



HILLINGDON  
LONDON



## **VIRTUAL** Central & South Planning Committee

### To Councillors on the Committee

Councillor Steve Tuckwell (Chairman)  
Councillor Alan Chapman (Vice-  
Chairman)  
Councillor Shehryar Ahmad-Wallana  
Councillor Mohinder Birah  
Councillor Nicola Brightman  
Councillor Roy Chamdal  
Councillor Farhad Choubedar  
Councillor Jazz Dhillon  
Councillor Janet Duncan (Opposition  
Lead)

**Date:** WEDNESDAY, 3 MARCH  
2021

**Time:** 7.00 PM

**Location:** VIRTUAL MEETING

**Watch Live** Watch a live broadcast of this  
meeting on the Council's YouTube  
channel: [Hillingdon London](#)

**Important  
Meeting  
Advice:** Following UK Government advice  
to avoid all but essential travel and  
to practice social distancing, the  
usual physical public speaking  
rights at Planning Committee will be  
suspended temporarily during the  
coronavirus pandemic. Instead,  
written representations will be  
considered as part of Hillingdon's  
established Petitions Scheme.

**Published:** Tuesday, 23 February 2021

**Contact:** Steve Clarke – Democratic Services  
**Tel:** 01895 250693  
**Email:** [sclarke2@hillingsdon.gov.uk](mailto:sclarke2@hillingsdon.gov.uk)

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

**Putting our residents first**

# 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 1 - 8
- 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	26-28 Dowding Road, Hillingdon  75328/APP/2020/3570	Uxbridge North	Change of use of 2 dwellings (Use Class C3) to a building for the provision of education (Use Class F1a)  <b>Recommendation: Refusal</b>	9 - 24
7	26A Hawthorne Crescent, West Drayton  74982/APP/2020/592	West Drayton	Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights  <b>Recommendation: Refusal</b>	25 - 36

---

## Applications without a Petition

	Address	Ward	Description & Recommendation	Page
8	Rear of 1-3 Colham Mill Road, West Drayton  52884/APP/2020/2090	West Drayton	Retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective)  <b>Recommendation: Approval</b>	37 - 50

## PART II - MEMBERS ONLY

*That the reports in Part 2 of this agenda be declared not for publication because they involve the disclosure of information in accordance with Section 100(A) and Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that they contain exempt information and that the public interest in withholding the information outweighs the public interest in disclosing it.*

9 Enforcement Report

51 - 58

## PART I - Plans for Central and South Planning Committee

This page is intentionally left blank

## Minutes



### CENTRAL & SOUTH PLANNING COMMITTEE

4 February 2021

Meeting held at VIRTUAL - Live on the Council's YouTube channel: Hillingdon London

	<p><b>Committee Members Present:</b>                  Councillors Steve Tuckwell (Chairman)                  Alan Chapman (Vice-Chairman)                  Shehryar Ahmad-Wallana                  Mohinder Birah                  Nicola Brightman                  Roy Chamdal                  Farhad Choubedar                  Jazz Dhillon                  Janet Duncan (Opposition Lead)</p> <p><b>LBH Officers Present:</b>                  Meghji Hirani (Planning Contracts &amp; Planning Information)                  James Rodger (Head of Planning, Transportation and Regeneration)                  Alan Tilly (Transport Planning and Development Manager)                  Glen Egan (Office Managing Partner - Legal Services)                  Desmond Adumekwe (Enforcement Manager)                  Steve Clarke (Democratic Services Officer)</p>
159.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
160.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b>                  (<i>Agenda Item 2</i>)</p> <p>Councillor Brightman declared a non-pecuniary interest in item 6 as she had assisted petitioners in preparing their petition. For the duration of the item, Councillor Brightman remained muted and her camera was turned off.</p>
161.	<p><b>TO SIGN AND RECEIVE THE MINUTES OF THE PREVIOUS MEETING</b> (<i>Agenda Item 3</i>)</p> <p><b>RESOLVED:</b> That the minutes of the meeting held on 07 January 2021 be approved as a correct record.</p>
162.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>

163.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 5</i>)</p> <p>It was confirmed that items 1-9 were in Part I and would be considered in public and items 10-15 were in Part II and would be considered in private.</p>
164.	<p><b>1 RAYNTON CLOSE, HAYES - 8096/APP/2020/3154</b> (<i>Agenda Item 6</i>)</p> <p><b>Two storey side extension and single storey side/rear extension.</b></p> <p>For the duration of this item, Councillor Brightman remained muted and her camera was turned off.</p> <p>Officers introduced the application and noted that a previous application for a similar development was refused in February 2020 and an appeal against that decision was subsequently dismissed. Where the previous application had been refused due to the width of the two-storey side extension which exceeded the maximum width stated in the Development Management Policy, the current application had been revised to the extent by which it fully complied with Council requirements and had therefore overcome its previous reason for refusal. The application was recommended for approval.</p> <p>A petition in objection to the application had been received and written representations from the lead petitioner were read out for the consideration of the Committee. Key points raised included:</p> <ul style="list-style-type: none"> <li>• Petitioners stated that the proposed development would negatively impact the character and appearance of the site and surrounding area;</li> <li>• That the plans suggested a possible future House in Multiple Occupation (HMO) as the bedrooms had all been planned with en-suite bathrooms and there was no primary bathroom. Furthermore, the architect had supposedly suggested that the downstairs TV room could be adapted into a bedroom further inferring a potential change of use;</li> <li>• Raynton Close was a cul-de-sac with existing parking stresses, the proposed development would put further strain on parking, particularly at school times;</li> <li>• The proposal, by virtue of its size, scale, bulk, and proximity, would be detrimental to the amenities of Raynton Close by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook.</li> </ul> <p>Members were informed that condition six of the officer's report stated that the development shall not be sub-divided to form additional dwelling units and would therefore not become a HMO without further express permission from the Local Planning Authority.</p> <p>The Committee questioned the existing vehicle access to the property and the impact that two dropped kerbs would have on the parking situation in the street. Members noted that in single dwellings, double parking was deemed acceptable and that the owners would be required to apply to the Highway Authority for an additional vehicle crossover. The Committee were informed that the development would have a driveway with enough space to tandem park two vehicles using an existing dropped kerb, a further dropped kerb at the front of the property would not be compliant with Council policies as it would be deemed too close to the junction with Raynton Drive.</p> <p>The materials and aesthetic of the development were raised with regard to ensuring the</p>

property remained in keeping with other developments on the street. Officers informed Members that this property was outside of any conservation area and, as such, the materials required for roof tiles and windows would be at the developer's discretion; however, there was a condition within the report recommending that the materials used match those of existing dwelling.

Members noted that the orientation of the property was such that any issues of overshadowing would fall north which minimised the impact on neighbours. With regard to the garden area, the Committee queried the amount of private amenity space that would remain if the development were to go ahead, officers noted that a previously demolished garage in the back garden had opened up some private amenity space and that together, the front and back garden areas amounted to over 70 square metres which complied with amenity space requirements.

Members noted that the roof of the property had a cranked pitch, yet the plans did not reflect this. Officers noted that an additional condition may be required to show the design of the cranked pitch on a revised elevation plan. The Committee were minded to incorporate this into their decision.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed, subject to the additional condition.

**RESOLVED:**

- 1) That the application be approved; and**
- 2) That delegated authority be granted to the Head of Planning to draft an additional condition in relation to the requirement of new plans to show the cranked pitch in the property's roof.**

165. **SPITFIRE HOUSE, CHURCHILL ROAD - 585/APP/2020/3892** (*Agenda Item 7*)

**Installation of a rooftop base station to accommodate 6 antenna apertures, 4 600mm dishes, 9 cabinets and associated ancillary development thereto.**

Prior to the commencement of this item, Councillor Brightman returned to the meeting.

Officers introduced the item noting that Spitfire House was part of the recent St Andrew's Park development which was originally the RAF Uxbridge site. Officers informed Members were informed that there had been a substantial response to consultations on the application for the installation of telecommunications equipment on the roof of Spitfire House. The application was deemed by officers to be unacceptable for reasons of its prominent positioning and size, which would increase the buildings height from approximately 14m to just under 20m. Officers also highlighted that a number of listed buildings were situated opposite to the site, increasing its detrimental impact.

A petition in objection to the application had been received and written representations from the lead petitioner were read out for the consideration of the Committee. Key points raised included:

- That the visual impact of the proposals would be intrusive and out of character with the local environs;
- That the immediate area was suburban, and the proposed substation would be seen as incongruously urban for the vicinity;

- The development would be unsightly;
- The proposals did not adhere to article BE1 of Hillingdon's Strategic Plan;
- Residents of the building would be subject to building works, the stress of potential damage to their building and engineers on the roof of the building.

The agent had also submitted written representations which were read out for the consideration of the Committee. Key points raised included:

- The need for this development was due to the necessary removal of an existing telecommunications base station on a rooftop at Brunel University; a replacement mast within a short radius was required to ensure continued coverage;
- The need for digital connectivity infrastructure was of paramount importance as demand had shifted from city centres and places of work to residential and suburban areas;
- The apparatus would have a galvanised-steel finish which would naturally weather and increasingly assimilate to its background setting over time;
- The operators would support customers and residents by ensuring as little disruption as possible;
- The continued and enhanced network services which would be brought forward by the application would greatly outweigh any perceived visual impact that may be caused by the proposed development;
- EE was to become the Emergency Services Network Provider and would dedicate the 4G network for Police, Fire, and Ambulance services.

Written representations had also been received from Councillor David Yarrow, Ward Councillor for Uxbridge North. These were read out for the consideration of Committee Members. Key points highlighted included:

- Concerns were raised as to construction and engineering personnel accessing the site at potentially antisocial hours attending to faults or maintenance needs;
- The use of the RAF Uxbridge site was intended for a prestigious housing development and not for any ancillary facilities;
- The Committee were encouraged to support the officer's recommendation of refusal.

Before the debate, Members attention was drawn to the published addendum.

The Committee highlighted that the chosen site was not an ideal location for this type of development, it was residential on all sides and Members agreed that the proposals were visually intrusive and would increase the buildings height by the equivalent to one storey, this was seen to give the building an unbalanced aesthetic. Members raised concerns regarding whether the "galvanised-steel finish" of the telecommunications equipment would in fact assimilate to its background over time.

The Committee questioned why, seeing as the existing telecommunications equipment at Brunel University needed to be removed and re-sited close by, alternative sites on the Brunel campus had not appeared to be considered by developers.

Members noted the prominent position of the building, adjacent to Hillingdon Road and opposite from a number of listed buildings; the Committee were minded to strengthen refusal reason one to include reference to the visual impact upon the listed buildings opposite. Officers informed the Committee that this would require the inclusion of

reference to policies that come with listed buildings and heritage sites, and as such, the wording of the strengthened refusal reason should be delegated to the Head of Planning; Members agreed to this.

With regard to refusal reason two, Members were minded to expand the reference to the properties opposite Spitfire House on Churchill Road to include numbers 2, 4, 14, 16 and 18, and to also include reference to the properties on Lacey Grove, to the rear of Spitfire House.

The officer's recommendation, with the additions discussed and agreed by Members, was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED:**

- 1) That the application be refused;
- 2) That delegated authority be granted to the Head of Planning to expand upon the wording used for refusal reason one to include the listed buildings opposite Spitfire House; and
- 3) That delegated authority be granted to the Head of Planning to expand upon the wording used for refusal reason two to expand the reference to neighbouring properties on Churchill Road and Lacey Grove.

166. **56B WOOD END, GREEN ROAD, HAYES - 54624/APP/2020/4303** (*Agenda Item 8*)

**Erection of two rear dormer window and 3 front rooflights following full removal of the existing unlawful dormer window.**

Officers introduced the item and informed the Committee that the application was a revised version of a previous application that had been refused by the Committee in March 2020. An appeal against that decision was dismissed in October 2020. It was also noted that the site was within a conservation area and that the Conservation Officer had objected to the impact that the proposal would have on the conservation area.

Members expressed concerns that there had been minimal improvement from the proposals previously brought before the Committee and noted how the development overlooks and dominates the front view of houses on Albion Road. It was deemed not sufficiently subordinate and not in keeping with the architectural composition of the original dwelling.

The officer's recommendation was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be refused.**

167. **HAYES PARK, HAYES - 12853/APP/2020/2980** (*Agenda Item 9*)

**Internal office refurbishment of Hayes Park Central and South including removal of the non-original partitions, re-instatement of the South Building's reflecting pool and refurbished entrances. External elevation and roof refurbishment of both buildings including cleaning and repair works, replacement of non-original glazed double doors and other works to the South building's glazed curtain wall system (Application for Listed Building Consent).**

Officers introduced the application and noted that the two buildings in question were grade II\* listed and important to the heritage of the Borough. It was further noted that, due to current coronavirus restrictions, there were no photographs of the internal elements of the building.

The Committee praised the work of officers with regard to the assessment of the development and were encouraged to see proposals for many of the unique original features to be restored within the buildings.

Members concurred with the officer's recommendation which was moved, seconded and, when put to a vote, unanimously agreed.

**RESOLVED: That the application be approved.**

168. **ENFORCEMENT REPORT** (*Agenda Item 10*)

**RESOLVED:**

- 1) **That the enforcement action, as recommended in the officer's report, was agreed; and,**
- 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 it issuing the formal breach of condition notice to the individual concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

169. **ENFORCEMENT REPORT** (*Agenda Item 11*)

**RESOLVED:**

- 1) **That the enforcement action, as recommended in the officer's report, was agreed; and,**
- 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 it issuing the formal breach of condition notice to the individual concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest

	in disclosing it.
170.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 12</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1) That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 it issuing the formal breach of condition notice to the individual concerned.</li> </ol> <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 &amp; 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>
171.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 13</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1) That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 it issuing the formal breach of condition notice to the individual concerned.</li> </ol> <p>This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraphs 1, 2 &amp; 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.</p>
172.	<p><b>ENFORCEMENT REPORT</b> (<i>Agenda Item 14</i>)</p> <p><b>RESOLVED:</b></p> <ol style="list-style-type: none"> <li>1) That the enforcement action, as recommended in the officer's report, was agreed; and,</li> <li>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 it issuing the formal breach of condition notice to the individual</li> </ol>

**concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

173. **ENFORCEMENT REPORT** (*Agenda Item 15*)

**RESOLVED:**

- 1) That the enforcement action, as recommended in the officer's report, was agreed; and,**
- 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 it issuing the formal breach of condition notice to the individual concerned.**

This item is declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and **paragraphs 1, 2 & 7** of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains **information relating to any individual, information likely to reveal the identity of an individual and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime** and that the public interest in withholding the information outweighs the public interest in disclosing it.

The meeting, which commenced at 7.00 pm, closed at 8.46 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services on Telephone 01895 250636 - email (recommended) [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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

## Report of the Head of Planning, Transportation and Regeneration

**Address** 26-28 DOWDING ROAD HILLINGDON

**Development:** Change of use of 2 dwellings (Use Class C3) to a building for the provision of education (Use Class F1a)

**LBH Ref Nos:** 75328/APP/2020/3570

**Drawing Nos:** Location Plan (1:1250)  
Block Plan (1:500)  
Proposed Ground Floor Plan (Screenshot 2020-10-20 at 11.53.09)  
Proposed First Floor Plan (Screenshot 2020-10-20 at 11.52.56)  
Transport Statement  
Existing and Proposed Ground Floor Plans  
Existing First Floor Plan  
Proposed First Floor Plan

**Date Plans Received:** 22/10/2020 **Date(s) of Amendment(s):**

**Date Application Valid:** 09/12/2020

### 1. SUMMARY

The current application seeks planning permission for the change of use from C3 (Dwellinghouse) to Use Class F1a a small independent school. A supporting statement from the Ministry of Defence has been submitted with the submission as follows:

"I am writing in support of the application for change of use for the above property. The property is currently held by the MOD on a long-term lease from Annington Homes Ltd which has 175 years remaining until expiry.

The property was converted by the MOD some years ago into a nursery and the conversion work involved knocking through and creating a single building. Regrettably detailed records regarding the date of when this work was completed are not available, but work was completed after 1996.

In order to bring the property back into use the MOD has reached an agreement in principle with the Red Balloon Learning Centre to enter into a sub-lease to use the property as a specialist learning centre for the therapeutic educational provision for 20 young people aged between 11-17 who have undergone traumatic life experiences such as abuse, bereavement or bullying.

The MOD currently does not have a requirement for the property for residential use nor do we have the ability to terminate the head lease with Annington as this lease requires the MOD to terminate a minimum of twenty properties which we are unable to do.

This provisional arrangement is therefore considered the only viable option and is an opportunity of bringing the property back into effective occupation rather than it remain empty and we support the application for change of use."

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

**1 NON2 Non Standard reason for refusal**

The proposal would result in the loss of the existing residential units, which are suitable with or without adaptation for residential use and would thus result in the diminution of the Council's existing housing stock to the detriment of the future housing needs of the borough. The proposal is therefore contrary to Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 3.14 of the London Plan (2016).

**2 NON2 Non Standard reason for refusal**

The proposed development by reason of its use as an independent school for the number of people proposed, would result in a significant increase in noise and general disturbance to nearby residential properties, and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore, the proposal would be contrary to Policy 7.15 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

**3 NON2 Non Standard reason for refusal**

The proposed development fails to provide sufficient on-plot parking resulting in substandard car parking provisions, leading to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policies 6.3 and 6.13 of the London Plan (2016).

**4 NON2 Non Standard reason for refusal**

The proposal, by reason of its design and layout fails to provide a property which meets the requirements of people with disabilities 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 Policies 7.1 and 7.2 of the London Plan (2016).

## **INFORMATIVES**

**1 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 Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises a pair of semi-detached dwelling houses located on the east side of Dowding Way. They are set under a hipped roof and have external brick facing. They are set back from the highway and by 6 m with a landscaped frontage. Although no dedicated parking there is a lay by to the front of the dwellings providing parking spaces for five vehicles. The surrounding area is residential in character comprising two storey semi-detached dwellings

### **3.2 Proposed Scheme**

The current application seeks planning permission for the change of use of 2 dwellings

(Use Class C3) to a building for the provision of education (Use Class F1a).

