



HILLINGDON  
LONDON



# Central & South Planning Committee

**Date:** THURSDAY, 1 MARCH 2018

**Time:** 7.00 PM

**Venue:** COMMITTEE ROOM 5 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

**Meeting  
Details:** Members of the Public and  
Press are welcome to attend  
this meeting

## To Councillors on the Committee

Councillor Ian Edwards (Chairman)  
Councillor David Yarrow (Vice-Chairman)  
Councillor Shehryar Ahmad-Wallana  
Councillor Roy Chamdal  
Councillor Alan Chapman  
Councillor Brian Stead  
Councillor Mo Khursheed  
Councillor Peter Money  
Councillor John Morse  
Councillor Brian Stead

**Published:** Wednesday, 21 February 2018

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=123&Year=0>

***Putting our residents first***

Lloyd White  
Head of Democratic Services  
London Borough of Hillingdon,  
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

# Useful information for residents and visitors

## *Watching & recording this meeting*

You can watch the public (Part 1) part of this meeting on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

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Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

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If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt. Lifts must not be used unless instructed by a Fire Marshal or Security Officer. In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



## A useful guide for those attending Planning Committee meetings

### Security and Safety information

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**Mobile telephones** - Please switch off any mobile telephones before the meeting.

### Petitions and Councillors

**Petitions** - Those who have organised a petition of 20 or more people who live, work or study in the borough, can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council in advance of the meeting. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

**Ward Councillors** - There is a right for local councillors to speak at Planning Committees about applications in their Ward.

**Committee Members** - The planning committee is made up of the experienced Councillors who meet in public every three weeks to make decisions on applications.

### How the Committee meeting works

The Planning Committees consider the most complex and controversial proposals for development or enforcement action.

Applications for smaller developments such as householder extensions are generally dealt with by the Council's planning officers under delegated powers.

An agenda is prepared for each meeting, which comprises reports on each application

Reports with petitions will normally be taken at the beginning of the meeting.

The procedure will be as follows:-

1. The Chairman will announce the report;
2. The Planning Officer will introduce it; with a presentation of plans and photographs;
3. If there is a petition(s), the petition organiser will speak, followed by the agent/applicant followed by any Ward Councillors;

4. The Committee may ask questions of the petition organiser or of the agent/applicant;
5. The Committee debate the item and may seek clarification from officers;
6. The Committee will vote on the recommendation in the report, or on an alternative recommendation put forward by a Member of the Committee, which has been seconded.

### About the Committee's decision

The Committee must make its decisions by having regard to legislation, policies laid down by National Government, by the Greater London Authority - under 'The London Plan' and Hillingdon's own planning policies as contained in the 'Unitary Development Plan 1998' and supporting guidance. The Committee must also make its decision based on material planning considerations and case law and material presented to it at the meeting in the officer's report and any representations received.

Guidance on how Members of the Committee must conduct themselves when dealing with planning matters and when making their decisions is contained in the 'Planning Code of Conduct', which is part of the Council's Constitution.

When making their decision, the Committee cannot take into account issues which are not planning considerations such as the effect of a development upon the value of surrounding properties, nor the loss of a view (which in itself is not sufficient ground for refusal of permission), nor a subjective opinion relating to the design of the property. When making a decision to refuse an application, the Committee will be asked to provide detailed reasons for refusal based on material planning considerations.

If a decision is made to refuse an application, the applicant has the right of appeal against the decision. A Planning Inspector appointed by the Government will then consider the appeal. There is no third party right of appeal, although a third party can apply to the High Court for Judicial Review, which must be done within 3 months of the date of the decision.

## Agenda

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### Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting 1 - 6
- 4 Matters that have been notified in advance or urgent
- 5 To confirm that the items of business marked Part I will be considered in Public and that the items marked Part 2 will be considered in private

### PART I - Members, Public and the Press

Items are normally marked in the order that they will be considered, though the Chairman may vary this. The name of the local ward area is also given in addition to the address of the premises or land concerned.

#### Applications with a Petition

	Address	Ward	Description & Recommendation	Page
6	12 Grove Way, Uxbridge  71844/APP/2017/4606	Uxbridge North	Two-storey side extension, single-storey rear extension, conversion of roof space to habitable use to include three rear and two side rooflights and porch to front (Retrospective).  <b>Recommendation: Approval</b>	7 - 16  40 - 49

#### Applications without a Petition

	Address	Ward	Description & Recommendation	Page
7	12 Grove Way, Uxbridge  71844/APP/2018/56	Uxbridge North	Details pursuant to condition 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (two-storey side extension, single-storey rear extension, conversion of roof space to habitable use to include three rear rooflights and one side rooflight and porch to front).  <b>Recommendation: Refusal</b>	17 - 20  50 - 53

8	141 Charville Lane, Hayes  72426/APP/2017/2914	Charville	Erection of two cabins, single storey workshop building, gate/fence, demolition of existing buildings and change of use from scrapyard (Sui Generis) to car repairs (Use Class B2).  <b>Recommendation: Approval</b>	21 - 38  54 - 58
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**PART I - Plans for Central and South Planning Committee    39 - 58**

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## Minutes



**CENTRAL & South Planning Committee**

**7 February 2018**

**Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge UB8 1UW**

	<p><b>Committee Members Present:</b> Councillors David Yarrow (Vice-Chairman, in the Chair), Shehryar Ahmad-Wallana, Alan Chapman, Raymond Graham, Edward Lavery, Brian Stead, Peter Money and John Oswell</p> <p><b>LBH Officers Present:</b> Meghji Hirani (Planning Contracts &amp; Planning Information), James Rodger (Head of Planning and Enforcement), Glen Egan (Office Managing Partner - Legal Services), Alan Tilly (Transport and Aviation Manager) and Liz Penny (Democratic Services Officer)</p>
175.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Edwards with Councillor Graham substituting, from Councillor Chamdal with Councillor Lavery substituting, from Councillor Khursheed with Councillor Oswell substituting and from Councillor Morse.</p>
176.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
177.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting on 11 January 2018 were approved.</p> <p><b>RESOLVED: That the minutes of the meeting on 11 January 2018 were approved as an accurate record.</b></p>
178.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
179.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that the items of business marked Part I would be considered in Public and that the items marked Part II would be considered in private.</p>

180.	<p><b>42 HUGHES ROAD, HAYES - 28763/APP/2017/4032</b> (<i>Agenda Item 6</i>)</p> <p><b>Part two storey, part single storey side/rear extension and conversion of roofspace to habitable use to include a rear dormer and 2 front rooflights to create 1 x 2-bed flat, 1 x studio flat and a 4-bed HMO</b></p> <p>Officers introduced the application and explained that the proposed extensions to the property were identical to those recently approved by planning under a separate application as a single private dwelling. The new application in question sought permission for the sub-division of the property. The principal concerns of planning officers had regard to the impact on neighbours, the quality of the proposed accommodation and the parking provision (2 spaces in total) which failed to meet the Council's approved parking standards. Officers highlighted the fact that 7 individuals could reside in such an HMO which was more than the average large family.</p> <p>A petitioner spoke in objection to the application stating that many of the petitioners' key concerns had already been addressed in the planning officer's report. However, the petitioner highlighted an additional area of concern which related to the inadequate distance between the existing bedroom window to the side of 40 Hughes Road and the wall of the proposed side extension at no. 42 which would be approximately 8m. This would be considerably less than Hillingdon Council's required minimum distance of 15m. The petitioner also drew attention to a proposed window to a habitable room at no. 42 at first floor level; this would be opposite the existing bedroom window at no. 40 and would result in an unacceptable distance between the two windows.</p> <p>The petitioner also drew Members' attention to the statement in section 7.08 of the report regarding impact on neighbours and commented that this statement was inaccurate as the proposed extension would cause loss of outlook, privacy and light to no. 40.</p> <p>The petitioner requested that an additional reason for refusal be added relating to the proximity of the development to no. 40 and the impact on residents there.</p> <p>Members expressed concern regarding the reported 8m distance between the two properties but were advised by officers that permission for the extension had already been granted and could not be revoked. At the time, the room to the side of the property was a study. Neighbours had been consulted and had not raised any issues with the development itself; only concerns regarding parking and use. It was reported that the extension could therefore be built and Members could only consider the use of the property at this stage. It was agreed that the report already included 5 sound reasons for refusal and a 6<sup>th</sup> reason was not necessary or feasible.</p> <p>The officer's recommendation was moved and seconded. Upon being put to a vote, it was unanimously agreed.</p> <p><b>RESOLVED: That the application was refused.</b></p>
181.	<p><b>LAND FORMING PART OF 12 DAGNALL CRESCENT, COWLEY - 72273/APP/2017/4203</b> (<i>Agenda Item 7</i>)</p> <p><b>Two-storey, 2-bed attached dwelling with associated parking and amenity space and extensions to vehicular crossovers to front</b></p> <p>Officers introduced the application and explained that a previous application had been</p>



refused in August 2017 as it failed to incorporate sufficient off street parking and amenity space. It was explained that the new application had addressed the parking issue, but the sub-division of the plot would result in the existing dwelling having an area of external amenity space that failed to meet the minimum area requirement set out in the HDAS SPD.

Councillor Burles spoke on behalf of the petitioners and commented that petitioners believed the application should be refused for a number of reasons:

1. one concern related to additional parking stress - particularly in the evenings and at weekends; this also impacted on neighbouring roads. Members were advised that it was at times difficult for emergency vehicles and commercial vehicles to get through. It was reported that the proposed additional new vehicular crossover would result in a reduction in on-street parking;
2. petitioners felt that the site was unsuitable for two dwellings and the amenity space at both of the proposed properties would be inadequate;
3. concerns were expressed regarding the impact on privacy as the distance between bedroom windows would barely exceed the minimum requirement of 21m. Members were also advised that neighbouring properties would experience a loss of privacy due to overlooking of their patio areas. A Thames Water sewer would also need to be relocated which would necessitate the removal of trees on the site;
4. it was felt that the street scene would be impacted negatively by the development as it would not match the street scene when viewed from the side and the rear.

The agent spoke in response to the petition stating that, in his opinion, the two reasons for refusal given in August 2017 had now been resolved in the revised application. Members were advised that the removal of the porch would enable two parking spaces to be provided side by side. It was also reported that the issue regarding the lack of amenity space for the existing and proposed dwellings had been addressed by arranging the car parking spaces side by side enabling the required 60m amenity space to be provided. The agent stated that the 60sqm amenity space requirement should only apply to new houses and should not apply to the existing dwelling. It was suggested that the guidelines for residential extensions would be more appropriate and should be applied instead; this requirement was for 40sqm rather than 60sqm. The agent reported that paragraph 7.09 of the officer's report did not recognise that the proposal was for bedroom one to be reduced in size with the addition of a dressing room, avoiding the need for a condition to ensure that no internal room partitions were erected in the future.

Councillor Cooper spoke as Ward Councillor in objection to the application and expressed satisfaction at the officers' analysis regarding amenity space for future residents. Councillor Cooper also stated that local areas should be improved rather than squeezing in additional properties unnecessarily.

The Head of Planning and Enforcement addressed the issues raised by the agent. With regard to interpretation of the guidance, Members were advised that the guidance relating to applications for new dwellings was deemed to be the most appropriate in this case and it was logical that the same numerical standards would be applied both to the proposed new dwelling and to the existing dwelling. It was reported that the existing dwelling would be reduced to 44 square metres in size under the proposal and this was insufficient.

	<b>RESOLVED: That the application was refused.</b>
182.	<p><b>6 HAMILTON ROAD, COWLEY, UXBRIDGE - 5670/APP/2017/3929</b> (<i>Agenda Item 8</i>)</p> <p><b>This agenda item was withdrawn prior to commencement of the meeting.</b></p>
183.	<p><b>1190 UXBRIDGE ROAD, HAYES - 3976/APP/2017/3729</b> (<i>Agenda Item 9</i>)</p> <p><b>This agenda item was withdrawn prior to commencement of the meeting.</b></p>
184.	<p><b>LAND FORMING PART OF 28 AND 28 WEST WALK, HAYES - 71945/APP/2017/3032</b> (<i>Agenda Item 10</i>)</p> <p><b>Two storey, 2-bed, attached dwelling with associated parking and amenity space and part two storey, part single storey rear extension to existing dwelling and installation of crossover to front.</b></p> <p>Officers presented the application which sought to construct a new 2-bedroom house as an extension to the existing end terrace dwelling with associated crossovers, parking and amenity space. Members were advised that the proposal would result in a cramped form of development and would be at odds with the predominant character, appearance and scale of buildings within the surrounding street scene. It was also reported that the proposal failed to ensure sufficient parking provision to meet Council standards.</p> <p>Members stated that there were already some sizeable extensions along West Walk and the proposed development would therefore be in keeping with the rest of the road and would not spoil the character of the area.</p> <p>Officers drew Members' attention to the comments of the Council's Conservation and Urban Design Officer and it was highlighted that this was an area of special local character. It was suggested that the item be deferred to enable a site visit to be arranged.</p> <p>Members moved, seconded and unanimously agreed to defer the item pending a site visit.</p> <p><b>RESOLVED: That the item was deferred subject to a site visit.</b></p>
185.	<p><b>UNIT 102, INTU UXBRIDGE, THE CHIMES SHOPPING CENTRE, HIGH STREET, UXBRIDGE - 55969/APP/2017/3277</b> (<i>Agenda Item 11</i>)</p> <p><b>Change of use from retail (Use Class A1) to use as a laser hair removal facility (sui generis)</b></p> <p>Officers presented the application which sought to change the use class of Unit 102 from retail to sui generis.</p> <p>The Committee moved, seconded and unanimously agreed the officer's recommendation.</p> <p><b>RESOLVED: That the application was approved.</b></p>

186.	<p><b>254 YEADING LANE, HAYES - 73287/APP/2017/3974</b> (<i>Agenda Item 12</i>)</p> <p><b>Change of use from a mixed use comprising shop/vehicle repair workshop (Use Class A1/B2) to a mixed use comprising alternative therapy centre (Use Class D1/D2) and beauty salon (Sui Generis) involving installation of new shop front and alterations to elevations</b></p> <p>Officers presented the application which sought planning permission for the change of use from Use Class A1/B2 (shop/vehicle repair workshop) to a mixed use comprising alternative therapy centre and beauty salon.</p> <p>Members requested clarification regarding accessibility and it was confirmed that this issue was covered by other legislation as detailed on page 83 of the report under informative no.4.</p> <p>The Committee moved, seconded and unanimously agreed the officer's recommendation.</p> <p><b>RESOLVED: That the application was approved.</b></p>
187.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 13</i>)</p> <p><b>RESOLVED:</b></p> <p><b>1. That the enforcement action as recommended in the officer's report was agreed.</b></p> <p><b>2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</b></p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
188.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 14</i>)</p> <p><b>RESOLVED:</b></p> <p><b>1. That the enforcement action as recommended in the officer's report was agreed.</b></p> <p><b>2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</b></p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in</i></p>

	<i>withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i>
189.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 15)</p> <p><b>RESOLVED:</b></p> <p><b>1. That the enforcement action as recommended in the officer's report was agreed.</b></p> <p><b>2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</b></p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
190.	<p><b>ENFORCEMENT REPORT</b> (Agenda Item 16)</p> <p><b>RESOLVED:</b></p> <p><b>1. That the enforcement action as recommended in the officer's report was agreed.</b></p> <p><b>2. That the Committee resolved to release their decision and the reasons for it outlined in the report into the public domain, solely for the purposes of issuing the formal breach of condition notice to the individual concerned.</b></p> <p><i>This item is included in Part II as it contains information which a) is likely to reveal the identity of an individual and b) contains information which reveals that the authority proposes to give, under an enactment, a notice under or by virtue of which requirements are imposed on a person. The authority believes that the public interest in withholding the Information outweighs the public interest in disclosing it (exempt information under paragraphs 2 and 6(a) of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).</i></p>
	The meeting, which commenced at 7.00 pm, closed at 8.02 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250185. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**

## Report of the Head of Planning, Sport and Green Spaces

**Address** 12 GROVE WAY UXBRIDGE

**Development:** Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear and 2 side rooflights and porch to front (Retrospective)

**LBH Ref Nos:** 71844/APP/2017/4606

**Drawing Nos:** E102  
E201  
E103  
E202  
P301  
P302  
P303  
E101

**Date Plans Received:** 20/12/2017

**Date(s) of Amendment(s):**

**Date Application Valid:** 02/01/2018

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application property comprises of a two storey detached dwelling located in the North Western corner of Grove Way, a residential cul-de-sac, located within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The property has been recently extended to the side and rear which is not in accordance with the previously approved plans.

