

## **Report of the Head of Planning & Enforcement Services**

**Address** HAYES LIBRARY GOLDEN CRESCENT HAYES

**Development:** Application for change of use from Public Library (Class D1) to residential dwellings (Class C3), including associated internal alterations, external landscaping works, changes to access and parking arrangements.

**LBH Ref Nos:** 6652/APP/2011/1989

**Drawing Nos:** 2011/D82/P/07 Rev D  
2011/D82/P/08 Rev B  
2011/D82/P/01  
2011/D82/P/02  
2011/D82/P/03  
2011/D82/P/04  
2011/D82/P/05  
2011/D82/P/06  
2011/D82/P/09 Rev A  
2011/D82/P/10 Rev A  
2011/D82/P/11 Rev B

**Date Plans Received:** 15/08/2011 **Date(s) of Amendment(s):**

**Date Application Valid:** 30/08/2011

### **1. SUMMARY**

Full planning permission is sought to convert the single storey former library building to 5 x 2 bedroom flats with associated landscaping and parking. Reprovision has been made, close to the application site, for a modern library in the Botwell Leisure centre complex. Given that the building is single storey in height and that only two small additional openings are being proposed, the proposals are not considered to result in any loss of amenity to adjoining occupiers due to loss of light or privacy. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. No objection is therefore raised in this regard. As such approval is recommended subject to conditions.

### **2. RECOMMENDATION**

**APPROVAL** subject to the following:

#### **1 SP01 Council Application Standard Paragraph**

(This authority is given by the issuing of this notice under Regulation 3 of the Town and Country Planning General Regulations 1992 and shall enure only for the benefit of the land).

#### **2 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.

**3 OM1 Development in accordance with Approved Plans**

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

**REASON**

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

**4 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).

**5 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).

**6 M3 Boundary treatment - details**

No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building is occupied. Development shall be carried out in accordance with the approved details.

**REASON**

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

**7 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) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

#### 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).

### **8 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 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 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.

### **9 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 and details/method statement of no-dig construction of the stores in proximity to trees 1 and 3 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).

### **10            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).

### **11            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).

### **12 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

### **13 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

### **14 OM20 Grampian Planning Obligations**

Before the development hereby permitted is commenced, a scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how improvements to education facilities in the vicinity of the site arising from the needs of the proposed development will be provided. The approved means and timescale of providing the proposed improvements shall then be implemented in accordance with the agreed scheme.

#### REASON

To ensure the development provides an appropriate contribution to the improvement of education facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Guidance.

### **15 OM5 Provision of Bin Stores**

No development shall take place until details of covered and secure facilities to be

provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

To ensure a satisfactory appearance and in the interests of the amenities of the occupiers and adjoining residents, in accordance with Policy OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **16 OM14 Secured by Design**

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

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3

### **17 H7 Parking Arrangements (Residential)**

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

#### REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

### **18 NONSC Soils**

All soils used for soft landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval by the Local Planning Authority. Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

TL20



**19** **Amenity Areas (Residential Developments)**  
None of the dwellings have an outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

**20            SUS5            Sustainable Urban Drainage**

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

**REASON**

To ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), London Plan (July 2011) Policy 5.12 and PPS25.

**21            OM19            Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (ii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iii) Parking provisions for contractors during the development process.
- (iv) The storage of demolition/construction materials on site.

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

**REASON**

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

**22            H11A            Visibility Splays**

Unobstructed sight lines above a height of 1 metre shall be maintained where possible on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September

2007).

### **23 NONSC Noise Protection**

Development shall not begin until a scheme for protecting the proposed development from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of glazing and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

#### **REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by ambient noise arising from road traffic and commercial activities in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

### **24 NONSC Energy**

Prior to the commencement of development an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall clearly set out how the design of the development will make the fullest contribution to CO2 reduction by following the London Plan hierarchy of:

- 1 Be lean: use less energy
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

The measures approved to reduce CO2 emissions shall be incorporated into the development of the building. The development must proceed in accordance with the approved assessment.

#### **Reason**

To minimise CO2 emissions and reduce the risks to future residents from rising energy prices in accordance with Policy 5.2 of the London Plan.

