



Central & South Planning Committee

Date: WEDNESDAY, 21 NOVEMBER 2018

Time: 7.00 PM

- Venue: COMMITTEE ROOM 5 -CIVIC CENTRE, HIGH STREET, UXBRIDGE
- MeetingMembers of the Public andDetails:Media are welcome to attend.This meeting may also be
broadcast live.

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To Councillors on the Committee

Councillor Ian Edwards (Chairman) Councillor David Yarrow (Vice-Chairman) Councillor Shehryar Ahmad-Wallana Councillor Mohinder Birah Councillor Nicola Brightman Councillor Roy Chamdal Councillor Alan Chapman Councillor Jazz Dhillon Councillor Janet Duncan

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Putting our residents first

Lloyd White Head of Democratic Services London Borough of Hillingdon, Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

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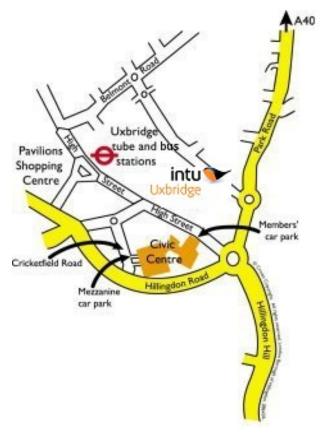
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A useful guide for those attending Planning Committees

Petitions, Speaking and Councillors

Petitions – Those who have organised a petition of 20 or more people who live 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. The Chairman may vary speaking rights if there are multiple petitions

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 meeting works

The planning committees consider the more complex or controversial proposals for development and also 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 discuss 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.

How the Committee makes decisions

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. 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 <u>cannot</u> 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

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

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- 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	66 Hatch Lane, Harmondsworth	Heathrow Villages	Change of use from a single family dwellinghouse to a six-bed HMO.	7 - 20 132 - 137
	19246/APP/2018/1428		Recommedation: Refusal	

Applications without a Petition

	Address	Ward	Description & Recommendation	Page
7	Enterprise House, 133 Blyth Road, Hayes 11623/APP/2018/3036	Botwell	Replacement of six antennas with six new antennas, replacement and additional of equipment within the existing internal equipment cabin and the installation of remote radio units on three freestanding frames with ancillary works.	21 – 34 138 - 146
			Recommendation: Approval	

8	Enterprise House, 133 Blyth Road, Hayes 11623/APP/2018/3037	Botwell	Replacement of six antennas with six new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on three freestanding frames with ancillary works (Listed Building Consent). Recommendation: Approval	35 – 44 147 - 155
9	29 Manor Lane, Harlington 15434/APP/2018/3233	Heathrow Villages	Porch extension to front. Recommendation: Approval	45 – 54 156 - 162
10	3 Evergreen Way, Hayes 74187/APP/2018/3492	Townfield	Single-storey rear extension. Recommendation: Approval	55 – 64 163 - 167
11	Land rear of 65-75 Worcester Road, Cowley 73918/APP/2018/3038	Uxbridge South	Demolition of garages and the erection of four three-bedroom dwellinghouses with associated parking and landscaping. Recommendation: Approval	65 – 84 168 - 181
12	9 High Street, Yiewsley 21027/APP/2018/3025	Yiewsley	Change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant / café (Use Classes A1 / A3), involving alterations to shop front and rear elevation. Recommendation: Approval	85 – 98 182 - 186
13	9 High Street, Yiewsley 21027/ADV/2018/57	Yiewsley	Installation of internally illuminated fascia and projecting sign. Recommendation: Approval	99 – 104 187 - 191

PART II - MEMBERS ONLY

The reports listed below are not made public because they contain confidential or exempt information under paragraph 6 of Part 1 of Schedule 12 A to the Local Government (Access to Information) Act 1985 as amended.

14	ENFORCEMENT REPORT	105 - 112
15	ENFORCEMENT REPORT	113 - 120
16	ENFORCEMENT REPORT	121 - 130

PART I - Plans for Central and South Planning Committee 131 - 192

Agenda Item 3



CENTRAL & South Planning Committee

30 October 2018

Meeting held at Committee Room 5 - Civic Centre, High Street, Uxbridge

Committee Members Present : Councillors Ian Edwards (Chairman), David Yarrow (Vice-Chairman), Shehryar Ahmad- Wallana, Mohinder Birah, Roy Chamdal, Alan Chapman, Jazz Dhillon, Janet Duncan and Steve Tuckwell (in place of Nicola Brightman)
LBH Officers Present: James Rodger (Head of Planning and Enforcement), Meghji Hirani (Planning Contracts & Planning Information), Glen Egan (Office Managing Partner - Legal Services), Armid Akram (Highways Development Control Officer) and Anisha Teji (Democratic Services Officer)
APOLOGIES FOR ABSENCE (Agenda Item 1)
Apologies for absence from Cllr Nicola Brightman, with Cllr Steve Tuckwell substituting.
DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (Agenda Item 2)
Councillor Ahmad – Wallana declared a non-pecuniary interest in agenda item 11 as although he had not been involved with the application, it had been discussed with him. He left the room during the discussion of the item.
Councillor Dhillon declared a non-pecuniary interest in agenda item 9 as he had some involvement in the application. He left the room during the discussion of the item.
TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING (Agenda <i>Item 3</i>)
RESOLVED – That the minutes from the meeting on 9 October 2018 be approved as an accurate record.
MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (Agenda Item 4)
None.
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 (Agenda Item 5)
It was confirmed that agenda items 6 – 10 were Part I and would be considered in public. Agenda items 11 – 13 were Part II and would be considered in private.

124. **98 POLE HILL ROAD, HILLINGDON - 10668/APP/2017/4219** (Agenda Item 6)

Officers introduced the report and provided an overview of the application. Planning permission was sought for the conversion and extension garage to form an annexe. Officers made a recommendation for refusal.

A petitioner spoke in objection of the application and on behalf of the 40 signatures on the petition. The front of the petitioner's house faced the rear garden of 98 Pole Hill Road, and their house was accessed via a private road which was approximately 2.5 m wide. This made access difficult at times. There were three properties in the private road and the houses had been maintained and adopted by the property owners for over twenty years. This included work undertaken in relation to lighting, tarmacking and cutting back vegetation. The petitioner emphasised that the cost of the tarmac alone was in excess of £12,000. The petitioners agreed with the officer's recommendation for refusal. A detached building of 44sqm in the rear garden overlooking other properties would be harmful to the character and appearance of the residential environment. Parking access was not necessary for an elderly resident as there was parking available at the front of the property and a building of this size and magnitude would most likely outlast the relative's needs. The petitioner queried what would happen then and whether this would result in a bed in shed situation.

In response to a Member question, the petitioner confirmed that there had never been access to the existing garage via the private road. No one had a right of access to the private land except the three properties on the private road.

The applicant addressed the Committee. The applicant explained his personal reasons for wanting to extend the existing garage into an annexe. This would be a separate dwelling for the applicant's relatives and this would be safest and most practical option in the applicant's circumstances. In relation to the car parking issue, the applicant explained that in his documentation relating to the house, it was clearly stated that he had access to the garage via the private road. Further the petitioner informed the Committee that he had spoken to the previous owners who had explained that there was a court case in 1976/77 which now granted the access. The applicant understood that there was plenty of available parking at the front of the property, but considered it helpful in the circumstances. He explained however that he was flexible on this point and if the Committee considered it unacceptable he would remove the car parking anyone's garden, the height was not going to be more than the other properties nearby, only a single storey was being built and he was only planning to extend the property by no more than 50 % of the existing dwelling.

At the outset, the Chairman queried whether there was no right for the applicant to use the land to gain access to the parking or was the main issue the fact that the angle of the turn was too acute without encroaching onto neighbouring private land. Officers explained that this was not an issue regarding right of access, the applicant had provided documentation about his right of access which could not be disputed. Officers advised members of the public to pursue other avenues if they had any issues with this as this was a private matter. Officers clarified that the main issue was whether the parking spaces could be accessed given that the access road was only 2.5 m and there needed to be a space of 6m to allow access the parking spaces and allow manoeuvring. In this case, it was not possible for the applicant to access the parking spaces without encroaching onto private land.

Members empathised with the applicant, however were mindful that there was an increase in applications of this nature. Policies were in place for a very good reason as

	it was very much open to abuse by people who requested it for a reason but then used it for other purposed such as bed in sheds or letting it out. It was accepted that the Council used to allow granny annexes some years ago on the grounds of personal permission for the life of that person, however this did not apply in this case as there were a number of other considerations.
	An annex would mean that it was part of the main building, however in this case, the development would be a free standing building. The matter on who had access to the private land was a private issue, but aside that Members were not willing to set a precedent.
	Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.
	RESOLVED: That the application be refused.
125.	NAVNAT CENTRE, PRINTING HOUSE LANE, HAYES - 4210/APP/2018/2821 (Agenda Item 7)
	Officer introduced the report and provided an overview of the application. Planning permission was sought for the development of a play area to the rear of the community centre building on part of the existing field.
	Officers also highlighted the information in the addendum. It was noted that there was a correction to the item name and description on the front pages of the agenda.
	Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.
	RESOLVED: That the application be approved.
126.	1A POLE HILL ROAD, HILLINGDON - 58843/APP/2018/2843 (Agenda Item 8)
	Officers introduced the report and provided an overview of the application. Planning permission was for a single storey rear extension. Officers made a recommendation for approval.
	Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.
	RESOLVED: That the application be approved.
127.	60 CARFAX ROAD, HAYES - 51061/APP/2018/2973 (Agenda Item 9)
	Officers introduced the report and provided an overview of the application. Planning permission was for a single storey rear extension involving demolition of existing rear extension. Officers made a recommendation for approval.
	Members noted that the application complied with policies and that there was a minor discrepancy on page 44 of the agenda pack. This needed to be amended from "encroachment onto No.24's land" to encroachment to No 62's land.

	Members supported the officer's report, and moved and seconded the officer's recommendation. Upon being put to a vote, the recommendation was unanimously agreed.
	RESOLVED: That the application be approved.
128.	S106 QUARTERLY MONITORING REPORT (Agenda Item 10)
	Members requested for the reports to be prepared in a easier to follow format. It was confirmed that the S106 monitoring officer for London Borough of Hillingdon would email Members directly in relation to question on refunds.
	RESOLVED: That the s106 quarterly monitoring report be noted.
129.	ENFORCEMENT REPORT (Agenda Item 11)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	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.
	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).
130.	ENFORCEMENT REPORT (Agenda Item 12)
	RESOLVED:
	1. That the enforcement action as recommended in the officer's report was agreed.
	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.
	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).
131.	ENFORCEMENT REPORT (Agenda Item 13)
	RESOLVED:

- 1. That the enforcement action as recommended in the officer's report was agreed.
- 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.

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).

The meeting, which commenced at 7.00 pm, closed at 7.35 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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. This page is intentionally left blank

Report of the Head of Planning, Transportation and Regeneration

Address 66 HATCH LANE HARMONDSWORTH

- **Development:** Change of use from a single family dwellinghouse to a 6-bed House in Multiple Occupation
- LBH Ref Nos: 19246/APP/2018/1428
- Drawing Nos: GSB/66/2018/LAND2 Vehicle Tracking Option 2 (Track 1) Vehicle Tracking Option 2 (Track 2) Letter Re; Highways issues dated 15-08-18 (Ref: ADL/AP/Is/4028) GSB/66/2018/HMC

Date Plans Received:	17/04/2018	Date(s) of Amendment(s):	17/04/2018
Date Application Valid:	09/05/2018		15/08/2018

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal fails to provide adequate internal communal space and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing.

2 NON2 Non Standard reason for refusal

The proposed development, by virtue of its failure to provide amenity space of sufficient size and quality commensurate to the size and layout of the said unit would result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the Council's adopted Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing.

3 NON2 Non Standard reason for refusal

The proposal would result in an overintensive use of the site to the detriment of the residential amenities of adjoining occupiers by reason of noise and disturbance. Therefore the proposal would be contrary to policies BE19, BE21 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing.

4 NON2 Non Standard reason for refusal

The proposed access to and from the front driveway is likely to result in vehicles reversing out onto Hatch Lane that would be detrimental to the free flow of traffic and highway and pedestrian safety. The proposal is, therefore, contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November

2012) and the Council's Supplementary Planning Guidance: Houses in Multiple Occupation and other non-self contained housing.

INFORMATIVES

1 152 Compulsory Informative (1)

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

2 153 Compulsory Informative (2)

The decision to REFUSE 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.
BE4	New development within or on the fringes of conservation areas
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.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H7	Conversion of residential properties into a number of units
LPP 7.8	(2016) Heritage assets and archaeology
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a 2-storey semi detached property located on the western side of Hatch Lane. The property is set within a corner plot, bound by Candover Close to the south.

The existing house comprises a 2-storey dwellinghouse coated in white pebble dash render with the roof comprising red concrete interlocking tiles.

The dwelling is set 11.6 metres back from the highway and is separated by an area of hardstanding, which provides space to park at least two off street car parking spaces to the front of the site. There is an existing single storey side extension.

At the rear of the dwelling is a 200 sq metre area which has been covered in hardstanding and a crossover into the rear part of the site. A review of historic images suggests the hardstanding and the crossover allowing access into the rear part of the site has been in

place since at least 2008.

The application site lies within the Harmondsworth Village Conservation Area and the Harmondsworth Village Area of Special Local Character.

3.2 **Proposed Scheme**

Planning permission is sought for the change of use from a single family dwellinghouse (Use Class C3) to a 6-bed HMO (Use Class Sui Generis).

The proposed HMO would comprise of the following:

- a kitchen/dining room at ground floor level;
- a bathroom at ground floor level;
- 2 single bedrooms measuring 6.5 sq.m;
- 4 bedrooms measuring over 10 sq.m;
- 1 bathroom at first floor level;
- 1 car parking space within the front garden; and
- 2 car parking spaces within the rear garden.

3.3 Relevant Planning History

19246/APP/2005/1033 66 Hatch Lane Harmondsworth

ERECTION OF A SINGLE STOREY DETACHED GARAGE/STORE AT THE BOTTOM OF THE REAR GARDEN AND ERECTION OF A BRICK BOUNDARY WALL (PART RETROSPECTIVE APPLICATION)

Decision: 25-11-2008 NFA

19246/APP/2010/1349 66 Hatch Lane Harmondsworth

Single storey side extension (Part retrospective application).

Decision: 14-09-2010 Approved

19246/APP/2010/2378 66 Hatch Lane Harmondsworth

Part two storey, part single storey side extension, involving demolition of existing single storey side extension (Part retrospective application).

Decision: 16-12-2010 Refused

19246/APP/2010/771 66 Hatch Lane Harmondsworth

Single storey side extension (Part Retrospective application).

Decision: 04-06-2010 Refused

19246/APP/2011/1884 66 Hatch Lane Harmondsworth Single storey side extension (Part retrospective application).

Decision: 01-11-2011 Approved

19246/APP/2013/1948 66 Hatch Lane Harmondsworth Proposed Vehicle Crossover

Decision: 09-05-2014 Approved

19246/APP/2013/2472 66 Hatch Lane Harmondsworth Single storey rear extension

Decision: 23-10-2013 Refused

19246/APP/2013/3662 66 Hatch Lane Harmondsworth Single storey rear extension

Decision: 18-12-2013 NFA

19246/APP/2013/3663 66 Hatch Lane Harmondsworth Single storey rear extension

Decision: 03-02-2014 Approved

19246/APP/2017/3938 66 Hatch Lane Harmondsworth

Removal of Condition 6 (no sub-division) of planning permission ref: 19246/APP/2011/1884 date 08-11-2011 (Single storey side extension (Part retrospective application)) to allow use of side extension as part of HMO.

Decision:

Comment on Planning History

It is to be noted that the application under Ref: 19246/APP/2013/3663 granted consent for a single storey rear extension in 2014. The unauthorised use appears to have taken place after this date.

The application site is the subject of an enforcement investigation into unauthorised use of the side extension as a self-contained unit/HMO. The current application seeks to regularise the unauthorised use of the property as an HMO.

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.HE1 (2012) Heritage

Part 2 Policies:

- AM7 Consideration of traffic generated by proposed developments.
- AM14 New development and car parking standards.
- BE4 New development within or on the fringes of conservation areas
- 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.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- H7 Conversion of residential properties into a number of units
- LPP 7.8 (2016) Heritage assets and archaeology

NPPF-16 NPPF-16 2018 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- 20th June 2018
- **5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

3 objections and a petition with 21 valid signatures from local residents were received including one from the Harmondsworth Village Conservation Panel. The objections are summarised below:

- Concerns relating to car parking in the front and rear gardens

- The property is already in use as a HMO

- Concerns relating to safety hazard with vehicles using pedestrian crossing point in Candover Close

- The site detracts from the character of the Conservation Area

- The Council has issued a licence to operate an HMO without planning permission

- The proposal has is of an unacceptable appearance - in middle of the Harmondsworth Village Conservation Area

- Unattractive additions such as unauthorised satellite dishes to the front of the house would increase under HMO use

- Front and rear gardens have been concreted over for parking

- HMO use would increase parking
- Residents request an Article 4 direction is applied in this area to limit HMOs in the area

Harmondsworth Conservation Area Advisory Panel:

The plans accompanying the present application show an existing room layout where all rooms other than kitchens or bathrooms are being used as bedrooms. In other words this is already being used a house of multiple occupation without the necessary planning permission being given. Local residents have raised a petition against its use as an HMO as the conversion of family homes to HMOs has a detrimental effect on the community and reduces the viability of the local school.

The external appearance of this property is already detrimental to the Harmondsworth Conservation Area and conversion to an HMO is unlikely to improve this.

We have serious concerns about the parking arrangements. The plan shows three parking spaces arranged side by side at the front of the property but in practice it would be difficult to open the car doors with three cars parked there. The absence of a dropped kerb onto the busy Hatch Lane and the proximity to the junction with Candover Close would also make entry and exit to and from these parking spaces problematic. Street parking is not really a viable alternative as there are double yellow lines on Hatch Lane and finding a space in the residents' parking in Candover Close is already difficult.

For these reasons we hope that the request to change the use from a single family dwelling house to a 6-bed HMO will be refused.

Harmondsworth and Sipson Residents Association: No response received.

Environment Agency: No response received.

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Public Limited Company ("NERL") has no safeguarding objection to the proposal.

Heathrow Aerodrome Safeguarding: No response received.

Internal Consultees

Access Officer:

I have considered the detail of this planning application and have no comments to make.

Environmental Protection Unit:

I have no comments to make on this application but it has been passed to Private Sector Housing to comment.

Private Sector Housing:

I have concerns that the smaller bedrooms to the front left elevation to the first and ground floors maybe less than the required 6.5 metres square even though they stipulate that it is not the case.

Officer comments:

The plans have been measured and the single bedrooms are 6.5sq.m.

Trees/Landscape Officer (Summary)

This site is occupied by a two-storey semi-detached house on the west side of Hatch Lane. The corner plot is situated at the junction with Candover Close and benefits from an exceptionally wide garden. Both the front and rear gardens have been paved over to provide a sprawling car park. This is unsustainable, unattractive and contrary to the Council's saved policies and design guidelines. In order to satisfy policies BE23 and BE38, the rear garden should be re-instated to provide an attractive and usable amenity space for the residents. The front garden should be re-designed to provide a minimum of 25% soft landscape.

Highways (Summary) - August 2018

The application site is located along the junction of Candover Close an unclassified no through road and the A3044 (Hatch Lane) which makes up the London Borough of Hillingdons Classified Road Network.

Within the vicinity of the site, Hatch Lane benefits from parking restrictions, street lighting and pedestrian footway along the western edge of the carriageway. Candover Close is a Controlled Parking Zone between Mon- Fri (9am- 5pm) which deters commuter parking.

Whilst parking is observed to currently take place within the forecourt, there is no record of a license being obtained to lower the crossover.

The proposal is expected to provide 3 car parking spaces. The proposal includes 3 car parking spaces within the forecourt however there are significant concerns that safe access cannot be accommodated for 3 car parking spaces.

The proposals are not only expected to result in vehicles having to reverse into and out of the site generating conflicting vehicle movements at the Hatch Lane/Candover Close junction, but would obstruct the free-flow of traffic along the A3044. This application is refused on highway safety grounds.

Officer comments:

The applicant has provided amended plans.

Revised Highways Comments (Summary) - November 2018

The proposals provides an in and out access arrangement along the site frontage with parking towards the rear of the site for 2 vehicles. Whilst this is intended to address vehicles having to reverse out onto Hatch Lane, this arrangement could not be enforced. Vehicles would still be expected to reverse out onto Hatch Lane therefore resulting in conflicting vehicle movements at the Hatch Lane/Candover Close junction and further obstructing the free flow of traffic along the A3044.

The highways objection still stands.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies within the Developed Area; as such, there would be no objection in principle to the intensification of the residential use of the site, provided the proposal accords with all relevant planning policies.

7.02 Density of the proposed development

Not applicable to this application.

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

Section 72 of the (Listed Buildings and Conservation Areas) Act 1990 places a duty upon the local planning authority in considering applications for, amongst other things, planning permission, to pay special attention to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

The application site is located within the Harmondsworth Village Conservation Area. Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of Conservation Areas and those features which contribute to the special architectural qualities.

The existing site is located on a visually prominent corner location within the Conservation Area. Large family gardens are considered to be a strong feature within this Conservation Area and therefore car parking spaces proposed within the rear garden is also considered to be unusual particularly in such a visually prominent location. The existing treatment of the front and rear spaces, with extensive hardstanding and car parking, detract from the

character and appearance of the Conservation Area. The site has an public transport accessibility of 1a (very poor) and it is anticipated that though the car parking standards require 3 spaces for 6 occupants, it is anticipated that given its low public accessibility rating, there would be a reliance on cars by future occupants. This application seeks to provide 1 car parking space within the front garden and 2 car parking spaces to the rear. screening between the car parking spaces to the rear and the shared amenity space which would be visible from the street is not provided.

Whilst the area of hardstanding proposed both to the front and rear, would be highly visible from the surrounding Conservation Area, given the existing situation, a reason for refusal could not be sustained, as such this proposal is considered to preserve the character of the Conservation Area.

7.04 Airport safeguarding

NATS were consulted on the application and raised no safeguarding objection to the proposal. Therefore, the use of the property as an HMO would not impact on airport safeguarding.

7.05 Impact on the green belt

Not applicable to this development as this application site falls outside the Green Belt.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require alterations and extensions to harmonise with the scale, form, architectural composition and proportions of the original building.

Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

A strong feature of the streetscene that contributes to the Harmondsworth Village Conservation Area is the soft landscaping and hedging along the front boundaries. Whilst the proposal make some attempts to introduce soft landscaping, the area within the front and rear gardens would continue to be dominated by unattractive hard surfacing and given its prominent location, the proposal would merely preserve the character of the Conservation Area.

The proposal is therefore considered to be contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires all new development to protect the privacy of both existing/future occupiers and neighbours.

The proposed change of use of the single family dwelling to a six-bed HMO would result in minor internal alterations and the removal of an existing rear door. No additional windows would be introduced and so there would not be an increased loss of privacy over that which currently exists at the property.

The proposal would provide 4 double and 2 single bedroom resulting in the potential for 10 unrelated individuals to live together sharing basic amenities such as a kitchen and a

bathroom. It is considered that the number of residents proposed within the building would be substantially more than if a large family were to occupy the dwelling and therefore the impact on neighbouring occupiers, in terms of vehicle movements, movements of residents at all times of the day and night and consequently noise and disturbance would be greater than could reasonably be expected if the property were occupied by a family and thus the proposal is considered to have an unacceptable and undue impact on existing residential amenity and the proposal would therefore be contrary to Policies BE19, BE21 and OE3 of the Hillingdon Local Plan: Part Two - Saved Policies (November 2014).

7.09 Living conditions for future occupiers

Internal Floor Space:

Paragraph 3.5 of the Council's Houses in Multiple Occupation SPG (2004) notes that the suitability of a property to be an HMO will vary depending on the type of house. For semi detached houses, the SPG states that Table 4 sets out the maximum recommended occupancy levels for the conversion of semi-detached dwellings into non self-contained housing.

The Council will normally attach conditions to planning permissions, in order to maintain occupancy within these levels. HMOs and hostels will also be required to retain at least one ground floor habitable room over 10 sq.m, other than a kitchen, for communal living purposes. Regardless of the number and size of additional habitable rooms in an enlarged semi-detached house, the maximum number of occupants in such properties will be limited to 9 persons.

The proposed development seeks permission for the change of use of the property from a single family dwellinghouse to a 6-bed HMO.

The Houses in Multiple Occupation SPG (2004) sets minimum standards for bedrooms sizes and requires a minimum of 6.5sq.m - 10 sq.m of internal space for 1 occupant. Where the room sizes are between 10sq.m - 15sq.m the number of occupants rises to 2.

The proposed development comprises bedrooms ranging in size as follows:

Ground Floor: Front Bedroom without en-suite - 6.5sq.m - 1 occupant Front Bedroom with en-suite - 13.9sq.m - 2 occupants Rear Bedroom with en-suite - 12.6sq.m - 2 occupants

First Floor: Front Bedroom 1 - 6.5sq.m - 1 occupant Front Bedroom 2 - 11.5sq.m - 2 occupants Rear Bedroom - 13.04sq.m - 2 occupants

On this basis, the proposed six bedrooms meet the requirements for room sizes.

The submitted plans also include the provision of a 12sq.m kitchen with a dining area and a separate bathroom on the ground floor along with a shared bathroom on the first floor. This application fails to provide communal living space other than the kitchen contrary to the requirements within the SPG (2004).

External Amenity Space:

The Council's Houses in Multiple Occupation SPG (2004) requires the provision of 15sq.m of external amenity space for each habitable room (excluding those used for communal living purposes). Therefore, the proposed development would be required to provide 90sq.m of external amenity space.

Currently the rear of the site is covered by hardstanding to provide car parking. The proposal would reduce the amount of hardstanding and would reinstate soft landscaping to provide amenity space at the rear. However, there is no screening between the car parking spaces and the proposed shared amenity space, the amenity space would also be visible from the streetscene. Only 26sq.m of the space provided would be usable for external amenity falling well below the requirements within the SPG (2004).

The proposal fails to provide a well designed and attractive space that would be used by future occupants. It is considered due to its layout and visibility from the streetscene, the proposed amenity space would have the look and feel of a landscaped car parking area rather than a place of retreat.

The proposed development therefore fails to comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Houses in Multiple Occupation SPG (2004).

Light and Outlook:

It is considered that all the proposed habitable rooms, and those altered by the development, would have an adequate outlook and source of natural light, therefore complying with Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (2016).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP 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 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. In line with the Council's adopted standard and the Council's Houses in Multiple Occupation SPG (2004) there should be 1 space provided per two habitable rooms. As such there is a requirement for 3 parking spaces for the sixbed HMO.

The proposal would provide two parking spaces at the rear of the site, accessed via Candover Close, and one parking space at the front; the driveway would be accessed via a vehicle crossover on Hatch Lane and exited via a vehicle crossover on Candover Close.

The Council's Highways Engineer has assessed the application and has concerns over the suitability of access to the parking space on the front driveway.

Whilst the proposal would provide three car parking spaces as required by Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's Houses in Multiple Occupation SPG (2004), given the extent of hard landscaping, the area could be used by more than 3 car parking spaces and the proposed access to and from the front driveway is likely to cause harm to highway safety, contrary to Policies AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban Design: See Section 7.07 of this report.

Access and Security: The proposal does not raise any access and security issues.

7.12 Disabled access

The Council's Access Officer has assessed the application and has no objection to the proposed change of use from a single family dwelling to an HMO.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states, amongst other things, that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The Council's Trees/Landscape Officer has assessed the application. The overall amount of hardstanding at the front and rear of the site has been reduced and additional landscaping has been provided. Whilst there are some improvements, hardstanding and car parking continues to dominate the streetscene.

7.15 Sustainable waste management

No issues raised.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

No issues raised.

7.19 Comments on Public Consultations

An objection and an objection petition were received during the public consultation. The issues raised have been discussed elsewhere in this report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

This application seeks to regularise the unauthorised use of the property as an HMO following an enforcement investigation. It is noted that the tenants have been evicted from the property.

7.22 Other Issues

None

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

Planning permission is sought for the change of use from a single family dwellinghouse to

a 6-bed HMO. The proposal would result in an over intensification of the use to the detriment of neighbouring residents.

The proposal would fail to provide a ground floor communal living room and an acceptable level of external amenity space, which would result in an unsatisfactory level of residential amenity for the occupiers of the property. The proposal gives rise to highway safety issues which would be detrimental to the free flow of traffic and highway and pedestrian safety.

The proposal would therefore not comply with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 of the London Plan 2016 and the Council's Houses in Multiple Occupation SPG (2004).

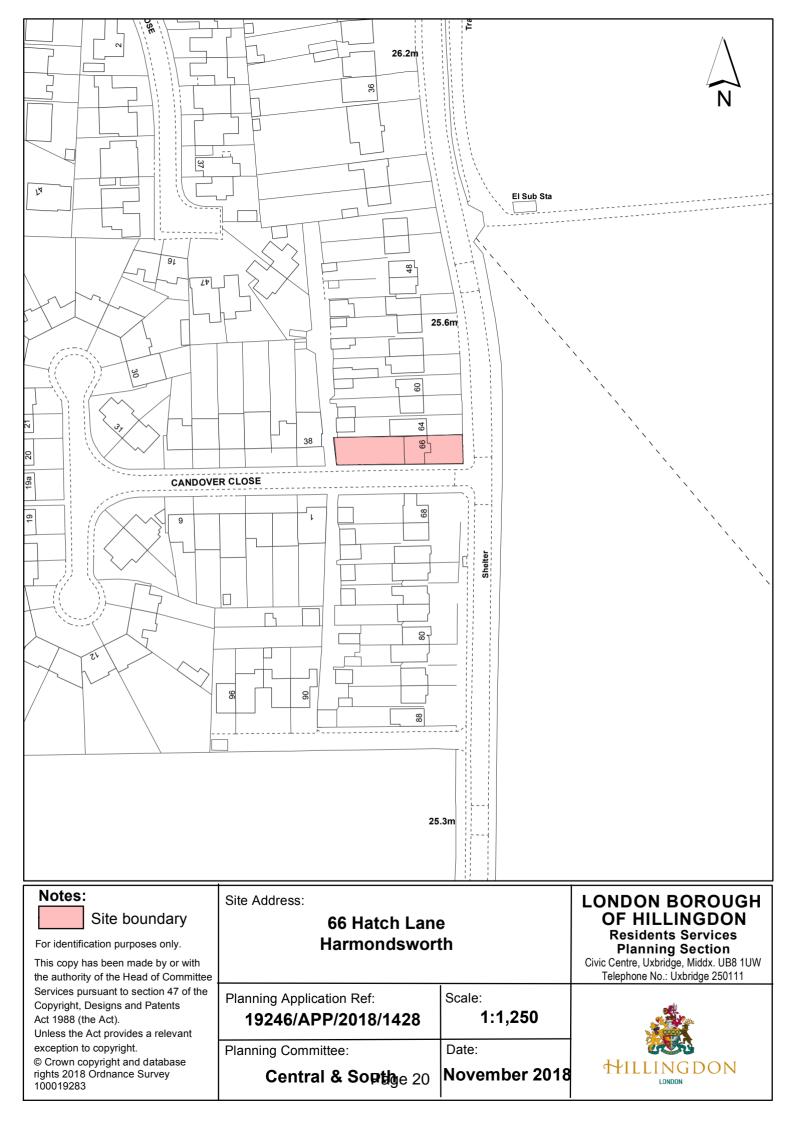
The application is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) London Plan (2016) Houses in Multiple Occupation SPG (2004)

Contact Officer: Katherine Mills

Telephone No: 01895 250230



Agenda Item 7

Report of the Head of Planning, Transportation and Regeneration

Address ENTERPRISE HOUSE, 133 BLYTH ROAD HAYES

Development: Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works

LBH Ref Nos: 11623/APP/2018/3036

Drawing Nos: 200 Rev. A 201 Rev. A 300 Rev. A 301 Rev. A 101 Rev. A Health and Mobile Phone Base Stations General Background Information for Telecommunications Development **ICNIRP** Declaration Supplementary Information **Design and Access Statement** 100 Rev. A Radio 4415 Technical Specification Radio 2217 Technical Specification Radio 2012 Technical Specification Radio 2212 Technical Specification 43091

Date Plans Received: 16/08/2018

6/08/2018Date(s) of Amendment(s):

Date Application Valid: 03/09/2018

1. SUMMARY

Planning permission is sought for the replacement/addition of telecommunications equipment on the roof of Enterprise House where the existing water tower is located.

It is considered, given the that the proposal seeks to replace existing equipment and proposed equipment is to be sited discreetly, the proposal would not have a detrimental impact on the appearance of the building or the Conservation Area. Accordingly approval is recommended, subject to conditions.