### **3.3 Relevant Planning History**

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

No relevant planning history

### **4. Planning Policies and Standards**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

#### Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

#### Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

#### Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a

statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions. On 21st December 2020, the Mayor formally approved a new London Plan, the 'Publication London Plan'. This has been submitted to the Secretary of State. The Secretary of State has 6 weeks to respond or can request a further extension of time. The Mayor can only publish the Plan after the Secretary of State has given approval.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State

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

The following Local Plan Policies are considered relevant to the application:-

#### Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM8 (2012) Land, Water, Air and Noise

#### Part 2 Policies:

- DMH 1 Safeguarding Existing Housing
- DMH 2 Housing Mix
- DMHB 11 Design of New Development
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMCI 1A Development of New Education Floorspace
- DMCI 2 New Community Infrastructure
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 6 Vehicle Parking
- LPP 3.14 (2016) Existing Housing
- LPP 5.13 (2016) Sustainable drainage
- LPP 6.3 (2016) Assessing effects of development on transport capacity
- LPP 6.13 (2016) Parking
- LPP 7.1 (2016) Lifetime Neighbourhoods
- LPP 7.2 (2016) An inclusive environment
- LPP 7.15 (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.

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

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

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

## **6. Consultations**

### **External Consultees**

16 neighbouring properties and the local residents association were consulted by letter dated 24/12/2020. The consultation period expired on 17/1/2021.

Five written representations have been received together with a signed petition objecting to the proposal summarised as follows:

1. Loss of privacy
2. Noise pollution
3. Exacerbation of parking
4. Increased through traffic
5. Safety & security
6. Out of character within a residential street
7. Potential abuse and anti social behaviour
8. Potential of objects being thrown
9. Financial impact on house prices
10. Potential affect on current medical conditions

Officer response - Concerns Nos.1 to 6 raised above will be addressed within the body of this report. The remaining concerns Nos. 7 to 10 are not material planning considerations.

### **Internal Consultees**

Planning Policy:

Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The Local Plan: Part 2 - Site Allocations and Designations (2020)  
The West London Waste Plan (2015)  
The London Plan - Consolidated With Alterations (2016)

Material Considerations

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

1.4 Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local

Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response; however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

Designations - Principle of Development

Loss of Housing

The Draft London Plan (December 2019) Policy H10 and H8 states that the loss of existing housing is generally only acceptable where it is replaced by higher density residential units than what is already existing. The Council aims to safeguard existing residential accommodation as stated in The Local Plan Part 2 Development Management Policies - Policy DMH 1: Safeguarding Existing Housing. Although, where there is at least an equivalent amount of residential floor space in replacement of the existing dwelling, we can support the loss of the existing building. The Council will also support subdivisions of dwellings, only if there are minimum car parking standards met on the curtilage of the site.

The redevelopment should be better quality and provide an equivalent level of affordable housing floor space. Where possible, regeneration of a development should deliver an uplift in affordable housing. However, the proposal is a change of use to a Category F1a small independent school. It should be taken into account that the building has been vacant for quite some years prior to the present time and there has been no use of the site. From this, we should assess whether it is appropriate and viable to change the use of the site to provide an independent small centre for 20 young people, aged 11-17 year old who have gone through traumatic life experiences - rather than

keep the site as vacant.

### Change of Use to a Class F.1 a Small Independent School

Policy S1 of the London Plan 2019 enforces that boroughs should ensure that the social infrastructure of London's diverse communities is met. There should be a needs assessment conducted where relevant stakeholders and the local community should altogether consider whether there is a need for a small independent school, specifically for the purpose of catering for 11-17 year old and efforts made towards teaching them through their trauma and life experiences. Furthermore, Policy S3 of the London Plan states that the needs assessment should include an audit of existing facilities, where these are located and if there is a demand for it in another location.

The Local Plan Part 1 - Strategic Policies Policy C11 also sets out that Hillingdon will support the development of new schools and facilities and it requires development to contribute to the provision of community facilities to meet the needs of the community. The London Borough of Hillingdon will measure the success of Policy C11 through addressing the needs identified in Hillingdon's Joint Strategic Needs Assessment.

Boroughs should seek to provide high quality, inclusive social infrastructure that supports local needs particularly for young people in education and the need to deliver a high-quality service which is inclusive of mental health issues. When assessing whether a development is appropriate, the impact of providing the service should be taken into account. For example, this learning centre will cater for 20 young people in a residential area, so it should determine all aspects of the service and if there are any factors regarding the surrounding street and area itself.

The Local Plan Part 2 - Development Management Policies Policy DMCI 1A sets out criteria of which proposals of new schools will be assessed against. The assessment of the new education floor space should consider the size of the school and its location to public transport, the local highway network and its ability to accommodate school trips without compromising highway safety to students, as well serving walking cycling routes to school. The assessment should also consider the suitability to accommodate a new school, the impact it would have on green open space and on amenity space (it should have sufficient outdoor space).

The proposal in this application suggests that there will only be a change of use from the current vacant building and there will be no additional floor space created. As the proposal is for a small independent school, it will only accommodate facilities and a teaching environment for this number of pupils. There is outdoor garden space which is sufficient for this small number of pupils attending and will be able to host any of their outdoor activities. The school would be in close proximity to Uxbridge Town Centre with a PTAL rating of 1a and is also served by the main highway routes; Honeycroft Hill to the north and Hillingdon Road to the west of the site. This shows that the location would be suitable following the criteria set in Policy DMCI 1A in the LPP2.

The proposal of the new development will not have additional floor space and it also sets out that there will be no signage or exterior design to the building, which means it will be kept in harmony with the existing street scene and there will be no impact on neighbouring buildings or the surrounding area. Policy DMHB 11 in the LPP2 suggests that all development should incorporate good design principles and ensure the high quality finishes and that the internal layout maximises sustainability and is adaptable for different activities, as has been shown in the plans attached to the application.

School Place Planning Project Manager Residents Services commented as follows:

Red Balloon

Hillingdon Education officers strongly support this application for Red Balloon Centre in Uxbridge to serve 20 young people aged 11-17 at a time. There is no similar provision in Hillingdon and

education officers know there are pupils who would benefit, who are waiting for a place in this type of short-term support. Currently, four Hillingdon resident young people are attending the Red Balloon centre in Harrow and others have attended it in the past.

There are now 17,000 students aged 11-17 in Hillingdon secondary schools, so up to 20 pupils at a time is a tiny fraction - but this type of small-group education and support in a more secluded residential setting is vital and life changing for those who need it.

Red Balloon provides a tailored offer of intensive education support and therapy for between 2-6 terms, for those who find it too difficult to cope in mainstream schooling due to a traumatic life experience such as abuse, bereavement or bullying. Some of the young people may have an education health care plan, none are pupils who have been excluded from school. The aim is to enable them to return to mainstream school (or to finish GCSEs if they are mid-way through), or to move on to further education, training or work. Red Balloon have a proven approach, with 100% success in reintegration over the past three years or successful sustained moves into post-16 provision.

It is likely that places in the proposed centre would be commissioned by officers in the Special Education Needs team or the Virtual School team for pupils who are looked after children, and also directly by some schools for short-term placements for their pupils. There is greater demand than can be met at present in Harrow (and that journey is not practical or some young people in Hillingdon) so a new centre in Hillingdon in a quiet location is ideal.

Please refer to the relevant sections within the body of this report for other internal consultee comments.

## **7. MAIN PLANNING ISSUES**

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

Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that A) The net loss of existing self-contained housing, including affordable housing, will be resisted unless the housing is replaced with at least equivalent residential floor space.

Policy DMCI 1 outlines that the Council will support the retention and enhancement of existing community facilities.

Policy DMCI 1A states that proposals for new schools and school expansions will be assessed against the following criteria: A) The size of the site, its location and suitability to accommodate a new school or school expansion taking account of compatibility with surrounding uses, and existing planning policy designations (e.g. conservation areas, MOL, Green Belt).

Policy DMCI 2 also outlines that the Council will support proposals for the provision of new community facilities where they are located within the community/catchment that they are intended to serve.

New Community Infrastructure Provision

7.6 The provision of appropriate community facilities and inclusive access to such facilities is a prerequisite for the proper functioning of any community. The Council is committed to supporting continued provision and where necessary, expansion of social and strategic infrastructure and cultural facilities to meet the needs of the Borough's residents.

7.7 Development/redevelopment of social and strategic infrastructure should be designed to meet the needs of their intended occupants, taking into account any appropriate regulations and national design and space standards. New development should not unduly harm residential amenity, the environment or transport infrastructure in line with all the policies in this document. They must also be appropriate for their surroundings in terms of scale, character and mix of uses.

7.8 Facilities that are located in close proximity to the community they serve and have good public transport accessibility, achieve a number of benefits. They reduce the need to travel longer distances, encourage more sustainable modes of transport and help to engender a sense of ownership of the facility by the community. In turn, this contributes to climate change mitigation, improved public health and well being, and community cohesion.

Correspondence submitted from the Ministry of Defence would indicate that this building is currently vacant but that prior to this current situation, it was converted to use as a nursery in the late 1990's although there is no planning history to confirm this. Existing floor plans submitted with the application indicate that although there are two separate entrances both the ground and first floors of both properties are connected and can be accessed as one building but remains residential in nature and falls within Use Class C3 (Residential).

The applicant has not provided information regarding the current state of the residential units which are proposed to be lost and do not claim that the properties are unfit for habitation. As stated within the Hillingdon Local Plan: Part Two - Development Management Policies (2020) an exception to Policy DMH 1 can be made if the dwelling is unfit for habitation within the meaning of the Housing Act 1985 and is incapable of being brought up at a reasonable cost. The Housing Act 1985 states that a dwelling is unfit for purpose if it is in a bad condition, there is a serious problem with damp, there is not enough natural light or ventilation, there are water supply issues and if there are drainage issues.

The applicant do not claim that the properties are unfit for habitation but that the loss of the residential units should be allowed on the basis that:

"The MOD currently does not have a requirement for the property for residential use nor do we have the ability to terminate the head lease with Annington as this lease requires the MOD to terminate a minimum of twenty properties which we are unable to do.

This provisional arrangement is therefore considered the only viable option and is an opportunity of bringing the property back into effective occupation rather than it remain empty."

The leasing arrangements between the MoD and Annington is not a good planning reason to allow the loss of scarce residential units, given the shortage of such units within the Borough and across London. There is also a concern that, if approved, this would result in a strong precedent for other units with similar leasing arrangements to be converted to non-residential use resulting in a further loss of residential units.

Subsequently, it is considered that the applicant has failed to provide sufficient information and evidence to demonstrate that this case could be considered as an exceptional circumstance which would warrant the loss of residential units. Therefore, the proposal is unacceptable, in principle.

Consequently the proposal would result in the loss of the existing residential units, which

are suitable with or without adaptation for residential use and would thus result in the diminution of the Council's existing housing stock to the detriment of the future housing needs of the borough. The proposal is therefore contrary to Policy DMH 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy 3.14 of the London Plan (2016).

**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**

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'. Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposal is for the change of use from residential to Class F1a as a small independent day school and as there will not be any external alterations there will no adverse impact on the street scene.

## **7.08 Impact on neighbours**

Policy DMHB 11 B) of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to safeguard the amenities of neighbouring residents in terms of loss of light, loss of outlook, sense of dominance and loss of privacy.

New Community Infrastructure Provision

7.7 Development/redevelopment of social and strategic infrastructure should be designed to meet the needs of their intended occupants, taking into account any appropriate regulations and national design and space standards. New development should not unduly harm residential amenity, the environment or transport infrastructure in line with all the policies in this document. They must also be appropriate for their surroundings in terms of scale, character and mix of uses.

No external alterations or extensions are proposed however, the use could give rise to potential adverse affects on the amenities of the neighbouring properties within this primarily residential area.

With regards to the impact on neighbouring residential amenity, the proposal is for a therapeutic day school for 20 young people. No further information on the use is provided, but it is presumed that the proposal includes the use of the rear gardens for playground/recreation. The site is surrounded on all sides by residential properties and is in a secluded and quiet location. Its use as a school, including the comings and goings and the use of the rear areas, allied to the number of pupils proposed would result in a significant increase in noise and disturbance to nearby residential properties, and as such would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore, the proposal would be contrary to Policy 7.15 of the London Plan (March 2016), Policy EM8 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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

Not applicable to this application.

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

Highways Officer commented as follows:

### **Site Characteristics & Background**

The address consists of a pair of semi-detached 3-bedroom dwellings located within a residential MOD housing estate catchment in Uxbridge. The applicant states that the address has been utilised as a child nursery but no further detail has been provided. It is proposed to convert the two dwellings to a small school F1(a) use class for 20 'troubled' teenagers and 8 FTE staff in attendance operating during weekdays only between the hours of 8.30am to 4.30 pm.

There are no direct on-plot parking provisions but 4-5 perpendicular spaces front the dwellings on what is un-adopted private (MOD) highway. 2 of the said spaces are included within the submitted 'red-line' site boundary and would be dedicated to the proposed use. The unadopted status applies to Dowding Road in its entirety which does not exhibit any parking controls and is relatively narrow in width. The site address exhibits a low public transport accessibility level (PTAL) rating of 1b which is considered as very poor which therefore heightens dependency on the use of private motor transport.

## Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

Assessment related to parking provisions (including vehicular trip generation) for F1 (formally D1) planning use classes is undertaken on a 'case by case' basis via a transport assessment and travel plan.

The applicant states that 20 pupils (ages 11-17) would attend the address during weekdays only between the hours of 8.30am to 4.30 pm. Given the age demographic which is unlikely to generate use of private motor transport by patrons, it is highlighted that attendees would usually arrive by 'shared' taxi funded by this borough's educational services. This would result in approximately 4 taxis dropping off and picking up at staggered periods during the morning and afternoon respectively. The two dedicated parking spaces on the frontage (within the red-line site boundary) would be utilised for this purpose reverting to general parking provisions for the local and immediate community outside of the above-mentioned weekday operational hours.

8 'FTE' staff are indicated and there are no specific parking allocations presented for this aspect of the proposal. Although the applicant states that staff would not be allowed to park on-site, it is considered that the poor PTAL rating is likely to encourage some private car use which would potentially generate several cars parked in the vicinity as a result.

The surrounding residential properties are predominantly devoid of on-plot parking facilities which places parking burden on the roadway thereby reducing on-street parking capacity which would potentially give rise to a conflict in demand if the proposal proceeds. As the applicant has not provided any detail or evidence with regard to the level of present on-street parking demand and whether any spare capacity exists which could satisfactorily accommodate parking displacement generated by the proposal, the default position is a refusal on insufficient on-plot parking grounds as private car dependency generated by the proposal is likely to be high due to the very poor PTAL rating which can potentially result in undue loss of on-street parking provision for local residents and injudicious parking displacement onto the unrestricted public highway. Understandably the Council has a duty of care to prevent such eventualities wherever possible.

## Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider 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.

It is considered that as the dominant 'taxi' bound mode of attendance by students is realistic, the level of this mode of activity combined with staff attendance is anticipated to be marginal in traffic generation terms and therefore does not raise any specific highway concern or objection.

## Cycling Provision

In terms of cycle parking there should be a provision of at least '1 secure and accessible space per 10 staff or students' in order to conform to the adopted minimum borough cycle

parking standard. 3 spaces are therefore required and cycle racks are proposed. However, no detail is presented hence this aspect should be secured via planning condition.

Conclusion

Refusal on insufficient on-plot parking grounds is recommended as follows:-

"The proposed development fails to provide sufficient on-plot parking resulting in substandard car parking provisions, potentially leading to undue on-street parking demand to the detriment of on-street parking capacity and public/highway safety contrary to Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3 and 6.13 of the London Plan (2016).

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

Access officer commented as follows:

This proposal to convert two existing dwelling houses into an independent school has been assessed with reference to the 2016 London Plan and its contained policy 7.2, as well as the obligations on the Local Planning Authority to give due regard to its Equality Act 2010, Public Sector Duty.

The existing dwelling houses are considered to be inaccessible to wheelchair users, however as there Use Class would change if granted permission, and as alterations to the internal are proposed to allow its use as a school, then the opportunity must be taken to make the building as accessible as a reasonably practicable for a disabled pupil using a wheelchair.

If the council is to approve this proposal, the following provisions should be secured on a revised set of plans:

1. The proposed plan does not currently include any WC provision for disabled people and at least one accessible unisex toilet should be provided. The accessible toilet should be designed in accordance with the guidance given in Approved Document M to the Building Regulations 2010 (2015 edition).
2. Level or suitably ramped access should be detailed on a dedicated scale drawing of 1:50, to include ramp width, handrail detail, intermediary landings, top and bottom landings, and intended gradient.