### **25 H14 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of 5 covered and secure cycle storage, changing facilities, lockers and showers for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

#### **REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan. (July 2011).

## **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            I53            Compulsory Informative (2)**

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

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
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
BE8	Planning applications for alteration or extension of listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

## **3            I5            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement

from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning & Community Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

#### **4            I6            Property Rights/Rights of Light**

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

#### **5            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.

#### **6            I18            Storage and Collection of Refuse**

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans.

For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

#### **7            I19            Sewerage Connections, Water Pollution etc.**

You should contact Thames Water Utilities and the Council's Building Control Service regarding any proposed connection to a public sewer or any other possible impact that the development could have on local foul or surface water sewers, including building over a public sewer. Contact: - The Waste Water Business Manager, Thames Water Utilities plc, Kew Business Centre, Kew Bridge Road, Brentford, Middlesex, TW8 0EE.

Building Control Service - 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

#### **8            I20            Land Drainage**

You are advised that, pursuant to the Land Drainage Act 1976, details of any works affecting the beds, banks and flow of the river, including details of any outfall structures discharging into the watercourse, should be submitted to the Environment Agency, Planning Liaison Officer, Thames Region, Howard House, 10/11 Albert Embankment, London SE1 7TG.

#### **9**

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons

working on site to take basic precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

## **10            121            Street Numbering**

All proposed new street numbering must be notified to and approved by the Council. Building names and numbers must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

## **11**

The applicant is encouraged to discuss with Council officers in conjunction with the Metropolitan Police Crime Prevention Officer whether on site CCTV cameras can be linked to the Councils central CCTV system.

## **12            115            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.

## **13**

In relation to Condition 14, the applicant is advised that one way to address this issue would be to enter into a Unilateral Undertaking to provide a financial contribution of £20,432 towards capacity enhancements in local schools.

## **3.        CONSIDERATIONS**

### **3.1       Site and Locality**

The Hayes library building is located on the south side of Golden Crescent. It is a brick built structure with the frontage being part of the Victorian Mission Church built in 1896. It later became a public library and was extended in 1938 by means of a semi circular brick structure with large windows, very much reminiscent of that period.

### **3.2 Proposed Scheme**

The proposal is to convert the building to 5 x 2 bedroom flats with associated car parking and amenity space. A total of 6 car parking spaces, 5 in a rear car park (4 residents bays and 1 visitor space) and a disabled parking space to the front of the property adjacent the wheelchair unit. Each flat would have a private garden.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

There is no relevant planning history.

## **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.

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.

AM14 New development and car parking standards.

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

BE8 Planning applications for alteration or extension of listed buildings

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE25	Modernisation and improvement of industrial and business areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
R5	Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **21st September 2011**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

A total of 34 neighbouring properties were notified. In all 6 letters of objection were received, including one from John McDonnell MP and a local Councillor together with 2 letters of support.

The letters in favour of the scheme supported the proposals on the following grounds:

- i) Proposals will limit the activity in the already seriously congested street.
- ii) Preserve the existing locally listed building
- iii) Will stop ongoing anti social behaviour.

Objections were received from residents on the following grounds:

- i) The building should be kept for community use.
- ii) Increased parking pressure resulting from the new flats.
- iii) Increase noise from the flats.

JOHN MCDONNELL MP

I urge the Council to reject this application because it damages a much valued local heritage building, will result in increased traffic, congestion and pollution in an already busy road and area, and also result in the loss of a valuable community asset. I urge the Council to take into account the strong views expressed in petitions by local residents to the Council that this building should be retained for community use.

COUNCILLOR ALLEN

I am writing to object to the planning application to build flats on the grounds of Golden Crescent Library, albeit the proposal is to leave the front entrance intact.

As the Council is well aware, Golden Crescent was given to the people of Hayes for their leisurely usage. I am also aware that there is a Covenant on the building, although mindful that this is not a

matter that the Council sees fit to honour.

The residents in Nield Road, whose gardens abut Golden Crescent Library, bought their properties in the knowledge that they would not be overlooked.

The planning application before you, would if approved, severely erode their ability to make full use of their garden without being overlooked. This could impact on their family life.

The placing of flats at this location could also bring new noise to the area which could take away the tranquillity and peace and quiet that the residents have had and would expect (Human Rights Act).

