity and considered to outweigh this criterion.

The scheme would contribute to the Council's housing targets and complies with UDP policy H8. Therefore, it is considered to accord with point (iv) of policy LE2.

There are clear benefits associated with the redevelopment of this site, both in terms of visual and residential amenity. The proposal is considered to comply with policies H8 and LE2 of the UDP for the reasons discussed above. As such, no objections are raised to the principle of the development, providing site specific issues are addressed.

7.02 Density of the proposed development

The application site is located less than 800m from Uxbridge Road Hayes Town Centre and Secondary Shopping Area and the surrounding area is largely characterised by terraced properties of two to four storeys. Accordingly, it is considered that the site falls within an urban area as defined in the London Plan.

The site has a Public Transport Accessibility Level (PTAL) of 1b. The London Plan density guidelines for sites with PTALs of 0-1 in an urban area, and with an average number of habitable rooms per unit of 3.7-3.7, is 150-250 habitable rooms per hectare and 40-80 units per hectare. Based on the size of some of the rooms at over 20m² they would count as the equivalent of two habitable rooms in compliance with the Council's Supplementary Planning Document on Residential Layouts. As such, based on a total site area of approximately 440m² (taken from the Council's GIS mapping system) this development would have a density of 227.3 habitable rooms per hectare and 68.2 units per hectare. This complies with the London Plan guidelines.

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

The application site is located within a sensitive area. It falls within an Archaeological Priority Area and within Hayes Village Conservation Area as shown on the Hillingdon Unitary Development Plan Proposals Map. It lies opposite a locally listed building and locally listed buildings also exist to the north in Church Green, their rear gardens abutting the application site. St. Mary's Church, located approximately 90m to the north west, is a Grade II listed building.

In terms of visual appearance, the existing buildings on site, although set back from the road and partly screened from view for much of the time behind tall gates and wooden fencing, are not considered to add value to the visual amenities of the streetscene. Their relatively poor condition and the ad hoc storage of materials on the site, arguably detract from the character and appearance of the Hayes Village Conservation Area.

The proposed development would be compatible with the scale, height, design and some of the architectural detailing of adjacent properties and it would appear as a continuation of the terrace. Notably, the roof form would be of an identical shape and fenestration would be of the same size and layout.

Whilst none of the properties in the immediate vicinity have an undercroft to provide rear access, this is not an uncommon occurrence in properties of this style and age and, accordingly, it is not considered that the proposed undercroft would be detrimental to the visual amenities of the streetscene or out of character with the surrounding area.

It is considered that the scheme has been sensitively designed so as to provide a traditional appearance that reflects the character of the adjoining buildings. The proposal would enhance the character and appearance of the streetscene and the Hayes Village Conservation Area over the existing use on the site and is considered to be visually

acceptable in this location. Notably, the Council's Conservation and Urban Design Officer has raised no objections, subject to some minor alterations to the design. The applicant has provided amended plans which incorporate this advice.

In terms of its impact on archaeological remains, English Heritage have confirmed that no objections are raised subject to the addition of a condition, should approval be granted, requiring the applicant to submit additional information, prior to the commencement of development.

7.04 Airport safeguarding

Not applicable. There is no requirement to consult the aerodrome safeguarding authorities on this application.

7.05 Impact on the green belt

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

7.07 Impact on the character & appearance of the area

This issue has been addressed in part 7.03 of the report.

7.08 Impact on neighbours

The application site is bounded by residential properties to the south and west. The proposed building would project approximately 2.4m beyond the two-storey rear elevation of no.233 Church Road. It would then step back, further into the site, to project a total of 4.3m further back. Nevertheless, the proposal would not encroach the 45 degree line angle from the rear of any habitable room windows in that property. Whilst a staircase window would directly overlook the side elevation of the proposed building, and the 45 degree line from a rear bathroom window would be infringed, given that these do not serve habitable rooms, refusal could not be justified on this basis.

Properties to the rear do not directly overlook the site, and are located in excess of 21m away. Therefore, it is not considered that the proposal would have any detrimental impact on the residential amenity of occupiers of those properties in terms of overlooking.

