

Report of the Head of Planning & Enforcement Services

Address B & Q WAREHOUSE GLENCOE ROAD HAYES

Development: Creation of a temporary/seasonal display area for horticultural products to front (Retrospective application.)

LBH Ref Nos: 56099/APP/2010/1411

Drawing Nos: Un-numbered scale 1:1250 Location Plan
Design and Access Statement
3813/02
3813/01 Rev A

Date Plans Received: 16/06/2010 **Date(s) of Amendment(s):**

Date Application Valid: 21/06/2010

1. SUMMARY

Planning permission is sought for the retention of an outdoor storage area to stock horticultural goods during the spring and summer months. The location of the storage area is acceptable and does not harm the appearance of the original building, the street scene and surrounding area. There is no impact on highway and pedestrian safety and sufficient car parking spaces are retained.

2. RECOMMENDATION

APPROVAL subject to the following:

1 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).

2 NONSC Non Standard Condition

The storage area hereby approved shall only be used for the stocking of horticultural goods and shall not be used for the placing/stocking of such goods outside the months of March, April, May, June, July and August in each calendar year.

REASON

In accordance with the contents of the application; to maintain the visual amenities of the surrounding area; and to ensure the area does not increase general retail floorspace at the site in accordance with policy BE13 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and PPS4: Planning for Sustainable Economic Growth.

3 NONSC Non Standard Condition

At no time shall stock stored in the storage area hereby approved be stacked or otherwise arranged such that it would be more than 2.0m in height above ground level.

REASON

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

4 NONSC Non Standard Condition

The external storage area hereby permitted shown on drawing number 3813/02 shall not be used for loading/unloading, restocking or movement of products other than between the hours of 07.00 - 21.00 Monday to Friday, 08.00 - 21.00 on Saturdays and 10.00 to 16.00 Sundays & Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

5 NONSC Non Standard Condition

No part of the storage area, including any part of the fencing or display goods, shall be located outside of the red site boundary on drawing 3813/02 and shall not encroach on vehicle access ways.

REASON

In the interests of highway and pedestrian safety and in order to ensure that the proposal is not detrimental to the visual appearance of the area in accordance with Policies BE13 and AM7 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.

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
AM7	Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.
CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

3. CONSIDERATIONS

3.1 Site and Locality

This application relates to the garden centre of the B&Q warehouse store located on the south west side of Glencoe Road. The garden centre is located on the northern side of the B&Q store to the east of the service area. To the north west is Clayton Terrace, a terrace of residential properties. The surrounding area comprises a mix of commercial retail warehouses and residential properties, and the application site lies within the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

Planning permission is sought for the retention of a seasonal display area measuring 230sq.m for horticultural products immediately in front of the garden centre, adjacent to the main retail building, resulting in the loss of 14 car parking spaces. The area is enclosed by heras fencing, some 1.8m high.

The applicant has advised that this area is required to provide additional space during the spring and summer months to meet the seasonal increase in demand for horticultural products.

3.3 Relevant Planning History

56099/ADV/2001/41 B & Q Warehouse Glencoe Road Hayes
 INSTALLATION OF FIVE NON-ILLUMINATED EXTERNAL BANNER SIGNS

Decision: 30-10-2001 Approved

56099/APP/2001/554 B & Q Warehouse Glencoe Road Hayes
 USE OF PART OF THE REAR YARD FOR PERMANENT STORAGE OF GOODS AND MATERIALS (RETROSPECTIVE APPLICATION)

Decision: 11-09-2001 Refused

56099/APP/2001/955 B & Q Warehouse Glencoe Road Hayes
 VARIATION OF CONDITION 15 (TO ALLOW EXTENSION OF HOURS OF OPENING ON MONDAYS TO SATURDAYS FROM 0800 HOURS TO 0700 HOURS) OF OUTLINE PLANNING PERMISSION REF.198CJ/93/2013 DATED 10/07/97; REDEVELOPMENT FOR RESIDENTIAL AND RETAIL USES

Decision: 26-09-2001 Refused **Appeal:** 15-02-2002 Allowed

56099/APP/2002/430 B & Q Warehouse Glencoe Road Hayes
 VARIATION OF CONDITION 15 (TO ALLOW STORE TO TRADE TO 22.00 HOURS MONDAY

TO SATURDAY INCLUSIVE) OF OUTLINE PLANNING PERMISSION REF.198CJ/93/2013
DATED 10/07/97; REDEVELOPMENT FOR RESIDENTIAL AND RETAIL USES

Decision: 11-07-2002 Approved

56099/APP/2010/1409 B & Q Warehouse Glencoe Road Hayes

Creation of a external storage area adjacent to Trade entrance (Retrospective application.)