Parking in Golden Crescent has always been a problem and the building of flats at this location would make matters worse. It is a known fact that even when residents of new properties are informed that there is no parking available that they then park their cars elsewhere causing difficulties for other residents. As the surrounding roads in Botwell ward (Nield and St Anselm's) have a CPZ in place any new build dweller or visitor who has a car is likely to park in either Botwell Lane or Townfield ward, which already has traffic and parking issues.

Add to this the residents of Botwell Ward have no facilities for the elderly to meet, no place available for mother and toddler groups etc and unlike other wards they have no meeting halls for Tenant or Residents Associations and Botwell Community Groups. They have to rely on other wards to accommodate.

The Council talks a great deal about Community Cohesion but with regard to Botwell ward shows no sign of putting anything in place to assist all sections of the Community to come together. The fact that Townfield Ward has a new Leisure Centre should not negate the Council's duty to provide something for the residents of Botwell Ward.

This building should be brought back into use, as the need is still there, as it was when it was first built and handed to Hayes Council. Due to the ever growing population of Botwell, the Golden Crescent Library building is of even more importance to the residents of the area. As we have heard time and again from residents, it is all very well to build much needed housing but the infrastructure has to be in place to accommodate. I would request, therefore, that the Committee refuse this planning application.

### **Internal Consultees**

#### **POLICY**

In assessing such proposals the Local Planning Authority will also have regard to:-

- (a) The suitability or potential of the premises to serve the recreational and leisure needs of people living within walking distance, and also within 3.2km;
- (b) The availability, location and accessibility of other existing or proposed alternatives for people who use the premises;
- (c) The alternative uses suitable for any existing building which is architecturally worthy of retention.

As the former Library is approximately 200 ms walking distance from the Botwell Green Library & Leisure Centre there are already suitably located and accessible Library and other community facilities nearby.

Emerging Core Strategy: Similarly, the presence of nearby alternative library provision meets with



the requirements of policy CI 1 which covers social and community infrastructure provision - i.e. there has been no net loss of library facilities with the closure of the Golden Crescent building.

London Plan: The newly published London Plan is now part of the development plan for the area. Part B of policy 3.16 regarding planning decisions includes this wording:

'The suitability of redundant social infrastructure premises for other forms of social infrastructure for which there is a defined need in the locality should be assessed before alternative developments are considered.'

There are already neighbouring religious uses - e.g. the Sikh temple and a Mosque - and as noted above the library and swimming pool at Botwell Green are also in the immediate area. A further more intensive use for community purposes may be viewed unfavourably here by the Committee as the site is outside the designated Hayes town centre.

In these circumstances an equally pressing land use need for housing would seem appropriate on this site. A more intensive use might give rise to adverse traffic, noise or other environmental amenity issues for the adjoining housing on Golden Crescent. In my opinion a less intensive housing use of the building, if carried out sympathetically in keeping with its locally listed status, would be preferable given the particular circumstances of this site.

#### TREES & LANDSCAPING

The vegetation on the site includes one mature Elder bush, four hedges and one small, semi-mature (3m-high) Hawthorn tree. In terms of Saved Policy BE38 none of the hedges and tree/bush are landscape features of merit that should be retained as part of the development of the site. The 6m-high, immature, Eucalyptus (off-site), close to the eastern (side/rear) boundary, is however a feature of merit in the local landscape.

The application includes a tree survey/report and an assessment of the tree-related impacts of the proposed development.

The scheme retains the mature Elder (tree 3) together with the Eucalyptus (tree 1). In the report it is stated that the stores in proximity to the Eucalyptus should be of no-dig construction to avoid root injury. The store near to the Elder should be of similar construction for the same reason. It is also noted that the patio near to the retained tree/bush should be excavated by hand, and that with suitable supervision the scheme is feasible. The other vegetation will be removed to facilitate the proposed development.

Landscaping, including new hedges on the site frontage and trees at the front and rear of the site, required by Saved Policy BE38, is outlined on the revised site plan (Dwg. No. 2011/D82/P/07 rev. A). The trees and hedges will create a linear landscape feature on the road frontage of the site, and a buffer and some screening at the rear of the site.

In this context, the loss of the vegetation (of no merit) on the site will not be detrimental to the amenity of the locality or the local landscape.

Subject to conditions TL1 (services ONLY), TL2, TL3 (modified to also require details/method statements of no-dig construction of the stores in proximity to trees 1 and 3), TL5, TL6 and TL7, the application is acceptable in terms of Saved Policy BE38.