The following Informative should be attached to any approval:

The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Conclusion: revised plans should be requested prior to any approval

#### **7.12 Disabled access**

As discussed above

#### **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**
- The issue of noise has been discussed above. There are no air quality implications.
- 7.19 Comments on Public Consultations**
- The concerns raised following public consultation have been addressed within the relevant sections of this 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**

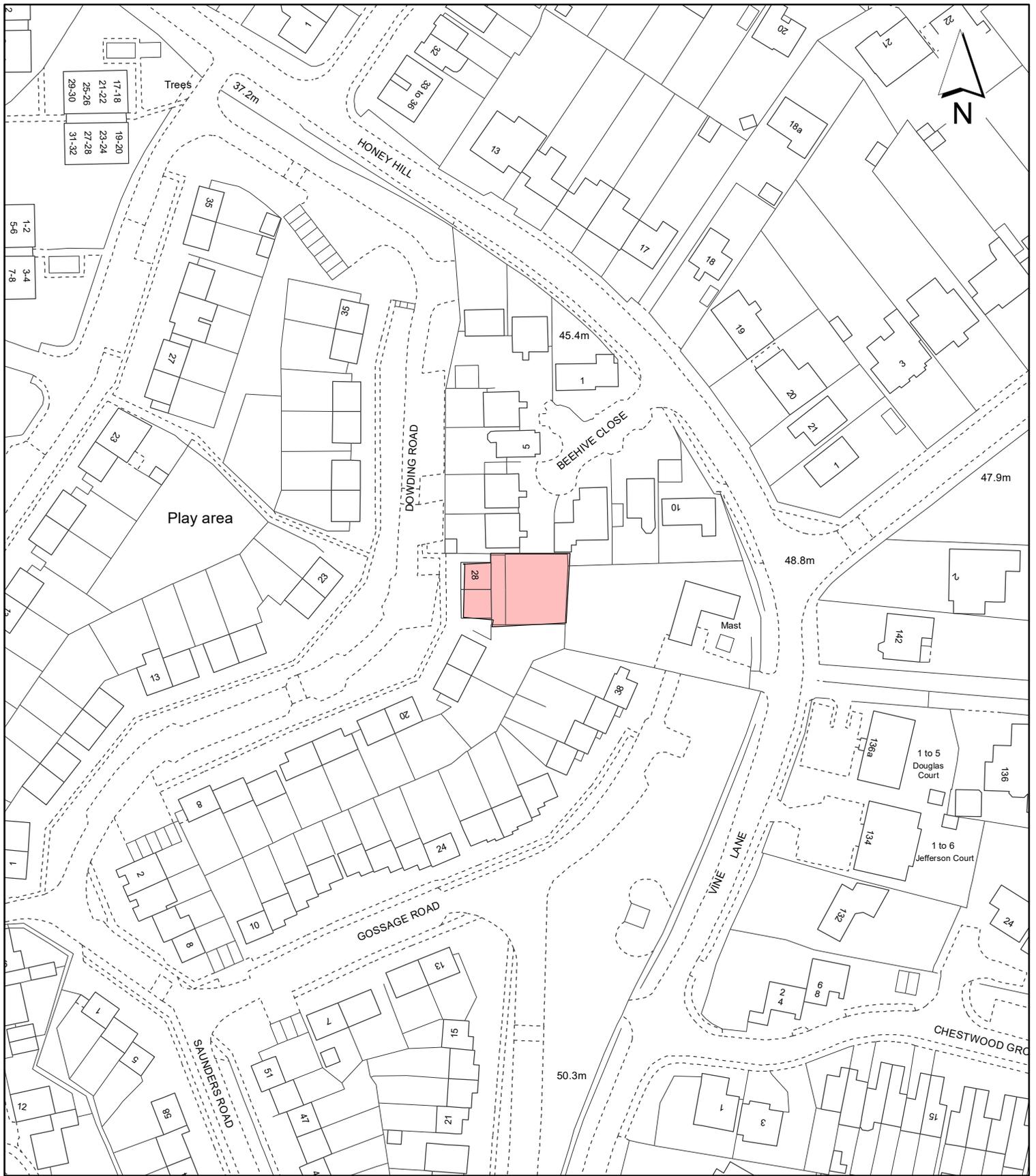
This application seeks the change of use of the building to provide educational facilities and would result in the loss of residential units. In addition it would be harmful to the neighbouring amenity and the local highways network. For the reasons explained in this report, the application is recommended for refusal

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

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012)  
Hillingdon Local Plan Part 2  
The London Plan (2016)  
Supplementary Planning Document 'Accessible Hillingdon'  
National Planning Policy Framework

**Contact Officer:** Diane Verona

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**26-28 DOWDING ROAD  
 HILLINGDON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**75328/APP/2020/3570**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2021**



**HILLINGDON**  
 LONDON

## Report of the Head of Planning, Transportation and Regeneration

**Address** 26A HAWTHORNE CRESCENT WEST DRAYTON

**Development:** Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights

**LBH Ref Nos:** 74982/APP/2020/592

**Drawing Nos:** BC/PP/2230-00 Rev. A  
BC/PP/2230-01 Received 14-01-2021  
BC/PP/2230-02 Received 14-01-2021  
BC/PP/2230-04 Received 14-01-2021  
BC/PP/2230-03 Received 14-01-2021

**Date Plans Received:** 20/02/2020      **Date(s) of Amendment(s):**

**Date Application Valid:** 20/02/2020

### 1. **SUMMARY**

The proposal involves the conversion of the roof space to habitable use to include a rear dormer and 3 front roof lights.

It is considered that the proposed rear dormer window by reason of its size, scale, bulk and design will create a top heavy appearance harmful to the design of the dwelling and character of the area

### 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

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

The proposed rear dormer window, by reason of its size, scale, bulk, and design would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

### **INFORMATIVES**

#### 1      I52      **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      I53      **Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHB 14	Trees and Landscaping
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking

### **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 Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

### **4 171 LBH worked applicant in a positive & proactive (Refusing)**

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. The Council has, however, been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application site comprises a recently developed detached two storey dwelling located off the Southern side of Hawthorne Crescent and accessed through a narrow pedestrian footpath. The site is adjacent to the end-of-terraced dwelling at No. 26 Hawthorne Crescent.

No.26 forms part of a terrace of five properties, which are modern in appearance and are similar in character to other properties in the immediate locality. To the South of the site are the rear gardens of residential properties on Kings Road; to the West, the site abuts an adopted footpath beyond which is Edison Close and immediately to the East of the site (across the pedestrian footpath) is the rear garden of the end-of-terraced dwelling at No. 28 Hawthorne Crescent. The dwelling is now substantially completed.

### **3.2 Proposed Scheme**

Conversion of roof space to habitable use to include a rear dormer and 3 x front roof lights.

### **3.3 Relevant Planning History**

44222/APP/2012/234 26 Hawthorne Crescent West Drayton

PROPOSAL TO PROVIDE AN ADDITIONAL TWO BEDROOM ATTACHED HOUSE TO THE EXISTING BUILDING

**Decision:** 24-02-2012 NFA

44222/APP/2016/304 Land Adjacent To 26 Hawthorne Crescent West Drayton  
Two storey, 2-bedroom, detached dwelling with associated amenity space

**Decision:** 25-04-2016 Approved

44222/APP/2017/1594 Land Adjacent To 26 Hawthorne Crescent West Drayton  
Two storey, 2-bedroom, detached dwelling with associated amenity space. 44222/APP/2016/304  
Conditions(s) CONDITION NO 3, 4, 5 AND 9.

**Decision:** 29-06-2017 NFA

74982/APP/2019/2447 26a Hawthorne Crescent West Drayton  
Conversion of roofspace to habitable use to include a rear dormer and 1 x additional front rooflight

**Decision:** 17-09-2019 Withdrawn

74982/APP/2020/1720 26a Hawthorne Crescent West Drayton  
Single storey outbuilding to rear to be used as a shed (part retrospective)

**Decision:** 15-07-2020 Refused

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

44222/APP/2017/1810 - Two storey, 2-bed detached dwelling with parking and amenity space on land adjacent to No. 26 Hawthorne Crescent. Approved. Condition 08 removed permitted development rights.

74982/APP/2019/2447 - Conversion of roofspace to habitable use to include a rear dormer and 1 x additional front rooflight. Withdrawn on grounds that dwelling was not substantially complete.

Officers comments: The dwelling is now substantially complete. Although scaffolding remains, the main structure is complete with only windows and doors to be installed.

74982/APP/2020/1720 -Single storey outbuilding to rear to be used as a shed (part retrospective). Refused.

#### **4. Planning Policies and Standards**

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The Local Plan: Part 2 - Site Allocations and Designations (2020)  
West London Waste Plan (2015)  
The London Plan - Consolidated With Alterations (2016)

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

#### Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:  
(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);  
(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and  
(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

#### Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

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

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12	Streets and Public Realm
DMHB 18	Private Outdoor Amenity Space
DMHB 14	Trees and Landscaping
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking

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

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

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

## **6. Consultations**

### **External Consultees**

Neighbours were notified on 24/02/2020. By the end of the notification period three individual objections were received together with a petition with 22 valid signatures. In summary the following objections and comments were made:

- (1) The proposal is over-development of the site/the proposals are in place.
- (2) Intended be used as a HMO, therefore resulting in insufficient local parking
- (3) Increased overlooking/loss of privacy
- (4) Potential harm to a tree subject to a TPO.
- (5) Failure to complete a retaining wall to rear of No.9 Kings Road
- (6) Damaged fence not made good.

Officer comment: The issues raised are considered below.

### **Internal Consultees**

Highways Officer:

The Highways and Traffic Officer has expressed concern regarding lack of car parking. An amended plan has been submitted which makes it clear that the off site car parking remains as per the original planning permission for the dwelling.

Trees and Landscape Officer:

This site is occupied by a recently built two-storey end of terrace house in Hawthorne Crescent. While there are no notable landscape features within the site, there is a protected ash tree, T1 on the schedule of TPO 778, in one of the back gardens of Kings Road, which over-sails the side garden of number 26A. No trees will be affected by the proposed extension in the roof space, which is all within the existing footprint of the building.

RECOMMENDATION: No objection and no need for landscape conditions

Contaminated Land Officer - no objections

## **7. MAIN PLANNING ISSUES**

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

The site is a dwelling to which extensions would be acceptable in principle, subject to compliance with the Council's policies and standards.

## **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**

Local Plan: Part 2 - Development Management Policies (2020) Policy DMHD 1: Alterations and Extensions to Residential Dwellings states:

A) Planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;
- ii) a satisfactory relationship with adjacent dwellings is achieved;
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;
- iv) new extensions respect the design of the original house and be of matching materials;
- v) there is no unacceptable loss of outlook to neighbouring occupiers;
- vi) adequate garden space is retained;
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;
- viii) trees, hedges and other landscaping features are retained; and
- ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale, proportions, roof form, window pattern, detailed design and materials.

E) Roof Extensions

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

Local Plan: Part 2 - Development Management Policies (2020) paragraph A1.20 states - The design of roof extensions should not create a dominant 'top heavy' appearance out of

proportion with the rest of the building. It should be lower than the height of the main ridge and sit well above the eaves and away from the roof's hips and valleys. As a guide, new roof extensions should not cover more than a third of the main roof.

Paragraph A1.21 states - A dormer window should be no larger in size than those on the first floor and comprise an individual window and roof. This is preferable to a roof extension and will be required in Conservation Areas and Areas of Special Local Character. Only rear roof extensions and rear dormer windows will be considered acceptable.

Paragraph A1.23 states - No direct overlooking will be permitted. Adequate distance should be maintained to any area from which overlooking may occur. Regard should be given to the character of the area and the distances between buildings but as a guide, the distance should not be less than 21m between facing habitable rooms and windows and 24m from window to patio to window. However, in these situations where the distance between existing houses already breaches this distance, any new development should not result in any additional overlooking.

The proposed dormer window is set lower than the height of the main ridge and sits above the eaves and away from the edges of the roof. However, it will cover more than two thirds the width of the main roof and its design, with windows which are much larger than those on the first floor results in a development which creates a dominant and top heavy appearance and is out of proportion with the rest of the building.

The front roof lights are small and proportional to the main roof, however, the proposed rear dormer window, by reason of its size, scale, bulk, and design would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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

The proposed dormer window is rear facing looking towards Edison Close with the flank wall of No. 2 being the closest at approximately 18 metres to the rear of the dwelling. The proposed dormer window faces towards No. 2 but at an oblique angle. There are no habitable room windows on this side of the dwelling. No. 28 Hawthorne Crescent is a similar distance away from the front of the application dwelling containing the roof lights but also at an oblique angle. Any potential views will be of the front of No. 21. No other property is within 21 m of the development.

Paragraph A1.23 of the Local Plan states that no direct overlooking will be permitted. Adequate distance should be maintained to any area from which overlooking may occur. Regard should be given to the character of the area and the distances between buildings but as a guide, the distance should not be less than 21m between facing habitable rooms and windows and 24m from window to patio to window. However, this is a situation where the distance between existing houses already breaches this distance and in such cases any new development should not result in any additional overlooking. Part of the rear dormer includes a bathroom and the window can be obscure glazed. The front roof- lights are high level and at an oblique angle to the rear of No. 28 Hawthorne Avenue. Overall it is not considered that the development will lead to a material increase in overlooking or loss of privacy.

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

The roof level accommodation creates an additional bedroom and an on-suite bathroom.

The bedroom is well lit by the dormer window and the three rooflights and forms an appropriate living standard for future occupiers.

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

Hawthorne Crescent is a quiet residential road with no on street parking restrictions. The site is located at the end of a pedestrian walkway with no identifiable vehicle access. The application proposes no changes to the public highway or pedestrian facilities in the area. The proposed development will convert a two bedroom property to a three bedroom property in an area with a PTAL of 2 (poor). There appears to be no off street parking associated with the development. There is a concern that no parking has been considered for the new development. Due to the location of the site the provision of a parking space may not be possible. Before a decision can be made further details are required in regard to access to the development by all modes but in particular by vehicles, walking and cycling, by the applicant. There are currently objections to this application on the grounds of insufficient information.

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

No urban design or security issues are raised. Access issues are dealt with above.

#### **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**

While there are no notable landscape features within the site, there is a protected ash tree, T1 on the schedule of TPO 778, in one of the back gardens of Kings Road, which over-looks the side garden of number 26A. No trees will be affected by the proposed extension in the roof space, which is all within the existing footprint of the building.

#### **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**

Houses in Multiple Occupation, including those which fall within Class C4 benefit from the permitted development rights granted to dwellinghouses by the GDPO. Class C4 use is defined as use of a dwellinghouse by not more than six residents as a "house in multiple occupation. Any occupation beyond 6 persons would require express planning permission. No Certificate of Proposed use had been received. In relation to the concurrent application for the shed set out in the Planning History, the agent has confirmed that that is not to be used as part of an HMO or as a bedroom. The application gives no intention or suggestion to use the dwelling in this manner and it would be inappropriate to consider any planning implications against the current proposals.

Retaining wall - this was not a matter considered under the determination of the parent planning permission and there are no relevant conditions.

Damaged fence - this is a private matter between the relevant parties.

All planning matters raised are considered within the body of this 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 proposal involves conversion of roof space to habitable use to include a rear dormer and 3 x front roof lights.

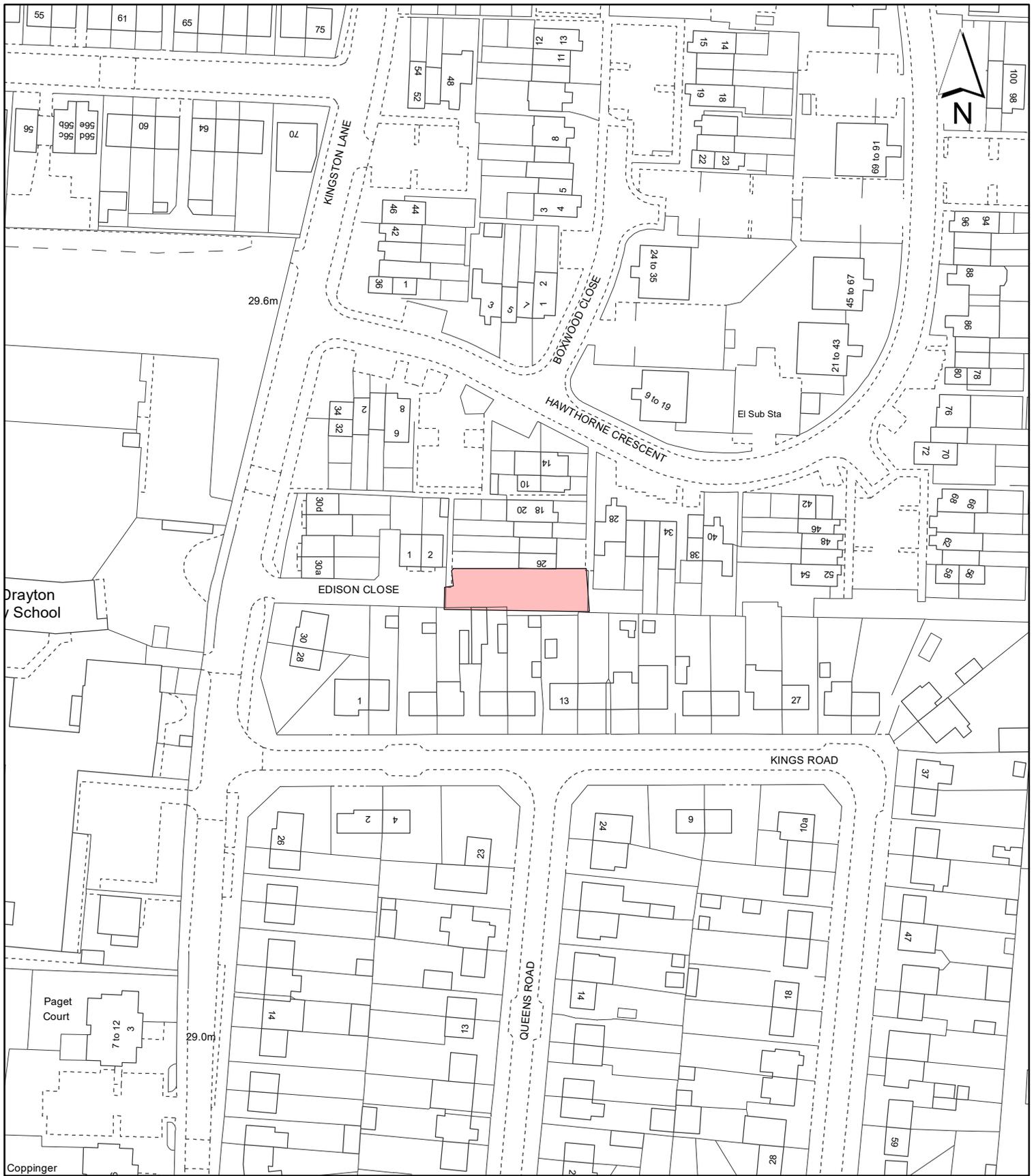
It is considered that the proposed rear dormer window by reason of its scale and design will create a top heavy appearance harmful to the design of the dwelling and character of the area

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

The Local Plan: Part 1 - Strategic Policies (2012)  
The Local Plan: Part 2 - Development Management Policies (2020)  
The London Plan - Consolidated With Alterations (2016)  
The National Planning Policy Framework (NPPF) (2019) .