Grove Way comprises of predominantly two storey semi-detached houses of a similar age/design as the application property. It is understood that the existing non-protected trees within the site have been recently felled. The site to the West has recently been cleared in readiness for the residential development approved under application reference 67544/APP/2011/736 (19-22 Chippendale Way and car park area to rear of 23-28 Chippendale Way).

#### 1.2 Proposed Scheme

The application seeks retrospective planning permission for a two storey side extension, single storey rear extension and conversion of roof space to habitable use to include 3 rear and 2 side rooflights and porch to front.

#### 1.3 Relevant Planning History

71844/APP/2016/1589 12 Grove Way Uxbridge

Two storey side/rear extension, single storey rear infill extension and single storey front infill extension

**Decision Date:** 01-11-2016      **Approved**      **Appeal:**

71844/APP/2017/329      12 Grove Way Uxbridge

Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front

**Decision Date:** 16-05-2017      **Approved**      **Appeal:**

71844/APP/2018/56      12 Grove Way Uxbridge

Details pursuant to condition 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front)

**Decision Date:**      **Appeal:**

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

71844/APP/2017/329 - Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front.

Officer note: The rear extension at first floor level was approved at 2m in width. The first floor that has been constructed extends to the flank wall of the side extension at the rear, supported on a column. The width as constructed is 2.9m. An additional rooflight has also been inserted in the side roofslope.

## **2. Advertisement and Site Notice**

**2.1**    Advertisement Expiry Date:-    Not applicable

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

## **3. Comments on Public Consultations**

The North Uxbridge Residents Association and neighbouring properties were consulted by letter dated 4.1.18 and a site notice was displayed which expired on 5.2.18.

A letter and petition of objection signed by 29 signatories has been received. The objections relate to the following:

1. Development has not been carried out in accordance with the approved plans;
2. Despite a condition being imposed, an additional rooflight has been inserted in side roofslope;
3. The front landscaping is not carried out in accordance with the condition requiring 25% soft landscaping;
4. construction vehicles have caused nuisance;
5. Damage to footpaths during construction due to storage of materials.

## **4. UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

## 5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing dwelling and the visual amenities of the street scene and surrounding area, the impact upon the amenities of adjoining occupiers, the provision of adequate amenity for the host occupiers and car parking provision.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design.

Furthermore, policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

Paragraph 5.10 of the Council's adopted HDAS SPD: Residential Extensions (December 2008) specifies that the width and height of a two storey side extension in relation to an original house should be considerably less than that of the original house and be between half and two-thirds of the main house width depending on the plot size and character of the area. The width and height of the proposed two storey side extension would comply with the HDAS SPD guidance.

Paragraph 5.9 of the HDAS SPD specifies that the design of the roof should follow that of the existing roof. The existing dwelling is detached, and as such, there is no requirement for the roof of the side extension to be set lower than the main roof. There is also no

requirement for a set back of a side extension from the front wall of a detached dwelling in line with guidance in the HDAS SPD.

The application seeks to regularise the rear extension at first floor level which includes an additional 0.9m in width supported by a column. Whilst this suspended extension is not a traditional form of extension, it is considered that the extension is not harmful to the appearance of this extended dwelling. Furthermore, the additional rooflight is considered to sit comfortably within the side roofslope. As a result it is considered that the revised extensions do not have a negative impact upon the visual amenity of the site or the surrounding area in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that all the proposed habitable rooms, and those altered by the extension, would maintain an adequate outlook and source of natural light, therefore complying with the Mayor of London's Housing Standards Minor Alterations to The London Plan (March 2016).

Concerns have been raised in respect of the landscaping at the site. A separate application is submitted under application reference 71844/APP/2018/56 for the approval of details pursuant to discharge conditions 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front), which is also under consideration by members on this agenda.

Concerns have also been raised in terms of the nuisance caused by materials and builders vans within the cul-de-sac. At the time of the site visit, it appeared that construction was complete with no obvious signs of nuisance present.

In terms of the garden area at least 100 m<sup>2</sup> of rear private garden should be retained to provide adequate amenity space for a five bedroom dwelling. The amenity space remaining would be approximately 96 sq.m. A refusal based on this small shortfall is unlikely to be sustained at appeal and thus the provision of amenity space is considered, on balance, to be acceptable.

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

The application is recommended, on balance, for approval.

## **6. RECOMMENDATION**

**APPROVAL** subject to the following:

**1** HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P301, P302 and P303.



#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

#### **2** HO4 Materials

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 and shall thereafter be retained as such.

#### 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 Local Plan: Part Two Saved UDP Policies (November 2012)

#### **3** HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **4** HO10 Front Garden Landscaping

Notwithstanding the details hereby approved a minimum of 25% of the front garden area shall be soft landscaped (eg.grass or planted beds) for so long as the development remains in existence.

#### REASON

To ensure the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Unitary Development Plan Saved Policies September 2007) and Policy 5.17 of the London Plan (2016).

#### **5** NONSC Non Standard Condition

The development hereby approved shall not be sub-divided to form additional dwelling units or used in multiple occupation without a further express permission from the Local Planning Authority.

#### REASON

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **INFORMATIVES**

#### **Standard Informatives**

- 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 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) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

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

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

- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
  
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
  - carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.
 Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.
  
- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
  
- 9 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 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



## Notes:

 Site boundary

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Site Address:

**12 Grove Way**

Planning Application Ref:

**71844/APP/2017/4606**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**February 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON

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## Report of the Head of Planning, Building Control, Sport & Green Spaces

**Address** 12 GROVE WAY UXBRIDGE

**Development:** Details pursuant to condition 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front)

**LBH Ref Nos:** 71844/APP/2018/56

**Drawing Nos:** E101  
P212

**Date of receipt:** 04/01/2018

**Date(s) of Amendment(s):**

### 1. MAIN PLANNING CONSIDERATIONS

The applications seeks approval of details pursuant to discharge conditions 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front).

The matter is reported to committee at the request of the Ward Councillor.

It is noted that the submitted plans do not reflect the details on site. The entire frontage is laid to hardstanding. With regard to the submitted plans the landscape officer has confirmed:

"The submission is unacceptable as it fails to provide sufficient detailed information, as specified in the landscape condition. Furthermore the the width of the planting strip next to bay 01 is insufficient to support plants. Although the table shows that 25% of the front garden space will be soft landscape, it will be ineffective and the hard surfacing provides space for up to five cars. Hard landscape details are required to include:

1. Details of the permeable paving product/construction.
2. Boundary details - materials/heights (and whether existing/proposed).

Soft Landscape Details are required to include:

1. Planted strips need to be approximately 900mm wide (minimum) to support plant growth.
2. Existing planting should be specified, by name.
3. Boundaries should be softened/hedge planting is recommended. Planting to be specified by name/size of container/quantities or density.

It is noted that the existing non-protected trees within the site have been recently felled and given this it is considered that the proposed landscape scheme should provide some softening of the harsh, hard landscaping that has occurred. The hard landscaping to the front of the site does not comply with the Council's adopted



Supplementary Planning Document HDAS: Residential Extensions, which requires a minimum 25% soft landscaping.

The submitted details, in terms of the provision of soft landscaping, details relating to the permeability of the paving and boundary treatment are not therefore considered satisfactory and the proposed would be to the detriment of the visual amenity of the street scene and the wider area and contrary to policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and adopted Supplementary Planning Document HDAS: Residential Extensions. The application is therefore recommended for refusal.

## **2. RECOMMENDATION**

**REFUSAL for the following reasons:**

### **1 NON2 Non Standard reason for refusal**

The submitted details are not considered satisfactory and the proposed scheme would be to the detriment of the visual amenity of the street scene and the wider area, contrary to policies BE13 and BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and adopted Supplementary Planning Document HDAS: Residential Extensions.

## **INFORMATIVES**

**1 I59** On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

**2** In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. The Council's supports pre-application discussions.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230





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#### Notes:

 Site boundary

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Site Address:

**12 Grove Way**

Planning Application Ref:

**71844/APP/2018/56**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON

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## Report of the Head of Planning, Sport and Green Spaces

**Address** 141 CHARVILLE LANE HAYES

**Development:** Erection of 2 cabins, single storey workshop building, gate/fence, demolition of existing buildings and change of use from scrapyard (Sui Generis) to car repairs (Use Class B2)

**LBH Ref Nos:** 72426/APP/2017/2914

**Drawing Nos:** Planning Statement  
17-01  
17-02  
17-03  
Transport Statement

**Date Plans Received:** 08/08/2017 **Date(s) of Amendment(s):**

**Date Application Valid:** 10/08/2017

### DEFERRED ON 11th January 2018 FOR FURTHER INFORMATION .

Members will recall that this application was deferred from the 11th January 2018 Central and South Planning Committee. Members requested clarification of a number of points before it was reported back to committee. The applicant has provided clarification/further information on the following points. Officer comments are provided where appropriate.

1. When did the former use of the land stop?

The applicant has provided the following information:

The site comprises a dwelling (143) and a large yard area (141) known as Allen's Yard. The site operated as both a builder's yard for the storage of building materials and plant (Ref: 35619/B/93/0123) and a scrap yard for the processing of scrap metal/waste transfer (Ref: 35619/A/92/1045). It was operated by Peter George Allen and family. A lawful use for both elements was established in the early 1990's and the scrap metal processing operation eventually ceased in September 2014, when the Environmental Agency Permit for Waste Management and Waste Transfer was surrendered. The site remained in active use for the storage of building materials up until Mr. Allen's death in March 2016. Materials and scrap metal were being stored on the site up until purchase by the applicant, Baldwins Repair Group.

Following the grant of probate in May 2016, the site was marketed as a house, with industrial yard, on the open market. It was marketed and purchased as a going concern, with the redevelopment potential of the site subject to planning. Baldwins purchased the site in mid-2016. The buildings on site were structurally sound and still contained building materials; scrap metal and other waste materials at the point of purchase.

Officer comments:

It is important to establish whether the former use as a scrap yard/builders' yard has been abandoned or merely suspended, in order that appropriate weight can be attached to the historic use of the site. Abandonment is a legal concept used to describe the circumstances in which the rights to resume a use which has been lawfully carried out in the past may be lost because the use has ceased. The courts have generally determined that abandonment may

occur where there has been a deliberate intention to cease a use by reason of the premises having been left vacant for a considerable period, or the buildings having deteriorated to the extent that their re-use would involve works that would be tantamount to a re-build, or by the introduction of a different use that supersedes that which came before.

If a use has been abandoned, the land will have a "nil" use and the resumption of any previous use will require planning permission.

As a guide, the considerations to be taken into account in deciding whether a use has been abandoned are set out in the case of *Castell y Mynach Estate v Secretary of State for Wales and Taff Ely Borough Council*. These are: the period of non-use, the physical condition of the land, whether there had been any other use, and the owner's intentions.

In light of the information submitted by the applicant, it is not considered that the former use of the site has been abandoned. The period of no active use is extremely short, and given the continued use, up until its sale, for storage of building materials; arguably there has not been a point of non-use. It also appears evident that the landowner and his successors in title have never intended for the use to end.

## 2. When were the former buildings demolished?

Initial work commenced shortly after purchase in October 2016 when the stores on the eastern boundary were removed and replaced by the portacabins. The building to the west boundary was partially deconstructed, while the operational yard was squared up. No further work has taken place. It is noted that a number of the original structures remain standing on the site.

### Officer Comment:

There does not appear to be a statutory minimum time limit for a cleared site to lose benefit of being a developed site in the Green Belt. This is a matter of fact and degree, depending on the individual circumstances of each case. Given the relatively recent date when the stores were demolished, these structures can still be taken into account in determining the net loss of building footprint on the site.

## 3. How is car exhaust and potential paint fumes to be controlled?

Baldwins are a Bodyshop not mechanical, so they would not have any car running for a period of time, other than to move them from space A to space B, however, they do have car fume exhaust extractors and which have certified methods and calibrations. The Bodyshop will be certified by BSI PAS10125, which is the Industry standard for equipment and processes to meet the environment and H&S regulations. The spray booths are enclosed facilities and will meet all of the above specification from new installation and conform as follows to:

- The ceiling (input) filters will be high quality MSF 560G media and housed in the air input plenum located at ceiling level at the front of the spray booth cabin. The extract will be two-stage system comprising 100mm pax 1000 filter plus a MS 290 secondary filter to meet emission limits for EPA.
- COSHH Regulations: 1994, with regard to Local Exhaust Ventilation and Air Circulation Machinery/Plant (Defra Pg6/34(11)).
- HSG178, which recommends on design and construction of vehicle spray booths.
- EH9 and EH16, which cover the spraying of highly flammable liquids and isocyanates. The paint scheme we use is water-based colour scheme, which does not contain any isocyanates.
- HSG258, which gives guidance on local exhaust ventilation (LEV) to control airborne contaminants.

· The Environmental Protection Act 1990, including relevant Process & Technical Guidance Notes.

(Officer note: This can be secured by condition).

4. How is the run-off from car washing to be controlled?

Water run-off will be controlled in the normal manner as part of a surface water drainage system for the yard. Standard interceptor filters are employed to syphon particles and petrochemicals.

(Officer note: This can be secured by condition).