7.09 Living conditions for future occupiers

The Council's Supplementary planning Document on Residential Layouts states that a minimum of 33m² internal floor space should be provided for studio flats and 63m² should be provided for two-bedroom flats and houses. The proposed studio flat would have a floor area of 35.7m². The two-bedroom flats would have floor areas of 67.5m². Whilst some windows are located in close proximity to boundary walls/fences and would, accordingly, be likely to receive limited light, these are not primary windows to the rooms concerned. Therefore, it is considered that all rooms would receive adequate daylight and the amenities of future occupiers would not be prejudiced by the position of adjoining properties. As such, it is considered that the proposed property would adequately serve the needs of future occupiers in terms of internal space.

The Council's Supplementary Planning Document on Residential Layouts states that a minimum of 20m² external amenity space should be provided for studio flats and 25m² for two-bedroom flats. Accordingly a total of 70m² should be provided for the flats. The plans indicate two communal amenity areas would be provided towards the rear of the site, providing a total of approximately 112m² amenity space. This provision complies with the relevant Council guidelines and its layout is considered to provide a functional outdoor space for future occupiers. In addition to the above, a small garden would be provided for occupiers of the ground floor studio flat to ensure the privacy of future

occupiers is protected.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Four car parking spaces would be provided towards the middle of the site. Whilst this is below the Council's maximum car parking standards of 1.5 spaces per unit, it exceeds London Plan standards of 1 space or less per unit for 1 to 2 bedroom properties. Nevertheless, despite its low PTAL the site is located within less than 800m of Uxbridge Road Hayes Town Centre and Secondary Shopping Area, and it was noted on site that there are regular buses serving this part of Church Road. Accordingly, this level of car parking is considered to be acceptable in this instance. Notably the Council's Highway Engineer has raised no objections on these grounds.

The plans indicate that cycle storage for four bicycles would be provided. This exceeds Council standards which require one space to be provided per unit. Limited details of these have been provided at this stage. However, should approval be granted full details would be required by way of condition.

Concerns have been raised by residents that the proposal would lead to an increase in congestion in the area, which is currently caused by a high level of on-street parking. As stated above, the parking provision proposed exceeds Council standards and, accordingly, it is not considered that the proposal would lead to a significant increase in on-street parking sufficient to justify refusal.

Residents of properties opposite have suggested that on-street parking outside this site restricts access to their driveways. It is considered that the proposal would improve this situation, as it is unlikely cars other than perhaps those visiting the new properties would park on-street blocking the new driveways.

Notably, no objections have been raised by the Council's Highway Engineer with regards to the level of parking provision proposed, congestion or issues relating to highway or pedestrian safety.

7.11 Urban design, access and security

Urban Design:

This issue has been largely addressed in part 7.07 of the report. The size, scale and mass of the building is considered to be appropriate and its design, including roof form, fenestration and materials, would reflect that of the adjacent properties. It is considered that the proposal would enhance the visual appearance of the existing site and contribute positively to the character and appearance of the streetscene and this part of the Hayes Village Conservation Area.

Security:

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

7.12 Disabled access

The applicant's Design and Access Statement confirms that the proposed development would comply with Lifetime Homes Standards. Relevant conditions would be attached should approval be granted to ensure relevant criteria are met.

Notably, a number of amendments have been made to the plans following advice from the

Council's Access Officer who has now confirmed that no objections are raised on these grounds.

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

There is currently no landscaping provided on the site. However, the plans indicate that landscaped gardens/communal amenity space would be provided and it is considered that there is sufficient scope for a high quality landscaping scheme, which would enhance the visual amenities of the site and the surrounding area, to be provided. Notably, the Council's Trees/Landscaping Officer has raised no objections subject to the imposition of appropriate conditions should approval be granted.

7.15 Sustainable waste management

The plans indicate that a communal refuse store would be provided towards the middle of the site. Full details of this would be required by way of condition should approval be granted.

7.16 Renewable energy / Sustainability

There is no requirement for an application of this size to meet its energy requirements through the use of renewable energy. Should approval be granted a condition would be attached to ensure the development meets a minimum of Level 3 of the Code for Sustainable Homes.

7.17 Flooding or Drainage Issues

The site is not located within a floodplain and no issues regarding flooding have been identified. Building control regulations on this matter will however need to be complied with.

