

Report of the Head of Planning & Enforcement Services

Address SAINSBURY'S SUPERMARKET YORK ROAD UXBRIDGE

Development: Alterations and extensions to existing store consisting of an additional 5,059 sq.m (GEA) two storey extension accommodating retail floorspace, café and children's learning unit; alterations and re-configuration of access and car parking including the creation of a car parking deck; ancillary plant, equipment and associated landscaping.

LBH Ref Nos: 39439/APP/2011/738

Drawing Nos:

- 01_AP_0110_001
- 01_AP_0110_002
- 01_AP_0110_003
- 01_AP_0110_004
- 01_AP_0120_002 P01
- 01_AP_0010_001 P05
- 01_AP_0010_002 P04
- 01_AP_0030_002 P02
- 01_AP_0030_001 P01
- 01_AP_0020_003 P01
- 01_AP_0020_002 P01
- 01_AP_0020_001 P01
- 1400-001 B
- 1400-010
- 1400-011
- 01_AP_0100_001
- ASK198
- ASK199
- Renewable Energy & Energy Efficiency Assessment 4th August 2011
- Planning & Retail Statement March 2011
- Draft Travel Plan
- Air Quality Assessment Report
- External Car Park Lighting Statement March 2011
- Noise Impact report 10/3530/R1 Revision 1
- Tree Survey JTK/7460/01/S0
- Construction Statement 23rd February 2011
- Transprot assessment March 2011
- BREEAM Retail 2008 Ecology Survey & Report, Feb 2011
- Flood Risk Assessment March 2011
- Statement of Community Involvement March 2011
- Design & Access Statement March 2011
- Access Statement August 2011
- Evolved Scheme Conclusion Note - Traffic & Transport October 2011
- 01_AP_0020_004 P01
- 01_AP_0129_001

Date Plans Received:	23/03/2011	Date(s) of Amendment(s):	23/03/2011
Date Application Valid:	13/04/2011		18/08/2011
			26/08/2011
			03/11/2011

1. SUMMARY

The proposal is for a two storey extension to the store, comprising 5,059 Gross External Area with an increase in retail floor area from 3,371sq metres net to 5,501sq metres, together with the construction of a decked car park over the majority of the existing car park to re-provide the 399 car parking spaces that currently are provided on the site. The extensions will provide a new Explore Learning Unit and a Sainsbury's restaurant/café.

The proposals would result in a decrease of retail floor space from that approved as part of the extant scheme of 234sq metres, meaning that the level of retail floor space proposed is lower than which can be provided by implementing the extant scheme (ref: 39439/APP/2010/1779 dated 29.11.2010).

The proposed store extension and car deck are of a scale and design that would, together with the difference in levels between the application site and street level on Belmont Road, be in keeping with the general pattern of development in the area and would therefore not have a detrimental impact on the appearance and character of the area.

The car deck has been designed to limit any noise and light disturbance to properties on the opposite side of Belmont Road. Cars on the upper deck would park approximately 10m from the edge of the car deck, which would also have a parapet wall which would be higher than the level of car headlights, thus preventing car lights from shining into properties on Belmont Road. In addition the deck has been set off the boundary with York house with planting between the two to lessen the impact on the office building.

The proposed decked car park would provide an acceptable level of car parking. It is not considered that the scheme would result in significant increased traffic problems, however as part of the S106 Agreement the applicant has agreed to pay a contribution for traffic surveys to be undertaken and any necessary mitigation measures to be carried out.

In conclusion the proposals are considered to accord with Hillingdon and London Plan policies.

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 financial contribution of up to £40,000 will also be sought towards parking management/restrictions in the surrounding streets highway and pedestrian safety and improvement works subject to further studies to be funded by the applicant.**
- ii) A contribution in the sum of £10,000 is sought to enable off-site landscaping improvements along Belmont Road and/or within the vicinity of the site.**
- iii) A scheme to be submitted to and approved by the Council detailing how construction training will be provided to Hillingdon residents, or a contribution towards construction training for Hillingdon residents in the sum of £2,500 for every £1m build cost.**

- iv) A contribution of £14,000 towards CCTV provision.
- v) A contribution in the sum of £30,000 is sought to address town centre improvements within the vicinity of the area.
- vi) A contribution of £12,500 towards the management of air quality within the vicinity of the site.
- vii) 5% of total cash contributions secured towards the management and monitoring of the resulting agreement.
- viii) To undertake an Energy Assessment and carry out any alternate measures including 'allowable solutions' or off-site compensation measures identified as being necessary in the Energy Assessment.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 and 278 Agreements 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 and conditions of approval.

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, Consumer Protection, Sport and Green Spaces, 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, Consumer Protection, Sport and Green Spaces 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 subject to any changes negotiated by the Head of Planning, Consumer Protection, Sport and Green Spaces prior to issuing the decision:

1 T8 Time Limit - full planning application 3 years

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

REASON

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

2 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 M2 External surfaces to match existing building

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

REASON

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

4 M5 Means of Enclosure - details

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The plans are to include details of the proposed fences/gates at the side of the proposed building. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

REASON

To prevent access to the rear and safeguard privacy to adjoining properties in accordance with Policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

5 MCD9 No External Storage

No display, placing or storage of goods, materials, plant or equipment shall take place other than within the buildings.

REASON

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

6 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse and recycling at the premises 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

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

7 MCD13 Extraction Vent or Chimney

No development shall take place until details of the height, position, design and materials

of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 7.1 and 7.14.

8 MCD14 Ventilation System - details

No development shall take place until details of the air ventilation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the ventilation system has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 7.1 and 7.14.

9 OM1 Development in accordance with Approved Plans

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

REASON

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

10 OM11 Floodlighting

No floodlighting or other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1.

11 RCU4 Internal Floorspace

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised

by this permission.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

12 H1 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including, footways, turning space, safety strips, sight lines at road junctions, kerb radii, car parking areas and marking out of spaces and means of surfacing) have been submitted to and approved in writing by the Local Planning Authority. The approved development shall not be occupied until all such works have been constructed in accordance with the approved details. Thereafter, the parking areas, sight lines must be permanently retained and used for no other purpose at any time. Disabled parking bays shall be a minimum of 4.8m long by 3.6m wide, or at least 3.0m wide where two adjacent bays may share an unloading area.

