



HILLINGDON  
LONDON



# Central & South Planning Committee

## To Councillors on the Committee

John Hensley (Chairman)  
Judith Cooper (Vice-Chairman)  
Janet Duncan (Labour Lead)  
Wayne Bridges  
Paul Buttivant  
Dominic Gilham  
Robin Sansarpuri  
Brian Stead

**Date:** TUESDAY, 19 JULY 2011

**Time:** 7.00 PM

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

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

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**Published:** Monday, 11 July 2011

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### Petitions and Councillors

**Petitions** - Those who have organised a petition of 20 or more borough residents can speak at a Planning Committee in support of or against an application. Petitions must be submitted in writing to the Council 48 hours before the meeting date. Where there is a petition opposing a planning application there is also the right for the applicant or their agent to address the meeting for up to 5 minutes.

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

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

### How the Committee meeting works

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

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

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

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

The procedure will be as follows:-

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

followed by any Ward Councillors;

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

### About the Committee's decision

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

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

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

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

# Agenda

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## Chairman's Announcements

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To sign and receive the minutes of the previous meeting (To follow)
- 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

## Reports - Part 1 - Members, Public and the Press

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

### Major Applications without a Petition

	Address	Ward	Description & Recommendation	Page
6	Airlink house, 18 - 22 Pump Lane, Hayes  5505/APP/2010/2455	Townfield	Single storey rear extension and change of use of building from offices to a restaurant / banquet hall at ground floor level with 23 hotel rooms above.  <b>Recommendation: Approval</b>	1 - 28
7	19 - 22 Chippendale Way & Car Park Area to rear of 23 - 28 Chippendale Way, Uxbridge  67544/APP/2011/736	Uxbridge North	Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way).  <b>Recommendation: Approval</b>	29 - 56

8	Car Park Rear of 1 - 16 Sydney Court, Perth Avenue, Hayes  65936/APP/2009/2629	Yeading	Erection of 12 flats (8 two-bedroom, 4-person flats, 3 two-bedroom 3-person flats and 1 one-bedroom 2-person wheelchair accessible flat), in a single block with 12 associated car parking spaces; demolition of existing garages adjacent to Melbourne House and number 83 Perth Avenue; and provision of 3 open car parking areas.  <b>Recommendation: Variation of the Statement of Intent dated 31 March 2010</b>	57 - 102
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### Non Major Application with a Petition

	Address	Ward	Description & Recommendation	Page
9	47 Swanage Waye, Hayes  48600/APP/2011/548	Yeading	Erection of a first floor side extension.  <b>Recommendation: Refusal</b>	103 - 108

### Non Major Application without a Petition

	Address	Ward	Description & Recommendation	Page
10	298 Kingshill Avenue, Hayes  8195/APP/2011/38	Charville	Change of use from A1 (Retail) to A3 (Restaurant) & A5 (Takeaway) and installation of 2 x extract ducts to rear.  <b>Recommendation: Approval</b>	109 - 124
11	13 Bourne Avenue, Hayes  30586/APP/2011/252	Pinkwell	Alterations to single storey rear extension with new flat roof to rear and part demolition of existing single storey outbuilding to rear to provide extra amenity space to front. (Part Retrospective).  <b>Recommendation: Refusal</b>	125 - 132
12	165 North Hyde Road, Hayes  17357/APP/2011/18	Pinkwell	Change of ground floor from Class A1 (Retail) to Class A3 (Restaurants and Cafes) for use as fast food restaurant with new extract duct to rear.	133 - 142

			<b>Recommendation: Refusal</b>	
13	Former B&Q Site, Uxbridge Road  51508/APP/2011/963	Townfield	Variation of condition 12 (to extend the opening hours of the store) of planning permission ref. 51508/APP/2008/2927 dated 16/04/2010 : (Single storey canopy to front entrance, refurbishment and variation of condition of planning permission ref. 51508/96/1907 dated 16/04/1997 to allow use as an Asian supermarket, comprising 1,606sq.m main retail area, 69sq.m cafe area, 690sq.m bulk goods warehouse, 1,141sq.m goods storage area, and the utilisation of the former Garden Centre trading area as a 425sq.m covered trading area for fruit and vegetables. The proposal includes changes to the external appearance of the existing building, existing parking layout, boundary treatments, external lighting and associated bin storage/compactors).  <b>Recommendation: Approval</b>	143 - 164
14	Garage Site rear of 85 and 87 Manor Waye, Uxbridge  67593/APP/2011/329	Uxbridge North	Erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings.  <b>Recommendation: Approval</b>	165 - 186
15	67 Berrydale Road, Hayes  64145/APP/2011/858	Yeading;	Single storey side extension (Part-Retrospective).  <b>Recommendation: Approval</b>	187 - 196
16	18 Stipularis Drive, Hayes  31178/APP/2011/263	Yeading;	Erection of a single storey detached outbuilding to rear for use as storage involving part demolition of existing building (Part-retrospective).  <b>Recommendation: Approval</b>	197 - 206

## **PART II - MEMBERS ONLY**

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

17	Enforcement Report	Pages 207 - 213
18	Enforcement Report	Pages 215 - 219
19	Enforcement Report	Pages 221 - 226
20	Enforcement Report	Pages 227 - 233
21	Enforcement Report	Pages 235 - 241

### **Any Items transferred from Part 1**

### **Any Other Business in Part 2**

**Plans for Central and South Planning Committee** Pages 243 - 314

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# Agenda Item 6

## Report of the Head of Planning & Enforcement Services

**Address** AIRLINK HOUSE, 18-22 PUMP LANE HAYES

**Development:** Single storey rear extension and change of use of building from offices to a restaurant / banquet hall at ground floor level with 23 hotel rooms above.

**LBH Ref Nos:** 5505/APP/2010/2455

**Drawing Nos:** PUMP/HOTEL/GND/PROP/200P05/SEPT10 REV A  
PUMP/HOTEL/1ST/PROP/200P06/SEPT10  
PUMP/HOTEL/2ND/PROP/200P07/SEPT10  
PUMP/HOTEL/GND/PROP/-/100P01/SEPT10  
PUMP/HOTEL/1ST/PROP/100P02/SEPT10  
PUMP/HOTEL/2ND/PROP/100P03/SEPT10  
PUMP/HOTEL/ROOFPROP/100P04/SEPT10  
PUMP/HOTEL/ROOFPROP/200P08/SEPT10  
PUMP/HOTEL/PRO/FRELEV/100P09/SEPT10  
PUMP/HOTEL/PRO/LEFTTELEV/100P10/SEPT10  
PUMP/HOTEL/PRO/RIGHTELEV/-/100P11/SEPT10  
PUMP/HOTEL/PRO/REELEV/100P12/SEPT10  
PUMP/HOTEL/PROSECT/100P13/SEPT10  
PUMP/EXI/BLK/002/SEPT10  
PUMP/EXI/GND/003/SEPT10  
PUMP/EXI/1ST/004/SEPT10  
PUMP/EXI/2ND/005/SEPT10  
PUMP/EXI/ROOF/006/SEPT10  
PUMP/EXI/SECTION/007/SEPT10  
PUMP/EXI/REARELEV/011/SEPT10  
PUMP/EXI/LEFTTELEV/009/SEPT10  
PUMP/EXI/RIGHTELEV/010/SEPT10  
PUMP/EXI/FRONTELEV/008/SEPT10  
Noise Assessment Ref: 0070.1Rev1  
Air Quality Assessment Ref: ED56465001  
Energy Statement prepared by Blue Sky Unlimited dated 2-11-2010  
Design and Access Statement Ref: Airlinkhotel/BRO/001/AUG2010  
Transport Statement  
Disabled Access Statement Ref: Airlinkhotel/BRO/012/NOV2010

**Date Plans Received:** 21/10/2010      **Date(s) of Amendment(s):** 12/11/2010

**Date Application Valid:** 10/11/2010

### 1. SUMMARY

The site is located on the northern side of Pump Lane, within the Hayes Town Centre. The proposal is for change of use of the existing office building to a hotel and erection of a single storey rear extension.

Planning policy Pt1.28 and Policy T4 of the Hillingdon Unitary Development Plan Saved Policies September 2007 encourage appropriate hotel and conference facility provision in the borough. No objections are raised to the loss of the existing office space in this location.

No significant impacts to the character and appearance of the area are proposed by the scheme. The existing building and its elevations are being retained as part of the scheme, albeit with minor cosmetic changes.

No significant neighbour impacts are identified. The single storey rear extension does not project above the height of the existing boundary walls to the North-East or North-West.

In terms of noise, general disturbance and air quality the Council's EPU team have recommended appropriately worded conditions regarding noise levels, air extract ventilation system, amplified music control, general music control, hours of use, delivery hours, doorway openings and floodlighting to ensure that the use is operated within reasonable environmental limits and not at the expense of neighbouring properties.

The Council's Highways officer concluded that the scheme is acceptable in highways and transportation terms, subject to appropriately worded conditions for detailed refuse storage design, car parking, bicycle parking, parking management plan and green travel plan.

The scheme is considered appropriate and acceptable, being in accordance with policy and is recommended for approval subject to conditions and a s106 agreement covering an air quality monitoring contribution, travel plan and management and monitoring costs.

## **2. RECOMMENDATION**

**1. That delegated powers be given to the Head of Planning, Trading Standards and Environmental Protection to grant planning permission, subject to the following:**

**a) That the Council enters into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or Section 278 of the Highways Act 1980 (as amended) and/ or other appropriate legislation to secure:**

- i) The provision of a 10 Year Travel Plan and an undertaking to implement the Initiatives therein**
- ii) A financial contribution of £12,500 towards air quality monitoring**
- iii) A contribution towards the monitoring and management of the legal agreement of 5% of the s106 value.**

**b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Section 106 Agreement and any abortive work as a result of the agreement not being completed.**

**c) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement.**

**d) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised within 6 months of the date of this committee resolution, then the application will be referred back to the Committee for determination.**

**e) That if the application is approved, the following conditions be imposed:**

**1 T1 Time Limit - full planning application**

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

**REASON**

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

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

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

**REASON**

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

**3 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**4 M3 Boundary treatment - details**

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

**REASON**

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

**5 MCD13 Extraction Vent or Chimney**

No development shall take place until details of the height, position, design and materials of any chimney or extraction vent to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

**REASON**

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4B.1 and 4A.19.

**6 MCD14 Ventilation System - details**

No development shall take place until details of the air ventilation system has been

submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the ventilation system has been installed in accordance with the approved details.

#### REASON

To protect the amenities of the occupiers of residential accommodation in the vicinity in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4B.1 and 4A.19.

### **7 N12 Air extraction system - noise and odour**

No air extraction system or other plant of machinery shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority.