**Contact Officer:** Cris Lancaster

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**26A HAWTHORNE CRESCENT  
 WEST DRAYTON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**74982/APP/2020/592**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South** Page 35

Date:  
**February 2021**



**HILLINGDON**  
 LONDON

This page is intentionally left blank

## Report of the Head of Planning, Transportation and Regeneration

**Address** REAR OF 1-3 COLHAM MILL ROAD WEST DRAYTON

**Development:** Retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective)

**LBH Ref Nos:** 52884/APP/2020/2090

**Drawing Nos:** 2020-1CMR-COU-2 Rev. 1.0  
2020-1CMR-COU-3 Rev. 1.0  
2020-1CMR-COU-4 Rev. 1.0  
2020-1CMR-COU-5 Rev. 1.0  
2020-1CMR-COU-6 Rev. 1.0  
2020-1CMR-COU-1 Rev. 1.0A

**Date Plans Received:** 07/07/2020      **Date(s) of Amendment(s):**

**Date Application Valid:** 21/07/2020

### 1. SUMMARY

The application seeks planning permission for the retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective). The proposal is considered acceptable on visual grounds and would not result in an unacceptable loss of amenity to neighbouring occupiers. Furthermore the proposal would not have a detrimental impact upon highway safety.

The application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 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 2020-1CMR-COU-2 Rev. 1.0, 2020-1CMR-COU-4 Rev. 1.0, 2020-1CMR-COU-5 Rev. 1.0 and 2020-1CMR-COU-6 Rev. 1.0 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 Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

#### 2 COM22 Operating Hours

The premises shall not be used except between 0800 and 18.00, Mondays - Fridays and 1000 to 1600 Saturdays.

#### REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

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

Within three months of the date of this decision 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
  - 2.b Cycle Storage
  - 2.c Means of enclosure/boundary treatments
  - 2.d Hard Surfacing Materials
  - 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 development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 14, DMEI 1 and DMT 6 of the Hillingdon Local Plan Part 2 (2020).

#### **4 COM12 Use Within Same Use Class**

The premises shall be used for office use within Use Class E(g)(i) and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 1987) as amended.

#### REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

### 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 Local Plan Part 1 (2012) and Part 2 (2020) 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.

DME 3	Office Development
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMT 2	Highways Impacts
DMT 6	Vehicle Parking

### **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 Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

### **4 170 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 Local Plan Part 1, Local Plan Part 2, 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 located to the South of Nos. 1-3 Colham Mill Road, which are two storey properties with small rear gardens and to the West of the retail properties on Station Road, also two storey. To the South of the site lies No. 4 and 4a, which are semi-detached bungalows. The site comprises former derelict land on a 350 sq.m plot with three garages used for storage. Access to the site is via Colham Mill Road. 4 containers have been placed on the site.

The site has a PTAL rating of 2.

### **3.2 Proposed Scheme**

The application seeks planning permission for the retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective).

### **3.3 Relevant Planning History**

52884/APP/2000/429 Land At Rear Of 2 And 3 Colham Mill Road West Drayton  
ERECTION OF A SINGLE STOREY BLOCK OF FOUR GARAGES

**Decision:** 01-12-2000 Approved

52884/APP/2016/1978 Rear Of 1-3 Colham Mill Road West Drayton

2-bed detached bungalow with associated parking and amenity space.

**Decision:** 19-09-2017 Refused

**Appeal:** 16-10-2018 Dismissed

52884/PRC/2015/195 Land At Rear Of 2 And 3 Colham Mill Road West Drayton

2 x 2 bedroom, two storey dwellings

**Decision:** 03-03-2016 OBJ

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

It is noted that planning permission was refused under application reference 52884/APP/2016/1978 for the erection of a 2-bed detached bungalow with associated parking and amenity space for the following reasons:-

1. The proposal, by reason of its size, bulk, and proximity, with inadequate separation distances between the proposed dwelling and the existing properties at 2 and 3 Colham Mill Road, would result in an overly dominant, visually intrusive and an un-neighbourly form of development, resulting in a material loss of residential amenity. Therefore the proposal would be contrary 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 Layouts.

2. The proposal has not demonstrated that sufficient off street parking/manoeuvring/access arrangements would be provided, and therefore the development is considered to result in substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety and contrary to policy AM14 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012), to Hillingdon's Adopted Parking Standards as set out in the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposal would result in the provision of habitable rooms with very poor levels of outlook and light to the detriment of the amenities of future occupiers. The proposal is therefore contrary to Policies BE19 and BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.5 of the London Plan (2016).

4. The proposed building would constitute a cramped form of development, largely filling the space to the 1-3 Colham Mill Road which would result in the closing of an important gap characteristic to the area and would be visually at odds with the predominant character, appearance and scale of buildings within the surrounding street scene and would thus be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan and the council's adopted Supplementary Planning Document HDAS: Residential Layouts.

An appeal was subsequently dismissed which is discussed in the sections below.

## **4. Planning Policies and Standards**

## UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DME 3 Office Development

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

### 6. Consultations

#### External Consultees

25 neighbouring properties were consulted by letter dated 22.7.20.

7 letters of objection have been received raising concerns relating to:

1. The area was supposed to be used for over-flow parking for the cafe
2. The additional parking and office use will detract from highway safety and congestion in a busy area
3. Concerns about health and safety
4. Concerns whether the building complies with building regulations
5. Development out of keeping with the character of the area

Officer note: The planning issues are addressed in the sections below. It is also noted that the application site does not have an authorised use for parking in connection with the cafe.

The application has been referred to Committee by the Ward Councillor who has raised the following concerns:

1. That the building is out of character with the street scene and surrounding area.
2. That it results in a loss of amenity space to adjoining residential properties.
3. That it encourages "backland" commercial development.

#### Internal Consultees

Highways Officer:

This is a part retrospective application for retention of four containers and change of use from car parking to office use with associated car parking. The site is behind shops in West Drayton Town

Centre and access via dropped kerb and alleyway from Colham Mill Road. The site is currently used as an informal car parking but with minimal vehicles parked in this location, it is felt there would be limited, if any displaced parking which would impact on the restricted highway network. There are no highway objections to this application.

Landscape Officer:

This site is occupied by an area of open space behind 1 Station Road, which is accessed via a service road off Colham Mill Road. The aerial photograph from 2008 indicates that part of the space was hard surfaced and used for parking and part laid to grass. Since then the photographs indicate that the use has varied with the whole site laid to tarmac between 2015 and 2019. There are no trees and no TPO's or Conservation Area designations affecting the site.

COMMENT: There is no objection to the proposal to keep the containers and parking in this space subject to tree planting or other landscape in the site corners/boundaries to improve the relationship with adjacent residential properties. The colour/condition of the containers is not known, however, if necessary they should be painted a recessive colour, such as 'invisible green', to reduce their visual impact when viewed from outside the site.

RECOMMENDATION: No objection subject to conditions COM9 (parts 1, 2 and 5).

## **7. MAIN PLANNING ISSUES**

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

The site lies within an established developed area. It has no known lawful use, but would appear to have been used as parking, which was not related to the surrounding properties, and had a number of structures/garages on it. Given this situation it is considered that there would be no objection in principle to the office use of the site, subject to all other material planning considerations being acceptable.

### **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**

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function

of the area."

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding: · scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposal is for 4 containers which have a footprint of some 58 sq.m with a maximum height of 2.7m, adjacent to the southern boundary wall which measures 2.3m in height. It is considered that the containers do not appear prominent within the street scene and do not detract from the visual amenities of the area.

it is noted that the Inspector in the 2018 appeal decision stated:-

"The appeal building would be experienced in this context. It would be of a comparable bulk, scale and footprint with the existing bungalows and it would have a similar amount of amenity space. The proposal would also have space about it, being set some 3.6 metres away from the western boundary and 1 metre from the southern boundary. Although it would develop an otherwise open parcel of land, due to the proposed layout, height and overall scale, the proposal would respond successfully to the character and appearance established by the existing bungalows rather than the 2 storey frontage development.

26. I therefore conclude that the proposal would not harm the character and appearance of the area."

It is concluded, in light of the Inspectors previous comments, which are a material consideration, and the fact that the containers are not prominent additions to the street scene, that the proposal would not unacceptably detract from the character and appearance of the locality in accordance with the requirements of Policy BE1 of the Hillingdon Local Plan (November 2012) and Policy DMHD 11 of the Hillingdon Local plan - Part Two (2020).

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

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The previously refused scheme sought permission for a bungalow measuring 4m in height.

Numbers 2 and 3 Colham Mill Road have relatively short rear gardens at a depth of approximately 6.5m. Whilst the proposed bungalow was proposed to be sited 1m off the rear boundary of these properties, a flank to rear separation distance of approximately 7.5-8 m would have been achieved between these properties. It was considered that the erection of a detached bungalow, measuring 4m in height, at a distance of just 7.5 m away from the rear elevations of numbers 2 and 3 Colham Mill Road, would have resulted in an un-neighbourly form of development resulting in an unacceptable loss of light and outlook. This view was supported by the Inspector at appeal which was dismissed on amenity grounds.

The current proposal differs from the appeal proposal in that the containers are sited along the southern boundary of the site achieving a minimum separation distance of 12m. Given the reduced height of the containers, 2.7m as opposed to 4m and the increased separation distance, it is considered that the proposal would not result in an unacceptable loss of light, outlook or privacy. The applicant confirms the hours of use are 08.00-18.00 Monday to Friday and 10am-16.00 on Saturdays. It is considered reasonable however, to impose an hours of use restriction to ensure that the occupants of nearby properties does not suffer an unacceptable level of noise and disturbance resulting from the proposed office use.

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

Not applicable to this application.

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

Policy DMT 2: Highways Impacts states:

Development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6: Vehicle Parking states:

A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity.

The Council may agree to vary these requirements when:

- i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or
  - ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.
- B) All car parks provided for new development will be required to contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

The Council's Highway Officer has confirmed that the site is behind shops in West Drayton Town Centre and access via dropped kerb and alleyway from Colham Mill Road. The site is currently used as an informal car parking but with minimal vehicles parked in this location, it is felt there would be limited, if any displaced parking which would impact on the restricted highway network. There are no highway objections to this application.

It is noted that in connection with the application for the detached dwelling on the site, the Council previously raised concerns with regard to substandard car parking provision, leading to on-street parking/queuing to the detriment of public and highway safety. The Inspector however stated:

"The Council suggest that the lack of suitable off-street parking spaces would give rise to on-street car parking and queuing which would be to the detriment of public and highway safety. However, this is not supported by any objective evidence. No car parking surveys have been provided to demonstrate that demand for on-street car parking exceeds supply and there is no evidence to suggest that existing on-street car parking is causing highway or public safety concerns.

15. The proposal may result in cars being parked on the road. However, based on the evidence that I have before me, I am not satisfied that a lack of parking provision will automatically give rise to safety concerns. I observed on my site visit that there are parking restrictions in the area and I note that the Highways Officer states that this is to allow the free flow of traffic. These restrictions would prevent cars being parked in inappropriate locations and whilst this may have an effect on the convenience of parking for future occupants, there is nothing in the evidence before me to suggest that this would be to the detriment of highway safety. 16. I therefore conclude that whilst the proposal would fail to provide suitable off-street car parking, this would not be to the detriment of public and highway safety."

The Inspector's findings, whilst in association with a proposed residential dwelling, are considered to reinforce the Highway Officers comments in relation to parking and highway safety.

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

The issues are addressed in the sections above.

#### **7.12 Disabled access**

No accessibility concerns are raised.

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

Not applicable to this application.

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

Policy DMHB 14: Trees and Landscaping requires:

A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit.

B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

C) Where space for ground level planting is limited, such as high rise buildings, the inclusion of living walls and roofs will be expected where feasible.

D) Planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey

identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

There is no objection to the proposal to keep the containers and parking in this space subject to tree planting or other landscape in the site corners/boundaries to improve the relationship with adjacent residential properties. A landscaping condition is proposed.

**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**

No noise or air quality issues are raised.

**7.19 Comments on Public Consultations**

The comments are addressed in the sections above.

**7.20 Planning obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Given that this application is for the retention of the 4 shipping containers for office use, should members refuse the application, then the matter would be the subject of a separate enforcement report to a future committee.

**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 the retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective). The proposal is considered acceptable on visual grounds and would not result in an unacceptable loss of amenity to neighbouring occupiers. Furthermore the proposal would not have a detrimental impact upon highway safety.

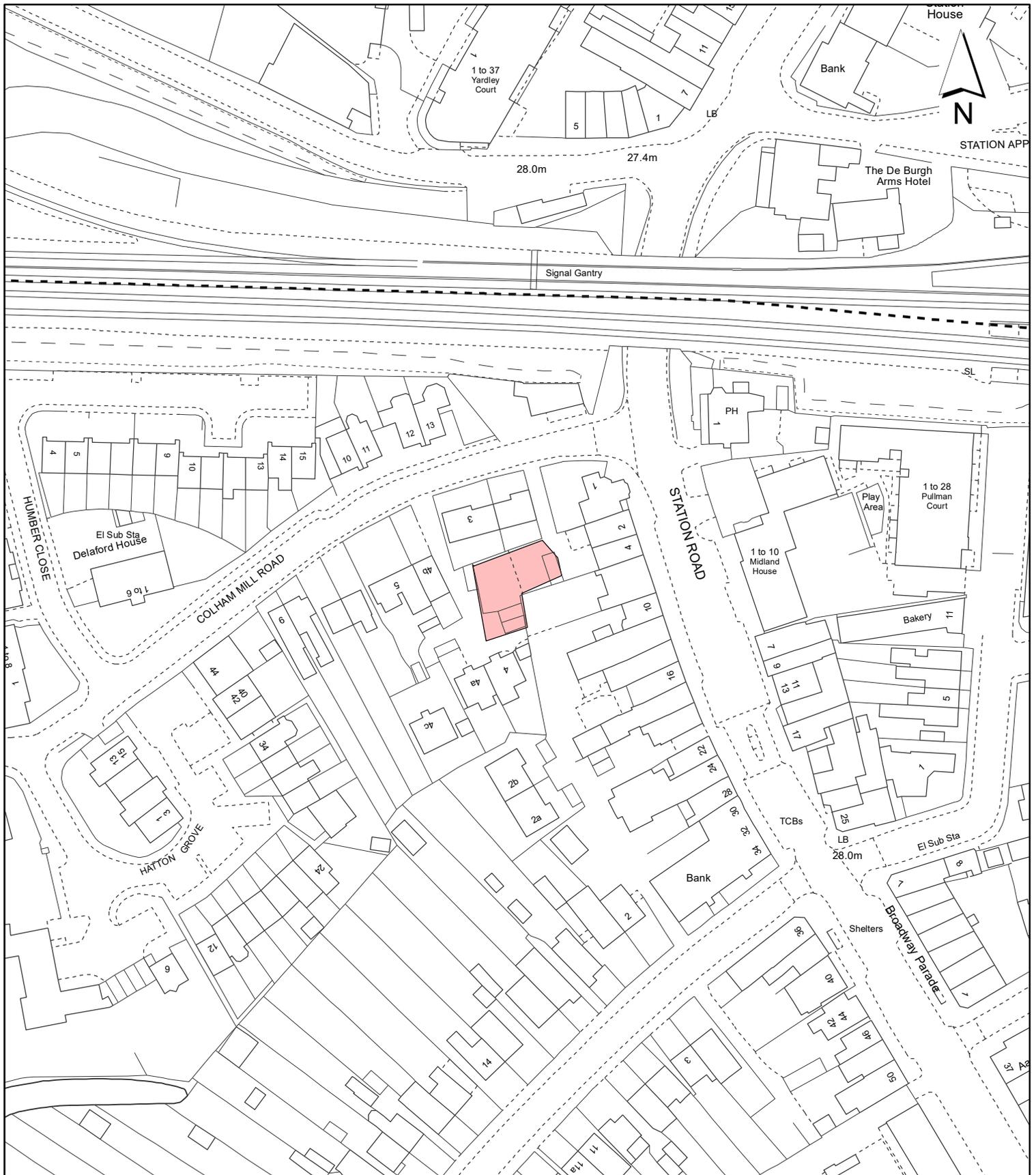
The application is recommended for approval.

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

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)  
The London Plan (2016)  
National Planning Policy Framework

**Contact Officer:** Nicola Taplin

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**REAR OF 1-3  
 COLHAM MILL ROAD  
 WEST DRAYTON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**52884/APP/2020/2090**

Scale:

**1:1,250**

Planning Committee:

**Central & South**

Date:

**February 2021**



**HILLINGDON**  
 LONDON

This page is intentionally left blank

STRICTLY NOT FOR PUBLICATION

Exempt information by virtue of paragraph(s) 2, 6a, 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972 (as amended).

# Agenda Item 9

Document is Restricted

This page is intentionally left blank

# Plans for Central & South Applications Planning Committee

Wednesday 3rd March 2021



**HILLINGDON**  
LONDON

**Report of the Head of Planning, Transportation and Regeneration**

**Address** 26-28 DOWDING ROAD HILLINGDON  
**Development:** Change of use from 2 dwellings (Use Class C3) to a building for the provision of education (Use Class F1a)  
**LBH Ref Nos:** 75328/APP/2020/3570  
**Drawing Nos:**

**Date Plans Received:** 22/10/2020      **Date(s) of Amendment(s):**  
**Date Application Valid:** 09/12/2020



26-28, Dowding Road, Uxbridge, Hillingdon, UB10 0RH



Site Plan shows area bounded by: 506659.35, 184060.32 506800.77, 184201.75 (at a scale of 1:1250), OSGridRef: TQ 6738413. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 30th Nov 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00579669-396282

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2020.