REASON

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (July 2011).

13 TL2 Trees to be retained

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

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

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

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 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).

15 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).

16 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 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).

17 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).

18 N5 Control of noise emission from the site

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved by the Local Planning Authority. The approved scheme shall then be implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the site remains in use.

REASON

To safeguard the amenity of the surrounding area 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).

19 DIS1 Facilities for People with Disabilities

All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance

with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1, 3.8 and 7.2.

20 DIS2 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1, 3.8 and 7.2.

21 DIS3 Parking for Wheelchair Disabled People

Notwithstanding the details shown on the approved drawings, development shall not commence until details of the provision of 21 car parking spaces for wheelchair users, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

REASON

To ensure that people in wheelchairs are provided with adequate car parking and convenient access to building entrances in accordance with Policy AM5 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Note: wheelchair users are not the only category of people who require a 'disabled' parking space. A Blue Badge parking space can also be used by people who have a mobility impairment (full-time wheelchair users account for only a small percentage of this category) including elderly people, visually impaired people having a sighted driver, children having bulky equipment such as oxygen cylinders that have to be transported with them, etc.

22 DIS4 Signposting for People with Disabilities

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

REASON

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

23 NONSC Safer Car Park Standards

The proposed decked car park shall be built to 'Safer Car Park Standards'.

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, 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 policies 7.1 and 7.3 of the London Plan (July 2011).

24 OM14 CCTV infrastructure

No development shall take place until details of the proposed CCTV infrastructure at the entrance to the decked car park, proposed building and stairwell entrance/exits have been submitted to and approved in writing by the Local Planning Authority. The approved CCTV cameras and associated infrastructure shall be provided before use of the development commences and thereafter shall be maintained in good working order for the life of the development.

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, 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 policies 7.1 and 7.3 of the London Plan (July 2011).

25 NONSC Fleet Management Plan

Prior to commencement of use of the development details of a Fleet Management Plan shall be submitted to and approved in writing by the Local Planning Authority which shall include proposals for controlling emissions from vehicles to be used in connection with the use and operation of the development hereby approved.

REASON

To minimise vehicle emissions associated with the use and operation of the development in accordance with Policy 5.2 of the London Plan (July 2011).

26 SUS6 Green Travel Plan

Prior to the commencement of the development hereby permitted a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan, as submitted shall follow the current Travel Plan Development Control Guidance issued by Transport for London and will include:

- (1) targets for sustainable travel arrangements for a 10 year period;
- (2) effective measures for the ongoing monitoring of the Travel Plan;
- (3) a commitment to delivering the Travel Plan objectives; and
- (4) effective mechanisms to achieve the objectives of the Travel Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

REASON

To promote sustainable transport and reduce the impact of the development on the surrounding road network in accordance with Policies 6.1 and 6.3 of the London Plan (July 2011).

27 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 phasing of development works
- (ii) The hours during which development works will occur (please refer to informative 9 for maximum permitted working hours).
- (iii) 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.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) 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).

28 NONSC Variable Message Display System

Prior to commencement of use of the decked car park details of a variable message display system near the entrance to the site shall be submitted to and approved in writing by the Local Planning Authority. The approved variable message display system shall be installed before use of the decked car park commences and shall thereafter be maintained in good working order for the life of the development.

REASON

To advise approaching motorists of the availability of on-site parking spaces in the interest of the free flow of traffic at the site access and adjoining highways in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

29 NONSC Restriction on use of decked car park

The upper deck of the car park shall only be used for customer parking during the hours of 07:00 to 23:00 (Monday to Saturday) and during store opening times on Sundays, Bank and Public Holidays. Details of the restricted parking arrangements, including ways and means of preventing cars parking on the upper level of the car park outside these times, shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the development. Thereafter, the arrangements shall be complied with as approved.

REASON

In order to safeguard the amenities of the area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

30 NONSC Litter Management Plan

No development shall take place until a litter management plan has been submitted to, and approved in writing by, the Local Planning Authority. The litter management plan shall focus on ensuring that all litter associated with the development is permanently removed from the banks and trees on the northern and eastern side of the store extension and decked car park. The litter management plan shall be complied with as approved.

REASON

In order to safeguard the visual amenities of the area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

31 NONSC Surface Water Run Off

The development permitted by this planning permission shall only be carried out in strict accordance with the approved Flood Risk Assessment (FRA) and email dated 30 September 2011 from RSK and the following mitigation measures detailed within the FRA:

- i) Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so that it will not exceed the run-off from the undeveloped site and not increase the risk of flooding off-site.

REASON

To prevent flooding of the site by ensuring the satisfactory storage and discharge of surface water from the site.

32 SUS2 Energy

Prior to the commencement of development an energy assessment must be submitted to approved in writing by the Local Planning Authority. The assessment must demonstrate how the development will reduce carbon emissions from a 2010 Part L baseline. The assessment must clearly set out the baseline, the detailed energy efficiency measures, and the specific types and locations of renewable energy. The development must proceed in accordance with the approved assessment.

Reason

To ensure the development contributes to CO2 reduction targets set out in Policy 5.2 of the London Plan.

33 NONSC Rainwater Recycling

Prior to commencement of the development hereby approved details demonstrating the incorporation of rainwater recycling facilities into the building shall be submitted to, and approved in writing by, the Local Planning Authority. The approved facilities shall thereafter be installed, maintained and retained for the lifetime of the building.

REASON

In order to provide a sustainable form of development and promote water conservation in compliance with Policies 5.3 and 5.15 of the London Plan (July 2011).

34 NONSC Existing retaining walls - structural details

No development shall commence until details, including engineering drawings, to demonstrate that the proposed works would not adversely impact upon the structural integrity of the existing retaining walls along the northern and eastern boundaries of the site have been submitted to, and approved in writing by, the Local Planning Authority.