The rating level of noise emitted from the plant and/or machinery shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142  $\zeta$ Method for rating industrial noise affecting mixed residential and industrial areas $\zeta$ .

The approved scheme shall then be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

### **8 NONSC Kitchen Access Door**

The kitchen door on the eastern facade of the single storey rear extension is to be used for kitchen access only and otherwise kept closed at all times.

#### REASON

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **9 N14 Control of music and noise**

The development shall not begin until a scheme for the control of amplified music emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and administrative measures and other measures as may be approved by the Local Planning Authority. The scheme shall be fully implemented before the development is use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

No loud music or noise, whether amplified or otherwise, shall be played in the premises between 22:00 hours and 08:00 hours Mondays to Saturdays and at no time on Sundays and Bank Holidays.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**10 NONSC Hours of operation**

No persons other than staff shall be permitted to be in the restaurant, banqueting or bar areas of the premises between the hours of 22.30 hours and 08.00 hours.

REASON:

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan

**11 NONSC Delivery hours**

The premises shall not be used for delivery and the loading or unloading of goods outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 18:00 on Saturdays. The site shall not be used for delivery and the loading or unloading of goods on Sundays or Bank Holidays.

REASON:

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

**12 H14 Cycle Storage - details to be submitted**

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

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**13 NONSC Parking Management**

Prior to the commencement of development, a scheme for the co-ordination and management of deliveries, car, taxi and mini-bus parking (which seeks to ensure that the development does not result in any on street parking in neighbouring streets), shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall then be implemented for as long as the development remains in existence.

REASON

To ensure that an adequate level of parking provision is provided for the proposed use and to prevent inappropriate parking of vehicles associated with the use hereby approved

in surrounding streets, and to accord with policy AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**14 H1 Traffic Arrangements and Parking**

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

**REASON**

To ensure pedestrian and vehicular safety and convenience and to ensure adequate off-street parking, and loading facilities in compliance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan . (February 2008).

**15 H8 Surfacing and marking**

The development shall not be occupied until the parking and servicing areas shown on the approved plans have been drained, surfaced and marked out in accordance with details to be submitted to and approved in writing by the local planning authority. Thereafter these areas shall be permanently retained and used for no other purpose.

**REASON**

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**16 H13 Installation of gates onto a highway**

No gates shall be installed which open outwards over the highway/footway.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**17 DIS1 Facilities for People with Disabilities**

Before development commences, plans and detail demonstrating that the accessible bedrooms comply with BS 8300:2009 shall be submitted to and approved in writing by the Local Planning Authority. All the facilities designed specifically to meet the needs of people with disabilities that are shown on the approved plans shall be provided prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

**18 DIS4 Signposting for People with Disabilities**

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

**REASON**

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

**19 OM11 Floodlighting**

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

**REASON**

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

**20 OM2 Levels**

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

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**21 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).

- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

**REASON**

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

**22 MCD10 Refuse Facilities**

No development shall take place until full details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

**REASON**

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

**23 SUS8 Electric Charging Points**

Before development commences, plans and details of 2 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

**REASON**

To encourage sustainable travel and to comply with London Plan Policy 4A.3.

**24 OM14 Secured by Design**

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

**REASON**

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



Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

## **25 NONSC CCTV**

Prior to commencement of the development for which full planning permission is hereby approved a scheme for the provision of Closed Circuit Television (CCTV) for the relevant phase/relevant component of the full planning element shall be submitted to and approved in writing by the Local Planning Authority. The scheme for the provision of Closed Circuit Television (CCTV) shall include the following:

- i) Details of how the proposed CCTV system will be compatible with the Council's CCTV system;
- ii) Details of CCTV cameras, including type and specification;
- iii) Details of the location of CCTV cameras to be mounted on and/or around the buildings, amenity areas and bicycle storage areas

Thereafter the development shall be carried out in accordance with the approved scheme and thereafter maintained for the life of the development.

### **REASON**

In pursuance of the Local Planning Authority's duty under Section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Local Planning Authority's powers under Section 2 of the Local Government Act 2000; to reflect the guidance contained in the Council's SPG on Community Safety by Design and to ensure that the development provides a safe and secure environment in accordance with Policies 4B.1 and 4B.6 of the London Plan (February 2008).

## **26 NONSC Antenna**

Unless otherwise agreed in writing by the Local Planning Authority, no antenna, masts, poles, satellite dishes or the like shall be erected on the development hereby approved

### **REASON**

To ensure that the apparatus is not erected which would detract from the visual amenities of the and in accordance with Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **27 SUS5 Sustainable Urban Drainage**

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

### **REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

SUS3

**28** The application shall ~~Energy Efficiency~~ **Energy Efficiency** accordance with the energy strategy, and in particular the energy efficiency measures set out in the report titled 'Energy Statement' (prepared by Blue Sky Unlimited dated 2-11-2010) shall be integrated within the development and thereafter permanently retained and maintained.

REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.9, and 4A.10 of the London Plan (February 2008).

**29 NONSC No Contaminated Soils**

No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. All imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted and approved by the Local Planning Authority.

REASON

To ensure that the occupants of the development are not subject to any risks from soil contamination in accordance with Policy OE1 of the Hillingsdon Unitary Development Plan Saved Policies (September 2007).

**30 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingsdon Unitary Development Plan Saved Policies (September 2007).

**31 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding

seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **32 TL7 Maintenance of Landscaped Areas**

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

#### REASON

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

### **33 NONSC No use of roof area**

No access onto, use of, activity, storage whatsoever shall occur on the roof of the new single storey rear extension hereby approved, other than for maintenance and repair as may be required on occasion for the lifetime of the development.

#### REASON

To safeguard the amenity of surrounding areas properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

### **34 NONSC Coaches**

Details of signage prohibiting access into the site for busses/coaches shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted commences.

#### REASON:

To prevent the movement of coaches/busses within the site conflicting with parked cars, other vehicles and pedestrians and to accord with Policy AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

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

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

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

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

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE12	Energy conservation and new development
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements

### 3

Noise mitigation measures should include but not be limited to those outlined in section 5.23 of the DKN Acoustics noise report ref. 0070.1 dated September 2010. The application will also need to include the measures necessary to control plant noise such as that from deliveries and provide details confirming that the noise criteria recommended in the noise report will be met.

### 4 I15 **Control of Environmental Nuisance from Construction Work**

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you

should ensure that the following are complied with: -

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

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

## 5

With regard to surface water drainage, it is the responsibility of the developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777.

## 6

Thames Water would recommend that petrol/oil interceptors be fitted in all car parking/washing/repair facilities. Failure to enforce the effective use of petrol/oil interceptors could result in oil-polluted discharges entering local watercourses.

## 7

A Trade Effluent Consent will be required for any effluent discharge other than domestic discharge. Any discharge without the consent is illegal and may result in prosecution. Note that domestic use includes for example, toilets, showers, washbasins baths and contains.

Trade effluent processes include: laundrette/laundry, PCB manufacture, photographic/printing, food preparation, abattoir, farm wastes, vehicle washing, metal plating/finishing, cattle market wash down, chemical manufacture, treating cooling water and any other process which produces contaminated water. Pre-treatment, separate metering, sampling access etc, may be required before Thames Water can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London SE2 9AQ. Tel 0208 507 4321.

## 8

With regards to water supply, this site is within the area covered by the Veolia Water Company. It is recommended that Veolia Water company are contacted to establish the requirements for supply connection. The address to write to is Veolia Water Company, The Hub, Tamblin Way, Hartfield, Herts AL10 9EZ. Tel 0845 782 3333.

## 9 I12 **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

## 10 I13 **Asbestos Removal**

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

## 11 I2 **Encroachment**

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

## 12 I23 **Works affecting the Public Highway - Vehicle Crossover**

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

## 13 I24 **Works affecting the Public Highway - General**

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

## 14 I25A **The Party Wall etc. Act 1996**

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;

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

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

**15 I60 Cranes**

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

**16 I28 Food Hygiene**

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

**17 I25 Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

**18 I47 Damage to Verge**

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**3. CONSIDERATIONS**

**3.1 Site and Locality**

The site is located on the northern side of Pump Lane, approximately 75 east of the junction of Pump Lane and Cold Harbour Lane. The site is approximately 1,215sqm and is located within the Hayes Town Centre.

The area adjoining the site to the north is characterised by two storey dwellings fronting Mount Street. To the east is an open air car park, and to the west the site is adjoined by single and two storey commercial buildings. Across Pump Lane to the south is a 3 to 4 storey residential housing estate.

Occupying an area of approximately 0.14 Hectares, the site accommodates a three storey office type building with car parking to the rear (accessed from Pump Lane, via drive way at eastern end to building).

The existing building is not of historic merit. The area is bounded by Pump Lane to the south and low rise residential dwellings to the north.

The main access to the proposed development is proposed from Pump Lane, which in its continuation is characterised by industrial and commercial development, and relatively well maintained, such as the Argent Centre. Hayes and Harlington railway station is approximately 600m walk from the site.

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the immediate vicinity of the site.

### 3.2 Proposed Scheme

The proposal is for change of use of the existing office building to a hotel and erection of a single storey rear extension. The hotel would comprise restaurant/banqueting facilities on the ground floor with seating capacity for up to 200 people. A total of 23 hotel rooms catering for up to 40 guests would occupy the first and second floor.

A total of 11 on-site parking spaces are proposed.

### 3.3 Relevant Planning History

5505/ADV/2010/17      Airlink House, 18-22 Pump Lane Hayes  
Replacement internally illuminated fascia sign

**Decision:** 21-07-2010    Approved

5505/APP/2001/94      Airlink House, 18-22 Pump Lane Hayes  
INSTALLATION OF A SATELLITE DISH

**Decision:** 09-03-2001    ALT

5505/APP/2005/2752    First Floor Airlinks House Pump Lane Hayes  
CHANGE OF USE OF FIRST FLOOR FROM CLASS B1 (A) (GENERAL OFFICE) TO CLASS D1 (TUITION CENTRE)

**Decision:** 29-11-2005    Approved

5505/APP/2006/3027    Nat West, Airlink House Pump Lane Hayes  
INSTALLATION OF FOUR EXTERNAL AIR CONDITIONING HEAT PUMP UNITS



SURROUNDED BY 2 METRE HIGH TIMBER FENCE AND GATES (INVOLVING REMOVAL OF EXISTING TWO EXTERNAL AIR CONDITIONING UNITS)

**Decision:** 15-01-2007 Approved

5505/APP/2010/371 Airlink House, 18-22 Pump Lane Hayes

Change of use of ground floor only from Class B1 (Business) to Class A3 (Restaurants and Cafes) for use as a restaurant and new access ramp to front entrance, 2 new double timber fire doors to rear, new brick bin store, and new 10m high extract duct to side.