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 101 Rev. A, .201 Rev A., 301 Rev A and 43091.

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 Finish of apparatus

The antennas, dish, and Remote Radio Units (RRUs) shall be coloured to match the existing colour of the side of the water tower and shall be permanently maintained in this colour.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE8 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 NONSC Removal

When the installation is no longer required for the purposes of telecommunications, the installation and all associated equipment shall be removed and the site restored to its original state.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

1152Compulsory 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 (2015) and national guidance.

BE4		New development within or on the fringes of conservation areas		
BE8		Planning applications for alteration or extension of listed buildings		
BE13		New development must harmonise with the existing street scene.		
BE37		Telecommunications developments - siting and design		
LPP 7.8		(2016) Heritage assets and archaeology		
NPPF- 10		NPPF-10 2018 - Supporting high quality communications		
NPPF- 16		NPPF-16 2018 - Conserving & enhancing the historic environment		
3	159	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 (2015). 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

The applicant is to note this site has reached saturation point and any further antenna beyond that shown on this application without other mitigating measures and removal of redundant antenna future additions are unlikely to be acceptable.

3. CONSIDERATIONS

3.1 Site and Locality

Enterprise House is a grade II listed building located in the Botwell Thorn EMI Conservation Area. The building sits within an industrial area, and lies adjacent to mainly modern, shed like buildings to the north, east and west. To the south is the Old Vinyl Factory, a major redevelopment site where works on the flagship building have commenced.

Enterprise House dates from 1912 and was constructed for the Gramophone Company. It was originally known as The Machine Factory and was where gramophones were designed and built. It was designed by Arthur Blomfield and A. Henderson, and built by E. Owen Jones, the most significant engineer turned architect of the twentieth century. It is also the earliest known example of his work. It is believed that Enterprise House is the only remaining building of its type in England. The building comprises the original 1912 structure and an addition of similar design to the east.

The building is bounded by Blyth Road to the south, the other side of which are more industrial buildings. Industrial buildings also lie to the west, north and east. The nearest residential properties are approximately 45m away from the nearest part of the building, to the east along Blyth Road. The building is Grade II Listed. Enterprise House falls within the Botwell: Thorn EMI Conservation Area and an Industrial and Business Area, as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 **Proposed Scheme**

This application seeks planning permission for the replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works.

3.3 Relevant Planning History

11623/AJ/98/2186 Enterprise House, 133 Blyth Road Hayes

Installation of telecommunications equipment on roof of Enterprise House

Decision: 11-05-1999 Approved

11623/AK/98/2460 Enterprise House, 133 Blyth Road Hayes

Installation of a telecommunications base station (Application for Listed Building Consent)

Decision: 11-05-1999 Approved

11623/APP/2000/2539 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF SIX ANTENNAS AND ENLARGEMENT OF EXISTING EQUIPMENT CABI (APPLICATION FOR LISTED BUILDING CONSENT)

Decision: 11-04-2001 Approved

- 11623/APP/2000/2573 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF 6 ANTENNAS AND ENLARGEMENT OF EXISTING EQUIPMENT CABIN
- Decision: 11-04-2001 Approved

11623/APP/2002/311 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF TELECOMMUNNICATIONS EQUIPMENT COMPRISING 6 ANTENNAS, EQUIPMENT CABINET, CABLE TRAY AND METER CABINET

Decision: 13-08-2003 ALT

11623/APP/2002/312 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF TELECOMMUNICATIONS EQUIPMENT COMPRISING 6 ANTENNAS, EQUIPMENT CABINET, CABLE TRAY AND METER CABINET (APPLICATION FOR LISTED BUILDING CONSENT)

Decision: 13-08-2003 Approved

11623/APP/2006/255 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING THREE ANTENNAS, SIX EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING.

Decision: 21-03-2006 Approved

11623/APP/2006/256 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING THREE ANTENNAS, SIX EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

Decision: 14-03-2006 Approved

11623/APP/2006/2761 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF TWO 300mm DIAMETER DISH ANTENNAS ON EXISTING WATER TANK

Decision: 16-11-2006 Approved

11623/APP/2006/2763 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF TWO 300mm DIAMETER DISH ANTENNAS ON EXISTING WATER TANK (APPLICATION FOR LISTED BUILDING CONSENT).

Decision: 16-11-2006 Approved

11623/APP/2006/288 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING SIX TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING.

Decision: 22-03-2006 Approved

11623/APP/2006/289 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING SIX TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

Decision: 14-03-2006 Approved

11623/APP/2006/2953 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF 5. 300mm TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT.

Decision: 04-12-2006 Withdrawn

11623/APP/2006/3157 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF 5, 300mm TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT (APPLICATION FOR LISTED BUILDING CONSENT).

Decision: 04-12-2006 Withdrawn

11623/APP/2007/1287 4th Floor West, Enterprise House 133 Blyth Road Hayes CHANGE OF USE FROM CLASS B1 (OFFICES) TO CLASS D1 (EDUCATION).

Decision: 25-10-2012 NFA

11623/APP/2007/484 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF ONE 300mm TRANSMISSION DISH ON THE WATER TOWER.

Decision: 26-04-2007 Refused

11623/APP/2007/593 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF ONE 600mm DIAMETER TRANSMISSION DISH ON SIDE OF WATER TOWER.

Decision: 26-04-2007 Refused

11623/APP/2008/1971 Enterprise House, 133 Blyth Road Hayes Installation of two 1.8m high satellite dishes on roof of building.

Decision: 22-09-2008 Refused

11623/APP/2008/1972 Enterprise House, 133 Blyth Road Hayes Installation of two 1.8m satellite dishes on roof of building (Application for Listed Building Consent).

Decision: 22-09-2008 Refused

11623/APP/2008/521 Enterprise House, 133 Blyth Road Hayes INSTALLATION OF TWO SATELLITE ANTENNAS ON THE ROOF OF THE BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

Decision: 04-08-2008 NFA

11623/APP/2010/1252 Enterprise House Blyth Road Hayes

Removal of 4 existing antennas, installation of 5 replacement antennas and ancillary developme

Decision: 13-08-2010 Approved

11623/APP/2010/1575 Enterprise House Blyth Road Hayes

Installation of 1 300mm diameter dish fixed to the roof of the water tower via a tripod support an development ancillary thereto.

Decision: 13-08-2010 Refused

11623/APP/2010/1576 Enterprise House Blyth Road Hayes

Installation of 1 300mm diameter dish fixed to the roof of the water tower via a tripod support an development ancillary thereto (Application for Listed Building Consent.)

Decision: 13-08-2010 Refused

11623/APP/2010/1580 Enterprise House Blyth Road Hayes

Removal of 4 existing antennas, installation of 5 replacement antennas and ancillary developme (Application for Listed Building Consent.)

Decision: 13-08-2010 Approved

11623/APP/2010/575 Enterprise House Blyth Road Hayes

Installation of an airwave transmission dish to existing roof.

Decision: 05-05-2010 Withdrawn

11623/APP/2010/576 Enterprise House Blyth Road Hayes

Installation of airwave transmission dish to existing roof (Application for Listed Building Consent

Decision: 10-05-2010 Withdrawn

11623/APP/2012/379 Enterprise House, 133 Blyth Road Hayes

Installation of new flue, cooling tower and low level break tank for boiler room

Decision: 01-05-2012 Approved

11623/APP/2012/593 Enterprise House, 133 Blyth Road Hayes

Installation of new flue, cooling tower and low level break tank for boiler room (Application for Listed Building Consent)

Decision: 01-05-2012 Approved

11623/APP/2013/3592 Enterprise House, 133 Blyth Road Hayes

Erection of extensions at roof level, erection of external bridge links on the rear elevation and internal works associated with the change of use of part of enterprise house to create 96 residential units (class C3) and associated car parking, retention of approximately 4,500 sqm (GIA) of employment use (Class B1 and B8) at ground and first floor levels and cafe. (Applicatio for Listed Building Consent)

Decision: 07-08-2014 Approved

11623/APP/2013/3606 Enterprise House, 133 Blyth Road Hayes

Erection of extensions at roof level, erection of external bridge links on the rear elevation and internal works associated with the change of use of part of enterprise house to create 96 residential units (class C3) and associated car parking, retention of approximately 4,500 sqm (GIA) of employment use (Use classes B1 (a-c) and B2 with ancillary cafe) at ground and first floor levels and cafe.

Decision: 07-08-2014 Approved

11623/APP/2015/1128 Enterprise House, 133 Blyth Road Hayes

Upgrade of existing radio base station consisting of the removal of 4 existing antennas and the installation of 4 replacement antennas, removal of 2nd existing antennas behind existing glass reinforced plastic (GRP) shrouds and the installation of 2 replacement antennas behind GRP shrouds, the installation of 6 remote radio units (RRUS) and the relocation of 1 transmission disl on the roof top

Decision: 12-05-2015 Approved

11623/APP/2015/990 Enterprise House, 133 Blyth Road Hayes

Upgrade of existing radio base station consisting of the removal of 4 existing antennas and the installation of 4 replacement antennas, removal of 2nd existing antennas behind existing glass reinforced plastic (GRP) shrouds and the installation of 2 replacement antennas behind GRP shrouds, the installation of 6 remote radio units (RRUS) and the relocation of 1 transmission disl on the roof top (Listed Building Consent)

Decision: 12-05-2015 Approved

11623/APP/2018/3037 Enterprise House, 133 Blyth Road Hayes

Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works (Listed Building Consent)

Decision:

Comment on Relevant Planning History

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

BE4	New development within or on the fringes of conservation areas	
BE8	Planning applications for alteration or extension of listed buildings	
BE13	New development must harmonise with the existing street scene.	
BE37	Telecommunications developments - siting and design	
LPP 7.8	(2016) Heritage assets and archaeology	
NPPF- 10	NPPF-10 2018 - Supporting high quality communications	
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment	
5. Advertisement and Site Notice		

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

This application was consulted on between 03-10-2018 and 24-10-2018. 2 comments were received which are summarised below:

Hayes Conservation Area Panel

No objection.

Historic England

No need to consult Historic England on these types of applications.

Internal Consultees

Conservation Officer:

As previously stated there are concerns with the installation of further antennas and equipment on this building, as those already installed are considered to detract from its appearance.

Additional information on the RRUs to the flat roof and supporting poles has now been received and a better understanding of the visual impact of the proposals on the heritage asset and surrounding area can now be better assessed.

The three additional free standing frames to the flat roof of the water tank will have five RRUs attached. These would be seen from street level as well as from the upper storeys of adjacent buildings. It is accepted that they would not extend above the railings but they would still be seen through the rails and would add further visual clutter. The antenna would be seen within the frame of the existing railings and would not be as perceptible in the skyline. The proposal would, therefore, cause some visual harm to the listed building. The degree of harm would be regarded as less than substantial as defined under the NPPF and the public benefits of the proposals will need to be taken into consideration and weighed up against this harm. It is accepted that there would be public benefit in improving coverage in the area. Considering this benefit with the degree of harm caused it is considered that the proposals could be supported in this instance.

Notwithstanding the above comments there is a worrying trend at this site that has seen a series of applications over recent years for additional antenna which is having an accumulative harmful impact on this heritage asset. It is considered that this site has reached saturation point and that any further antenna beyond that shown on this application, without other mitigating measures and removal of redundant antenna, future additions are unlikely to be acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The telecommunications equipment is situated on a part of the building that currently houses existing telecommunications equipment and therefore will not detrimentally impact the appearance of the building or the adjacent Conservation Area. In addition, Part 10 of the NPPF (2018) is considered relevant. The proposal would allow communications infrastructure which is essential for economic growth and social well being to continue to

operate from this site. On the basis of the above considerations, no objection is raised to the principle of the development at this location.

7.02 Density of the proposed development

Not applicable to this application.

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

Section 66 of the Planning (Listed Buildings and Conservation Areas Act) 1990 sets out the statutory duty of Local Planning Authorities in regard to development affecting listed buildings:-

'In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

Given the siting of the equipment, the replacement and addition of telecommunications equipment is unlikely to result in harm to the setting of the listed building.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 states the statutory duty of Local Planning Authorities in regard to development affecting conservation areas 'special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.'

The site lies within the Botwell Thorn EMI Conservation Area. As part of the application, the applicant provided additional information on the RRUs to the flat roof and supporting poles has been received and there is a better understanding of the visual impact of the proposals on the heritage asset and surrounding area can now be better assessed.

The three additional free standing frames to the flat roof of the water tank will have five RRUs attached. These would be seen from street level as well as from the upper storeys of adjacent buildings. It is accepted that they would not extend above the railings but they would still be seen through the rails and would add further visual clutter.

The antenna would be seen within the frame of the existing railings and would not be as perceptible in the skyline. The proposal would, therefore, cause some visual harm to the listed building. The degree of harm would be regarded as less than substantial as defined under the NPPF and the public benefits of the proposals will need to be taken into consideration and weighed up against this harm. It is accepted that there would be public benefit in improving coverage in the area. Considering this benefit with the degree of harm caused it is considered that the proposals could be supported in this instance.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that development complements or improves the character and amenity of the area. Policy BE15 states proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

Policy BE37 of the Hillingdon Local Plan: Part 2 (November 2012) states telecommunication developments will be acceptable in principle provided that any apparatus is sited and designed so as to minimise its effect on the appearance of the surrounding areas. and the Local Planning Authority will only grant permission for large or prominent structures if the appearance of the townscape or landscape would not seriously be harmed.

The three additional free standing frames to the flat roof of the water tank will have five RRUs attached. These would be seen from street level as well as from the upper storeys of adjacent buildings. It is accepted that they would not extend above the railings but they would still be seen through the rails and would add further visual clutter. The antenna would be seen within the frame of the existing railings and would not be as perceptible in the skyline. The proposal would, therefore, cause some visual harm to the listed building. The degree of harm would be regarded as less than substantial as defined under the NPPF and the public benefits of the proposals will need to be taken into consideration and weighed up against this harm. It is accepted that there would be public benefit in improving coverage in the area. Considering this benefit with the degree of harm caused it is considered that the proposals could be supported in this instance.

7.08 Impact on neighbours

There are no neighbouring residential buildings that could be impacted by this application.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10	Traffic impact, Car/cycle parking, pedestrian safety
	Not applicable to this application

Not applicable to this application.

7.11 Urban design, access and security

These issues have been considered in other section of this report.

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

Not applicable to this application.

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

Not applicable to this application.7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

Addressed elsewhere within the report.

7.20 Planning obligations
Not applicable to this application.
7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

The principle of the development is considered acceptable at this location. In terms of the impact on the Listed Building and the Conservation Area, it is considered that the visual impacts of the proposal will not be of significant detriment to the architectural interest of the building or the character of the Conservation Area given the siting of the equipment.

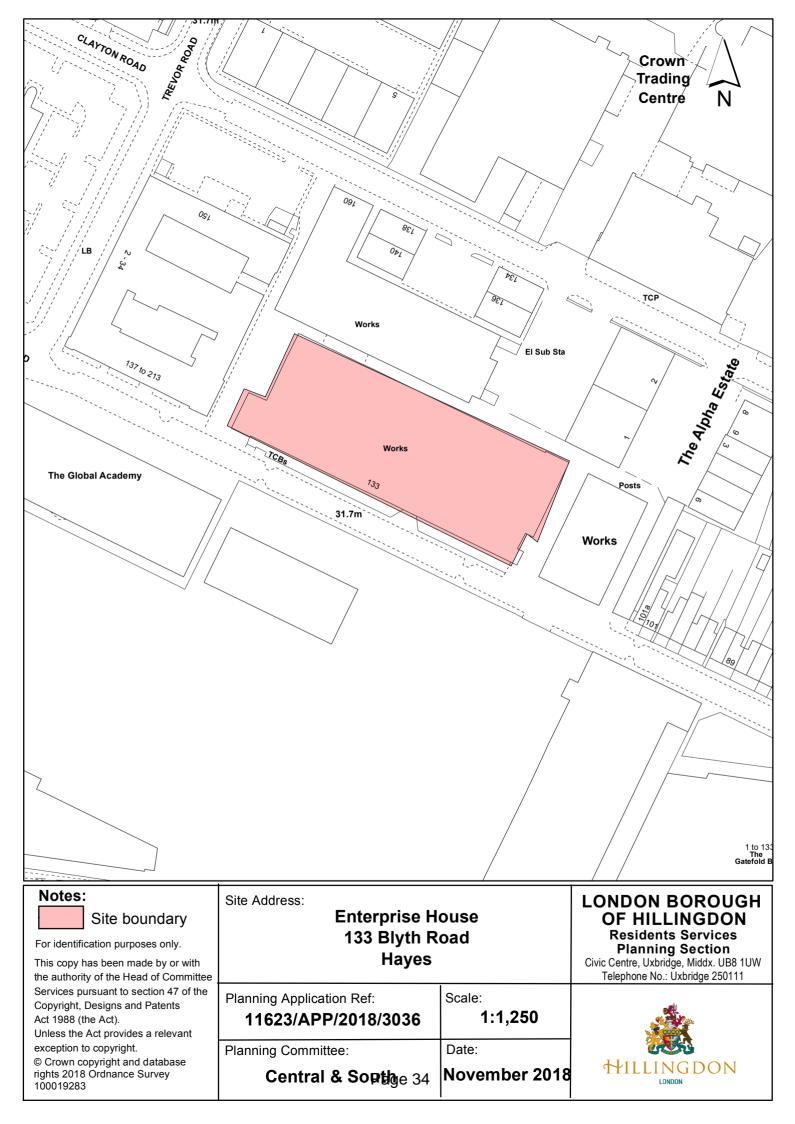
There are no adverse highway, ecological or amenity issues associated with this development. Subject to conditions, the application is recommended for approval.

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: Zenab Haji-Ismail

Telephone No: 01895 250230



Agenda Item 8

Report of the Head of Planning, Transportation and Regeneration

Address ENTERPRISE HOUSE, 133 BLYTH ROAD HAYES

Development: Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works (Listed Building Consent)

LBH Ref Nos: 11623/APP/2018/3037

Drawing Nos: 101 Rev. A 200 Rev. A 201 Rev. A 300 Rev. A 301 Rev. A Health and Mobile Phone Base Stations General Background Information for Telecommunications Development ICNIRP Declaration Supplementary Information Radio 4415 Technical Specification Radio 2217 Technical Specification Radio 2012 Technical Specification Radio 2212 Technical Specification 43091 **Design and Access Statement** 100 Rev. A

 Date Plans Received:
 16/08/2018

 Date Application Valid:
 16/08/2018

Date(s) of Amendment(s):

1. CONSIDERATIONS

1.1 Site and Locality

Enterprise House is a grade II listed building located in the Botwell Thorn EMI Conservation Area. The building sits within an industrial area, and lies adjacent to mainly modern, shed like buildings to the north, east and west. To the south is the Old Vinyl Factory, a major redevelopment site where works on the flagship building have commenced.

Enterprise House dates from 1912 and was constructed for the Gramophone Company. It was originally known as The Machine Factory and was where gramophones were designed and built. It was designed by Arthur Blomfield and A. Henderson, and built by E. Owen Jones, the most significant engineer turned architect of the twentieth century. It is also the earliest known example of his work. It is believed that Enterprise House is the only remaining building of its type in England. The building comprises the original 1912 structure and an addition of similar design to the east.

The building is bounded by Blyth Road to the south, the other side of which are more industrial buildings. Industrial buildings also lie to the west, north and east. The nearest

residential properties are approximately 45m away from the nearest part of the building, to the east along Blyth Road. The building is Grade II Listed. Enterprise House falls within the Botwell: Thorn EMI Conservation Area and an Industrial and Business Area, as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 **Proposed Scheme**

This application seeks Listed Building consent for the replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works.

1.3	Relevant F	Planning Histor	у	
	11623/AF/9	96/1760	Enterprise House, 1	33 Blyth Road Hayes
	Alterati	ions to existing ele	evations	
Dec	ision Date:	10-02-1997	Refused	Appeal:
	11623/AJ/9	98/2186	Enterprise House, 1	33 Blyth Road Hayes
	Installa	ition of telecommu	unications equipment of	n roof of Enterprise House
Dec	ision Date:	11-05-1999	Approved	Appeal:
	11623/AK/	98/2460	Enterprise House, 1	33 Blyth Road Hayes
	Installa	tion of a telecomr	nunications base statio	n (Application for Listed Building Consent)
Dec	ision Date:	11-05-1999	Approved	Appeal:
	11623/APF	9/2000/2539	Enterprise House, 1	33 Blyth Road Hayes
			ANTENNAS AND ENLA	ARGEMENT OF EXISTING EQUIPMENT CABIN SENT)
Dec	ision Date:	11-04-2001	Approved	Appeal:
	11623/APF	9/2000/2573	Enterprise House, 1	33 Blyth Road Hayes
	INSTA	LLATION OF 6 AI	NTENNAS AND ENLA	RGEMENT OF EXISTING EQUIPMENT CABIN
Dec	ision Date:	11-04-2001	Approved	Appeal:
	11623/APF	9/2002/311	Enterprise House, 1	33 Blyth Road Hayes
			LECOMMUNNICATION CABLE TRAY AND M	IS EQUIPMENT COMPRISING 6 ANTENNAS ETER CABINET
Dec	ision Date:	13-08-2003	ALT	Appeal:
	11623/APF	9/2002/312	Enterprise House, 1	33 Blyth Road Hayes
	EQUIP			S EQUIPMENT COMPRISING 6 ANTENNAS, IETER CABINET (APPLICATION FOR LISTED
Dec	ision Date:	13-08-2003	Approved	Appeal:
	11623/APF	9/2006/255	Enterprise House, 1	33 Blyth Road Hayes
		LIATION OF M	OBILE PHONE RAD	NO BASE STATION COMPRISING THREE

BUILDING.

Decision Date: 21-03-2006 Approved Appeal:

11623/APP/2006/256 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING THREE ANTENNAS, SIX EQUIPMENT CABINETS AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

Decision Date: 14-03-2006 Approved Appeal:

11623/APP/2006/2761Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF TWO 300mm DIAMETER DISH ANTENNAS ON EXISTING WATER TANK

Decision Date: 16-11-2006 Approved Appeal:

11623/APP/2006/2763 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF TWO 300mm DIAMETER DISH ANTENNAS ON EXISTING WATER TANK (APPLICATION FOR LISTED BUILDING CONSENT).

Decision Date: 16-11-2006 Approved Appeal:

11623/APP/2006/288 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING SIX TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING.

Decision Date: 22-03-2006 Approved Appeal:

11623/APP/2006/289 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF MOBILE PHONE RADIO BASE STATION COMPRISING SIX TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT ON ROOF OF BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

Decision Date: 14-03-2006 Approved Appeal:

11623/APP/2006/2953 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF 5, 300mm TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT.

Decision Date: 04-12-2006 Withdrawn Appeal:

11623/APP/2006/3157 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF 5, 300mm TRANSMISSION DISHES AND ANCILLARY DEVELOPMENT (APPLICATION FOR LISTED BUILDING CONSENT).

Decision Date: 04-12-2006 Withdrawn Appeal:

11623/APP/2007/1287 4th Floor West, Enterprise House 133 Blyth Road Hayes CHANGE OF USE FROM CLASS B1 (OFFICES) TO CLASS D1 (EDUCATION).

Decision Date: 25-10-2012 NFA Appeal:

11623/APP/2007/484 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF ONE 300mm TRANSMISSION DISH ON THE WATER TOWER.

Decision Date: 26	3-04-2007	Refused	Appeal:
11623/APP/20	07/593	Enterprise Hous	e, 133 Blyth Road Hayes

INSTALLATION OF ONE 600mm DIAMETER TRANSMISSION DISH ON SIDE OF WATER TOWER.

Decision Date: 26-04-2007 Refused Appeal:

11623/APP/2008/1971 Enterprise House, 133 Blyth Road Hayes

Installation of two 1.8m high satellite dishes on roof of building.

Decision Date: 22-09-2008 Refused Appeal:

11623/APP/2008/1972 Enterprise House, 133 Blyth Road Hayes

Installation of two 1.8m satellite dishes on roof of building (Application for Listed Building Consent).

Decision Date: 22-09-2008 Refused Appeal:

11623/APP/2008/521 Enterprise House, 133 Blyth Road Hayes

INSTALLATION OF TWO SATELLITE ANTENNAS ON THE ROOF OF THE BUILDING (APPLICATION FOR LISTED BUILDING CONSENT).

NFA **Decision Date:** 04-08-2008 Appeal:

11623/APP/2010/1252 Enterprise House Blyth Road Hayes

Removal of 4 existing antennas, installation of 5 replacement antennas and ancillary developme

Decision Date:	13-08-2010	Approved	Appeal:
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11623/APP/2010/1575 Enterprise House Blyth Road Hayes

> Installation of 1 300mm diameter dish fixed to the roof of the water tower via a tripod support and development ancillary thereto.

Decision Date: 13-08-2010 Refused Appeal:

11623/APP/2010/1576 Enterprise House Blyth Road Hayes

Installation of 1 300mm diameter dish fixed to the roof of the water tower via a tripod support and development ancillary thereto (Application for Listed Building Consent.)

Decision Date: 13-08-201	0 Refused	Appeal:
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11623/APP/2010/1580 Enterprise House Blyth Road Hayes

Removal of 4 existing antennas, installation of 5 replacement antennas and ancillary development (Application for Listed Building Consent.)

Decision Date: 13-08-2010 Approved Appeal:

11623/APP/2010/575 Enterprise House Blyth Road Hayes

Installation of an airwave transmission dish to existing roof.

Decision Date:	05-05-2010	Withdrawn	Appeal:	

11623/APP/2010/576 Enterprise House Blyth Road Hayes

Installation of airwave transmission dish to existing roof (Application for Listed Building Consent

Decision Date:	10-05-2010	Withdrawn	Appeal:
11623/APF	9/2012/379	Enterprise House,	133 Blyth Road Hayes

Installation of new flue, cooling tower and low level break tank for boiler room

Decision Date: 01-05-2012 Approved

11623/APP/2012/593 Enterprise House, 133 Blyth Road Hayes

Installation of new flue, cooling tower and low level break tank for boiler room (Application for Listed Building Consent)

Appeal:

Decision Date: 01-05-2012 Approved Appeal:

11623/APP/2013/3592 Enterprise House, 133 Blyth Road Hayes

Erection of extensions at roof level, erection of external bridge links on the rear elevation and internal works associated with the change of use of part of enterprise house to create 96 residential units (class C3) and associated car parking, retention of approximately 4,500 sqm (GIA) of employment use (Class B1 and B8) at ground and first floor levels and cafe. (Application for Listed Building Consent)

Decision Date: 07-08-2014 Approved Appeal:

11623/APP/2013/3606 Enterprise House, 133 Blyth Road Hayes

Erection of extensions at roof level, erection of external bridge links on the rear elevation and internal works associated with the change of use of part of enterprise house to create 96 residential units (class C3) and associated car parking, retention of approximately 4,500 sqm (GIA) of employment use (Use classes B1 (a-c) and B2 with ancillary cafe) at ground and first floor levels and cafe.

Decision Date: 07-08-2014 Approved Appeal:

11623/APP/2015/1128 Enterprise House, 133 Blyth Road Hayes

Upgrade of existing radio base station consisting of the removal of 4 existing antennas and the installation of 4 replacement antennas, removal of 2nd existing antennas behind existing glass reinforced plastic (GRP) shrouds and the installation of 2 replacement antennas behind GRP shrouds, the installation of 6 remote radio units (RRUS) and the relocation of 1 transmission dish on the roof top

Decision Date:12-05-2015ApprovedAppeal:

11623/APP/2015/990 Enterprise House, 133 Blyth Road Hayes

Upgrade of existing radio base station consisting of the removal of 4 existing antennas and the installation of 4 replacement antennas, removal of 2nd existing antennas behind existing glass reinforced plastic (GRP) shrouds and the installation of 2 replacement antennas behind GRP shrouds, the installation of 6 remote radio units (RRUS) and the relocation of 1 transmission dish on the roof top (Listed Building Consent)

Decision Date: 12-05-2015 Approved Appeal:

11623/APP/2018/3036 Ente

Enterprise House, 133 Blyth Road Hayes

Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works

Decision Date:

Appeal:

Comment on Planning History

2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- 24th October 2018
- **2.2** Site Notice Expiry Date:- 24th November 2018

3. Comments on Public Consultations

This application was consulted on between 03-10-2018 and 24-10-2018.

1 comment was received to this application which are summarised below:

The Hayes Conservation Area Advisory Panel have no objection to the replacement of the six antennas with six new antennas and the other work proposed.

Internal Consultee Comments

Conservation Officer

As previously stated there are concerns with the installation of further antennas and equipment on this building, as those already installed are considered to detract from its appearance.

Additional information on the RRUs to the flat roof and supporting poles has now been received and a better understanding of the visual impact of the proposals on the heritage asset and surrounding area can now be better assessed.

The three additional free standing frames to the flat roof of the water tank will have five RRUs attached. These would be seen from street level as well as from the upper storeys of adjacent buildings. It is accepted that they would not extend above the railings but they would still be seen through the rails and would add further visual clutter. The antenna would be seen within the frame of the existing railings and would not be as perceptible in the skyline. The proposal would, therefore, cause some visual harm to the listed building. The degree of harm would be regarded as less than substantial as defined under the NPPF and the public benefits of the proposals will need to be taken into consideration and weighed up against this harm. It is accepted that there would be public benefit in improving coverage in the area. Considering this benefit with the degree of harm caused it is considered that the proposals could be supported in this instance.

Notwithstanding the above comments there is a worrying trend at this site that has seen a series of applications over recent years for additional antenna which is having an accumulative harmful impact on this heritage asset. It is considered that this site has reached saturation point and that any further antenna beyond that shown on this application, without other mitigating measures and removal of redundant antenna, future additions are unlikely to be acceptable.

4. UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE9 Listed building consent applications for alterations or extensions

BE37	Telecommunications developments - siting and design
LPP 7.8	(2016) Heritage assets and archaeology
NPPF- 10	NPPF-10 2018 - Supporting high quality communications
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment

5. MAIN PLANNING ISSUES

The main issues for consideration with this application are the impact of the proposed replacement/proposed antennas, and RRUs on the special architectural and historic character of the Listed Building.

Policy BE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires external and internal alterations to harmonise with their surroundings. Policy BE8 of the Hillingdon Local Plan: Part 2 (November 2012) only permits alterations to the listed building is no damage is caused to the buildings and internal and external works are in keeping with the appearance of the listed building.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) require developments to harmonise with features in the area.

As part of the application, the applicant provided additional information on the RRUs to the flat roof and supporting poles has been received and there is a better understanding of the visual impact of the proposals on the heritage asset and surrounding area can now be better assessed.

The three additional free standing frames to the flat roof of the water tank will have five RRUs attached. These would be seen from street level as well as from the upper storeys of adjacent buildings. It is accepted that they would not extend above the railings but they would still be seen through the rails and would add further visual clutter.

The antenna would be seen within the frame of the existing railings and would not be as perceptible in the skyline. The proposal would, therefore, cause some visual harm to the listed building. The degree of harm would be regarded as less than substantial as defined under the NPPF and the public benefits of the proposals will need to be taken into consideration and weighed up against this harm. It is accepted that there would be public benefit in improving coverage in the area. Considering this benefit with the degree of harm caused it is considered that the proposals could be supported in this instance.

On this basis, this application is, on balance, recommended for approval.

6. **RECOMMENDATION**

Approval

1 LB1 Time Limit (3 years) - Listd Building Consent The works hereby permitted shall be begun before the expiration of three years from the date of this consent.

REASON

To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

2 RES4 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 101 Rev. A, .201 Rev A., 301 Rev A and 43091..

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).