REASON

To ensure the structural integrity of the existing retaining walls in the interests of the stability of adjoining properties, pedestrian safety on the adjoining highway and the appearance of the area in accordance with in accordance with Policies BE13 and BE18 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

35 NONSC Existing retaining walls - design and check certificate

No development shall commence until an Approval in Principle (A.I.P) plus a design and check certificate, confirming that the proposed works would not adversely impact on the existing retaining walls along the northern and eastern boundaries of the site have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the construction works shall only be carried out in accordance with the approved details.

REASON

To ensure the structural integrity of the existing retaining walls in the interests of the stability of adjoining properties, pedestrian safety on the adjoining highway and the appearance of the area in accordance with in accordance with Policies BE13 and BE18 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

36 NONSC Existing retaining walls - method statement

No development shall commence until a method statement detailing how the construction works are to be undertaken so that they do not adversely impact upon the existing retaining walls along the northern and eastern boundaries of the site has been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the construction works shall only be carried out in accordance with the approved method statement.

REASON

To ensure the structural integrity of the existing retaining walls in the interests of the stability of adjoining properties, pedestrian safety on the adjoining highway and the appearance of the area in accordance with in accordance with Policies BE13 and BE18 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

37 NONSC Electric Charging Points

Before development commences, plans and details of a minimum of 5% electric charging points, serving the development and capable of charging multiple vehicles simultaneously shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan (July 2011) Policy 5.3.

38 NONSC Soils

All soils used for gardens and/or 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 to the Local Planning Authority.

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).

39 NONSC Contaminated land

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminates from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works. Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

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

40 NONSC BREEAM

Prior to the occupation of the building, the applicant shall submit certification from the BRE that the development has been constructed to a BREEAM Very Good standard. The applicant must be prepared to discuss and implement mitigation measures if there is a failure to produce the required certification.

Reason

To ensure the development has been built to the standards claimed by the applicant and to meet the sustainability goals of PPS1 and the London Plan (5.3 and 5.1)

41 NONSC Ecological Enhancement Plan

Prior to the commencement of development an ecological enhancement plan shall be submitted to and approved by the Local Planning Authority. The plan shall set out the types and locations of the measures to be undertaken to allow the development to provide enhancements to flora and fauna. The development shall proceed in accordance with the approved plan.

Reason

To ensure the development can meet the aims of PPS9 and 7.19 by providing biodiversity enhancements within the development.

42 RCU2 Use Within Same Use Class

The Children's Explore Learning Unit as shown on plan 01_AP_0010_001 P05 shall be used as a Children's Explore Learning Unit and for no other purpose. T

REASON

To ensure that the impacts associated with any alternate use of the Learning Unit space are adequately considered by the Council and to accord with Policy OE3, AM14 and BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The proposal is considered to make efficient use of an existing underutilised site within the Town Centre and in close proximity to public transport facilities. The development will provide additional landscaping along Belmont Road and within the site and result in an improved pedestrian and car parking environment. The proposed unrestricted trading hours will improve the viability of the Town Centre, and provide greater employment opportunities.

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

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE26	Town centres - design, layout and landscaping of new buildings
BE28	Shop fronts - design and materials
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
S1	New retail development within the shopping hierarchy
S3	Increasing the attractiveness of town centres

R2	Provision of recreation, entertainment and leisure facilities in Town Centres
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
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.
AM15	Provision of reserved parking spaces for disabled persons

3 I1 Building to Approved Drawing

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

4 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).

5 I12 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatics 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 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

7 I14 Installation of Plant and Machinery

The Council's Commercial Premises Section and Building Control Services should be consulted regarding any of the following:-

The installation of a boiler with a rating of 55,000 - 1½ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1½ million Btu/hr;

The siting of any external machinery (eg air conditioning);
The installation of additional plant/machinery or replacement of existing machinery.
Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

8 I14C Compliance with Building Regulations Access to and use of

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 and 8.

9 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

- A) Demolition and construction works should only be carried out between the hours of

08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.
- D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

10 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).

11 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).

12 I2 Encroachment

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

13 I24 Works affecting the Public Highway - General

A licence must be obtained from the Highway Authority before any works are carried out on any footway, carriageway, verge or other land forming part of the public highway. This includes the erection of temporary scaffolding, hoarding or other apparatus in connection with the development for which planning permission is hereby granted. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW

14 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary

consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

15 I28 Food Hygiene

The Council's Commercial Premises Section should be consulted prior to the use of the premises so as to ensure compliance with the Food Safety Registration Regulations 1990, Hygiene (General) Regulations 1970, The Food Act 1984, The Health and Safety at Work Act 1974 and any other relevant legislation. Contact: - Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Telephone 01895 250190).

16 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.

17 I45 Discharge of Conditions

Your attention is drawn to conditions 2, 4, 6, 7, 8, 12, 14, 15, 17, 18, 20, 21, 24, 25, 26, 27, 28, 30, 31, 32, 33, 34, 35, 36 and 37 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of these conditions. The Council may consider taking enforcement action to rectify the breach of these conditions. For further information and advice contact - Planning, Environment & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

18

You are advised that a risk of damage to properties associated with ground heave may arise following from excavation and other works to create foundations, which in turn may cause structural damage to buildings on the adjoining site., and that it is advisable to have this matter fully investigated and to obtain the advice of experts prior to carrying out the removal of the trees. The Council of the London Borough of Hillingdon cannot and will not accept responsibility or liability for any damages associated with the implementation of this consent.

19

You are advised that in relation to condition 10, the Council will expect that the details submitted will include measures to ensure that, when not in use, lights are automatically switched off.

20

In relation to condition 21, you are encouraged to also consider provision of spaces for Brown Badge holders.

21

You are advised that in discharging the details relating to condition 4 (means of enclosure) the Council will expect that there be screening incorporated to prevent lights from car head lights at the upper level of the car park from being able to shine into the residential properties opposite the site across Belmont Road.

3. CONSIDERATIONS

3.1 Site and Locality

The site is located adjacent to York Road and Belmont Road, Uxbridge and lies within the boundary of Uxbridge Town Centre, as defined in the adopted Unitary Development Plan and emerging Core Strategy. The store and service yard are located in the south eastern corner of the site, the remainder to the site comprises car parking. The existing store has a gross floor area of 6,269 sq m, and associated parking for 399 vehicles. It is constructed of brick and is predominantly one storey in height.

