

Report of the Head of Planning & Enforcement Services

Address HAYES GATE HOUSE, 27 UXBRIDGE ROAD HAYES

Development: Application for a new planning permission to replace an extant planning permission in order to extend the time limit for implementation ref: 2385/APP/2005/3477 dated 16/6/2008- Change of use of Hayes gate house from office to hotel and conference facilities, alterations to Hayes Gate House building, erection of a freestanding three storey media centre, ancillary car parking and landscaping.

LBH Ref Nos: 2385/APP/2011/1143

Drawing Nos: 0384/001
0384/100
0384/101
0384/102
0384/103
0384/104
0384/105
0384/106
0384/107
0384/201 Rev C
0384/202 Rev C
0384/203 Rev C
0384/204 Rev D
0384/205 Rev D
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0384/214 Rev C
0384/215 Rev C
0384/200 Rev E

Date Plans Received: 12/05/2011 **Date(s) of Amendment(s):** 23/12/2005

Date Application Valid: 02/06/2011

1. SUMMARY

Planning permission is sought to extend the time frame of a previous permission by up to a further three years. The application proposes full planning permission for the change of use of Hayes Gate House from office to hotel and conference facilities, alterations to Hayes Gate house building, erection of freestanding three storey media centre, ancillary car parking and landscaping.

The previous planning permission was approved 16 June 2008, with a time frame of three years, which expired on 16 June 2011. Although the previous planning permission has now expired the application was submitted as an extension of time to the previous

permission and was submitted prior to the previous permission lapsing.

The previous planning permission is a substantive material consideration for this application, particularly in light of changes to procedures introduced in October 2009 concerning applications to extend planning permissions. A number of policy documents have been adopted or published since determination of the original application including, The London Plan (July 2011), BS 8300:2009 (2009) and the Accessible Hillingdon SPD (January 2010). Consideration of these documents is therefore necessary in relation to the current application for an extension of time.

All details are identical to those previously approved except for an increase in the number of accessible bedrooms and an increase of two additional disabled parking spaces and energy efficiency measures.

The development would comply with the Council's car parking standards and would not result in significant noise and disturbance from the manoeuvring and parking of vehicles. The siting of the development and the positioning of the windows would maintain the privacy of the adjoining residential properties. The design and appearance of the building would be in keeping with the appearance of the surrounding area.

All details are identical to those previously approved. Changes to London Plan policy require that a 20% saving from decentralised and renewable or low-carbon sources be applied to the development. A condition is recommended requiring details of sustainability measures to be incorporated into the development in order to comply with this requirement.

The proposal complies with current London Plan and UDP Policies. Accordingly, approval is recommended.

2. RECOMMENDATION

a) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:

i) A contribution of £5,000 towards improvements to the cycle network in the vicinity of the site.

ii) A contribution of £7,500 towards construction training and recruitment measures.

iii) A contribution of £17,333 towards hotel/leisure industry training and recruitment measures.

iv) Project Management and Monitoring fee at 5%

v) The provision of off-site highway works as shown on drawing no. 00901/A/3 Rev A contained in the Transport Statement accompanying the application.

vi) A Green Travel Plan, with particular emphasis on ensuring coach travel facilities are available for guests using Heathrow Airport.

vii) A scheme to ensure, that in the event of the development resulting in additional parking occurring in residential areas to the north of the application site, on the opposite side of Uxbridge Road, that the applicant will make available resources to address the parking problems created, by the use of residents only parking measures as appropriate.

b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.

c) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.

d) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this committee resolution, or any other period deemed appropriate by the Head of Planning, Trading Standards and Environmental Protection, then the application may be referred back to the Committee for determination.

e) That subject to the above, the application be deferred for determination by the Head of Planning, Trading Standards and Environmental Protection under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

f) That if the application is approved, the following conditions be imposed:

1 T1 Time Limit - full planning application

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

REASON

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

2 M1 Details/Samples to be Submitted

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

REASON

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

3 M3 Boundary treatment - details

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected including around the extend roof terraces.

The boundary treatment shall be completed before the buildings are occupied. Development shall be carried out in accordance with the approved details.

REASON

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

4 OM7 Refuse and Open-Air Storage

Details of on-site refuse storage (including any open-air storage facilities) for waste material awaiting disposal, including details of any screening, shall be indicated on plans to be submitted to and approved by the Local Planning Authority. Such facilities shall be provided prior to occupation of the development and thereafter permanently retained.