**Decision:** 03-09-2010 Approved

5505/G/77/1279 Airlink House, 18-22 Pump Lane Hayes

Office development - 780sq.m. (Full)(P)

**Decision:** 23-03-1978 Approved

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

There have been a number of planning approvals associated with the existing building.

Recently there has been planning permission on the application site, which proposed a change of use to a restaurant for the ground floor of the existing building (5505/APP/2010/371).

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

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

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

Part 1 Policies:

- |        |   |
|--------|---|
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area.   |
| PT1.28 | To encourage the provision of a range of hotel and conference facilities provided development does not harm the environment.                                    |
| PT1.30 | To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.                      |

Part 2 Policies:

- |      |   |
|------|---|
| AM14 | New development and car parking standards.                |
| AM15 | Provision of reserved parking spaces for disabled persons |

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE36	Proposals for high buildings/structures in identified sensitive areas
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE12	Energy conservation and new development
OE5	Siting of noise-sensitive developments
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
T4	Hotels, guest houses and other tourist accommodation - location, amenity and parking requirements

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **6th December 2010**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

The application was notified to 58 adjoining and near by occupiers.

Two submissions were received which raised the following

- \* Overlooking of rear gardens and dwellings located on Mount Road
- \* The area has many restaurants and hotels already, there isn't a need for an additional hotel and restaurant
- \* Refuse from restaurants litters Hayes Town Centre. The Hayes Town area already suffers from issues of general litter and poor disposal of food waste in bins and there is a long standing problem with foxes and rodents in the area as the recent closure of the Wilkinson store sited opposite Airlinks House has proved.
- \* Concern is raised over noise and disruption. The recently approved restaurant application contained a provision for a 10pm closure to protect residents from noise and disruption from use of the premises and car park late at night - presumably this would remain in force for this development?
- \* The proposal for a 200 space banqueting facility would obviously create significant additional

noise and disruption both in the car park in Airlinks House, Pump Lane Car Park and adjacent residential roads such as Little Road.

\* Overall parking numbers would be reduced and We consider 11 parking spaces for a hotel with 26 bedrooms is not sufficient. 11 spaces would not even be enough for the staff working there.

\* The traffic in Pump Lane is already busy and this would create additional traffic and when the banqueting facilities are used the additional traffic would be huge. This would put huge pressure on the car park in Pump Lane as the planning seems to be relying on this car park for the place where everyone will park. We already have huge problems with cars parking in front of our offices and blocking us in and if cars find the car park full when they need to use it we consider we will have even more problems with cars parking in front of our offices when they need to go into Hayes town.

#### METROPOLITAN POLICE

No objection to the proposal.

#### THAMES WATER

Note that Thames Water approval is required for sewer connection. Also, advice that Veolia Water should be contacted for water supply connection in this particular area.

#### HAYES TOWN CENTRE PARTNERSHIP

No comments received.

#### **Internal Consultees**

##### ENVIRONMENTAL PROTECTION UNIT (EPU)

A noise report has been provided in support of the scheme setting out criteria and measures. In addition, widening the scope to consider consequences of patron's leaving the site, the following comprehensive list of conditions are recommended to make the scheme acceptable:

- Maximum noise levels,
- Approval of air extract and odour control devices
- Amplified music control
- Hours of music
- Operation hours
- Delivery hours
- Kitchen doors to be kept closed
- Floodlighting
- No imported materials

In addition, the following informatives:

- Noise mitigation
- Nuisance during construction

#### WASTE

Waste storage provision is sufficient and acceptable, noting that the owner/operator will be responsible for the refuse room in between collections.

#### ACCESS OFFICER

The 'Disabled Access Statement' and submitted plans demonstrate a good standard of accessibility. The scheme is acceptable in this regard and recommended for approval.

Note that accessible bedrooms should conform to BS8300:2009

## HIGHWAYS

The application site comprises Airlink House, 18-22 Pump Lane, which is an office building of approx 1,086 sqm GEA and has 25 parking spaces.

The proposals are to redevelop the site, removing the existing office use to provide hotel accommodation of 23 bedrooms, along with restaurant and banqueting facilities with a maximum capacity of 200 guests. There would be 45 members of staff. There is an existing planning permission on the application site, which proposed a change of use to a restaurant for the ground floor of the existing building (5505/APP/2010/371).

A transport statement has been submitted in support of the proposals.

The nearest railway station is Hayes and Harlington Station and a number of buses operate in the vicinity of the site.

The standard PTAL calculation for the site is 4 and it remains a 4 during the Saturday daytime period. The PTAL drops to a 3 during the day on a Sunday and at 10pm on a weekday and at 10pm on the weekend.

Immediately to the east of the site is a public car park, with a capacity of 73 spaces. Hayes town centre is to the west with pay and display parking provided on Coldharbour Lane. To the east of the site Pump Lane is predominantly a business and industrial use area.

To the southwest of the site Crown Close is a bus through route and offers access to another public car park and other roads.

The Pump Lane and Wilkinson car parks have a total capacity of 176 spaces and would be the key locations where users of banqueting facilities would be expected to park.

The restaurant will have a maximum capacity of 140 covers, though when in use as a banqueting facility a potential maximum capacity of 200 covers can be achieved.

Using this 200 figure and allowing for a conservative 20% of potential users of the banqueting facility to use public transport, taxis or other modes of transport this would leave 160 people to travel by private car.

Allowing for average car occupancy of 2.5 people per vehicle, a robust assumption, would give a maximum parking demand of 64 vehicles, allowing for the venue to be at full capacity. The bulk of functions would be expected to be held in the evening or late afternoon.

The parking survey results reported in the transport statement show that the area and in particular the car parks have adequate level of spare parking capacity.

A turning area which would allow for refuse vehicles to turn within the site is proposed. This area will also allow for the expected delivery demands of the development, and for vehicles such as mini-buses to drop off and collect passengers.

The existing vehicular site access is proposed to be retained, with 11 car parking spaces, 2 of which will be disabled spaces. 21 secured and covered bicycle parking spaces are proposed. Bicycle storage adjacent to the refuse storage would need to be amended to avoid the bicycle store being hit by turning vehicles. The provision of car parking and cycle parking before occupation of

the development should be covered through suitable planning conditions.

The use of all on-site parking spaces is proposed for hotel use and the spaces will be pre-booked, so users of the site will be aware of the need to use other modes of transport or to park off-site. A parking management strategy should be submitted, which can be covered through a suitable planning condition.

The transport statement states that the operator of the hotel will also be encouraged to implement sustainable transport initiatives for staff and, where appropriate, guests. The submission of a travel plan before occupation of the development should be covered through a suitable planning condition.

Considering all of the above, the proposals are considered acceptable from the highways/transportation point of view, subject to suitable planning conditions being applied to cover the issues discussed above.

## TREES/LANDSCAPE

Standard planning conditions TL5, TL6 and TL7 are recommended and no objection is raised to the scheme.

## **7. MAIN PLANNING ISSUES**

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

Planning policy Pt1.28 and Policy T4 of the Hillingdon Unitary Development Plan Saved Policies September 2007 encourage appropriate hotel and conference facility provision in the borough. In addition the London Plan 2008 identifies a need for a net increase of 40,000 hotel rooms across London, and the provision of new visitor facilities in London is encouraged by Policy 3D.7. The Greater London Authority Hotel Demand Study (2006) also identifies a need for additional hotel accommodation in London, the majority of which would be required by 2012.

The site is located in a Town Centre, and as economic development (defined in Planning Policy Statement 4) it is appropriate that the Hotel be sited in the town centre.

No objections are raised to the loss of the existing office/tuition space in this location. In addition, it is considered likely that the proposed use of the site as a hotel would potentially provide an increase in employment opportunities over the existing use. As such, there is no objection to the principle of the development, providing site specific issues can be satisfactorily addressed.

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

The London Plan density matrix and HDAS guidelines relate specifically to residential properties. As such, the density of commercial and industrial schemes needs to be assessed on a case by case basis. The scheme retains the existing building and its facades in the main and proposes a single storey rear extension. As such, no concern is raised on grounds of size, scale and density.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the immediate vicinity of the site.

### **7.04 Airport safeguarding**

Not applicable as the scheme is for change of use of the existing building and the single storey extension is inconsequential in safeguarding terms given its size, scale and height.

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

There is no impact to Green Belt posed by the scheme.

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

The existing building and its elevations are being retained as part of the scheme, albeit with minor changes to the façade (such as window shading devices on upper floors and ground level glass entrances). The façade changes are minor and are not considered to harm the appearance of the existing building or wider street scene.

In terms of the single storey rear extension, this will not unduly alter the outlook of neighbouring properties including the rear gardens of Mount Road dwellings to the North-East or the Hayes Labour constituency office to the North-West.

The rear extension is set well back from the south-east boundary with the intervening parking/servicing area which already exists. There is an existing boundary wall with the rear neighbouring properties (2.7m high). The proposed rear extension would be no higher than this wall. The rear extension is also set behind the building (it would not be easily visible from neighbour residences to the rear of from the street). It is considered that the proposal is acceptable in this regard, posing no significant adverse impact to the established character of the area in accordance with Policy 4B.3 of the London Plan, Policies BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). No significant impacts to the character and appearance of the area are proposed by the scheme.

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

Policy BE21 of the Hillingdon saved UDP requires the consideration of the potential impacts of a proposal upon neighbouring amenity. In this case, no significant neighbour impacts are identified.

The single storey rear extension does not project above the height of the existing boundary walls to the North-East or North-West (it would not result in overshadowing of neighbouring properties). There are no openings in the single storey rear extension facing the North-East or South-West to pose any sought of nuisance or disturbance to neighbours.

A condition is recommended to prevent any use of the roof area of the rear extension.

In terms of overlooking the first and second floor hotel rooms would face towards the rear gardens and rear elevations of dwellings in Mount Street. These dwellings are within 21m of the building. However, this proposal will not increase the number, position or size of windows in the elevation facing the Mount Road residences. Taking account of the level of overlooking that could occur (from office workers who could be using the existing building and looking out of windows towards Mount Road residences), this proposal doesn't represent a worsening of the existing situation. It is not considered refusal of the scheme could be sustained for this reason.

In terms of noise, general disturbance and air quality the Council's EPU team have recommended appropriately worded conditions regarding deliveries, hours of operation, measures to control noise from plant and equipment, amplified music control, general music control, doorway openings and floodlighting to ensure that the use is operated within reasonable environmental limits and not at the expense of neighbouring properties.

As such, subject to condition the scheme is considered acceptable and would accord with policies OE1 and OE3 which seek to protect the amenity of neighbouring properties.