The site is located designated as 'Town Centre' on the Proposals Map of the Hillingdon Unitary Development Plan Saved Policies (September 2007). The site sits below the level of Belmont Road and contains a large retaining wall ranging in height from 2-5 m along the north and east boundaries.

The main car parking areas have a gentle slope from east to west. Along the boundary of

Hermitage Primary School there is a steep bank descending from the ground level of the school to the retaining wall, 4-5m in height that frames a section of the car park, the rear elevation of the store and the service yard. Access to the site is via a mini-roundabout on York Road. Customer vehicles enter and exit the store car park at the same point on York Road via parking control barriers. Servicing access is facilitated via a road that runs along the southern boundary of the site, adjacent to the London Underground railway line. Pedestrian and vehicle access to the site is from York Road. The York Road entrance is set back from the street, and the entrance is signalled by the use of totems.

Pedestrian access is currently via a disjointed walkway connecting York Road to the main entrance lobby at the southern corner of the store. Pedestrian linkages with the town centre and the store, as well as bicycle facilities are poor. The site is located close to Uxbridge tube station and major bus route stops. It benefits from a PTAL accessibility rating of 5. The existing car park is used to serve Sainsbury's customers.

In terms of landscaping, the north eastern boundary of the site benefits from dense foliage. Along the store's Belmont Road boundary, there is intermittent tree planting. This boundary is also marked by perimeter chain link fencing. A handful of other trees are planted in the car park, and four plane trees mark the York Road entrance to the site. The Environment Agency's (EA's) internet-published flood risk map indicates that the site lies within the EA's Flood Zone 1 and is therefore at little or no risk from tidal or fluvial flooding.

The site is bounded to the north west by Belmont Road, a wide street, which accommodates parking on both sides of the road. Two and three storey residential properties face the store on its northern boundary. The difference in levels between the store and the properties on Belmont Road is such that the ground floor windows of the houses look out at least at the equivalent of first floor level on the application site. Hermitage Primary school lies to the north east. It sits in grounds above a 4/5m retaining wall which marks the boundary of Sainsbury's car park.

The railway sidings and line, which leads to Uxbridge tube station forms the south eastern boundary and York Road marks the south/south western boundary. Large scale four and five storey office blocks sit opposite the site on York Road, as well as the smaller scale Friends Meeting House building. Immediately opposite Friends Meeting House is the three storey York House Office Building which sits at the junction of York Road and Belmont Road, adjacent to the south east corner of the site. These office blocks and other uses characterise the location of this town centre site.

3.2 Proposed Scheme

The scheme comprises the following:

- i) An extension to the existing Sainsbury's supermarket.
- ii) A new decked car park with 399 spaces in total.
- iii) Alterations to pedestrian linkage and access.
- iv) A new Explore Learning unit.
- v) A new Sainsbury's restaurant/cafe.
- vi) Amendments to existing landscaping.

The existing store is 6,269 sq metres GEA. The proposed extension comprises floorspace of 5,059sq metres Gross External Area. These figures combined will result in a new total floorspace area of 11,318 sq m. With regards to retail floor areas, the proposals include

expanding the current store from 3,371 sq m net to 5,501 sq m net.

The total existing and permitted floorspace pursuant to previous permissions is as follows:

- i) gross external 7,782 sq m,
- ii) retail sales area 5,739 sq m.

Thus the current proposals will result in a net increase in GEA of 3,536sq metres, and reduction of retail floorspace by 234sq metres from the extant scheme.

3.3 Relevant Planning History

Comment on Relevant Planning History

In 1985, planning permission was granted for the existing store, comprising a gross external floor area of 6,269 sq m, incorporating a sales area of 3,344 sq m. A total of 412 parking spaces were provided (Ref. 35059/84/1233).

In 2001, planning permission was granted for an extension to the store (in the same position as the current proposal) to provide a 120-seat restaurant and an increased sales area of 743 sq m. A reduction of 116 parking spaces was proposed (Ref. 39439/Z/99/0896). This consent was not implemented.

Two further planning applications were submitted in February 2004. The first sought an extension to the rear of the supermarket to provide additional storage space on the ground and first floors. Permission was granted on 26 May 2004 (Ref. 39439/APP/2004/387).

The second application sought deletion of condition 14 of the original 1985 planning permission, which imposed a restriction on the net sales area of the store (to 3,345 sq m). Rather than remove the condition entirely, officers determined to impose a new condition, whereby the sales area was limited to 4,273 sq m. Consent was granted on 24 June 2004 (Ref. 39439/APP/2004/364). Neither of the 2004 permissions were implemented.

In 2005, planning permission was granted for the erection of a decked car park, single storey store extension and proposed unrestricted trading hours (Ref. 39439/APP/2004/2402). This consent has not been implemented.

In 2010, planning permission was granted for the minor re-configuration of the existing car park to include entry and exit barriers (Ref. 39439/APP/2009/2380). This involved the loss of 7 parking spaces within the car park and has been implemented.

In 2010, planning permission (ref: 394439/APP/20101799) was granted to for an extension of time to planning permission ref: 39439/APP/2004/2402 for the erection of decked car park, single storey store extension and proposed unrestricted trading hours.

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.
- PT1.19 To maintain a hierarchy of shopping centres which maximises accessibility to shops and to encourage retail development in existing centres or local parades which is appropriate to their scale and function and not likely to harm the viability and vitality of Town or Local Centres.
- 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:

- 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.
- BE18 Design considerations - pedestrian security and safety
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE26 Town centres - design, layout and landscaping of new buildings
- BE28 Shop fronts - design and materials
- 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
- S1 New retail development within the shopping hierarchy
- S3 Increasing the attractiveness of town centres
- R2 Provision of recreation, entertainment and leisure facilities in Town Centres
- R16 Accessibility for elderly people, people with disabilities, women and children
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
- 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.

