

Report of the Head of Planning & Enforcement Services

Address THE ARENA, STOCKLEY PARK STOCKLEY ROAD WEST DRAYTON

Development: Change of use from Class B1 (Office) to Class D1 (Non-residential institutions) for use as further education college and management training premises.

LBH Ref Nos: 37800/APP/2010/1669

Drawing Nos: 10-355-003
10-355-004
Design and Access Statement prepared Design and Access Statement
Email from Stephen Walker dated 13/09/10
10-355-006 (Indicative layout)
Unnumbered Location Plan
Email from Steve Walker dated 15/10/10
Letter from Russell-Cooke Solicitors dated 09/11/10

Date Plans Received:	19/07/2010	Date(s) of Amendment(s):	19/07/0010
Date Application Valid:	22/07/2010		13/09/0010
			06/10/0010
			09/11/0010

1. SUMMARY

This application seeks full planning permission for the change of use of an existing Class B1 office to Class D1 (non-residential institution) for use as a further education college and management training premises, at The Arena in Stockley Park.

Whilst the proposed use represents inappropriate development within the Green belt, given the historical use of the site as B1 offices, which are also considered to be inappropriate development within the Green Belt, and that no external alterations are proposed to the existing building, no objections are raised to the principle of the development.

It is not considered that the proposed use would have a detrimental impact on the surrounding highway network.

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

3 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 Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

4 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 Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

5 DIS4 Signposting for People with Disabilities

Signplates, incorporating a representation of the Universal Wheelchair Symbol, should be displayed to indicate the location of convenient facilities to meet the needs of people with disabilities. Such signplates should identify or advertise accessible entrances to buildings, reserved parking spaces, accessible lifts and lavatory accommodation, manageable routes through buildings and availability of additional services. Signs for direction and location should have large characters or numerals and clearly contrast with the background colour.

REASON

To ensure that people with disabilities are aware of the location of convenient facilities in accordance with Policy AM13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 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.

7 NONSC Car parking management

No car parking, other than that for disabled users, shall be provided for students and staff of the facility. Prior to the commencement of development, details of measures to prevent parking at the site by anyone other than disabled staff or students shall be submitted to, and approved in writing by, the Local Planning Authority. The agreed measures shall remain in place for the lifetime of the development.

REASON

To ensure that the development does not lead to a significant increase in traffic to/from the site, which could be detrimental to pedestrian and highway safety, contrary to Policies AM2 and AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), and to ensure an acceptable level of parking is retained for other users of the building in compliance with Policy AM14 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.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
BE8	Planning applications for alteration or extension of listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
R10	Proposals for new meeting halls and buildings for education, social, community and health services

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.

3 I1 Building to Approved Drawing

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

4 I3 Building Regulations - Demolition and Building Works

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

5 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.

6 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.

7 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).

8 I12 **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.

9 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.

10 I25 **Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

11 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.

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The proposed development provides an opportunity to change working practices that can result in energy efficiency. The Council would advise you to consider drawing up an energy efficiency management plan to help measure, monitor and implement measures to reduce energy consumption, and therefore carbon emissions.

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The Council's Access Officer has advised as follows:

1. The accessible car-parking bays within the shared car parking area should be sited within 40 m of the principal entrance. Should that not be possible, alternative provision should be fully explored to ensure that disabled people, including ambulant disabled people, can park and gain unhindered access into the building.
2. Parking Bays should be signed Accessible Parking , not Disabled . Accessible parking bays should be a minimum of 4.8m x 2.4m and otherwise marked and signed in accordance with BS 8300.
3. Having reviewed plans, level access is assumed. Should that not be the case, level access should be provided. In the interest of good design, ramps should be avoided.