26-28, Dowding Road, Uxbridge, Hillingdon, UB10 0RH



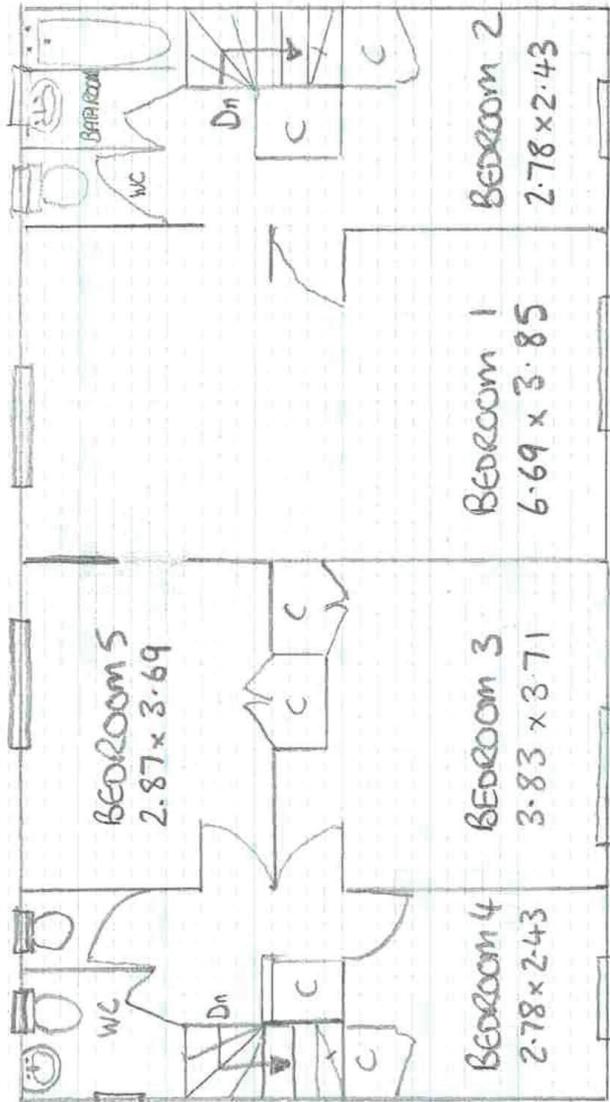
Block Plan shows area bounded by: 506685.06, 184086.03 506775.06, 184176.03 (at a scale of 1:500), OSGridRef: TQ 6738413. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

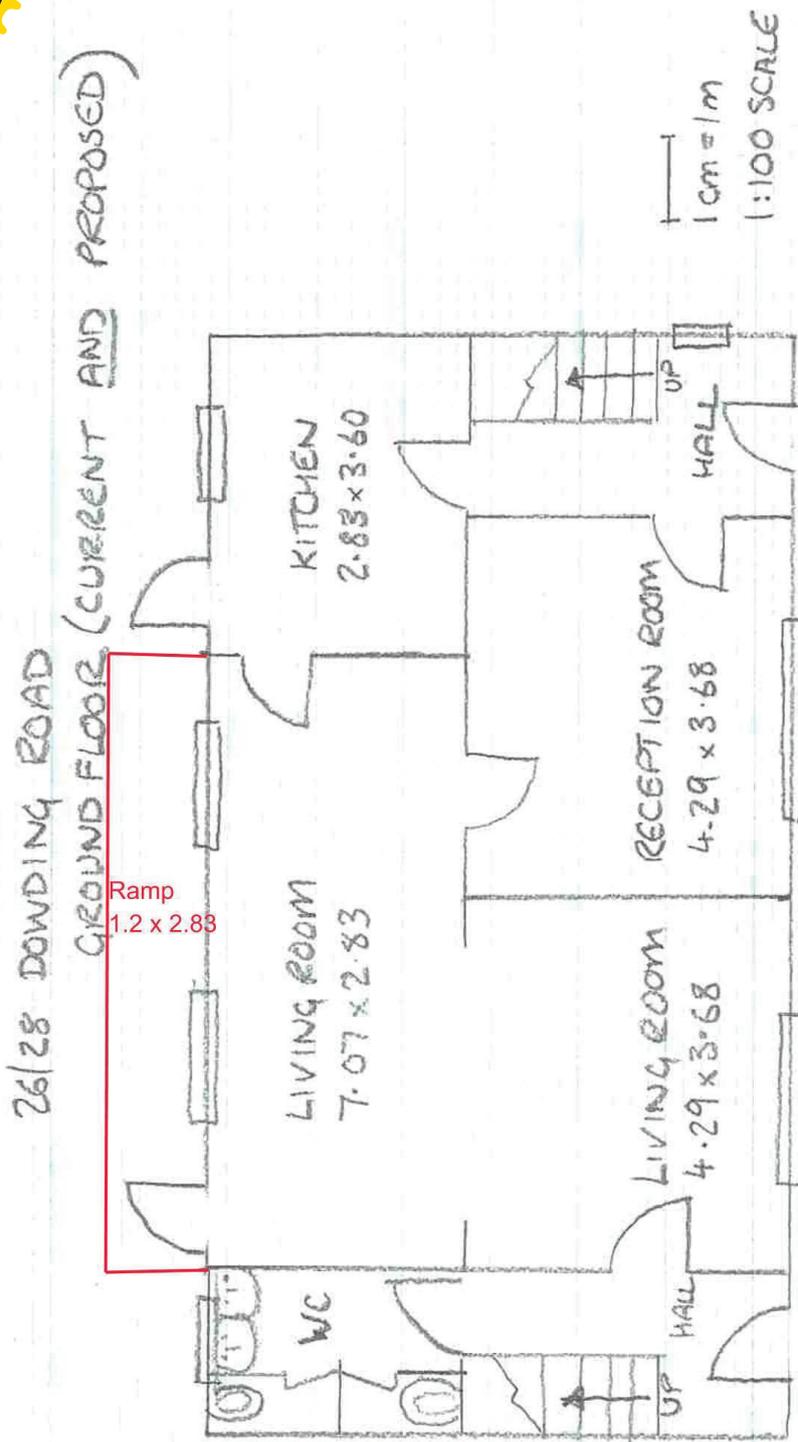
Produced on 30th Nov 2020 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2020. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00579668-249173

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2020



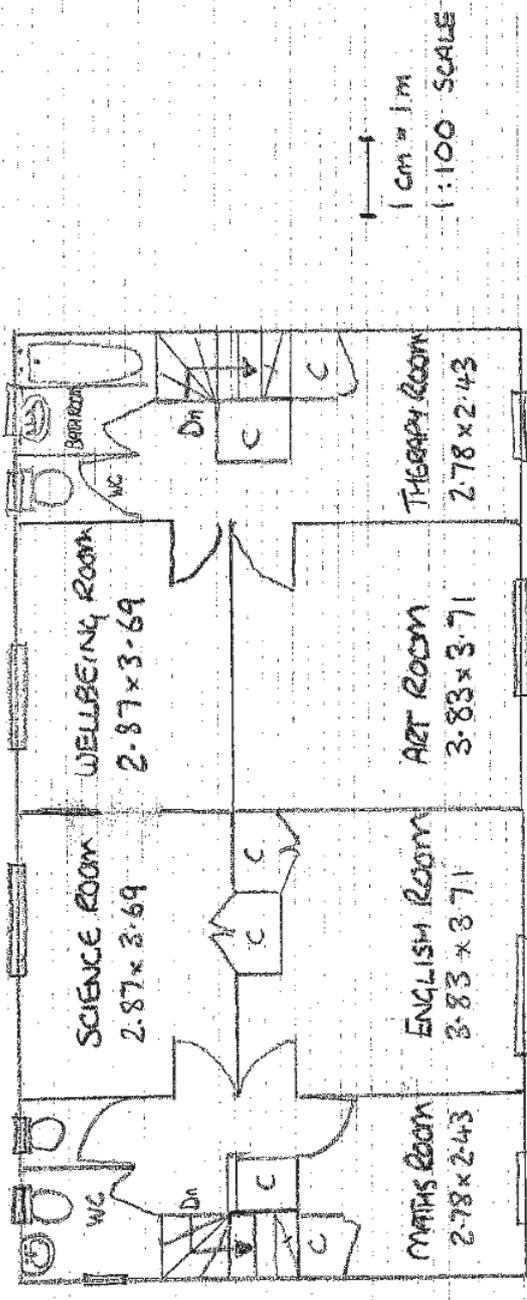
26/28 DOWDING RD  
CURRENT 1ST FLOOR



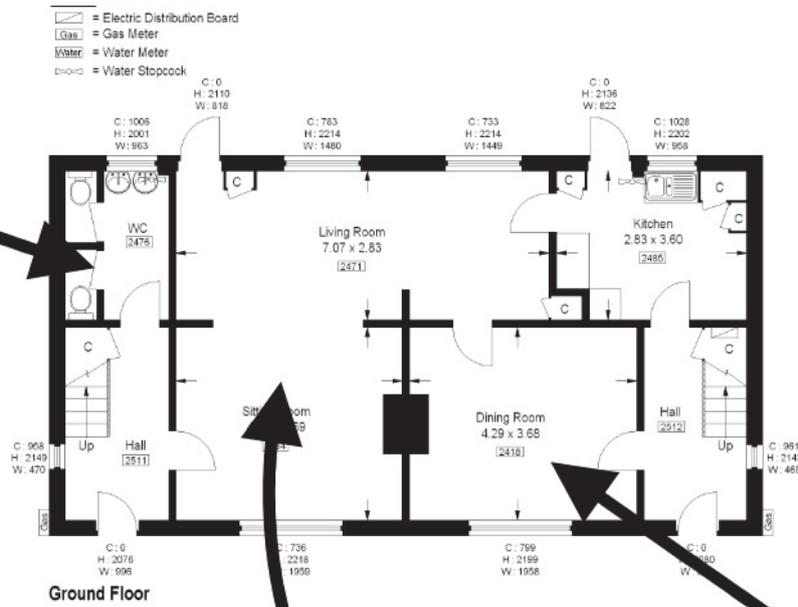




25/28 DOWDING RD  
PROPOSED 1ST FLOOR



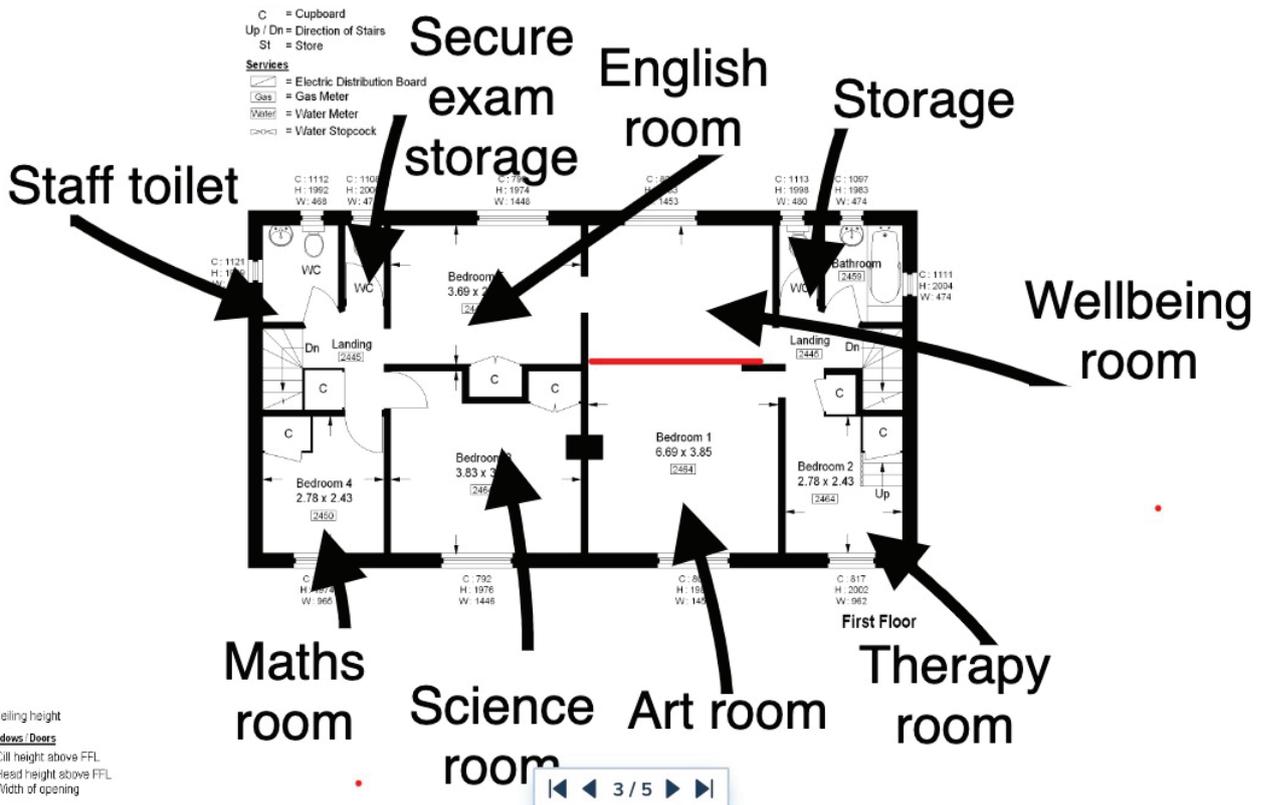
Student  
toilets

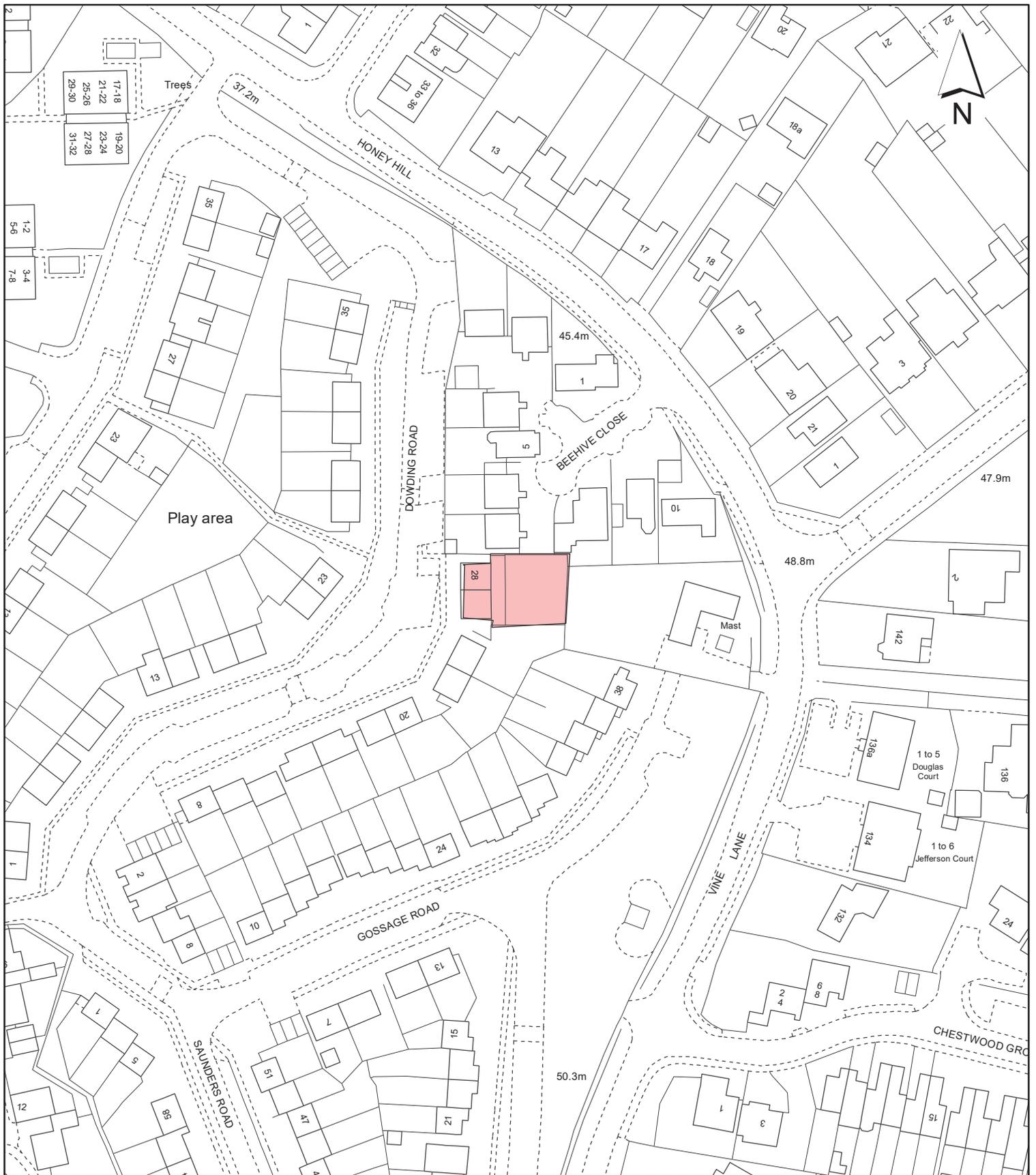


**Key**  
[2218] = Ceiling height  
**External Windows / Doors**  
C: 857 = Cill height above FFL  
H: 2101 = Head height above FFL

Community room

Office





**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**26-28 DOWDING ROAD  
 HILLINGDON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**75328/APP/2020/3570**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South of the 68**

