

Report of the Head of Planning & Enforcement Services

Address TESCO STORES LTD GLENCOE ROAD HAYES

Development: Rear extension to bulk storage area.

LBH Ref Nos: 36999/APP/2010/2512

Drawing Nos: 3470 PL (20) 200 - Proposed Ground Floor and Mezzanine Plan Design and Access Statement
3470 PL (90) 100 - Existing Site Plan
3470 PL (20) 102 - Existing Roof Plan
3470 PL (20) 204 - Proposed Elevations
3470 PL (20) 100 - Existing Ground Floor and Mezzanine Plan
3470 PL (20) 102 - Proposed Roof Plan
3470 PL (90) 200 - Proposed Site Plan
3470 PL (20) 104 - Existing Elevations
3470 PL (90) 001 - Location Plan
3470 PL (20) 200 - Proposed Floor Plans Rev B
3470 PL (20) 201- Proposed Ground Floor and Mezzanine Plan - coloured layout

Date Plans Received: 27/10/2010 **Date(s) of Amendment(s):**

Date Application Valid: 27/10/2010

1. SUMMARY

Planning permission is sought for the erection of a rear extension to the existing bulk storage facility of the existing superstore. Due to its proximity, it would be difficult to see from the wider street scene, although the development would be visible from within the car park and first floor windows of adjacent properties.

The site is located within the Willow Tree Lane Local Centre as identified in the Hillingdon Unitary Development Plan (Saved Policies September 2007). The proposed extension is considered to be in-keeping with the architectural style of this building and result in a well integrated addition to the site, thereby not resulting in visual harm.

Whilst it is noted, initially there may be an increase in deliveries to the site (while the new bulk storage area is stocked), as the retail floor area is not to be increased, it is considered the deliveries will resume back to the existing levels. 19 parking spaces would be lost to the proposal, however, these would be to the rear of the site mainly used by staff and the loss of these spaces is not considered to result in a material decrease in on-site parking provision, with adequate provision remaining, therefore no objection would be raised on existing highway safety or parking grounds.

With regard to noise and disturbance, after the initial period of additional deliveries to the site, it is expected these would return to the existing site circumstances. It has been confirmed that the operations relating to the deliveries/unloading of stock will remain as existing, with deliveries continuing to use the existing internal service corridor at the back of the store. As such, the application is not considered to have a detrimental impact on the amenities of neighbouring properties.

The application is recommended for APPROVAL subject to appropriate conditions.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4 NONSC Retail sales floor area

The retail sales floor area as shown on drawing 3470 PL (20) 201 and entitled 'Proposed Ground Floor and Mezzanine Plan - coloured layout' received by the Local Planning Authority on the 5th January 2011, shall not be increased without further written consent of the Local Planning Authority.

REASON

To safeguard the amenities of the neighbourhood and the neighbouring properties in compliance with policies BE19, OE1, OE3 and AM7 of the Hillingdon Unitary Development Policy (Saved Policies September 2007).

5 HLC3 Mean of escape doors

The proposed 'means of escape doors' (one double set and one single door) provided for the new bulk storage area hereby approved shall only be used in the event of an emergency and as such shall be alarmed and fitted with a break glass bolt or other device for as long as the development remains in existence. Full details of these doors shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

REASON

To ensure that the amenity of the occupiers of adjoining or nearby properties is not

adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NONSC Goods moved via the internal route

The goods delivered to the store and to be stored within the new bulk storage area hereby approved shall only be moved to this area via the internal route shown on drawing 3470 PL (20) 201 and 3470 PL (20) 200 Rev B as indicated by arrow, received by the Local Planning Authority on the 5th January 2011, shall not be moved externally without further written consent of the Local Planning Authority.

REASON

To safeguard the amenities of the neighbourhood and the neighbouring properties in compliance with policies BE19, OE1, OE3 and AM7 of the Hillingdon Unitary Development Policy (Saved Policies September 2007).

7 NONSC Hours of operation

The new bulk store extension area hereby approved shall not be operated outside the store's existing trading hours of 0800 hours to 2100 hours Mondays to Saturdays, 1000 hours to 1600 hours on Sundays and Bank Holidays, and not at all on Christmas day. No deliveries shall take place on Sundays or Bank/Public Holidays. No forklift trucks are permitted at any time in this area.

REASON

To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

8 NONSC Construction environmental management plan

Development shall not begin until, a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of any demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work (particular attention should be given to the informative), noise and vibration impact, air quality, waste management, use of plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to the local residents and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to construction phases. All construction and enabling works at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

REASON

To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

9 NONSC Landfill gas protection

The details of suitable landfill gas protection measures for the extension shall be submitted to and agreed with the LPA. The agreed measures shall be implemented at the new extension to the satisfaction of the LPA.