7.18 Noise or Air Quality Issues

The application site currently comprises an industrial use which is likely to have generated some level of noise and disturbance when in use. Officers in the Council's Environmental Protection Unit have suggested that previous noise complaints relating to the premises have been received. It is not considered that the proposed development would give rise to an increase in pollution, noise or disturbance over the existing industrial use at the site and in terms of noise and air quality issues the redevelopment of the site to provide a residential development is likely to be beneficial in this respect.

Whilst the site is located adjacent to an ambulance station, which is likely to produce some noise disturbance, there are notably existing residential properties within equal proximity. Accordingly, it is not considered that refusal could be justified on this basis. Notably officer's in the Council's Environmental Protection Unit have raised no objections in this respect.

7.19 Comments on Public Consultations

Points (ii), (v), (vi), (viii), (ix), (x), (xi), (xii), (xiii), (xv), (xvii), (xviii), (xix) of the first round of consultation have been addressed in the report.

Point (i) suggests that 1 Church Green was not consulted. Council records indicate that this property was consulted. Consultation letters were sent to 33 local owner/occupiers, the Hayes Village Conservation Panel and it was advertised by way of press notice. This

exceeds statutory guidelines.

Points (iii) and (vii) raise concerns relating to boundary treatment. In particular concern is raised that an existing high boundary wall around the site boundary will not be retained. Whilst this is not visible from outside the site, it would appear to form part of a wall which runs along the rear of properties from the ambulance station to the north to Lych Gate Walk to the south. Limited views of the wall were available from within the site from gaps in the rear of the buildings and they did not appear to be attached to it. Given its importance and value to occupants of neighbouring properties its retention is desirable, and it is not considered that this would impede development proposals for the application site. Therefore, should approval be granted, its retention would be secured by way of condition.

Point (iv) raises concerns over the height of the building to the rear. This building has now been omitted.

Point (xiv) raises concerns over the redevelopment of the nearby football ground and the resulting increased pressure this would have on Church Road and local resources. Each application must be assessed on its merits and relevant issues would have been taken into consideration when assessing that scheme. It is not considered that that this application would have any detrimental impact on the surrounding highway network.

Point (xvi) raises concerns over inconvenience during construction. Construction works will be temporary only, and relevant conditions would be attached, should approval be granted, to minimise the impact of the development on surrounding properties.

Point (xx) raises concerns over local congestion delaying response times of ambulances. The ambulance service have been consulted on the application and no comments have been received. Accordingly, it is assumed that no objections are raised. The Council's Highway Engineer has confirmed that the proposal would not have a significant impact on the surrounding highway network.

Points (a), (b) and (c), raised by the petition, have been addressed in the report and in the comments above. Concerns regarding the removal of yellow lines from Church Road in a bid to slow down traffic are noted. This is a matter for the Council's Streetworks Team to consider and this issue cannot be addressed through this planning application.

The letters of support are noted. As discussed above, the retention of the boundary wall could be required by way of condition should approval be granted.

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, facility to support the arts, culture and entertainment activities and other community, social and educational facilities through planning obligations in conjunction with other development proposals. The Director of Education has advised that a contribution of £11,950 towards school places is required. This can be secured by way of condition should planning permission be granted.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Contamination:

Given the historic use of the there is potential for some contamination at the site. However, officer's the Council's Environmental Protection Unit have confirmed that the risk is likely to be low and, accordingly, issues relating to contamination can be dealt with by way of condition should approval be granted.

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

No objections are raised to the principle of the development in this location. The proposal would be in keeping with the character and appearance of adjoining properties and the surrounding area, and it is not considered that it would be detrimental to the visual amenities of the streetscene or the Hayes Village Conservation Area. An appropriate form of residential accommodation would be provided for future occupiers, in compliance with relevant Council standards, and the parking provision is considered to be acceptable. The proposal is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.