5. Does the reduction in footprint of the buildings on site include the new cabins?

The proposed development includes the removal of five existing structures. These will be replaced with new buildings, but this will result in a net reduction of floor space by 37sqm.

6. Why are the cabins being recommended for approval forward of the established building line?

Officer comment: This issue has been covered in the officer report. There will be a net reduction of buildings, thereby enhancing the open character of the site. Although the cabins are set further forward in the site than the buildings they are replacing, given the commercial nature of the site and the potential for increase planting along the front boundary, this will further soften the appearance from the street.

7. Explain the need for condition 7 (control of vibration).

This condition was not requested by the Environmental Protection Unit and has been deleted.

8. Are conditions 10 (control of dust) and 11 (Construction Environmental Management Plan) necessary?

These conditions are considered appropriate, given the close proximity of neighbouring properties.

9. Is condition 8 (noise) sufficient to protect residential amenity from car engine noise.

The applicant explains that Baldwins are a Bodyshop not mechanical, so they would not have any car running for a period of time, other than to move them from space A to space B.

10. How will the hedgerow be secured?

This is covered by landscape condition 5.

11. Recovery lorries

The Transport Statement supplied a tracking diagram for a 3.5t rigid vehicle (Transit based) which is a smaller type of vehicle used in recovery work.

## 1. **SUMMARY**

The application seeks planning permission for the erection of 2 cabins, single storey workshop building, gate/fence, demolition of existing buildings and change of use from scrapyard (Sui Generis) to car repairs (Use Class B2). The applicants have demonstrated by way of the submission of a Design and Access Statement and a Transport Statement that the proposed change of use would not detract from highway or pedestrian safety and the visual amenity of the Green Belt.

## 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

### 1 COM3 **Time Limit**

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 COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17-02 and 17-03, and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

### 3 COM7 **Materials (Submission)**

No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

#### REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 4 COM22 **Operating Hours**

The premises shall not be used except between 0800 and 18.00 Mondays - Fridays and 0800 to 12.00 Saturdays and at no time on Sundays, Public or Bank Holidays.

#### REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### 5 COM9 **Landscaping (car parking & refuse/cycle storage)**

No further development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -



1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
3. Details of Landscape Maintenance
  - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (2016)

### **6 COM15 Sustainable Water Management**

Within three months of the date of this approval details of a soakaway or tank to control surface water from the proposed development shall be submitted to and approved in writing by the Local Planning Authority. The scheme will need to ensure that the new pipework should not be connected to any existing surface water network which drains to any road or sewer. Water run off from any hard paving associated with the development should also be directed to a soakaway or made permeable. The development shall only be undertaken in accordance with those approved details, and the approved scheme shall be implemented within three months of the written approval of the details and before the workshop is erected. The installed scheme shall be retained for the duration of the development.

#### REASON

To ensure that surface water is controlled and the development does not increase the risk of flooding contrary to Policy EM6 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012); Policies 5.12 and 5.13 of the London Plan (March 2016); the NPPF and Planning Practice Guidance (March 2014)

### **7 COM16 Scheme for site noise control**

The rating level of the noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall

be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**8 COM20 Air extraction system noise and odour**

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

**9 NONSC Non Standard Condition**

Within three months of the date of this approval a scheme for protecting the surrounding dwellings from dust emitted from the construction works shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of dust control measures and other measures as may be approved by the Local Planning Authority. The development shall only be undertaken in accordance with that scheme, and the approved scheme shall be implemented within three months of the written approval of the details and before the workshop is erected.

**REASON**

It is known that dust from construction works can cause nuisance by soiling surfaces and other articles in and about buildings. Dust can also cause irritation such as irritation to the eyes, nose and throat. There is growing evidence and concern that dust especially the very small and fine dust particles can cause or exacerbate respiratory ill-health.

**10 NONSC Non Standard Condition**

Within three months of the date of this approval and prior to the commencement of operations on the construction of the workshop within the site, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the LPA. The CEMP shall comprise such combination of measures for controlling the effects of demolition, construction and enabling works associated with the development as may be approved by the Local Planning Authority. The CEMP shall address issues including the phasing of the works, noise and vibration, air quality, waste management, site remediation, plant and equipment, site transportation and traffic management including routing, signage, permitted hours for construction, traffic and construction materials delivery. It will ensure appropriate communication with the distribution of information to, the local community and the Local Planning Authority relating to relevant aspects of construction. Appropriate arrangements should be made for monitoring and responding to complaints relating to demolition and construction. All further demolition, construction and enabling work at the development shall be carried out in accordance with the approved CEMP.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE5 of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)



## INFORMATIVES

### 1 I52 Compulsory Informative (1)

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

### 2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
LPP 7.16	(2016) Green Belt
NPPF9	NPPF - Protecting Green Belt land

### 3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### 4 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs,

including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

## **5            12            Encroachment**

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application may have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control for which the appropriate Notice under Article 13 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 has not been served.

## **6            15            Party Walls**

The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

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

## **7            16            Property Rights/Rights of Light**

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

## **8            115            Control of Environmental Nuisance from Construction Work**

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 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 or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British

Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit ([www.hillingdon.gov.uk/noise](http://www.hillingdon.gov.uk/noise) Tel. 01895 250155) 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.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The application site covers approximately 1180 square metres and is located on the North Western side of Charville Lane. To the East and West are residential properties with an access road leading to Abbeyfields Equestrian Centre to the rear running along the Western boundary. There is a community Centre opposite.

The application site lies within Green Belt as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2 Proposed Scheme**

The proposal is for the Change of use from Sui Generis to Use Class B2 (General Industry) involving the removal of the original buildings and fencing and the erection of single storey workshop buildings, 2 portable cabins and gate and fence to South and West boundaries. The application is partly retrospective

#### **3.3 Relevant Planning History**

72426/APP/2016/4440      141 Charville Lane Hayes

Change of use of land from Sui Generis to Use Class B2 (General Industry), installation of 2 x portable cabins and gate and fence to South and West boundaries, involving removal of existing structures and fencing (Retrospective).

**Decision:** 19-05-2017      Withdrawn

72426/APP/2017/795      141 Charville Lane Hayes

Change of use of land from Sui Generis to Use Class B2 (General Industry), erection of single storey workshop buildings, 2 x portable cabins and gate and fence to South and West boundaries involving removal of existing structures and fencing. (Retrospective).

**Decision:** 04-05-2017      Refused

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

72426/APP/2017/795 - Change of use of land from Sui Generis to Use Class B2 (General Industry), erection of single storey workshop buildings, 2 x portable cabins and gate and

fence to South and West boundaries involving removal of existing structures and fencing (refused)

72426/APP/2016/4440 - Change of use of land from Sui Generis to Use Class B2 (General Industry), installation of 2 x portable cabins and gate and fence to South and West boundaries involving removal of existing structures and fencing (Withdrawn)

The previous submission was refused on the basis that the proposal constituted inappropriate development in the Green Belt and that no special circumstances were provided to overcome the presumption against inappropriate development in the Green Belt. The proposal also failed to demonstrate that the development would not significantly increase trip generation to and from the site and that vehicles would be able to enter and leave in a forward gear to the detriment of highway safety.

#### **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.BE1 (2012) Built Environment

PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

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

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE23 Requires the provision of adequate amenity space.

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

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OE5 Siting of noise-sensitive developments

LPP 7.16 (2016) Green Belt

NPPF9 NPPF - Protecting Green Belt land

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

**5.1** Advertisement Expiry Date:- Not applicable

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

## **6. Consultations**

### **External Consultees**

Six neighbours were consulted for a period of 21 days expiring on the 12 September 2017.

One response was received raising the following issues:

- Traffic congestion, although the number of full time staff has reduced from the previous submission the parking spaces remain the same, which would deem that traffic flow and workload remains unchanged, which contributes to a large flow of vehicular traffic on Charville Lane. The road is in a traffic calming area due to speeding issues. There are continual traffic issues particularly during am/pm hours of the school run.
- This business would and has (prior to the previous refusal) attracted a large number of tow trucks, lorries and long trailers, which caused congestion on this narrow residential lane.
- The porta cabins are extremely unsightly, obtrusive and not in keeping with the aesthetic/characteristic view of the tree lined street. They jut out and protrude ridiculously. The application states they replace existing building, but there were none where they are located, only hedges. There is ample room on site to reposition the cabin further back where they would be visually less intrusive.
- The cabins block the light and view of 143 Charville Lane, which may be intentional if the long term aim is to knock the building at no. 143 down to make the site larger.
- This is a residential road and there is no desperate need of additional employment for such a small zone. The application demonstrate no due regard for the local community the works were undertaken within a month of purchase with no planning permission/consultation with local residents.
- The Council should verify the applicants statement on low risk flooding as recent property purchases for neighbouring properties suggest otherwise.
- Contaminated land, the site has been dormant for approximately 20 years. The applicant removed the existing structures, gates etc prior to planning putting the site/neighbours at potential contamination risk.

### **Internal Consultees**

Environmental Protection Unit:

There is potential for noise emitted from the site affecting other premises in the area. No activities within the structures or external to the structures be operated unless the noise and pollution levels aren't at levels that would amount to statutory nuisance. If such noisy or polluting activities are planned then prior consent must be sought and approved by the LPA. No objection subject to condition for the regulation of noise; the submission of a vibration protection scheme; the management of dust and a Construction Environmental Management Plan.

Highways Officer:

This second retrospective application is for the change of use from Sui Generis to B2 at a site in Charville Lane Hayes. The first application was refused as it did not provide sufficient detail over the traffic generated at the site. Charville Lane is a local road in Hayes with parking restrictions outside the property. There is a grass verge along the edge of Charville Lane which is part of the public highway. There is no footpath outside the site along Charville Lane.



The site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. The site is on the corner of Charville Lane and a private lane and the existing access to the site is on Charville Lane close to the corner. Charville Lane is used by parents as a parking area in the morning and afternoon when dropping off and picking up children from nearby Charville Primary School. It is assumed that the site will be used for a car repair use as there are 36 car parking spaces and some ancillary building proposed as part of the application. The existing crossover is proposed to be used as the main access to the site and it is expected that recovery trucks would be using the site when picking up and dropping off cars for repair. The latest application form indicates there will be 10 employees on site whereas previously there were 32. It is expected that there will be significant car repair activity at the site so there will be additional traffic generated by the proposed change in use given that the existing use was not previously in use. A Transport Statement by MES dated July 2017 has been supplied in support of the application. The TS says that TfL as the highway authority for the site were contacted over the scoping and it should have been LBH. The TS gave results of a Personal Injury Accident data review and that showed although there were 12 accidents in the area there was no conclusive trends. The TS compared the proposed use and the existing site use and indicated that there was very little difference in trips. However it is a long time since the site operated as a scrap yard so all the trips must be seen as additional. The TS also supplied a tracking diagram for a 3.5t rigid vehicle (Transit based) which is a smaller type of vehicle used in recovery work. With only 10 employees on site a Workplace Travel Plan will not be required. There are no secure covered cycle storage proposed (5 spaces) for the site and there is no information provided on how waste materials will be stored and then collected but these issues can be conditioned. The new entrance to the site is via a new double gate set back from Charville Lane and with a revised crossover. Ideally the access to the site should have been provided away from the existing junction with the private lane rather than close to it. The provision of a central vehicular access would afford the opportunity to provide a footpath outside the frontage of the site at the applicant's expense. There are no details of the surface material used in the parking area for run-off and spillage of material onto the highway and this can be conditioned. From the above comments there are a number of small highway issues that could be improved at the site but on their own do not provide sufficient reasons for refusal.

## **7. MAIN PLANNING ISSUES**

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

The National Planning Policy Framework states that the essential characteristics of Green Belts are their openness and their permanence. A Local Planning Authority should regard the construction of new buildings as inappropriate except in special circumstances. These can include the complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use, which would not have a greater impact on the openness of the Green Belt. This is a previously developed site, which has a Sui Generis permission for the use of the site as a scrap yard.

Policy OL4 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) advises that replacement buildings within the Green Belt will only be permitted if the development would not result in any disproportionate change in the bulk and character of the original building; the development would not significantly increase the built up appearance of the site or having regard to the character of the surrounding area would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

The proposed development is to change the use of the site to a car repairs (Use Class B2). This includes the installation of a new workshop and two portacabins replacing 5 original structures, with an overall reduction in floor space of 37sq.m. Therefore although the portacabins would be situated further forward in the plot and therefore be more visually noticeable from the street, overall the built up appearance of the site would be reduced.

Having regard to the existing lawful use of the site the proposal would result in the re-use of a brownfield site, which would result in the increased openness of its character and appearance with the potential for environmental enhancement. an improved access and employment. Given the backdrop of the structures against the other buildings to the rear, side and opposite, on balance, it is not considered the proposal would significantly increase the built up appearance of the site or harm the visual amenity of the Green Belt.

**7.02 Density of the proposed development**

Not applicable to this application.

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

Not applicable to this application.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

National Planning Policy Framework and Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that any development is not disproportionate, does not injure the visual amenities of the Green Belt and does not create a 'built-up appearance'.

The proposed use is similar to the previous use of the site, including single storey commercial buildings, open storage and parked vehicles. The replacement of the previous 5 single storey structures, with 3, including an overall reduction in the footprint of the built environment would enhance the open character of the site. There is also potential for further environmental enhancement with the inclusion of landscaping, including the provision of a new hedgerow along the road frontage, which would further soften and screen the development. As such the proposed development would comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies OL1, OL4, BE13, and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

The proposed development is located within an existing business site, which submitted photographs show previously housed a number of buildings and machinery. Along the front and side boundary the 2m high corrugated sheet fencing has been replaced with a 2.4 m high palisade fence. The proposed workshop sits in part of the footprint of an original building and would measure 36.2 m in depth, 7.8 m in width and have a pitched roof of 4.3 m in height. The two cabins are situated to the front of the site with cabin 'A' sitting in part on the footprint of a former building and measuring 9.7 m in width, 3.1 m in depth and with a flat roof of 3.3 m. Cabin 'B' sits further forward, set back 1.4m from the front boundary and measures 9.7 m in width, 3.7 m in depth with a flat roof of 3.3 m. The proposal replaces 5 buildings with 3 and although the cabins are set further forward in the site than the buildings they are replacing, given the commercial nature of the site it is not considered that the proposal would be detrimental to the character and appearance of the wider area. It is also noted that the submitted Planning Statement mentions the potential for increase planting along the front boundary to further soften the appearance from the street and this could be conditioned for submission if all other aspects of the proposal are considered acceptable.

Therefore the proposal would comply with Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that become detrimental to the amenity of the adjoining occupiers or surrounding area will not be approved. Policy OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new development or uses which have the potential to cause noise annoyance will only be permitted if measures can be undertaken to alleviate the potential disturbance where a development is acceptable in principle.