REASON

The supermarket is near to a landfill site and was built on land reclaimed from a landfill site. Following investigations of the soil below the supermarket, gas protection measures were installed in 1991 on the new Tesco Store. Therefore for consistency and as a precaution gas protection measures should also be applied to the new extension. Advice on this condition can be obtained from the Environmental Protection Unit on 01895 277440.

10 TL1 Existing Trees - Survey

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

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

REASON

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

11 TL2 Trees to be retained

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

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

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

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary

Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

12 TL3 Protection of trees during site clearance and development

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

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

REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

13 TL21 Tree Protection, Building & Demolition Method Statement

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 NONSC BREEAM

Prior to commencement of development, a statement demonstrating that the proposed extension will achieve a BREEAM rating of excellent shall be submitted for approval in writing by the Local Planning Authority.

Thereafter and prior to occupation of the extension, the scheme shall be completed in strict accordance with the relevant approved details and be thereafter maintained for the life of the development.

REASON

To ensure that the development is designed to incorporate energy efficiency and sustainability principles in compliance with the requirements of Policy 4A.7 of the London Plan (February 2008).

15 H1 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines and loading areas must be permanently retained and used for no other purpose at any time.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

16 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).

17 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.

18 NONSC Sale of food

A minimum of 1,800 square metres of the net sale area within the superstore shall be devoted to the sale of food for so long as the development hereby permitted remains in use.

REASON

To enable the Local Planning Authority to retain adequate control over the proposed use in accordance with guidance within Planning Policy Statement 4: Planning for Sustainable Economic Growth, and policies 3D.1 and 3D.3 of the London Plan (2008).

19 NONSC Restriction on opening hours

The food superstore shall not open for the sale of goods on Christmas Day, before 0800 hours and after 2100 on Mondays to Saturdays, and before 1000 hours and after 1600 hours on Sundays and bank holidays.

REASON

In the interests of residential amenity in accordance with policies BE19, OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

20 NONSC Access to car park

On Sundays and bank holidays access to the customer car park shall be taken from the internal circulation roundabout only and the service barriers on the service road shall be kept closed.

REASON

In the interests of residential amenity in accordance with policies BE19, OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

21 NONSC Service deliveries

On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries.

REASON

In the interests of residential amenity in accordance with policies BE19, OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

22 NONSC Use of machines on Sundays & Bank Holidays

On Sundays and bank holidays the machines used for cleaning the car park and collecting trolleys shall not be used outside the buildings.

REASON

In the interests of residential amenity in accordance with policies BE19, OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 NONSC Compliance with original conditions

This permission does not override any of the original conditions attached to the existing building (planning permission ref: 36999E/89/1214 and appeal ref: T/APP/R5510/A/94/236865/P2) or its use and, as such, unless otherwise agreed in writing by the Local Planning Authority, all conditions still apply.

REASON

To ensure an appropriate form of development is provided and to safeguard the amenities of neighbouring properties and the surrounding area in compliance with policies BE13, BE15, BE19, BE20, BE21, BE24, OE1, OE3 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 152 Compulsory Informative (1)

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

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

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|----------|--|
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |
| OE5 | Siting of noise-sensitive developments |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM8 | Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes |
| AM11 | Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services |
| AM14 | New development and car parking standards. |
| LPP 3D.3 | London Plan Policy 3D.3 - Maintaining and Improving Retail Facilities. |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |

3 11 Building to Approved Drawing

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

4 12 Encroachment

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

5 **13** **Building Regulations - Demolition and Building Works**

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

6 **16** **Property Rights/Rights of Light**

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

7 **134** **Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from

www.drc-gb.org.

· Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

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

8

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use 'best practicable means' as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Glencoe Road, Yeading, and falls within the Willow Tree Lane Local Centre as designated by the Unitary Development Plan (UDP) (Saved Policies September 2007). The site is occupied by a part one, part two storey Tesco superstore located in the north-east portion of the site, and a complementary petrol filling station, which is located in the southern corner of the site. An internal service road runs along the sites eastern and southern boundaries. The remainder of the site is occupied by a 600-space car park for customer use.

The surrounding area is predominantly residential, characterised by terraced houses.

There are 8 retail units with flats above (4-34 Jollys Lane) located immediately to the north of the application site. A number of gardens directly abut the site boundaries. Previously, the Willow Tree public house abutted part of the site's western boundary, but this has now been demolished and the site is currently undeveloped. A heavy vehicle testing station and a B&Q superstore are located to the south of Glencoe Road.

3.2 Proposed Scheme

The application seeks consent for an extension to the rear of the existing bulk storage area, to provide a larger bulk storage area for the store.

The extension would be sited to the rear of the building and would be 26.8m wide by 17.7m deep, and 6.6m high, finished with a flat roof, tying in with the existing roof in this position.

19 car parking spaces would be lost by the proposal.