#### EDUCATION

Assuming all the units will be private, we seek £20,432 towards capacity enhancement in local schools.

#### S106 OFFICER

I have taken a look at the following proposal and consider that given there are only 5 flats proposed that capacity enhancements to education is the only likely planning obligation. However this is dependent upon highways comments which may require some form of highways works. If this is the case then we will enter into a s106 agreement to secure the obligations.

#### EPU

EPU comments are as follows;

I have no objection to the proposed scheme, however a noise protection scheme should be submitted prior to commencement of the development. This as a result of the introduction of a noise

sensitive development in an area surrounded largely by commercial activities. The noise protection scheme should ensure that the effects of noise from these commercial activities including noise from road traffic are as far as is reasonably practical mitigated to achieve acceptable internal noise levels, in line with British Standard 8233 and the Council noise SPD alike.

The following condition and construction informative is therefore recommended should the proposed scheme be recommended for approval.

#### N1 Noise protection scheme

Development shall not begin until a scheme for protecting the proposed development from noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of glazing and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures. REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by ambient noise arising from road traffic and commercial activities in accordance with policy OE5 of the Hillingdon Unitary Development Plan.

INF 20 Control of environmental nuisance from construction works 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).

#### URBAN DESIGN & CONSERVATION

Golden Crescent Library was included in the List of Buildings of Local Architectural and Historical Interest in May 2010, following a Borough wide consultation, in which it was nominated for inclusion by the Hayes and Harlington Local History Society, and, additionally, by several individual local residents.

This attractive Victorian frontage was built as a Mission Church in 1896. It later became a public library and was extended in 1938 by means of a semi-circular glazed structure at the rear. The building is much loved by residents of Hayes, and its conversion into residential would offer an opportunity to save it intact.

The scheme is considered acceptable.

#### ACCESS

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

Given that extensive discussion took place, concerning the constraints imposed by the existing structure, prior to the submission of the above planning application, the proposal is considered to have reached its maximum potential in terms of accessibility and the above policy requirements.

#### HIGHWAYS

No objection to the proposed change of use of the building to 5 x 2 bedroom flats together with 6 car parking spaces, all of which are to be provided on site.

#### SUSTAINABILITY

I have no objections to the proposed development subject to the following:

All new development should contribute to carbon reduction over and above the minimum standards to meet London's climate change targets. Change of use applications are not possible to be designed to Code Level 3 which is the normal requirement for new residential developments of this size. In addition, building regulation standards for new buildings are also reduced. This means change of use developments may not be built to the same energy efficiency standards as new buildings putting future occupants at a disadvantage in relation to other new buildings. Change of use application also provide the opportunity to improve the suitability of existing building stock which is largely inefficient and out dated. Policy 5.29(A) of the London Plan states:

Development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

- 1 Be lean: use less energy
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

This part of the policy captures new development that may not be able to incorporate the requirements set elsewhere, e.g. the 25% reduction target outlined in Policy 5.2.

The following condition is therefore required:

#### Condition

Prior to the commencement of development an energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment shall clearly set out how the design of the development will make the fullest contribution to CO2 reduction by following the London Plan hierarchy of:

- 1 Be lean: use less energy
- 2 Be clean: supply energy efficiently
- 3 Be green: use renewable energy

Measures to reduce CO2 emissions shall be clearly presented on the final designs of the building. The development must proceed in accordance with the approved assessment.

#### Reason

To minimise CO2 emissions and reduce the risks to future residents from rising energy prices in accordance with Policy 5.2 of the London Plan.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

Policy R5 states that the local planning authority will not grant planning permission for proposals which involve the loss of land or buildings used (or where the last authorised use was for) a sports stadium, outdoor or indoor sports and leisure facilities, public or community meeting halls, or religious, cultural and entertainments activities, unless adequate, accessible, alternative facilities are available.

In assessing such proposals the Local Planning Authority will also have regard to:-

- (a) The suitability or potential of the premises to serve the recreational and leisure needs of people living within walking distance, and also within 3.2km;
- (b) The availability, location and accessibility of other existing or proposed alternatives for people who use the premises;
- (c) The alternative uses suitable for any existing building which is architecturally worthy of retention.