The Environmental Health Officer has advised that there is potential for noise emitted from the site to affect other premises in the area and that no activities within the structures or external to the structures should be operated unless the noise and pollution levels aren't at levels that would amount to statutory nuisance. If such noisy or polluting activities are planned then prior consent must be sought and approved by the LPA. However they have raised no objection in principle subject to conditions for the regulation of noise; the submission of a vibration protection scheme; the management of dust and a Construction Environmental Management Plan.

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to safeguard neighbouring residential amenity from inappropriate development. The proposal includes the erection of a replacement single storey workshop building along the Western boundary adjacent to the access road and set back approximately 8.8 m from the rear of the site where it adjoins the Equestrian Centre. To the front of the site the two cabins are positioned 1 m from the shared boundary with no. 143 and stand at a height of 3.3 m. Given the proposal replaces in part existing structures and the degree of separation it is not considered that the structures would significantly impact on the amenity of the neighbouring properties in accordance with the requirements of Policies BE20, BE21 and BE24.

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

Not applicable to this application.

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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Council's Highway Officer has advised that the site has a PTAL value of 1b (poor) which suggests there will be a strong reliance on private cars for trip making. Charville Lane is a local road in Hayes with parking restrictions outside the property. It has a grass verge along the edge of Charville Lane which is part of the public highway. There is no footpath outside the site along Charville Lane. The site is located on the corner of Charville Lane and a private lane and the existing access to the site is on Charville Lane close to the corner. Charville Lane is used by parents as a parking area in the morning and afternoon when dropping off and picking up children from nearby Charville Primary School. The site will be used for a car repair use with 36 car parking spaces and some ancillary buildings are proposed as part of the application. This application indicates there will be 10 employees on site whereas previously there were 32. It is expected that there will be



significant car repair activity at the site so there will be additional traffic generated by the proposed change in use given that the existing use was not previously in use. A Transport Statement by MES dated July 2017 has been supplied in support of the application. The TS says that TfL as the highway authority for the site were contacted over the scoping and it should have been LBH. The TS gave results of a Personal Injury Accident data review and that showed although there were 12 accidents in the area there was no conclusive trends. The TS compared the proposed use and the existing site use and indicated that there was very little difference in trips. However it is a long time since the site operated as a scrap yard so all the trips must be seen as additional. The TS also supplied a tracking diagram for a 3.5t rigid vehicle (Transit based) which is a smaller type of vehicle used in recovery work. With only 10 employees on site a Workplace Travel Plan will not be required. There is no secure covered cycle storage proposed (5 spaces) for the site and there is no information provided on how waste materials will be stored and then collected but these issues can be conditioned. The new entrance to the site is via a new double gate set back from Charville Lane and with a revised crossover. Ideally the access to the site should have been provided away from the existing junction with the private lane rather than close to it. The provision of a central vehicular access would afford the opportunity to provide a footpath outside the frontage of the site at the applicant's expense. There are no details of the surface material used in the parking area for run-off and spillage of material onto the highway and this can be conditioned. From the above comments there are a number of small highway issues that could be improved at the site but on their own do not provide sufficient reasons for refusal.

The proposal is therefore considered to comply with the requirements of Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

**7.11 Urban design, access and security**

Not applicable to this application.

**7.12 Disabled access**

Not applicable to this application.

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

Not applicable to this application.

**7.14 Trees, landscaping and Ecology**

This is an existing commercial site, with little in the way of existing landscaping. The Planning Statement advises that it is possible to include planting areas via a Landscaping Scheme. The submission of details of such a scheme could be conditioned for submission if all other aspects of the proposal were considered acceptable.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

The Council's mapping system identifies the surrounding area is potentially at risk from surface water flooding. As such any development would need to ensure they would not increase this risk and contribute to surface water run off. Details for mitigation could be conditioned if all other aspects of the proposal were acceptable.

**7.18 Noise or Air Quality Issues**

Policy OE3 advises that buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact is mitigated within acceptable levels by engineering, lay-out or administrative measures. The existing lawful use of the site as a

scrap yard has no limitations on hours of use, any subsequent approval could impose restrictions to protect the amenity of the neighbouring properties outside of core working hours.

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

Concerns have been raised over the loss of view from no. 143, however within Planning there is no right to a view also any future development such as potential increase in size of the site incorporating the adjacent property would require planning permission in its own right and the suitability of such a development would be assessed on its own merits at that time. All other issues raised will be addressed within the report.

#### **7.20 Planning obligations**

Not applicable to this application.

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

None.

#### **7.22 Other Issues**

Since the end of August 2015 applications which are for development which was not authorised need to be assessed as to whether the unauthorised development was intentional. If so, then this is a material planning consideration. In this case officers have no indication that this was an intentional breach of planning control.

### **8. Observations of the Borough Solicitor**

#### **General**

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

#### **Planning Conditions**

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

#### **Planning Obligations**

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

#### Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

#### **9. Observations of the Director of Finance**

Not applicable to this application.

#### **10. CONCLUSION**

For the reasons outlined above and given that the development complies with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies November 2012) and the NPPF, this application is recommended for conditional approval.

#### **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
The London Plan (2016)  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
National Planning Policy Framework

**Contact Officer:** Karl Dafe

**Telephone No:** 01895 250230



# Notes:

 Site boundary

For identification purposes only.

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Site Address:

**141 Charville Lane  
Hayes**

Planning Application Ref:

**72426/APP/2017/2914**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON

# Plans for Central & South Applications Planning Committee

Thursday 1st March  
2018



HILLINGDON  
LONDON



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## **Report of the Head of Planning, Sport and Green Spaces**

**Address** 12 GROVE WAY UXBRIDGE

**Development:** Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 2 side rooflights and porch to front (Retrospective)

**LBH Ref Nos:** 71844/APP/2017/4606

**Date Plans Received:** 20/12/2017

**Date(s) of Amendment(s):**

**Date Application Valid:** 02/01/2018





12 Grove Way  
Uxbridge, UB8 1QP

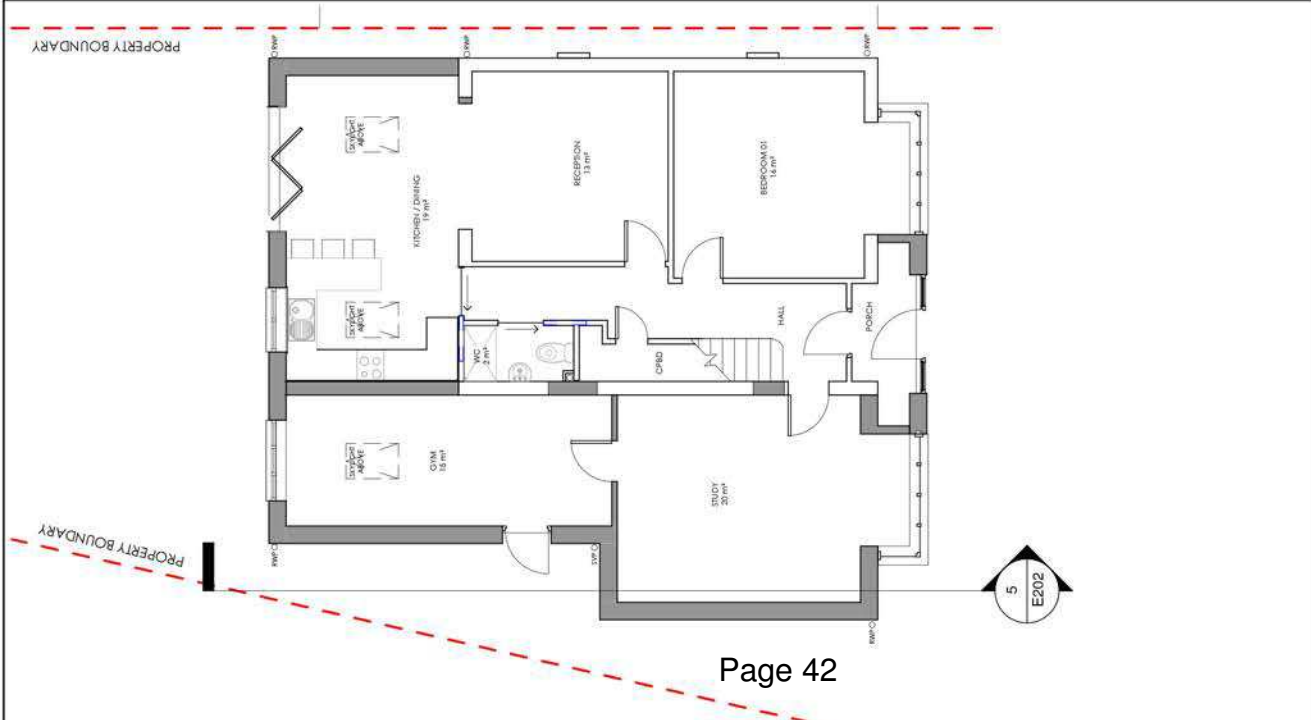
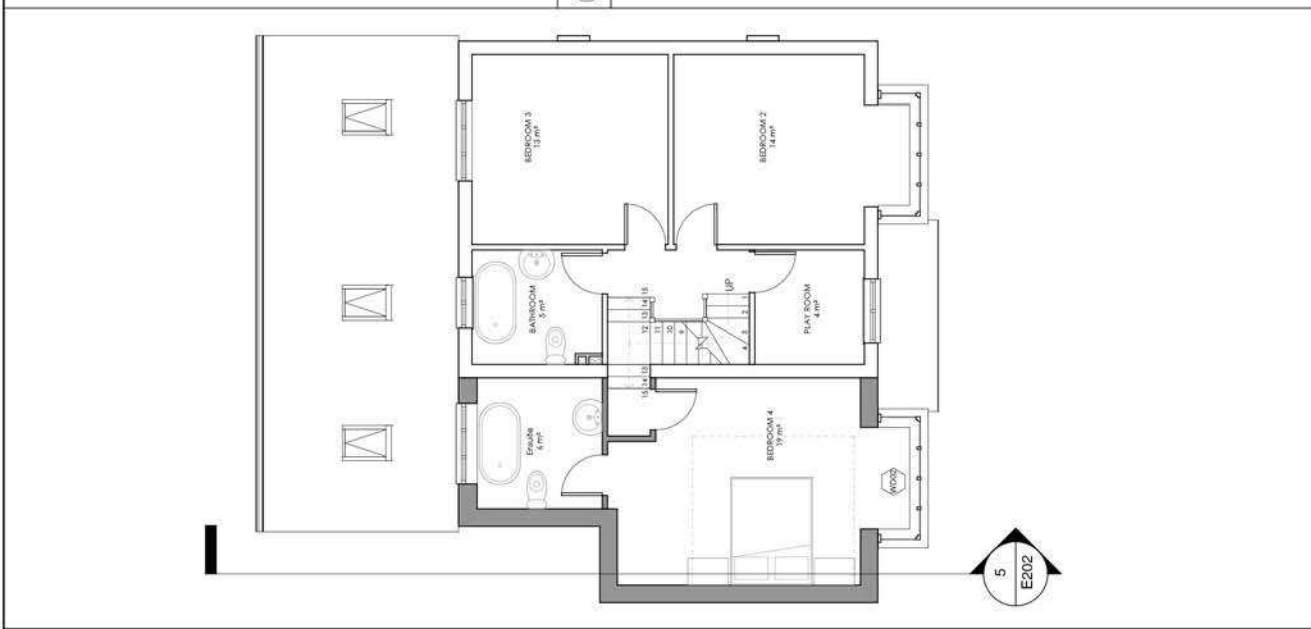
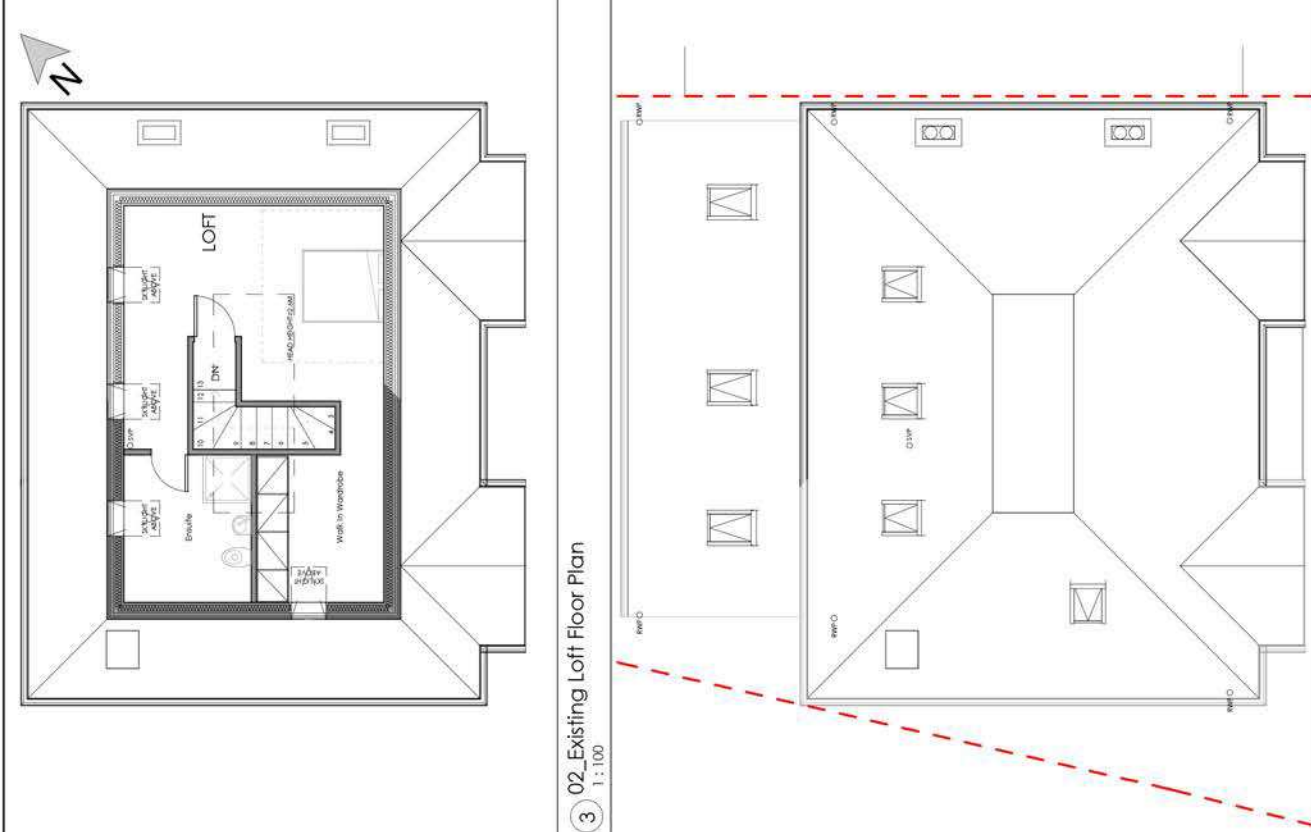
① Location Map  
1 : 1250

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-This layout and the information contained within is a private property of Architectonic Studio Ltd and may not be used, transmitted or reproduced in whole or in part without the prior written consent of Architectonic Studio Ltd.  
-All dimensions to be checked on site prior to commencement of works. In case of inconsistencies, report immediately and seek confirmation.  
-All building work to be completed to the satisfaction of the Local Authority Building Control Officer in accordance with the current Building Regulations and as such additional unforeseen building works may be required on site.