The agent has provided the following clarification -

- The additional area is required as currently, there is no definitive split between non food storage and food storage within the existing bulk store facility. The area of bulk storage towards the rear right hand side of the store is used as a non food storage warehouse. But due to the shortage of storage space within this area and the need for secure areas of storage currently located elsewhere within the store, this makes the operation of the bulk store and the merchandising of the sales floor area more difficult. By having a specific non food bulk store on the right hand side of the store the sales floor can be merchandised more effectively and with the minimal amount of disruption to the customer and would enable Tesco to reorganize their existing bulk store warehouse areas and operations. The new storage area will be served via the existing service corridor at the back of the store and this will alleviate the need for items within the secure areas being transported from one side of the store to the other.

- The existing bulk store is serviced via the service corridor along the back of the store. It is the intention to utilise this same service corridor to stock the new bulk store area. There will be openings within the existing bulk store wall to access this new area. Enabling total flexibility and use of both these areas.

- Currently, all racking within secure non food storage areas are either 2.5m or 3.5m high. It is proposed that the same size racking be used within the new bulk store area. Therefore, there is no need for the use of forklifts within this area

- There will be openings within the existing bulk store wall to access the new bulk store area. This would enable Tesco to reorganize all their existing bulk storage warehouse areas and operations. The existing bulk store will form part of the new storage area. It is not the intention to use these areas other than for storage.

- Due to the additional area of bulk storage there could initially be an increase in deliveries. But, once the operational procedures of this area are resolved, together with a more efficient merchandising of stock to the sales floor then this initial increase should resolve itself back to current numbers. Any increase in turnover following the reorganisation of this area would be dependent upon the efficiency and demand of the merchandising. This will not be known until the bulk store is in operation.

- The proposed hours of operation for this new bulk storage area would be exactly the same as the existing stores operating hours.

- The relationship between the new bulk store operation and the existing delivery area will not change. All deliveries will continue to use the existing facility with the trucking route unchanged. This being along the service corridor at the back of the store.

- The area of staff car parking around the new storage area that has been reconfigured at a loss of 19no spaces. Currently, these spaces cannot be relocated around the site

without looking at significant car park alterations. Information received from Tesco is that there is an excess of car parking of some 40no spaces.

3.3 Relevant Planning History

36999/A/85/2071 Tesco Superstore & Petrol Station Glencoe Road Hayes
Mixed dev. on 47.5000 hectares (outline)(P)

Decision: 09-06-1986 Approved

36999/ADV/2008/50 Tesco Store Glencoe Road Hayes
INSTALLATION OF VARIOUS INTERNALLY, EXTERNALLY AND NON-ILLUMINATED
FASCIA, FREE-STANDING AND WINDOW SIGNS (PART RETROSPECTIVE APPLICATION).

Decision: 04-06-2008 SD

36999/ADV/2010/71 Tesco Store Glencoe Road Hayes
Installation of 8 x non-illuminated fascia signs, 2 x internally illuminated fascia signs, 1 x
externally illuminated fascia sign, 12 x non-illuminated flag pole signs, 4 x non-illuminated free
standing directional signs, 5 x internally illuminated free standing signs and 4 x non-illuminated
free standing signs (Retrospective Application)

Decision:

36999/AE/96/1310 Tesco Store Glencoe Road Hayes
Alterations to site layout to provide new delivery route, erection of twelve trolley bay shelters

Decision: 20-11-1996 Approved

36999/APP/2001/1147 Tesco Superstore & Petrol Station Glencoe Road Hayes
ERECTION OF AN EXTENSION TO THE SALE AND STORAGE AREAS

Decision: 14-12-2001 Approved

36999/APP/2001/814 Tesco Store Glencoe Road Hayes
INSTALLATION OF A CASH DISPENSING MACHINE

Decision: 09-05-2001 Approved

36999/APP/2002/2613 Tesco Superstore, Glencoe Road Hayes
ALTERATIONS AND ADDITIONS TO PLANNING PERMISSION REF.36999/APP/2001/1147
DATED 14/12/2001 INCORPORATING CHANGES TO THE BULK STORE AND CAGE
MARSHALLING AREAS, CAR PARK AND EXTERNAL ELEVATIONS

Decision: 09-07-2003 Approved

36999/APP/2004/2154 Tesco Superstore Glencoe Road Hayes

ERECTION OF A CANOPY AND INSTALLATION OF TWO ROLLER SHUTTERS TO PROVIDE A HOME DELIVERY SERVICE

Decision: 31-03-2005 Approved

36999/APP/2006/659 Tesco Superstore Glencoe Road Hayes

VARIATION OF CONDITION 1 (TO ALLOW THE FOODSTORE AND ASSOCIATED FILLING STATION TO TRADE 24 HOURS, 7 DAYS A WEEK SUBJECT TO SUNDAY TRADING RESTRICTIONS ON THE FOODSTORE) OF PLANNING APPEAL REF.T/APP/R5510/A/94/236865/P2 DATED 10/01/1995 (PLANNING APPLICATION REF.36999/T/93/878).