Decision:

Comment on Relevant Planning History

Planning permission was granted for the B&Q store (as part of a comprehensive retail and residential development) in July 1997 (ref 198CJ/93/2013). Condition 25 of that permission prevents the storage of goods associated with the retail use outside the retail building. The reason for the condition was in the interest of residential and visual amenity.

Planning permission (ref: 56099/APP/2009/1743) for use of part of the rear yard for storage was approved in October 2009.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

22 adjoining owner/occupiers have been consulted. No comments have been received.

Councillor Allam: Requests that this application is determined by the planning committee.

Internal Consultees

Highway Engineer:

The red line encroaches over the car park access road. As long as the horticulture displays do not reduce the width of the carriageway no objections would be raised on highway grounds.

Environmental protection Unit: No objections.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of the use of the site for a B&Q warehouse was established under planning permission 198CJ/93/2013 in 1997, the proposal would not significantly increase the area available for the display or retailing of goods on site.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is not applicable to this application.

7.04 Airport safeguarding

This is not applicable to this application.

7.05 Impact on the green belt

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

The storage area and associated fencing are located at the northern end of the warehouse site and do not have an adverse impact on the appearance of the building. The stock is stored at a low level and therefore, it is not conspicuous when seen in the context of the building/fencing behind. It is therefore considered that the proposal does not harm the appearance of the street scene when viewed from Glencoe Road.

Subject to a condition limiting the stacking height of the goods, the proposal complies with policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

The outside storage area is some 70m south of the residential properties in Clayton Terrace. This distance is sufficient to ensure that the outdoor use of this area does not result in a material increase in noise and disturbance over and above the everyday use of the store by employees and customers.

The proposal complies with policy OE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's parking standards for retail warehouses is 1 space per 50sq.m.

There are some 578-car parking spaces serving B&Q and Comet stores. Both stores have a combined floorspace of 11,405sq.m and this equates to approximately 1 space per 20sq.m. It is therefore considered that even with the loss of the 14 car parking spaces, there are sufficient car parking spaces to cater for visitor demand for both stores.

Therefore, the proposal does not result in an increase in on street demand for car parking, in accordance with policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

The footpath outside of the garden centre has also been lost as a result of the storage area. However, it is proposed to place a 1.2m wide pedestrian priority route, comprising yellow thermoplastic painted hatching, immediately in front of the storage area, on the access road. This is considered to be acceptable in highway terms and would not result in a pedestrian/vehicular conflict.

7.11 Urban design, access and security

Issues of appearance and access are addressed elsewhere within this report.

It is considered that the proposal would be acceptable in terms of security.

7.12 Disabled access

Access to the display area is level and no disabled parking spaces would be lost as a result of the proposal. As such no objection is raised in terms of disabled access.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, landscaping and Ecology

This is not applicable to this application.

7.15 Sustainable waste management

No change is proposed to the existing refuse and recycling storage and collection arrangements which would remain adequate. The proposal would not impact upon existing refuse facilities and arrangements.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

It is not considered that the scheme would result in any detrimental impacts in terms of noise or air quality.

7.19 Comments on Public Consultations

There are no third party comments.

7.20 Planning obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

10. CONCLUSION

The storage area does not harm the appearance of the building, the street scene and the surrounding area and does not harm highway and pedestrian safety. The proposal complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and therefore, this application is recommended for approval.