Rev	Description	Date
P01	RETROSPECTIVE PLANNING APPLICATION	01/12/2017
P02	SCALE BAR UPDATED	02/01/2018

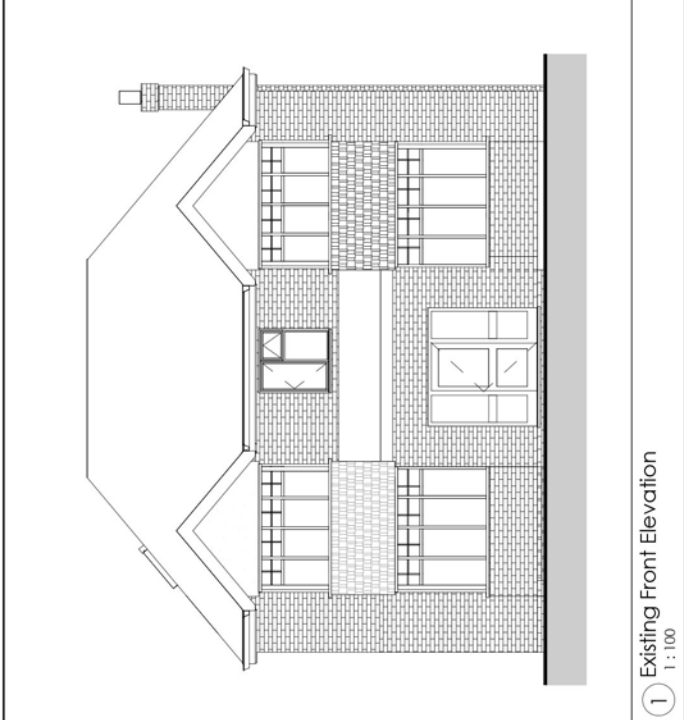
Client: Mr. T. Daniel  
Project: 1st floor Single Storey Rear Infill Extension  
Site: 12 Grove Way  
Uxbridge, UB8 1QP

Drawing title: Location Plan			
Project number:	1611-12	Date:	NOVEMBER 2017
Designed by:	AS	Status:	P
Scale @ A3	1 : 1250	0	20 40 60 m
E101			

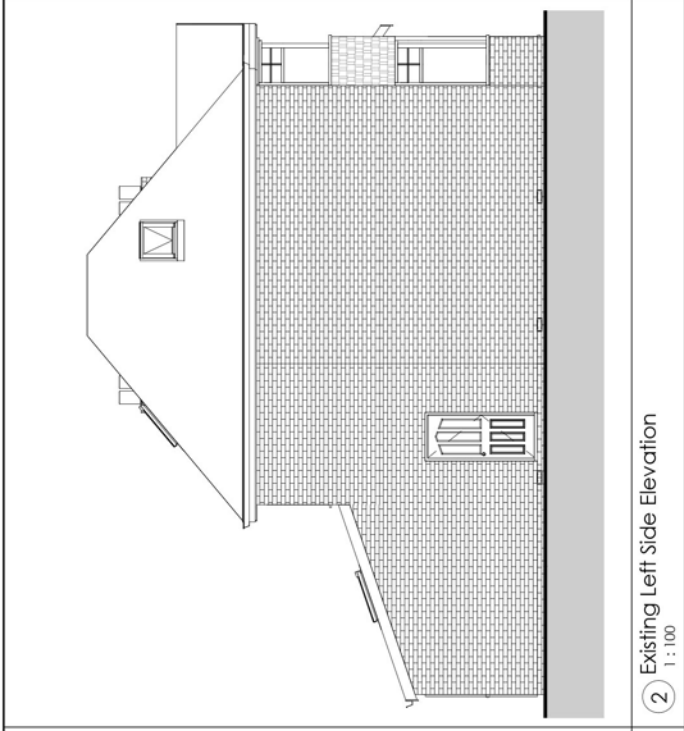


00_Existing Ground Floor Plan		01_Existing First Floor Plan		02_Existing Loft Floor Plan		03_Existing Block Plan	
1	1 : 100	2	1 : 100	3	1 : 100	4	1 : 100
<b>AS</b>   Architectonic Studio 27 Old Gloucester Street WC1N 3AX, London-UK Tel: 0741 5430484 E: info@architectonicstudio.co.uk www.architectonicstudio.co.uk		<b>Note:</b> -This drawing must be read in conjunction with all other drawings, details, Schedules & specifications of the same revision. -This layout and the information contained within is a private property of Architectonic Studio Ltd and may not be used, transmitted or reproduced in whole or in part without the written consent of Architectonic Studio Ltd. -All dimensions to be checked on site prior to commencement of works. In case of inconsistencies, report immediately and seek confirmation. -All building work to be completed to the satisfaction of the Local Authority Building Control Officer in accordance with the current Building Regulations and as such additional unforeseen building works may be required on site.		Client: Mr. T. Daniel Project: 1st floor Single Storey Rear Mill Extension Site: 12 Grove Way Uxbridge, UB8 1QP		Drawing title: Existing Ground, First & Loft Floor Plans Project number: 1611-12 Date: NOVEMBER 2017 Designed by: AS Status: P Scale @ A3: 1 : 100 0 1 2 3 4 5 m	






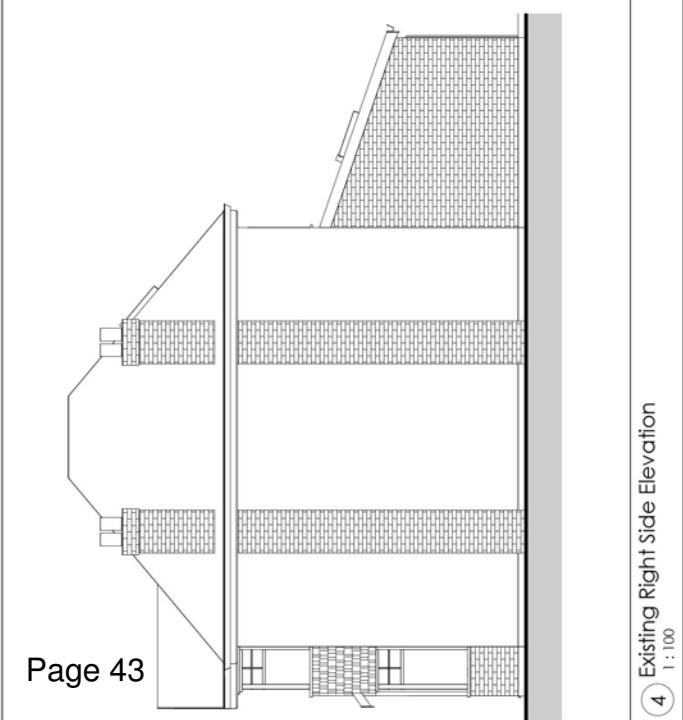
1 Existing Front Elevation  
1 : 100



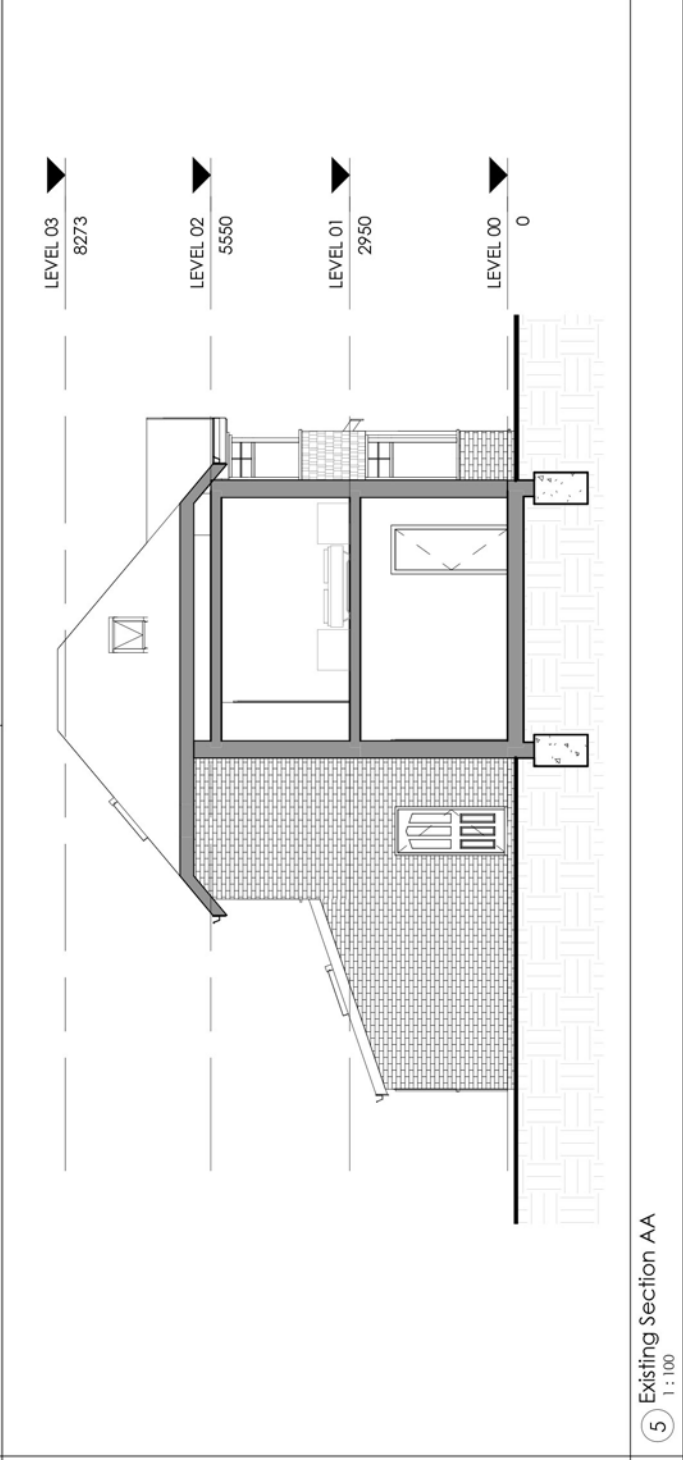
2 Existing Left Side Elevation  
1 : 100




3 Existing Rear Elevation  
1 : 100



4 Existing Right Side Elevation  
1 : 100



5 Existing Section AA  
1 : 100



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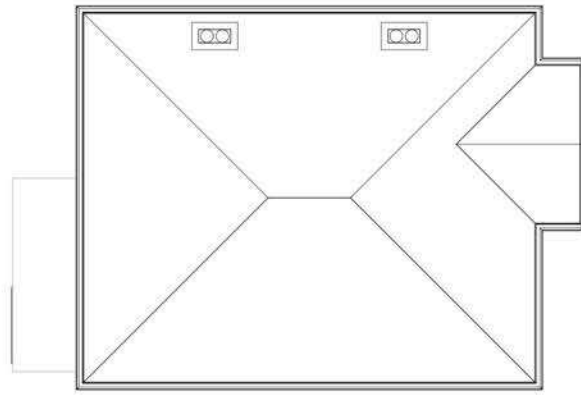
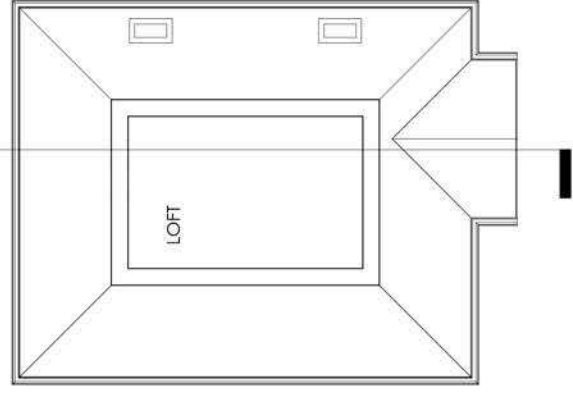
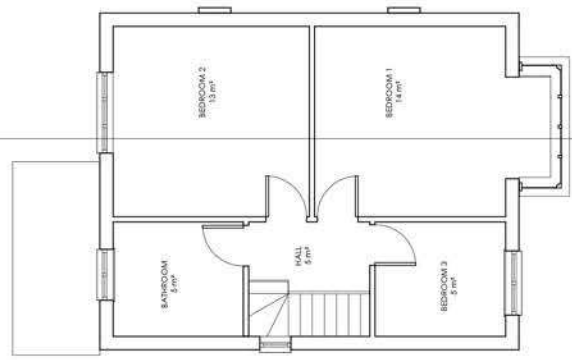
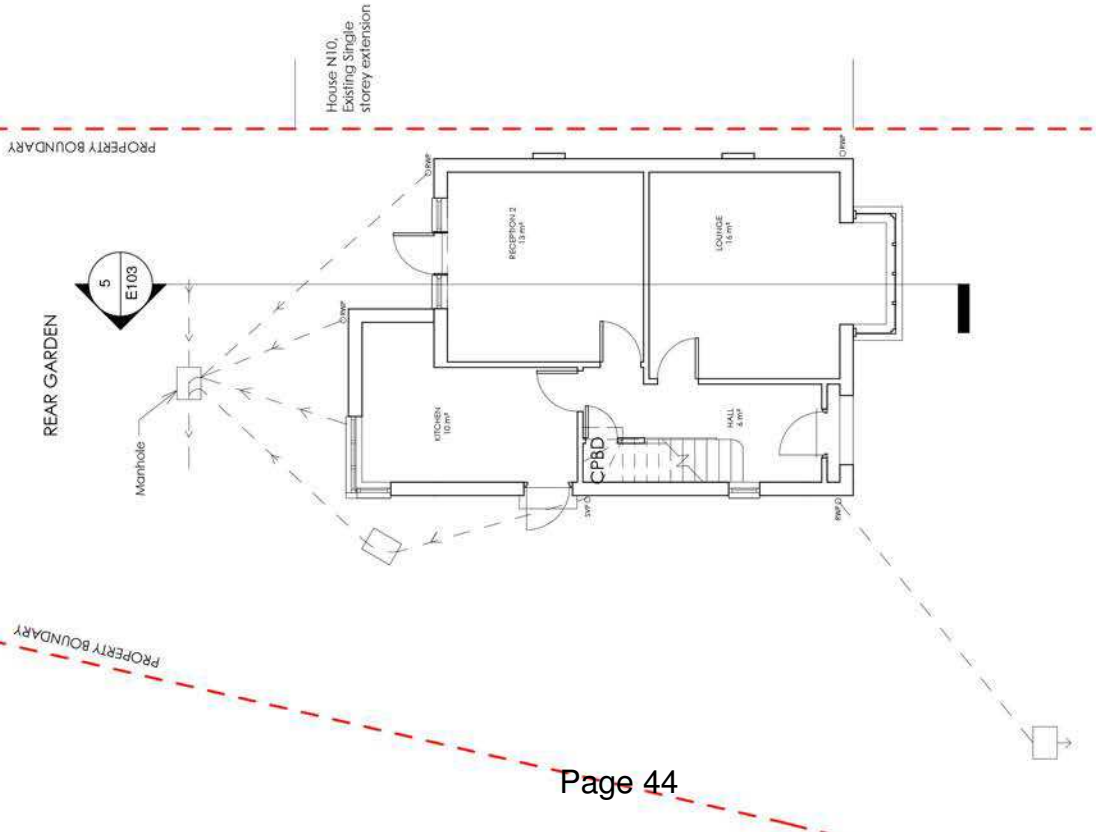
Rev	Description	Date