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

Not strictly applicable as there is no Class C3 residential use proposed. Conditions are recommended to ensure the scheme is designed in a way which is useable by disabled persons, and to ensure adequate ventilation of the internal spaces.

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

The application was referred to the Highways Officer, who concluded that the scheme is acceptable in highways and transportation terms, subject to appropriately worded conditions for detailed refuse storage design, car parking, bicycle parking, parking management plan and a travel plan through a S106 agreement.

Given the size and nature of the proposal it is not considered that coaches would attend the site, however a condition is recommended to require signage that clearly restricts access to the site for coaches to prevent possible conflict with parked cars, vehicles and pedestrians.

The site has a relatively high PTAL, and there are public car parking areas in close proximity to the site. Taking account of the relatively small scale of the proposal, the traffic and parking which would have been associated with the former office use, no objection is raised to the scheme in terms of traffic or parking.

As such the scheme is considered to accord with Hillingdon saved UDP Policy.

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

In respect of design, no objection is raised to either the façade changes or to the rear single storey extension.

In respect of security, the Metropolitan Police Crime Prevention Design Advisor was consulted and no concerns have been raised noting that CCTV provision and Secure by Design accreditation should be sought. Both these aspects are subject to appropriately worded conditions of approval.

#### **7.12 Disabled access**

The application was referred to the Access Officer who advised that the scheme would comply with relevant standards, subject to a planning condition to ensure that the hotel bedrooms should conform to BS8300 2009.

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

Not applicable as there is no Class C3 residential use proposed.

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

There is little scope for landscaping on the site. However the scheme was referred to the Council's Landscape Architect who advised that the scheme is acceptable, and includes an indicative landscape proposal with planting that will visually enhance the site and benefit the area generally, subject to standard landscaping conditions TL5, TL6 and TL7.

These conditions are recommended.

### **7.15 Sustainable waste management**

Satisfactory waste storage arrangements have been indicated on the plans, and subject to an appropriately worded conditions for the detailed design, no objection is raised.

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

The applicant has submitted an energy strategy for the scheme, which accords with relevant requirements. Subject to a condition requiring the energy strategy to be implemented, no objection would be raised to the scheme in this regard.

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

Not applicable as the site is not in area of floor risk.

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

In terms of noise and air quality the Council's EPU officer has recommended appropriately worded conditions regarding noise levels, air extract ventilation system, amplified music control, general music control, hours of use, delivery hours, and doorway openings to ensure that the use is operated within reasonable environmental limits and not at the expense of neighbouring properties.

A planning obligation is required to mitigate other air quality impacts arising from vehicles travelling to and from the site. Subject to the conditions and planning obligation, the scheme is considered acceptable and accords with policies OE1 and OE3 which seek to protect the amenity of neighbouring properties.

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

In terms of overlooking the first and second floor hotel rooms, this proposal will not increase the number, position or size of windows in the elevation facing the Mount Road residences.

Taking account of the level of overlooking that could occur (from office workers who could be using the existing building and looking out of windows towards Mount Road residences), this proposal doesn't represent a worsening of the existing situation. It is not considered refusal of the scheme could be sustained for this reason.

Conditions are imposed requiring further details of how refuse and recycling is to be dealt with (to prevent any issues arising with vermin etc). Conditions are also imposed to prevent noise impacts.

The Highways officer has advised that the proposal would not result in unacceptable parking or highways impacts.

Other matters raised by consultees have been dealt with by either planning obligations, conditions or informatives, or are specifically discussed in the body of the report or are not material planning considerations.

### **7.20 Planning obligations**

Planning obligations are often required to mitigate the impacts of development. The application was referred to the Council's Planning Obligations Officer who advised that in this case the following obligations would be necessary to mitigate harm which would otherwise arise as a result of the scheme.



- i) The provision of a 10 year Green Travel Plan and an undertaking to implement the initiatives
- ii) A financial contribution of £12,500 towards air quality monitoring
- iii) A financial contribution of £625 (representing 5% of total contributions) towards planning obligation project management and monitoring.

The applicant has indicated an agreement to these heads of terms.

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

Not applicable.

#### **7.22 Other Issues**

There is no other matter requiring consideration.

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

### **10. CONCLUSION**

The proposal is for change of use of the existing office building to a hotel and erection of a single storey rear extension.

No objections are raised to the loss of the existing office/tuition space in this location. In addition, it is considered likely that the proposed use of the site as a hotel would

potentially provide an increase in employment opportunities over the existing use.

No significant impacts to the character and appearance of the area are proposed by the scheme. The existing building and its elevations are being retained as part of the scheme, albeit with minor cosmetic changes.

Subject to conditions, no significant neighbour impacts are identified. Councils Highways officer concluded that the scheme is acceptable in highways and transportation terms, subject to appropriately worded conditions for detailed refuse storage design, car parking, bicycle parking, parking management plan and green travel plan.

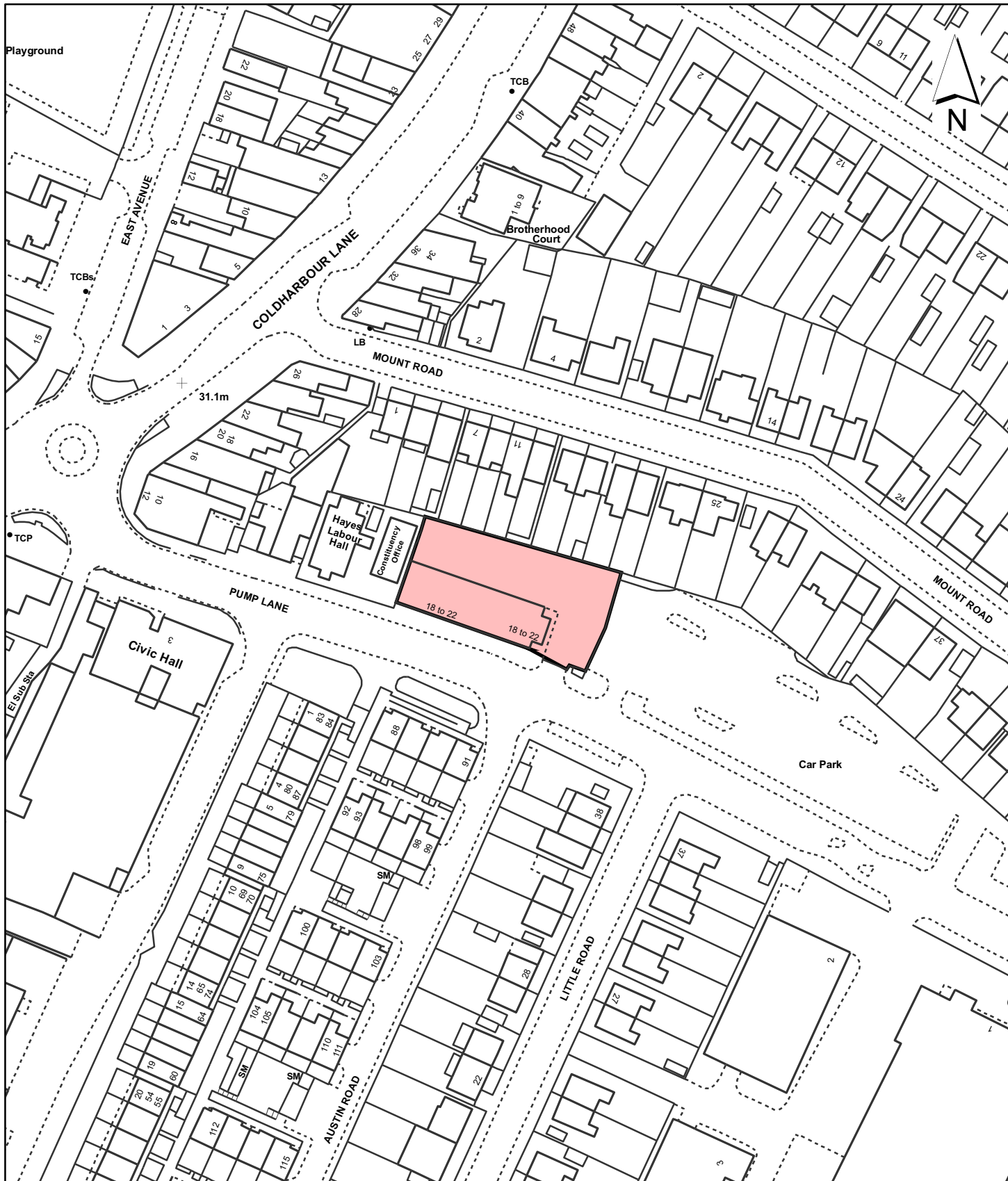
For the reasons provided throughout this report, the scheme is considered to be appropriate and acceptable and to comply with the relevant policies and planning guidance for the site. Subject to the conditions of approval and heads of terms in section 2, the application is recommended for approval.


## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies 2007  
London Plan (February 2008)

**Contact Officer:** Jason Traves

**Telephone No:** 01895 250230



<p><b>Notes</b></p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;"><b>Airlink House</b> <b>18 - 22 Pump Lane</b> <b>Hayes</b></p>		<p><b>LONDON BOROUGH OF HILLINGDON</b></p> <p style="text-align: center;"><b>Planning, Environment, Education &amp; Community Services</b></p> <p style="text-align: center;">Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;"><b>5505/APP/2010/2455</b></p>	<p>Scale</p> <p style="text-align: center;"><b>1:1,250</b></p>	
	<p>Planning Committee</p> <p style="text-align: center;"><b>Central and South</b></p>	<p>Date</p> <p style="text-align: center;"><b>July 2011</b></p>	



**HILLINGDON**  
LONDON

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# Agenda Item 7

## Report of the Head of Planning & Enforcement Services

**Address** 19-22 CHIPPENDALE WAYE & CAR PARK AREA TO REAR OF 23-28  
CHIPPENDALE WAYE UXBRIDGE MIDDX

**Development:** Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way). (Outline Application).

**LBH Ref Nos:** 67544/APP/2011/736

**Drawing Nos:** 2010D20/P/05  
2010D20/P/06  
2010D20/P/07 Rev A  
2010D20/P/08 Rev A  
2010D20/P/09 Rev A  
Transport Statement June 2011  
2010D20/P/01  
2010D20/P/02  
2010D20/P/03 Rev C  
2010D20/P/04  
Surface Water Management Strategy  
Energy Statement March 2011  
Design & Access Statement June 2011  
Arboricultural Study

**Date Plans Received:** 21/03/2011                      **Date(s) of Amendment(s):** 21/03/2011  
**Date Application Valid:** 21/03/2011                      24/06/2011

### 1. SUMMARY

The application seeks Outline planning permission to erect a supported housing scheme in the form of a block of 12 one bedroom flats on the site of an existing council housing site, together with associated car parking and landscaping. Access and layout are being considered at this stage with all other matters (appearance, landscaping and scale) being reserved.