REASON

To ensure that visual amenities are not prejudiced, in accordance with policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 H10 Parking/Turning/Loading Arrangements - Commercial Devs.

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

REASON

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

6 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).

7 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 N12 Air extraction system - noise and odour

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

10 DRC6 Contaminated Land - survey and remedial works

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

REASON

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 5.21 of the London Plan (July 2011).

11 NONSC Non Standard Condition

The conference facility hereby approved shall not be used for conferences or seminars after 6pm on any day unless the Local Planning Authority otherwise agrees in writing.

REASON

To ensure that the proposal does not result in overspill parking outside the site and to accord with the aims of Policy AM14 of the adopted Hillingdon Unitary Development Plan.

12 NONSC Non Standard Condition

A Green Travel Plan for the proposed development shall be submitted to, and approved by, the Local Planning Authority before any development is commenced. The Green Travel Plan shall outline the means and methods of reducing private transport use by staff and other users of the development and facilitate increased use of public transport, walking and cycling to the site. The Green Travel Plan shall be implemented for a minimum period of 5 years from the completion and commencement of use of the development hereby permitted.

REASON

To minimise the reliance on private transport to and from the site by staff and users of the development and to promote increased use of public transport to ensure compliance with Policy AM1 of the adopted Hillingdon Unitary Development Plan.

13 NONSC Non Standard Condition

Prior to the commencement of development a detailed energy assessment shall be submitted to and agreed in writing by the Local Planning Authority. The assessment shall set out a suitable baseline (annual KgCO₂ and kWh) to 2010 Building Regulations, and the specific details to be used to reduce the CO₂ emissions by 25%. The assessment shall include the technological features, including size and location of the

Combined Heat and Power unit broadly described in the energy statement (August 2011) and the impact on the baseline. The assessment shall also include information on the management of the chosen technology. The development must proceed in accordance with the approved assessment.

REASON

To minimise CO2 emissions in accordance with Policy 5.2 of the London Plan.

14 NONSC Non Standard Condition

Prior to the commencement of development plans and details showing the hotel being designed to accord BS8300:2009 including the provision of not less than 5% of total hotel bedrooms being accessible and fitted with ceiling hoists, 5% being accessible (no hoist required) and a further 5% of hotel bedrooms being capable of adaptation to a fully accessible design, shall be submitted to and approved in writing by the Local Planning Authority.

The development shall then be carried in accordance with the approved plans and details. No occupation shall occur until the facilities have been provided.

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.8 and 4.2.

15 NONSC Non Standard Condition

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).

16 NONSC Non Standard Condition

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998

to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in the Council's SPG on Community Safety By Design, and to ensure that the development provides a safe and secure environment in accordance with policies 7.3 of the London Plan (July 2011).

17 NONSC Non Standard Condition

Prior to the commencement of development, details of covered and secure cycle storage provision for 74 cycles (for use by staff and visitors) shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed in accordance with the agreed scheme prior to the first occupation of the building hereby permitted and thereafter permanently retained for so long as the development remains in existence. The cycle parking should be regularly monitored and additional storage provided if demand dictates.

REASON

To ensure that adequate facilities are provided in accordance with the standards set out in the Council's cycle-parking standards in accordance with Policy AM9 of the Hillingdon Unitary Development plan Saved Policies September 2007.

18 NONSC Non Standard Condition

Before the development hereby permitted commences the hotel bedrooms shall be insulated in accordance with a scheme to be agreed in writing with the Local Planning Authority. The scheme shall provide sound insulation of not less than 35 dB(A) against external noise. The approved scheme shall be implemented in its entirety before the hotel is brought into use and maintained as such thereafter unless written agreement is given to any variations from the Local Planning Authority.

REASON

To safeguard the amenity of the users of the proposed building given high background noise levels around the application site in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

19 NONSC Non Standard Condition

No music and/ or other amplified sound arising from the premises shall be audible from the inside of surrounding or adjacent premises between 2300 and 0700 hours.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 7.15 of the London Plan (July 2011).

20 NONSC Non Standard Condition

The premises shall not be used for the delivery and loading or unloading of goods outside the hours of 0800 and 1800, Monday to Friday, and between the hours of 0800 and 1300 of Saturdays. No deliveries shall take place on Sundays, Bank Holidays or Public Holidays.