3 NONSC Finish

The antennas, dish, and Remote Radio Units (RRUs) shall be coloured to match the existing colour of the side of the water tower and shall be permanently maintained in this colour.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE8 and BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 LB10 Internal and External Finishes (Listed Buildings)

All new works and works of making good to the retained fabric of the building, whether internal or external, shall be finished to match the existing fabric with regard to methods used and to material, colour, texture and profile.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES

- 1 The decision to GRANT Listed Building Consent 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 Listed Building Consent 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 (2015) and national guidance.
- BE9 Listed building consent applications for alterations or extensions
- BE37 Telecommunications developments siting and design
- LPP 7.8 (2016) Heritage assets and archaeology

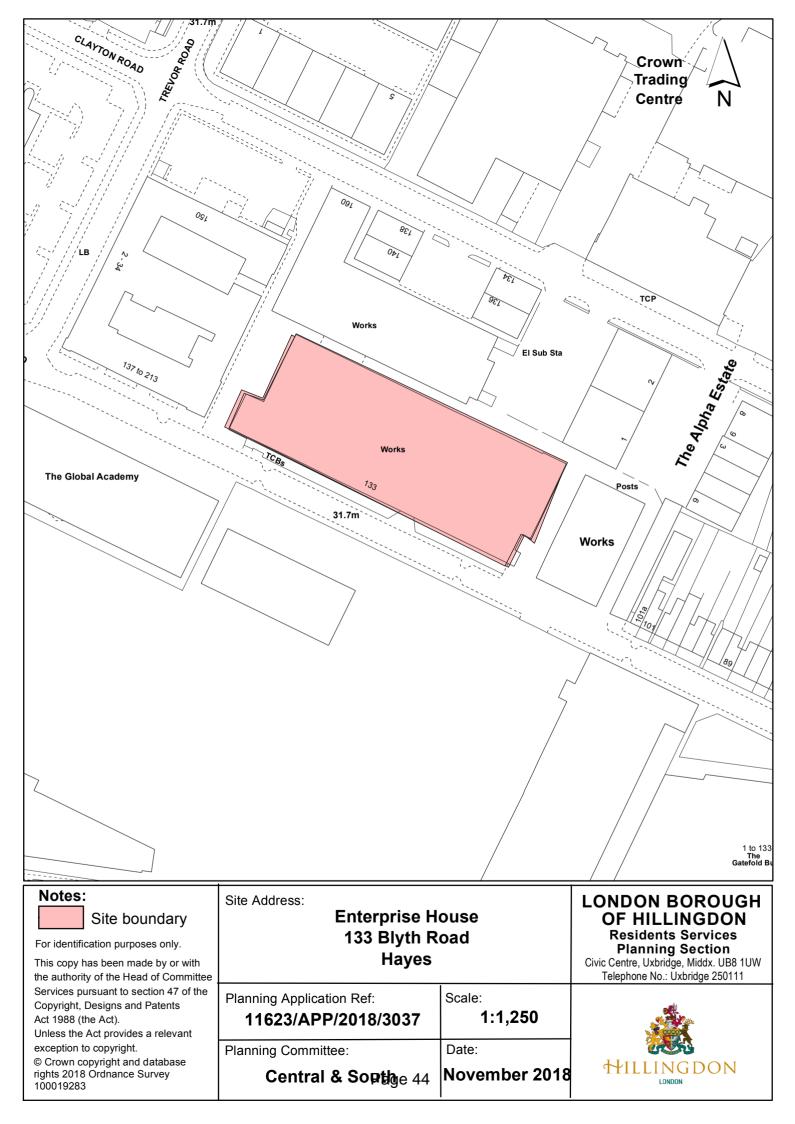
NPPF-1 NPPF-10 2018 - Supporting high quality communications

NPPF-1 NPPF-16 2018 - Conserving & enhancing the historic environment

- **3** 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 (2015). 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 The applicant is to note this site has reached saturation point and any further antenna beyond that shown on this application without other mitigating measures and removal of redundant antenna, future additions are unlikely to be acceptable.

Contact Officer: Zenab Haji-Ismail

Telephone No: 01895 250230



Agenda Item 9

Report of the Head of Planning, Transportation and Regeneration

Address 29 MANOR LANE HARLINGTON

1074-P-501 Rev. A

Development: Porch to front

LBH Ref Nos: 15434/APP/2018/3233

Drawing Nos: 1074-P-504 Rev. A 1074-P-503 Rev. A 1074-P-502 Rev. A 1074-P-500

Date Plans Received:	06/09/2018	Date(s) of Amendment(s):	05/09/2018
Date Application Valid:	25/09/2018		

1. CONSIDERATIONS

1.1 Site and Locality

The application site is located to the East side of Manor Lane. The frontage of the site along Manor Lane has a width of around 17 m, narrowing to around 10 m at the rear of the site.

The site is occupied by a detached bungalow which is in the process of being extended to the side and has had its loft space converted to habitable use to include a front dormer.

To the South of the application site is a similarly sized plot, No. 31 Manor Lane which also contains a bungalow. The rear (East) boundary of the site adjoins the rear of 270 High Street. It is to be noted that No. 268-272 are three Listed Buildings.

The site is located just outside the Harlington Village Conservation Area. The edge of the Harlington Village Conservation Area adjoins the Northern and Eastern boundaries of the site. The wider character of the surrounding area is of two storey dwellings.

1.2 Proposed Scheme

The application seeks planning permission for a porch extension to the front.

1.3 Relevant Planning History

15434/APP/2011/2420 29 Manor Lane Harlington

Raising of roof to allow for creation of new floor, conversion of garage to habitable space, alterations to porch roof and alterations to ground floor rear elevation.

Decision Date:	06-12-2011	Refused	Appeal:
15434/APF	9/2017/2673	29 Manor Lane I	Harlington

Conversion of roofspace to habitable use to include a front dormer.

Decision Date: 20-03-2018 Approved Appeal:

15434/APP/2017/2674 29 Manor Lane Harlington

Single storey side extension involving demolition of existing garage

Decision Date: 12-12-2017 Approved Appeal:

Comment on Planning History

15434/APP/2017/2674 - Single storey side extension involving demolition of existing garage - Approved and being implemented

15434/APP/2017/2673 - Conversion of roofspace to habitable use to include a front dormer. Approved and being implemented.

2. Advertisement and Site Notice

- 2.1 Advertisement Expiry Date:- 22nd October 2018
- **2.2** Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

The Harlington Village Residents Association and 3 neighbouring properties were consulted by letter dated 27.9.18 and a site notice was displayed to the front of the site which expired on 29.10.18.

Heathrow Aerodrome Safeguarding - No objection.

Conservation Officer:

The bungalow has received permission for a small dormer to the front and permission to convert the roof space (15434/APP/2017/2673). In addition a certificate of lawfulness has been issued for a large wide dormer to the rear and two roof lights to the front (15434/APP/2017/2652). The plans for this application did not originally show these alterations but have now been amended to incorporate them.

The current proposal seeks to demolish the existing flat roofed porch and replace it with a deeper pitched roof porch.

COMMENTS: The proposal is to the front of the house, away from the heritage assets to the rear. The impact of the larger pitched roof porch will be negligible on the setting of the conservation area or the listed buildings

RECOMMENDATION: No objection.

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:

- AM14 New development and car parking standards.
- BE4 New development within or on the fringes of conservation areas
- BE10 Proposals detrimental to the setting of a listed building
- 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.
- 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 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original dwelling, the impact on the visual amenities of the surrounding area including the setting of the Harlington Village Conservation Area and the setting(s) of Listed Buildings, the impact on residential amenity of the neighbouring dwellings and provision of acceptable residential amenity space for the occupants of the application property.

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. Part Two - Saved Unitary Development Plan Policies of the Local Plan contains policies that seek to safeguard the appearance, character and amenities of the local street scene and surrounding area. Policy BE13 states that development the amenity and character of the residential area in which it is situated. Policy BE15 seeks to ensure that proposals for extensions to dwellings should also harmonise with the scale, form and proportions of the original building.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new developments should retain or enhance the character and appearance of Conservation Areas and those features which contribute to the special architectural qualities. Policy BE4 reflects the relevant legal duties. Policy BE10 resists proposals which would be detrimental to the setting of Listed Buildings. Policy BE10 reflects the relevant legal duties.

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) sets out the design criteria including external dimensions by which proposals are assessed. Section 8 of the Hillingdon Design and Accessibility Statement: Residential Extensions (HDAS) states that the Council is very explicit with regard to its position on front extensions and extensions that extend across the entire frontage would normally be refused. Porches should be

individually designed to follow the character of the existing building. They should be subordinate in scale and form and be confined to the front entrance area.

This site adjoins the Conservation Area rather than being within it; The scale of the proposed porch is considered acceptable and would not adversely affect the character and appearance of the adjacent Conservation Area. The same is true of the impact upon the setting of the Listed buildings which lie to the rear (east) of the site.

The proposed porch would not result in any loss of light, outlook or privacy to occupants of adjacent dwellings in accordance with Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two -Saved UDP Policies (November 2012).

The proposed porch would not have any impact upon car parking or private amenity space provision.

The application is accordingly recommended for approval.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 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 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 1074-P-503 Rev. A and 1074-P-504 Rev. A.

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).

3 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)

INFORMATIVES

1 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).

2 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.

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
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Part 2 Policies:

AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE10	Proposals detrimental to the setting of a listed building
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.	
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	(2016) 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, Enviroment 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.

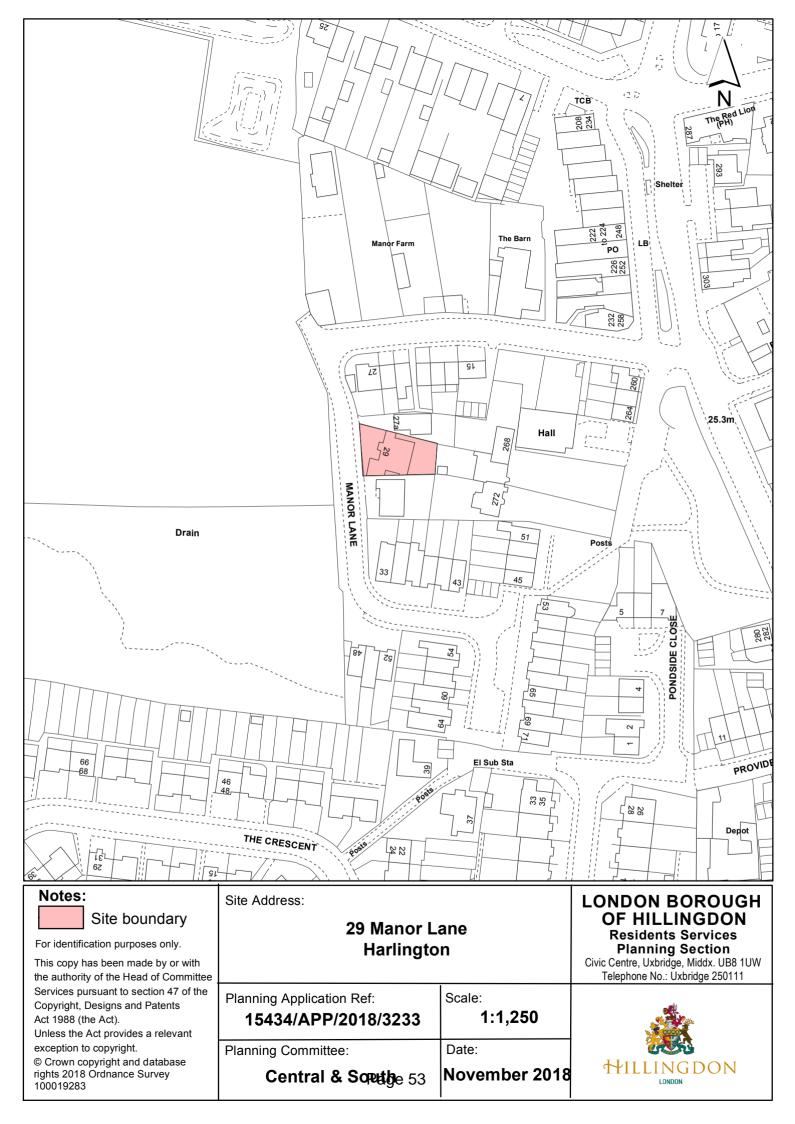
10 You are advised that care should be taken during the building works hereby

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



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Report of the Head of Planning, Transportation and Regeneration

Address 3 EVERGREEN WAY HAYES

Development: Single storey rear extension

LBH Ref Nos: 74187/APP/2018/3492

Drawing Nos: Location Plan (1:1250) MKM/18/EVE03/PL01 Page 02/02 MKM/18/EVE03/PL01 Page 01/02

Date Plans Received:01/10/2018Date(s) of Amendment(s):Date Application Valid:01/10/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a two storey semi-detached property located to the South of Evergreen Way, Hayes. The plot is within a corner location, and has a triangular shape. The property backs onto garages to the rear, also on Evergreen Way. The garden can be accessed to the side of the property which has been extended by way of a single storey conservatory located adjoining No. 1 Evergreen Way. There is also an outbuilding to the side/rear of the site. The application property is attached to No. 1 Evergreen Way to the South, this property has been extended to the rear.

The street scene is residential in character and appearance and the application site lies within the Developed Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 Proposed Scheme

The application proposes a single storey rear extension.

1.3 Relevant Planning History

74187/APP/2018/3468 3 Evergreen Way Hayes

Erection of a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.3 metres, and for which the height of the eaves would be 2.95 metres

Decision Date: 01-11-2018 PRN Appeal:

Comment on Planning History

It was determined on the 1st November 2018, under application Ref: 74187/APP/2018/3468, that prior approval was not required for a single storey rear extension, which would extend beyond the rear wall of the original house by 4 metres, for which the maximum height would be 3.3 metres, and for which the height of the eaves would be 2.95 metres

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**

1 neighbouring property was consulted via letter dated 05.10.18 and a further site notice was displayed to the front of the property which expired on 06.10.18.

By the end of the 21 day consultation period no objections have been received.

Ward councillor: Requests that the application is reported to committee for determination.

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.
- 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 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the street scene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden 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 3.3 of the HDAS states that single storey rear extensions proposed on terraced houses with a plot measuring 5 m or less should be no more than 3.3 m deep. Likewise paragraph 3.7 states that such extensions should be no more than 3.0 m in height with a flat roof. However if a pitched roof is to be erected, the highest part of the extension must not exceed 3.4 m. This is to ensure that the extension appears subordinate to the main house.

Furthermore, Paragraph 3.15 states that where adjoining neighbours have been extended to the rear previously a further extension is acceptable where "it does not result in a loss of daylight, sunlight or outlook to neighbouring properties and where the extension does not extend beyond a 45-degree line of sight taken from the middle of the nearest window of a kitchen or habitable room".

The proposed single storey rear extension would measure 4.0 m in depth, 3.4 m in width, and have a total height of 3 m, with a flat roof. The proposed single storey rear extension would be used as a kitchen. The extension will involve the demolition of an existing conservatory, which is currently deeper than the extension proposed. The extension exceeds the depth limits stipulated under HDAS Residential Extensions. However, No. 1 Evergreen Way already has an existing rear extension and the proposed development would protrude only 0.6 m beyond this existing rear extension. As such, the proposed extension would not harm the amenities enjoyed by No. 1 and is hence considered acceptable. The proposed development would not have side facing windows facing No. 1 and hence would not result in a loss of privacy. Therefore, it is considered that the proposed development would not constitute an un-neighbourly form of development in compliance to policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

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). After development the retained garden space will be 52 sq.m which falls shy of the requirement. However, the development would not result in a further loss of garden space and will in essence free up more space as the existing conservatory has a larger footprint. Therefore, the proposal is considered to be acceptable in this regard.

The parking provision would remain unaffected by the proposal.

The application is recommended for approval.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 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 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 MKM/18/EVE03/PL01 Page 01/02 and MKM/18/EVE03/PL01 Page 02/02.

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).

3 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)

4 HO5 No additional windows or doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) (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 facing 1 Evergreen Way.

REASON

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

5 HO7 No roof gardens

Access to the flat roof over the extension hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON

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

INFORMATIVES

1 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).

2 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.

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
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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.
- 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 (2016) 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, Enviroment 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, Enviroment 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.

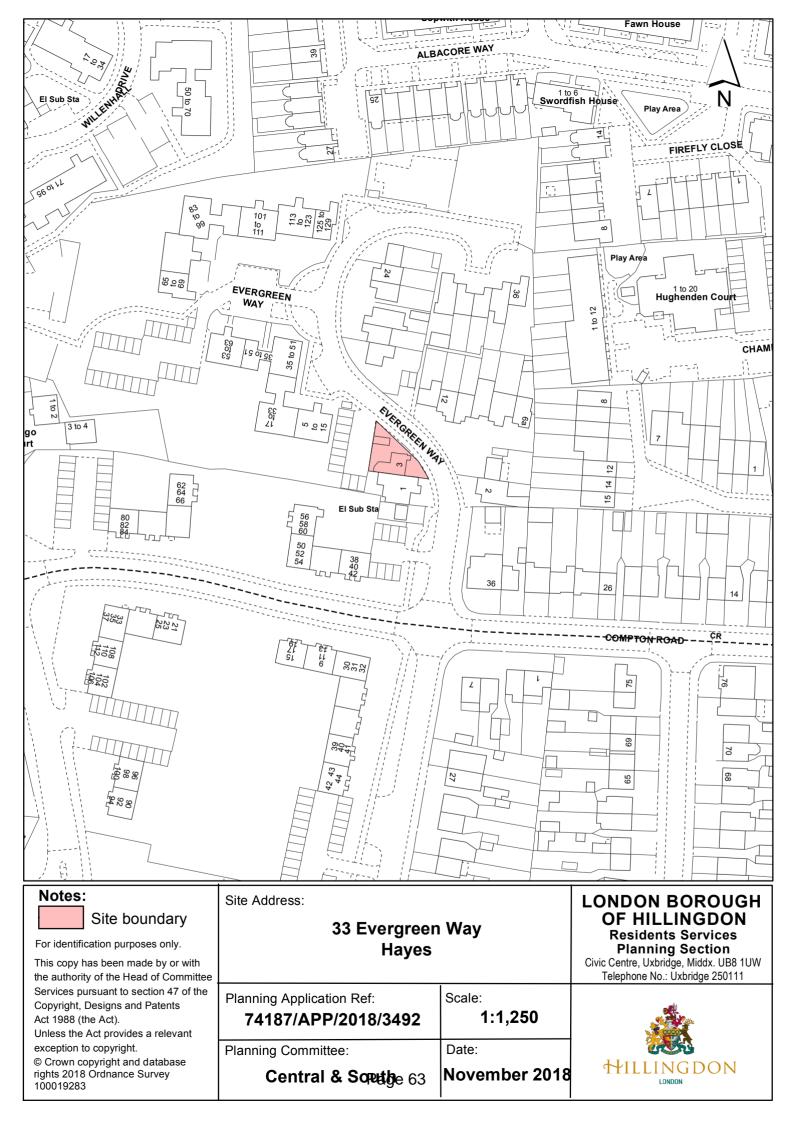
B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

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).



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Agenda Item 11

Report of the Head of Planning, Transportation and Regeneration

Address LAND REAR OF 65-75 WORCESTER ROAD COWLEY

Development: Demolition of garages and the erection of 4 x 3 bedroom dwellinghouses with associated parking and landscaping

LBH Ref Nos: 73918/APP/2018/3038

Drawing Nos: 527/P/01 527/P/02 527/P/03 527/P/04 527/P/05 527/P/06 527/P/08 527/P/10 527/P/09 527/P/011 527/P/07 Design and Access Statement Arboricultural Method Statement AAL-18-253-P01 Phase I and II Geo-Environmental Risk Assessment

Date Plans Received: 09/08/2018

Date(s) of Amendment(s):

Date Application Valid: 09/08/2018

1. SUMMARY

The application seeks planning consent for the demolition of existing garages and the erection of 4×3 bedroom houses with landscaping and car parking.

The existing garages are underused or vacant and the proposal seeks to redevelop the site with a size and scale of development which is characteristic of the surrounding area. The development provides adequate car parking and external amenity space. Whilst the proposal is greater in height than the existing garages, its footprint is limited and it would not be detrimental to the adjoining area of special local character or the amenity of neighbouring residents. It is therefore recommended that this application is approved subject to appropriate conditions.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 RES3 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 RES4 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 527/P/01, 527/P/02, 527/P/03, 527/P/04, 527/P/05, 527/P/06, 527/P/07, 527/P/08, 527/P/09, 527/P/10, 527/P/11 and AAL-18-253-P01 and shall thereafter be retained/maintained for as long as the development remains in existence.

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).

3 RES5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Arboricultural Method Statement

Phase I and II Geo-Environmental Risk Assessment

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that the development complies with the objectives of Policies¿. Specify

4 RES6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 RES7 Materials (Submission)

No development above damp proof course level 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)

6 RES9 Landscaping (including refuse/cycle storage)

Prior to works above damp course proof level, details of a landscape scheme shall be 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 (to be covered and secure) including a management plan

2.b Parking to provide 8 spaces including 1 disabled parking space, demonstrate that parking spaces are served by 1 active electric vehicle charging point and 1 passive electric vehicle charging point and 1 motorcycle/scooter parking space

- 2.c Hard Surfacing Materials (permeable paving)
- 2.d Means of enclosure/boundary treatments
- 2.e 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 surfing/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 approved details shall be implemented prior to first occupation of the flats in full accordance with the approved details and shall be retained thereafter.

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 and BE38 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policies 5.8 (Innovative energy Technologies), 6.13 (Parking) and 5.17 (refuse storage) of the London Plan (2016).

7 RES13 Obscure Glazing

The windows facing 65-75 Worcester Road, 50-54 Clammas Way and 2 Clayton Way shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

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

8 RES14 **Outbuildings, extensions and roof alterations**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON

To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies BE13, BE21, BE23 and BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

9 RES15 Sustainable Water Management

No development approved by this permission shall be commenced until a scheme for the provision of sustainable water management has been submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan (2016) and will:

i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;

ii. include a timetable for its implementation; and

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iv. provide details of water collection facilities to capture excess rainwater;

v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON:

To ensure the development does not increase the risk of flooding in accordance with Policy OE8 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan (2016) Policy 5.12.

10 RES22 Parking Allocation

The residential units hereby approved shall not be occupied until a parking allocation scheme has been submitted to, and approved in writing by, the Local Planning Authority. The parking allocation scheme shall, as a minimum, include a requirement that all on-site car parking shall be allocated and dedicated for the use of each of the residential units hereby approved and shall remain allocated and dedicated in such a manner for the life-time of the development.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2016).

11 RES24 Secured by Design

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on

Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

12 RES26 **Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use.

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement.

(ii) If during development or works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a verification report submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

REASON:

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

13 RES18 **Accessible Units**

The dwellings hereby permitted are required to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015.

REASON: To ensure that an appropriate standard of housing stock, in accordance with London Plan policy 3.8 c, is achieved and maintained.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8

(right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7 AM14	Consideration of traffic generated by proposed developments. New development and car parking standards.
	Provision of reserved parking spaces for disabled persons
AM15	
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.
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
5500	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties
055	and the local area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement,
	Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon, Local Development Framework,
	Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 6.10	(2016) Walking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.4	(2016) Local character
NPPF-2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF- 11 NPPF- 12	NPPF-11 2018 - Making effective use of land NPPF-12 2018 - Achieving well-designed places
3 12	Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to

be submitted. This planning permission is not valid for a development that results in any form of encroachment.

4 I5 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

5 I6 Property Rights/Rights of Light

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

6 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works 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 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.

7 148 Refuse/Storage Areas

The proposed refuse and recycling storage areas meet the requirements of the Council's amenity and accessibility standards only. The proposed storage area must also comply with Part H of the Building Regulations. Should design amendments be required to comply

with Building Regulations, these should be submitted to the Local Planning Authority for approval. For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250400).

8 160 **Cranes**

Given the nature of the proposed development it is possible that a crane may be required during its construction. The applicant's attention is drawn to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes and Other Construction Issues' (available at www.aoa.org.uk/publications/safeguarding.asp)

9

You are advised that no doors or gates should be installed which open out of the public highways as these may contravene The Highways Act 1980 (as amended).

10 I23 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

11

This permission is liable for a contribution under the Community Infrastructure Levy (CIL) and a separate CIL liability notice will be provided for your consideration.

12

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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2012, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated on the northern side of Worcester Road and comprises 35 single storey garages. Of the 35 garages, 10 garages were commercially let and a further 14 were used for housing storage. Most of the garages are in poor condition with damp problems, vegetation growing over the corrugated asbestos cement roofs and several have the old wooden doors that are beyond their useful life. There is a history of fly tipping, vandalism and anti social behaviour on this site.

The site benefits from access (approximately 3.2m width) off Worcester Road. The surrounding area is residential in character and appearance comprising mainly semidetached and terraced two storey properties.

The site does not lie within a conservation area nor are there listed buildings within the vicinity of the application site. The application site is located within the Developed Area as

identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The proposal seeks planning consent for the demolition of the existing garages and the construction of 4×3 bedroom houses with associated amenity space, car parking and landscaping.

Each dwelling is proposed to be provided with an east facing rear garden of approximately 100 sqm and 2 dedicated car parking spaces for each of the new dwellings.

3.3 Relevant Planning History Comment on Relevant Planning History

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.H1	(2012) Housing Growth
PT1.CI1	(2012) Community Infrastructure Provision
PT1.EM6	(2012) Flood Risk Management

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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.
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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local

	area
OE5	Siting of noise-sensitive developments
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.3	(2016) Increasing housing supply
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 5.2	(2016) Minimising Carbon Dioxide Emissions
LPP 6.10	(2016) Walking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
LPP 7.1	(2016) Lifetime Neighbourhoods
LPP 7.4	(2016) Local character
NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 5	NPPF-5 2018 - Delivering a sufficient supply of homes

NPPF- 11 NPPF-11 2018 - Making effective use of land

NPPF- 12 NPPF-12 2018 - Achieving well-designed places

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date:- Not applicable
- 5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application was consulted on between 06-09-18 and 27-09-18. 19 objections were received from neighbouring residents including one objection from a ward councillor. The comments can be summarised as follows:

- concerns relating to building works, including details relating to vehicles, materials and portaloos;

- concerns relating to the removal of asbestos;
- concerns construction would impact party wall;
- objection to the side windows;
- concerns relating to car parking;
- concerns relating to overlooking into neighbouring properties;
- concerns relating to external lighting and its impact on the amenity of neighbouring occupiers;
- concerns relating to security and access;
- concerns relating to dust, noise and vibration during the construction period;

- concerns that the proposal will result in power loss to neighbouring buildings as the electricity will not cope;

- the proposal will impact the adjacent Orchard Drive and Hamilton Road Area of Special Local

Character;

- concerns that the proposal would have an impact on bats and local wildlife and an ecology review does not form part of this application;

- the access is not adequate for construction vehicles;
- concerns relating to air quality and pollution;
- concerns relating to the overbearing impact of the proposal;
- concerns relating to the loss of trees surrounding the site;
- the scale, orientation and design is at odds with the surrounding area;
- unclear how retaining walls are going to be addressed;

- the proposal is an incongruous and intrusive form of development impacting the outlook of the housing backing onto the development (Worcester road, Clammas way, Clayton way, Hamilton road);

- the proposal does not respect family life;

- three storey developments in this location would be totally out of scale and would be detrimental to surrounding residents in cutting out light reaching their homes and gardens;

- fire engines cannot access the site in an emergency;

- the proposal would result in a development with a cramped layout;

Historic England

No need to be notified of these works.

Officer comments:

- The design, size, scale and impact of the development on the character of the area and the adjoining occupiers is considered in the relevant sections of the report.

- a condition is secured requiring a construction management plan prior to the commencement of development;

- the applicant is required to ensure the development complies with the Control of Asbestos Regulations (2012), it is not a matter that can be regulated through the Town and Country Planning Act (1990)

- on matters relating to boundaries shared with neighbouring residents, the applicant is required to ensure the development complies with the Party Wall Act 1990, it is not a matter that can be regulated through the Town and Country Planning Act (1990)

- all side windows are proposed to be obscure glazed;

- details of external lighting have been sought by way of a condition;

- The applicant has confirmed that they have been in touch with SSE with regards to the relocation of the substation. SSE have said they will not engage further on this matter until planning consent has been granted. Once planning permission is granted, this will be dealt with appropriately by SSE.

Internal Consultees

Waste Strategy

Suitable for waste and recycling requirements.

Sustainable Water Management (Summary)

- All hard landscaping should be permeable;

- Details of external landscaping is required prior to commencement by way of a condition to ensure drainage is integrated into landscaping.

- A pre commencement condition is required securing details of sustainable watrt management.

Trees and Landscaping

Original Comments

This site is occupied by 35 lock-up garages and a substation accessed from Worcester Road. The site comprises a backland area between the rear gardens of Worcester Road and Clammas Way. According to the aerial photographs there are some large trees along the rear boundary of Clammas Way, part of which is designated as an Area of Specialise Local Character. The trees appear to oversail the site and will influence, or be affected by, any future development.

No tree survey has been submitted and none of the trees have been indicated on any plan. According to the response to the planning questionnaire (Q15) there may be trees within the site. The proposed layout plan shows no trees or other landscaping which should form, part of the masterplan. The submission includes a very crude looking bike store. All bike stores (and bin stores) should be discreetly and securely located, preferably in the private gardens to the rear.

This application should be refused. In the absence of a topographic or tree survey there is no evidence that the the proximity of trees has been taken into account or that the trees will be unaffected by the proposed layout.

Revised Comments

Further to my comments of 19 September, I refer to the submission of the tree report, prepared by Arbtech, dated 12 October 2018.

The report has identified and assessed the condition and value of seven individual trees and a group which are on, or close to, the site. There are no 'A' grade trees. Three of the trees are 'B' grade, worthy of retention, which are all off-site along the east boundary: T2, T3 and T4.

The development will have no direct impact on these trees although they will require protective measures throughout the demolition and construction programme.

The only trees within the site are the three individual specimens and a group close to the north boundary. These are 'C' grade trees (not normally considered to be a constraint on development). One (T6) is 'U' grade which should be removed in the interests of good management. These tree will be removed to facilitate the development.

There is no objection to the conclusions of the tree report. This is a comprehensive report that includes a Tree Constraints Plan, an Arb Impact Assessment, an Arb Method Statement and a Tree Protection Plan. At pp. 27 and 28 the need for a Construction and Management Plan is identified and it is confirmed that arboricultural supervision will take place to monitor the tree protection measures.

If the application is approved a comprehensive landscape scheme will be required which includes the provision of new/replacement trees.

RECOMMENDATION: No objection subject to post-commencement conditions RES9, parts 1, 2, 4, and 5).

Ecology Officer:

Further to the comments raised by neighbouring residents, the ecology officer has requested a scoping bat survey. It is understood that this is currently underway and the findings of this survey will be reported to committee in an addendum report.

Highways Comments:

Proposals seek consent for the relocation of an electric substation as well as the demolition of an existing garage block comprising 35 garages in order to construct 4 x 3-bed dwelling houses with

associated parking and landscaping. Having assessed the submitted information, I have the following observations.

The site previously provided garages to cater for the residential parking demand in the local area, due the lack of demand, the garages have since been decommissioned.

It is expected that the number of traffic movements generated as part of this scheme will be lower when compared to that historically associated with the site. On this basis there are no concerns with the change of use of the existing access.

The site has 'very poor' access to public transport with a PTAL rating of 1B. It is therefore likely that an emphasis will be placed on the private car.

Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) requires the proposal provide 8 parking spaces which has been provided for.

In accordance with the London Plan minimum standards, 8 secure and covered cycle parking spaces are required. Given the layout of each property, this can be accommodated on site. Details of refuse storage and management plan is required by way of a condition.

There are no objections to this proposal with regard to highway safety matters.

Sustainable Water Management

The site provides no detail of the landscaping and external works to the site, this is critical to ensure the appropriate integrated drainage and landscaping design. All hardsurfacing areas should be permeable and the new homes directed to soakaways, the applicant is required to provide suitable plans to demonstrate this in order to discharge the recommended condition.

Officer comment: The applicant has agreed to a pre-commencement condition to provide this.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy 3.4 of the London Plan (2016) seeks to ensure that new development 'takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.'

The site lies within an established residential area where there would be no in principle objection to the a residential use of the site, subject to all other material planning considerations being acceptable.

7.02 Density of the proposed development

London Plan (2016) Policy 3.4 requires development to optimise housing output for different locations taking into account local context and character, design principles set out in London Plan (2016) Chapter 7 and public transport capacity. Table 3.2 provides the density matrix in support of this policy. The site has a 'suburban' setting with a low PTAL rating of 1b. The density matrix therefore suggests a residential density in the region of 150-200 habitable rooms per hectare for this location. It is considered that though the proposal provides slightly less habitable rooms than expected within the London Plan (133 hrph), given the constraints of the site, this development is considered to provide an appropriate level of accommodation for this suburban setting.

UNIT MIX

London Plan Policy 3.8 and the Mayor's Housing SPG expect new developments offer a range of housing choices, in terms of the mix of housing sizes and types. The most recent Strategic Housing Market Assessment (2016) demonstrates there is a great need for family housing that provide 3 bedrooms. This application is considered to deliver an appropriate mix of units within this suburban location for which there is an identified need and as such this is a material consideration that weighs in favour of this application.

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

See 'Impact on on the character & appearance of the area' section.

7.04 Airport safeguarding

Not applicable to this development.

7.05 Impact on the green belt

Not applicable to this development.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two (November 2012) states that new development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. Policy BE19 of the Hillingdon Local Plan: Part Two (November 2012) seeks to ensure that development within existing residential areas complements or improves the amenity and character of the area.

The Orchard Drive, Hamilton Road, Clayton Way Area of Special Local Character (ASLC) is situated on the north eastern boundary of the site. The proposal seeks to provide 2-storey terraced houses with habitable accommodation within the roof space. It is considered the overall scale and massing of the proposal would not impact unduly on the area of special local character.

It is acknowledged that the proposed dwellings could potentially be glimpsed from the gaps between buildings on Clammas Way for this reason, details of the proposed brick, bonding and roof materials is required to be submitted to ensure the proposal does not harm the setting of the adjacent Orchard Drive, Hamilton Road, Clayton Way ASLC.