The proposed scheme is considered to be of an acceptable design which would be compatible within the local context and result in an adequate standard of amenity for future occupiers.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide an acceptable area of soft landscaped amenity space for the benefit of future occupiers.

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

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

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

a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:

i) Transport: a s278 shall be entered into to address creation and alteration to access, guard railing, road marking and signage.

ii) Affordable Housing: at least 50% of the scheme is to be delivered as affordable housing, by habitable room.

iii) Health: a contribution in the sum of £2,600.04.

iv) Public Realm: a contribution of £5,000 has been sought towards town centre improvements in Uxbridge.

vi) Libraries: a contribution in the sum of £276.

vii) Construction Training: a contribution equal to £2,500 for every £1 million build cost is sought.

viii) Project Mgmt and Monitoring Fee: a contribution equal to 5% of the total cash contribution is sought as a result of this proposal.

b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Statement and any abortive work as a result of the agreement not being completed.

c) That planning officers be authorised to negotiate and agree details of the proposed Statement.

d) That if within 6 months of the date of this decision, the Statement has not been completed, delegated powers be given to the Director of Planning and Community Services, at their discretion, to refuse planning.

e) That subject to the above, the application be deferred for determination by the Head of Planning, Trading Standards and Environmental Protection under delegated powers, subject to the completion of the Statement.

f) That if the application is approved, the following conditions be attached:-

**1            SP01            Council Application Standard Paragraph**

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

**2            OUT1            Time Limit- outline planning application**

The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

**REASON**

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended)

**3            OUT2            Reserved matters - submission**

Application for approval of the following reserved matters shall be made to the Local Planning Authority before the expiry of three years from the date of this permission: -

- (a) Scale
- (b) Appearance
- (c) Landscaping

**REASON**

To comply with Section 92 of the Town and Country Planning Act 1990 (As Amended).

**4            OUT3            Approval of Details**

Approval of the details of the scale, appearance and landscaping (hereinafter called the "reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

**REASON**

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

**5            OUT4            Reserved matters - submission and approval**

Plans and particulars of the reserved matters referred to in condition 3 shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

**REASON**

To comply with Section 91 of the Town and Country Planning Act 1990 (As Amended).

**6            NONSC            Restriction of Use**

Notwithstanding the provisions of the Town & Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 (or any orders revoking and re-enacting either of these orders with or without modification), the building shall be used only for the purpose of self contained flats for supported housing use by the London Borough Of Hillingdon and its partners and for no other purpose including any other purpose within Use Class C3 of the Town and Country Planning Use Classes Order 1987.

**REASON**

To enable the Local Planning Authority to retain control over the use so as to ensure that it complies with policy BE19 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7            M3            Boundary treatment - details**

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

**REASON**

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

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

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

**REASON**

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

**9 OM2 Levels**

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

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**10 OM14 Secured by Design**

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

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.



**11 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

**REASON**

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

**12 H7 Parking Arrangements (Residential)**

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

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**13 H15 Cycle Storage - In accordance with approved plans**

The development hereby permitted, shall not be occupied until secure and covered cycle storage for 12 cycles has been provided in accordance with the approved plans. Thereafter, these facilities shall be permanently retained on site and be kept available for the use of cyclists.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**14 MCD10 Refuse Facilities**

No development shall take place until details of facilities to be provided for the covered, appropriately sign posted, secure and screened storage of refuse as well as in-sink waste disposal units (for each unit) at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

### **15 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

#### REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **16 TL2 Trees to be retained**

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

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

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

development or the occupation of the buildings, whichever is the earlier.

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **17 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **18 TL21 Tree Protection, Building & Demolition Method Statement**

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

#### REASON

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **19 N6 Sound insulation scheme**

Development shall not begin until a sound insulation and ventilation scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is brought into use, and thereafter shall be retained and maintained in good working order for as long as the development remains in use.

#### REASON

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20

of the London Plan (February 2008).

**20 NONSC Noise Levels**

The rating level of noise emitted from any plant and/or machinery at the development shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policy OE3 of the Hillingdon Unitary Development Plan.

**21 DRC6 Contaminated Land - survey and remedial works**

Development shall not begin until a site survey to assess contamination levels has been carried out to the satisfaction of the Local Planning Authority. The survey shall be undertaken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for removing or rendering innocuous all contaminants from the site shall be submitted to and approved in writing by the Local Planning Authority and all works that form part of this scheme shall be completed before any part of the development is occupied.

**REASON**

To ensure that the occupants of the development are not subjected to any risks from soil contamination in accordance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy A.33 of the London Plan (February 2008).

**22 NONSC Landfill Gas**

Before any part of the development is commenced, the applicant shall carry out and submit details of a landfill gas survey for the ground at the development site. Some of the landfill gas tests within the survey shall be taken below the proposed footprint of any new building. If landfill gas is found, the applicant shall install remediation measures to prevent gas ingress to any buildings on the development site, to the satisfaction of the Local Planning Authority. The condition will not be discharged until verification information has been submitted for the remedial works.

**REASON**

The Council's records show that the development site is on a landfill. A gas survey is required to clarify the gas issues at the new development site to determine the remedial works which may be required, in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007). Advice on this condition can be obtained from the Environmental Protection Unit on 01895 250155 or the Building Control Officer.

**23 DIS5 Design to Lifetime Homes Standards & to Wheelchair**

**Standards**  
All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are

wheelchair users, as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

**24 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

**25 SUS5 Sustainable Urban Drainage**

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

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**26 NONSC Antennas**

Unless otherwise agreed in writing by the Local Planning Authority, no antenna, masts, poles, satellite dishes or the like shall be erected atop any of the buildings here by approved.

**REASON**

To ensure that apparatus do not detract from the visual amenities of the area in accordance with Policy BE37 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**27 SUS2 Energy Efficiency Major Applications**

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 20% of

the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

**REASON**

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

**28 NONSC no subdivision**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), there shall be no further subdivision of any dwelling to form additional dwellings.

**REASON**

To preserve the character and appearance of the development and protect the visual amenity of the area and to accord with policies BE15, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**29 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing south.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**30 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**31 NONSC Rainwater harvesting**

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

**REASON**

In order to provide a sustainable form of development and promote water conservation in compliance with Policies 4A.3 and 4A.16 of the London Plan 2008.

**32 NONSC Defensive space**

No development shall commence until details of measures to ensure the provision of defensive space adjacent to ground floor habitable room windows have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter the approved measures shall be constructed and completed before the development is occupied and shall be permanently retained and maintained for the life of the development.

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

**33 NONSC Extraction equipment**

No development shall take place until details of the height, position, design and materials of any chimney or extraction ventilation system, to extract kitchen fumes and odours, to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

**REASON**

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 4B.1 and 4A.19.

**34 NONSC Deliveries**

Deliveries shall not take place outside the hours of 8am and 6pm Monday to Friday, 8am to 1pm on Saturdays and not at all on Sundays, Bank Holidays and Public Holidays.

**REASON**

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**35 NONSC Management Plan**

Before the development hereby permitted is commenced, a management scheme shall be submitted to, and approved in writing by, the Local Planning Authority detailing how the supported housing facility is to be managed, including staff roles and the level of care provided. The approved scheme shall then be implemented in accordance with the agreed scheme.

**REASON**

To ensure the scheme is managed in a way that prevents adverse impact on surrounding occupiers and the highway network and to accord with Policies BE19 and AM7 of the adopted Hillingdon Unitary Development Plan and the Council's Planning Obligations Supplementary Planning Document.

## 36 NONSC Parking Management Plan

Prior to the development of the site, a car parking Management Strategy, which seeks to ensure that the development does not result in any on street parking in neighbouring streets, shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of 11 spaces marked out for use by the Uxbridge Early Years Nursery. The approved details shall then be implemented for as long as the development remains in existence.

### REASON

To ensure that an adequate level of parking provision is provided for the proposed use and the existing Nursery to prevent inappropriate parking of vehicles associated with the use hereby approved in surrounding streets, and to accord with policy AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

### 1 I52 Compulsory Informative (1)

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

### 2 I53 Compulsory Informative (2)

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

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area



- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
 (i) Dial-a-ride and mobility bus services  
 (ii) Shopmobility schemes  
 (iii) Convenient parking spaces  
 (iv) Design of road, footway, parking and pedestrian and street furniture schemes

**3 I1 Building to Approved Drawing**

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

**4 I2 Encroachment**

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

**5 I3 Building Regulations - Demolition and Building Works**

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

**6 I5 Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

**7 I6 Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override

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

## **8**

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No such work should be carried out on Sundays and Bank Holidays. All noise generated during such works should be controlled in compliance with British Standard 5228;

(ii) Measures shall be taken to eliminate the release of dust and odours caused by the works that may create a public health nuisance.

(iii) No bonfires on the site should be allowed to take place at any time.

## **9**

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

## **10**      I13                      **Asbestos Removal**

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

## **11**      I11                      **The Construction (Design and Management) Regulations 1994**

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

## **12**      I12                      **Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

## **13**      I14                      **Installation of Plant and Machinery**

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

The installation of a boiler with a rating of 55,000 - 1¼ million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1¼ million Btu/hr;

The siting of any external machinery (eg air conditioning);

The installation of additional plant/machinery or replacement of existing machinery.

Contact:- Commercial Premises Section, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190). Building Control Services, 3N/01, Civic Centre, High Street, Uxbridge, UB8 1UW (tel. 01895 250804 / 805 / 808).

#### **14 I15 Control of Environmental Nuisance from Construction Work**

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

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

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

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

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

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

### **3. CONSIDERATIONS**

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

The application site is located on the north side of Chippendale Waye within close proximity of Uxbridge Town Centre. At the time of submission of the planning application, the site consisted of two pairs of semi detached dwellings (which have now been demolished). To the rear of the site are parking facilities, an access road and a disused playground. To the northeast is a listed building at no. 59 Park Road and properties with

access from Grove Way, to the south east is the Uxbridge Early Years Centre just beyond Chippendale Alley; the southwest is Chippendale Way itself and the rear gardens associated with 23-28 Chippendale Way and to the northwest by an existing service road serving the site and the rear of properties 4-16 Montague Road.

### **3.2 Proposed Scheme**

The application seeks outline planning permission to erect a two storey building accommodating 12 x 1 bedroom supported housing units with ancillary office space for staff together with associated landscaping. At this stage access and layout are being considered with all other matters reserved. Appearance, Landscaping and scale have been reserved for future approval. The parking area to the rear of the site will be altered with parking spaces being shifted across the site to make way for the building. A new alley way is proposed along the rear of the site leading from the car park area to Chippendale Alley to allow access to the Nursery.