Decision: 12-07-2006 Refused

36999/APP/2007/2494 Tesco Store Glencoe Road Hayes

REPLACEMENT OF EXISTING RECYCLING UNITS WITH A SINGLE TOMRA RECYCLING UNIT TOGETHER WITH ASSOCIATED ENABLING WORKS

Decision: 22-05-2008 Approved

36999/APP/2007/803 Tesco Store Glencoe Road Hayes

VARIATION OF CONDITION 1 (TO EXTEND TRADING HOURS OF THE TESCO STORE AND PETROL FILLING STATION FROM 0800 - 21:00 HOURS BY 1:45 HOURS TO 0800 - 22:45 HOURS MONDAY TO SATURDAY EXCEPTING BANK HOLIDAYS) OF APPEAL DECISION REFERENCE: T/APP/R5510/A/94/230865/P2 DATED 10 JANUARY 1995. (PLANNING APPLICATION REF: 36999T/93/878 DATED MARCH 1994)

Decision: 11-01-2008 Refused **Appeal:** 12-09-2008 Dismissed

36999/APP/2007/829 Tesco Store Glencoe Road Hayes

INSTALLATION OF EXTERNAL ATM AND ANTI-RAM RAID BOLLARDS.

Decision: 27-02-2008 Refused

36999/APP/2008/1173 Tesco Store Glencoe Road Hayes

CONSTRUCTION OF GLAZED LOBBY TO MAIN ENTRANCE AND ERECTION OF A SINGLE STOREY FRONT ADDITION UNDER EXISTING CANOPY ADJACENT TO THE CAFE AREA.

Decision: 03-06-2008 Approved

36999/APP/2008/1458 Tesco Store Glencoe Road Hayes

VARIOUS CHANGES TO CAR PARK TO INCLUDE THE RELOCATION OF RECYCLING FACILITIES, INCREASE OF RADII ON THE END OF AISLES AND INTRODUCTION OF SPEED REDUCTION ROUNDALS

Decision: 28-08-2008 Refused

36999/APP/2009/1959 Tesco Store Glencoe Road Hayes

Installation of new doors to existing entrance lobby.

Decision: 13-11-2009 Approved

36999/APP/2009/2371 Tesco Stores Ltd Glencoe Road Hayes

Installation of a combined cooling, heating and power (C/CHP) unit and relocation of existing generator, compactor and container.

Decision: 22-12-2009 Approved

36999/APP/2010/1361 Tesco Store Glencoe Road Hayes

Variation of condition 1 (hours of opening) of the Secretary of State's Appeal Decision ref: T/APP/R5510/A/94/236865/P2 (LBH ref: 36999/T/93/0878) dated 10/01/1995, to extend the opening hours of the food superstore from 07.00 hours to 22.30 hours on Mondays to Saturdays.

Decision: 15-09-2010 Refused

36999/APP/2010/2526 Tesco Stores Ltd Glencoe Road Hayes

Installation of new external car park lighting (Retrospective application.)

Decision: 30-12-2010 Approved

36999/APP/2010/2527 Tesco Stores Ltd Glencoe Road Hayes

Installation of replacement covered trolley bays within car park (Retrospective application.)

Decision: 30-12-2010 Approved

36999/B/87/1204 Willow Tree Lane, Jollys Lane & Glencoe Road Hayes

App of reserved matters pursuant to Outline P/P ref:36999A/85/2071 dated 9.6.86

Decision: 09-08-1990 Withdrawn

36999/C/87/1732 Tesco Superstore & Petrol Station Glencoe Road Hayes

Erection of retail superstore, ancillary carparking & petrol filling station

Decision: 15-06-1990 Withdrawn

36999/D/87/1936 Tesco Superstore & Petrol Station Glencoe Road Hayes

Erection of a retail superstore, ancillary car park, & petrol filling station (outline)

Decision: 03-07-1990 Withdrawn

36999/E/89/1214 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Erection of retail store, 12 shop units, with residential accommodation over, surgery, public house/restaurant, public conveniences, petrol filling station, community facilities, car parking and landscaping

Decision: 01-05-1990 Approved

36999/F/90/1427 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Erection of district shopping centre incorporating 993 sq metres retail shops, 500 sq metres financial and professional services, public house, cafeteria/restaurant, 2500 sq metres craft studio/ workshop/retail/offices, 2000 sq metres offices with associated car parking and landscaping

Decision: 02-11-1990 NFA

36999/G/90/1842 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Erection of a district shopping centre incorporating 993m2 retail shops, 500m2 financial and professional services, doctors surgery, public house/wine bar, cafe/restaurant, 2506m2 craft studios/workshops/retail/offices, 2011m2 offices, community centre plus associated car parking and landscaping