4. The entrance doors should provide a minimum clear opening of 1800mm for a double doorset.
5. All signage for directions, services or facilities should be provided in a colour contrasting with the background. Signage and lighting levels should be consistent throughout the building and care taken to avoid sudden changes in levels.
6. Internal door widths should provide a minimum clear opening width of 750mm to facilitate adequate access for wheelchair users. Internal doors should also have 300mm unobstructed space to the side of the leading edge.
7. Internal doors should be held open using fire alarm activated magnetic closers whilst the building is in use.
8. The principles of access and inclusion should be carried through to all teaching and 'backstage' staff areas to promote employment opportunities for disabled people.
9. It is unclear from the submitted plans whether a toilet facility, accessible to wheelchair users, is proposed. An accessible toilet, designed in accordance with BS 8300:2009, should be required as part of any change of use permission.
10. The accessible WC facilities throughout the college should be signed either Accessible WC or Unisex . Alternatively, a wheelchair symbol and the use of the words Ladies and Gentlemen or Unisex would be acceptable.
11. Alarm system should be designed to allow deaf people to be aware of an activation. Such provisions could include visual fire alarm activation devices, and/or a vibrating paging system linked to the alarm control panel.
12. Consideration should be given to ensure that arrangements exist to provide adequate means of escape for all, including wheelchair users. Fire exits should incorporate a suitably level threshold and should open onto a level area.
13. An evacuation plan, in accordance with the recommendations of BS 9999:2008, should be drawn up and submitted for approval by the council.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises part of the upper ground floor (approximately 380m²) of the building known as The Arena at Stockley Park. The split level, part two, part three-storey building, was constructed in the 1980s as a multi-purpose, multi-user complex containing offices, catering, retail and meeting uses at the hub of the Stockley Park office and business park development.

The building is an unusual and irregular shape comprising three wings off a central cylindrical element. The proposed facility would occupy part of the south/west wing. A large car park forms the north and north west part of the site. The site is bounded by lakes to the south, beyond which are buildings, mostly offices, associated with the business park; and by Stockley park Golf Course to the north.

Access to the site is gained through Stockley Park via Roundwood Avenue.

The Arena is a locally listed building and it falls within the Green Belt as shown on the Hillingdon Unitary Development Plan Proposals Map.

3.2 Proposed Scheme

Planning permission is sought for the change of use of the existing B1 offices to a further education college within class D1 use. The college would provide management/executive training for students of varying ages and abilities to further their skills for commerce, industry and general management purposes.

The existing premises comprises a number of small offices, WC facilities, a small kitchen, plant rooms and a large operational area. An indicative internal layout plan has been provided which indicates that the existing operational area would be subdivided to provide two classrooms each capable of accommodating up to 40 pupils, an IT room/classroom capable of accommodating up to 12 pupils, two small tutorial/interview rooms, a student common room and a staff room. The existing office, WC, kitchen and plant room facilities would be retained.

No external changes are proposed. Whilst the applicant has advised that internally the space would be subdivided by non-structural partitions, and an indicative internal layout has been provided, it should be noted that these elements of the proposal do not require planning permission.

The applicant has advised that the facility would cater for a maximum of 60 students at any one time. Operating hours would be between 09.00 and 18.00 Monday to Friday. Most students would arrive between 09.00 and 10.00 and depart between 17.00 and 18.00.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is an extensive planning history relating to Stockley Park. However, no previous applications are directly relevant to the current proposal.

4. Planning Policies and Standards

Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (Consolidated with Alterations since 2008)
Planning Policy Guidance 2: Green Belts
Planning Policy Guidance 13: Transport
Council's Supplementary Planning Document on Accessibility

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|--|
| PT1.1 | To maintain the Green Belt for uses which preserve or enhance the open nature of the area. |
| 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.

- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.

Part 2 Policies:

- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL4 Green Belt - replacement or extension of buildings
- BE8 Planning applications for alteration or extension of listed buildings
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- OE1 Protection of the character and amenities of surrounding properties and the local area
- R10 Proposals for new meeting halls and buildings for education, social, community and health services
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **27th October 2010**
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to five adjoining owner/occupiers. No responses have been received.

Internal Consultees

CONSERVATION AND URBAN DESIGN OFFICER

The Arena at Stockley Park is a Locally Listed building, which has been missed in the supporting information to this application. However, as there are no external changes proposed to the fabric of the building, or indeed to its setting, no objections are raised to this application.

ACCESS OFFICER

Part IV of the Disability Discrimination Act 1995 legally entitles disabled pupils and students to learn in an environment which is barrier free and where discriminatory practices have been eliminated.

No objections are raised subject to conditions to ensure the proposed facility will be fully accessible.