The proposed building would be a rendered, two stories high with a tiled pitched hipped roof.

### **3.3 Relevant Planning History**

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

There is no planning history relating to this site.

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

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

BE22 Residential extensions/buildings of two or more storeys.

BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **20th April 2011**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

A total of 53 neighbouring occupiers were consulted on this scheme. Three letters of objection were received raising concerns on the following grounds:

- i) Poor design
- ii) Loss of parking/drop off area for Nursery.
- iii) Loss of privacy to neighbouring occupiers.

NATS: No objection.

Defence Estates: No Objection.

### Internal Consultees

#### TREES & LANDSCAPING

The site is on the north side of Chippendale Way. Accessed via a service road to the north-west of house number 28, the plot includes the play area to the north of house numbers 23-28 and the plots of house numbers 19-22.

There are a number of trees on the site which contribute to the character of the area and help to reduce the impact of the generally hard landscape of this generally built up area. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

A tree survey has been submitted by the London Borough of Hillingdon, which indicates four trees on plan ref. 2010D/20/P/02. The survey assesses the quality and value of only three of the four specimen trees within the site. All of the trees have been rated 'B' quality (fair), a rating which would normally justify retention, if possible, as part of a new development.

The proposal is to erect flats at the southern end of the site, with associated amenity space to the east, including bin and bicycle storage. Car parking for 19No. cars will service the new flats and the remaining houses (Nos. 22-28) along Chippendale Way.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

\* In this case all three trees are young / immature. Although they have been ascribed a rating which may justify their retention, their landscape value is currently limited and the proposed removal of T2, T3 (and T1, not assessed) is considered appropriate, subject to the provision of a high quality landscape scheme including appropriate replacement tree planting.

\* Otherwise there are no significant landscape features on the site which constitute a constraint on development.

\* The current site layout is dominated by the car park and manoeuvring space to the north of the retained semi-detached houses. Most of the manoeuvring area is wider than the 6.0 metres required to comfortably access the parking spaces. The area of hard surfacing should be reduced and the space free up should be soft landscaped (along the northern boundary). This would contribute towards the SUDS compliance of the scheme.

\* Due to the presence of shared / communal external spaces a management / maintenance plan is required to ensure that the landscape is maintained in accordance with the landscape proposals.

No objection in principle, subject to the reduction of the hard surfacing created by the superfluous parking area. If this can be amended there would be no objection on landscape grounds subject to conditions TL5, TL6 and TL7.

## DESIGN & CONSERVATION

The scheme has been amended significantly during the pre-application process, to rationalise the roofscape; to create a working entrance at the rear; and to form a break in the roof line to mark a formal entrance at the front. Also, the amenity space to the rear has been made self-contained by the removal of the footpath, and the parking layout has been improved.

The requirement for 12 bedrooms has necessitated a large building, which is both longer, and considerably bulkier, than the two pairs of semi-detached houses it would replace (although the eaves would align). However, the site is opposite the four storey residential blocks at Penrith Close, whilst the Chimes, at four storeys, lines the rest of the south side of Chippendale Way. Although two storey semis adjoin to the west, there is no development to the east other than a low-rise children's nursery on the corner of the road, separated from the site by a passageway. The trees on the rear boundary, and the amenity space behind the proposed building, would prevent an adverse impact upon the locally listed building on the site adjoining to the north.

Chippendale Way is a dual carriage way, and not an attractive street in which to walk. One of the main pedestrian routes is from the High Street, via Cumbrian Way and Chippendale Alley to the residential areas to the north. From this viewpoint the proposed building would be framed between the Chimes and the tall blocks of flats in Penrith Close. It is considered that, overall, the development would not disrupt the pattern of smaller residential buildings in the road, rather that those immediately alongside would eventually appear to be the anomaly.

## ACCESS

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

The following access observations are provided:

1. In line with the GLA 'Wheelchair Housing BPG', the bathroom within the proposed wheelchair accessible supported living unit should be fitted with a level access shower from the outset. To this end, the plan should be amended accordingly.
2. The bathroom in the remaining units should ensure that a clear space of at least 700mm to one side and 1100 mm is provided between the front edge of the toilet pan and a door or wall opposite. This would appear not to be the case in some bathrooms.
3. Given the intended use of the building, the proposed 13 persons lift should be specified to ensure that it can be used as an evacuation lift, either independently or as a facility that could be used under the direction of a defined fire strategy following a risk assessment.

A suitable planning condition(s) should be attached to any grant of planning permission to ensure that the above accessibility facilities are incorporated into revised plans.

#### S106 OBLIGATIONS

Erection of a 2 storey building comprising 12 x 1 bed supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way).

12 x 1 bed flats - 3 habitable rooms for the purpose of education and 2 hab rooms for purpose of general population.

given the nature of the proposal the population is estimated at 1 per flat, therefore total population = 12.

#### Proposed Heads of Terms:

1. Transport and transport related issues: in line with the SPD there may be the need for some road works as a result of this proposal. Please liaise with Syed Shah in the first instance.
2. Affordable Housing: As the scheme is to be 100% social housing it complies with the policy requirement of 50%.
3. Education: Given that the scheme is proposed to be used as assisted living there will be no requirement for an education contribution from this scheme.
4. Health: in line with the SPD a contribution towards local primary health care is likely to be sought as a result of this proposal. Given the nature of the scheme assisted living I shall assume that there is single person occupancy derived from the scheme. Therefore the resulting population would be  $12 \times \pounds 216.67 = \pounds 2,600.04$ . We will need to liaise with the PCT now known as West London Health estates (WLHE) to see if they wish to pursue this obligation.
5. Community Facilities: in line with the SPD if there is a deficiency in the area or no remaining capacity in existing community centres then a contribution is likely to be sought and would be in the vicinity of  $\pounds 5,000$ . We will need to ascertain if the obligation is to be perused in this instance given its size.
7. Recreational Open Space: in line with the SPD if a deficiency of open space in the area is found to exist then it is likely that a contribution towards Recreational Open Space will be sought. I note that there existed a playground on the site whilst it has been notated as derelict on the plans however there may be a requirement for a play ground regardless of its state to be re-provided as with sports pitches. Please advise.
8. Libraries: in line with the SPD a contribution equal to  $\pounds 23$  per person is likely to be sought. A

contribution in the sum of £276 should be secured.

9. Construction Training: in line with the formula if the estimated construction cost exceeds £2m and the time is in excess of 3 months then a contribution towards construction or an in-kind scheme delivered. Please advise as to the estimated construction cost.

10. Project Management and Monitoring: in line with the SPD if a s106 is entered into then 5% of the total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a conservation area or Area of Special Local Character. As such, there is no objection in principle to the demolition of the existing garages and redevelopment of the site for residential purposes.

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

London Plan Policy 3A.3 seeks to maximise the potential of sites, compatible with local context and design principles in Policy 4B.1 (Design principles for a compact city) and with public transport capacity. Boroughs are encouraged to adopt the residential density ranges set out in Table 3A.2 (Density matrix (habitable rooms and dwellings per hectare) and which are compatible with sustainable residential quality.

The proposed scheme would have a density of 60 units per hectare or 180 habitable rooms per hectare. This is within the upper end of the London Plan density range (70-130 units per hectare or 250-350 habitable rooms per hectare) based on the site's Public Transport Accessibility Level (PTAL) score of 4. Accordingly, no objection is raised to the proposed density in this instance.

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

The application site is not located within proximity to an archaeological priority area, a conservation area or an area of special local character. There is however the listed bounding the site to the north at no. 59 Park Road. The proposed building is approximately 10m from the nearest part of the listed single storey building. The Council's Conservation officer has raised no objection in this regard and as such it is considered that that any impact on the listed building will be minimal. The layout of the proposed development is therefore considered acceptable.

### **7.04 Airport safeguarding**

The proposal does not give rise to any concerns regarding airport or aerodrome safeguarding.

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

The application site is not located in proximity to the Metropolitan Green Belt.

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

The requirement for 12 bedrooms has necessitated a large building, which is both longer, and larger, than the two pairs of semi-detached houses it would replace (although the



eaves would align). However, the site is opposite the four storey residential blocks at Penrith Close, whilst the Chimes, at four storeys, lines the rest of the south side of Chippendale Way. Although two storey semis adjoin to the west, there is no development to the east other than a low-rise children's nursery on the corner of the road, separated from the site by a passageway. The trees on the rear boundary, and the amenity space behind the proposed building, would prevent an adverse impact upon the locally listed building on the site adjoining to the north.

One of the main pedestrian routes to the site is from the High Street, via Cumbrian Way and Chippendale Alley to the residential areas to the north. From this viewpoint the proposed building would be framed between the Chimes and the tall blocks of flats in Penrith Close. It is considered that, overall, the development would not disrupt the pattern of smaller residential buildings in the road, rather that those immediately alongside would eventually appear to be the anomaly.

Although generally one storey higher than the existing building and surrounding dwellings, it is considered that, by way of its carefully designed facades the scale, design and layout of the proposed development is considered to be in keeping with the existing character of the area and would safeguard its visual amenity in line with policies BE5, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

At this stage layout and access are being considered, and no objection is made to the layout or access arrangements. The indicative plans also show a satisfactory appearance and scale and that the layout would provide enough space for incorporating a landscaping scheme.

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

Policies BE20 and BE24 seek to ensure that new development does not generate adverse impacts in respect to sunlight and privacy. Because of the orientation of the site, and the size and siting of the proposed building, no significant loss of daylight and sunlight to adjoining properties would result from this development. The proposed development is considered to be consistent with Policies BE20 and BE24 of the UDP.

The layout of the proposed building will not infringe the 21m distance between habitable room windows as required by the Council's Residential Layout Design Guide. Furthermore the orientation of the proposed would not result in significant loss of light to neighbouring properties.

The proposed layout provides adequately for access to be maintained between the car park and the Early Years Nursery.

At this stage layout and access are being considered. No objection is raised to the proposed layout and access in terms of neighbour impacts. The indicative plans show that a scheme can be accommodated on the site without causing a loss of privacy or sunlight.

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

Room sizes

The development proposes 12 one bedroom units. The supplementary planning guidance states that one-bedroom self contained units should have a minimum floor area of 50 square metres. All proposed units meet these standards.

Amenity space

The guidance states that 20sq metres of amenity space should be provided per one bedroom unit for residential developments. So typically a residential development for 12 one bedroom units would require 240sq metres of amenity space. The proposal provides approximately 243sq metres of amenity space in a number of forms designed specifically to benefit future residents.

In addition, a condition will be added requiring that defensible space is provided to all ground floor units in order to afford them an adequate level of privacy.