The proposed dwellings at 2.5 storeys are of a similar height to the existing properties surrounding and are thus considered to be of an appropriate scale that would not appear out of keeping with the dwellings on either Clammas Way or Worcester Road. It is considered to contribute to a positive relationship between it and the natural underlying landform and topography. It would sit comfortably within this context.

The proposed design includes appropriate brickwork which is broken up with the use of some render and timber cladding brickwork. The proposed materials materials complement the local architectural character of the area, replicating details found on Clammas Way and Worcester Road.

Boundary treatment including paving and landscaping into the site is secured by way of a condition to ensure the proposal provides an attractive, convenient and safe access to the site for its future residents and minimises opportunities for anti-social behaviour.

7.08 Impact on neighbours

Policy BE21 requires new residential developments to be designed to protect the outlook of adjoining residents. The design guide 'Residential Layouts' advises that for two or more

storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15 metres is required, although this distance will be dependent on the extent and bulk of the buildings. The Council's HDAS further provides guidance in respect of privacy, in particular, that the distance between habitable room windows should not be less than 21 metres. In this regard, the proposed unit windows are separated from other dwelling windows by more than 21 metres, which is consistent with the Council's Supplementary Planning Guidance.

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

The existing dwellings on Clammas Way and Worcester Road enjoy a north south aspect. The proposed dwellings are proposed to be orientated to provides its occupiers an east west aspect. The closest facing window on Hamilton Road is proposed to be some 50 m away and as such the proposal is unlikely to result in overlooking into neighbouring dwellings. The side facing windows are proposed to be obscurely glazed and non openable above 1.7m to prevent overlooking into neighbouring properties on Worcester Road and Clammas Way.

With regards to overshadowing, the nearest dwellings situated on Worcester Road and Clammas Way. The existing garages currently exists and are upto 3.5m high. They run along the boundary on either side, whilst there is proposed to be an increase in height, this has been designed to be set away from the neighbouring properties. The new dwellings are proposed to be set away from the main living areas of existing residential dwellings by 15m. On this basis, it is considered that overall, the proposal will not have a detrimental impact on the amenity of neighbouring residents.

7.09 Living conditions for future occupiers

UNIT SIZES

The London Plan (2016) sets out minimum sizes for various sized residential units. The applicant submitted plans with all unit sizes meeting the minimum floor space standards as set out above. The scheme accords with the London Plan (2016) minimum standard and is therefore considered acceptable.

INTERNAL LAYOUT AND ACCOMMODATION

Policy 3.5 of the London Plan (2016) requires the design of new housing developments to consider elements that enable the home to become a comfortable place of retreat. Traffic noise and adjacent uses can hamper the quiet enjoyment of homes.

Standard 28 of the London Plan Housing SPG (2016) requires the developments to demonstrate how habitable rooms within each dwelling are provided with an adequate level of privacy in relation to neighbouring property, the street and other public spaces.

Each dwelling comprises approximately 98 sqm of internal floorspace, the layout of each unit is generous.

EXTERNAL LAYOUT

Policy BE23 of the Local Plan:Part Two (November 2012) requires the provision of external amenity space, sufficient to protect the amenity of the occupants of the proposed and

surrounding buildings and which is usable in terms of its shape and siting. The Council's SPD Residential Layouts specifies amenity space standards for flats.

Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document - Residential layouts, requires 3 bedroom houses to provide at least 60 sqm of amenity space. The proposal provide between 81 and 139 sqm of private external amenity space for each dwelling which accords with Policy BE23 and the SPD requirement.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) are concerned with traffic generation, road capacity, onsite parking and access to public transport. In particular AM7 (ii) advises that the Local Planning Authority will not grant permission for developments whose traffic generation is likely to prejudice the 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 proposal seeks to utilise existing access of Worcester Road which measures 3.2m. The Highways Officer has reviewed the proposal and raises no objections in terms of the traffic impact and pedestrian safety. Overall, the proposal is likely to result in fewer trips as a result of this development and therefore reduce pressure on the local highway network.

The car parking provision is proposed to provide 2 car parking for each new dwelling. The highways officer has raised no objection to this application. The proposal would not result in harm to pedestrian movement or highways safety.

7.11 Urban design, access and security

Main issues relating to design and access have been addressed elsewhere in the report. A condition is secured requiring the applicant to achieve secured by design certification given that it is known this site has been subject to anti-social behaviour in the past.

7.12 Disabled access

Policy 3.8(c) of the London Plan (2016) requires all new housing to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition).

The Access Officer has commented on this application requesting a planning condition is secured requiring the dwellings to be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2015).

7.13 Provision of affordable & special needs housing

Not applicable to this development.

7.14 Trees, landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The site is considered to be of low ecological value, with minimal potential to support protected, priority or rare species, or with significant abundance of common or widespread species, and with no UK priority habitats present.

The Council's Trees and Landscape Officer has raised no concerns regarding the landscape layout within the development site itself, however has requested a condition is secured requesting further details of replacement tree planting.

It is also recommended that a construction management plan is secured which confirm there are provisions in place for arboricultural supervision to monitor the tree protection measures.

7.15 Sustainable waste management

The waste strategy officer has commented on this application noting this site has capacity for waste storage.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The flood risk officer has commented on this application noting SuDs measures have not been included as part of this application. A pre-commencement condition that has been agreed in writing by the applicant has been included.

7.18 Noise or Air Quality Issues

Neighbouring residents have raised concerns relating to noise and vibration during construction. The Control of Pollution Act 1974 gives the Environmental Health special powers to control noise on construction and demolition sites.

An informative is attached reminding the applicant that the permitted hours of work when noise can be audible at a construction site boundary are:

- Monday to Friday, 8am to 6pm;

- Saturday, 8am to 1pm; and
- Sunday and Bank Holidays, no work allowed.

7.19 Comments on Public Consultations

Comments on public consultations have been addressed elsewhere in this report.

7.20 Planning obligations

Not applicable to this development.

7.21 Expediency of enforcement action

Not applicable to this development.

7.22 Other Issues

None.

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 development.

10. CONCLUSION

The application seeks planning consents for the demolition of existing garages and the erection of 4×3 bedroom houses with landscaping and car parking.

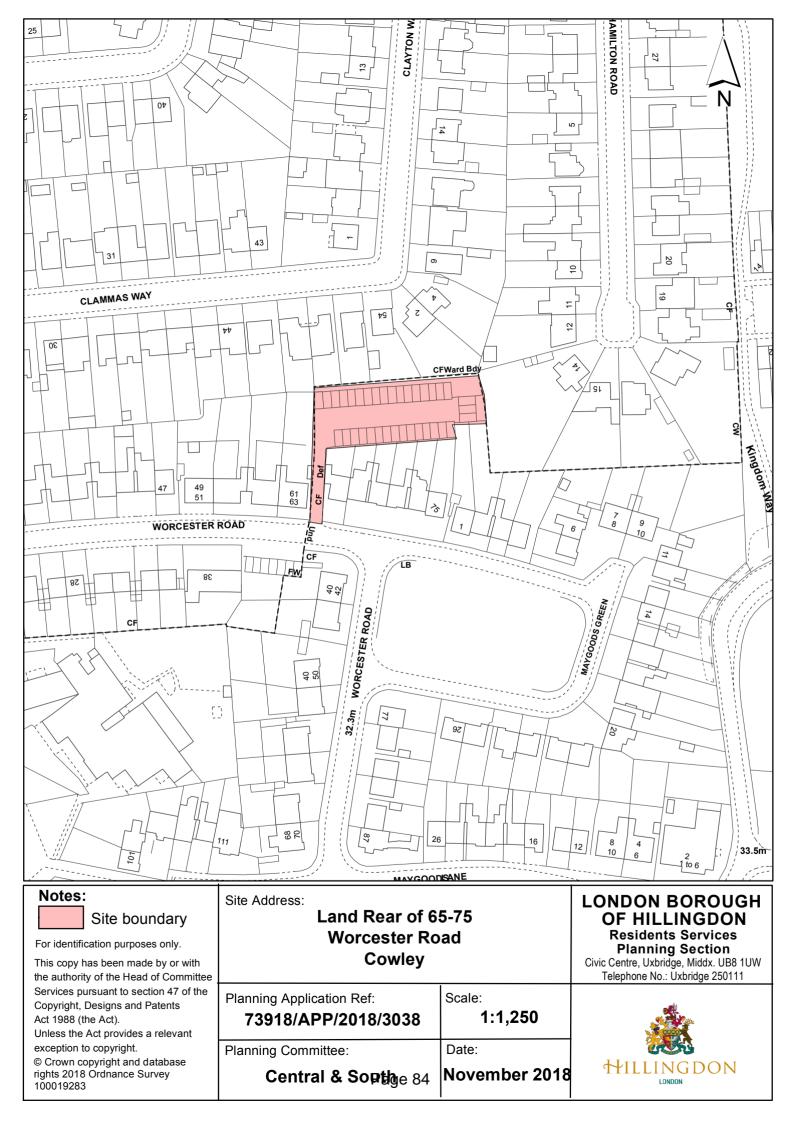
The existing garages are underused or vacant and the proposal seeks to redevelop the site with a size and scale of development which is characteristic of the surrounding area. The development provides adequate car parking and external amenity space. The proposal is unlikely to be detrimental to the adjoining area of special local character or the amenity of neighbouring residents. It is therefore recommended that, for the reasons set out within this report, this application is approved subject to relevant planning conditions.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (September 2007)
The London Plan (2016)
The Housing Standards Minor Alterations to The London Plan (March 2016)
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)
Technical Housing Standards - Nationally Described Space Standard
Hillingdon Design and Accessibility Statement: Residential Layouts
Hillingdon Design and Accessibility Statement: Residential Extensions
Hillingdon Design and Accessibility Statement: Accessible Hillingdon
National Planning Policy Framework

Contact Officer: Zenab Haji-Ismail

Telephone No: 01895 250230



Report of the Head of Planning, Transportation and Regeneration

Address 9 HIGH STREET YIEWSLEY

Development: Change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant/cafe (Use Classes A1/A3) involving alterations to shop front and rear elevation

- LBH Ref Nos: 21027/APP/2018/3025
- Drawing Nos: 54.43/A.1.2 54.43/A.1.3 Design and Access Statement 54.43/A.1.0

Date Plans Received:	16/08/2018	Date(s) of Amendment(s):
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Date Application Valid: 24/08/2018

1. SUMMARY

The application seeks planning permission for a change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant/cafe involving alterations to shop front and rear elevation.

It is considered that the use is appropriate to the high street in a local town centre and that it would contribute to its vitality and viability. Furthermore the proposal would involve modest alterations to the front and rear elevation including new signage to the front which is subject to a separate application under Ref: 21027/ADV/2018/57 and therefore is considered to have an acceptable impact upon the visual amenity of the application property and the surrounding street scene when in situ and not causing a loss of residential amenity or highway safety concerns.

In addition it is noted that the proposal would not involve the introduction of any new primary cooking facilities on site nor any new extraction machinery or ventilation systems. Therefore taking all matters into consideration it is considered that the proposal would respect the character and appearance of the property and the street scene. Subject to appropriate conditions it would not give rise to any adverse impact on the amenities of adjoining occupiers, nor would there be any unacceptable impact on the area or the parking/traffic generation in this town centre location. In addition it is considered that the proposal will help add vitality and vibrancy to the local commercial street scene.

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 plan numbers 54.43/A.1.2 and 54.43/A.1.3 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 NONSC Non Standard Condition

The premises shall be used solely as a mixed retail/restaurant/cafe use (Use Classes A1/A3) and at no time shall operate solely as restaurant/cafe (Use Class A3).

REASON

To ensure that the use is carried out and maintained as approved in the interest of safeguarding the amenities of neighbouring residential and other adjoining properties and the character of the area in compliance with policies OE1 and S6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

Other than food items pre-manufactured off-site and reheated on the premises there shall be no cooking on the premises and no extraction or ventilation equipment associated with cooking on the premises shall be installed.

REASON

To ensure that the use is carried out and maintained as approved in the interest of safeguarding the amenities of neighbouring residential and other adjoining properties and the character of the area in compliance with policies OE1 and S6 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM23 Hours of Use (Restaurant etc.)

The premises shall not be open for customers outside 0700 to 1900 Mondays-Saturdays and 0900 to 1700 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)

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).

2 153 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

Consideration of traffic generated by proposed developments. New development and car parking standards.
New development must harmonise with the existing street scene.
Alterations and extensions to existing buildings
Shop fronts - design and materials
Protection of the character and amenities of surrounding properties and the local area
Buildings or uses likely to cause noise annoyance - mitigation measures
Change of use of shops - safeguarding the amenities of shopping areas
Service uses in Secondary Shopping Areas
Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
(2016) Town Centres
(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
NPPF-7 2018 - Ensuring the vitality of town centres

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 l2 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 I5 Party Walls

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

in some circumstances, carry out groundworks within 6 metres of an adjoining building. Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Residents Services Reception Desk, Level 3, Civic Centre, Uxbridge, UB8 1UW.

7 115 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 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.

8 170 LBH worked applicant in a positive & proactive (Granting)

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. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is situated on the North-West side of the High Street, Yiewsley with the principal elevation facing South-East. The site forms part of a three storey terrace of commercial units on the ground floor with residential and offices above, accessed from the front with a service road to the rear. The ground floor unit, the subject of this application, is currently used as a retail unit which sells ornaments. The property has a single storey rear extension.

To the South lies 7 High Street which sells bathrooms and kitchen and to the North is 11 High Street which is a cafe. The street scene is commercial in character and appearance. The application site lies within the Yiewsley/West Drayton Town Centre and the Secondary Shopping Area, as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks planning permission for change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant/cafe involving alterations to shop front and rear elevation which would include an aluminium shopfront finished in powder coated 'Umbra Grey Ral 7022' and the addition of a fire proof door to the rear.

The shop signage is subject to a separate application under Ref: 21027/ADV/2018/57.

3.3 Relevant Planning History

21027/ADV/2018/57 9 High Street Yiewsley

Installation of internally illuminated fascia and projecting sign

Decision:

21027/B/86/3023 9 High Street Yiewsley

Advertisment (P)

Decision: 14-04-1986 Approved

Comment on Relevant Planning History

21027/ADV/2018/57ADV: Installation of internally illuminated fascia and projecting sign - Pending determination.

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

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	
BE28	Shop fronts - design and materials	
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	
S6	Change of use of shops - safeguarding the amenities of shopping areas	
S12	Service uses in Secondary Shopping Areas	
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006	
LPP 2.15	(2016) Town Centres	
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services	
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres	
5. Advertisement and Site Notice		

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

6. Consultations

External Consultees

A total of 4 adjoining and nearby neighbouring properties were consulted via letter dated 29.08.18 including the erection of a site notice adjacent to the premises on 03.09.17.

No representations received.

Internal Consultees

Three internal consultees, Highways, The Environmental Protection Unit and the Planning Access Officer were also consulted.

Highways: With regard to highway implications, when considering the nature of the proposed works and the sustainable location of the site, it is not considered that this application would have adverse implications upon the safety and convenience of the highway network.

Mindful of the above, I do not have any objections to the proposed change of use.

EPU: No comments received.

Access Officer: No comments received.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site falls within the Yiewsley/West Drayton Town Centre and Secondary Shopping

Area as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy S6 states that the change of use of shops will only be acceptable if the proposal will not be detrimental to visual amenity; the proposed use is compatible with neighbouring uses and will not cause loss of amenity to nearby residential uses; and there is no harmful effect on road safety, traffic congestion, or bus operations.

Policy S12 state in secondary shopping areas, the Local Planning Authority will grant permission for the service uses set out below where it is satisfied that

(a) the remaining retail facilities are adequate to accord with the character and function of the shopping centre and to provide for the needs of modern retailing including consumer interests.

(b) the proposed use will not result in a separation of class A1 uses or a concentration of non-retail uses which might harm the viability or vitality of the centre.

It will regard the following uses as acceptable at ground floor level within the shopping frontages of secondary shopping areas, subject to the considerations set out in policy S6:-

Paragraph 8.26 also adds the following in regards to what constitutes a concentration of non-retail uses, which might harm the viability or vitality of the town centre:

The Local Planning Authority will consider the range and number of retail outlets in the centre and their suitability for modern retailing in assessing the adequacy of the remaining retail facilities. Primary areas appear to be vulnerable if Class A1 shops form less than 70% of the total frontage length and the Local Planning Authority will therefore seek to maintain at least 70% of the primary area frontage in Class A1 use and generally to avoid concentrations of service uses in both primary and secondary areas. The Local Planning Authority intends to prevent avoidable interruptions to the frontage by dispersing service uses within shopping areas and limiting the length of continuous frontage in non-retail use. It will therefore take particular care in the siting of non-retail uses in relation to existing and unavoidable frontage interruptions. As a guideline, it will normally seek to prevent a separation or an increase in the separation of Class A1 units of more than about 12 m, that is broadly the width of two typical shop fronts. Class A1 shops should remain the predominant use in secondary areas and the Local Planning Authority will expect at least 50% of the frontage to be in Class A1 use. Where non-retail uses are permitted, the retention of an appropriately designed shop front can help reduce the effect of a break in the shopping frontage.

The property is not a locally listed building or located within a conservation area. The proposal would involve minor external alterations to the front property including new signage which would be subject to a separate application. It is considered that due to the nature of the works and the sustainable location of the shop the proposal would not lead to an increased demand for parking within the vicinity and is considered not to have an adverse effect on highway safety. There would be no cooking facilities on site or any new ventilation and extraction systems and therefore the proposed use is compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties by reason of disturbance, noise, smell, fumes, parking or traffic related problems.

There are clearly complexities around the planning definition of 'coffee shops' and the growing tendency to submit mixed-use definitions for sites of this nature, which incorporate an element of A1 use to reflect the sale of cold food for consumption off premises and. In

planning terms, it appears widely regarded that the use of A1/A3 hybrid applications for these types of uses is acceptable and has been confirmed through various inspectorate decisions.

It is generally accepted that coffee shops have a similar footfall to mainstream retail units therefore providing a significant contribution toward the patronage of shopping areas as a whole. It is also the case that this proposal is a hybrid A1/A3 use as generally food would only be reheated on the premises. To ensure only a coffee shop is implemented as part of this consent the permission is recommended to be conditioned as a hybrid A1/A3 use only. It is therefore considered that the application proposal would positively contribute to the vitality and viability of the Local Town Centre Area. It does not involve the loss of any retail frontage.

This mix of use is important to note and clearly different to a standard cafe that trades solely under A3. The proposed unit would function as a retail unit for the take away purchases of hot and cold beverages as well as cold/warmed food. The sale of other goods such as coffee beans and other coffee paraphernalia further contributes towards the A1 mix thereby contributing to the vitality and viability of the shopping frontage. The A3 part of the mixed use relates to the drinks and food items that are consumed on the premises. The nature of this style of coffee shop means that no primary cooking facilities will be installed, as the only food items served within the premises are pre-manufactured off-site. The only food to be warmed would be done by an oven behind the servers which does not require any extraction or ventilation.

Overall, it is concluded that the proposed change of use would be more likely to enhance than harm the vitality and viability of the Yiewsley/West Drayton Secondary Shopping Area. Moreover, any technical conflict with Local Plan Policy S12 is clearly outweighed by the material considerations of Government policy and the particular circumstances of this case, both as outlined above reasons.

Therefore taking all matters into consideration, the change of use would not be considered to have a detrimental impact on the vitality and viability of the town centre as a shopping destination.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

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 BE15 resist any development which would fail to harmonise with the existing street scene or complement or improve the character of the area.

The submitted plans illustrate modest alterations to the existing shop front which include the retention of an aluminium frame with a predominantly glazed frontage. The new fire

proof door would be sited to the rear and the installation of new signage is subject to further consent. It is therefore considered the proposal would have an acceptable impact upon the visual amenity of the application property and the surrounding street scene whilst also providing a useful service to visiting customers and not causing a loss of residential amenity or highway safety concerns.

It is considered that the proposal would help add vitality and vibrancy to the commercial street scene thereby enhancing the character and appearance of the area. As such, the proposal is considered to comply 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).

7.08 Impact on neighbours

Policy OE1 states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and Policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

The proposal is for change of use from A1 to A1/A3 use. The application forms confirm that the hours of operation would be 07:00 to 19:00 Monday to Saturday and 09:00 to 17:00 on Sundays and Bank Holidays. The hours of operation are considered acceptable. This would be secured through a condition.

The application also confirms that there would be no cooking facilities provided on site and therefore does not include the introduction of any extraction/ventilation systems, which again can be conditioned.

The nearest residential properties are situated directly above the commercial units and on the opposite side of the road. Given the local town centre location and separation from neighbouring residential properties, it is considered that the proposal would not detract from the residential amenities of the occupants of these properties. Furthermore there would be no adverse impact to the neighbouring properties, both the garden equipment retail unit and the public house.

Therefore subject to these conditions the proposal is considered to accord with Policies OE1 and OE3 of the UDP (Saved Policies September 2007).

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.

Given the site's location in a town centre, it is considered the change of use would not affect the current parking provision. The use would also not generate additional parking demand which would be significant or to the detriment to the area or safety. There is no off street car parking immediately associated with this unit. The existing access and servicing arrangements would remain as per the existing retail uses. In this respect, it is therefore considered that there would be no conflict with policies AM7 and AM14 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

These issues have been dealt with elsewhere in the report.

7.12 Disabled access

The accompanying Design and Access Statement states In order to increase the shops facilities for customers, 2 new toilets are proposed, one of which will be fully wheelchair accessible, inclusive of baby change facilities. Level access to the shopfront is already existing. The store has been designed so that wheelchair users will be able to access all parts of the store easily. Other facilities to assist customers will also be installed on site, including assistance for the mobility impaired, facilities for the hearing impaired, induction loop available, staff assistance, space for parents with pushchairs, and assistance for the visually impaired.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

No trees or other landscape features of merit would be affected by the development and the proposal will have little visual impact when viewed from the public realm. There is no opportunity for landscape enhancement as part of this town centre site. As such the proposal is considered acceptable in accordance with Policy BE38 of the Hillingdon UDP.

7.15 Sustainable waste management

No issues arise.

7.16 Renewable energy / Sustainability

No issues arise.

7.17 Flooding or Drainage Issues

No issues arise.

7.18 Noise or Air Quality Issues

Not applicable to this application as no new ventilation or extraction systems are required or proposed.

7.19 Comments on Public Consultations

No comments received.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No other issues raised.

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

The application seeks planning permission for a change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant/cafe involving alterations to shop front and rear elevation.

It is considered that the use is appropriate to the high street in a local town centre and that it would contribute to its vitality and viability. Furthermore the proposal would involve

modest alterations to the front and rear elevation and therefore is considered to have an acceptable impact upon the visual amenity of the application property and the surrounding street scene when in situ and not causing a loss of residential amenity or highway safety concerns.

In addition it is noted that the proposal would not involve the introduction of any new primary cooking facilities on site nor any new extraction machinery or ventilation systems. Therefore taking all matters into consideration it is considered that the proposal would respect the character and appearance of the property and the street scene. Subject to appropriate conditions it would not give rise to any adverse impact on the amenities of adjoining occupiers, nor would there be any unacceptable impact on the area or the parking/traffic generation in this town centre location. In addition it is considered that the proposal will help add vitality and vibrancy to the local commercial street scene.

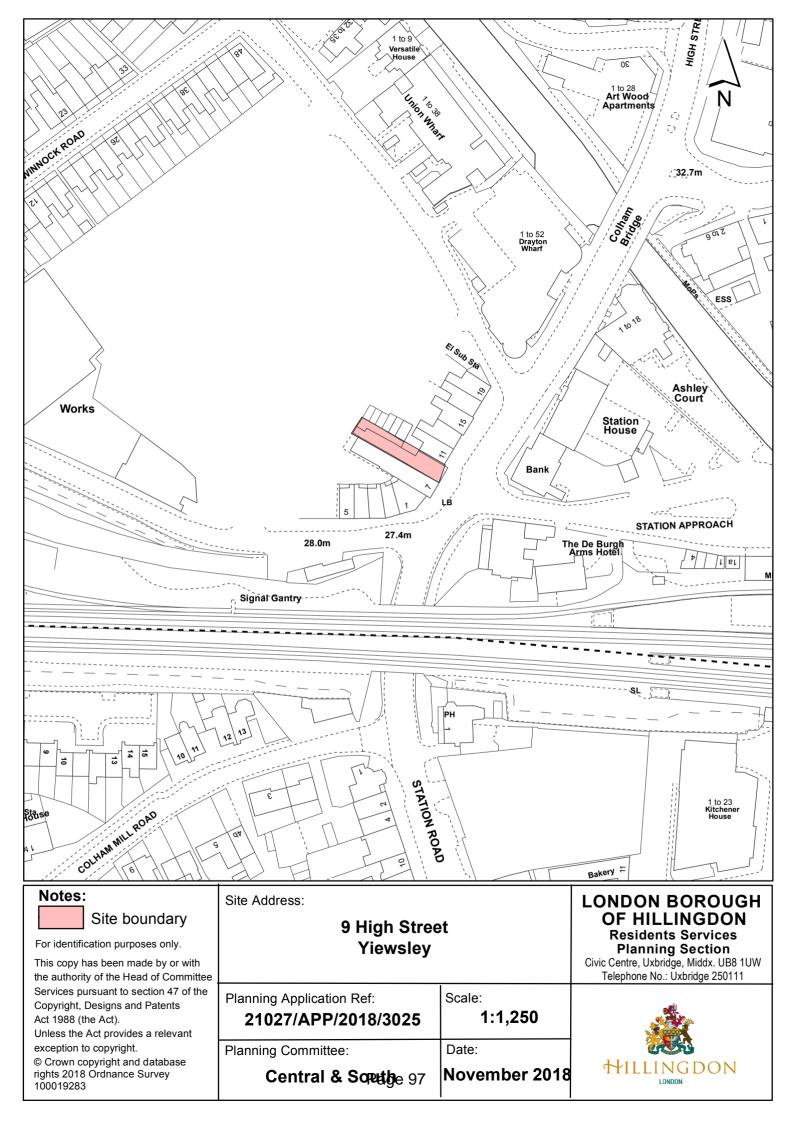
The application is therefore recommended for approval.

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) HDAS: Accessible Hillingdon HDAS: Shopfronts National Planning Policy Framework.

Contact Officer: Naim Poptani

Telephone No: 01895 250230



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Agenda Item 13

Report of the Head of Planning, Transportation and Regeneration

Address 9 HIGH STREET YIEWSLEY

Development: Installation of internally illuminated fascia and projecting sign

LBH Ref Nos: 21027/ADV/2018/57

Drawing Nos: 54.43/A.1.2 54.43/A.1.3 Design and Access Statement 54.43/A.1.0

Date Plans Received:16/08/2018Date(s) of Amendment(s):Date Application Valid:24/08/2018

1. CONSIDERATIONS

1.1 Site and Locality

The application site is situated on the North-West side of the High Street, Yiewsley with the principal elevation facing South-East. The site forms part of a three storey terrace of commercial units on the ground floor with residential and offices above, accessed from the front with a service road to the rear. The ground floor unit, the subject of this application, is currently used as a retail unit which sells ornaments. The property has a single storey rear extension.

To the South lies 7 High Street which sells bathrooms and kitchen and to the North is 11 High Street which is a cafe. The street scene is commercial in character and appearance. The application site lies within the Yiewsley/West Drayton Town Centre and the Secondary Shopping Area, as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

1.2 **Proposed Scheme**

Advertisement consent is sought for the installation of an internally illuminated fascia and projecting sign.

The main shop signage would consist of a 3 mm thick aluminium folded tray which would measure 1.45 m in height, 5.29 m in width with the base set 3.1 m above ground level. The sign would comprise of a red wine colour with white internally illuminated text containing the word 'COSTA' situated centrally.

The projecting sign would measure $0.6 \text{ m} \times 0.78 \text{ m}$ and would have a base height of 3.49 m. The sign would similarly comprise of a red wine background with white text and would be internally illuminated.

1.3 Relevant Planning History

21027/B/86/3023 9 High Street Yiewsley

Advertisment (P)

Decision Date: 14-04-1986 Approved

Appeal:

Comment on Planning History

21027/B/86/3023ADV: Advertisement - Approved

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

A total of 4 adjoining and nearby neighbouring properties were consulted via letter dated 29.08.18 including the erection of a site notice adjacent to the premises on 03.09.17.

No representations received.

Highways: There are no highway, traffic or transport concerns with this application.

EPU: No comments received.

Access Officer: No comments received.

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:

- BE27 Advertisements requiring express consent size, design and location
- BE29 Advertisement displays on business premises
- DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. MAIN PLANNING ISSUES

The main issues for consideration relate to the impact on the visual amenity and public safety.

Policy BE27 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that advertisements will only be granted express consent if they are at such a size and designed so they compliment the scale, form and architectural composition of individual buildings, do not harm the visual amenity of the area and do not unduly compromise public safety.

The Council's Adopted SPD the Hillingdon Design and Accessibility Statement: Shopfronts

(July 2006) or HDAS, contains design guidance (below) for all types of alterations and forms of advertisements to shopfronts. Internal form of illumination will only be granted in areas where it does not fall within the boundaries of a Conservation Area.

The proposed fascia sign would comprise of a aluminium folded and welded tray with a red wine colour background and would be internally illuminated with white text to measure 1.45 m in height, 5.29 m in width and would be situated 3.1 m above ground level.

The second form of signage would consist of a hanging sign measuring 0.6 m x 0.78 m and would be situated 3.49 m above ground level. The sign would similarly be internally illuminated and would comprise of a red wine background with the 'COSTA' logo.

Taking the above Policies into account, it is considered that the proposed fascia sign would relate satisfactorily with the appearance and commercial character of the shopfront of the retail unit in terms of its size, colour, layout and siting. It is considered that the sign development accords with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE27 and BE29 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The Highways Officer stated there are no highway, traffic or transport concerns with this application.

6. **RECOMMENDATION**

APPROVAL subject to the following:

1 ADV1 Standard Advertisement Conditions

i) No advertisement is to be displayed without the permission of the owner of the site or any other person with an interest in the site entitled to grant permission.

ii) No advertisement shall be sited or displayed so as to:-

(a) Endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military);

(b) Obscure, or hinder the ready interpretation of, any traffic sign, railway signal or aid to navigation by water or air or;

(c) Hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

iii) Any advertisement displayed, and any site used for the display of advertisements, shall be maintained in a condition that does not impair the visual amenity of the site.

iv) Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

v) Where an advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

vi) The consent hereby granted shall expire at the end of a period of five years from the date of this consent.

REASON

These requirements are deemed to be attached by Schedule 2 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

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 plan numbers 54.43/A.1.2 and 54.43/A.1.3 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 ADV7 Type of Illumination

The illumination of the sign(s) is to be by fixed and constant lights and not by lights which are, or appear to be, intermittent, moving, flashing or vibrating.

REASON

In order to protect the visual amenity of the area and/or highway safety in accordance with Policy BE27 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

- 1 The decision to GRANT advertisement consent 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 advertisement consent 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.
- BE27 Advertisements requiring express consent size, design and location
- BE29 Advertisement displays on business premises
- DAS-SF Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
- **3** 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

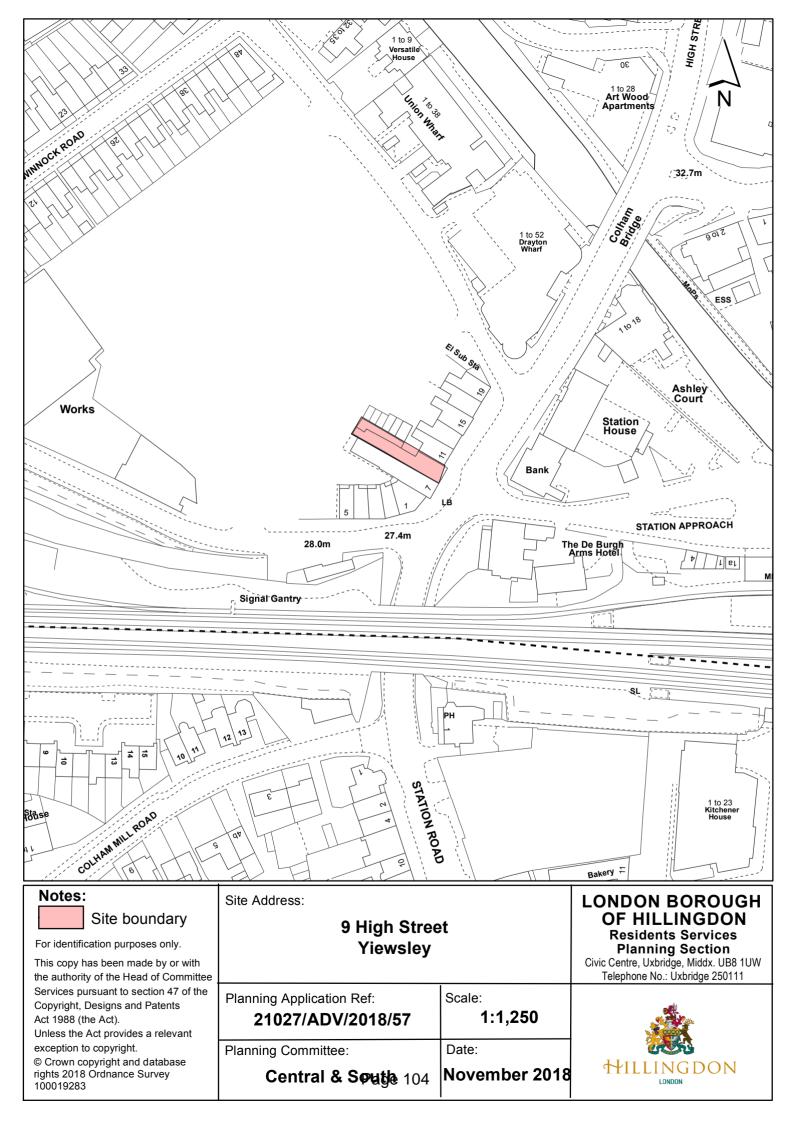
Council and at the applicant's expense.