As the former Library is 200 ms walking distance from the Botwell Green Library & Leisure Centre there are already suitably located and accessible Library and other community facilities nearby.

Emerging Core Strategy: Similarly, the presence of nearby alternative library provision meets with the requirements of policy CI 1 which covers social and community infrastructure provision - i.e. there has been no net loss of library facilities with the closure of the Golden Crescent building.

London Plan: The newly published London Plan is now part of the development plan for the area. Part B of policy 3.16 regarding planning decisions includes this wording:

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There are already neighbouring religious uses - e.g. the Sikh temple and a Mosque - and as noted above the library and swimming pool at Botwell Green are also in the immediate area. A further more intensive use for community purposes may be viewed unfavourably here by the Committee as the site is outside the designated Hayes town centre.

In these circumstances an equally pressing land use need for housing would seem appropriate on this site. A more intensive use would give rise to adverse traffic, noise or other environmental amenity issues for the adjoining housing on Golden Crescent. A less intensive housing use of the building, if carried out sympathetically in keeping with its locally listed status, is preferable given the particular circumstances of this site.

#### **7.02 Density of the proposed development**

This is a conversion of an existing building, as such residential density is not a relevant consideration in this instance.

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

Policy BE8 states that applications for planning permission to alter or extend statutory listed buildings or building on the local list will normally only be permitted if no damage is caused to historic structures. Any additions should be in keeping with other parts of the building and any new external or internal features should harmonise with their surroundings.

The Council's Design & Conservation specialist has advised that the proposed alterations to the building, namely the replacement windows and lantern rooflight together with the internal changes will not cause any damage to the structure and would be in keeping with the features of the building. As such no objection is raised in this regard.

#### **7.04 Airport safeguarding**

The proposals do not result in any airport safeguarding issues.

#### **7.05 Impact on the green belt**

The site does not lie within or close to the Green Belt.

#### **7.07 Impact on the character & appearance of the area**

This is a locally listed building with an attractive Victorian frontage and a semi circular 1930's extension. The proposed changes, including the replacement windows and lantern rooflight, are considered acceptable in design terms and will be in keeping with the character and appearance of the area.

It is considered that the proposed development would be in keeping with the character and appearance of the surrounding area and that its visual impact is acceptable, in accordance with policies BE13 and BE19 of the UDP saved policies September 2007.

#### **7.08 Impact on neighbours**

The proposal is to convert the existing single building to 5 x 2 bedroom flats with associated car parking and landscaping. Only three new small windows and a door opening are proposed. The building is single storey and therefore the proposal would not result in any increase of over looking to neighbouring residential properties. Given the residential nature of the proposed use it is not considered that there would any significant noise disturbance resulting from the proposed development to adjoining residential properties.

As such the scheme is not considered to result in significant loss of amenity, over and above the existing situation, to neighbouring properties in accordance with policy BE24 of the Hillingdon UDP saved policies (September 2008).

## **7.09 Living conditions for future occupiers**

### **Unit Size**

The London Plan (July 2011) states that a 2 bedroom 4 person flat should have a minimum floor area of 70sq metres. The proposal is for 5 two bedroom flats each with a floor area of between 70 and 95sq metres which accords with the London Plan (July 2011) minimum standard and is as such considered acceptable.

The proposed habitable rooms would all have an adequate outlook and natural lighting, in accordance with policy BE20 of the saved UDP and 5.3 of the London Plan (February 2008).

### **Amenity Space**

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 2 bedroom flat is 25sq metres of shared amenity space per flat. The proposed amenity space provision is between 34sq metres and 159sq metres of private amenity space, in the form of 5 private gardens, for each of the flats. This is considered acceptable.

## **7.10 Traffic impact, Car/cycle parking, pedestrian safety**

Policies AM2, AM7, AM14 and AM15 are concerned with traffic generation, road capacity, on site parking and access to public transport.

The proposal includes a small car park (with 4 residents bay s and 1 visitor bay) to the rear of the property, with a shared surface access road along the western boundary, with the Sikh Temple. The car park would adjoin the private amenity spaces of two of the proposed flats within the Hayes Library building. A disabled parking space would also be provided to the front of the property, close to the boundary with no.1 Golden Crescent.