HIGHWAY ENGINEER

No objection subject to conditions to ensure no parking is provided for students (with the exception of disability standard spaces).

SUSTAINABILITY OFFICER

No objection subject to an informative to encourage use of sustainable building measures.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is located within the Green Belt. UDP Policy OL1 states that within the Green Belt, uses associated with agriculture, horticulture, forestry, nature conservation, open air recreational facilities and cemeteries, will be acceptable. Planning permission will not be granted for new buildings or changes of use of existing land or buildings other than for purposes essential for and associated with the above uses.

Accordingly, the proposed development is deemed to be inappropriate development, and it is therefore necessary for the applicant to demonstrate that a case of very special circumstances exists if an exception is to be made to established Green Belt policy.

Whilst limited supporting information has been submitted on this matter, it is notable that the existing use represents inappropriate development within the Green Belt. Originally the application site was assessed as part of the wider Stockley Park proposals. It is understood that historically, the employment benefits; the environmental benefits associated with the rehabilitation of large areas of contaminated land; and the amenity benefits of transforming and landscaping large tracts of land as publicly accessible open space, were considered to amount to a case of very special circumstances to allow an exception to Green Belt policy.

It is acknowledged that the proposal relates to a small part of an existing building, no part of which is associated with uses typically deemed acceptable within the Green Belt. Accordingly, the proposal would not result in the loss of a valuable facility associated with the use of the adjoining Green Belt land.

The applicant has advised that this part of the building formerly provided conferencing facilities and regularly accommodated between 80 and 100 people. No alterations would be made to the external appearance of the building and the proposal would not lead to an intensification of the use of the site. Accordingly, it would have no impact on the openness or on the visual amenities of the surrounding Green Belt. In addition, the employment and training benefits associated with the proposed use, are considered to be complimentary to the wider Stockley Business Park.

Notably, policy R10 of the UDP states that the Local Planning Authority will regard proposals for new buildings for education as acceptable in principle subject to the other policies of the plan.

Given the relatively minor nature of the proposal, that it would have no visual impact on the surrounding area, and the associated employment and training benefits, on balance, it is considered that sufficient reason exists to allow the proposal in this location in this instance. Accordingly, no objections are raised to the principle of the development, subject to the development meeting other site specific criteria.

7.02 Density of the proposed development

Not applicable to this type of development.

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

The Arena is designated as a locally listed building. However, no external changes are proposed and, accordingly, the proposal would have no impact on its exterior appearance or setting. Notably, the Council's Urban Design and Conservation Officer has raised no objections to the scheme. There are no other listed buildings in close proximity of the site.

The site is not located within an Archaeological Priority Area or in/near a Conservation Area or Area of Special Local Character.

7.04 Airport safeguarding

There is no requirement to consult the aerodrome safeguarding authorities for an application of this nature.

7.05 Impact on the green belt

Whilst the application site is located within the Green Belt no external alterations are proposed. Accordingly, it is not considered that the proposal would have any impact on the openness or visual amenity of this part of the Green Belt.

7.07 Impact on the character & appearance of the area

No external alterations are proposed. Accordingly, the proposal would have no visual impact on the character or appearance of the surrounding area.

7.08 Impact on neighbours

It is not considered that the proposal would have any detrimental impact of the amenity of the occupiers of the nearest residential properties, which are located just under 600m away to the north east, beyond Stockley Park Golf Course.

7.09 Living conditions for future occupiers

Not applicable to this type of development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The applicant has confirmed that approximately 130 car parking spaces and 10 cycle parking spaces exist for the use of the Arena Building and that no spaces are reserved for any particular use. Nevertheless, students would not be permitted to use cars for their college attendance and would be encouraged to use public transport. An email outlining various means that the educational establishment would use to prevent anyone other than disabled staff and students parking within Stockley Park has been provided. The content of the email is reassuring, nonetheless, a condition is considered necessary to require further clarification of the preventative measures. The applicant suggests that discounted Oystercard applications would be distributed to all students with their induction information.

It is not considered that the proposed use would have any significant impact on the surrounding highway network. Notably, the Council's Highway Engineer has raised no objections subject to the imposition of the aforementioned condition to ensure no car parking is provided for students.