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).

4 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.

Contact Officer: Naim Poptani

Telephone No: 01895 250230



Bart 1 of Schedule 12A Agenda Item 14

STRICTLY NOT FOR PUBLICATION PART II by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Item 15

STRICTLY NOT FOR PUBLICATION PART II by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Item 16

STRICTLY NOT FOR PUBLICATION PART II by virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A of the Local Government (Access to Information) Act 1985 as amended.

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Agenda Annex

Plans for Central & South Applications Planning Committee

Wednesday 21st November 2018





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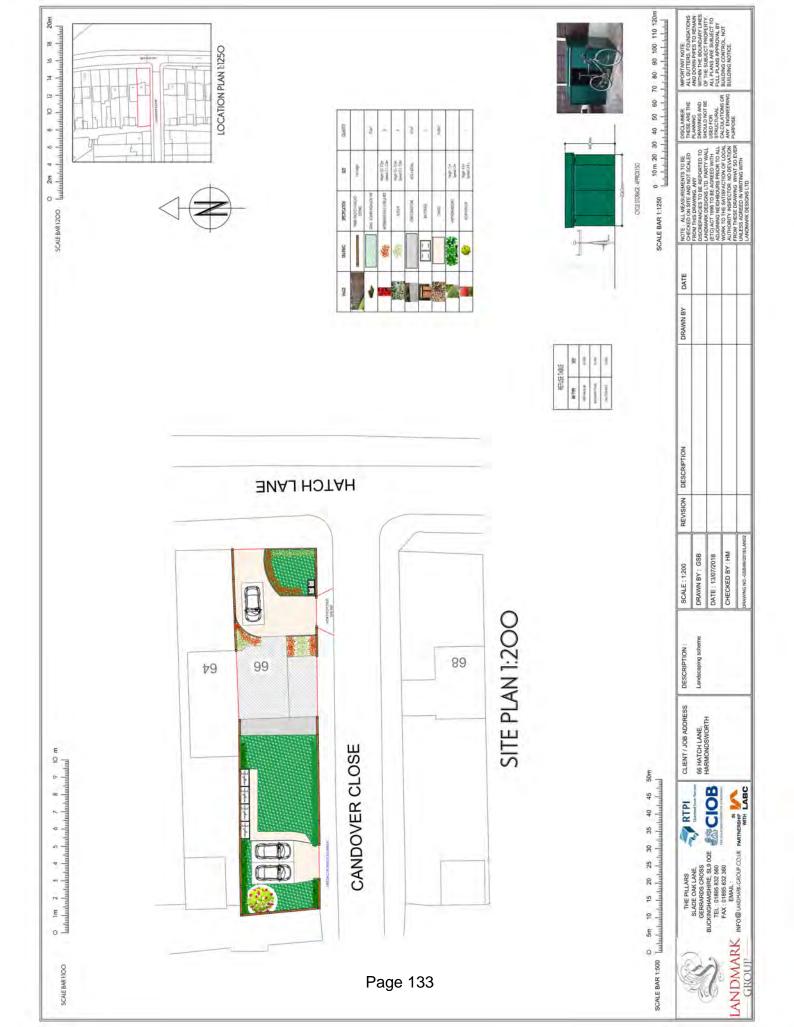
Address 66 HATCH LANE HARMONDSWORTH

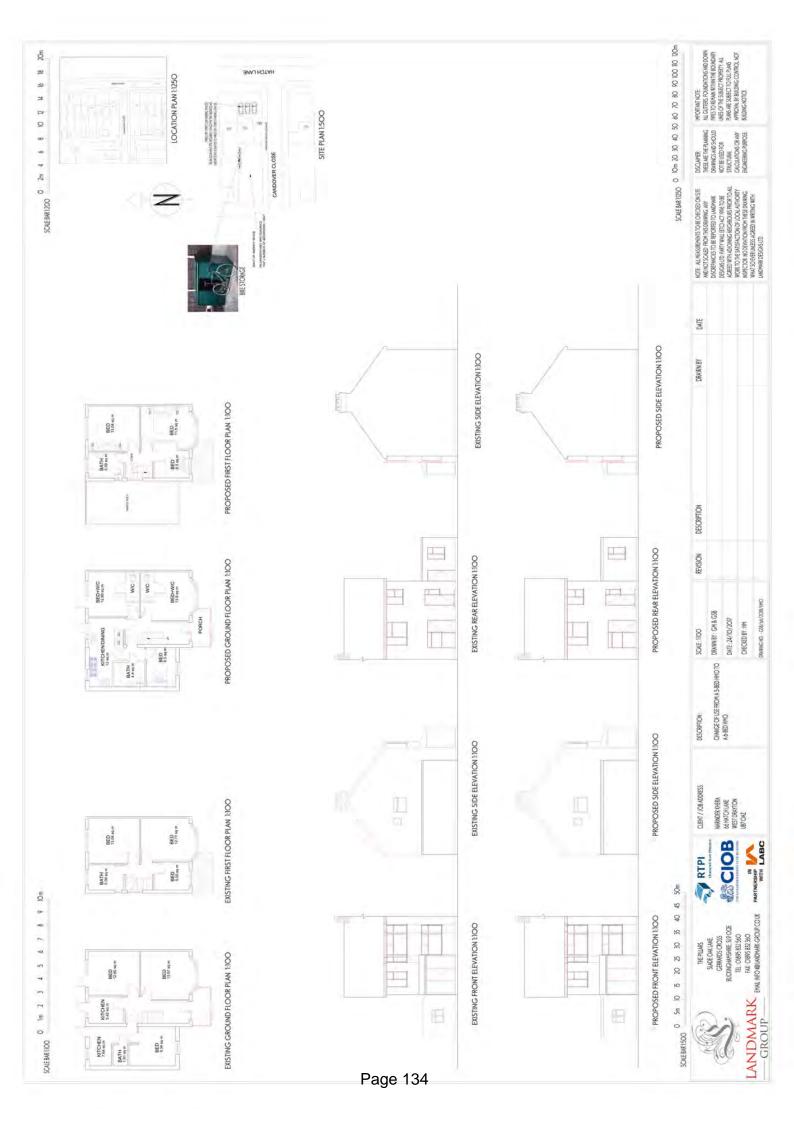
Development: Change of use from a single family dwellinghouse to a 6-bed HMO.

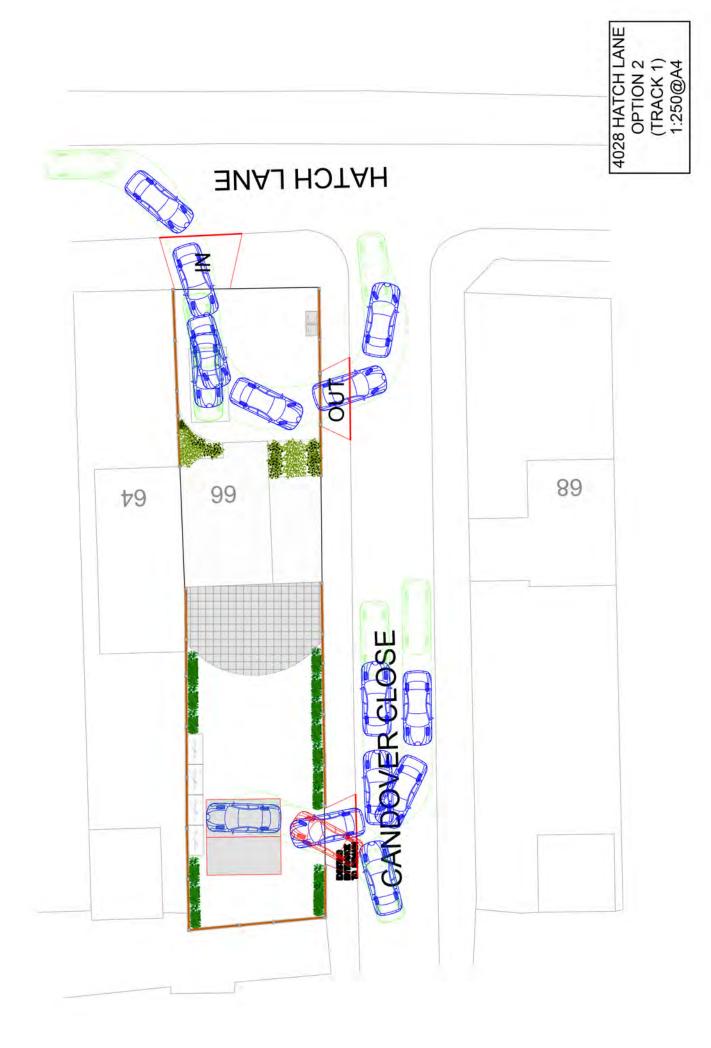
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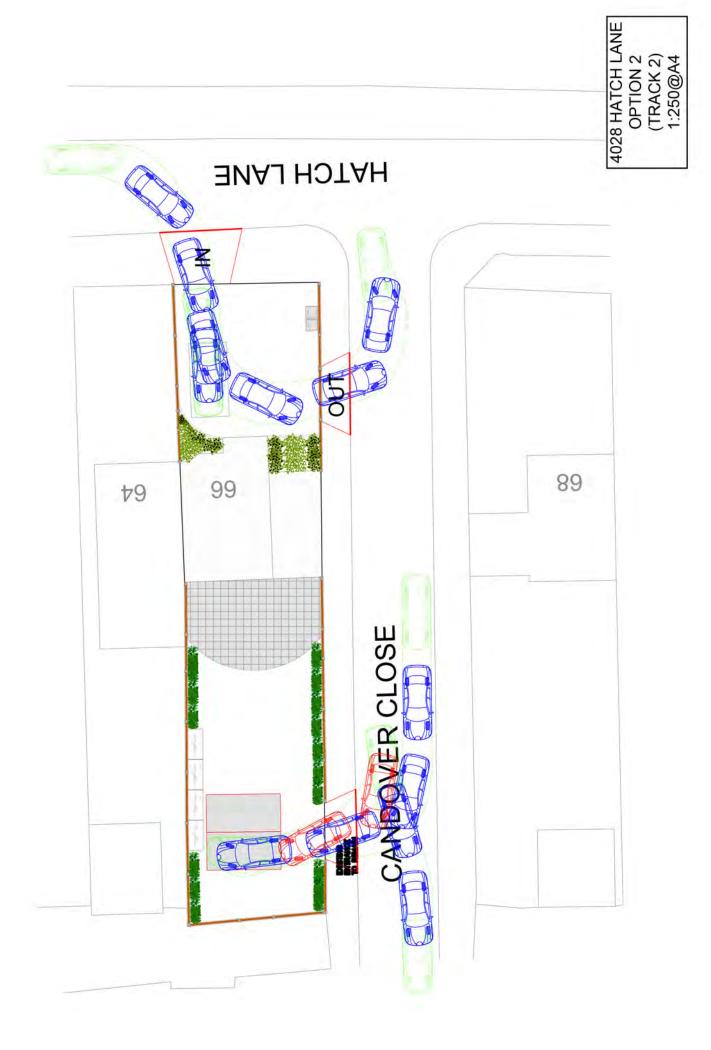
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 Date(s) of Amendment(s):
 17/04/2018

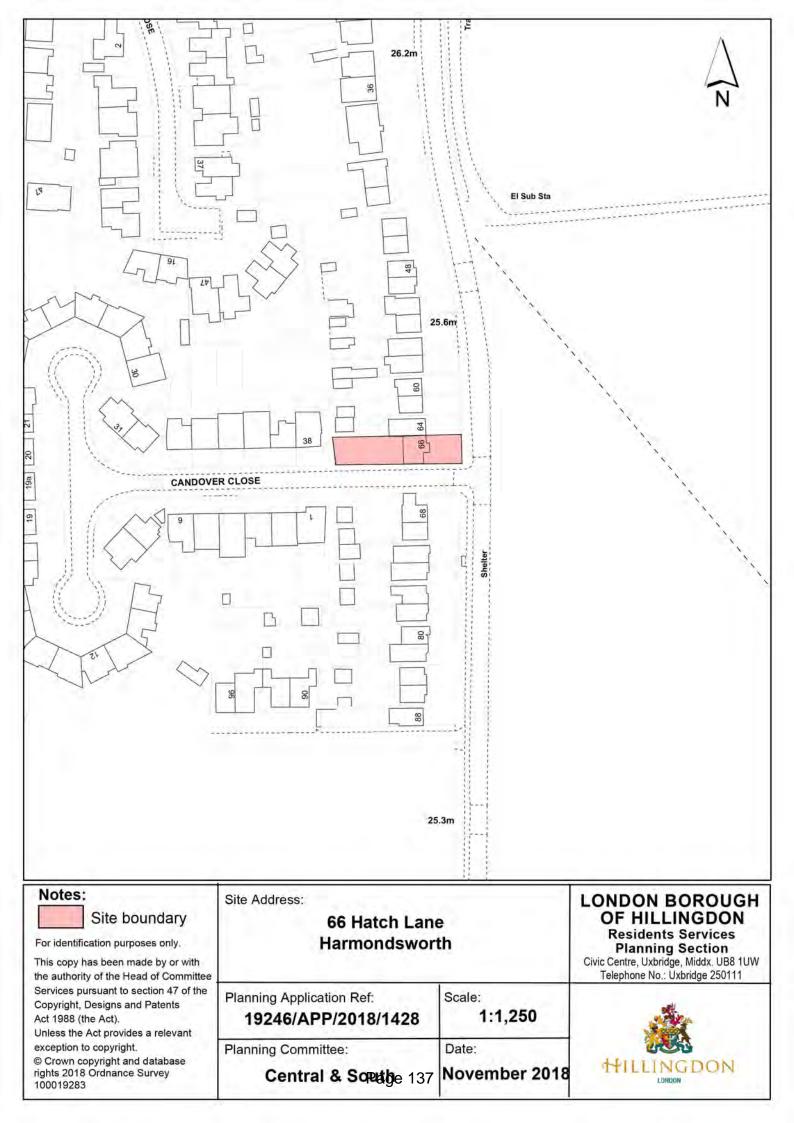
 Date Application Valid:
 09/05/2018
 Date(s) of Amendment(s):
 15/08/2018











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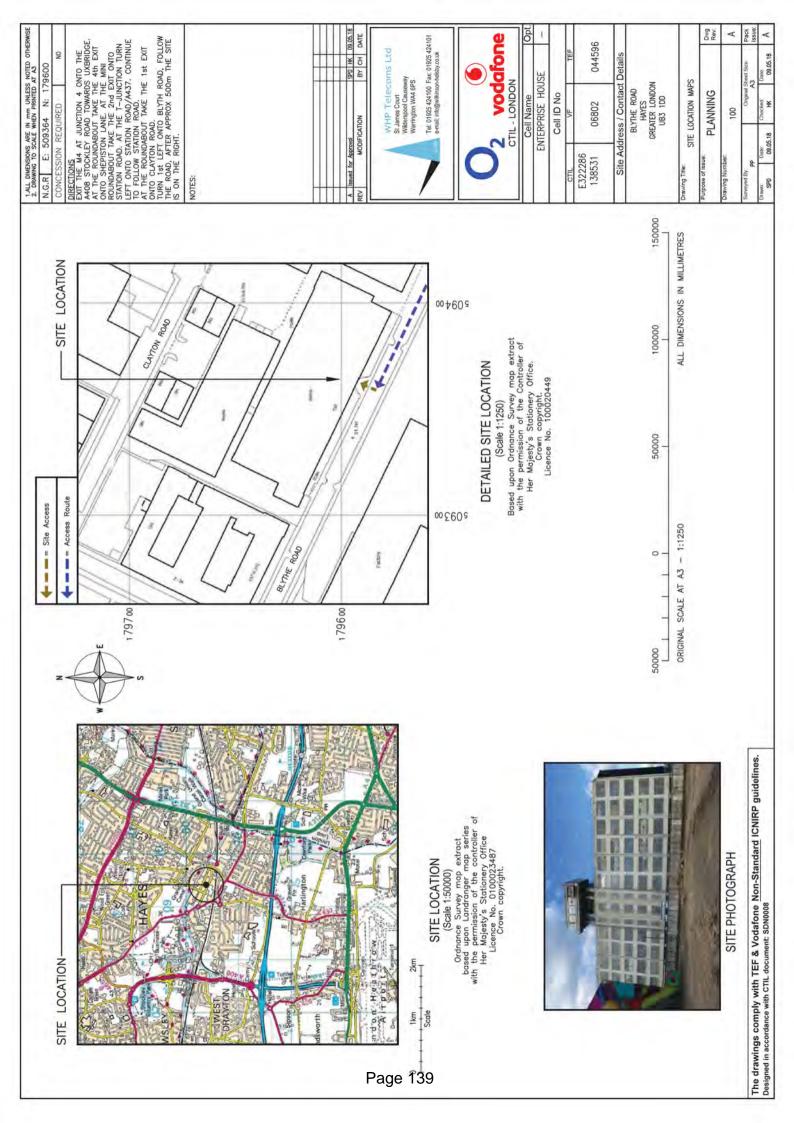
- **Development:** Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works
- LBH Ref Nos: 11623/APP/2018/3036

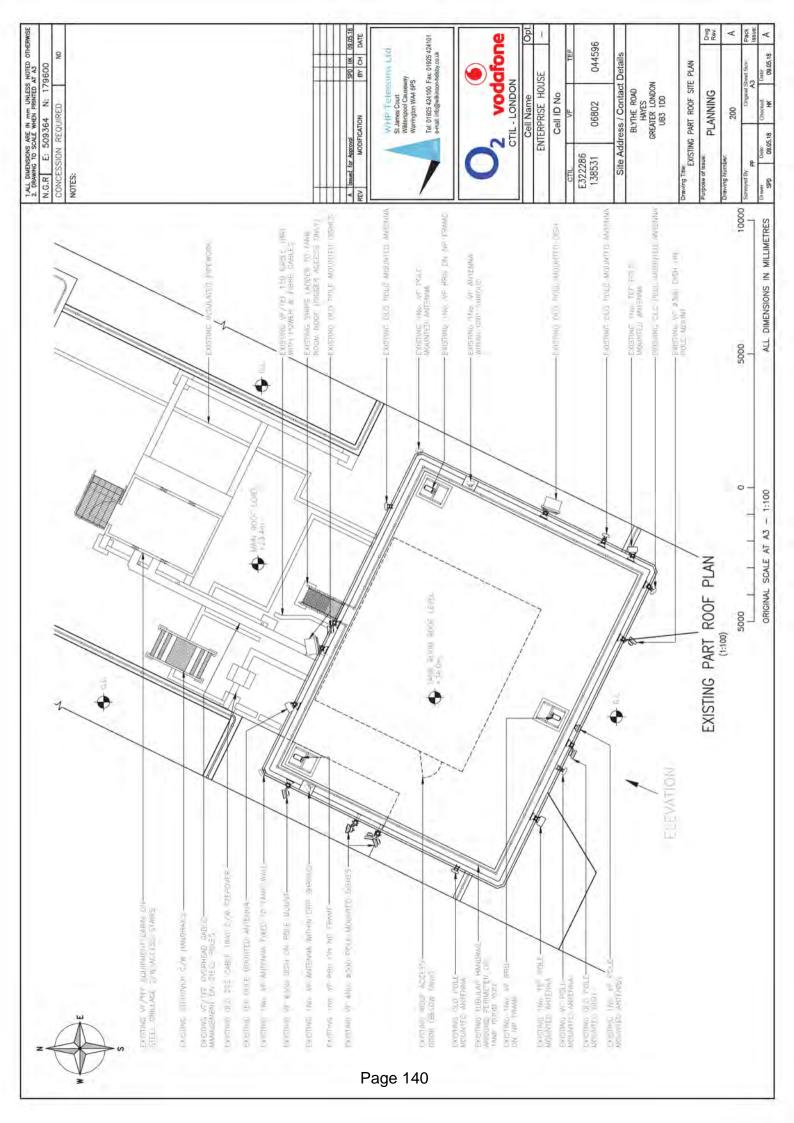
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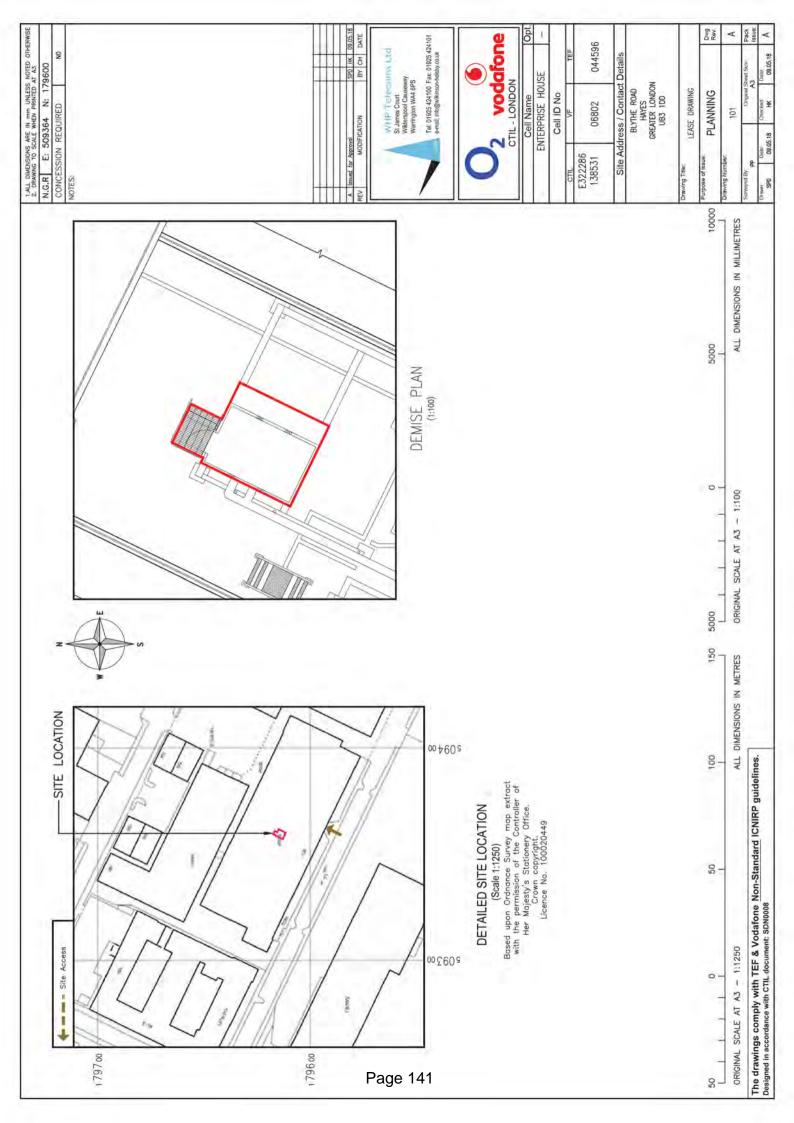
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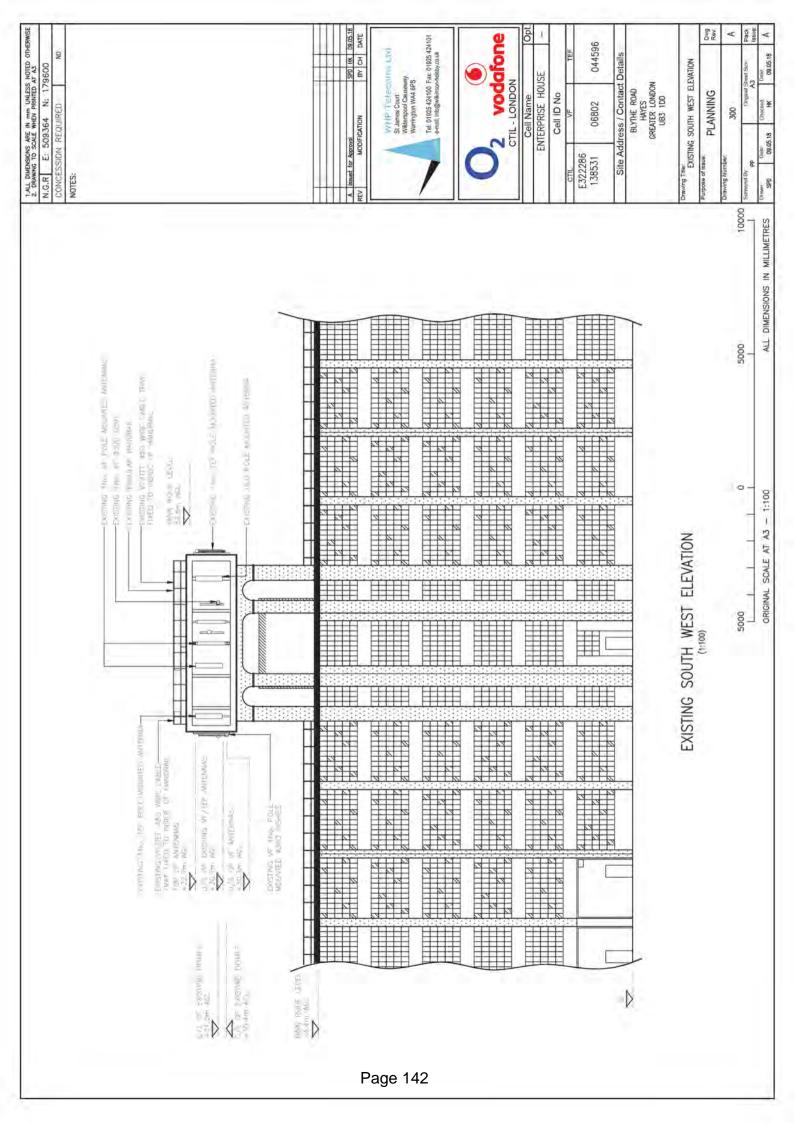
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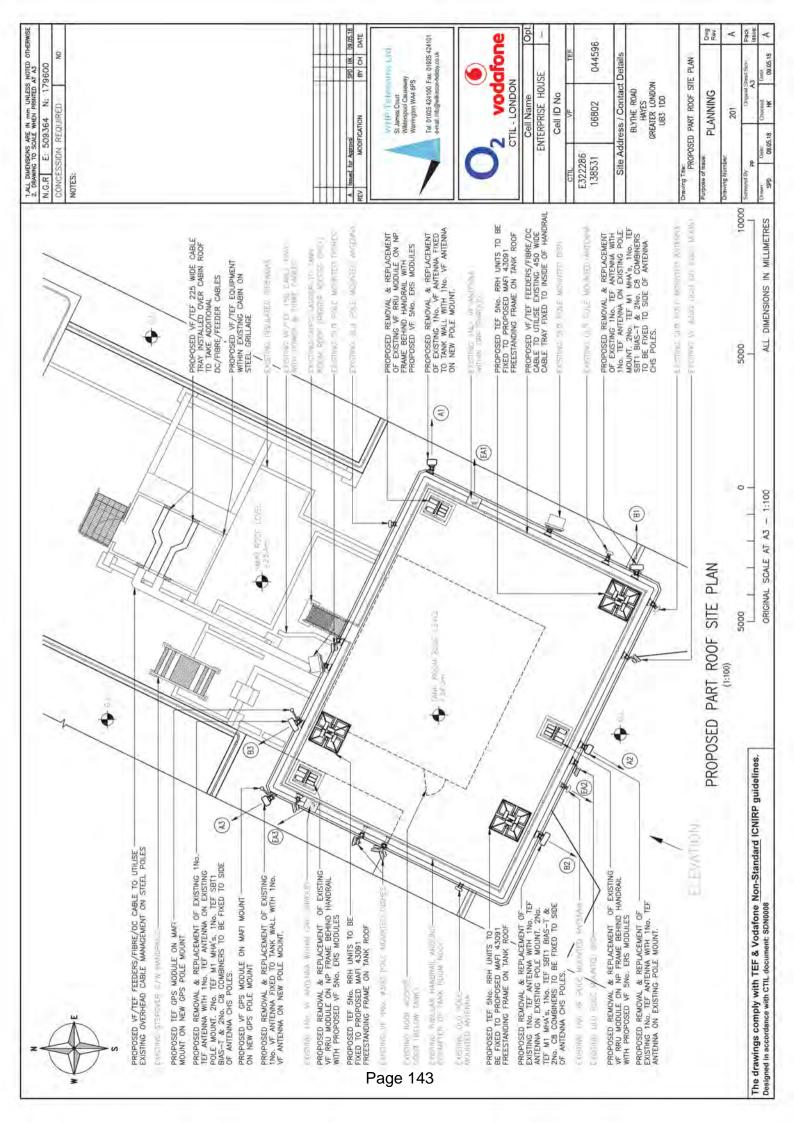
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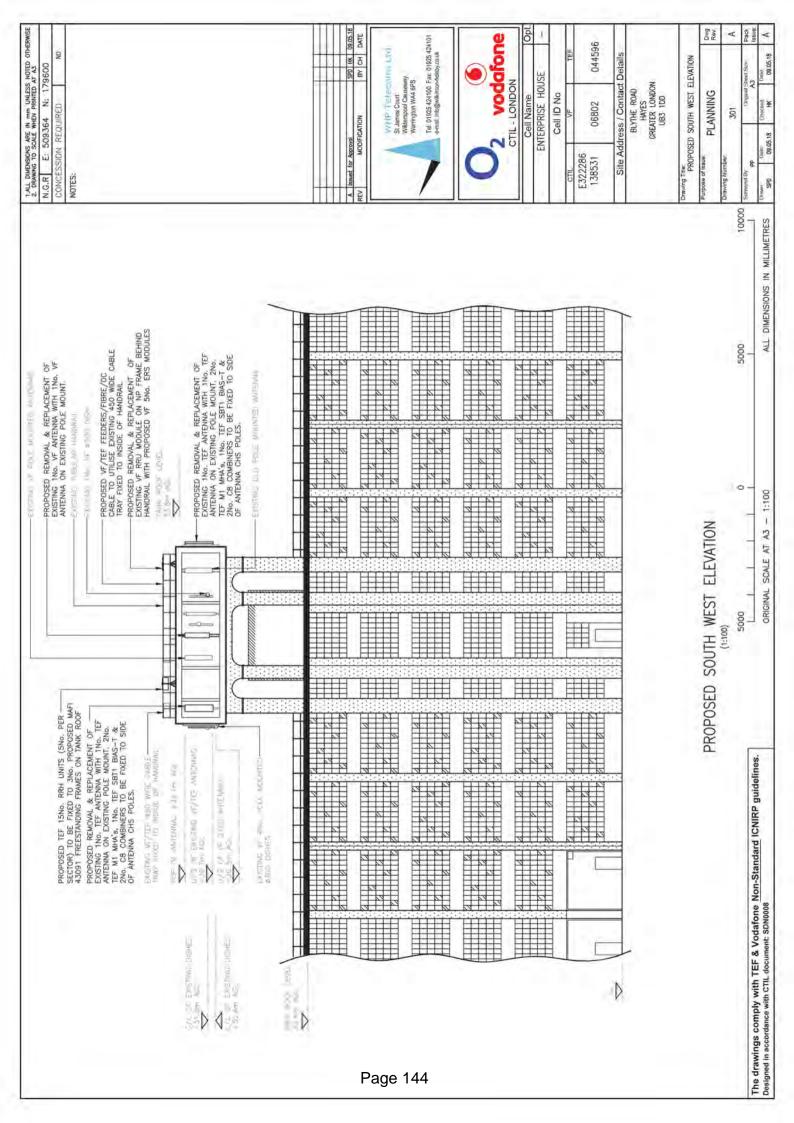