Decision: 08-12-1992 Approved

36999/J/91/1379 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Reserved matters (details of siting, design, external appearance, landscaping and means of access) in compliance with condition 1 and details in compliance with condition 6 (finished levels), condition 7 (access to buildings) and condition 11 (disposal of surface water and drainage) of outline planning permission ref. 36999E/89/1214 dated 1.5.90; Erection of retail store, 12 shop units with residential accommodation over, surgery, public house/restaurant, public conveniences, petrol filling station, community facilities, car parking and landscaping

Decision: 13-12-1991 Approved

36999/M/91/1868 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Details of traffic arrangements, materials, landscaping, means of enclosure, finished levels, disabled access and site survey for contamination levels in compliance with conditions 2,3,4,5,6,7 and 14 of outline planning permission ref. 36999E/ 89/1214 dated 1.5.90; Erection of a district shopping centre

Decision: 09-12-1992 Approved

36999/N/91/3620 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Installation of free standing 'V' sign

Decision: 31-01-1992 ALT

36999/P/92/0596 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Variation of condition 12 of planning permission ref:36999E/89/1214 to allow opening of the

store on Sundays between 10.00am and 6.00pm

Decision: 12-06-1992 Refused

36999/R/92/0748 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Amended design of superstore approved under planning permission ref. 36999J/91/1379 dated 13.12.91 to include extension to the store and enclosure of the loading dock

Decision: 06-07-1992 Approved

36999/T/93/0878 Tesco Superstore & Petrol Station Glencoe Road Hayes

Variation of condition 12 of planning permission ref. 36999E/89/1214 dated 1.5.90 to allow trading on Sundays between 1000 and 1800 hours

Decision: 08-03-1994 Refused **Appeal:** 10-01-1995 Allowed

36999/W/93/1785 East Of Jollys Lane Hayes

Erection of a two storey block comprising 8 x 1-bed flats above 4 retail (A1) units, two office (A2) units and two takeaway (A3) units, plus associated parking and landscaping and erection of a separate doctor's surgery

Decision: 01-06-1994 Approved

36999/X/93/1951 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Variation of condition 1 of planning permission reference 36999E/89/1214 dated 11.5.90 for mixed development to allow a further two years for submission of details of reserved matters in respect of the District Centre

Decision: 06-04-1994 Approved

Comment on Relevant Planning History

None which specifically relates to this application

4. Planning Policies and Standards

The following Planning Policy Guidance Notes are applicable to the application.

Planning Policy Guidance 24 - Planning and Noise

Planning Policy Statement 4: Planning for Sustainable Economic Growth

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.

| | |
|----------|--|
| BE15 | Alterations and extensions to existing buildings |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |
| OE5 | Siting of noise-sensitive developments |
| OE11 | Development involving hazardous substances and contaminated land - requirement for ameliorative measures |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM8 | Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes |
| AM11 | Improvement in facilities and promotion of safety and security at bus and rail interchanges; use of planning agreements to secure improvement in public transport services |
| AM14 | New development and car parking standards. |
| LPP 3D.3 | London Plan Policy 3D.3 - Maintaining and Improving Retail Facilities. |
| LPP 4A.3 | London Plan Policy 4A.3 - Sustainable Design and Construction. |

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- **30th November 2010**
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Cllr Allam requested that the application be presented to the Central and South Planning Committee

5 Site Notices were displayed around the site, 1 on Jollys Lane, 2 on the Glencoe Road, 1 at the junction which joins Glencoe Road to the entrance of Kennet Drive/Sharpness Close and Telford Way, and 1 opposite the junction of Telford Way and Marsworth Close.

45 neighbours and interested parties have been consulted and two letters of representation have been received which make the following comments -

1. The rear extension will be close to the back of my house. My bedroom and living room face the service road which provides access to delivery lorries loading bays. The increased storage area will have more impact us - more lorry noise, more re Fridgeration noise, deliveries through the night, and more pollution.
2. If they need more storage perhaps they should look elsewhere, where there is enough land for their requirements
3. I have not received a letter informing me of this application.
4. Having looked at the paperwork I have concerns regarding the operation of this storage area. The loading bay and store are not directly connected, so how can goods get from one to another.
5. I am concerned too many car parking spaces are being lost, these are mainly used by staff and official visitors. Where will these be integrated when the store already suffers from parking and

traffic issues at the weekends.

6. The storage is clearly for operational purposes, but the store although recently showed more retail floor space after removing an internal wall.

7. The store does not have extended hours, it is not 24hr operation, would the storage be for fewer deliveries?

8. I am against the application, until I have been fully consulted and we all have our rightful say.

Internal Consultees

Environmental Protection Unit - Further to your memo dated 3rd November 2010 in respect of the above consultation, relating to the introduction of a new bulk store to the right hand side of the store. My comments are highlighted below.