Date:  
**February 2021**



**HILLINGDON**  
 LONDON

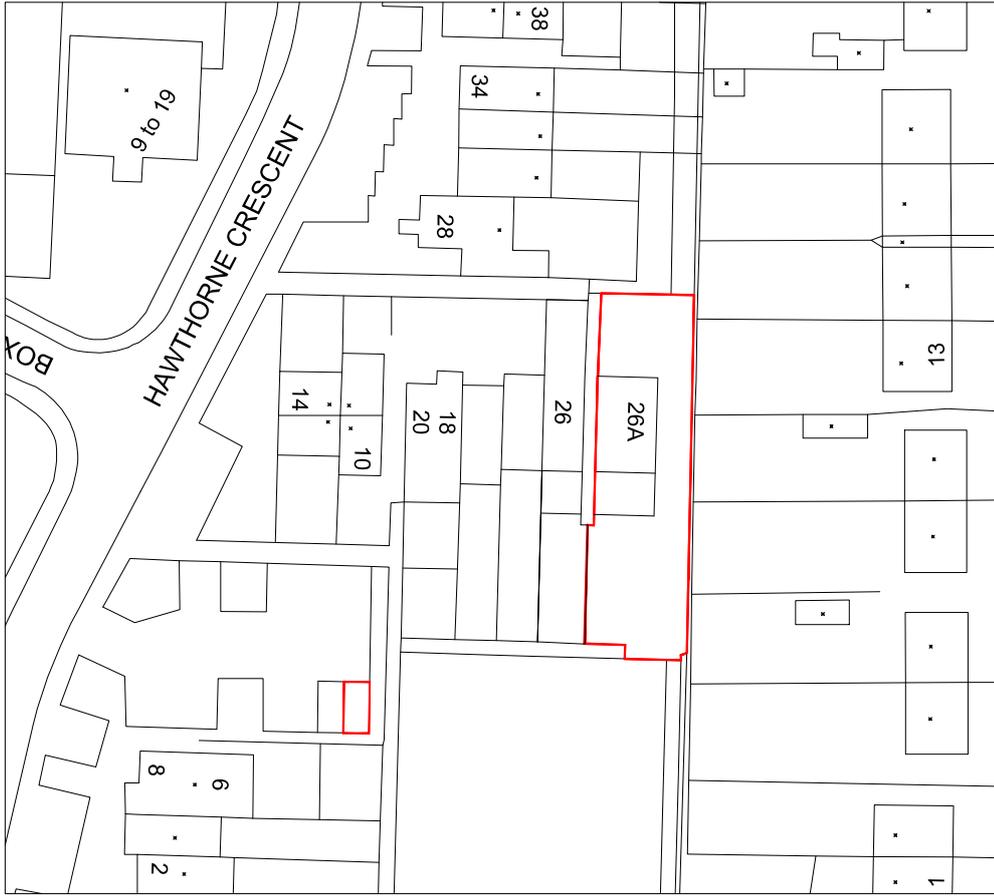
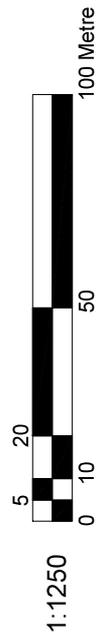
**Report of the Head of Planning, Transportation and Regeneration**

**Address** 26A HAWTHORNE CRESCENT WEST DRAYTON  
**Development:** Conversion of roof space to habitable use to include a rear dormer and 3 front roof lights  
**LBH Ref Nos:** 74982/APP/2020/592  
**Drawing Nos:**

**Date Plans Received:** 20/02/2020      **Date(s) of Amendment(s):**  
**Date Application Valid:** 20/02/2020



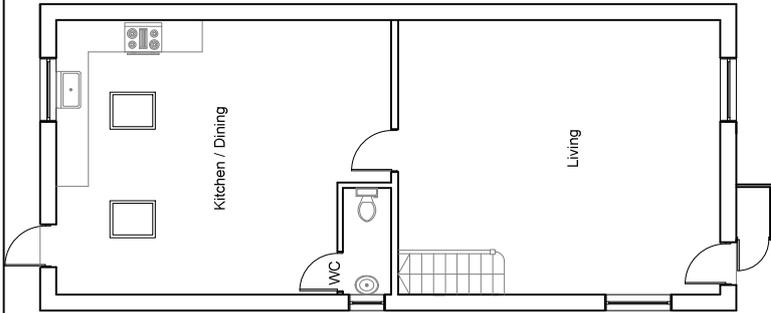
Location Plan  
Scale 1:1250



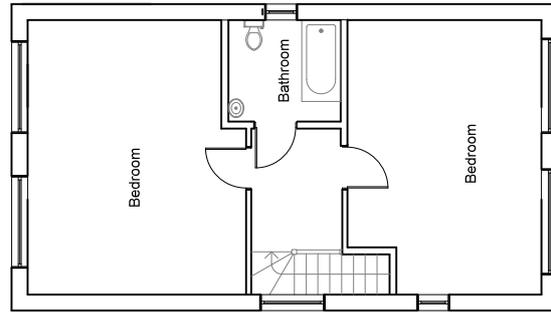
Block Plan  
Scale 1:500



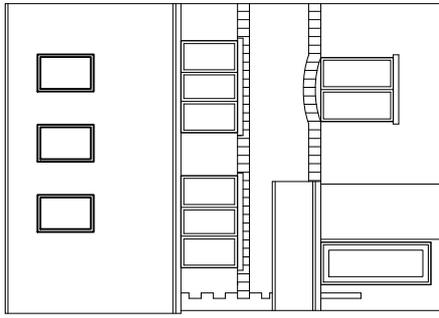
 <b>BANCIL PARTNERSHIP LTD.</b>	<small>Dimensions to be verified on site. DO NOT SCALE FROM THIS DRAWING. No responsibility is taken for their accuracy.</small> <small>This drawing is the property of <b>BANCIL PARTNERSHIP LTD</b> and is loaned to the client on the condition that it is not copied, reproduced, retained or disclosed to any unauthorised person, either wholly or in part without the consent in writing of <b>BANCIL PARTNERSHIP LTD</b>.</small>		Site Address: 26A Hawthorne Crescent West Drayton UB7 9PB	Client Detail: 26A Hawthorne Crescent West Drayton UB7 9PB	Title: Location Plan Block Plan	Scale: 1:1250/500 Paper Size: A3	Drawn By: JB	Checked By: PP	Date: 02/2020	Drawing No. BC/PP/2230 - 00	Revisions: <table border="1"> <thead> <tr> <th>Rev</th> <th>Revision</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td>A</td> <td>Car parking boundary added</td> <td>01.2021</td> </tr> </tbody> </table>	Rev	Revision	Date	A	Car parking boundary added	01.2021
	Rev	Revision	Date														
A	Car parking boundary added	01.2021															
27-29 The Broadway, Southall, Middx, UB1 1JY Tel: 020 8574 4546 Fax: 020 8574 4526																	



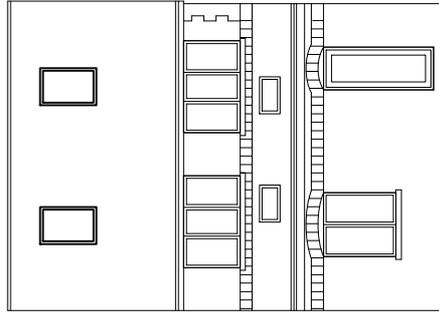
Existing Ground Floor Plan  
scale: 1:100



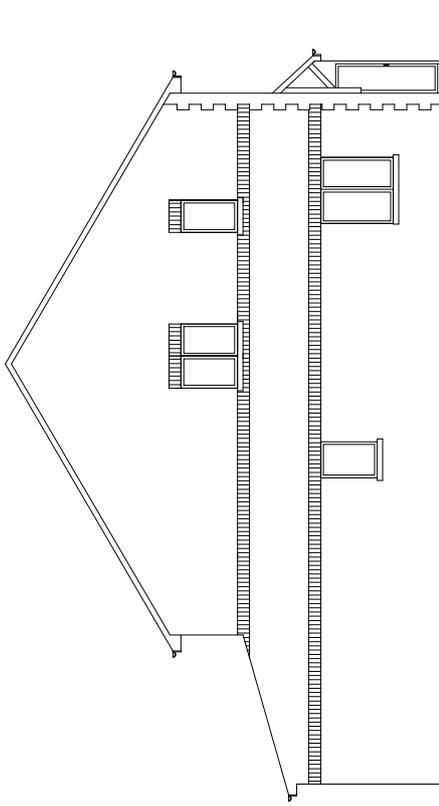
Existing First Floor Plan  
scale: 1:100



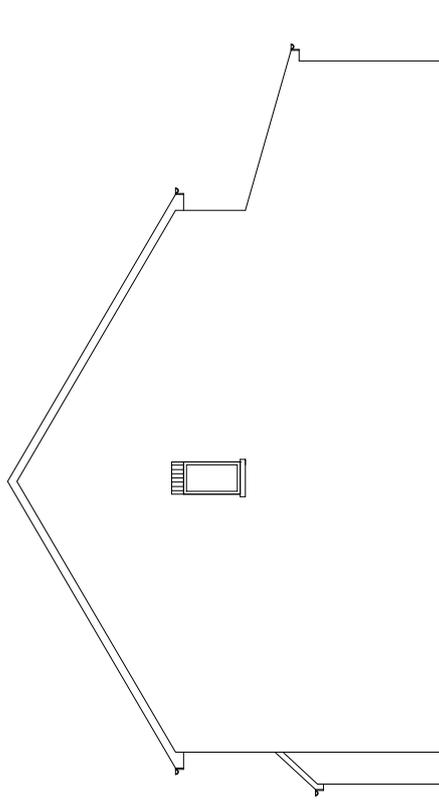
Existing Front Elevation  
scale: 1:100



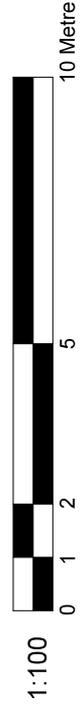
Existing Rear Elevation  
scale: 1:100



Existing Side Elevation  
scale: 1:100



Existing Side Elevation  
scale: 1:100



Dimensions to be verified on site  
DO NOT SCALE FROM THIS DRAWING.  
Any areas indicated on this drawing are for guidance only.  
No responsibility is taken for their accuracy.  
This drawing is the property of **BANCIL PARTNERSHIP LTD**  
Copyright is reserved by them and the drawing is loaned on the condition that it is not copied, reproduced, re-used or placed to any unauthorised person, either wholly or in part without the consent in writing of **BANCIL PARTNERSHIP LTD**  
27-29 The Broadway, Southall, Middx, UB1 1JY Tel: 020 8574 4546 Fax: 020 8574 4526

Site Address:  
26A Hawthorne Crescent  
West Drayton  
UB7 9PB

Client Detail:  
26A Hawthorne Crescent  
West Drayton  
UB7 9PB

Title:  
Existing Floor Plans  
Existing Elevations

Scale:  
1:100

Paper Size:  
A3

Drawn By:  
JB

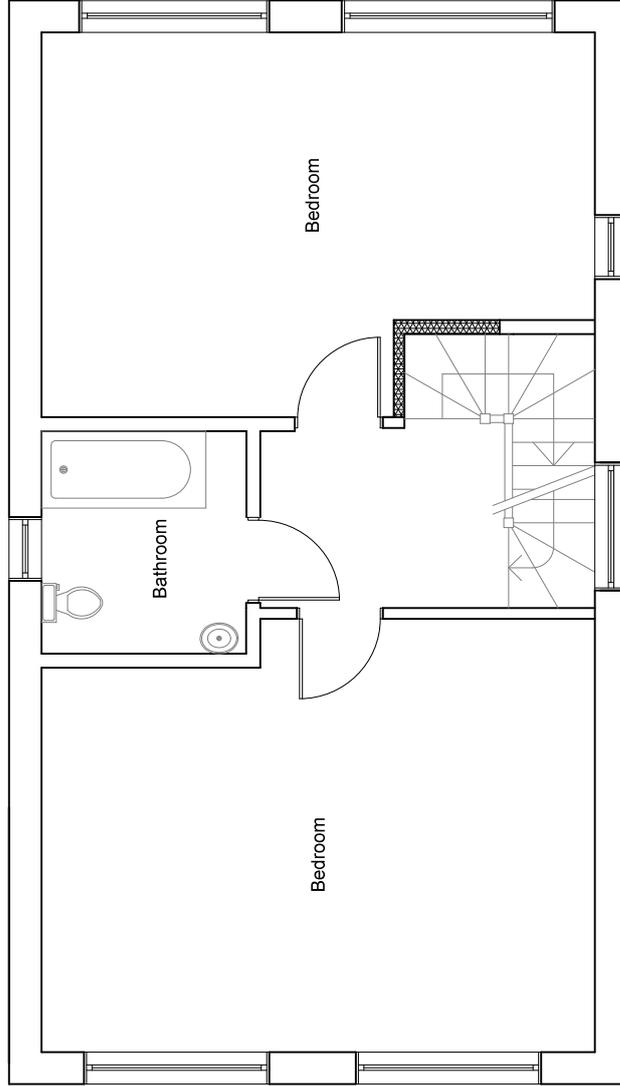
Checked By:  
PP

Date:  
02/2020

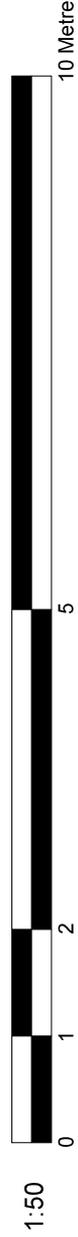
Drawing No.  
BC/PP/2330 - 01

Revisions:	
Rev	Date

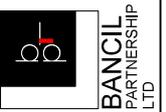




Proposed First Floor Plan  
scale: 1:50



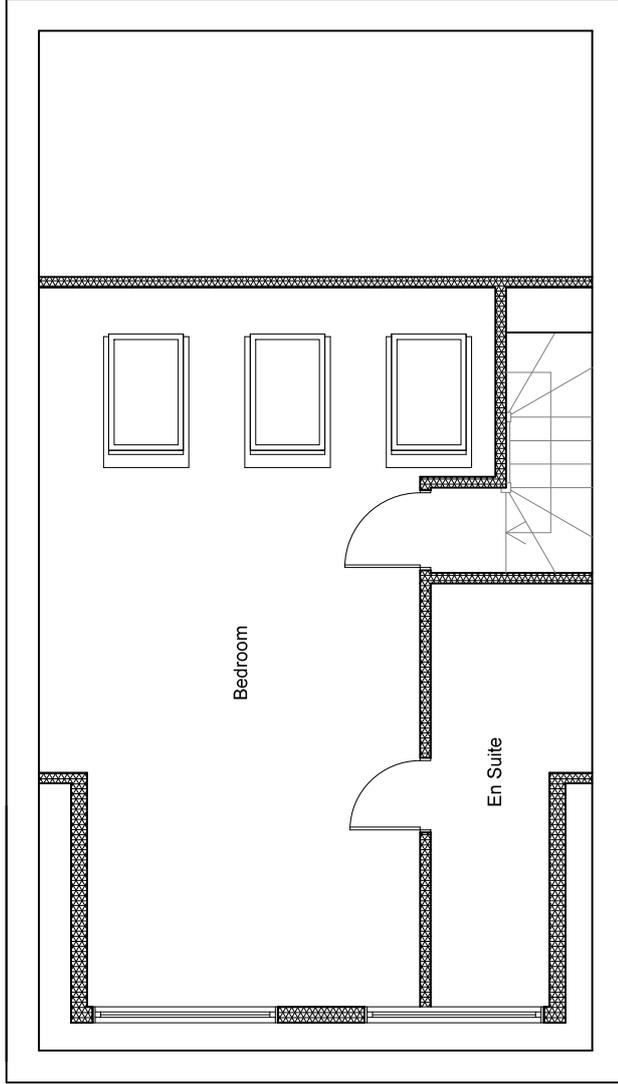
Dimensions to be verified on site  
DO NOT SCALE FROM THIS DRAWING.  
Any areas indicated on this drawing are for guidance only.  
No responsibility is taken for their accuracy.  
This drawing is the property of **BANCIL PARTNERSHIP LTD**  
Copyright is reserved by them and the drawing is loaned on the condition that it is not copied, reproduced, stored or placed to any unauthorised person, either wholly or in part without the consent in writing of **BANCIL PARTNERSHIP LTD**  
27-29 The Broadway, Southall, Middx, UB1 1JY Tel: 020 8574 4546 Fax: 020 8574 4526



Site Address:  
26A Hawthorne Crescent  
West Drayton  
UB7 9PB  
Client Detail:  
26A Hawthorne Crescent  
West Drayton  
UB7 9PB  
Title:  
Proposed Floor Plan  
Scale:  
1:50  
Paper Size:  
A3