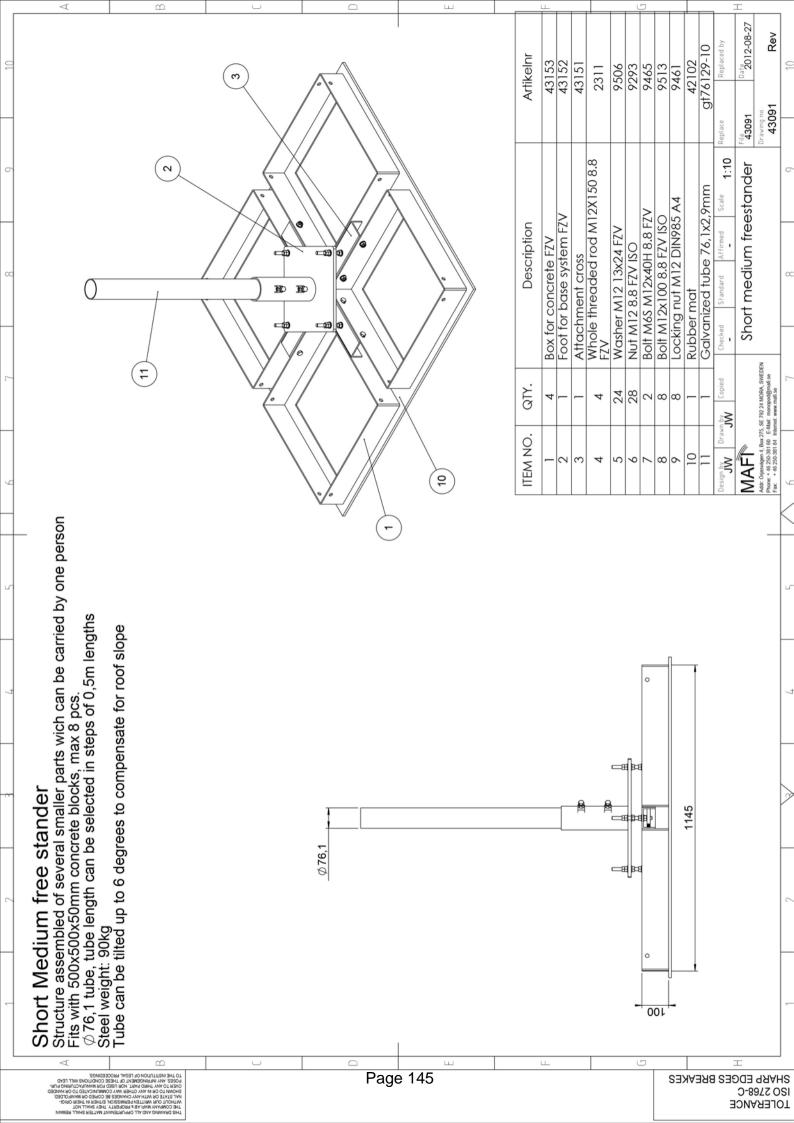


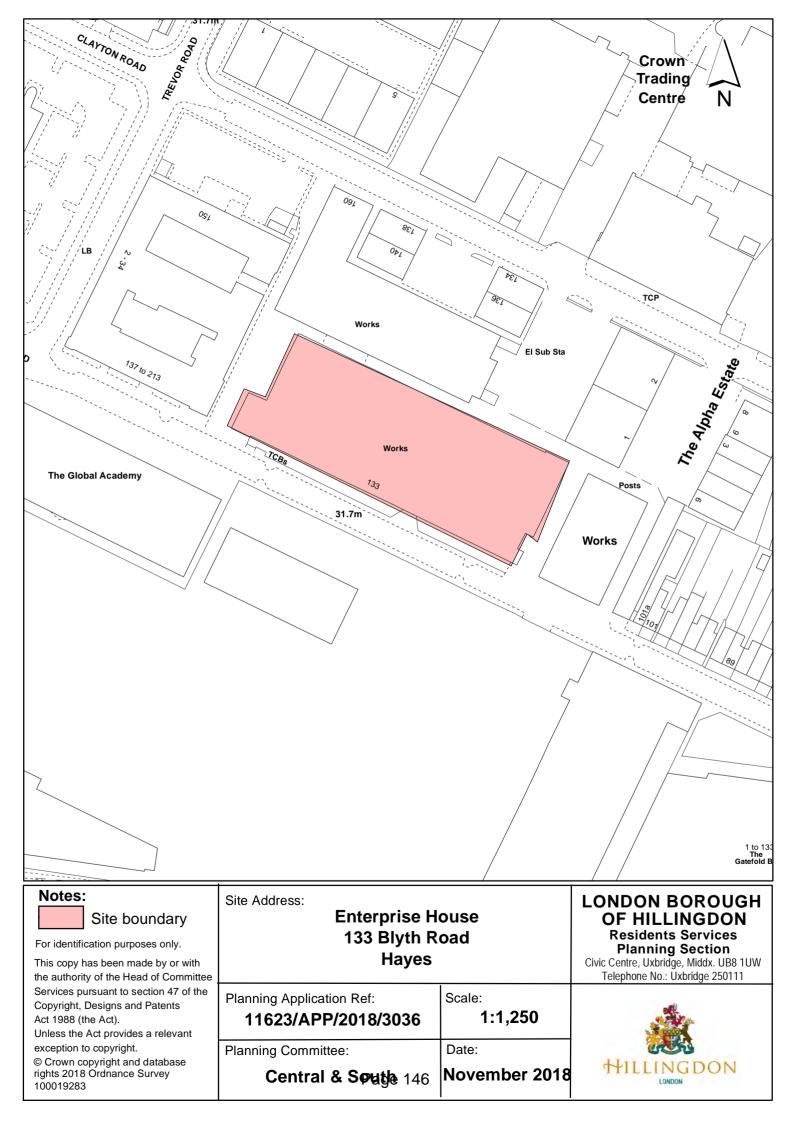












Address ENTERPRISE HOUSE, 133 BLYTH ROAD HAYES

Development: Replacement of 6 antennas with 6 new antennas, replacement and addition of equipment within the existing internal equipment cabin and the installation of remote radio units on 3 freestanding frames with ancillary works (Listed Building Consent)

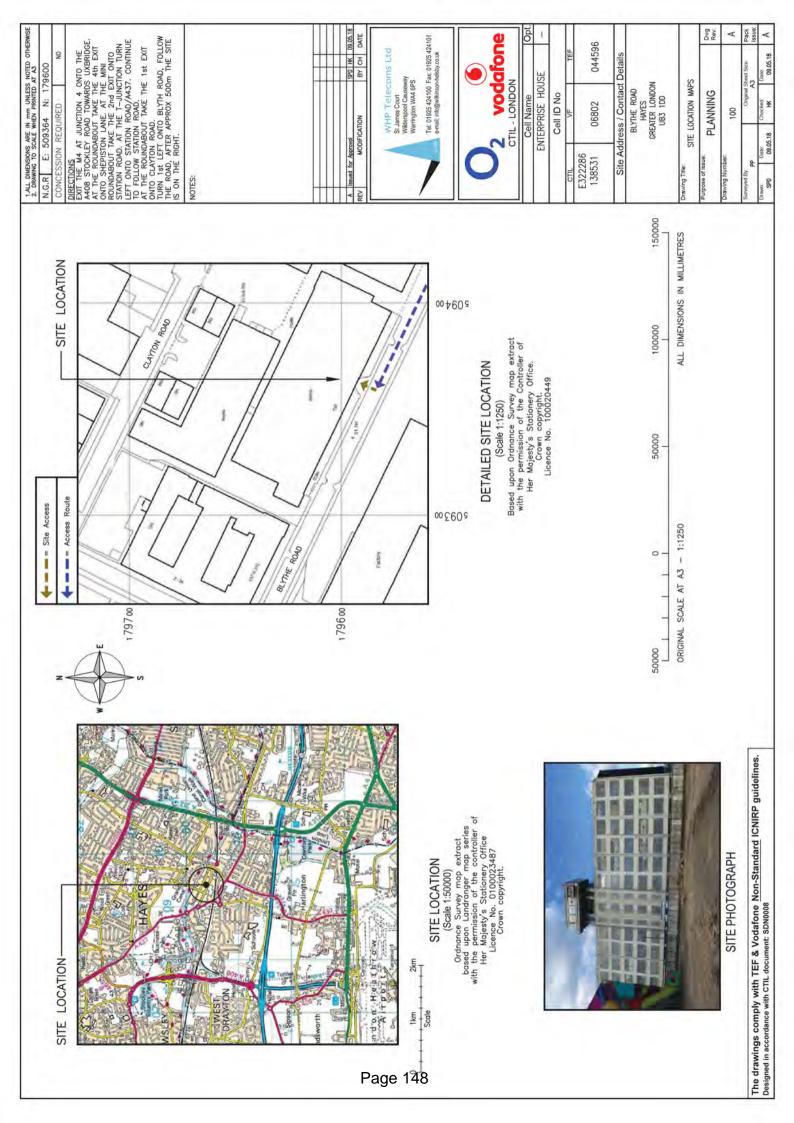
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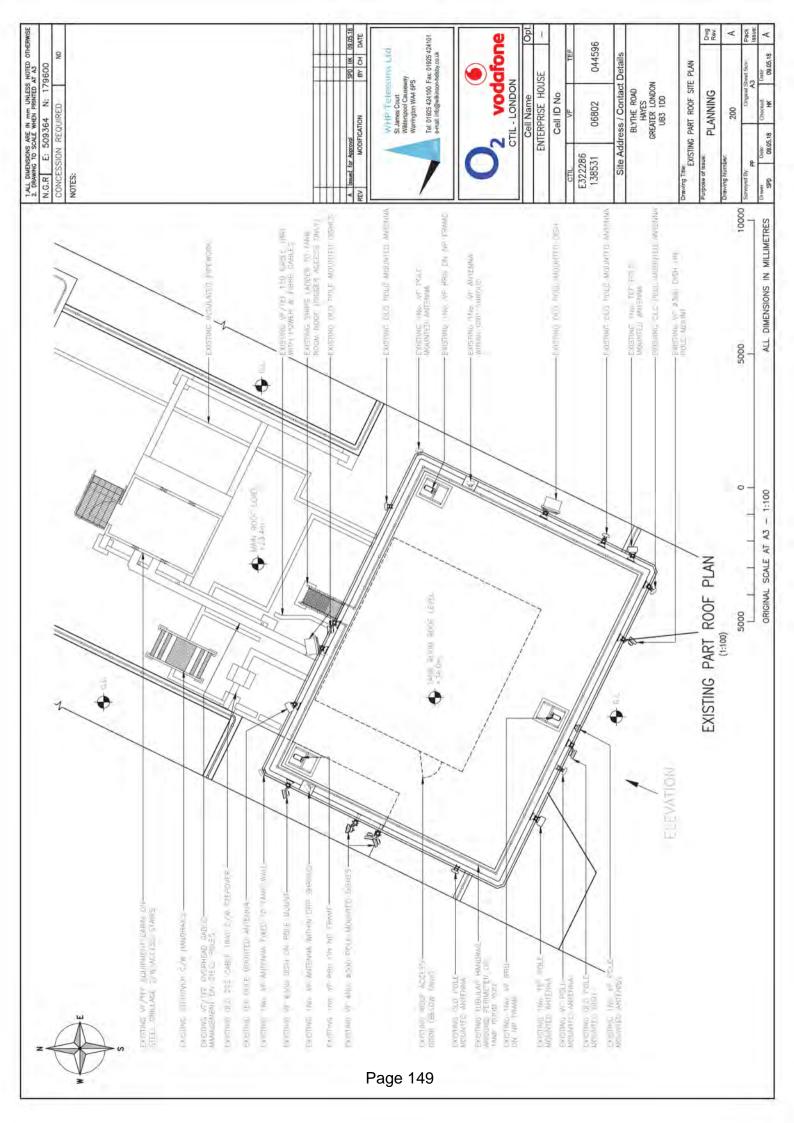
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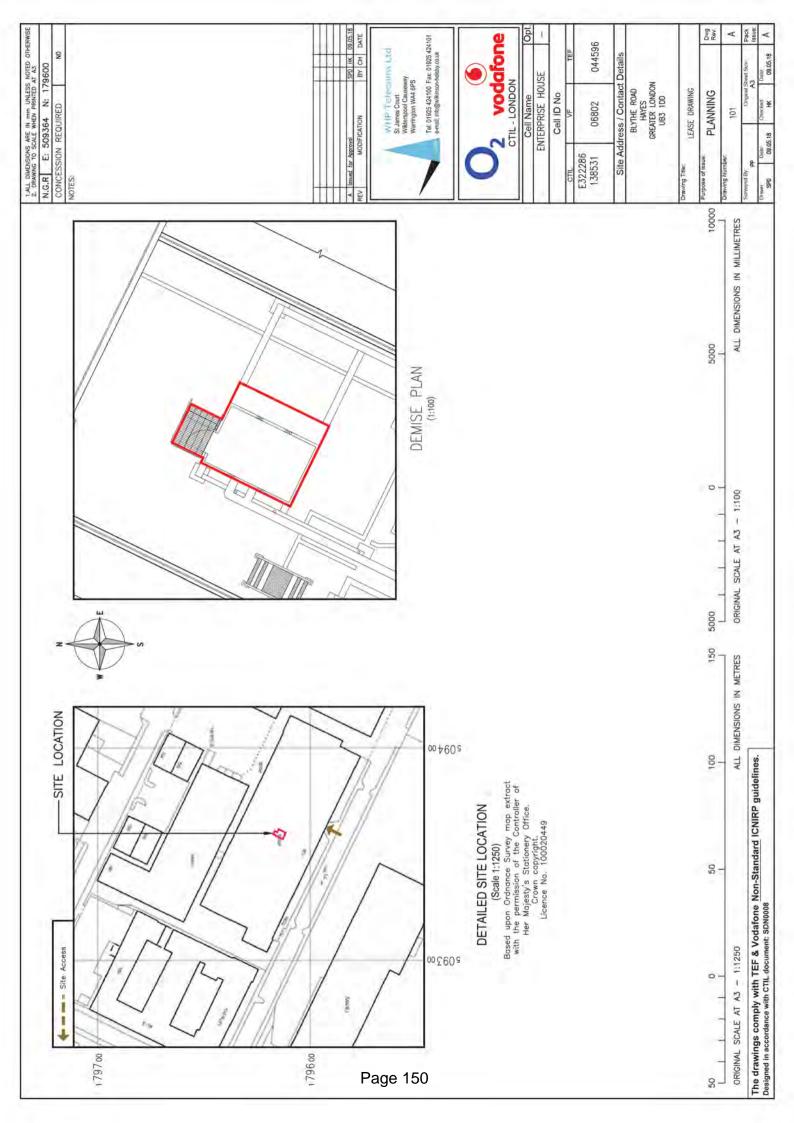
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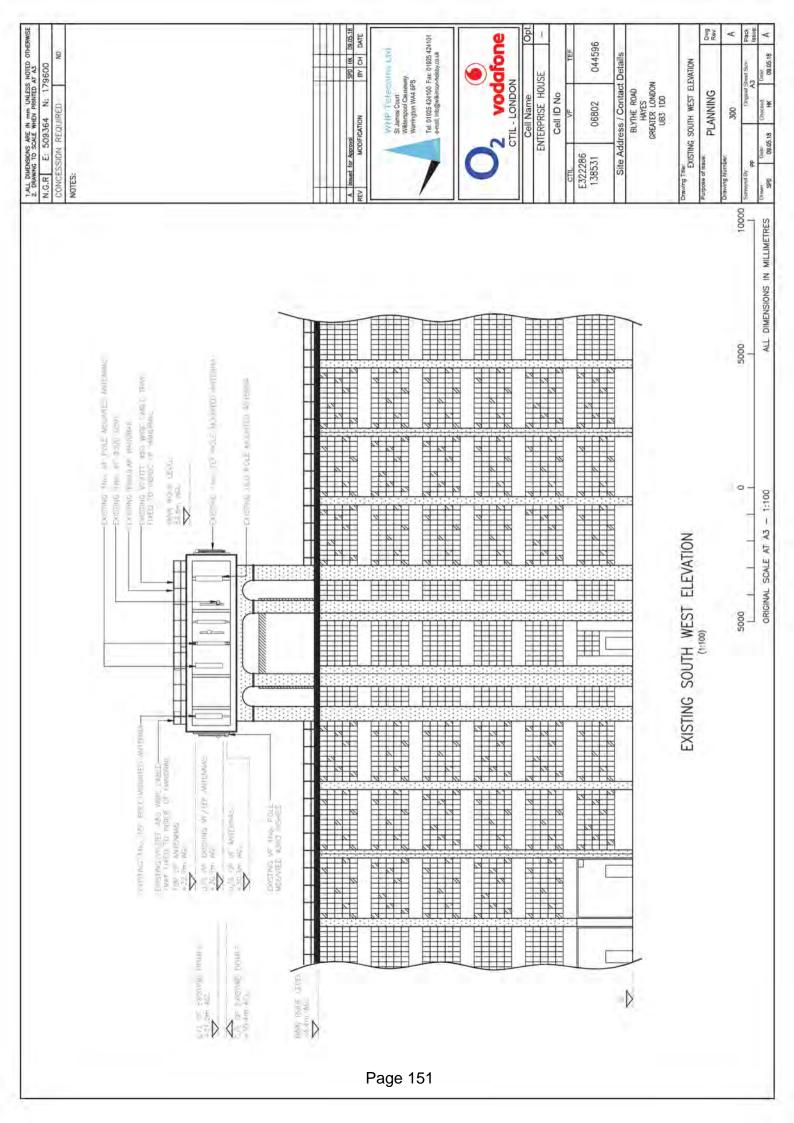
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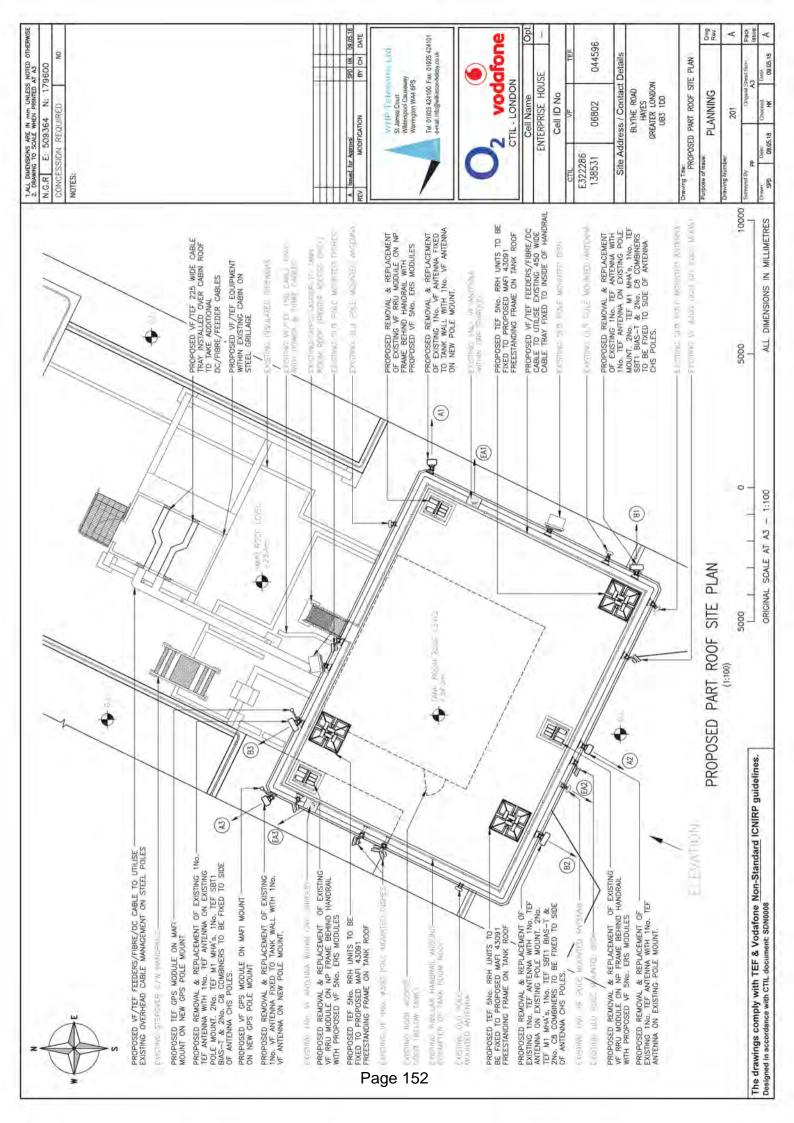
Central & South Planning Committee - 21st November 2018 PART 1 - MEMBERS, PUBLIC & PRESS