7.11 Urban design, access and security

Not applicable. No external alterations are proposed to the existing building.

7.12 Disabled access

The Design and Access Statement confirms that the proposal will comply with Part M of the Building Regulations and relevant criteria within the Disability Discrimination Act. Level or ramped access would be provided and doors, common areas, lifts, lighting and WCs would be capable of being used by ambulant disabled persons and wheelchair users.

Reception counters and other general access furniture would be set at a suitable height for wheelchair users. In addition, a management routine for evacuation of disabled persons in the event of a fire, or other evacuation reasons, would be put in place.

The Council's Access Officer has raised no objections to the proposal, subject to relevant conditions to ensure the proposed use is fully accessible, should approval be granted.

7.13 Provision of affordable & special needs housing

Not applicable to this type of development.

7.14 Trees, landscaping and Ecology

Not applicable. No alterations would be made to the external appearance of the building or to its landscape setting. Accordingly, there would be no impact on existing trees or landscaping as a result of the proposal.

7.15 Sustainable waste management

Given that this is a commercial development, the site occupiers ultimately have discretion over which waste management methods are used.

The applicant has advised that refuse is currently stored on site within a designated storage compound. All refuse is stored in proper containers being either plastic wheeled bins or metal wheeled bins as appropriate. Separate and clearly marked containers are provided for recycling, in accordance with the Council's recycling separation and collection policy.

A commercially sized refuse compactor is provided within the compound and a waste management company remove the compacted refuse once every four weeks. Separate arrangements are made by the Centre Management for the collection of recycled waste.

All tenants are encouraged by the centre management company to recycle waste in the facilities provided within the refuse area, and this will apply to the applicant.

The applicant will collect their refuse and will be responsible for primary sorting and deposition of the waste in accordance with the refuse sorting facilities provided within the refuse compound.

These details are considered sufficient to demonstrate that waste, including recycling, from the premises would be appropriately handled. Given that arrangements for waste are set by the Arena Management Company and are already established, and are therefore, not within the applicant's overall control, it is not considered that any further information is required on this matter.

7.16 Renewable energy / Sustainability

The applicant has confirmed that the premises would be let on a short term lease (extendable beyond 5 years by agreement with the landlord), and that the lease payments include water, gas and electricity, all output in terms of surface water discharge and foul sewerage disposal through mains drainage.

Consultation with the Landlords on site management team confirm that the premises are already fitted with low energy lighting and the mechanical services are controlled via a computer based energy management optimising system. The electricity meters were replaced last year are capable of printing out energy consumption, periodic consumption and other statistical information.

The application floor area is for 380m² and the wing of the building in which the premises

are located has a floor area of a further (approximately) 1400m². The applicant has no access to these areas and is unable to comment upon their current use, or affect future use or sustainability matters.

The Council's Sustainability Officer has raised no objections to the scheme on this basis.

7.17 Flooding or Drainage Issues

Not applicable. The proposal would not lead to any increase in flooding at the site or in the surrounding area over and above the existing use of the site.

7.18 Noise or Air Quality Issues

It is not considered that proposal would lead in any significant increase in noise or impacts on air quality. Notably, the nearest residential properties are located a considerable distance away and, accordingly, the proposal would have no impact on the amenity of the occupiers of those properties in terms of noise or air quality.

7.19 Comments on Public Consultations

None received.

7.20 Planning obligations

There is no requirement for planning obligations relating to this proposal.

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

Whilst the proposed use represents inappropriate development within the Green belt, given the historical use of the site as B1 offices, which are also considered to be inappropriate development within the Green Belt, and that no external alterations are proposed to the existing building, no objections are raised to the principle of the development.

It is not considered that the proposed use would have a detrimental impact on the surrounding highway network.