REASON

To safeguard the amenity of surrounding areas in compliance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

21 NONSC Non Standard Condition

Prior to commencement of development details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during am and pm peak hours. The approved strategy shall be implemented as soon as the hotel is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

REASON

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

22 NONSC Non Standard Condition

Prior to commencement of development full details of the taxi and bus drop-off area to be provided at the front of the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure satisfactory facilities are provided for coaches, buses and taxis, which would not result in traffic congestion in or around the site in compliance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

23 NONSC Non Standard Condition

No development shall commence until a scheme for the provision of Closed Circuit Television (CCTV) on and/or around the building has been submitted to, and approved in writing by, the local planning authority and the building shall not be occupied until the approved scheme has been implemented. Thereafter the approved scheme shall be permanently retained.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000; to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure that the development provides a safe and secure environment in accordance with policy 7.3 of the London Plan (July 2011).

24 NONSC Non Standard Condition

Prior to the commencement of development a scheme for the reduction in potable water use including the harvesting and recycling of grey and rain water shall be submitted to and approved in writing by Local Planning Authority. The scheme shall clearly set out how collected water will be reused in areas where potable water is not required, i.e. toilet flushing and irrigation of landscaped areas. The development must proceed in accordance with the approved scheme.

REASON

To ensure the development reduces the pressure on potable water in accordance with Policy 7.19 of the London Plan (July 2011).

25 NONSC Non Standard Condition

Prior to the commencement of development a plan showing provision for electric charging points to serve 20% of all car parking spaces should be submitted to and

approved in writing by the Local Planning Authority. The plan shall set out the location of the charging points, the chosen technology and clear presentation of how the bays will be marked. The development shall proceed in accordance with the approved plan.

REASON

To provide car parking for electric vehicles to help tackle air quality impacts and meet the climate change challenges in accordance with Policies 5.8 and 6.16 of the London Plan (July 2011).

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 (July 2011) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE3	Provision of small units in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
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

3

The signage and flagpoles shown on the submitted plans would need to be the subject of a separate application for advertisement consent. For the avoidance of any doubt, they have not been considered as part of this proposal.

4 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.

5 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.

6 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).

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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises an approximately 0.5 hectare plot located on the south east corner of the junction of Uxbridge Road and Springfield Road in Hayes, some 750 metres to the east of the Uxbridge Road Hayes minor town centre. It currently accommodates a 13-storey vacant B1 office building with ancillary parking for 140 cars.

The site immediately adjoins other industrial and business uses and is bounded to the north by Uxbridge Road, beyond which are two-three storey office buildings with retail at ground floor level and offices and/or residential above; to the east by an industrial unit used by Hayes Autos; to the south by a Scottish and Southern Energy Depot; and to the west by Springfield Road, beyond which is Uxbridge Road Retail Park, comprising units such as Wickes and Carpet Right.

The site falls within the Springfield Road Industrial and Business Area as shown on the Hillingdon Unitary Development Plan Proposals Map. Uxbridge Road is designated as a London Distributor Road.

Transport for London have advised that the public transport accessibility level (PTAL) of the site is 2, within a range of 1 to 6, (6 being the most accessible).

3.2 Proposed Scheme

The application seeks full planning permission for the change of use of the Hayes Gate House office building to a hotel with conference accommodation. This involves alterations and additions to the existing building and the erection of 2 storey roof top suites. In addition a new media centre building is proposed in the south-west corner adjacent to Springfield Road. The proposed changes are described below.

The Hayes Gate House building is to change from a 9,023m² office building to an 182-bedroom hotel comprising 136 twin/double rooms, 16 single rooms, 10 one-bedroom suites, 6 two-bedroom suites and 4 two-bedroom duplex suites. Facilities for hotel guests such as lounge and dining rooms and ancillary staff facilities are located over part of the lower two floors. The conference facilities are located on the two lower floors adjacent to the eastern boundary, with their own pedestrian entrance to Uxbridge Road. The conference facilities would have a capacity to seat 432 attendees.

The proposed changes to Hayes Gate House in summary include:

(i) Ground floor: To demolish the western wing of the building and extend the footprint to the north and west to include a conference lobby, a hotel lobby, and staff facilities and store rooms. Undercroft parking.

(ii) 1st floor: To demolish the western wing of the building and erect a new south-eastern floor requiring the removal of an existing decked car park to include a conference hall foyer and bar, conference hall (432 seats), a hotel dining room (112 seats) and kitchen.