Drawn By: JB  
Checked By: PP  
Date: 02/2020  
Drawing No. BC/PP/2230 - 02

Revisions:	
Rev	Date



Proposed Second Floor Plan  
scale: 1:50

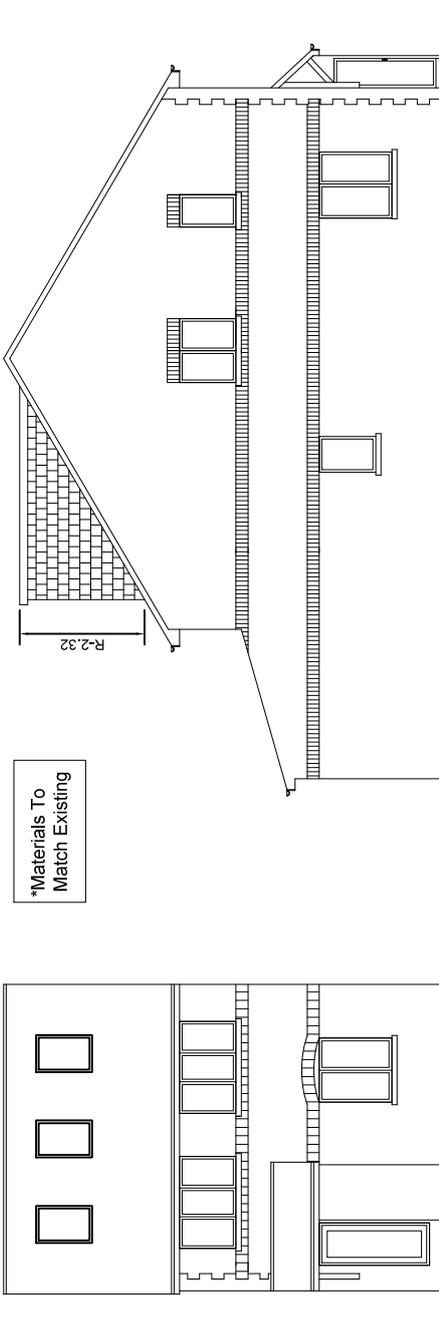


<p>Dimensions to be verified on site DO NOT SCALE FROM THIS DRAWING. Any areas indicated on this drawing are for guidance only. No responsibility is taken for their accuracy.</p> <p>This drawing is the property of <b>BANCIL PARTNERSHIP LTD</b> Copyright is reserved by them and the drawing is loaned on the condition that it is not copied, reproduced, stored or placed to any unauthorised person, either wholly or in part without the consent in writing of <b>BANCIL PARTNERSHIP LTD</b> 27-29 The Broadway, Southall, Middx, UB1 1JY Tel: 020 8574 4546 Fax: 020 8574 4526</p>	<p>Site Address: 26A Hawthorne Crescent West Drayton UB7 9PB</p>	<p>Client Detail: 26A Hawthorne Crescent West Drayton UB7 9PB</p>	<p>Title: Proposed Floor Plan</p>	<p>Drawn By: JB Checked By: PP Date: 02/2020 Drawing No. BC/PP/2230 - 03</p>	<p>Revisions:</p> <table border="1"> <thead> <tr> <th>Rev</th> <th>Revision</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	Rev	Revision	Date															
	Rev	Revision	Date																				
<p>Scale: 1:50</p>	<p>Paper Size: A3</p>																						

VOLUME CALCULATION :

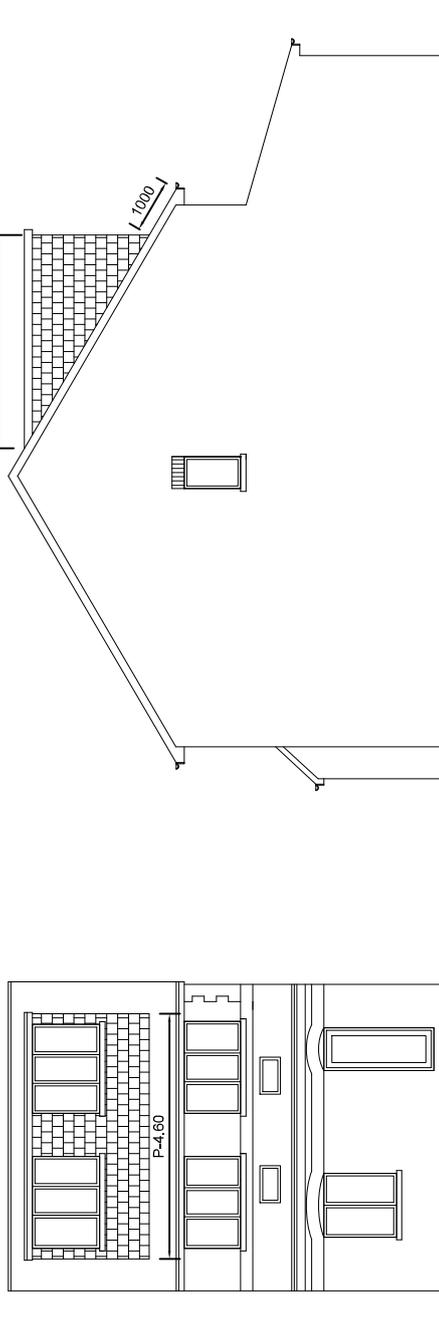
DORMER:

(P=4.60) X (Q=4.00) X (R=2.32) X 1/2 = 21.34 M3



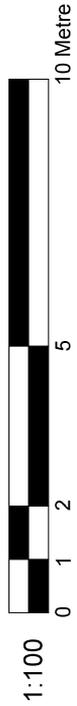
Proposed Front Elevation  
scale:1:100

Proposed Side Elevation  
scale:1:100



Proposed Rear Elevation  
scale:1:100

Proposed Side Elevation  
scale:1:100



Dimensions to be verified on site  
DO NOT SCALE FROM THIS DRAWING.  
Any areas indicated on this drawing are for guidance only.  
No responsibility is taken for their accuracy.  
This drawing is the property of **BANCIL PARTNERSHIP LTD**  
Copyright is reserved by them and the drawing is loaned on the condition that it is not copied, reproduced, re-used or disclosed to any unauthorised person, either wholly or in part, without the consent in writing of **BANCIL PARTNERSHIP LTD**  
27-29 The Broadway, Southall, Middx, UB1 1JY Tel: 020 8574 4546 Fax: 020 8574 4526

Site Address:  
26A Hawthorne Crescent  
West Drayton  
UB7 9PB

Client Detail:  
26A Hawthorn Crescent  
West Drayton  
UB7 9PB

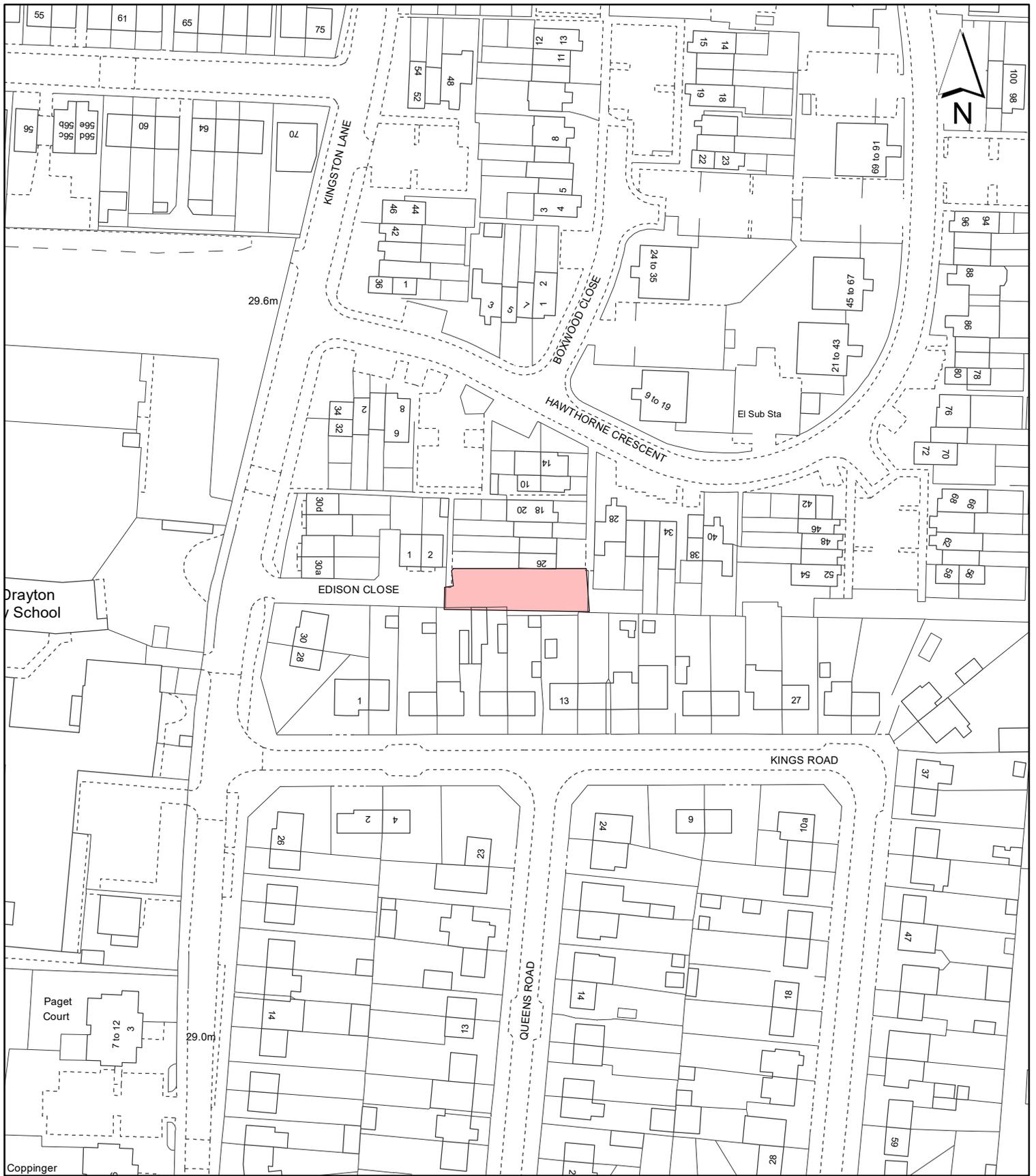
Title:  
Proposed Elevations

Scale: 1:100 Paper Size: A3

Drawn By: JB  
Checked By: PP  
Date: 02/2020  
Drawing No. BC/PP/2330 - 04

Revisions:		Rev	Revision	Date





**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**26A HAWTHORNE CRESCENT  
 WEST DRAYTON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:  
**74982/APP/2020/592**

Scale:  
**1:1,250**

Planning Committee:  
**Central & South** Page 75

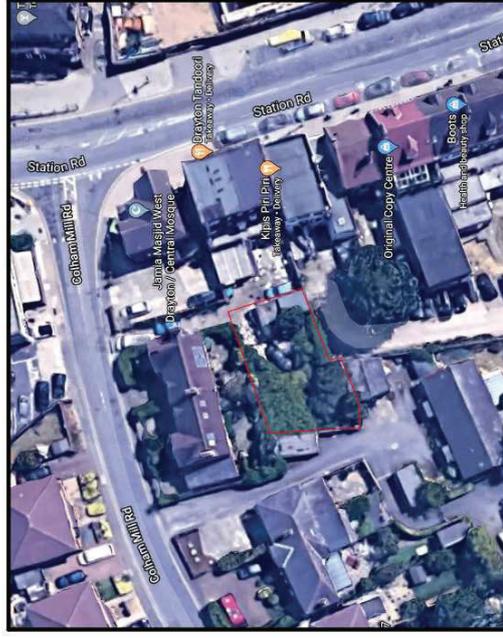
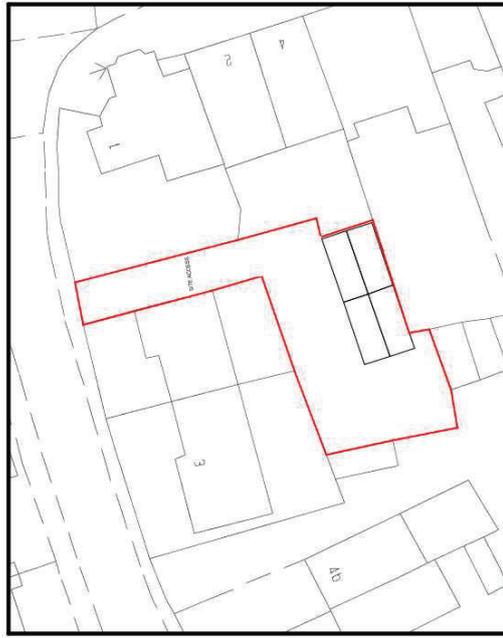
Date:  
**February 2021**



**Report of the Head of Planning, Transportation and Regeneration**

**Address** REAR OF 1-3 COLHAM MILL ROAD WEST DRAYTON  
**Development:** Retention and alteration of 4 shipping containers for office use (Use Class E(g)(i)) with associated parking (Part Retrospective)  
**LBH Ref Nos:** 52884/APP/2020/2090  
**Drawing Nos:**

**Date Plans Received:** 07/07/2020                      **Date(s) of Amendment(s):**  
**Date Application Valid:** 21/07/2020

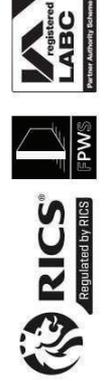


LOCATION PLAN (1:1250)

SITE PLAN (1:500)

AERIAL VIEW (N.T.S.)

Copyright Notice: This drawing is the intellectual property of OPS Chartered Surveyors and must not be copied, reproduced, modified or distributed without the author's consent.



**OPS** Chartered Surveyors  
 17 Garvin Avenue | Beaconsfield | Bucks | HP9 1RD  
 info@ops-surveyors.co.uk  
 www.ops-surveyors.co.uk  
 Tel: 07881457963

Address: LAND AT REAR OF 1-3 COLHAM MILL ROAD WEST  
 DRAXTON UB7 7AD  
 Drawing Ref.: 2020-10MR-COU-1  
 Applicant: Mr Um Ismailjaci  
 Application: Retention of 4 Nos. of Containers and Change of Use of Land from Car Parking to Office (B1 Use) With Associated Parking.  
 Date: 21/07/2020  
 Revision: 1.0A

Scales: 1:50  
 1:100 1:200 1:500 1:1250  
 @ISO A3 (297 x 420)  
 Sheet # 1 / 6



0m 1m 2m 3m 4m 6m 8m 10m 15m 20m 25m 50m



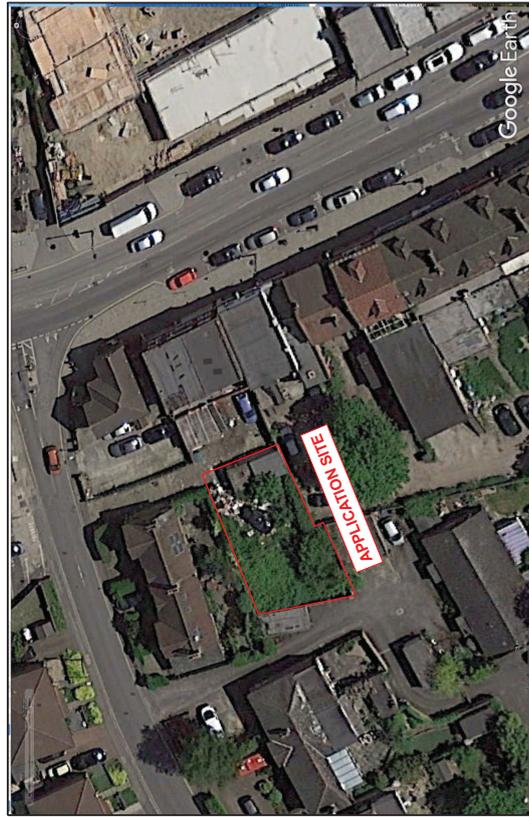
**GOOGLE EARTH (1999)**



**GOOGLE EARTH (2013)**



**GOOGLE EARTH (2015)**



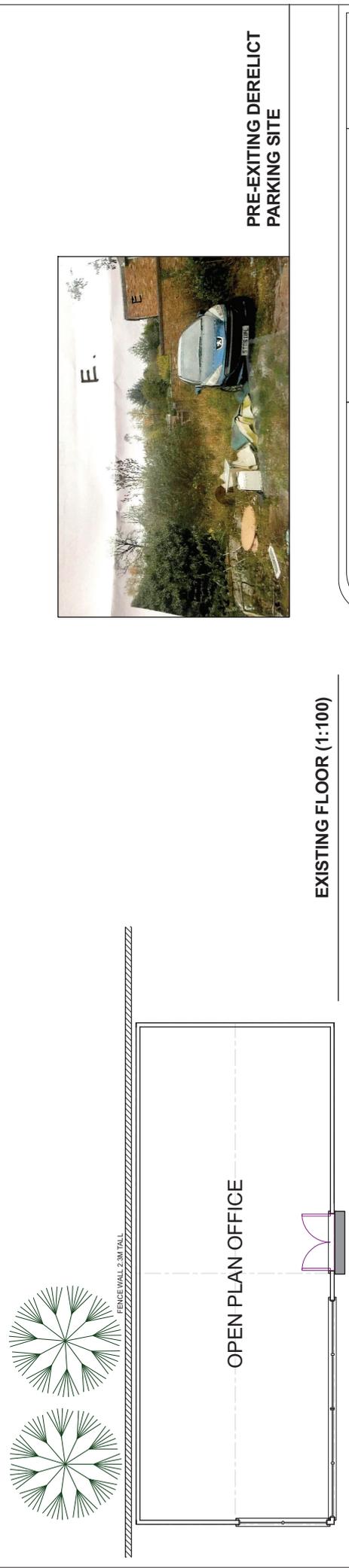
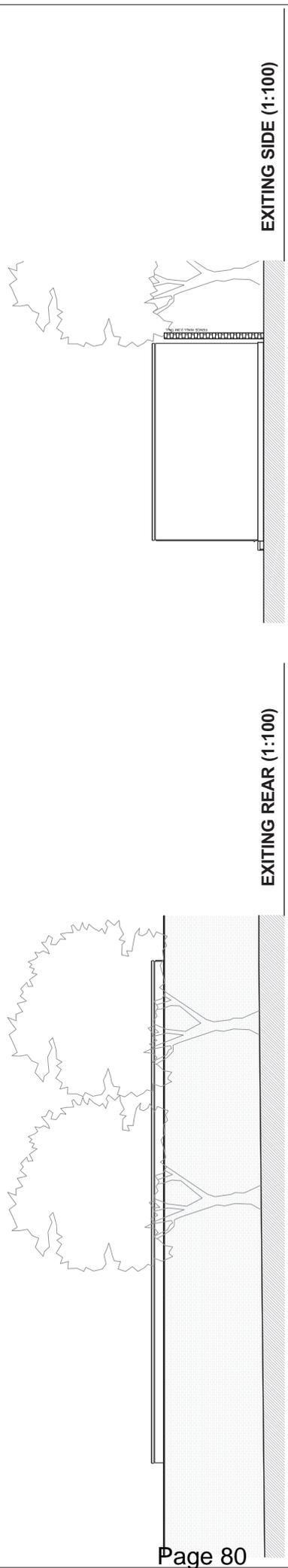
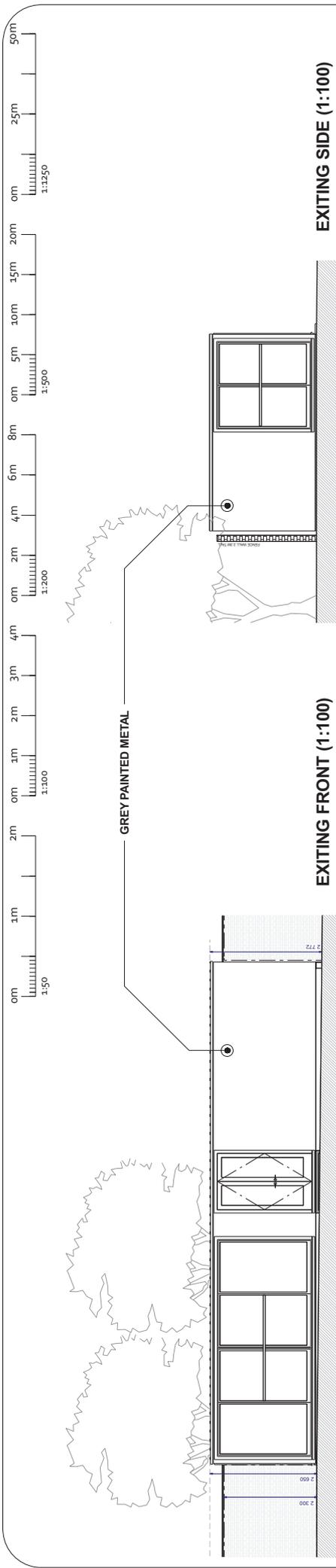
**GOOGLE EARTH (2018)**