The proposal seeks that the extension to provide addition to the existing bulk storage area, which will be operational within the existing store operation hours and used for storage only to be operational within the existing trading hours and no use of noise equipment such forklift will be used given the size of the raking.

The design and access statement accompanied with supporting email sent from hln architects clarifies the position, stating that existing operations will not be intensified by the proposed new bulk store, which may result in increased deliveries to the site. This information suggests that there will not be significant increases in capacity of the store or increased traffic generation other than during the construction phases. In view of this, any EPU objection on noise grounds cannot be justified at the present stage unless refusal is recommended on other overriding planning issues. However, prior to any approval granted, the following condition is recommended in light with ongoing complaint of noise emanating from the site premises.

Condition 1

The new bulk store extension area hereby approved shall not be operated outside the store s existing trading hours. No forklift trucks are permitted at any time in this area.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

Condition 2

C5 Construction environmental management plan

Development shall not begin until, a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the Local Planning Authority. The CEMP shall comprise such combination of measures for controlling the effects of any demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, hours of work (particular attention should be given to the informative), noise and vibration impact, air quality, waste management, use of plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction traffic and construction materials deliveries. It will ensure appropriate communication with, the distribution of information to the local residents and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangement should be made for monitoring and responding to complaints relating to construction phases. All construction and enabling works at the development shall be carried out in accordance with the approved CEMP unless otherwise agreed in writing by the LPA.

Reason: To safeguard the amenity of surrounding areas in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

Informative

INF 20 Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in The control of dust and emissions from construction and demolition: best practice guidelines , Greater London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

You are advised to consult the Council's Environmental Protection Unit to seek prior approval under Section 61 of the Control of Pollution Act 1974 if you anticipate any difficulty in carrying out the works other than within the normal working hours set out above, and by means that would minimise disturbance to adjoining premises. For further information and advice, contact the Environmental Protection Unit, 3S/02 Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW (tel. 01895 250155).

I refer to your recent consultation to the EPU regarding the above application. I can provide the comments below and I recommend a condition with regard to the installation of gas protection measures.

The site was originally on part of a wider landfill site and is next to the landfilled park. In the area of the Tesco development the landfill was removed and replaced with a clean clay fill. This work was carried out in the 1980s. Before the store was built in 1991 a landfill gas survey was carried out at the site to assess gas levels in the ground. Gas was found in the clay fill below the Tesco site. Gas protection measures were designed into the Tesco building by the developer and a plan was provided showing the proposed work. The works involved gas venting and a gas membrane. The measures appear to have been installed according to Building Control records.

To ensure a consistent level of gas protection at the building some gas protection measures should be built into the new extension. The developer's consultant would need to assess the risk and design an appropriate level of protection most likely similar to the rest of the store. I would recommend the condition below. Please contact me if you want to discuss this application.

Condition

The details of suitable landfill gas protection measures for the extension shall be submitted to and agreed with the LPA. The agreed measures shall be implemented at the new extension to the satisfaction of the LPA.

Reason

The supermarket is near to a landfill site and was built on land reclaimed from a landfill site. Following investigations of the soil below the supermarket, gas protection measures were installed

in 1991 on the new Tesco Store. Therefore for consistency and as a precaution gas protection measures should also be applied to the new extension. Advice on this condition can be obtained from the Environmental Protection Unit on 01895 277440.

Highway Engineer - The application is acceptable

Trees and Landscape Officer - The site is occupied by a Tesco superstore, within an established landscaped car park. The tree and other planting on the site has been implemented in accordance with planning conditions attached to the original (and subsequent) planning consents for the store. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

The proposal is to build a single-storey rear extension on the north-east corner of the site / south-east elevation of the existing building. The extension will occupy an area currently used for car parking at what is perceived to be the rear of the site, close to the service yard.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- In this case, the proposal has little impact on the current landscape setting with trees to be retained in the nearby car park and on the eastern boundary. There will be little space or opportunity to secure additional tree planting. The boundary screen planting on the east boundary is well-established and

- Operational space for the contractor will be required to build the extension. This needs to be specified in a method statement which should also safeguard and, if necessary, replace trees which may be affected by the work.

RECOMMENDATIONS: No objection in principle subject to conditions TL1, TL2, TL3 and TL21.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application relates to an existing superstore site and it is therefore considered the principle for the use on the site has been established.

Policy BE13 of the Adopted Hillingdon UDP (Saved Policies, September 2007) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene, and BE15 states alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

The proposal relates to the erection of a rear extension to the existing bulk storage facility of the existing superstore. Due to its proximity, only limited vantage would be gained from the wider street scene, although the development would be visible from within the car park and first floor windows of adjacent properties.

The extension is considered inkeeping with the existing building to which it would be applied and would satisfactorily integrate with existing site characteristics. As such, the principle of the development is considered acceptable.