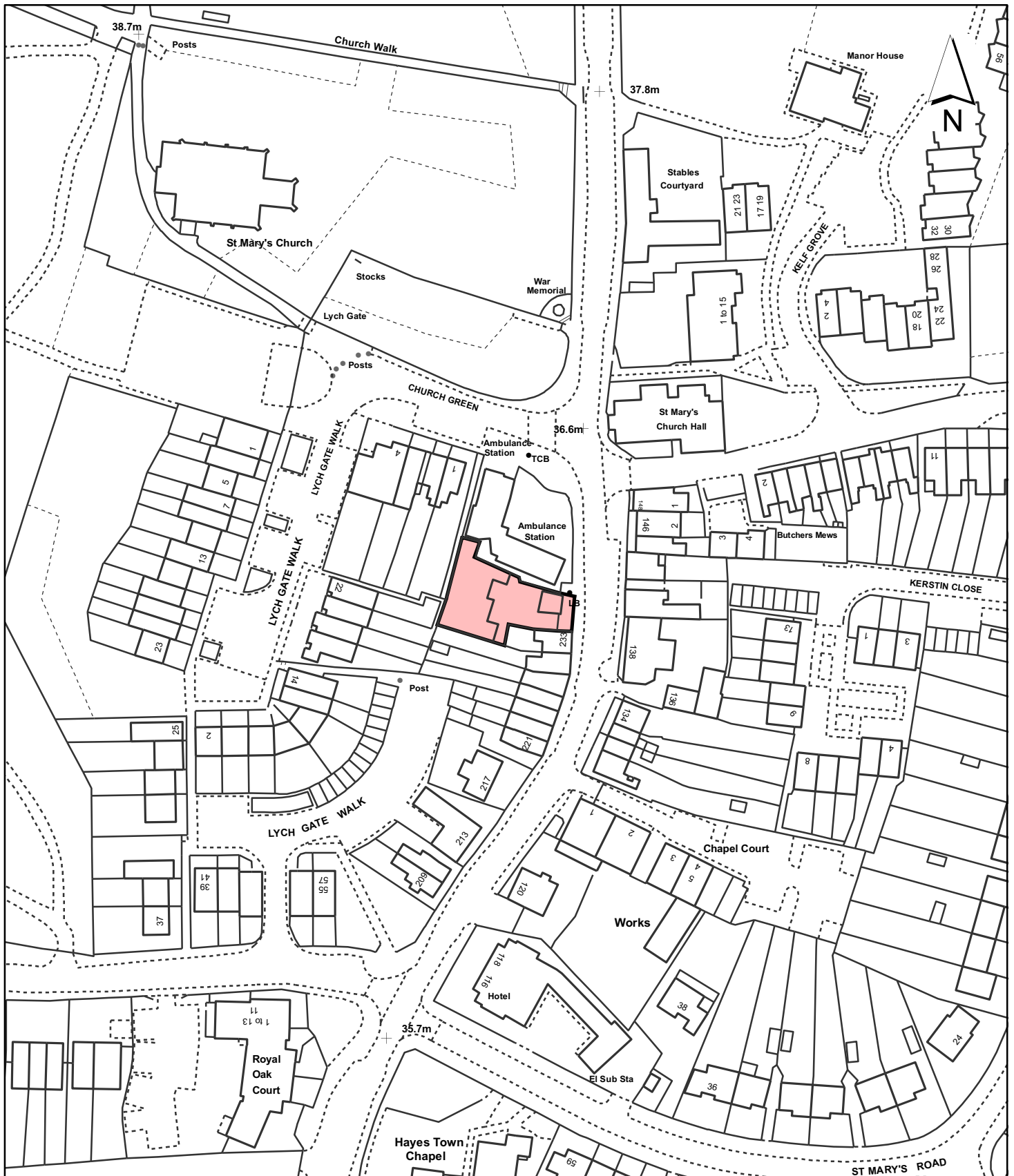
11. Reference Documents

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
Supplementary Planning Document - Noise
Supplementary Planning Document - Planning Obligations
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Accessible Hillingdon

Contact Officer: Johanna Hart

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Notes

 Site boundary

For identification purposes only.

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Site Address	
235 - 237 Church Road Hayes	
Planning Application Ref:	Scale
42401/APP/2010/172	1:1,250
Planning Committee	Date
Central and South	November 2010

**LONDON BOROUGH
OF HILLINGDON**

**Planning, Environment
& Community Services**

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