(iii) 2nd floor: To erect a new northern and western terrace and roof garden to include 5 meeting rooms (232m²), administrative office and store rooms etc.

(iv) 3rd to 11th floors: Use as hotel rooms

(v) 12th floor: To remove existing plant and erect two storey roof top suites with new plant.

A separate three storey 999m² media centre is also proposed, located in the south western corner of the site adjacent to Springfield Road. The media centre is designed as an administration, broadcasting and training centre for a local radio network company.

Access to the site is via 2 driveways to Springfield Road ('in' and 'out' only) and one 'out' only exit to Uxbridge Road. It is also proposed to dedicate part of the application site's road frontage to allow the widening of the existing footpath/cycleway. A total of 113 parking spaces are proposed on-site, 56 of which would be provided in a new basement car park. 14 spaces would be provided for people with disabilities. 10 parking spaces are proposed to be allocated to the media centre, with 103 spaces remaining for the hotel/conference centre. 3 taxi drop off points, one of which is for disabled use and a coach lay-by adjoin the hotel lobby. 74 bicycle storage spaces are proposed.

The site plan shows an illuminated hotel sign on the corner of Uxbridge Road and Springfield Road, however, no details of elevations and luminance have been provided. A separate application for advertisement consent would need to be made for this sign, at which time it would be assessed against the Council's policies.

The applicant has submitted various technical papers that describe the development and assess the impact of the proposal. These are briefly described below:

(i) Planning Statement

This report describes the existing development and the planning history.

(ii) Transport Statement

This report describes the application site and existing conditions, the development proposals, the suitability of the site for development and the transportations impact of the proposals. It concludes that there is no significant amendment to the scheme from the hotel led proposal given consent in 2008. The traffic generated from the proposed scheme would be significantly less than the existing office use. In terms of parking, the report advises that the proposed provision of parking to the Council's maximum standard would cater for the likely demand at the site and would be in accordance with sustainable transport policies.

(iii) Energy Statement

This report demonstrates that the range of Energy Efficiency measures and technologies are viable and could be utilised to reduce the carbon emissions of the proposed refurbishment and new building extensions associated with Hayes Gate House project to achieve 307 tonnes CO₂ per annum related to the Part L:2010 compliant base case of 469 tonnes CO₂ per annum.

The proposed development at Hayes Gate House is expected to reduce its carbon emissions by 34.5% compared to Building Regulations 2010.

3.3 Relevant Planning History

2385/APP/2001/99

Hayes Gate House, 27 Uxbridge Road Hayes

CHANGE OF USE FROM OFFICES AND REDEVELOPMENT OF PETROL FILLING STATION TO PROVIDE A HOTEL INCLUDING ALTERATIONS TO EXTERNAL APPEARANCE AND ERECTION OF AN ENTRANCE CANOPY

Decision: 17-12-2002 Approved

2385/APP/2004/3309 Hayes Gate House, 27 Uxbridge Road Hayes

CHANGE OF USE OF HAYES GATE HOUSE (OFFICE) TO A HOTEL AND CONFERENCE FACILITIES. ALTERATIONS TO HAYES GATE HOUSE BUILDING. ERECTION OF A FREESTANDING THREE STOREY MEDIA CENTRE, ANCILLARY CAR PARKING AND LANDSCAPING

Decision: 01-03-2005 Refused

2385/APP/2005/3477 Hayes Gate House 27 Uxbridge Road Hayes

CHANGE OF USE OF HAYES GATE HOUSE FROM OFFICE TO HOTEL AND CONFERENCE FACILITIES, ALTERATIONS TO HAYES GATE HOUSE BUILDING, ERECTION OF A FREESTANDING THREE STOREY MEDIA CENTRE, ANCILLARY CAR PARKING AND LANDSCAPING.

Decision: 12-06-2008 Approved

2385/APP/2009/2613 Hayes Gate House, 27 Uxbridge Road Hayes

Change of use of ground floor from Class B1 (offices/light industry) to wholesale cash and carry with ancillary restaurant/canteen.

Decision: 11-06-2010 Refused

2385/APP/2010/1434 Hayes Gate House, 27 Uxbridge Road Hayes

Change of use of ground floor from office to wholesale cash and carry with ancillary restaurant/canteen.