#### Access

All access to the residential units via entrance doors are fully compliant with the requirements outlined in the Building Regulations, Part M Section 2 Accessible Entrances. All entrances have level thresholds. The doorways also comply with the standards outlined in Part M of the Building Regulations, which require that the doors are wide enough to allow people with buggies, cases or people on crutches to pass others on the access route.

In addition the internal layouts will confirm to the standards For Extra Care Housing, as set out by: Extra Care Housing; Lifetime Homes Standards as well as the Mayor's Supplementary Planning Guidance April 2004.

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

Policies AM2, AM7, AM14, AM15 are concerned with traffic generation, road capacity, on site parking and proximity to public transport. In terms of on-site parking, the Council's revised parking standards require the following:

- 1 space per 4 units
- 10% allocated to people with disabilities
- 1 motorcycle space (per 20 car spaces)
- 1 bicycle space per 2 staff

The development requires a provision of 2 car parking spaces. The proposal provides 2 on site car parking spaces, both of which are disabled bays. This meets the Council's minimum parking standards.

The development also proposes to relocate 19 of the existing car parking spaces, currently utilised by the Uxbridge Nursery by approximately 30m. A total of 11 of these spaces will be allocated to staff and parents dropping off children to the nursery. The remaining spaces will be free for use by local residents.

A bicycle storage area is proposed in the rear garden providing 16 secure cycle spaces. The provision exceeds the cycle parking standards and is considered acceptable.

The proposed car parking and access arrangements are considered acceptable.

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

Urban Design matters are discussed in detail under paragraph 7.07 of this report.

Security Issues have been incorporated into the design of the development and will be secured by a recommended condition.

The proposed layout and access are considered acceptable.

### **7.12 Disabled access**

Policy 3A.5 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards and for 10% of the units to be easily adaptable for wheelchair users.

The Council's Access Officer has reviewed the application in detail and considers that the proposal would represent a development which, subject to a condition requiring further details, complies with Lifetime Homes Standards and would provide a wheelchair unit with two potential access routes. Accordingly, the proposal complies with policy 3A.5 of the London Plan and guidance within HDAS - Accessible Hillingdon.

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

The London Plan and guidance within the Council's Supplementary Planning Document for Planning Obligations requires that 50% of all residential units are provided as affordable housing on schemes of this size. The application has been submitted on behalf of the Council's Housing Department and all of the units within the scheme would be provided as affordable. The proposal would therefore exceed the requirements of adopted policy relating to affordable housing.

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

While landscaping is a reserved matter, the layout indicates that there will be space and opportunity for a high quality landscape scheme in accordance with saved Policy BE38. Subject to conditions securing an appropriate landscaping scheme, it is considered that the proposed development would enhance the landscaping of the site in accordance with Policy BE38 of the Saved Policies UDP.

### **7.15 Sustainable waste management**

The proposal will provide a refuse and recycling store for residents and staff located in the western corner of the site in close proximity to the new building and Chippendale Way. It is located within the site boundary and is set behind the front boundary treatment. Residents and staff can access this bin storage area from a path leading to the back of the building, whilst servicing of this area would be off Chippendale Way. The entrance to this bin store is 2m from the kerb and as such conforms to Hillingdon Council standards for maximum travel distances.

Subject to a condition requiring further details of the bin stores and their layout there is no objection to the development.

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

Policies within section 4A of the London Plan require developments to provide for reductions in carbon emissions, including the provision of 20% of the developments energy needs through on site renewable technology.

The application is supported by an assessment which indicates that the development has been designed to achieve level 3 of the Code for Sustainable Homes. Subject to a condition requiring details ensuring the building achieves Level 3 of the Code for Sustainable Homes.

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

Subject to a condition requiring the use of sustainable urban drainage on site it is not considered that the proposal would give rise to any concerns relating to flooding or drainage.

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

The application seeks permission for a residential development within a residential area. It is not considered that the proposal gives rise to any concerns regarding noise for either future or neighbouring occupiers.

The Council's Environmental Protection Unit have reviewed the submission and raise no concerns in relation to noise subject to noise conditions for the plant and machinery and a sound insulation scheme.

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

It should be noted that matters including the appearance and scale of the building have been reserved for future approval.

Furthermore the scheme has been amended to allow access from the rear car park to the Nursery.

Issues relating to privacy have been addressed within the body of the report.

#### **7.20 Planning obligations**

1. Transport: a s278 shall be entered into to address amongst other things; access, guard railing, road marking and signage.
2. Affordable Housing: at least 50% of the scheme is to be delivered as affordable housing, by habitable room.
3. Education: nil contribution given this is a supported housing scheme and no school age children will arise from this development.
4. Health: a contribution in the sum of £2,600.04 is sought based upon single person occupancy in each of the residential units ( 12 x £216.67).
5. Public Realm: a contribution of £5,000 has been sought towards town centre improvements in Uxbridge.
6. Libraries: a contribution in the sum of £276 equal to £23 per person.
7. Construction Training: a contribution equal to £2,500 for every £1 million build cost is sought.
8. Project Mgmt and Monitoring Fee: a contribution equal to 5% of the total cash contribution is sought as a result of this proposal.

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

None.

## **7.22 Other Issues**

None.

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

## **10. CONCLUSION**

The application seeks Outline planning permission (for access and layout only) to erect a supported housing scheme in the form of a block of 12 one bedroom flats on the site of an existing council housing site, together with associated car parking and landscaping. In addition to this the existing car parking at the rear of 18-22 Chippendale Waye will be relocated within the site.

The proposed access and layout are of a sufficient quality to be compatible within the local context and result in an adequate level standard of amenity for future occupiers.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide a reasonable area of soft landscaped amenity space for the benefit of the neighbouring estate.

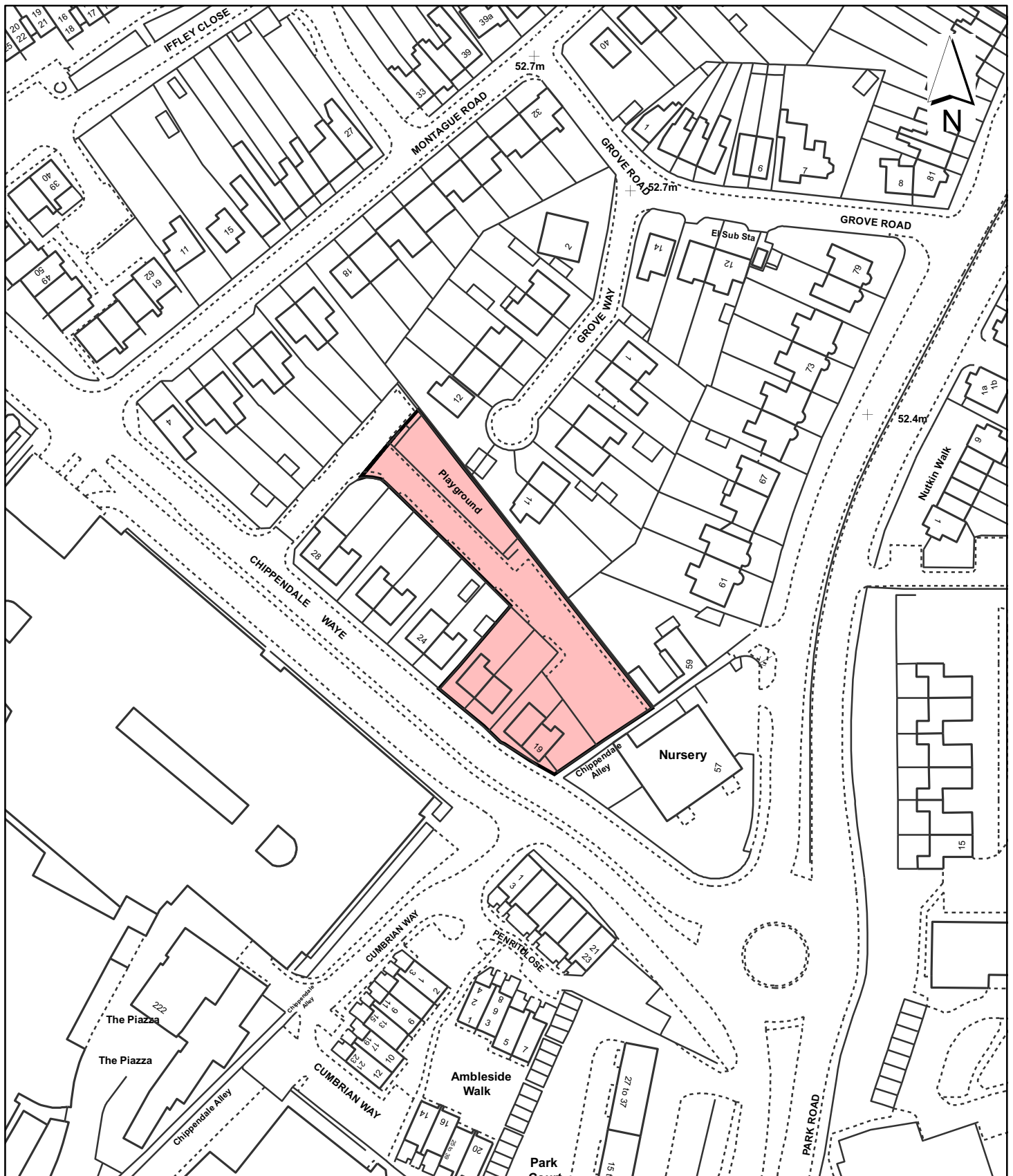
Accordingly, the application is recommended for approval, subject to conditions and planning obligations.

## **11. Reference Documents**


London Plan (February 2008)  
Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 4: Planning for Sustainable Growth  
Planning Policy Guidance 24: Planning & Noise  
Planning Policy Statement 25: Development and Flood Risk  
Council's Parking Standards  
Council's Supplementary Planning Guidance - Noise  
Council's Supplementary Planning Guidance - Air Quality  
Council's Supplementary Planning Guidance - Community Safety by Design  
Council's Supplementary Planning Guidance - Planning Obligations  
Council's Supplementary Planning Document - Accessible Hillingdon.

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**19 - 22 Chippendale Way and  
Car Park area to rear of 23 - 28  
Chippendale Way, Uxbridge**

Planning Application Ref:

**67544/APP/2011/736**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

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## Report of the Head of Planning, Trading Standards and Environmental Protection

**Address:** CAR PARK REAR OF 1-16 SYDNEY COURT, PERTH AVE, HAYES

**Development:** ERECTION OF 12 FLATS (8 TWO BEDROOM, 4 PERSON FLATS, 3 TWO BEDROOM, 3 PERSON FLATS AND 1 ONE BEDROOM, 2 PERSON WHEELCHAIR ACCESSIBLE FLAT), IN A SINGLE BLOCK WITH 12 ASSOCIATED CAR PARKING SPACES; DEMOLITION OF EXISTING GARAGES ADJACENT TO MELBORNE HOUSE AND NUMBER 83 PERTH AVENUE; AND PROVISION OF OPEN CAR PARKING AREAS.