AM15 Provision of reserved parking spaces for disabled persons

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th May 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 167 neighbouring properties were consulted on the proposed scheme. In all 3 letters of objection and 2 letters of support were received. The objections raised were on the following grounds:

- i) The new pedestrian entrance to the site on Belmont Road will result in people hanging around, will result in parking problems on Belmont Road and will devalue the value of properties on Belmont Road.
- ii) The store does not provide a sufficient variety of goods for customers.

A letter was also received from the owners of the adjacent York House office building who raised concerns that the vehicular entrance to their building would be compromised by the proposed development.

The letters of support made reference to the following points:

- i) Support for the new pedestrian access from Belmont Road as it will enable locals to walk to the store instead of having to drive the long way around.

A letter of support was also received from the North Uxbridge Residents Association.

A letter was received from John Randall MP stating that he had been approached by a local resident raising concerns about parking bays on Belmont Road. The issue has been addressed by the Council's Highway's department.

ENVIRONMENT AGENCY

Following initial concerns raised by the EA and ongoing negotiations the scheme has been amended. The EA raises no objection to the amended scheme subject to conditions.

LUL LTD

No objections raised.

NETWORK RAIL

No objections raised.

LONDON FIRE BRIGADE

No objections raised.

MET POLICE CRIME PREVENTION DESIGN ADVISOR

No objection raised subject to a secure by design condition and a CCTV S106 contribution.

Internal Consultees

DESIGN & CONSERVATION

Following initial concerns raised by the Council's Design & Conservation Officer and ongoing negotiations the scheme has been amended. The Design & Conservation Officer raises no objection to the amended scheme subject to conditions.

TREES & LANDSCAPE

Following initial concerns raised by the Council's Trees & Landscape Officer and ongoing negotiations the scheme has been amended. The Trees & Landscape Officer raises no objection to the amended scheme subject to conditions.

HIGHWAYS

Following initial concerns raised by the Council's Highways Officer and ongoing negotiations the scheme has been amended. The Highways Officer raises no objection to the amended scheme subject to conditions.

SUSTAINABILITY

Following initial concerns raised by the Council's Sustainability Officer and ongoing negotiations the scheme has been amended. The Sustainability Officer raises no objection to the amended scheme subject to conditions.

ACCESS OFFICER

Following initial concerns raised by the Council's Access Officer and ongoing negotiations the scheme has been amended. The Access Officer raises no objection to the amended scheme subject to conditions.

EPU - CONTAMINATION

The application site includes a former depot in what is now a car parking area. There is a possibility of underground fuel storage tanks at the site. We have not record of site investigation or remediation from the time of the current development. If possible could you include the following standard contaminated land condition.

Amended EPU L1 Site Survey and Remediation Scheme

Before any part of this development is commenced a site survey to assess the land contamination levels shall be carried out to the satisfaction of the Council and a remediation scheme for removing or rendering innocuous all contaminates from the site shall be submitted to and approved by the Local Planning Authority. The remediation scheme shall include an assessment of the extent of site contamination and provide in detail the remedial measures to be taken to avoid risk to the occupiers and the buildings when the site is developed. All works which form part of this remediation scheme shall be completed before any part of the development is occupied (unless otherwise agreed in writing by the Local Planning Authority). The condition will not be discharged until verification information has been submitted for the remedial works.

Any imported material i.e. soil shall be tested for contamination levels therein to the satisfaction of the Council.

REASON

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

Note: The Environmental Protection Unit (EPU) must be consulted at each stage for their advice when using this condition. Supplementary Planning Guidance on Land Contamination provides some general guidance on the information required to satisfy the condition. The Environment Agency, EA, should be consulted when using this condition. Contaminates may be present in the

soil, water (ground/surface) and gas within the land or exist on the surface of the land.

It is appreciated the proposed use is not particularly sensitive to contamination. Sp if the above condition is considered onerous (and given the size of the development, I don't think it is) could you as a minimum include the following imports and landscaping condition and contamination informative.

Condition to minimise risk of contamination from garden and landscaped area

All soils used for gardens and/or 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 to 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).

EPU - NOISE

The updated noise report contains an assessment of the impact of noise associated with the proposed development. Noise from new mechanical plant is considered, and suitable noise limits are proposed to protect residential amenity. Noise from use of the revised car park is considered. The car park will have an upper car park deck located over a lower parking area. It is concluded that the screening effects of covering over a large area of the lower car park will result in a net reduction of car park noise levels at the closest residential properties. Noise from increased road traffic is assessed, taking account of updated road traffic flows. It is concluded that increases in road traffic noise with the development will be imperceptible.

The previous planning permission was granted subject to a number of conditions, with conditions 18, 27 and 29 relating to noise issues. Condition 18 requires submission of a scheme for controlling noise emanating from the site. This condition can be used to control noise from mechanical plant. Condition 27 requires submission of a scheme for protecting surrounding dwellings against noise and dust during construction. Condition 29 restricts hours for customer parking on the upper car park deck. This condition should prevent neighbouring residents from being disturbed at night by use of the upper car park deck.

I would also wish to see the retention of conditions 7, 8 and 10.

I accept that the updated noise report demonstrates that there is no material change in noise issues since the original grant. It would consequently seem that we cannot impose different or additional conditions relating to noise, and that the same conditions will have to be applied to the present application. Those conditions were previously considered adequate, and I therefore have no objection on noise or nuisance grounds to the proposal.

S106 OFFICER

1. Transport: A s278 agreement will be required to meet any and all highways works as a result of this proposal.

A financial contribution upto £40,000 will also be sought to address the following:

* on-street parking restrictions including expansion of CPZ if deemed necessary.

* road safety improvement study.

* speed sensor signage

* highway improvements including York Road roundabout in front of the store's entrance and Belmont Road /York Road roundabout.

2. Landscaping: A contribution in the sum of £10,000 is sought to enable off-site landscaping improvements along Belmont Road and/or within the vicinity of the site.

3. Town Centre Contribution: A contribution in the sum of £30,000 is sought to address town centre improvements within the vicinity of the site.

4. CCTV Contribution: I have spoken with both the crime prevention officer and the Council's CCTV Team and the contribution in the sum of £14,000 is still required.