Decision: 11-11-2010 Refused

Comment on Relevant Planning History

The most relevant planning history can be summarised as follows:

2385/APP/2001/99 - Change of use from offices and redevelopment of petrol filling station to provide an hotel, including alterations to external appearance and erection of an entrance canopy - Approved 17/12/02

2385/APP/2004/3309 - Change of use of Hayes Gate House (offices) to an hotel and conference facility, alterations to building, erection of a freestanding three-storey media centre, ancillary car parking and landscaping - Refused 01/03/05

2385/APP/2005/3477 - Change of use of Hayes Gate House from office to hotel and conference facility, alterations to building, erection of a freestanding three-storey media centre, ancillary car parking and landscaping - Approved 12/06/08

2385/APP/2009/2613 - Change of use of ground floor from Class B1 (offices/light industry) to wholesale cash and carry with ancillary restaurant/canteen. Refused

11/06/2010.

2385/APP/2010/1241 Change of use of first and second floors from Class B1 office to banquet and conference centre Refused 05/11/2010.

2385/APP/2010/1434 - Change of use of ground floor from ancillary retail, office and warehouse to wholesale cash and carry with ancillary restaurant/canteen Refused 11/1/2010.

2385/APP/2010/1218 - Change of use of floors 3 to 8 from B1 to D1 adult education facility (not yet determined).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|---|
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.18 | To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough. |
| PT1.24 | To reserve designated Industrial and Business Areas as the preferred locations for industry and warehousing. |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed. |

Part 2 Policies:

- | | |
|------|--|
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| AM7 | Consideration of traffic generated by proposed developments. |
| AM9 | Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities |
| AM13 | AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street furniture schemes |
| AM14 | New development and car parking standards. |
| BE13 | New development must harmonise with the existing street scene. |
| BE19 | New development must improve or complement the character of the area. |

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE3	Provision of small units in designated Industrial and Business Areas
LE7	Provision of planning benefits from industry, warehousing and business development
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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **29th June 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

48 adjoining owner/occupiers were notified of the application and no representations have been received.

TRANSPORT FOR LONDON

TfL has no objection to the proposed extension of time limit for the implementation of the concerned planning consent.

GREATER LONDON AUTHORITY

The GLA concluded that the proposal for a new application to replace the extant planning permission does not raise any strategic planning issues. Although the 2011 London Plan has been published since the original permission, as the GLA did not raise any strategic concerns then, they do not propose to do so now. However, the local planning authority is required to ensure that 10% of rooms are wheel chair accessible in line with policy 4.5Ab and deliver the carbon savings required by policy 5.2.

Under article 5(2) of the Town & Country Planning (Mayor of London) Order 2008 the Mayor of London does not need to be consulted on this application.

Internal Consultees

URBAN DESIGN/CONSERVATION

The Conservation and Urban Design Team do not wish to raise any objections with regard to this application.

ENVIRONMENTAL PROTECTION UNIT

EPU's comments in respect of the previous consultation will unchanged and recommend that the previous condition for the 2008 consent be applicable.

PLANNING OBLIGATIONS OFFICER

A Deed of Variation will need to be entered into to tie this planning reference with the original s106 over the land signed for the 2005 permission.

The existing s106 makes provision for the following:

1. Employment training Initiatives £7,500
2. Hotel and leisure Industry Training
3. Improvements to the cycle network £5,000
4. Project mgmt and monitoring fee at 5%
5. Green Travel Plan
6. Off-site highway works as described on the plan attached to the s106.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is contained within an Industrial and Business Area (IBA) where Policy LE2 of the UDP requires land to be used for business, industrial and warehousing purposes (Use Classes B1-B8), unless the Local Planning Authority is satisfied that:-

- (i) there is no realistic prospect of the land being used for industrial and warehousing purposes in the future;
- (ii) the proposed alternative use does not conflict with the UDP
- (iii) the proposal better meets the plan's objectives particularly in relation to affordable housing and economic regeneration

This application proposes the redevelopment of the site from offices (Class B1) to a hotel (Class C1) conference facilities (Class D1), and a media centre (Class B1). The principle of each of these uses is set by the previous approved application.

With regard to the previous applications on this site, the proposal was determined by the Council as being acceptable in principle as it satisfied criteria (i) to (iii) above. However, the proposal's compliance with criteria (ii), being compliance with other UDP policies, needs to be reconsidered. The current hotel application satisfies Policy T4 in that it is located within a mixed-use area and is near a primary road. The new application proposes an increase in the number of on-site car parking designated for people with disabilities from 12 to 14 (12.5%). The scheme would still be in accordance with the Council's maximum car parking standards and is considered acceptable.