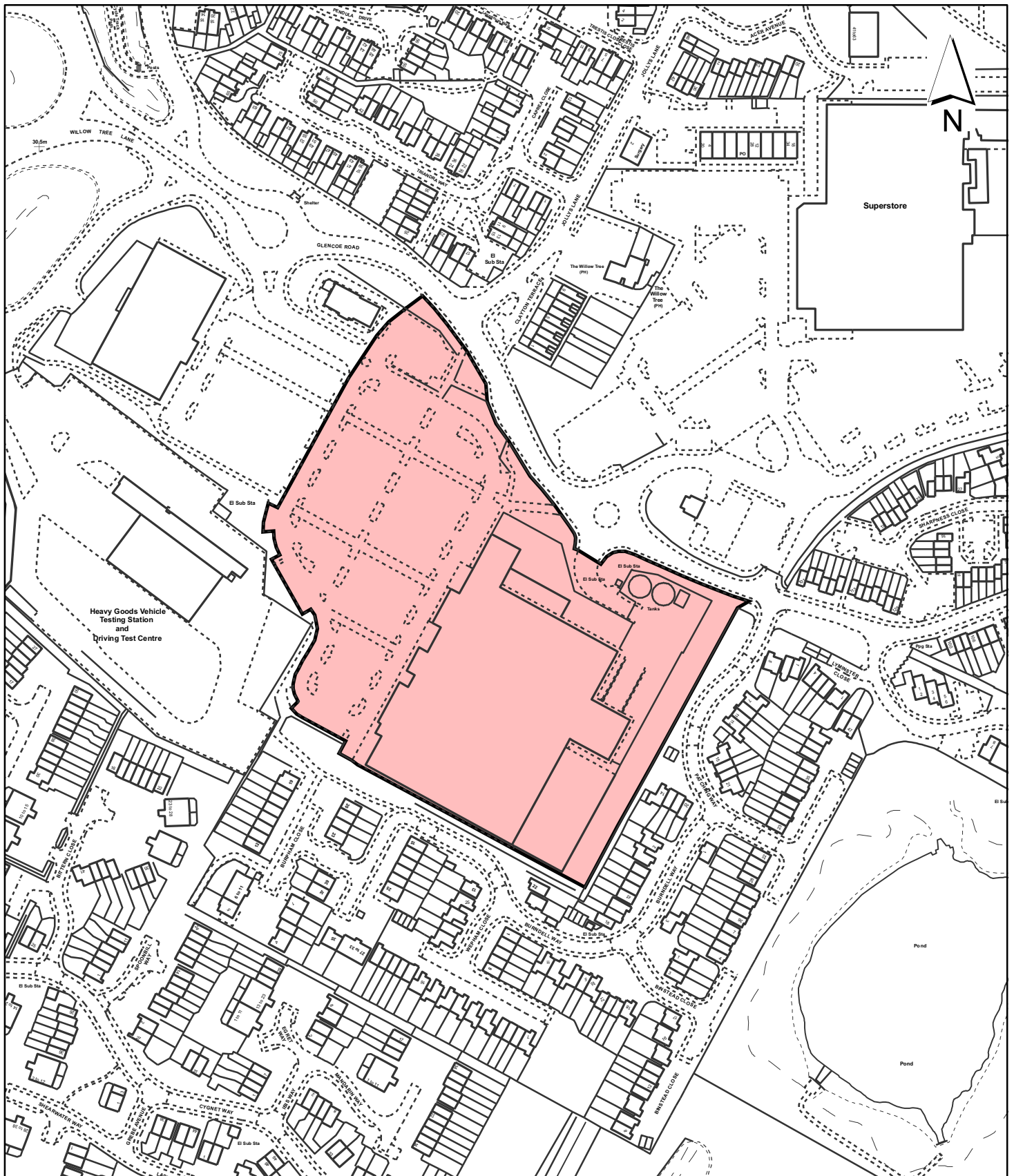
11. Reference Documents

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)


Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

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Notes

 Site boundary

For identification purposes only.

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Site Address	
B&Q Warehouse Glencoe Road Yeading	
Planning Application Ref:	Scale
56099/APP/2010/1411	1:2,500
Planning Committee	Date
Central and South	November 2010

**LONDON BOROUGH
OF HILLINGDON**

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