Client: Mr. T. Daniel  
Project: 1st Floor Single Storey Rear Infill Extension  
Site: 12 Grove Way Uxbridge, UB8 1QP

Drawing title: Existing Elevations & Section  
Project number: 1611-12  
Designed by: AS  
Scale @ A3: 1 : 100

Date: NOVEMBER 2017  
Status: P  
0 1 5 m

E202



1 00\_Previous Ground Floor Plan  
1 : 100

2 01\_Previous First Floor Plan  
1 : 100

3 02\_Previous Loft Floor Plan  
1 : 100

4 03\_Previous Block Plan  
1 : 100

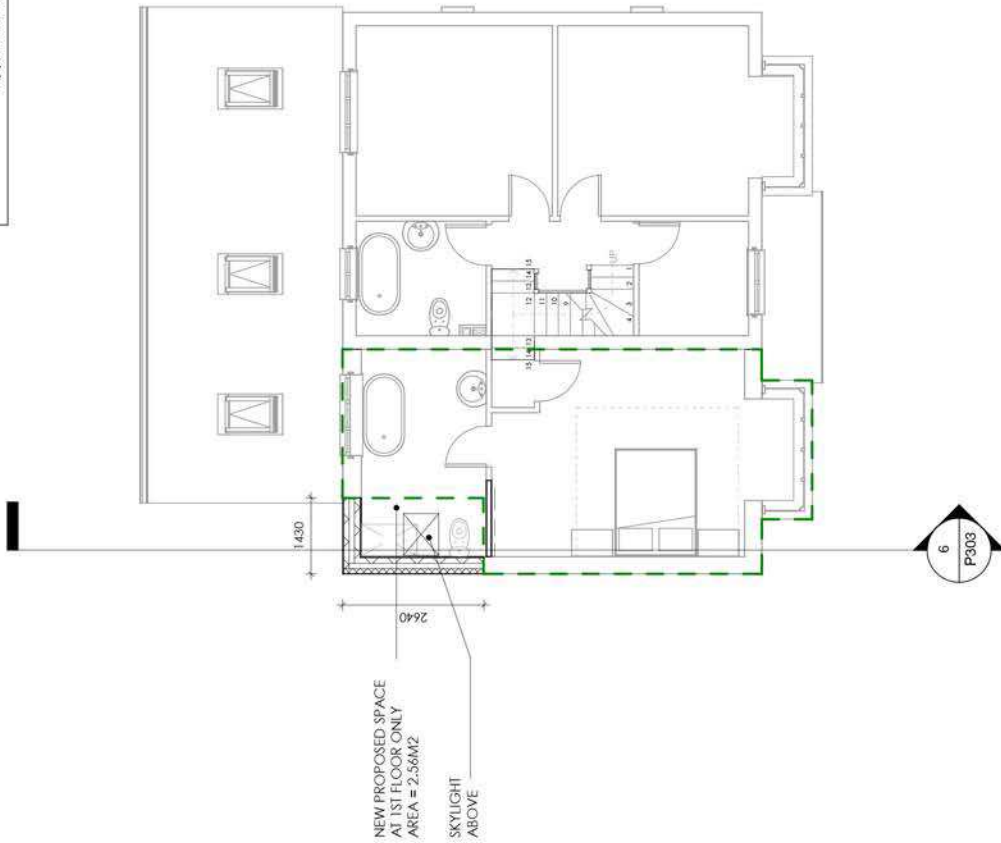
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Rev	Description	Date
P01	RETROSPECTIVE PLANNING APPLICATION	01/12/2017

Client: Mr. T. Daniel  
Project: 1st floor single storey rear mill extension  
Site: 12 Grove Way  
Uxbridge, UB8 1QP

Drawing title: Previous Ground, First, Loft Floor & Block Plans  
Project number: 1611-12  
Date: NOVEMBER 2017  
Designed by: AS  
Status: P  
Scale @ A3: 1 : 100  
0 1 2 3 4 5 m



2 01\_Proposed First Floor Plan  
1:100

1 00\_Proposed Ground Floor Plan  
1:100

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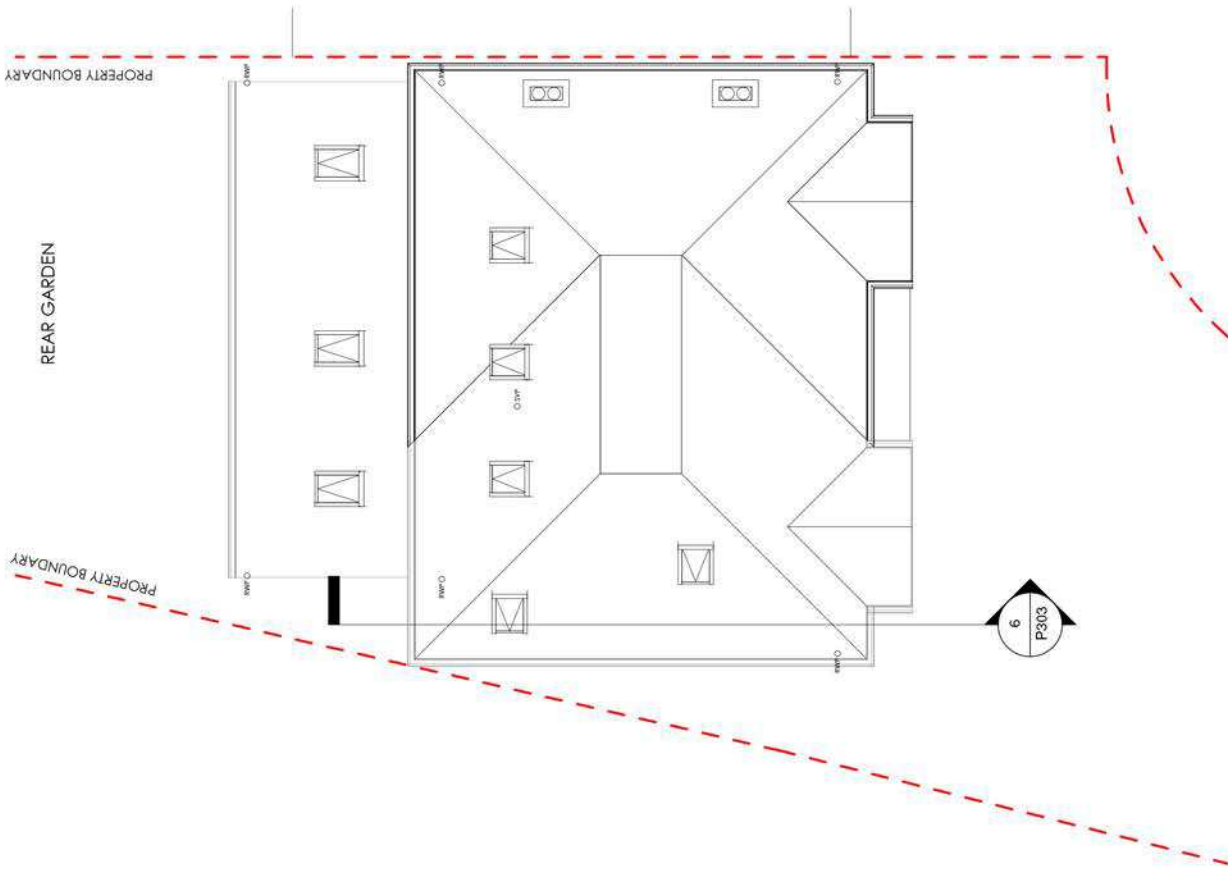
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WC1N 3AX, London-UK  
Tel: 071 5430484

E: [info@architectonicstudio.co.uk](mailto:info@architectonicstudio.co.uk)  
[www.architectonicstudio.co.uk](http://www.architectonicstudio.co.uk)

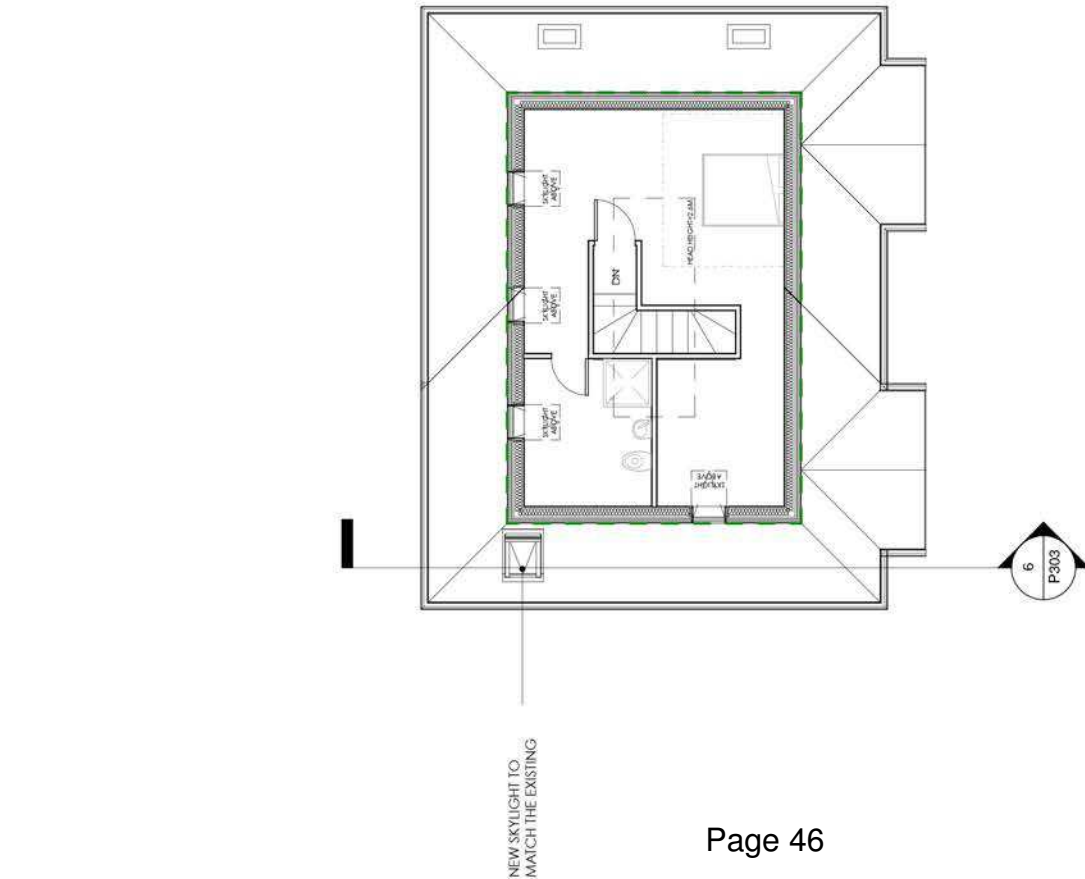
Rev	Description	Date
P01	RETROSPECTIVE PLANNING APPLICATION	01/12/2017

Client: Mr. T. Daniel  
Project: 1st Floor Single Storey Rear Infill Extension  
Site: 12 Grove Way, Uxbridge, UB8 1QP

Drawing title: Proposed Ground & First Plans	
Project number: 1611-12	Date: NOVEMBER 2017
Designed by: AS	Status: P
Scale @ A3 1 : 100 	
P301	



03\_Proposed Block Plan  
1:100



02\_Proposed Loft Floor Plan  
1:100

02\_Proposed Loft Floor Plan  
1:100

03\_Proposed Block Plan  
1:100

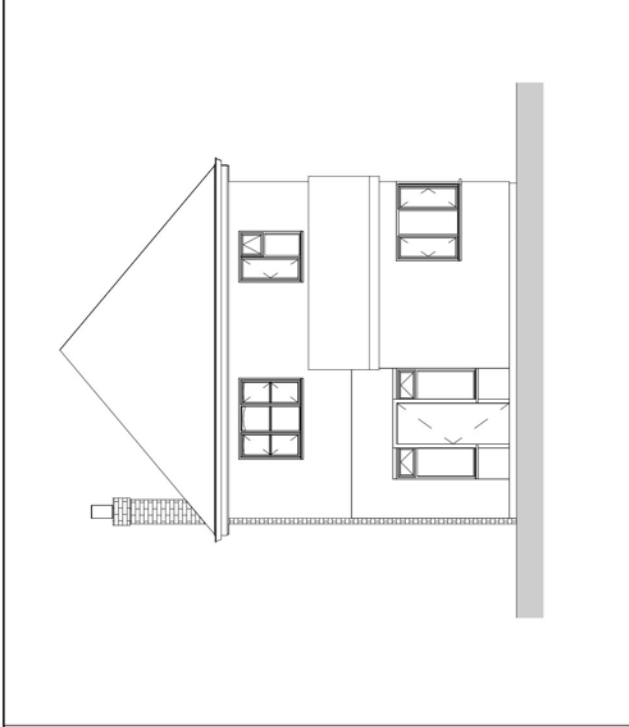
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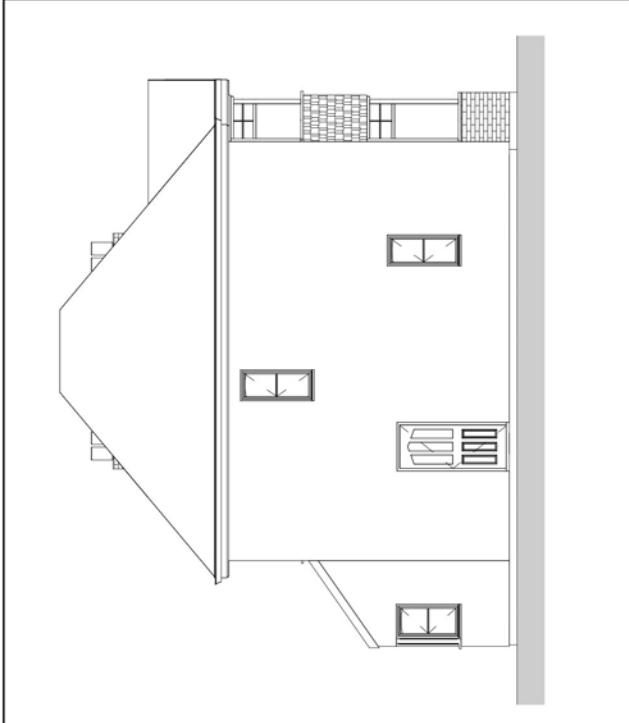
Rev	Description	Date
P01	RETROSPECTIVE PLANNING APPLICATION	01/12/2017