The proposal's compliance with The London Plan 2011 also needs to be reconsidered. Changes to London Plan policy require that a 20% saving from decentralised and renewable or low-carbon sources be applied to the development. A condition is recommended requiring details of sustainability measures to be incorporated into the development in order to comply with this requirement.

7.02 Density of the proposed development

The application seeks the change of use of Hayes Gate House from office to hotel and conference facilities. Residential density is therefore not pertinent to the consideration of this application.

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

The site does not fall within an archaeological priority area. As such the proposal raises no archaeological issues.

7.04 Airport safeguarding

The appropriateness of the proposal in terms of airport and aerodrome safeguarding is established under the extant planning permission.

7.05 Impact on the green belt

There is no designated green belt within the near vicinity of the application site. The proposal would not have any impact on the openness of the green belt.

7.07 Impact on the character & appearance of the area

The design and layout of the proposal are established as appropriate under the extant planning application. There are not considered to have been any material changes in adopted planning policy which would alter this and accordingly it is considered that the proposal would achieve an appropriate appearance.

7.08 Impact on neighbours

There has not been any significant material change in adopted planning policy or guidance with regard to the assessment of impacts on neighbouring properties or occupiers since the grant of the original temporary planning permission.

It is noted that the previous permission included one condition to protect the amenity of nearby occupiers, on requiring approval of a scheme of noise and odour emanating from the site. It is considered necessary to re-impose such a condition.

The proposal would not have any detrimental impacts on neighbouring occupiers and accordingly would comply with Policies OE1, OE3, OE5, BE20, BE21, BE22 or BE24 of the Saved Policies UDP and the Council's adopted supplementary planning guidance.

7.09 Living conditions for future occupiers

The proposal is for a change of use of Hayes gate house from office to hotel and conference facilities, accordingly the living conditions of future residential occupiers is not considered relevant to the application. However, it is considered that an appropriate environment would be achieved to cater for hotel visitors.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

In relation to traffic impact, cycle parking and pedestrian safety the policy context has not changed since the extant decision in June 2008. Nor is it considered that there have been any significant material changes with regard to current traffic or road safety conditions in the vicinity. Accordingly, no objection is raised to these aspects of the scheme.

The existing vacant office use benefits from approximately 140 parking spaces. The proposal would be provided with 113 parking spaces of which 14 spaces would be allocated for disabled users. The parking spaces would be allocated as follows; 61 spaces for the 182 Bedroom Hotel, 42 spaces for the function rooms and 10 spaces for the Media Centre.

The Saved UDP was in force at the time of the previous decision on the extant application being issued and the parking standards for hotels within this document defer to the London Plan 2004, which required that parking provision be considered on an individual basis with a maximum benchmark of 1 space per room for hotels on key arterial roads outside central location. The thrust of the London Plan Policies at the time was to seek the minimum necessary level of car parking for new developments, including hotels.

The level of parking provided for the development was considered to be appropriate at the time as established by the appeal decision. Since this time the London Plan consolidated with alterations since 2004 and 2008 have been adopted in July 2011. The current London Plan (July 2011) no longer sets a benchmark comparison for hotel development and accordingly such developments should now be considered solely on an individual basis. The key parking policy set out within Policy 6.13 remains to ensure 'on-site car parking at new developments is the minimum necessary and that there is no over-provision that could undermine the use of more sustainable non-car modes...'.

The intentions of the current policy context remain the same as they were at the time of

the appeal decision and accordingly it is considered that the level of parking provision would remain appropriate for the site. The provision of 14 (12.5%) disabled parking spaces have been indicated on the plans submitted.

There is not considered to have been any material change in policy or traffic conditions since the previous grant of permission which would impact on the acceptability in terms of car parking, general layout or traffic impacts of highways safety. Accordingly, no objection is raised in this respect.

7.11 Urban design, access and security

There is not considered to have been any significant material change to planning policy with regard to design or security considerations. The Council's Urban Design and Conservation Officer has been consulted on the application and does not raise any objection to the proposals. Accordingly, no objection is raised in this respect.

There has been a change to the Council's Accessibility Guidance since determination of the previous application with the adoption of Accessible Hillingdon SPD. The issue of access is addressed elsewhere in this report.

7.12 Disabled access

The only significant change to the current proposal is the increase in number of accessible room provision which has been accommodated without affecting the number of rooms proposed. A total of 18 bedrooms of the 172 bedrooms have been adapted for disabled access and a further 9 bedrooms are capable of being adapted in the future.