5. Construction Training: If the build programme is to exceed 3 months and the construction cost is in excess of £2 million then a construction training contribution is required. I note that your proposal is over the 3,000m² threshold for commercial developments. We are flexible as to whether or not an in-kind training scheme is submitted for approval or a financial contribution secured. If it were to be a financial obligation then the contribution would equal £2,500 for every £1 million build cost. Please advise as to the construction cost and your estimated construction time.

6. Project Management and Monitoring Fee: A contribution equal to 5% of the total cash contributions is sought to enable the management and monitoring of the resulting agreement.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within Uxbridge Town Centre. The proposed Core Strategy draft document highlights Uxbridge as a preferred location for retail development (policy E4) and goes onto state that there is capacity for 1,300 sq m of convenience retail floor space up to 2016. Paragraph 4.5 of the draft Core Strategy also states that the town centre currently supports 100,000 sq metres of retail floor space and the growth of retail, leisure and employment uses in Uxbridge town centre will be encouraged to support its Metropolitan status. The store extension would intensify the use of the site, thereby improving the vitality of the Town Centre. However, its modest scale means that it is unlikely to have a negative effect on the viability of neighbouring centres. Accordingly, no objections are raised to the principle of the use.

7.02 Density of the proposed development

Not applicable to the application.

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

The site does not lie in a conservation area and is not a listed building.

7.04 Airport safeguarding

There are no airport safeguarding issues resulting from this scheme.

7.05 Impact on the green belt

The site does not lie in or near the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE13, BE19 and BE21 of the Unitary Development Plan Saved Policies seek to ensure that new development will complement and improve the character and amenity of

the area.

The proposed car deck extension is larger than that previously approved (ref: 39439/APP/2010/1799), however the vast majority of the additional car park deck area proposed is on the metropolitan London Underground railway line side of the site. Given the level changes between the site and Belmont Road (Sainsbury's supermarket site is up to 5m below street level), the section of deck fronting Belmont Road protrudes above street level. This is lower than a single storey building. With the 2.5m set back from Belmont Road also factored in, it is considered that the proposed deck would not have a significant increased impact upon the Belmont Road Streetscene.

In terms of the proposed two storey extension to the supermarket building that fronts Belmont road, given the levels changes between the site and Belmont road only part of the upper storey and roof of the extension would be visible from Belmont Road. The proposed extension will be between 2.6m and 5.2m in height above street level. It will also be set in from the boundary with Belmont Road between 2.5m and 5m.

The level of the site is up to 5 metres lower than Belmont Road and as such only the roof of the extension and the upper car deck would be visible in the street scene. The extension and car deck would be partially screened from views from York Road by the existing office building at York House as well as by railings and landscaping along Belmont Road frontage and on the site itself.

The extension would be finished in materials to match the existing store and additional street planting is proposed along the Belmont Road frontage and within the car park. As such, it is considered that the development would complement and improve the character and amenity of the area in accordance with these policies.

7.08 Impact on neighbours

Planning permission ref: 39439/APP/2010/1799 established the principle of having a car park deck fronting onto Belmont Road. The proposed car deck extension is larger than that previously approved (ref: 39439/APP/2010/1799), however the vast majority of the additional car park deck area proposed is on the London Underground railway line side of site, and would not be viewed from or have any increased impact upon the residents on Belmont Road.

The edge of the single car park deck will be pulled away from Belmont Road behind the line of the existing planting in order to reduce the impact on neighbouring residents. A distance of 32 m will separate the front of the residential properties and the edge of the car parking deck.

Access to the car park deck will be provided by a two-way ramp in the north western corner of the site that runs along the Belmont Road boundary. The proposed parking deck, as with other London stores, will provide a well lit, airy and sheltered environment for customers. The deck itself will be pulled away from the Belmont Road frontage to minimise impact on residential properties.

In addition, a parapet wall along the Belmont Road frontage of the car park deck will shield the lights from vehicles at night time. The parking deck will align with the existing Belmont Road level at the point in front of the store. A new public access is also proposed on this elevation to increase links through the store from the town centre and the north. The car park deck will be closed at night from 23.00 to 07.00 Monday to

Saturday and open during store opening hours on Sundays and bank holidays.

The edge of the deck will be approximately 22.5m from the dwellings on the opposite side of Belmont road. The configuration of the proposed deck, with the ramp leading to and from the upper level making up the deck's entire frontage with Belmont Road, means that the car parking at upper deck would be a further 10m away from the edge of the deck (a total of 14.5m from the boundary with Belmont Road and 34.5m from the dwellings across the street).

In addition, a parapet wall along the Belmont Road frontage of the car park deck will shield the lights from vehicles at night time. The parking deck will align with the existing Belmont Road level at the point in front of the store. A new public access is also proposed on this elevation to increase links through the store from the town centre and the north. The car park deck will be closed at night from 23.00 to 07.00 Monday to Saturday and open during store opening hours on Sundays and bank holidays.

The nearest residential properties to the site are on the opposite side of Belmont Road. In view of the difference in levels between the site and these properties and the substantial street planting proposed on the Belmont Road frontage, it is not considered that the occupiers of these properties would suffer any undue loss of light, outlook or privacy as a result of the proposed extension and car deck. Similarly, the site is approximately 5 metres lower than the adjoining Hermitage Primary School and, as such, would not result in any undue loss of amenity to the occupiers of the school.

7.09 Living conditions for future occupiers

Not applicable to this development.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposals include expanding the existing store from 3,371 sq.m Retail Floor Area (RFA) to 5,505 sq.m RFA. The applicant has stated that there are currently 399 parking spaces including 25 dedicated to special needs users at the site. It is proposed to retain the current number of car parking spaces and increase provision for special needs users to 36 parking spaces, comprising the disabled, parent & child and over 65+ brown badge parking.

There is an extant consent, granted in September 2005 for a slightly larger RFA than currently proposed with a higher number of car parking spaces, which was extended in August 2010.

The applicant has stated that the extension will enable the internal layout of the store to be reorganised to enable wider aisles to be provided, to reduce the height of display facilities and to enable a wider product offer. The improvements will enable a broader range of convenience and comparison products to be sold from the store mostly to existing customer.