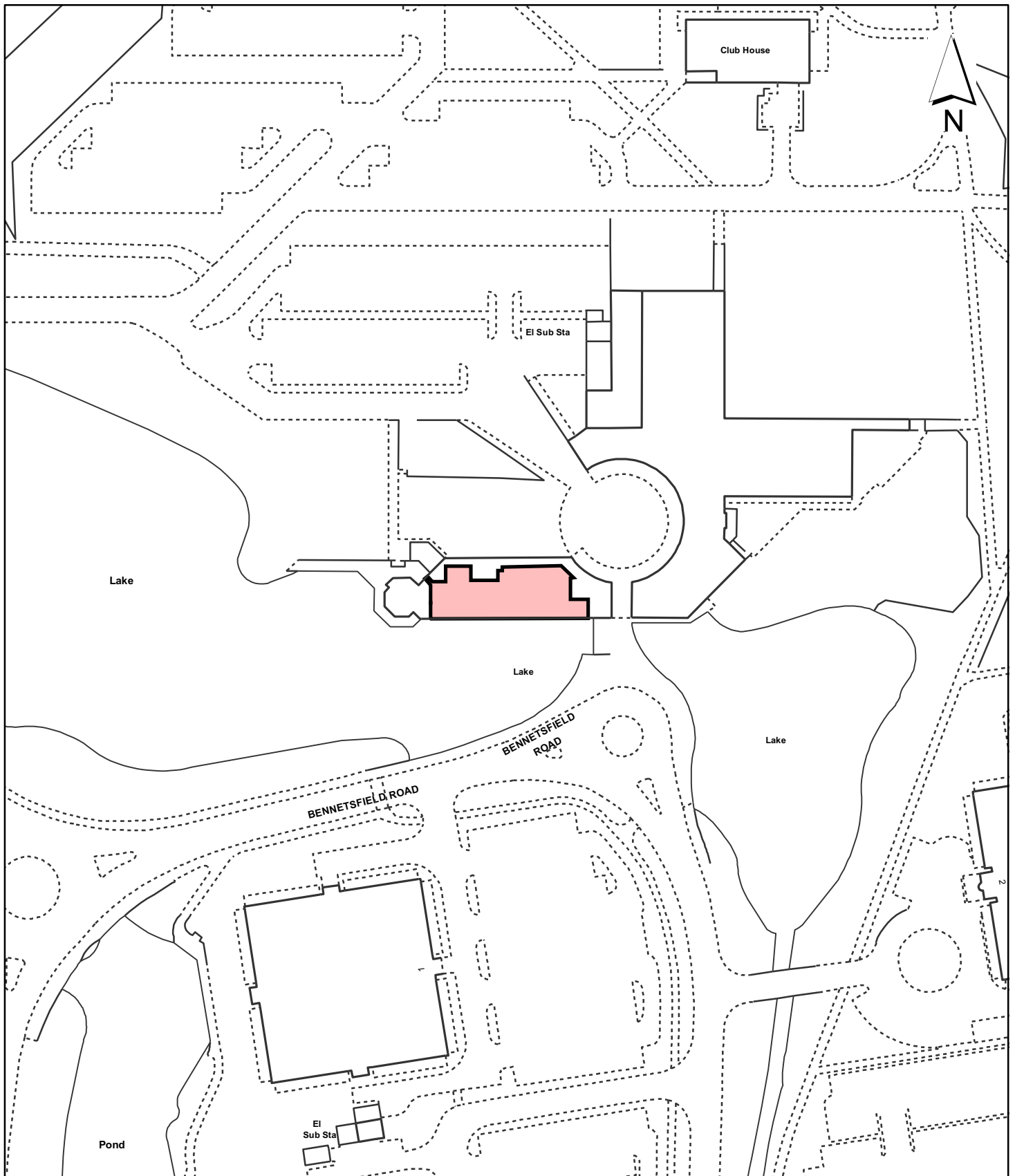
The proposal is considered to comply with relevant UDP and London Plan policies and, accordingly, approval is recommended.



11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (Consolidated with Alterations since 2008)
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Guidance 2: Green Belts
Planning Policy Guidance 13: Transport
Council's Supplementary Planning Document on Accessibility

Contact Officer: Johanna Hart

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2010</p>	<p>Site Address</p> <p>The Arena, Stockley Park Stockley Road West Drayton</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning, Environment & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p>37800/APP/2010/1669</p>	<p>Scale</p> <p>1:1,250</p>	 <p>HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p>Central and South</p>	<p>Date</p> <p>November 2010</p>	