Client: Mr. T. Daniel  
Project: 1st floor Single Storey Rear Infill Extension  
Site: 12 Grove Way  
Uxbridge, UB8 1QP

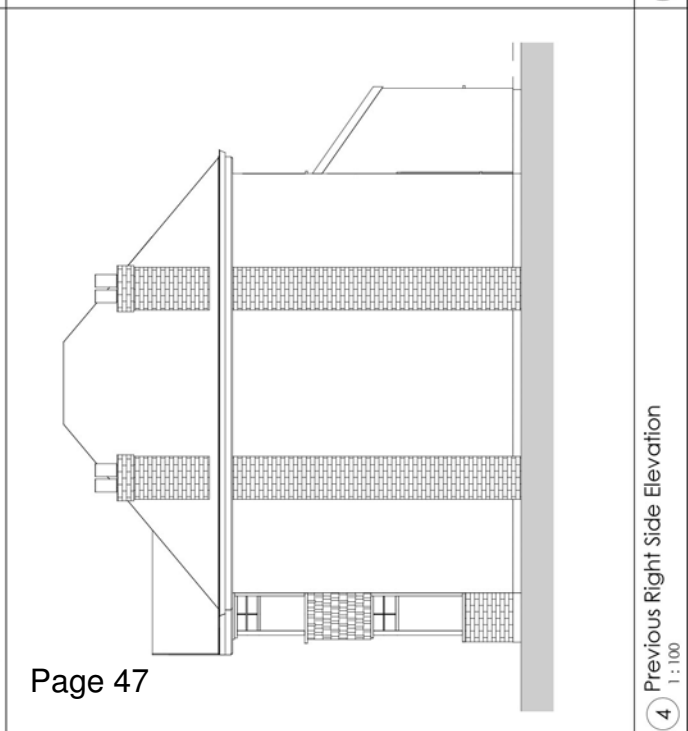
Drawing title: Proposed Loft & Block Plans  
Project number: 1611-12  
Date: NOVEMBER 2017  
Designed by: Author  
Status: P  
Scale @ A3  
1:100  
0 1 2 3 4 5 m  
P302



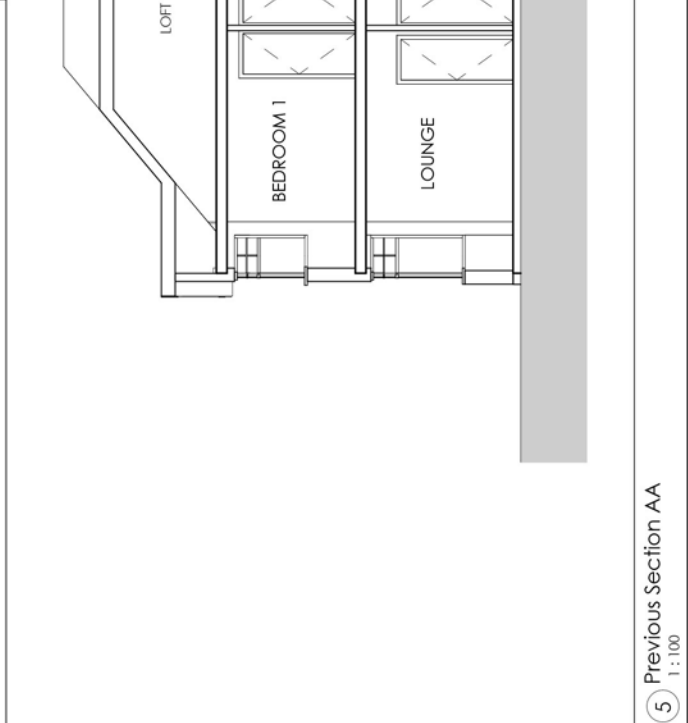
2 Previous Left Side Elevation  
1 : 100



3 Previous Rear Elevation  
1 : 100



5 Previous Section AA  
1:100



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LEVEL 03  
8273

LEVEL 02  
5550

LEVEL 01  
2950


LEVEL 00  
0

BEDROOM 2

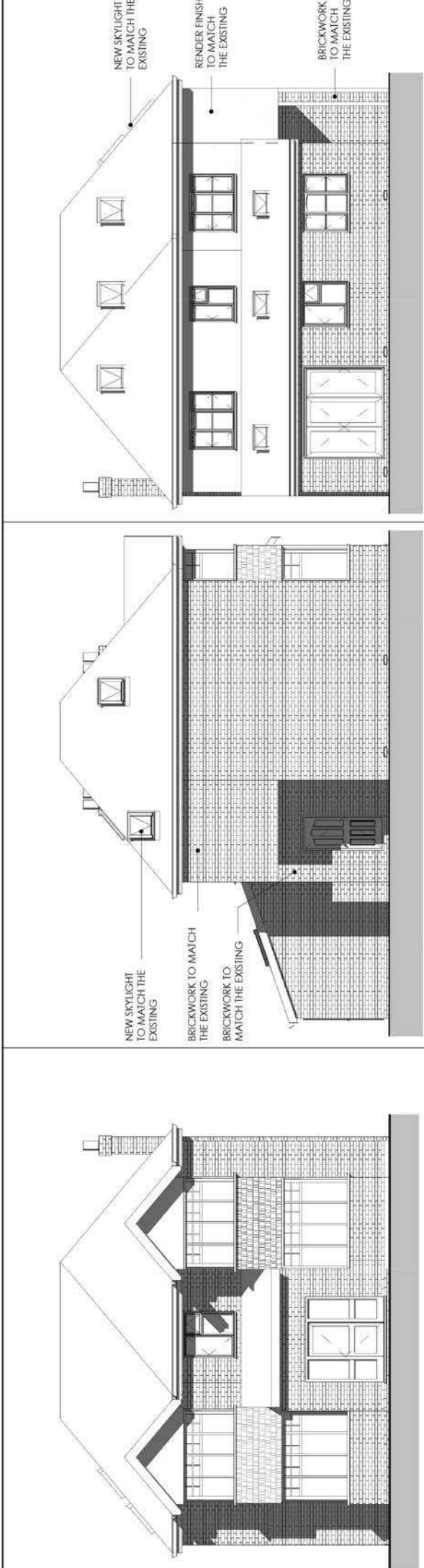
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Rev	Description	Date

Drawing Title: Previous Elevations & Section	
Project number: 1611-12	Date: NOVEMBER 2017
Designed by: AS	Status: P
Scale @ A3 1 : 100 	

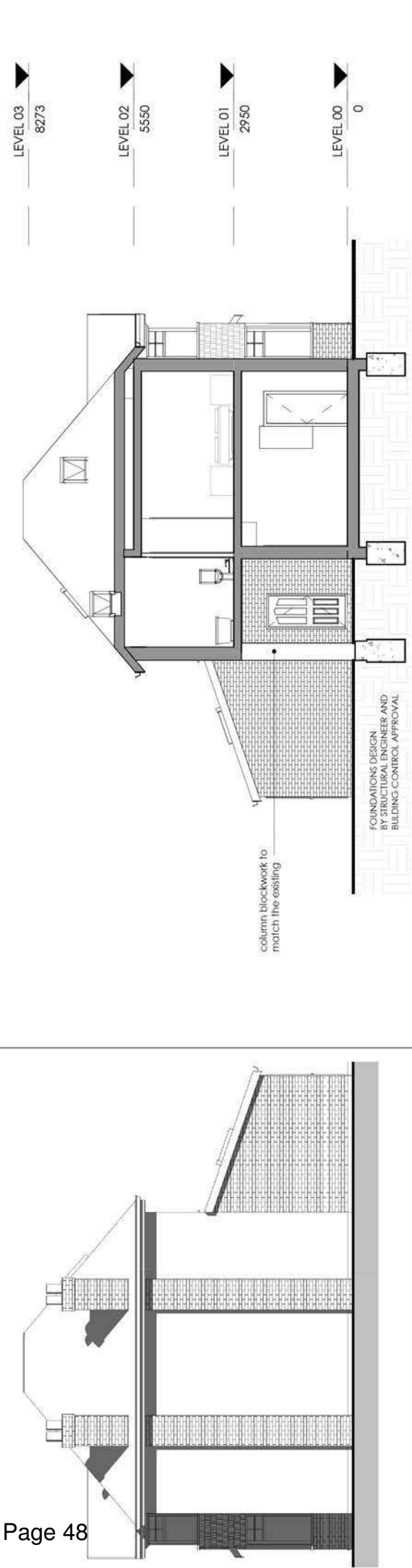




1 Proposed Front Elevation 1 : 100

2 Proposed Left Side Elevation 1 : 100

3 Proposed Rear Elevation 1 : 100



4 Proposed Right Side Elevation NO CHANGE 1 : 100

6 Existing Section AA Copy 1 1 : 100

AS

Architectonic Studio

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www.architectonicstudio.co.uk

Rev

Description

Date

P01

RETROSPECTIVE PLANNING APPLICATION

01/12/2017

Client: Mr. T. Daniel

Project: 1st floor single storey rear mill extension

Site: 12 Grove Way Uxbridge, UB8 1QP

Drawing title: Proposed Elevations

Project number: 1611-12

Designed by: AS

Scale @ A3: 1 : 100

Date: NOVEMBER 2017

Status: P

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Page 48



Cinema

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Site Address:

**12 Grove Way**

Planning Application Ref:

**71844/APP/2017/4606**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**February 2018**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON



**Item No.**                    **Report of the Head of Planning, Building Control, Sport & Green Spaces**

**Address**                    12 GROVE WAY UXBRIDGE

**Development:**           Details pursuant to condition 5 (Landscaping) of planning permission Ref: 71844/APP/2017/329 dated 19/05/2017 (Two storey side extension, single storey rear extension, conversion of roof space to habitable use to include 3 rear rooflights and 1 side rooflight and porch to front)

**LBH Ref Nos:**           71844/APP/2018/56

**Date Plans Recieved:**    04/01/2018                    **Date(s) of Amendment(s):**

**Date Application Valid:**   04/01/2018



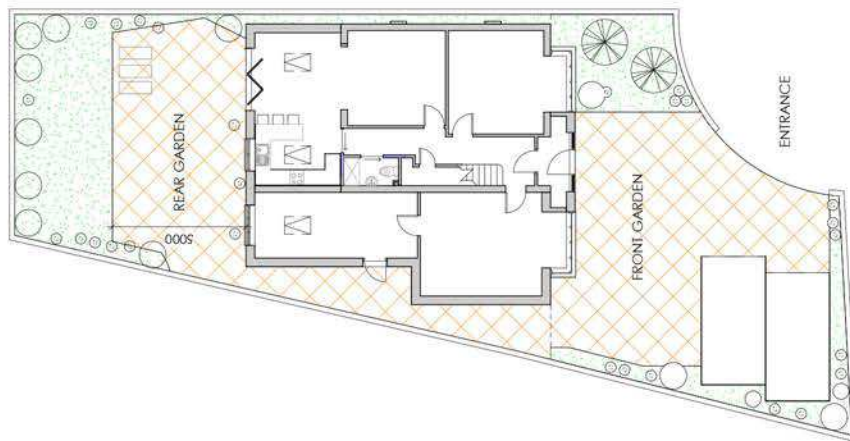
12 Grove Way  
Uxbridge, UB8 1QP

① Location Map  
1 : 1250

Rev	Description	Date
P01	RETROSPECTIVE PLANNING APPLICATION	01/12/2017
P02	SCALE BAR UPDATED	02/01/2018

Client: Mr. T. Daniel  
Project: 1st floor Single Storey Rear Infill Extension  
Site: 12 Grove Way  
Uxbridge, UB8 1QP

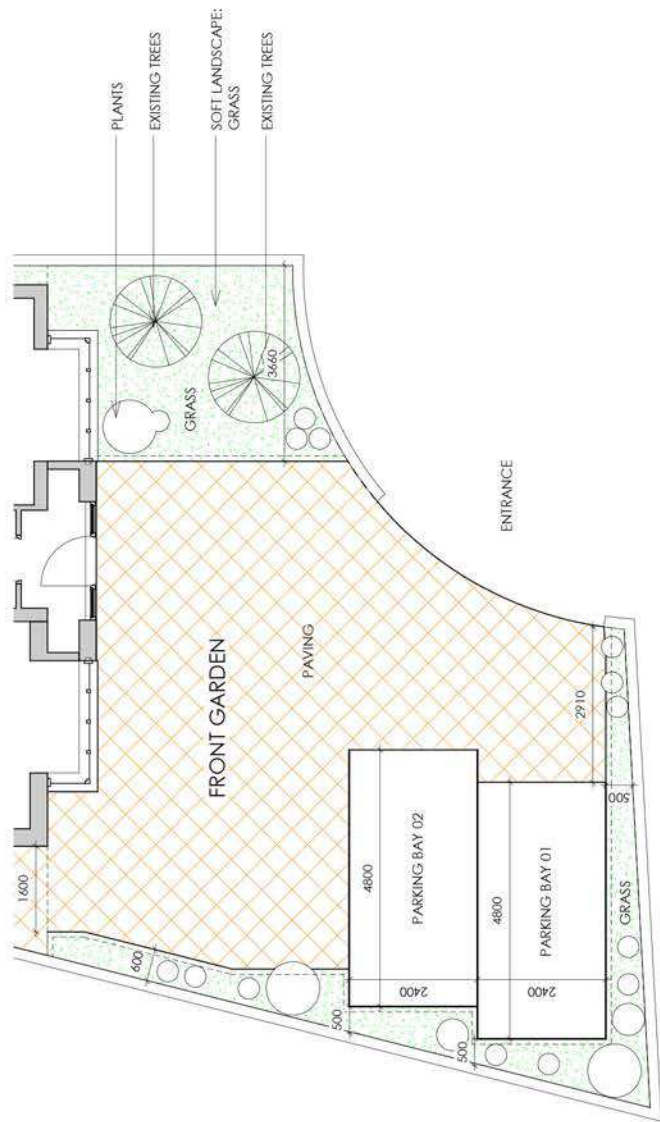
Drawing title: Location Plan			
Project number:	1611-12	Date:	NOVEMBER 2017
Designed by:	AS	Status:	P
Scale @ A3	1 : 1250	0	20 40 60 m



# 00\_Proposed Landscape Plan 1:200

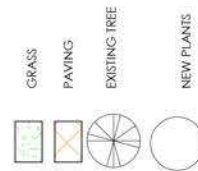
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## 00\_Proposed Front Garden Landscape Plan 1:100

### LEGEND



### Front Garden Area Schedule

Description	Comments	Area	Percentage %
Parking	Parking Bay x 2	23 m²	20
Soft landscaping	Grass & Plants	29 m²	25
Hard Landscaping	Paving	64 m²	55
			100