Analysis of Sainsbury's stores where extensions have been undertaken shows that the percentage increase in customer numbers would be approximately 22%. Assuming the worst case scenario that any new customers will arrive by private car only, the car parking occupancy will be 95%, with a reserve capacity of 19 car parking spaces at the Saturday peak.

The applicant has agreed to provide a contribution towards parking

management/restrictions in the surrounding streets should they be required (subject to a study funded by the applicant). This is to be secured by a s106 agreement.

The applicant has also agreed to fund highway and pedestrian safety and improvement works should they be required (subject to a study funded by the applicant), again secured through a s106 agreement.

The proposed level of parking spaces, layout of the car park and location of pick up and drop off facility within the car park are considered acceptable. Variable Message Signs should be provided with the car park, which should be covered through a suitable planning condition. The pedestrian routes and dedicated motorcycle parking and cycle parking spaces are also considered acceptable.

The existing access arrangement from York Road for vehicles will remain unaltered by the proposals. The amendments proposed to the layout of the access road are considered acceptable.

A small recycling facility is proposed within the small area of the car park near the access point. It is proposed to be serviced from the service access road at an off-peak period or overnight, typically once or twice a week. No changes are proposed to the store's delivery arrangements.

The additional traffic generation as a result of the proposed expansion of the store is not considered to result in significant capacity issues on the highway network.

Considering the above, there is no objection on the highways aspect of the planning application subject to the above issues being covered through suitable planning conditions and a s106 agreement.

7.11 Urban design, access and security

Urban design is considered at section 7.07 and disabled access at section 7.12. With regard to security, the Metropolitan Police Crime Prevention Officer has advised that secure gates/fences should be provided at the side of the building to prevent access to the rear; CCTV should be provided to the car park, building and stairwell entrances; and the car park should be constructed to 'Safer Car Park Standards', as outlined in the Council's Supplementary Planning Guidance 'Community Safety by Design'. Appropriate conditions are recommended to secure these requirements.

7.12 Disabled access

The Access Officer has no objection to the scheme, which has been amended following initial concerns and on-going negotiations. The applicant provided an additional Access Statement together with several sets of amended plans to address the concerns of the Access Officer.

The scheme is considered to comply with all relevant council policies and standards.

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies (September 2007) requires

new development to retain existing landscape features and provide new landscaping wherever possible.

The existing car park is sparsely landscaped with trees scattered between parking spaces in a fairly random manner. The proposal will result in the provision of 17 new trees to the existing car park, arranged in rows to create a formal 'avenue' effect. These will help screen the decked car park when viewed from the railway line, and the existing at grade car park and approaches into the site. Planter boxes, designed to produce a 'cascading' effect, are also proposed along the southern elevation of the decked car park, further helping to soften the built form. Along the Belmont Road frontage, substantial street planting is proposed, secured via a Section 106 agreement, to reinforce the existing landscaping and provide a more formal entrance into the Town Centre.

The effect of these landscaping proposals is considered to create a more harmonious Town Centre environment, which will improve the existing street scene and character and appearance of the area.

7.15 Sustainable waste management

The existing refuse and recycling facilities for the store would be retained within the existing service yard as part of the development. The retention of these could be secured by an appropriate condition in the event of planning permission being granted.

Furthermore, recycling bins are to be provided in the south western corner of the car park adjacent to the service road for use by customers. The recycling bins will be serviced from the service road to the south. The Council's Highway Officer has raised no objection to this. A condition is however recommended should the application be approved, requiring details of servicing arrangements to be submitted to the Council.

7.16 Renewable energy / Sustainability

The London Plan (July 2011) requires major development to show how the development would generate a proportion of the site's electricity or heat needs from renewables wherever feasible.

The applicant has submitted an Energy Strategy, which demonstrates that a number of measures have been incorporated into the scheme to reduce its energy demand.

The energy efficient measures, combined with the use of renewable energy measures would provide a carbon saving, 20% of which would be from renewable energy sources. This complies with London Plan (July 2011) standards and is considered to be acceptable. Further details would be required by way of condition should approval be granted.

7.17 Flooding or Drainage Issues

The Environment Agency was consulted on the Flood Risk Assessment which provides appropriate justification as to why Sustainable Urban Drainage cannot be practically provided as part of this development. The EA raised no objection to this point.

The applicant has however committed to discharging surface water at Greenfield run off rate and providing on-site attenuation for the 1 in 100 year plus climate change storm. The EA has raised no objection to the scheme subject to a condition requiring that the scheme be carried in accordance with the FRA.

7.18 Noise or Air Quality Issues

NOISE

The updated noise report accompanying the application contains an assessment of the impact of noise associated with the proposed development. Noise from new mechanical plant is considered, and suitable noise limits are proposed to protect residential amenity. Noise from use of the revised car park is considered. The car park will have an upper car park deck located over a lower parking area. It is concluded that the screening effects of covering over a large area of the lower car park will result in a net reduction of car park noise levels at the closest residential properties. Noise from increased road traffic is assessed, taking account of updated road traffic flows. It is concluded that increases in road traffic noise with the development will be imperceptible. It is recommended that should permission be granted appropriately worded noise conditions should be added.

AIR QUALITY

The site is located within an Air Quality Management Area. An air quality assessment was submitted with the original application to which the Environmental Protection Unit raised no objection subject to the imposition of conditions requiring details of a fleet management plan and green travel plan for the site.

7.19 Comments on Public Consultations

All the issues raised through the public consultation process have been addressed within the body of the report.