**OPS** Chartered Surveyors  
 17 Garvin Avenue | Beaconsfield | Bucks | HP9 1RD  
 info@ops-surveyors.co.uk  
 www.ops-surveyors.co.uk  
 Tel: 01895 857863

Address: LAND AT REAR OF 1-3 COLHAM MILL ROAD WEST  
 BRAYTON LUT7 7AD  
 Drawing Ref.: 2020-TCMR-COU-3  
 Applicant: Mr Urm lamalgeci  
 Application: Relinquish of 4 Nos. of Certificate and Change of Use of Land from Car Parking to Office (B1 Use) With Associated Parking.  
 Date: 05/07/2020  
 Revision: 1.0

Scales: 1:50  
 1:100, 1:200, 1:500, 1:1250  
 @ISO A3 (297 x 420)  
 Sheet # 3 / 6



**OPS** Chartered Surveyors  
 17 Garvin Avenue | Beaconsfield | Bucks | HP9 1RD  
 info@ops-surveyors.co.uk  
 Tel: 01895 827863

Address: LAND AT REAR OF 1-3 COLHAM MILL ROAD WEST  
 DRAYTON URB 7AD  
 Drawing Ref: 2020-TCMR-COU-4  
 Applicant: Mr Urm lamajeci  
 Application: Relinquish of Use of Certificate and Change of Use of Land from Car Parking to Office (B1 Use) With Associated Parking.  
 Date: 05/07/2020  
 Revision: 1.0

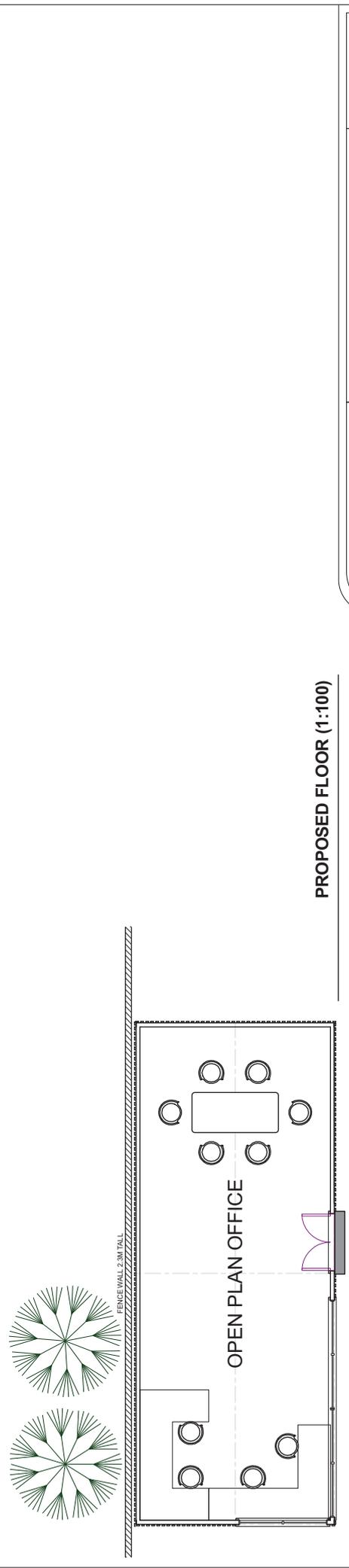
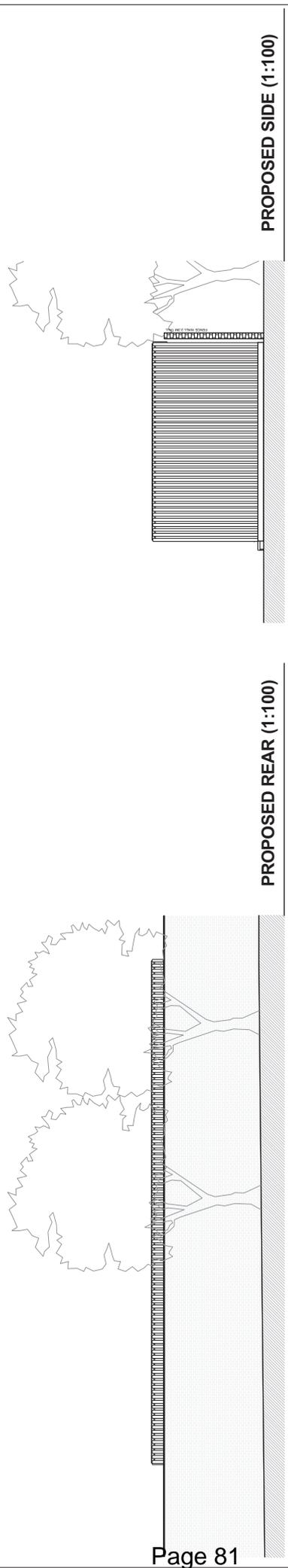
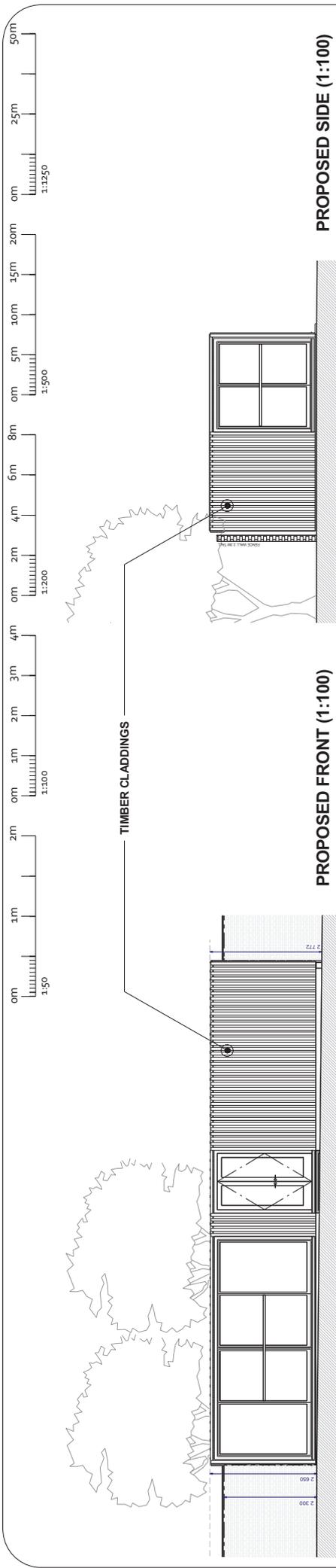
Scale: 1:50  
 1:100, 1:200, 1:500, 1:1250  
 @ISO A3 (297 x 420)  
 Sheet # 4 / 6

REGISTERED  
**LABC**  
 Partner Authority Scheme

**RICS**  
 Regulated by RICS

**FPWS**

Copyright Notice: This drawing is the intellectual property of OPS Chartered Surveyors and must not be copied, reproduced, modified or distributed without the author's consent.



PROPOSED FLOOR (1:100)



**OPS** Chartered Surveyors  
 17 Garvin Avenue | Beaconsfield | Bucks | HP9 1RD  
 www.ops-surveyors.co.uk  
 Tel: 01895 827803

Address: LAND AT REAR OF 1-3 COLHAM MILL ROAD WEST  
 DRAYTON UB7 7AD  
 Drawing Ref.: 2020-TCMR-COU-5  
 Applicant: Mr Urm lanalgeci

Application: Relinquish of Use of Car Parking and Change of Use of Land from Car Parking to Office (B1 Use) With Associated Parking.

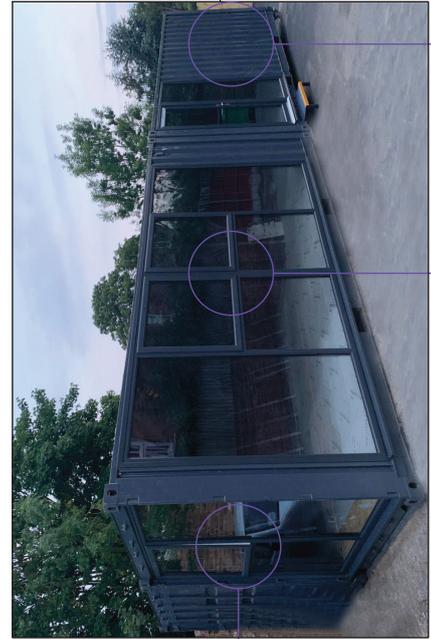
Date: 05/07/2020  
 Revision: 1.0

Scales: 1:50  
 1:100, 1:200, 1:500, 1:1250  
 @ISO A3 (297 x 420)

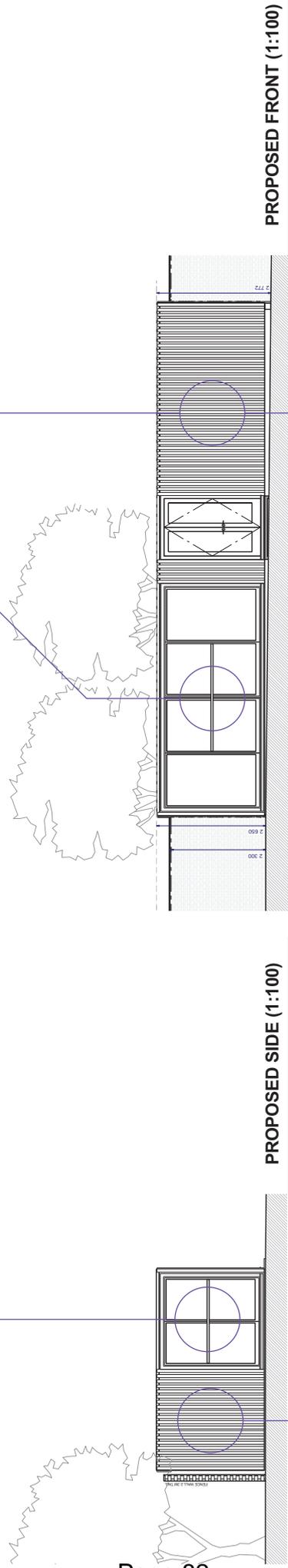
Sheet # 5 / 6

Copyright Notice: This drawing is the intellectual property of OPS Chartered Surveyors and must not be copied, reproduced, modified or distributed without the author's consent.

0m 1m 2m 3m 4m 5m 6m 8m 10m 15m 20m 25m 50m  
 1:500 1:200 1:250

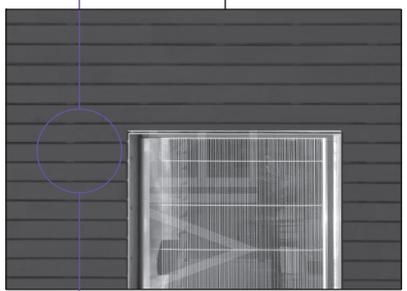


**PROPOSED ANTHRACITE / GREY PVC  
 WINDOWS AND DOOR**



**PROPOSED SIDE (1:100)**

**PROPOSED FRONT (1:100)**



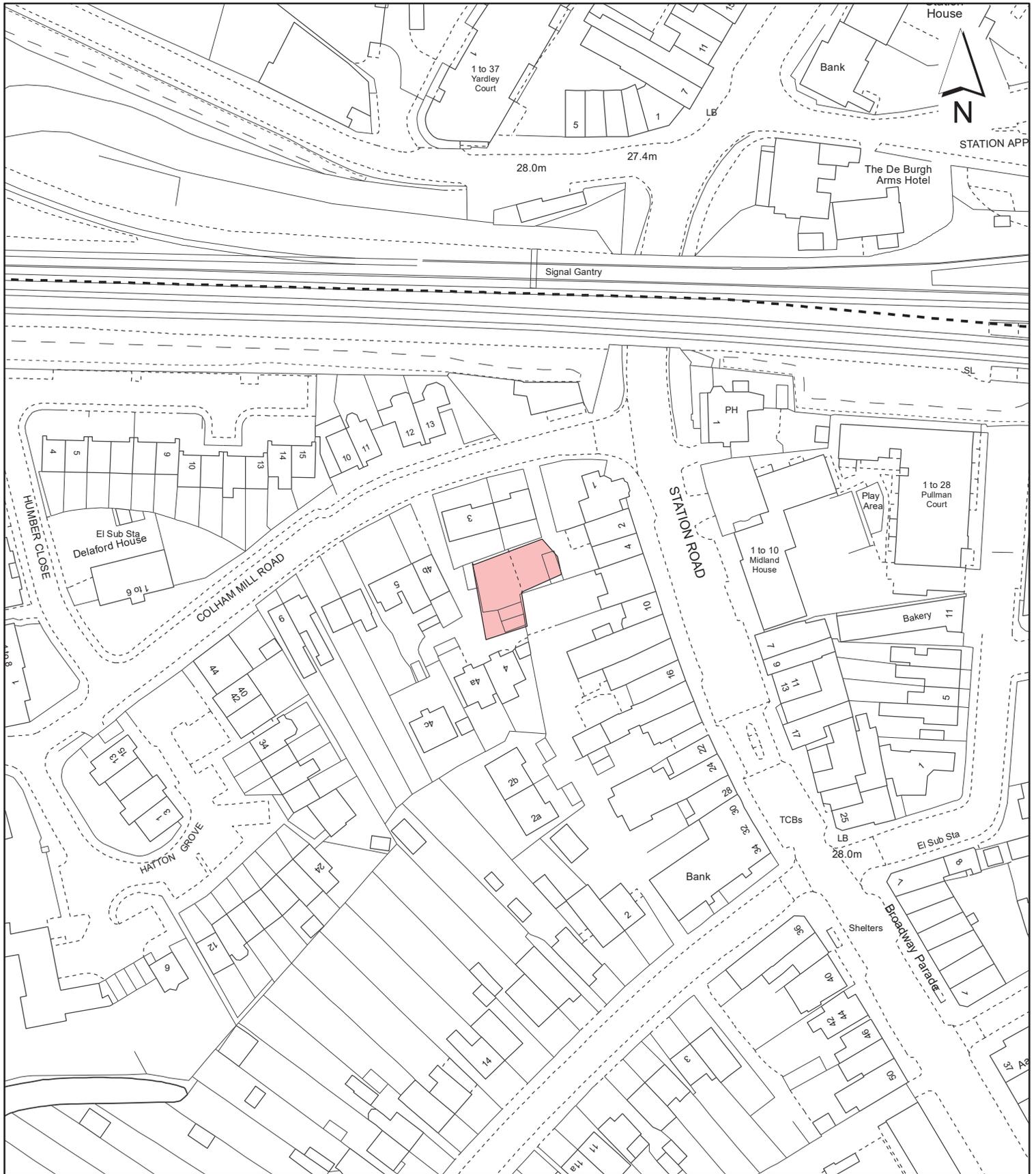
**PROPOSED ANTHRACITE / GREY TIMBER CLADDING**



**OPS** Chartered Surveyors  
 17 Galvin Avenue | Beaconsfield | Bucks | HP9 1RD  
 info@ops-surveyors.co.uk  
 www.ops-surveyors.co.uk  
 Tel: 01849 667863

Address: LAND AT REAR OF 1-3 COLHAM MILL ROAD WEST  
 DRAYTON UB7 7AD  
 Drawing Ref.: 2020-TCMR-COU-6  
 Applicant: Mr Urm Janalgeci  
 Application: Relocation of 4 Nos. of Carriages and Change of Use of Land from Car Parking to Office (B1 Use) With Associated Parking.  
 Date: 05/07/2020  
 Revision: 1.0

Copyright Notice: This drawing is the intellectual property of OPS Chartered Surveyors and must not be copied, reproduced, modified or distributed without the author's consent.



**Notes:**

 Site boundary

For identification purposes only.  
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).  
 Unless the Act provides a relevant exception to copyright.  
 © Crown copyright and database rights 2020 Ordnance Survey 100019283

Site Address:

**REAR OF 1-3  
 COLHAM MILL ROAD  
 WEST DRAYTON**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

**52884/APP/2020/2090**

Scale:

**1:1,250**

Planning Committee:

**Central & South 83**

Date:

**February 2021**



**HILLINGDON**  
 LONDON

This page is intentionally left blank