Drawing Title: Landscape Plan

Project numbers: 1611-12 Date: JUNE 2017

Designed by: Author Status: P

Scale @ A3: 1:100 0 5 m  
As indicated

Client: Mr. T. Daniel

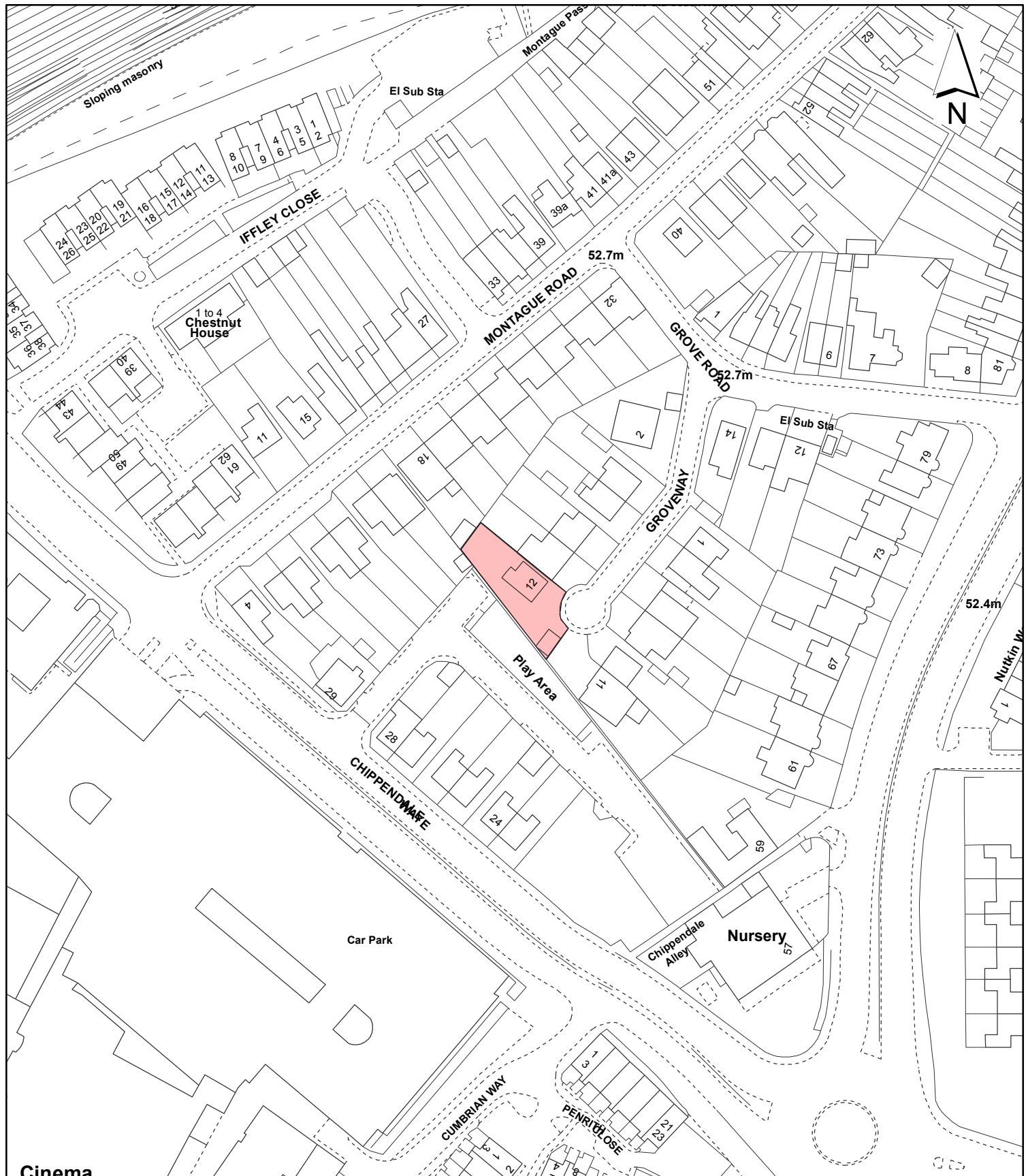
Project: Two Storey Side Extension, Single Storey Rear Extension, Roof Conversion and Porch to front

Site: 12 Grove Way Uxbridge, UB8 1QP

Rev Description Date

P01 LANDSCAPE PLAN 24/11/2017

P212



Cinema

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Site Address:

**12 Grove Way**

Planning Application Ref:

**71844/APP/2018/56**

Planning Committee:

**Central & South**

Scale:

**1:1,250**

Date:

**February 2018**

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OF HILLINGDON**

**Residents Services  
Planning Section**

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111



**HILLINGDON**  
LONDON

## **Report of the Head of Planning, Sport and Green Spaces**

**Address** 141 CHARVILLE LANE HAYES

**Development:** Erection of 2 cabins, single storey workshop building, gate/fence, demolition of existing buildings and change of use from scrapyard (Sui Generis) to car repairs (Use Class B2)

**LBH Ref Nos:** 72426/APP/2017/2914

**Date Plans Received:** 08/08/2017  
**Date Application Valid:** 10/08/2017

**Date(s) of Amendment(s):**



141 Charville Lane, Hayes

Site and Location Plans

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REVISIONS

DATE

N

p.p.s.

Kingbrook House  
7 Kingway  
Bedford  
MK42 9BA  
T 01234 271412  
F 01234 271412  
info@philips-planning.co.uk

Philips Planning Services Ltd.

Town Planning and Development Consultants

PROJECT	141 Charville Lane, Hayes		
TITLE	Plans, Elevation and Site/Location Plans		
CLIENT	Baldwins Repair GP Ltd		
SCALE (@ A1)	DRAWN BY	DATE	
1:200	LK	08/17	
1:1250			
PROJECT NUMBER	DRAWING NUMBER	REV	
175075	17-01		

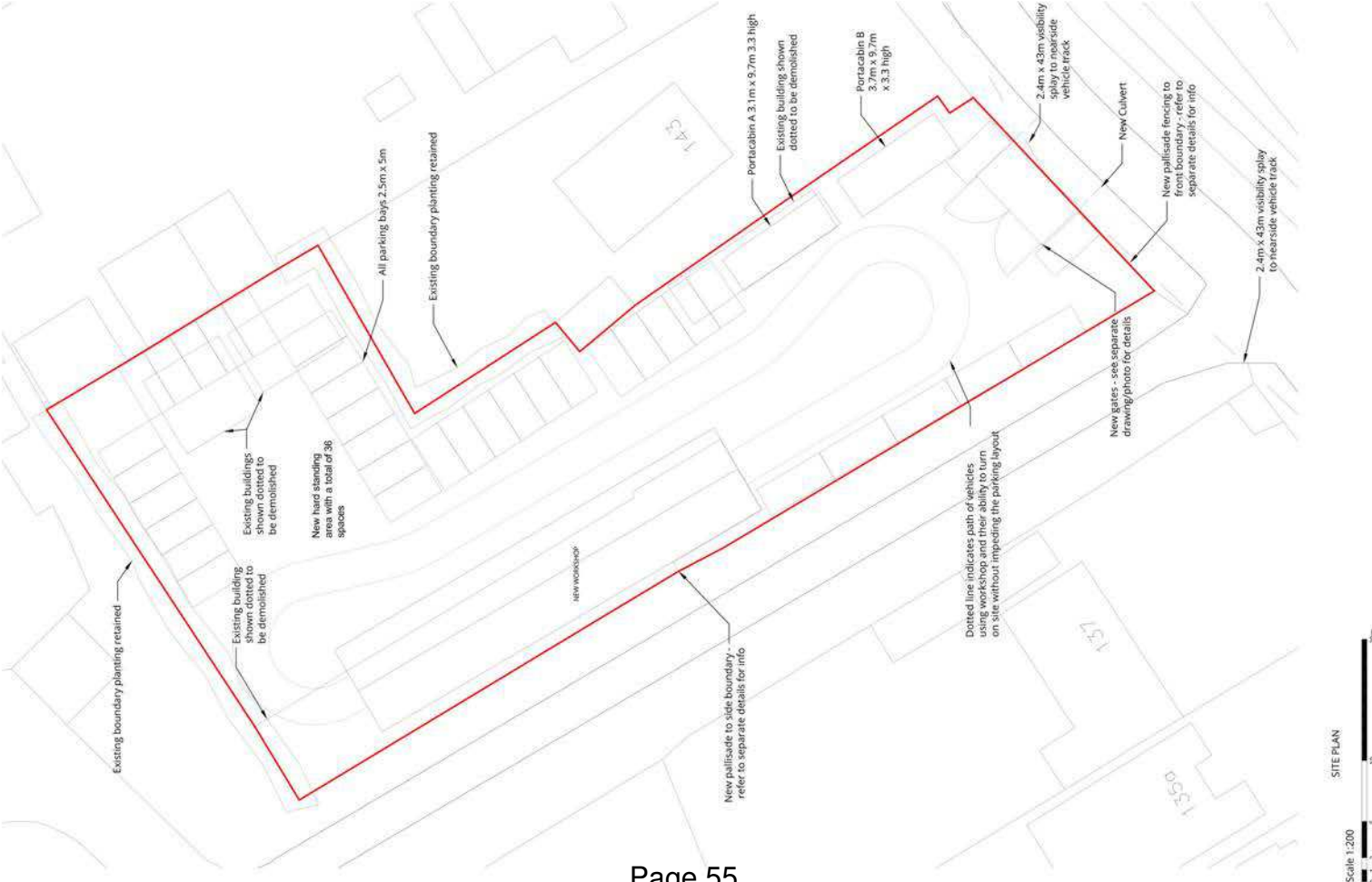
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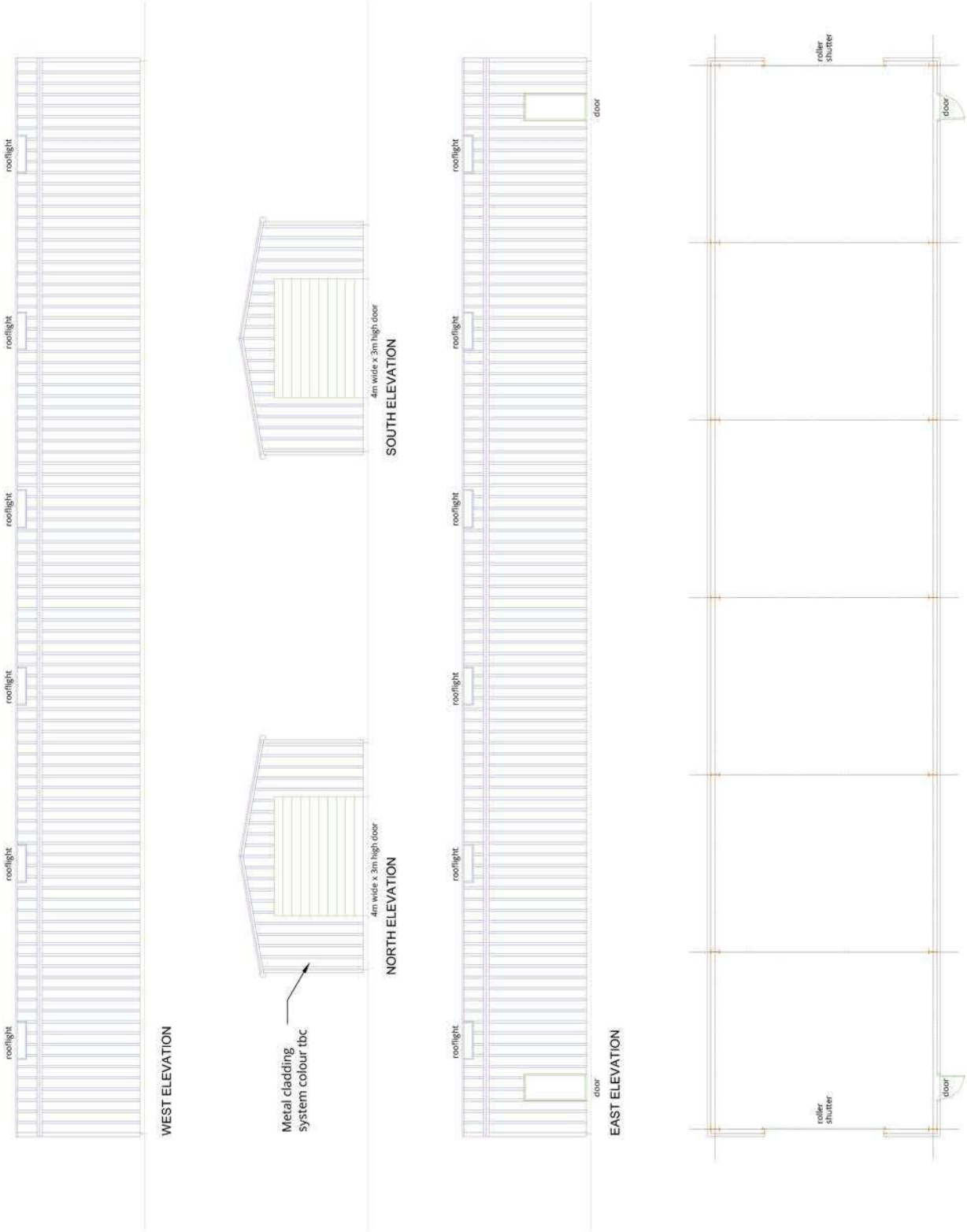
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Plan and Elevations



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Bedford  
MK42 8BA  
T 01234 272829  
F 01234 271432  
info@philips-planning.co.uk

**Philips Planning Services Ltd.**  
Town Planning and Development Consultants

PROJECT

141 Charville Lane, Hayes

TITLE

Plan and Elevations

CLIENT

Baldwins Repair GP Ltd

SCALE (@ A2)

1 : 100

DRAWN BY

LK

DATE

08/17

PROJECT NUMBER

175075

DRAWING NUMBER

17-02

REV

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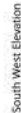
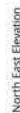
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## Fence and Portacabin Plans and Elevations



SCALE (@ A1)	DRAWN BY	DATE
1:50	LK	08/17
1:100		
PROJECT NUMBER	DRAWING NUMBER	REV
175075	17-03	

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F 01234 271412  
info@phillips-planning.co.uk

**Phillips Planning Services Ltd.**  
Town Planning and Development Consultants

PROJECT

141 Charville Lane, Hayes

time

### Fence and Portacabin Plans and Elevations

CLIENT

Baldwins Repair GP Ltd

SCALE 1/8" = 1'-0"

DRAWN BY

DATE

1:50	LK	08/17
------	----	-------

1:100

PROJECT NUMBER DRAWING NUMBER REV

175075 17-03

Scale 1:50

Scale 1:100



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Hayes**

Planning Application Ref:

**72426/APP/2017/2914**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2018**

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**Residents Services  
Planning Section**

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Telephone No.: Uxbridge 250111



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