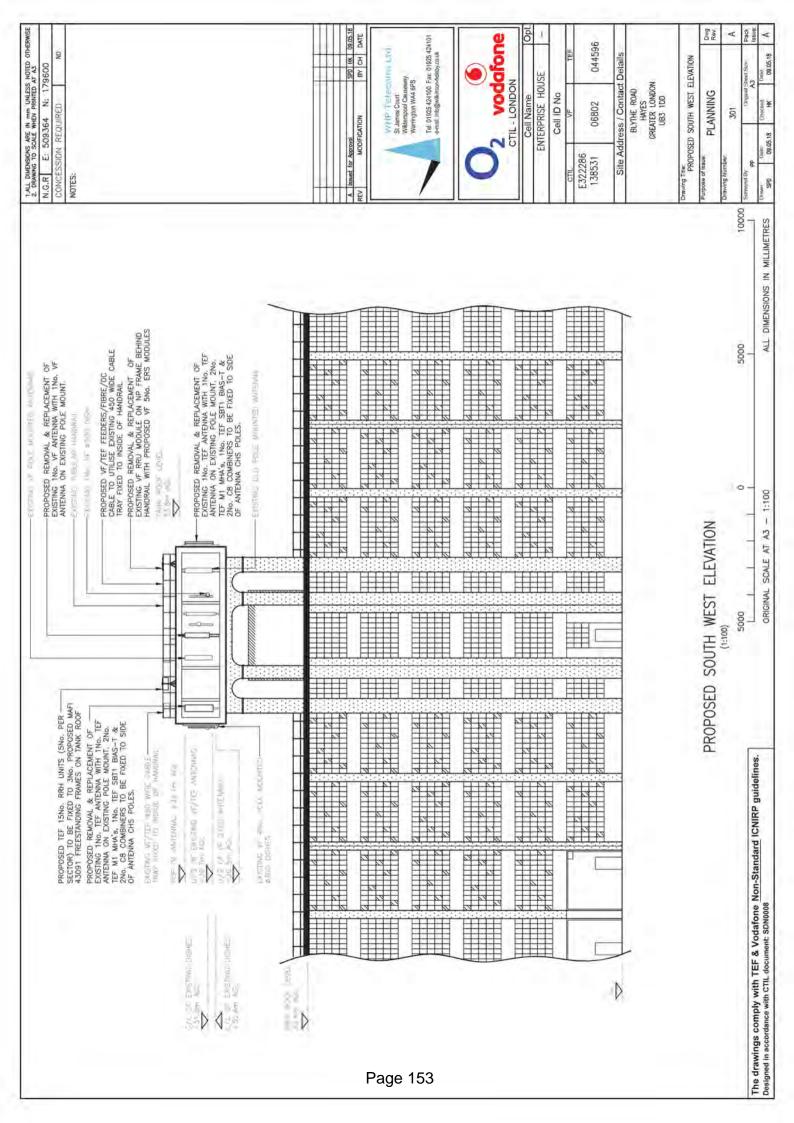


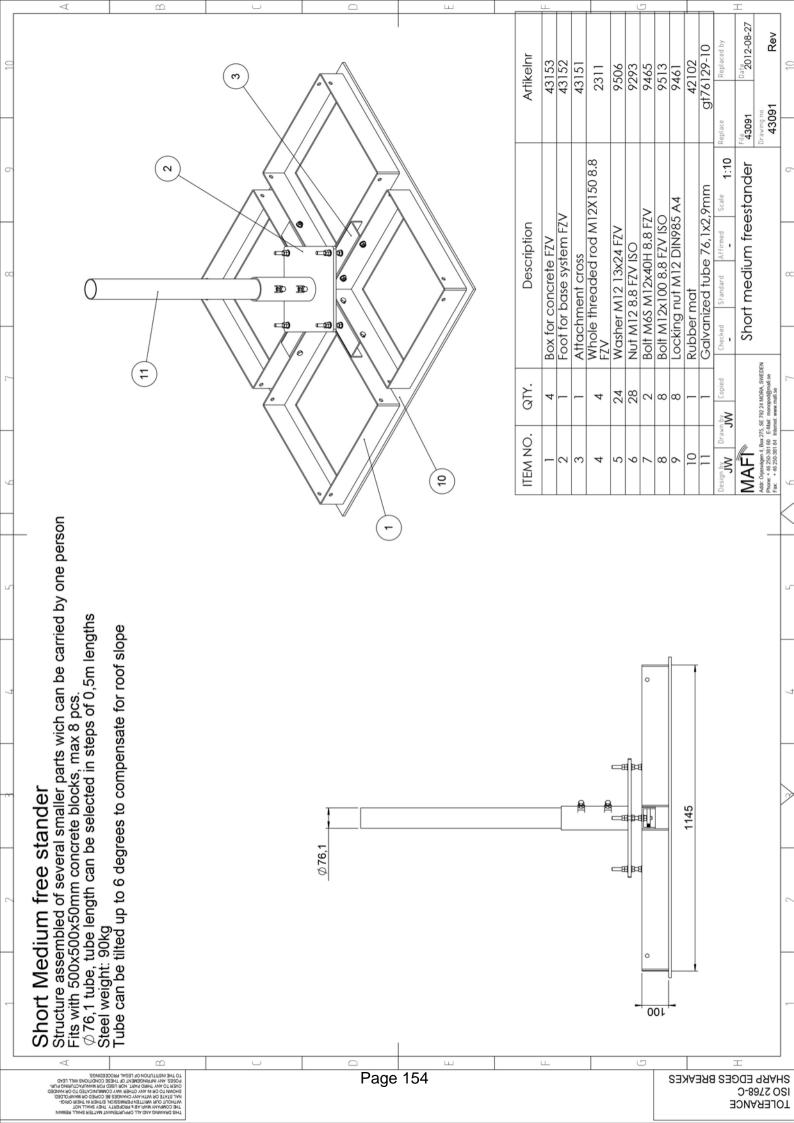


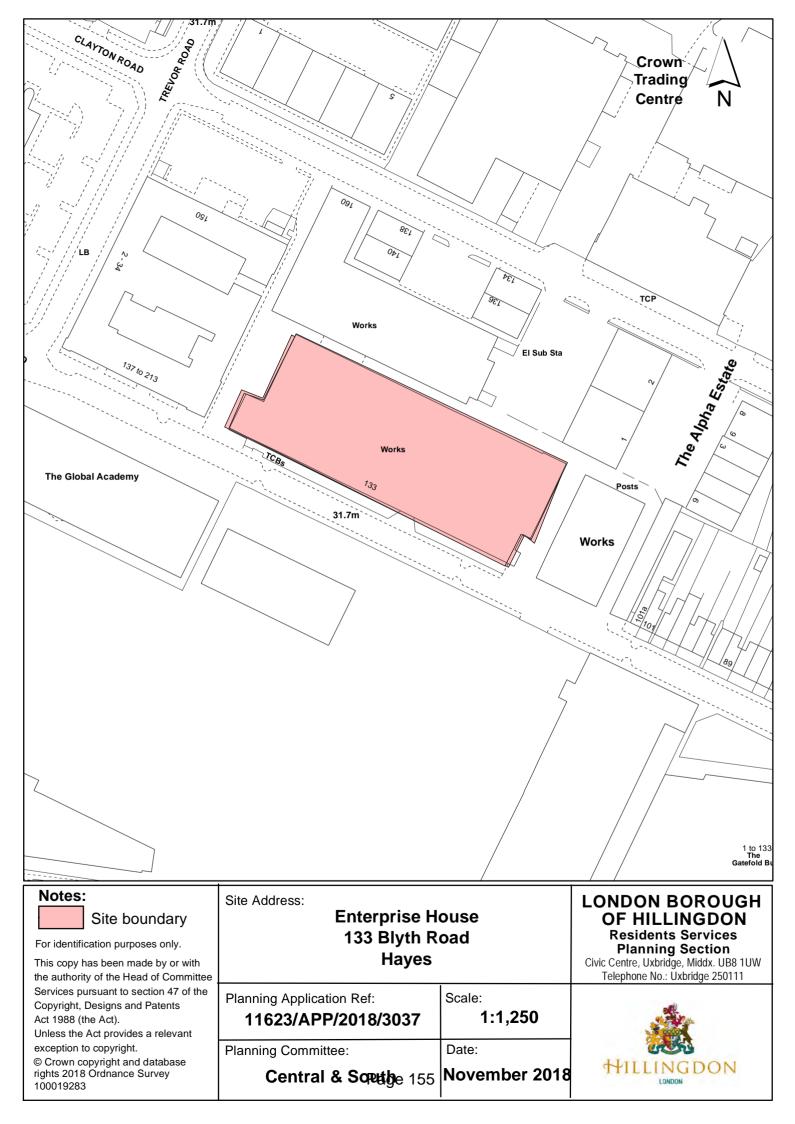












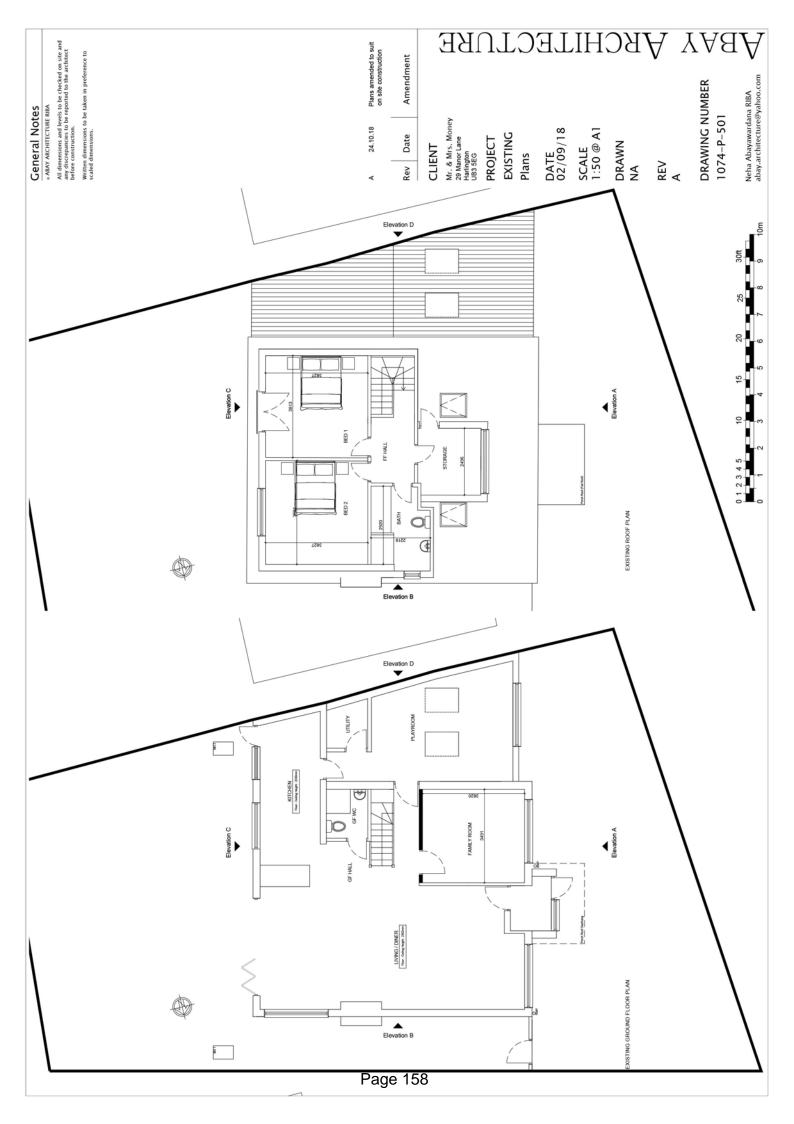
Address 29 MANOR LANE HARLINGTON

Development: Porch Extension to front

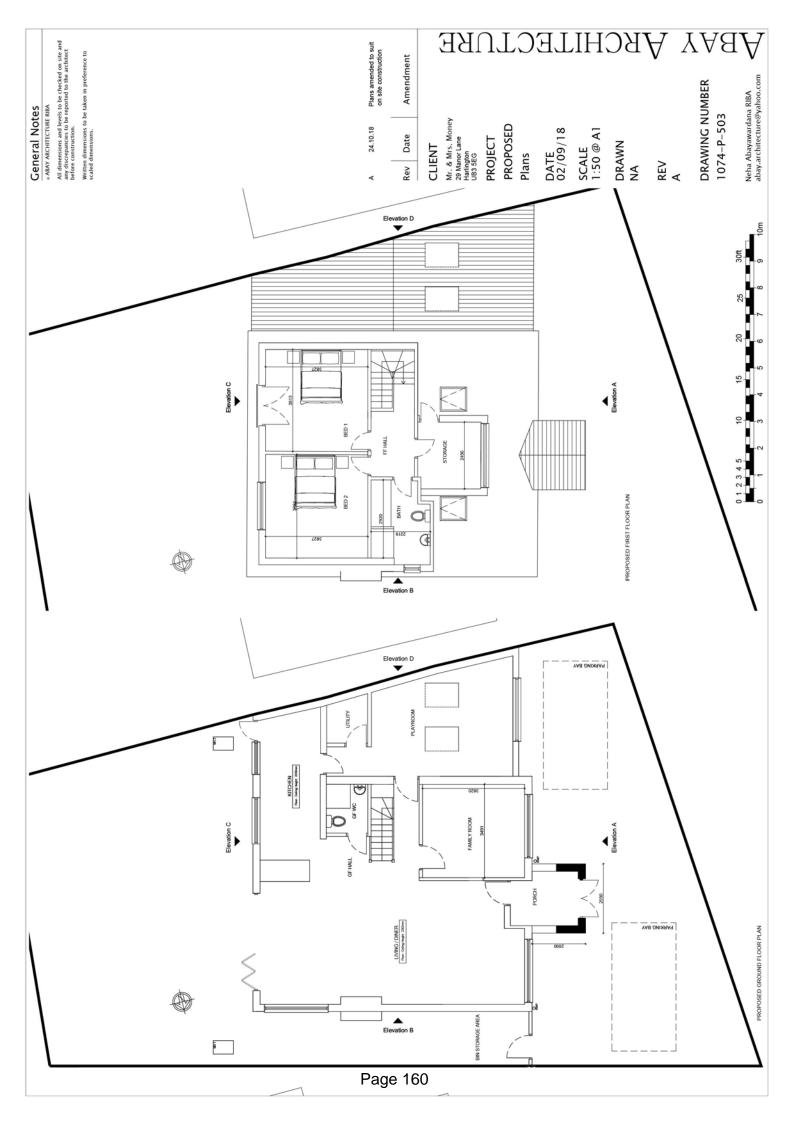
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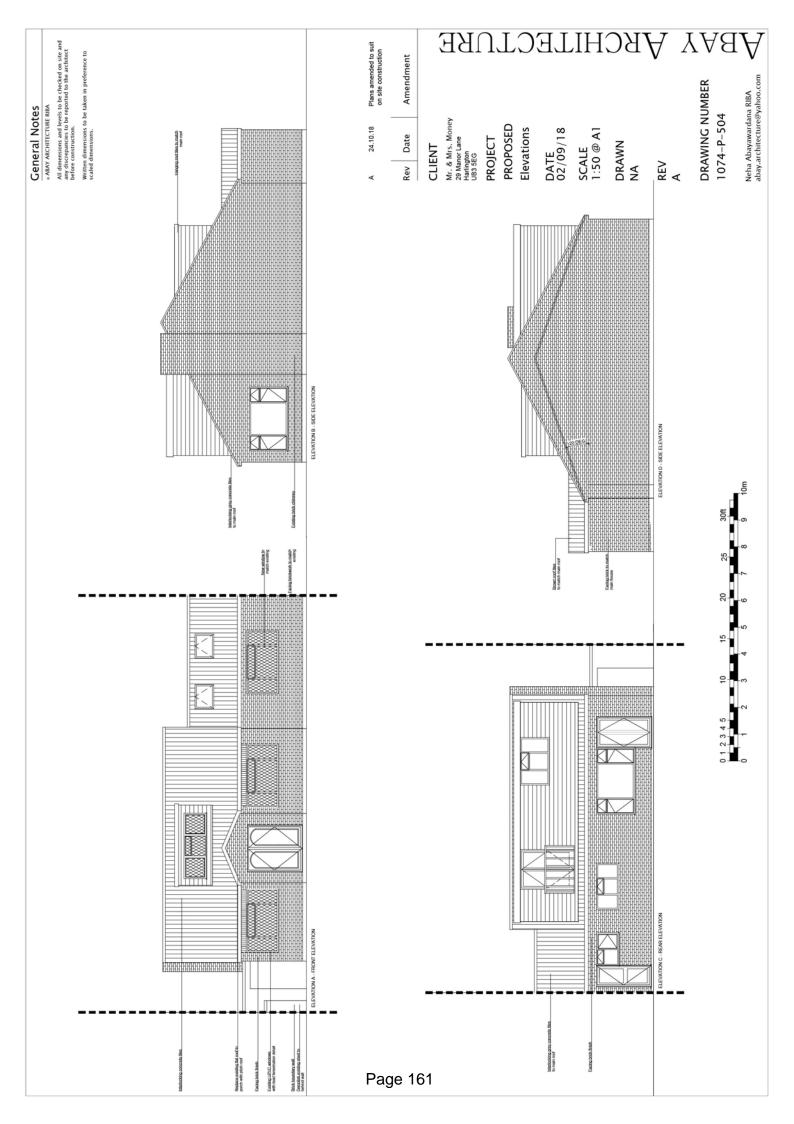
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Date Application Valid:	25/09/2018		

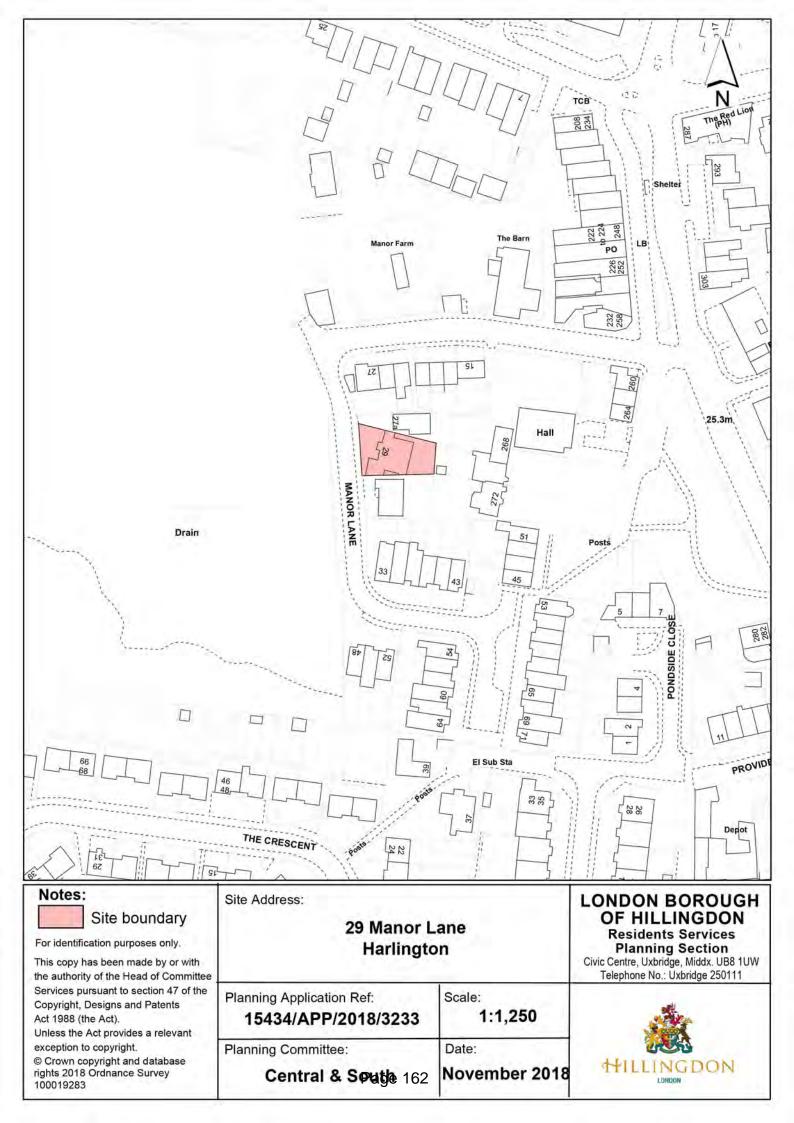












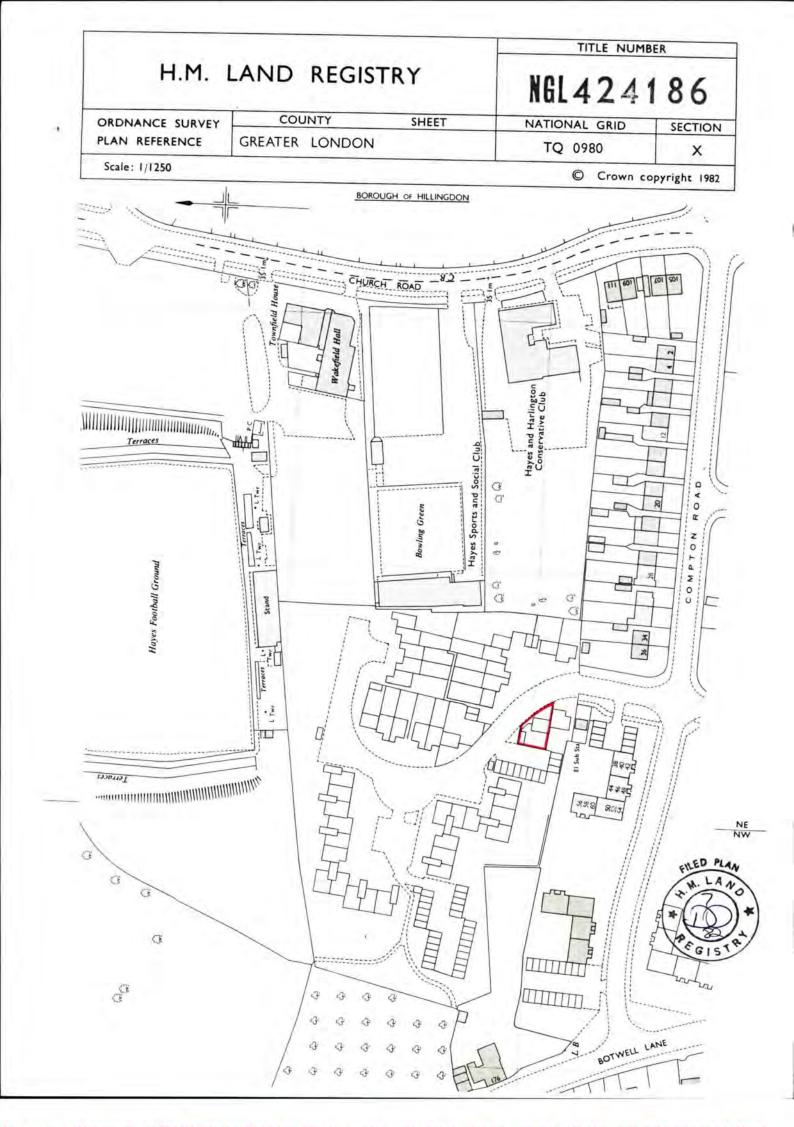
Address 3 EVERGREEN WAY HAYES

Development: Single storey rear extension

LBH Ref Nos: 74187/APP/2018/3492

Date Plans Received:	01/10/2018
Date Application Valid:	01/10/2018

Date(s) of Amendment(s):



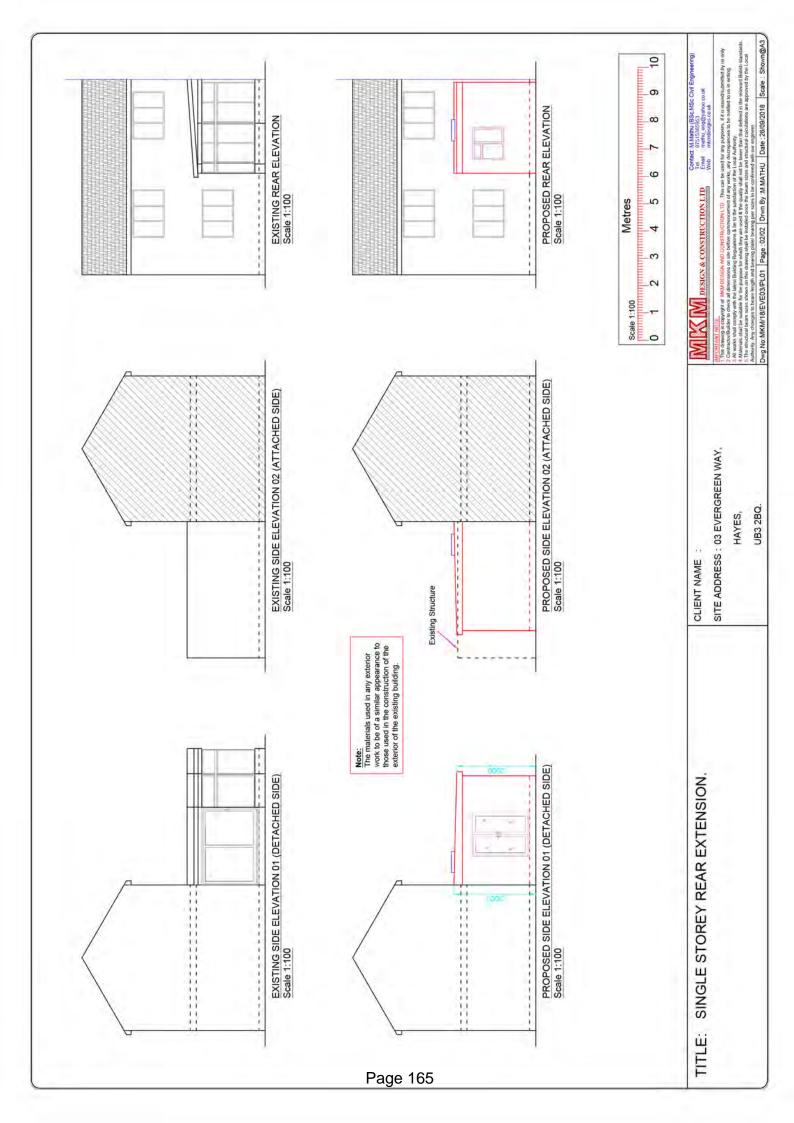
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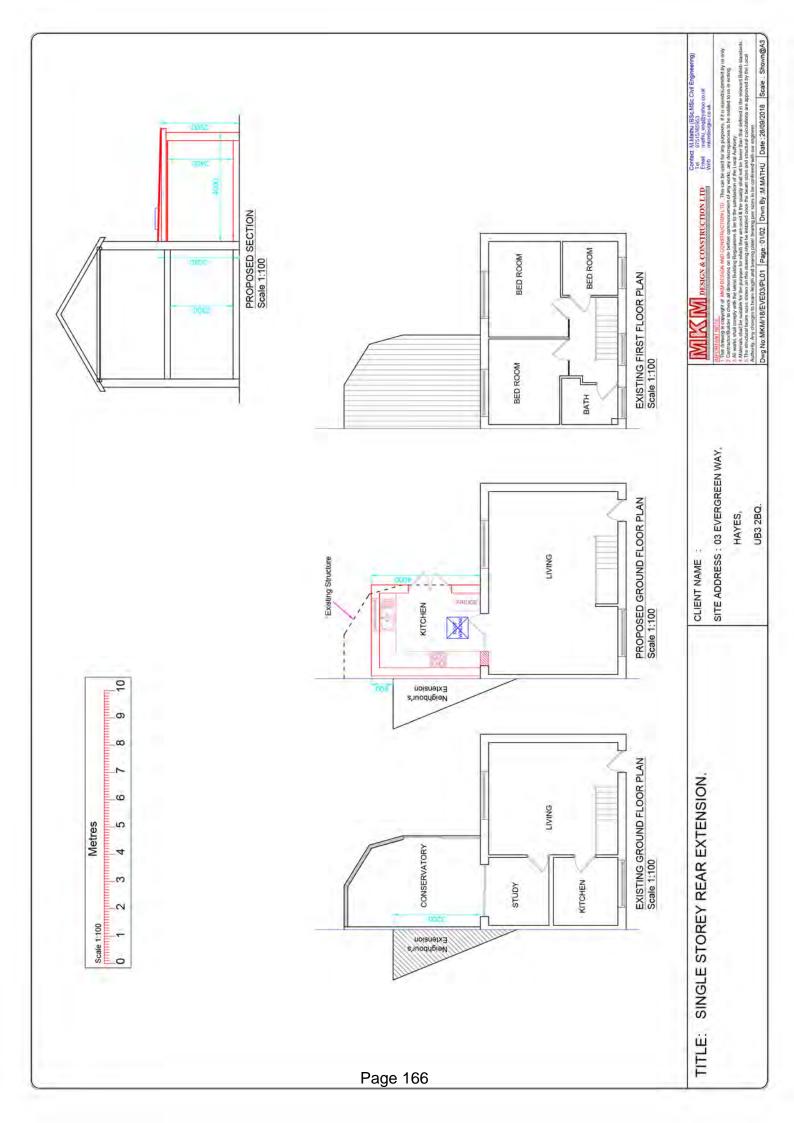
This copy is not an 'Official Copy' of the title plan. An official copy of the title plan is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy. If you want to obtain an official copy, the HM Land Registry web site explains how to do this.

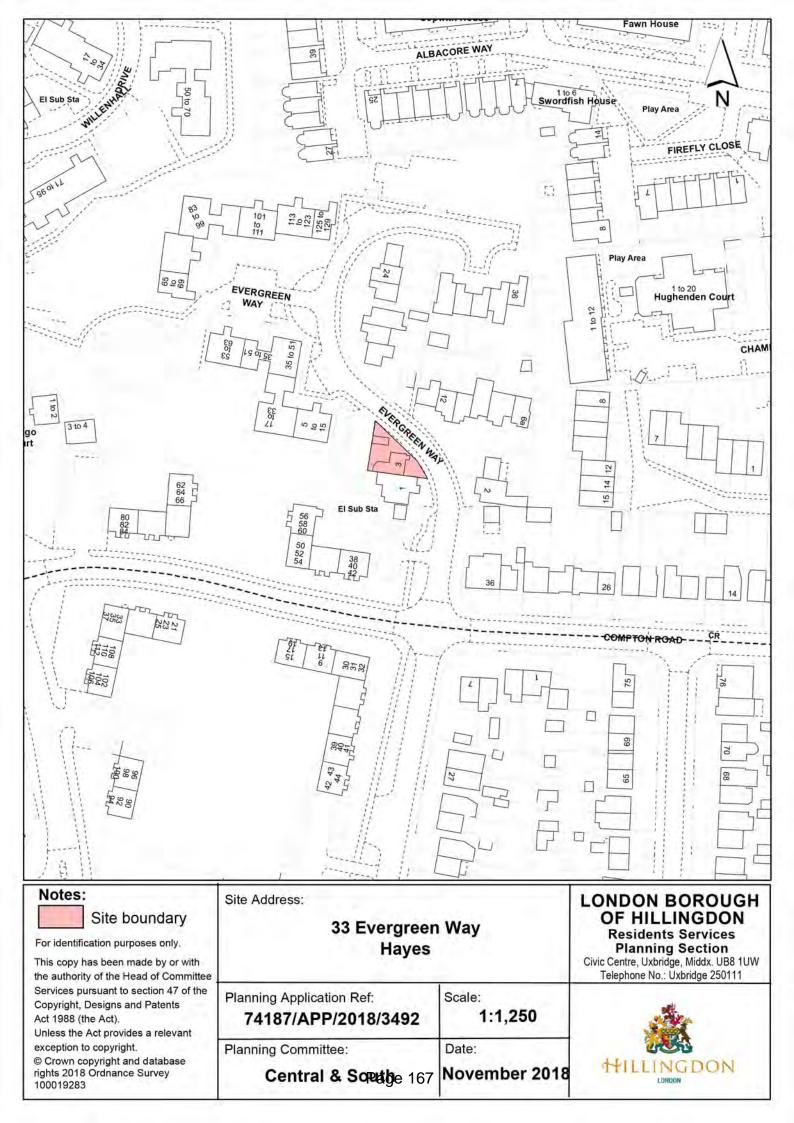
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Address LAND REAR OF 65-75 WORCESTER ROAD COWLEY

Development: Demolition of garages and the erection of 4 x 3 bedroom dwellinghouses with associated parking and landscaping

LBH Ref Nos: 73918/APP/2018/3038

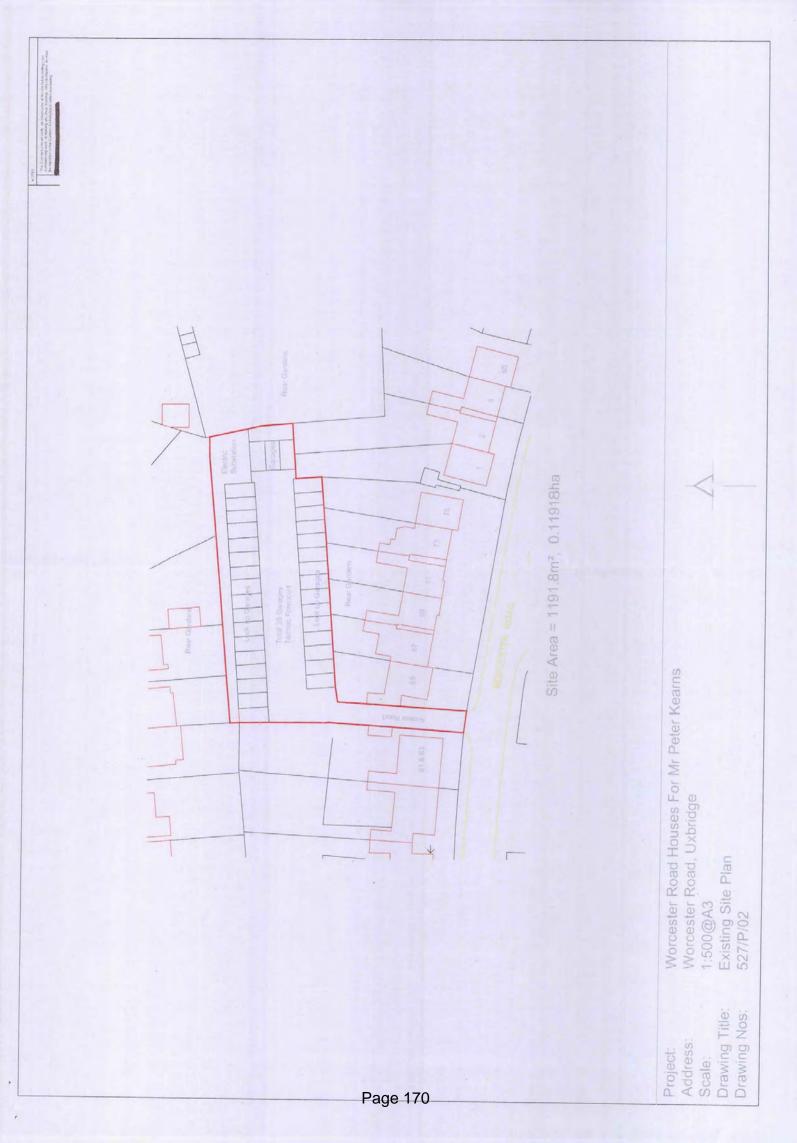
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 Date Application Valid:
 09/08/2018

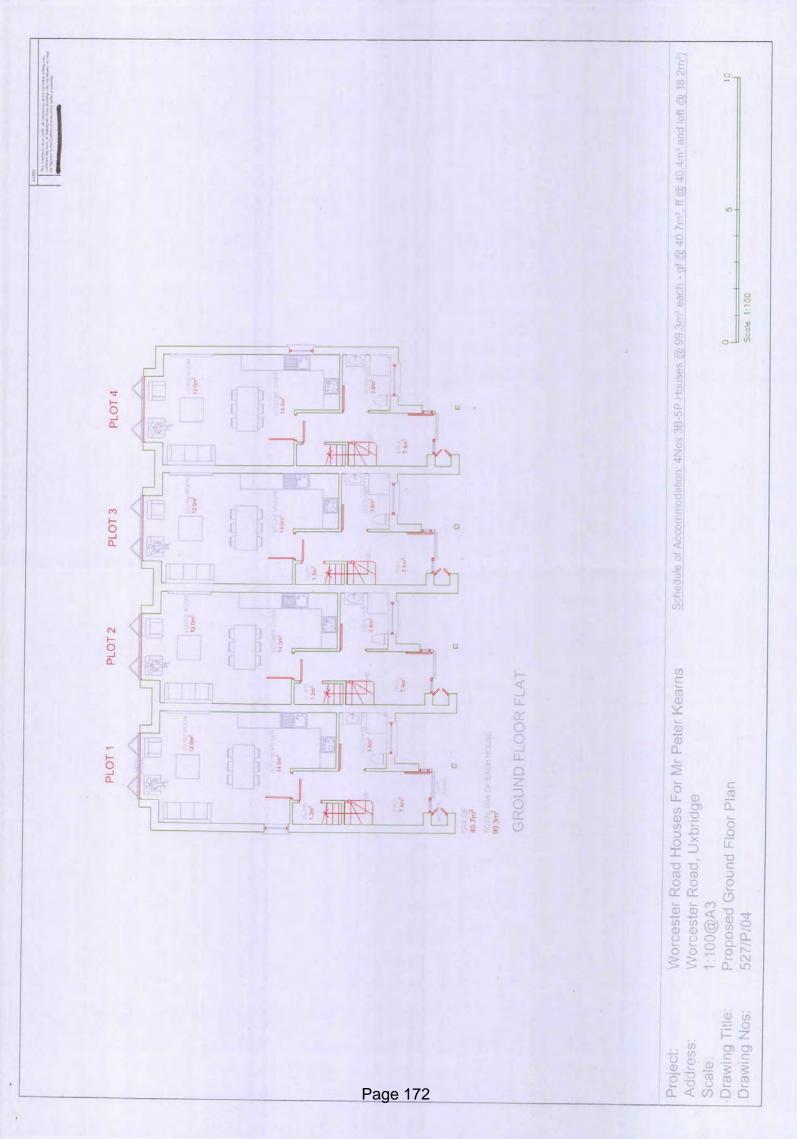
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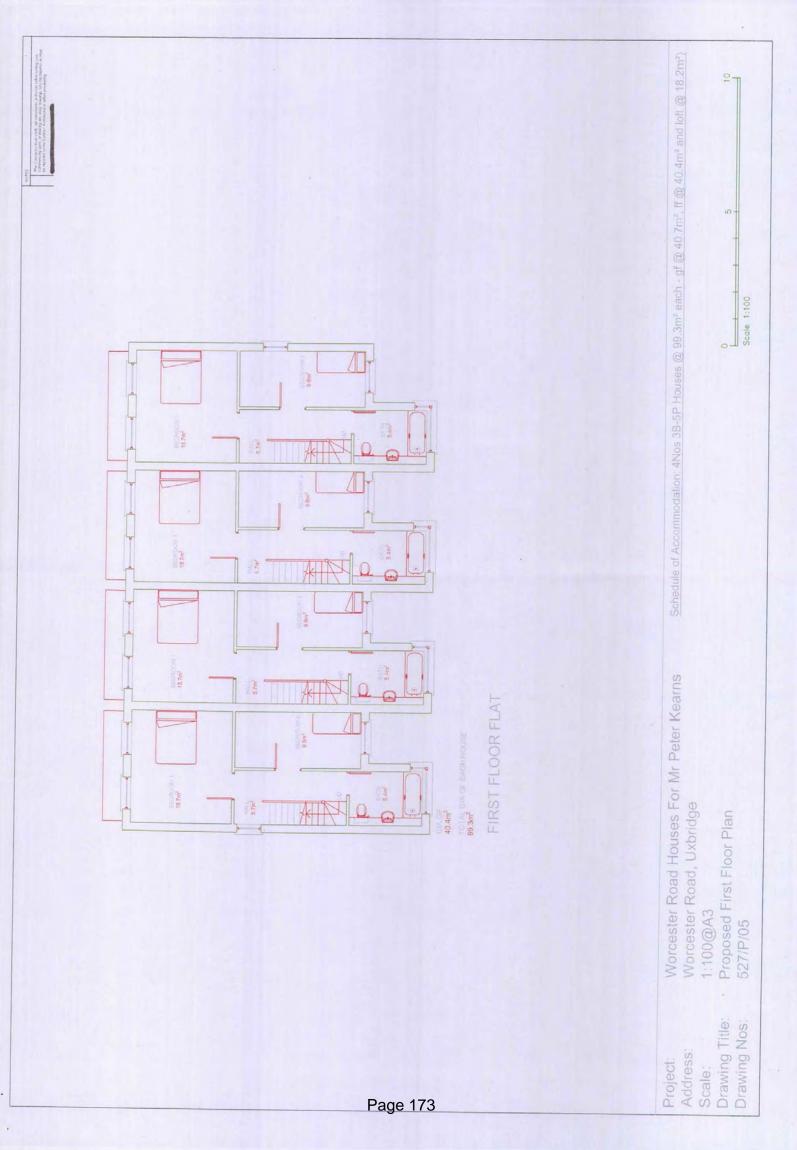
Central & South Planning Committee - 21st November 2018 PART 1 - MEMBERS, PUBLIC & PRESS