7.02 Density of the proposed development

Not applicable to this application

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

Not applicable to this application

7.04 Airport safeguarding

Not applicable to this application

7.05 Impact on the green belt

Not applicable to this application

7.07 Impact on the character & appearance of the area

The proposal relates to the erection of a rear extension to the existing bulk storage facility of the existing superstore. Due to its proximity, only limited vantage would be gained from the wider street scene, although the development would be visible from within the car park and first floor windows of adjacent properties.

The extension would be finished with a flat roof, matching that of the existing section of building to which it would be applied, thereby resulting in a fully integrated addition. As such, the design of the extension is considered to be appropriate to the building and the site to which they relate, and therefore would not appear as an obtrusive feature or result in a material harm to the character and appearance of the existing site or the wider area. Thereby, complying with policies BE13 and BE15 of the UDP (Saved Policies September 2007).

7.08 Impact on neighbours

With regard to the proposed impact of the proposal in relation to the amenities of any nearby properties. It is considered the main properties to be affected would be those who share their residential boundaries with the internal service road to the site.

The proposed extension would be sited over 13m away from these shared boundaries and therefore it is not considered a material loss of amenity would arise to these adjacent properties by reason of loss of outlook, sunlight or overshadowing. Furthermore, no adverse privacy impacts are anticipated given the distance to the nearest residential property. As such, the proposal is in accordance with Policies BE20, BE21 and BE24 of the UDP (Saved Policies September 2007).

With regard to noise and disturbance, these issues are dealt with below.

7.09 Living conditions for future occupiers

Not applicable to this application

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The site is directly accessible from the Hayes By-pass. The local road layout is such that the majority of vehicles accessing the site come from the Hayes By-pass, without passing through surrounding residential areas.

The proposal would not result in an increase in retail floor space at this site and whilst there would initially be an increase in deliveries to the site (to stock this additional area), then the delivery numbers should resolve themselves back to the existing situation.

The proposal would result in the loss of 19 parking spaces to the rear of the site. This area is mainly used by staff. It is considered adequate provision still remains on the site.

This proposal is not considered to result in a material increase in traffic movement/deliveries to warrant the refusal of planning permission on these grounds alone, as such, it is considered to comply with Policy AM7 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

See above

7.12 Disabled access

The proposed extension to the existing building appears to comply with Part M Building Regulations and therefore would also comply with the intentions of Policy 3A.4 and 3A.5 of the London Plan and the Council's Accessible Hillingdon SPD January 2010. As such it is recommended any approval issued has an informative added reminding the applicant of the need to comply with these regulations.

7.13 Provision of affordable & special needs housing

Not applicable to this application

7.14 Trees, landscaping and Ecology

The Trees and Landscape Officer has commented that the site is within an established landscaped car park. The tree and other planting on the site has been implemented in accordance with planning conditions attached to the original (and subsequent) planning consents for the store. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area. The extension will occupy an area currently used for car parking at what is perceived to be the rear of the site, close to the service yard. Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

In this case, the proposal has little impact on the current landscape setting with trees to be retained in the nearby car park and on the eastern boundary. There will be little space or opportunity to secure additional tree planting. The boundary screen planting on the east boundary is well-established and operational space for the contractor will be required to build the extension. This should be specified in a method statement which should also safeguard and, if necessary, replace trees which may be affected by the work. Therefore subject to appropriate conditions the proposal is considered to comply with Policy BE38 of the UDP (Saved Policies September 2007)

7.15 Sustainable waste management

Not applicable to this application

7.16 Renewable energy / Sustainability

In order to ensure a sustainable form of development is provided, a condition requiring the applicant to achieve a BREEAM rating of excellent is proposed.

7.17 Flooding or Drainage Issues

Not applicable to this application

7.18 Noise or Air Quality Issues

Objectors have also raised concerns regarding noise and disturbance and additional pollution created as a result of the proposal. The site is located within an Air Quality Management Area. The Environmental Protection Officer has stated that there would not be a significant increase in capacity of the store or increased traffic generation, other than in the construction phases, and therefore subject to safeguarding conditions relating to; hours of operation; no forklifts to be used; and the submission of a construction environmental management plan to be submitted to and approved in writing before the development commences, no objection would be raised. It is therefore considered that the proposal would not materially impact on residential amenity and as such, this aspect of the proposal would comply with Policies OE1 and OE3 of the UDP (Saved Policies September 2007).

7.19 Comments on Public Consultations

With regard to points 3 and 8, new letters were sent out to a wider consultation list on the 2nd December 2010, which included this writer's address

Point 6, it is noted an additional 41m² has already been given over to retail sales since the

application for the alterations of the erection of an extension to the sales and bulk storage areas, approved by application 36999/APP/2002/2613 dated 24/10/2002. As such, it is recommended any permission issued has a condition applied relating to the maximum amount of retail floor space allowed.