7.20 Planning obligations

The Council S106 Officer was consulted and has advised that the following S106 Contributions are ought for this proposal:

1. Transport: A s278 agreement will be required to meet any and all highways works as a result of this proposal.
A financial contribution upto £40,000 will also be sought to address the following:
 - * on-street parking restrictions including expansion of CPZ if deemed necessary.
 - * road safety improvement study.
 - * speed sensor signage
 - * highway improvements including York Road roundabout in front of the store's entrance and Belmont Road /York Road roundabout.
2. Landscaping: A contribution in the sum of £10,000 is sought to enable off-site landscaping improvements along Belmont Road and/or within the vicinity of the site.
3. Town Centre Contribution: A contribution in the sum of £30,000 is sought to address town centre improvements within the vicinity of the site.
4. CCTV Contribution: I have spoken with both the crime prevention officer and the Council's CCTV Team and the contribution in the sum of £14,000 is still required.
5. Construction Training: If the build programme is to exceed 3 months and the construction cost is in excess of £2 million then a construction training contribution is required. I note that your proposal is over the 3,000m² threshold for commercial developments. We are flexible as to whether or not an in-kind training scheme is submitted for approval or a financial contribution secured. If it were to be a financial obligation then the contribution would equal £2,500 for every £1 million build cost.
Please advise as to the construction cost and your estimated construction time.

6. Project Management and Monitoring Fee: A contribution equal to 5% of the total cash contributions is sought to enable the management and monitoring of the resulting agreement.

7.21 Expediency of enforcement action

Enforcement action is not relevant or required in this case.

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

The application seeks full planning permission for a two storey extension to the store and a decked car park.

The proposed store extension and car deck are of a scale and design that would be in keeping with the general pattern of development in the area and would therefore not have

a detrimental impact on the appearance and character of the area. The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers or of the adjoining office building, and would provide an acceptable level of car parking for the extended store.

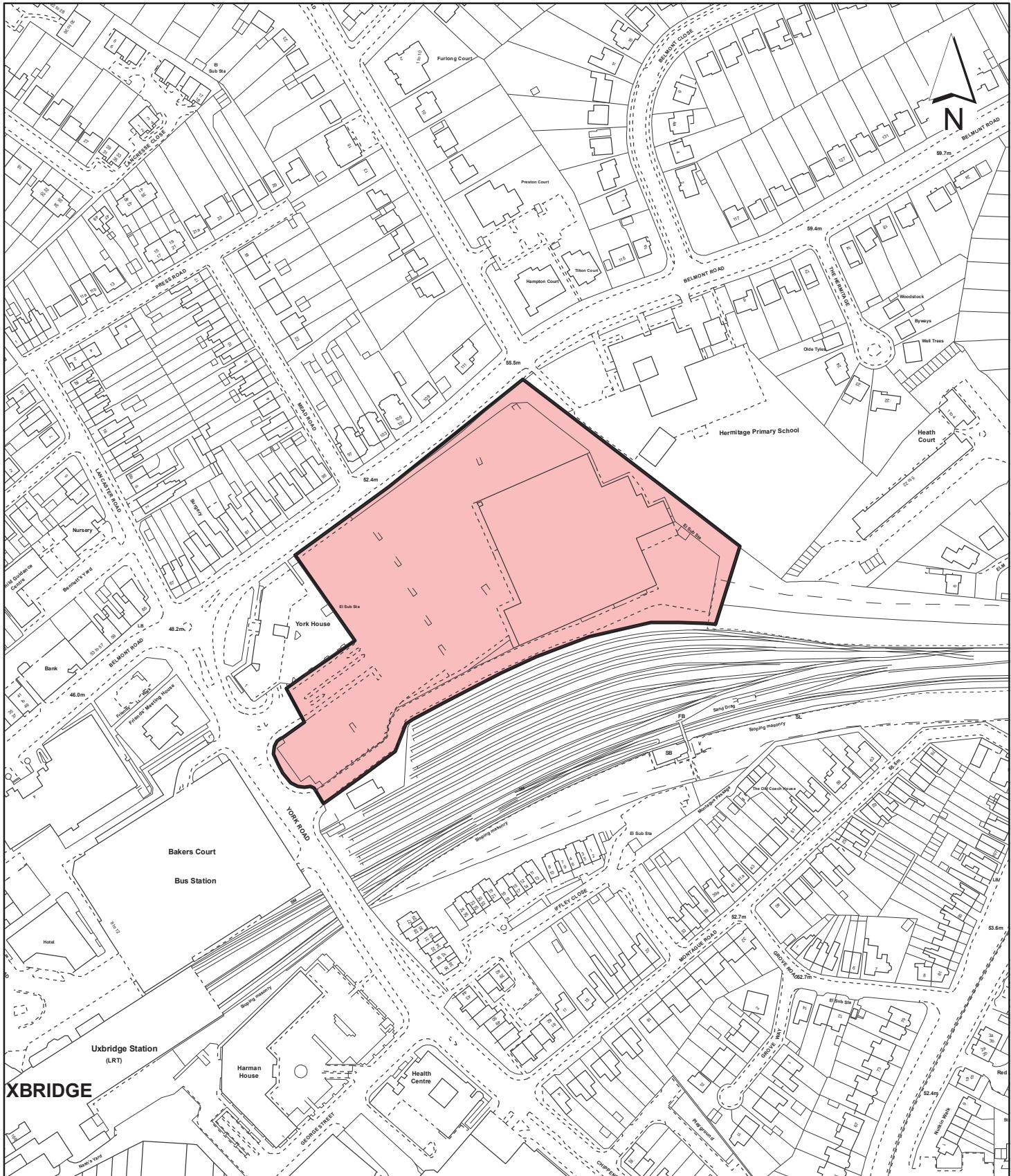
Accordingly, the application is recommended for approval, subject to conditions and planning obligations.

11. Reference Documents

Planning Policy Statement 1 (Delivering Sustainable Development) (January 2005)
Planning Policy Statement 4 (Planning for Sustainable Economic Growth) (December 2009)
Planning Policy Guidance Note 13 (Transport) (April 2001)
The London Plan (July 2011)
Hillingdon Unitary Development Plan Saved Policies (September 2007)
Hillingdon Design and Accessibility Statement - Accessible Hillingdon (July 2006)
Planning Obligations Supplementary Planning Document (July 2008)

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Notes

 Site boundary

For identification purposes only.

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**LONDON BOROUGH
OF HILLINGDON**

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Planning Application Ref:

39439/APP/2011/738

Scale

1:2,500

Planning Committee

Central and South

Date

**November
2011**



HILLINGDON
LONDON