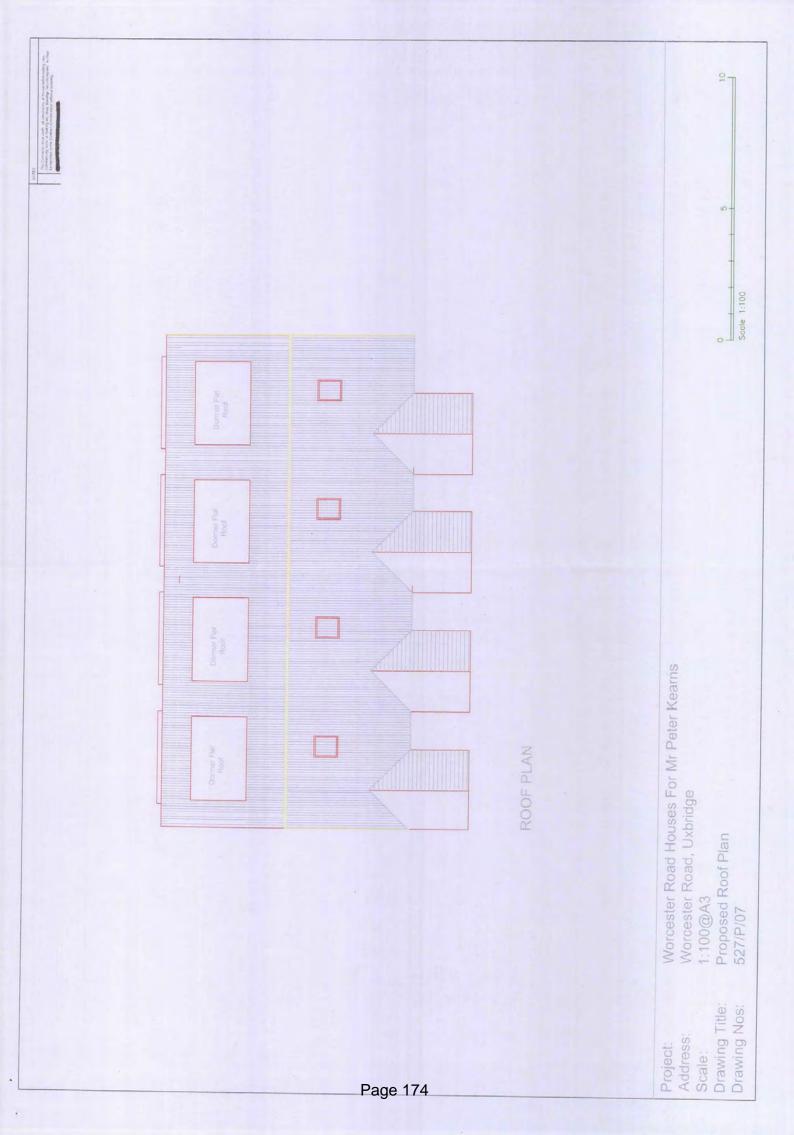




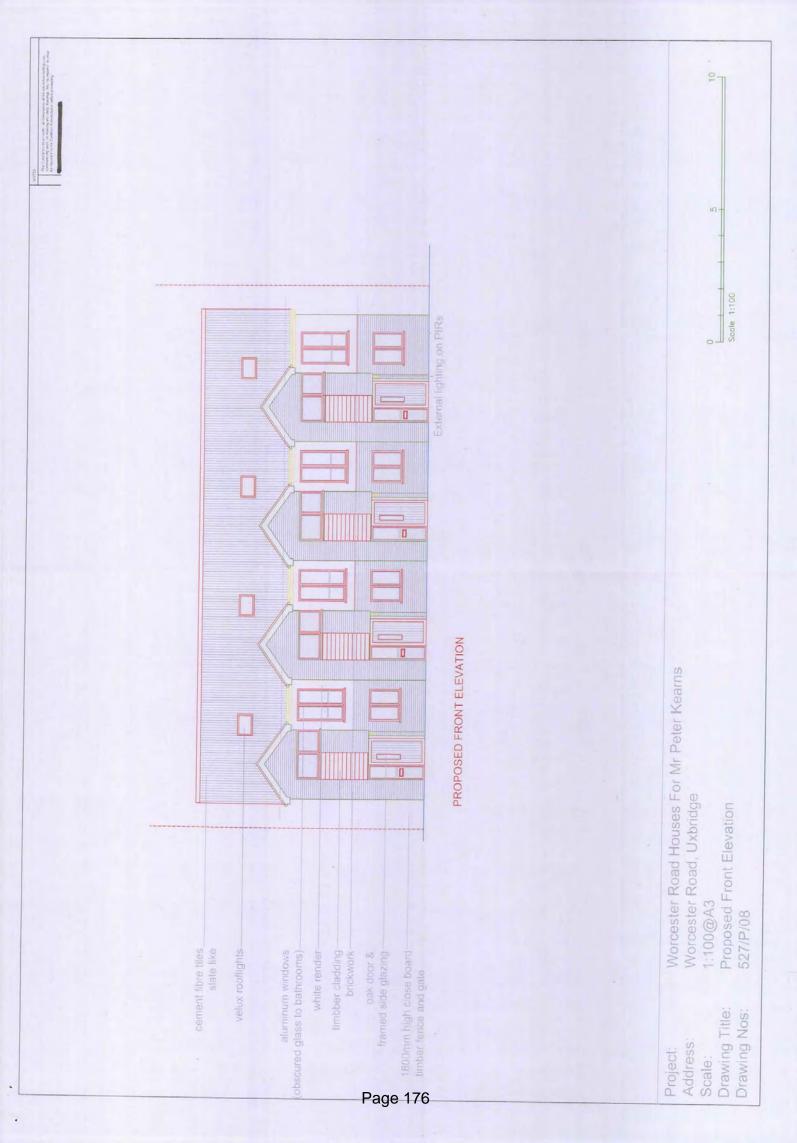


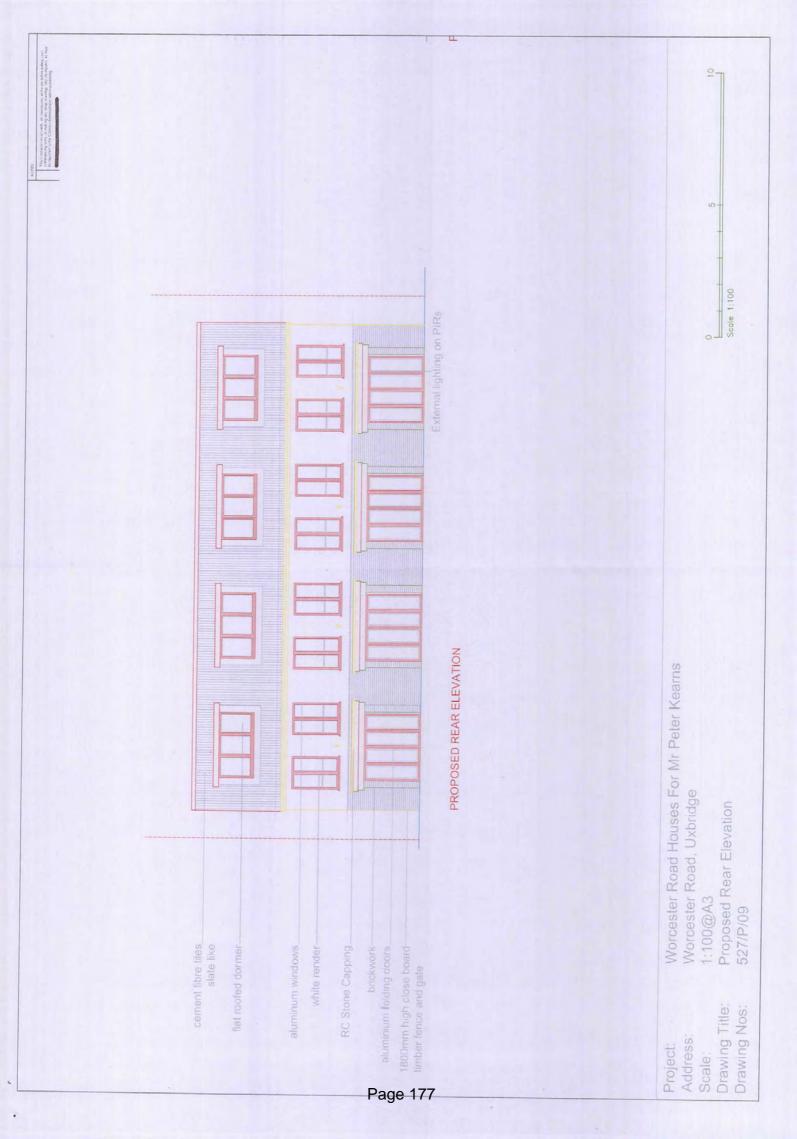






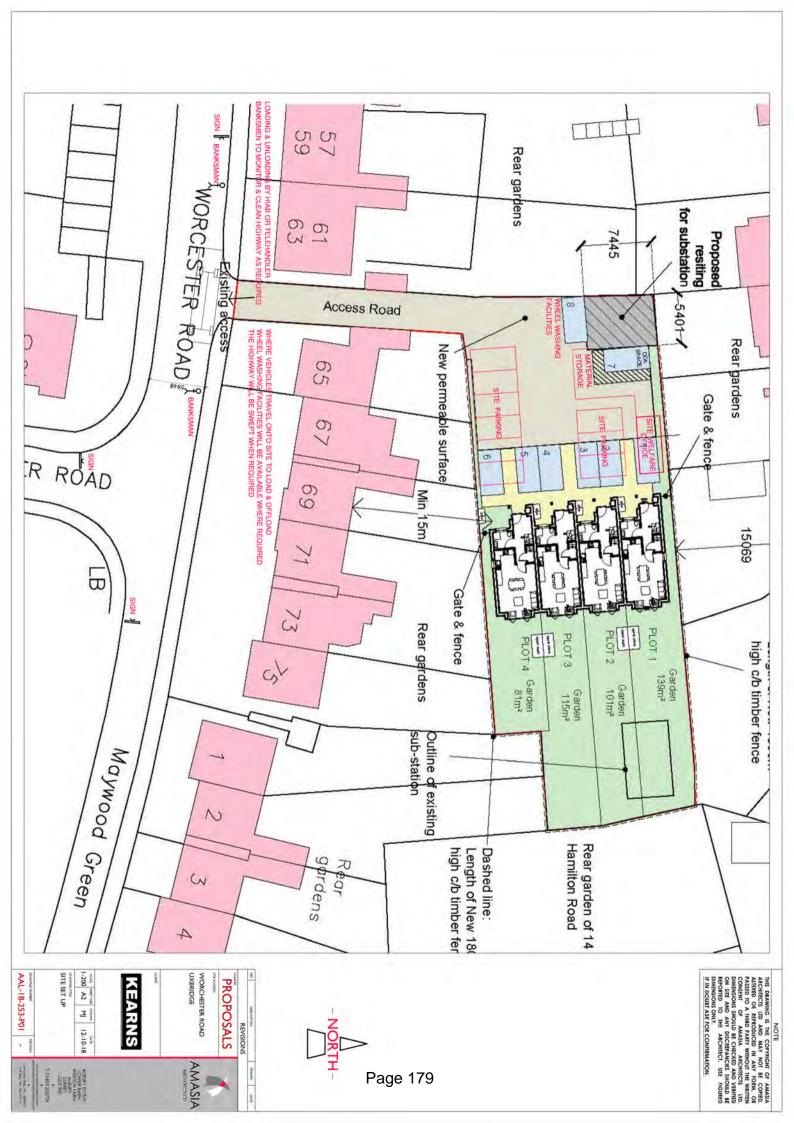






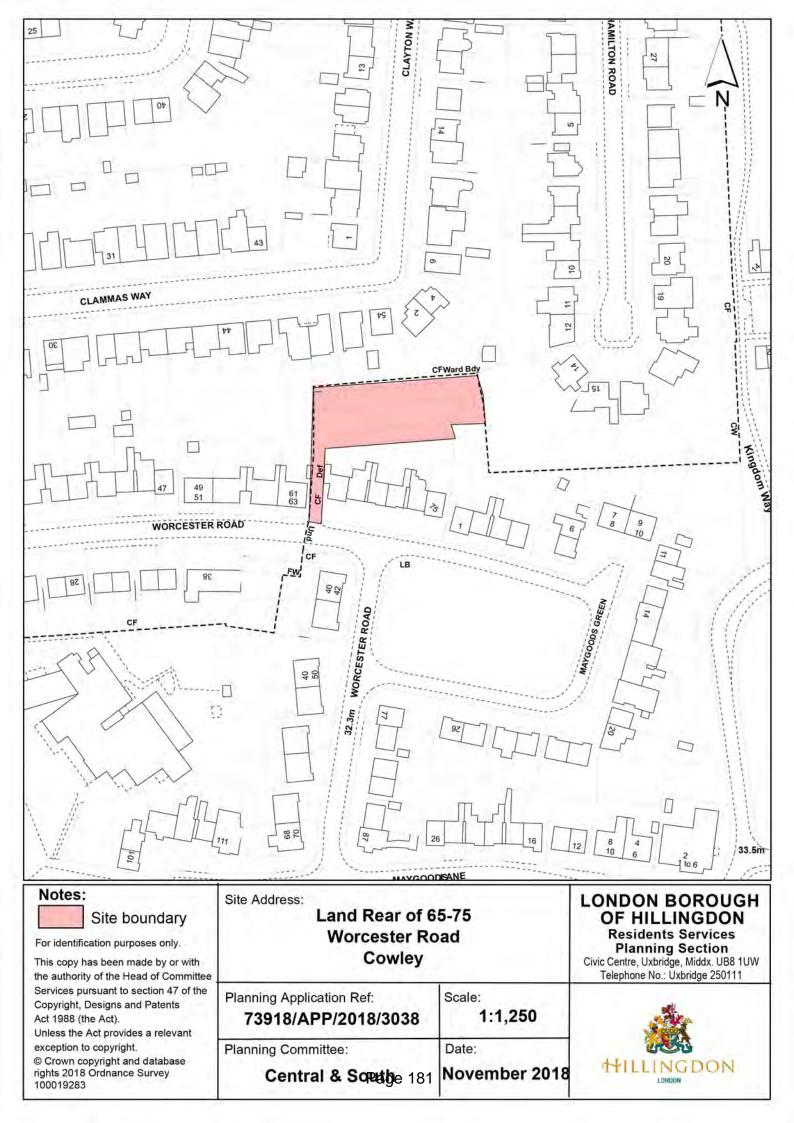


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	EXTERNAL MEASUREMENTS		
Weight: 99kg (15.8 stone) Door Aperture: 4115mm (3it 8") x 800mm (2it 7") Give Stope	I RECECCIÓN H	leight: 205mm 3ft 11")	
850mm (2ft 9*) 9 ocmm			
TYPICAL VIEW	OF SECURE BY DESIGN BIKE ST	TORE	
		TORE	
IN PAINTED ME		TORE	
IN PAINTED ME	TAL FINISH	TORE	
IN PAINTED ME	TAL FINISH	TORE	
IN PAINTED ME	TAL FINISH	TORE	
IN PAINTED ME	Zm	SCALE 1:	50 ORAN

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Address 9 HIGH STREET YIEWSLEY

Development: Change of use from retail (Use Class A1) to a mixed use comprising retail and restaurant/cafe (Use Classes A1/A3) involving alterations to shop front and rear elevation

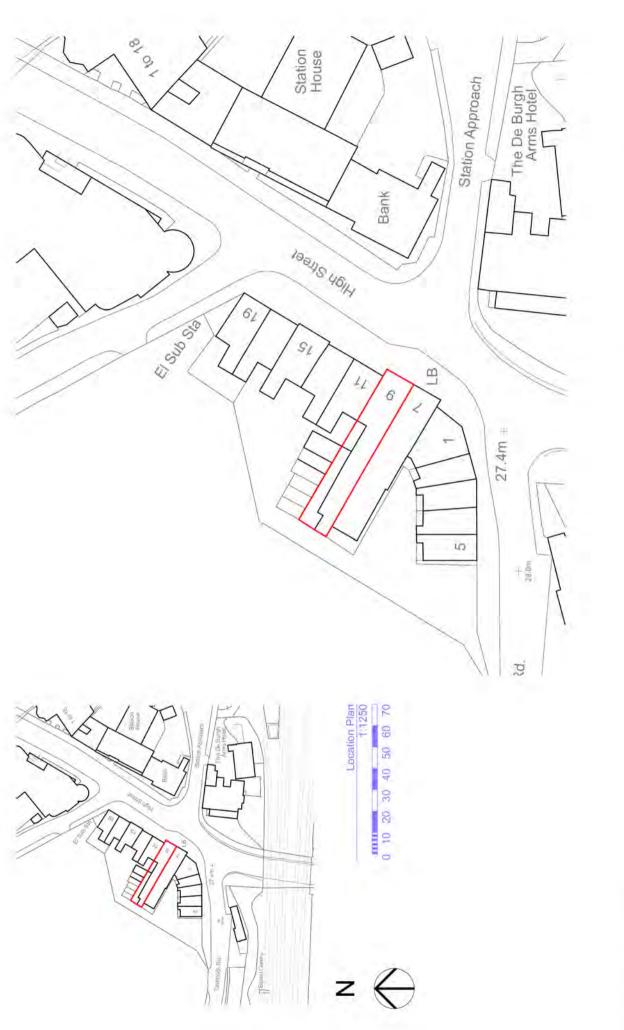
LBH Ref Nos: 21027/APP/2018/3025

 Date Plans Received:
 16/08/2018

 Date Application Valid:
 24/08/2018

Date(s) of Amendment(s):

Central & South Planning Committee - 21st November 2018 PART 1 - MEMBERS, PUBLIC & PRESS



Location and Block Plan 1:500 10 20 30

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Drawing no: 54.43/A.1.0 Status: ClientApp. Date: 14/06/2018 Time: 10:57 Scale: 1:500, 1:1250@A3 Yiewsley, West Drayton - A2 LAYOUT BOOK

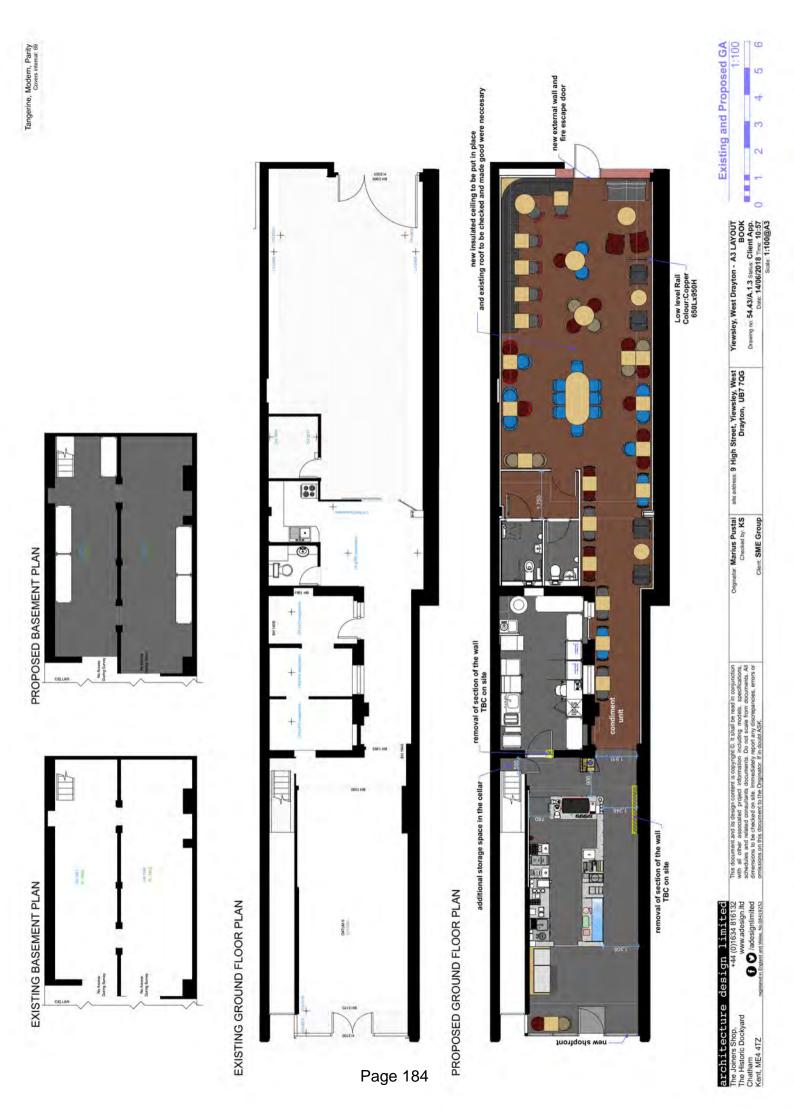
site address: 9 High Street, Yiewsley, West Drayton, UB7 7QG

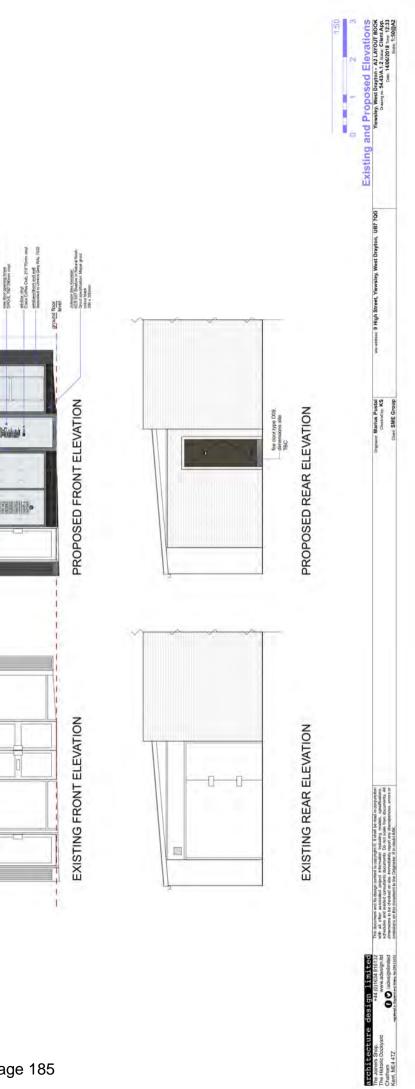
Originator: Marius Pustai Checked by KS Clerit: SME Group

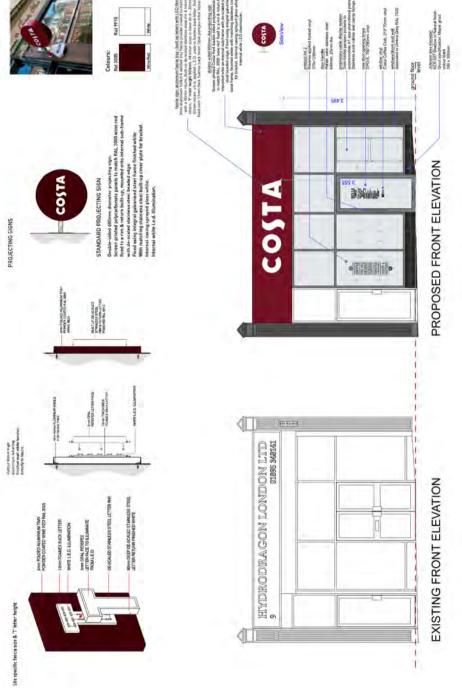
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The Joiners Shop. The Joiners Shop. The Historic Dockyard Chatham Kent, ME4 4TZ Provide State Structure of the Mean 2011 Provide Structure of th

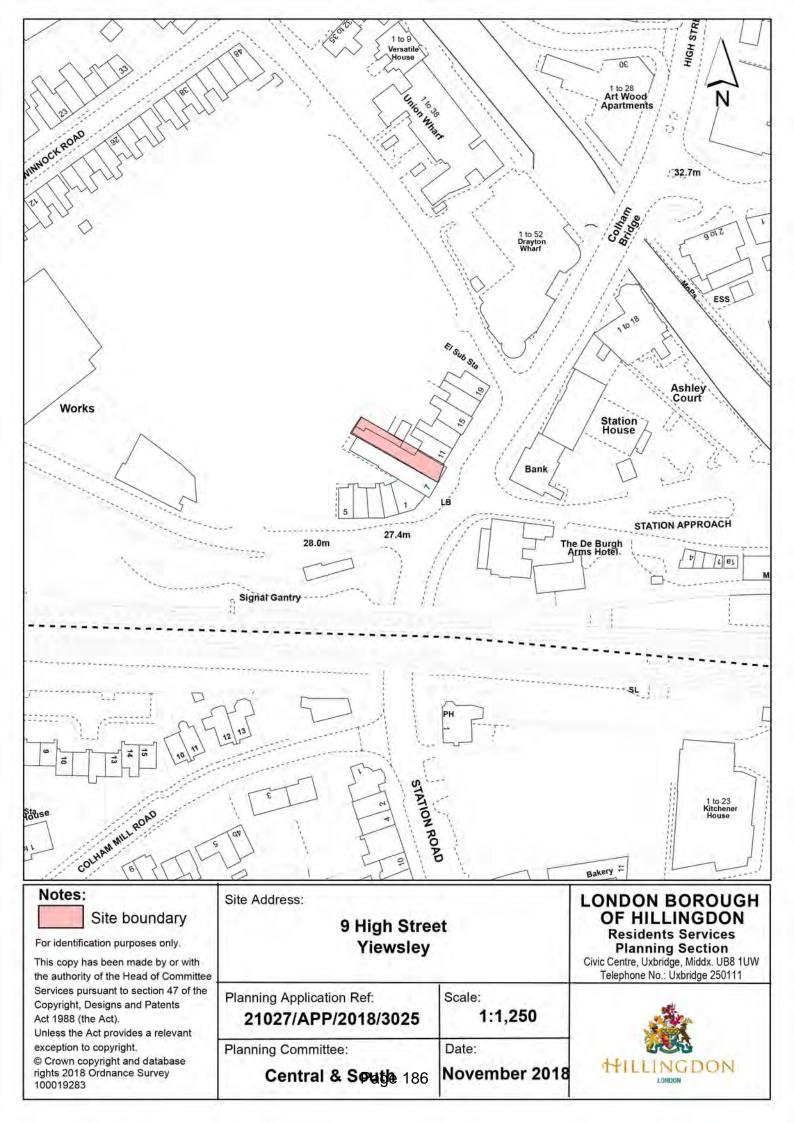
Page 183







Tangerine, Hybrid, Parity Coses menus to



Address 9 HIGH STREET YIEWSLEY

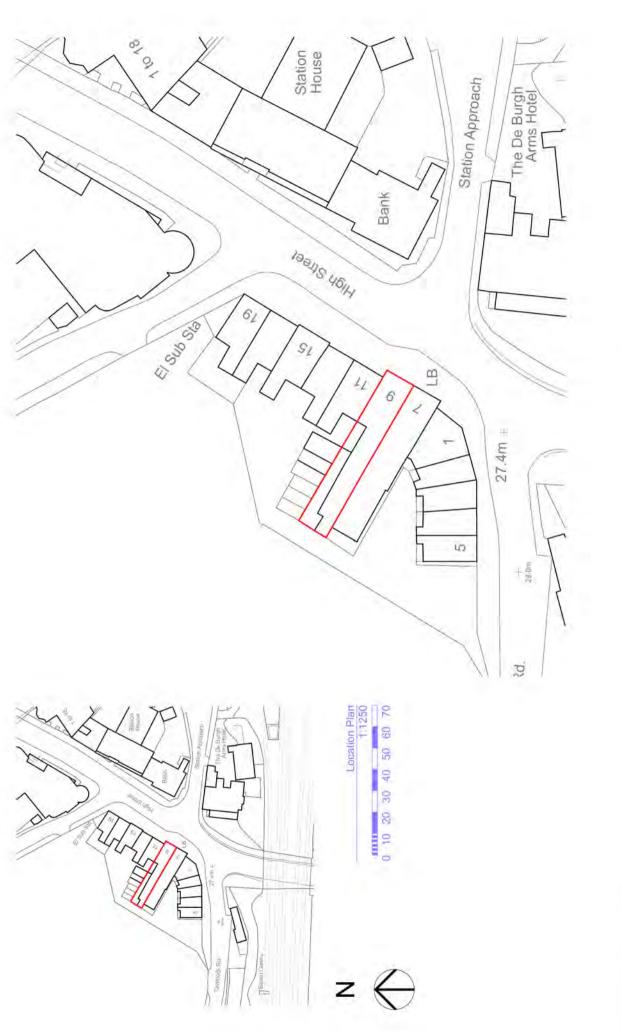
Development: Installation of internally illuminated fascia and projecting sign

LBH Ref Nos: 21027/ADV/2018/57

 Date Plans Received:
 16/08/2018

 Date Application Valid:
 24/08/2018

Date(s) of Amendment(s):



Location and Block Plan 1:500 10 20 30

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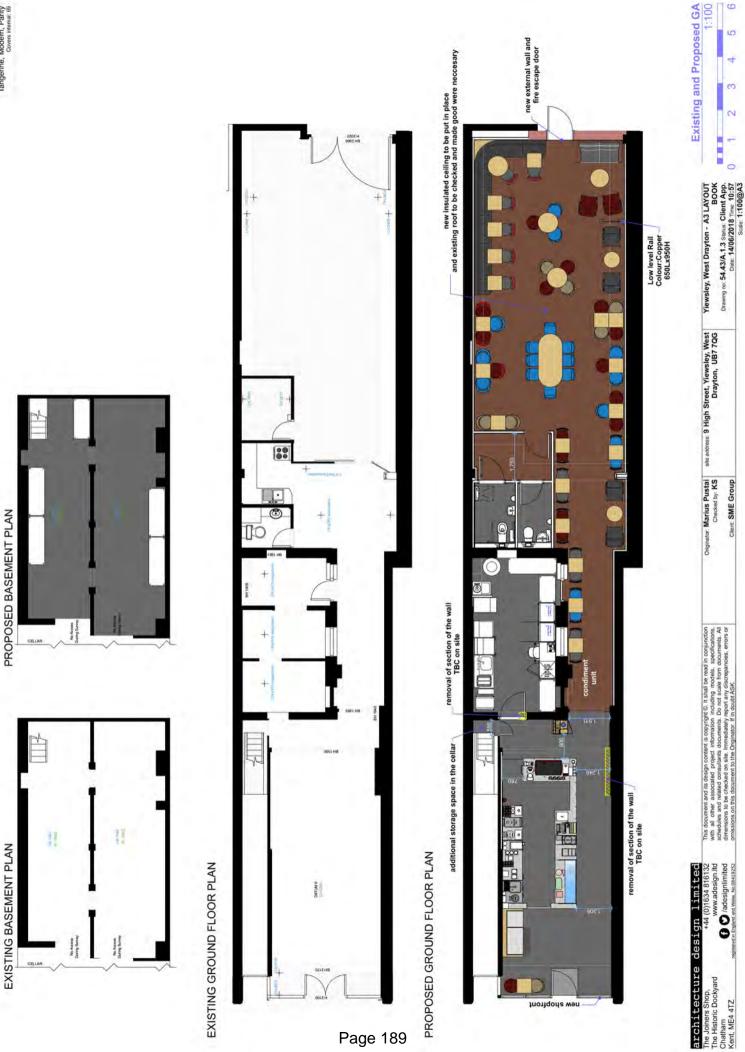
Drawing no: 54.43/A.1.0 Status: ClientApp. Date: 14/06/2018 Time: 10:57 Scale: 1:500, 1:1250@A3 Yiewsley, West Drayton - A2 LAYOUT BOOK

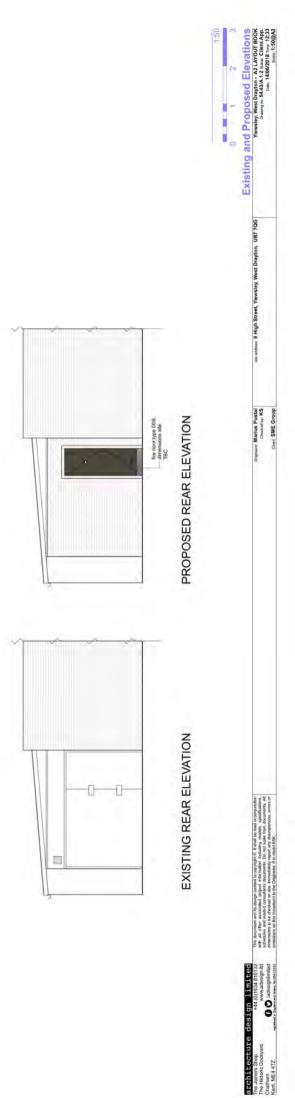
site address: 9 High Street, Yiewsley, West Drayton, UB7 7QG

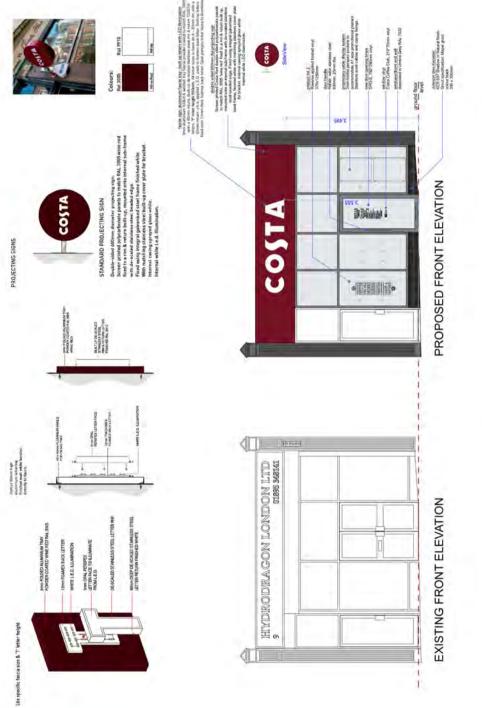
Originator: Marius Pustai Checked by KS Clerit: SME Group

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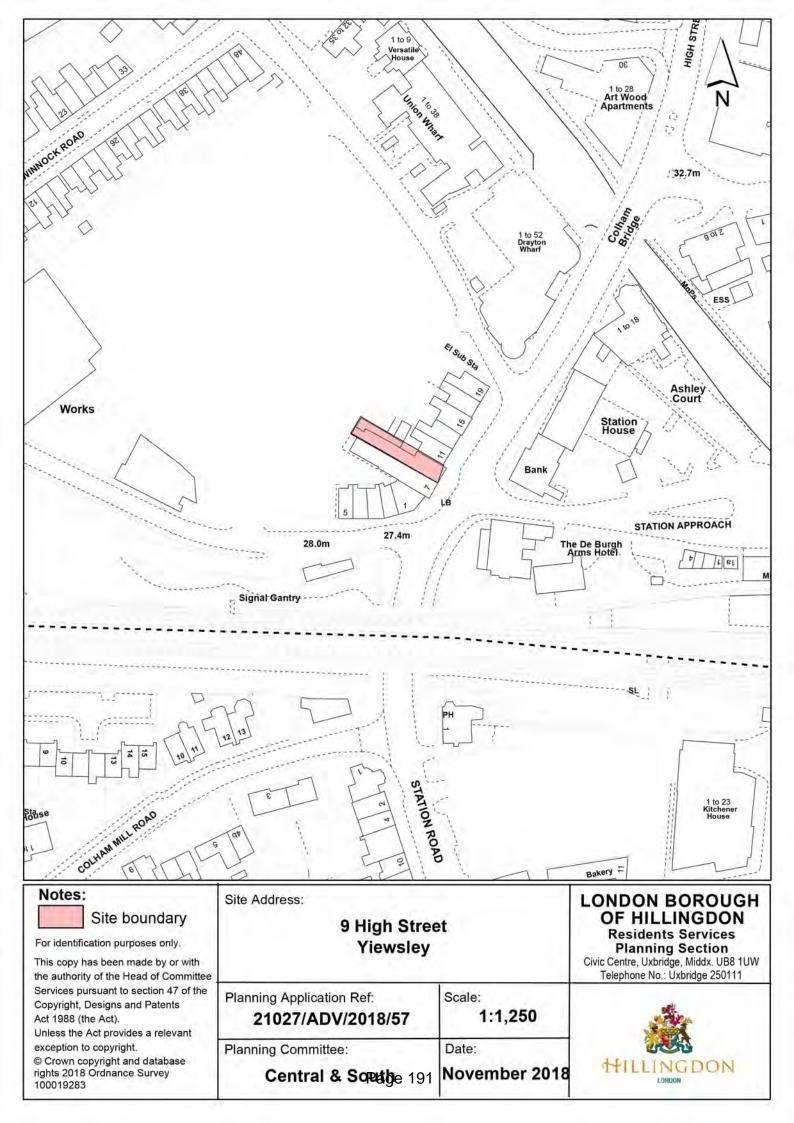
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Tangerine, Hybrid, Punty Cover stants un



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