7.20 Planning obligations

Not applicable to this application

7.21 Expediency of enforcement action

Not applicable to this application

7.22 Other Issues

None

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable to this application

10. CONCLUSION

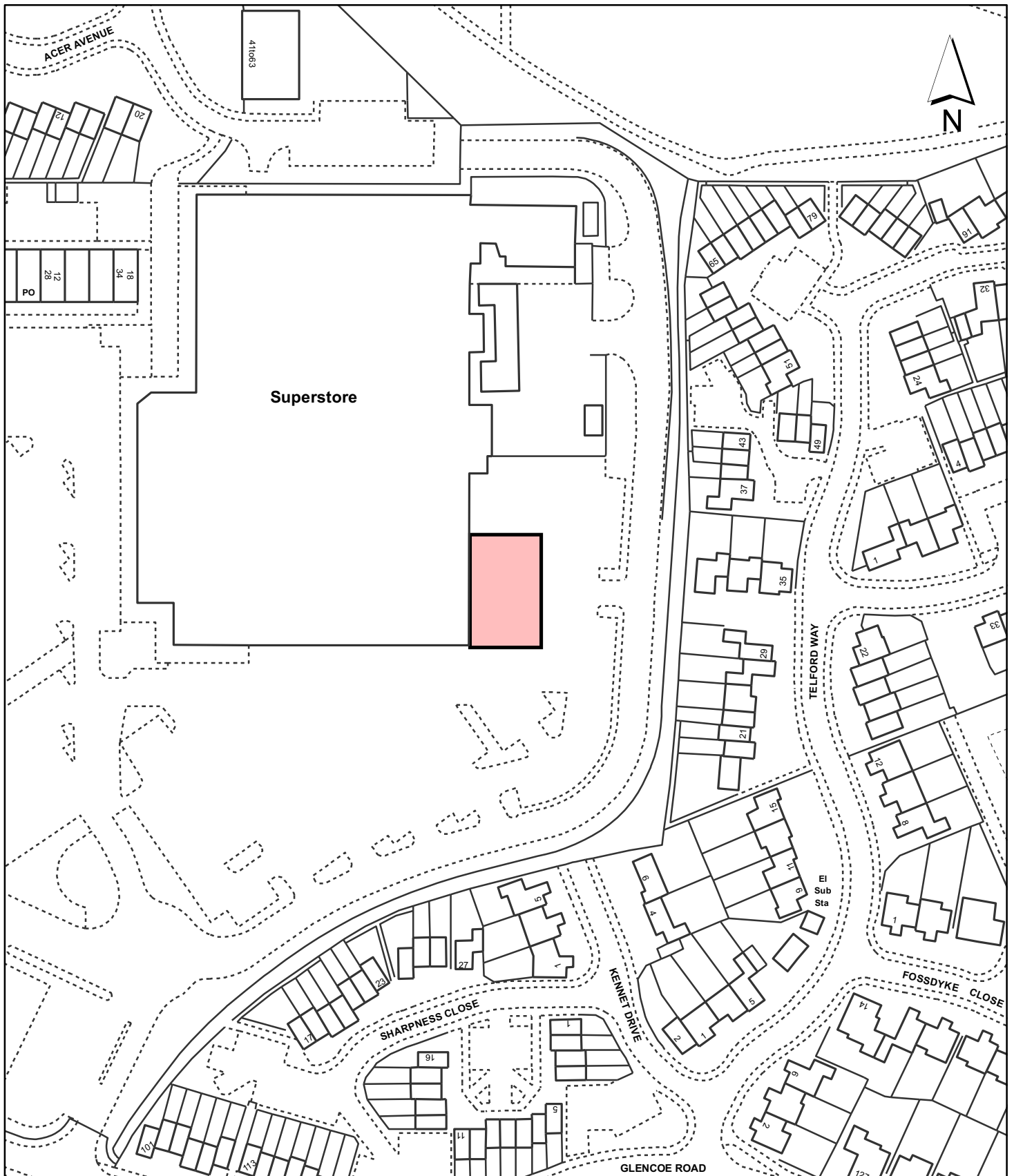
In summary, it is considered the proposal would not result in a material loss of amenity to the surrounding area or neighboring properties, thereby complying with the relevant policies contained in the UDP (Saved Policies September 2007) and the London Plan and as such, the proposal is recommended for Approval subject to suitable safeguarding conditions.

11. Reference Documents

- (a) The Unitary Development Plan (Saved Policies September 2007)
- (b) The London Plan 2008
- (c) Planning Policy Guidance Note No.24 - Planning and Noise
- (d) SPD: Noise
- (e) letters of representation received

Contact Officer: Catherine Hems

Telephone No: 01895 250230



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|---|--|--|--|--|
| <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 2011</p> | <p>Site Address</p> <p>Tesco Stores Ltd. Glencoe Road Yeading</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>36999/APP/2010/2512</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>January 2011</p> | | |