The proposed layout indicates secure cycle store facilities for 5 bicycles in an area adjacent to the car park to the rear of the site. The Metropolitan Police Crime Prevention Design Advisor has not raised any objections to this element of the scheme. As such the proposed cycle storage is considered acceptable.

It is therefore considered that the provision for the proposed scheme would not have a significant impact on traffic and pedestrian flow in the immediate area. The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

## **7.11 Urban design, access and security**

No objections are raised to the design. The proposed pedestrian and vehicular access arrangements are considered acceptable. The Metropolitan Police Crime Prevention Design Advisor has raised no objection to the proposal.

## **7.12 Disabled access**

The Council's Access Officer raised no concerns. The proposed development has been designed to meet Lifetime Homes standards in accordance with Policy 3.8 of the London Plan and guidance within the Hillingdon Design and Accessibility Statement Residential Layouts and Accessible Hillingdon Supplementary Planning Documents. Whilst the development is not of a scale which would warrant the provision of wheelchair adaptable units, a wheelchair unit has been provided in this case.



#### **7.13 Provision of affordable & special needs housing**

Given that the proposal is for four units on a small site this is not relevant in this case.

#### **7.14 Trees, landscaping and Ecology**

The vegetation on the site includes one mature Elder bush, four hedges and one small, semi-mature (3m-high) Hawthorn tree. In terms of Saved Policy BE38 none of the hedges and tree/bush are landscape features of merit that should be retained as part of the development of the site. The 6m-high, immature, Eucalyptus (off-site), close to the eastern (side/rear) boundary, is however a feature of merit in the local landscape.

The application includes a tree survey/report and an assessment of the tree-related impacts of the proposed development. The scheme retains the mature Elder (tree 3) together with the Eucalyptus (tree 1). In the report it is stated that the stores in proximity to the Eucalyptus should be of no-dig construction to avoid root injury. The store near to the Elder should be of similar construction for the same reason. It is also noted that the patio near to the retained tree/bush should be excavated by hand, and that with suitable supervision the scheme is feasible. The other vegetation will be removed to facilitate the proposed development.

Landscaping, including new hedges on the site frontage and trees at the front and rear of the site, required by Saved Policy BE38, is outlined on the revised site plan (Dwg. No. 2011/D82/P/07 rev. A). The trees and hedges will create a linear landscape feature on the road frontage of the site, and a buffer and some screening at the rear of the site. In this context, the loss of the vegetation (of no merit) on the site will not be detrimental to the amenity of the locality or the local landscape. The Council's Trees and Landscape Officer has raised no objections to the proposal which would achieve appropriate outcomes in terms of policy BE38.

Relevant conditions are recommended to ensure that landscaping is acceptable.

#### **7.15 Sustainable waste management**

The proposals indicate refuse storage area to the front of the property. This is considered to provide an adequate level of refuse storage space for each unit. It is located an acceptable distance from the carriageway and from the proposed building. Subject to a condition requiring details of the refuse storage area, it is considered that the scheme is acceptable.

#### **7.16 Renewable energy / Sustainability**

The Council's Energy Officer raises no objection to the scheme subject to conditions which are recommended.

#### **7.17 Flooding or Drainage Issues**

The site does not lie within a flood zone and as such there are no flooding issues on this site.

#### **7.18 Noise or Air Quality Issues**

It is not considered that the provision of a residential unit on this site will lead to significant noise or air quality issues. The Council's Environmental Protection Unit have raised no objection to the scheme in this regard.

#### **7.19 Comments on Public Consultations**

The issues raised have been dealt in the body of the report, by way of condition or are not material planning considerations.

#### **7.20 Planning obligations**

The education department has advised that the scheme would give rise to a need for capacity enhancements in local schools, in line with the Planning Obligation SPD, a contribution of £20,432 is required in order to meet the education needs of the proposed development. This will be secured by way of a condition.

#### **7.21 Expediency of enforcement action**

None.

#### **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**

## **10. CONCLUSION**

In conclusion it is not considered that the proposed development would be out of keeping with the character or appearance of the surrounding area.

The design is such that it would provide an adequate living environment for future occupiers. The proposal does not result in any overlooking issues. The impact on the amenity of adjoining properties is considered to be acceptable.

Car parking and bicycle parking provision comply with the Council's Car Parking standards. Subject to conditions to secure the re-provision of replacement garages for existing tenants on the site, no objection is raised to the change of use of the site.