In relation to car parking, this was dealt with by condition under the previous decision and the policy changes do not impact on the appropriateness of this approach. Accordingly, it is considered that subject to appropriate conditions the proposal would achieve an acceptable level of accessibility in accordance with Policies R16 and AM13 of the Saved Policies UDP and Policies 7.1 and 7.2 of the London Plan.

7.13 Provision of affordable & special needs housing

The application seeks the change of use of Hayes Gate House from office to hotel and conference facilities, accordingly considerations relating to affordable or special needs housing are not relevant to the application.

7.14 Trees, landscaping and Ecology

The policy context in relation to trees, landscaping and ecology remains unchanged since the extant decision was allowed with respect to this type of development. With Policies BE38 and BE39 of the Saved Policies UDP seeking to ensure the protection of landscape features of merit (including trees subject to Tree Preservation Orders).

No changes have been made to the landscaping which was previously considered acceptable subject to landscaping conditions. Accordingly, it is considered that subject to appropriate conditions the proposal would be acceptable in terms of landscaping in accordance with Policies BE38 and BE39 of the Saved Policies UDP.

7.15 Sustainable waste management

The method of refuse storage and collection of the proposal are established as appropriate under the extant planning application. There are not considered to have been any material changes in adopted planning policy which would alter this and accordingly it is considered that the proposal would achieve sustainable waste management.

7.16 Renewable energy / Sustainability

There has been a material change since the extant planning permission regarding renewable energy and sustainability given the publication of The London Plan (July 2011),

The Council's Sustainability Officer has been consulted on the application and raised no objections to the proposed development with regards to carbon reduction however a condition is required to ensure the final design incorporates the details outlined in the Energy Statement (110801-2427-6 Slender Winter Partnership, August 2011).

Subject to appropriate conditions the proposal would be acceptable in terms of renewable energy and sustainability in accordance with The London Plan (July 2011).

7.17 Flooding or Drainage Issues

The proposals are not considered to raise flooding issues.

7.18 Noise or Air Quality Issues

The appropriateness of the proposal in terms of noise and air quality issues was considered at the time of the previous application. There are not considered to have been any material changes in adopted planning policy which would alter the appropriateness of the application with regard to these matters.

7.19 Comments on Public Consultations

No representations have been received from neighbouring properties.

7.20 Planning obligations

Policy R17 of the Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Affordable Housing is address separately under the relevant section. The Council's S106 Officer has advised that the proposed development would necessitate the following contributions in line with the Council's Supplementary Planning document for Planning Obligations:

- (i) Employment Training Initiatives: a contribution in the sum of £7,500
- (ii) Hotel and Leisure Industry Training
- (iii) Improvements to the cycle network: a contribution to the sum of £5,000
- (iv) Project Management and Monitoring fee at 5%
- (v) Green Travel Plan
- (vi) Off-site highway works as described on the plan attached to the S106.

The applicant has agreed to the principle of these planning obligations, all of which can be achieved alongside the proposed level of affordable housing. Subject to an appropriate legal agreement being secured the scheme would accord with Policy R17 of the UDP.

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

None.

10. CONCLUSION

Planning permission is sought to extend the time frame of a previous permission by up to a further three years. The application proposes full planning permission for the Change of use of the Hayes Gate House office building to a hotel with conference accommodation. In addition a new media centre building is proposed in the south-west corner adjacent to Springfield Road.

The previous planning permission was approved 16 June, with a time frame of three years, which expired 16 June 2011. The previous planning permission is substantive material consideration for this application, particularly in light of changes to procedures introduced in October 2009 concerning applications to extend planning permissions.

The proposal would contribute to the regeneration process of this part of Uxbridge Road. All details are identical to those previously approved except; the increase of the number of accessible bedrooms to 18 and the number of parking spaces allocated for disabled use increased from 12 to 14 (12.5%) which is more than the 10% required by policy.