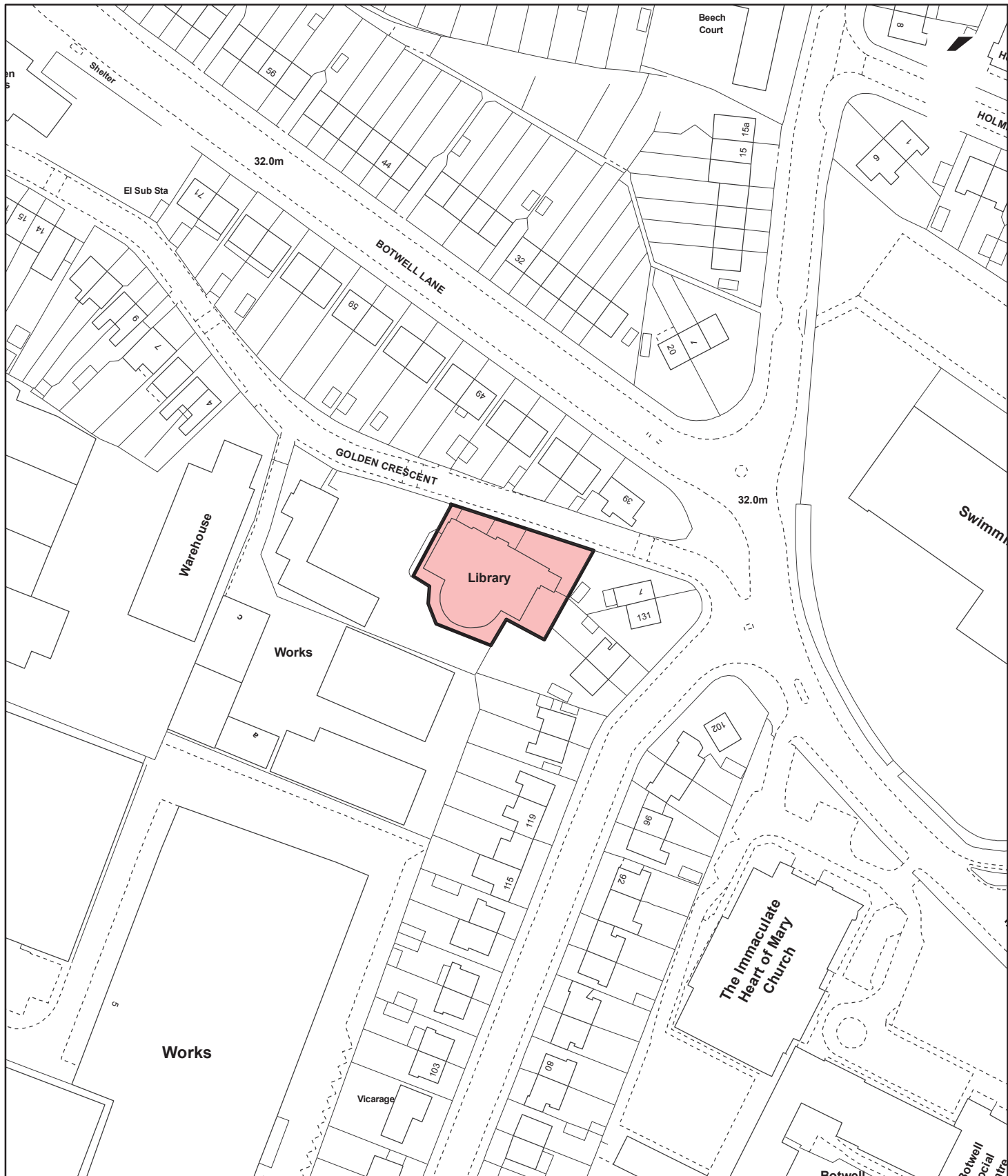
As such, it is considered that the proposed development complies with the relevant UDP and London Plan policies and approval is recommended subject to conditions.

## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (July 2011)  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
Supplementary Planning Document - Planning Obligations

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



## Notes



Site boundary

For identification purposes only.

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Site Address

**Hayes Library,  
Golden Crescent, Hayes**

Planning Application Ref:

**6652/APP/2011/1989**

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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