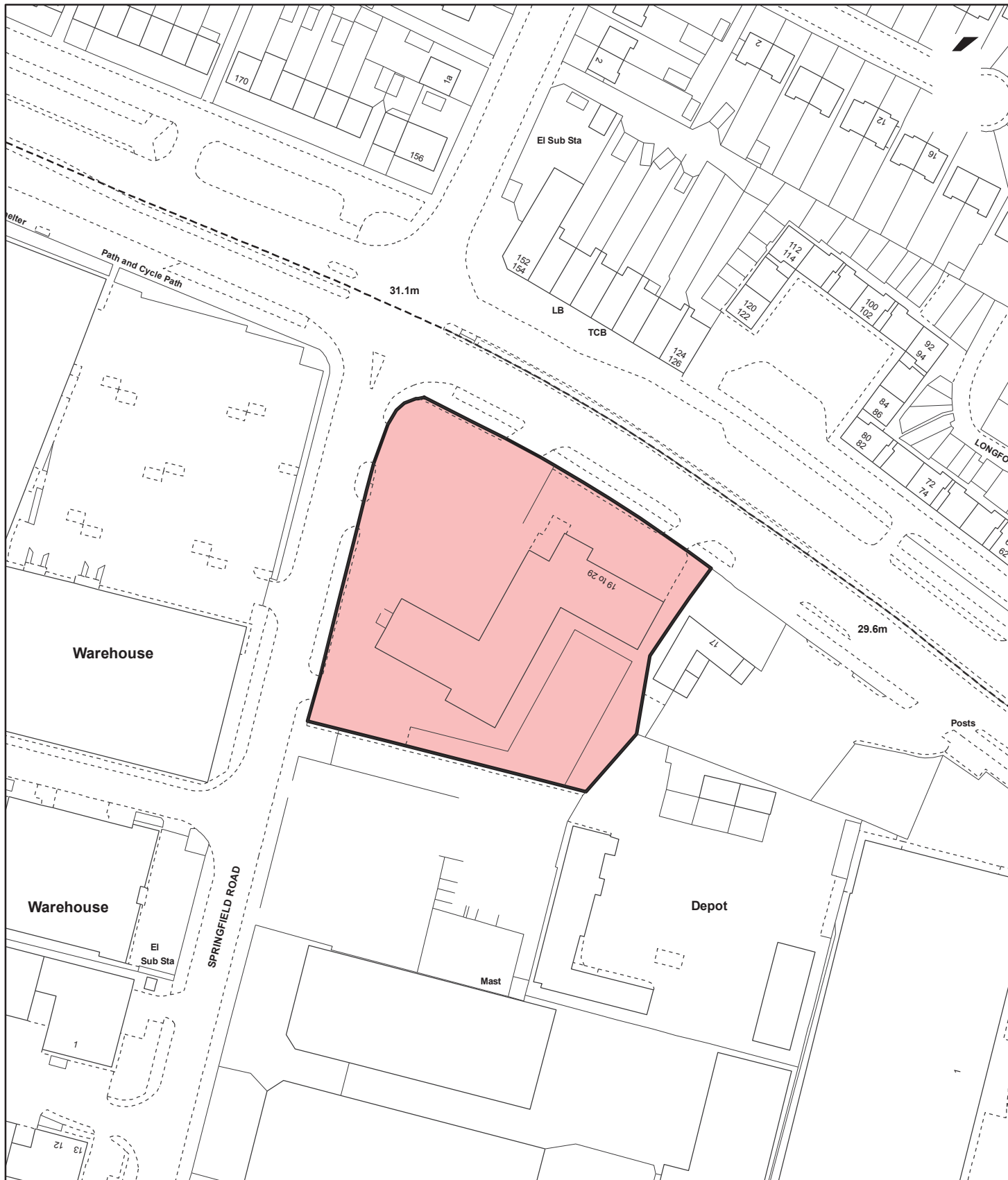
The proposal complies with current London Plan and UDP Policies. Accordingly, approval is recommended.

11. Reference Documents

- (a) Planning Policy Guidance Note 4 (Industrial and Commercial Development)
- (b) Planning Policy Guidance Note 13 (Transport)
- (c) Unitary Development Plan (Saved Policies September 2007)
- (d) Unitary Development Plan Revised Parking Policies and Standards (2001)
- (e) SPG Air Quality
- (f) SPG Community Safety by Design
- (g) The London Plan (July 2011)

Contact Officer: Jacques du Plessis

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Notes



Site boundary

For identification purposes only.

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Site Address

**Hayes Gate House,
27 Uxbridge Road**

Planning Application Ref:

2385/APP/2011/1143

Planning Committee

Central and South

Scale

1:1,250

Date

**October
2011**

**LONDON BOROUGH
OF HILLINGDON**
Planning,
Environment, Education
& Community Services

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