**LBH Ref Nos:** 65936/APP/2009/2629

**Drawing Nos:** AS PER ORIGINAL COMMITTEE REPORT.

**Date application approved at Committee** 9<sup>th</sup> March 2010

**S106 Agreement** That the recommendation to enter into a Supplemental Deed of Variation to the Statement of Intent dated 31 March 2010, as proposed below, is approved.

This is in order to permit the transfer of the education contribution (which is not now required) to deliver road safety measures in the immediate vicinity of the Brookside School.

### 1.0 CONSULTATIONS

#### 1.1 Internal Consultees

Planning Officer	Obligations	The Deed of Variation is considered acceptable given that the scheme will not accommodate any school aged children and has been supported by both the education, housing and elected members.
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Education Officer

There was initially an expectation that the building might be occupied by persons with children.

It is now apparent that this accommodation will be specifically for older persons (aged over 55 years or older) and as such there will not be any school aged children living in the scheme.

It is recognised that there is a road safety issue outside of the school and the use of these funds to provide safe crossing is supported.

## 2.0 RECOMMENDATION

a) **That the Statement of Internet dated 31 March 2010 be varied as follows:**

i) **that the definition for education contribution be deleted;**

means the education contribution in the sum of forty one thousand and twenty pounds (£41,020) referred to in Schedule Two towards the costs of providing education or educational improvements or facilities in the Authority's Area including (but not limited to): New school facilities, including ancillary facilities; Improvements, adaptations or enhancements to existing school facilities [in order to accommodate extra children]; or Improvements and expansion of playground and external leisure spaces, including equipment and maintenance contributions;

ii) **Replaced with the following definition**

means the education contribution in the sum of forty one thousand and twenty pounds (£41,020) referred to in Schedule Two towards the costs of improving traffic calming measures for the direct benefit of Brookside Primary School, Perth Avenue Hayes, Middlesex.

- c) That the owner and Council meet their respective costs in the preparation of the Deed of Variation to the Statement of Intent and any abortive work as a result of the agreement not being completed.
- d) That if the Deed of Variation to the Statement of Intent is not finalised within a period of 6 months from the date of this committee resolution, or any other period deemed appropriate by the Head of Planning, Trading Standards and Environmental Protection, then the application may be referred back to the Committee for determination.
- e) That subject to the above, the application be deferred for determination by the Head of Planning, Trading Standards and Environmental Protection under delegated powers, subject to the satisfactory completion of the Deed of Variation to the Statement of Intent that was entered into by way of Notice under Regulation 3 of the Town and Country Planning General Regulations 1992 which shall ensure only for the benefit of the land) that the applicant being the local authority being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the planning obligation as approved on 31 March 2010 as would a third party developer under a section 106 planning obligation.
- f) That if the application is approved, it be subject to the conditions and informatives agreed by the Central and South Planning Committee on 9 March 2010 (detailed in the Committee report and minutes) and attached to this report.

### **3.0 KEY PLANNING ISSUES**

- 3.1 The current planning application was lodged on the 16<sup>th</sup> of December 2009, and was reported to the Central and South Planning Committee on the 9<sup>th</sup> of March 2010. The report is attached as Appendix A and the minutes of that meeting are attached as Appendix B.
- 3.2 At the time the application was reported to the Central and South Planning Committee the applicants had agreed to meet an education obligation of £41,020. It should be noted that at the time of reporting it was not known that there was to be an age restriction on future residents who would be allowed to occupy the development, and as such a standard education obligation was sought and agreed.
- 3.3 Since the approval of the scheme it has now transpired that there is be an age restriction imposed, where by no residents under 55 years of age can occupy the building. With this sort of age restriction it is standard practice not to seek

an education contribution due to limited likely child yield arising from the scheme.

- 3.4 It is worth noting that the housing department undertook consultation with the local residents and school and had offered to assist with providing for safer pedestrian crossing facilities near Brookside School. The funding no longer required for education places could be used to cover the cost of traffic calming measures.
- 3.5 Following the resolution to grant planning permission a statement of intent was entered into and all of the financial obligations have since been met with respect to this agreement.
- 3.6 It is proposed to that the terms of the agreement be amended to allow the use of the education contribution for the implementation of traffic calming measures (for the direct benefit of the local area and Brookside School).
- 3.7 Accordingly, approval is recommended, subject to the conditions and informatives contained within the report heard by the Central and South Planning Committee on 9th of March 2010.

## **OBSERVATIONS OF BOROUGH SOLICITOR**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached. Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **OBSERVATIONS OF THE DIRECTOR OF FINANCE**

The report indicates that the costs of the development will be fully met by the developer, and the developer will make a Section 106 contribution to the Council towards associated public facilities. The developer will also meet the reasonable costs of the Council in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed. Consequently, there are no financial implications for this Planning Committee or the Council.

### **Reference Documents**

- (a) Central and South Planning Committee Agenda 9<sup>th</sup> March 2010. Report for application reference 65936/APP/2009/2629.
- (b) Central and South Planning Committee Minutes 9<sup>th</sup> March 2010.

**Contact Officer:** VANESSA SCOTT

**Telephone No:** 01895 250 230

## APPENDIX A

## Report of the Corporate Director of Planning & Community Services

**Address** CAR PARK REAR OF 1-16 SYDNEY COURT PERTH AVENUE HAYES

**Development:** Erection of 12 flats (8 two-bedroom, 4-person flats, 3 two-bedroom 3-person flats and 1 one-bedroom 2-person wheelchair accessible flat), in a single block with 12 associated car parking spaces; demolition of existing garages adjacent to Melbourne House and number 83 Perth Avenue; and provision of 3 open car parking areas.

**LBH Ref Nos:** 65936/APP/2009/2629

**Drawing Nos:** Design and Access Statement  
Air Quality Assessment (Ref: BV/AQ/AGGX2205065/PB/2596)  
Arboricultural Report (Ref: 08/086)  
Parking Statement Rev C  
0725(69)PL01 Rev B (Existing Site Photographs)  
0725(69)PL02 Rev B (Existing site information)  
0725(69)PL03 Rev B (Proposed Site Plan)  
0725(69)PL04 Rev D (Proposed Site Plan - Part)  
0725(69)PL05 Rev C (Proposed Ground Floor Plan)  
0725(69)PL06 Rev C (Proposed First Floor Plan)  
0725(69)PL07 Rev (Proposed Second to Fourth Floor Plan)  
0725(69)PL08 Rev B (Proposed Roof Floor Plan)  
0725(69)PL09 Rev C (Proposed South Elevation)  
0725(69)PL10 Rev B (Proposed West Elevation)  
0725(69)PL11 Rev B (Proposed East Elevation)  
0725(69)PL12 Rev B (Proposed North Elevation)  
0725(69)PL13 Rev A (Proposed Section)  
0725(69)PL14 Rev D (Existing Site Information - Location Plan)  
0725(69)PL15 Rev A (Proposed Typical Bathroom Layouts)  
0725(69)PL17 (Proposed section through carparking)  
0725(69)PL18 (Proposed Materials)

**Date Plans Received:** 03/12/2009                      **Date(s) of Amendment(s):** 16/12/2009  
**Date Application Valid:** 16/12/2009                      25/02/2010

### **DEFERRED ON 18th February 2010 FOR FURTHER INFORMATION .**

The application was deferred from the Central and South Planning Committee due to concerns that a newly constructed building on the neighbouring school site was not shown on the plans. It is noted that the building was not present on the plans due to the recent nature of its construction, however the building was present on site at the time of the officers site visit and the implications of this building were taken into account within the previous report.

In order to address these concerns the plans have been amended to correctly show this building and additional comment on the building and its implications is provided below.

Temporary planning permission (ref: 3739/APP/2009/78) was granted on 07/04/2009 for a building in this location to be utilised as parent and toddler centre, subject to planning conditions. The removal of the building and the reinstatement of the land would be required on or before 07/04/2012.

The building in question is single storey building utilised for parent & toddler sessions, a parent zone drop in centre and for parents courses. The temporary building is located approximately 25m from the nearest corner of the proposed building, which contains no facing windows, accordingly there would be no intervisibility or privacy issues arising from the proposal. Nor is it considered that the proposal would give rise to any harm by way of overshadowing or loss of daylight to the temporary building.

This report has also been updated to reflect the addendum items from the previous Committee and any additional correspondence received. The recommendation remains for approval.

## **1. SUMMARY**

The application seeks permission for the erection of a block of 12 residential units on a derelict site which has been historically utilised as a car park.

The design, scale and massing of the building are considered to be appropriate and in keeping with the character and appearance of the surrounding area.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide an area of soft landscaped amenity space for the benefit of the neighbouring estate. In addition the proposal would provide an appropriate residential environment for future occupiers.

The proposed scheme would provide an appropriate level of accessibility and the proposal does not give rise to any concerns with regard to highway or pedestrian safety.

The application proposes an acceptable solution for the relocation of parking for tenants with parking rights in their lease agreements and by doing so would reduce the number of cars parking on the surrounding streets in comparison to the existing situation. The proposal does not give rise to any concerns regarding pedestrian or highways safety.

The application is therefore recommended for approval, subject to conditions and a legal agreement to secure the provision of affordable housing and planning obligations.

## **2. RECOMMENDATION**

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

**a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:**

- i) The provision of 100% affordable housing by habitable room.**
- ii) A refuse/recycling management strategy.**
- ii) The provision of a contribution of £41,020 towards educational facilities.**
- iii) The provision of a contribution of £3,902 towards healthcare facilities.**
- iv) The provision of a contribution of £10,000 toward community facilities.**
- v) The provision of a contribution of £414 towards local library facilities**



vi) A contribution of £2,500 for every £1 million build cost to provide for construction training.

vii) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.

b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Statement and any abortive work as a result of the agreement not being completed.

c) That planning officers be authorised to negotiate and agree details of the proposed Statement.

d) That if by 17th March 2010, the Statement has not been completed, delegated powers be given to the Director of Planning and Community Services, at their discretion, to refuse planning permission for the following reasons:

1. The applicant has failed to provide, through an appropriate Statement of Intent or other appropriate legal agreement, an adequate provision of on site affordable housing. The proposal is therefore contrary to Policy Pt1.17 of the London Borough of Hillingdon Unitary Development Plan Saved Policies September 2007, Policies 3A.10 and 3A.11 of the London Plan (February 2008) and the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations.

2. The development is not considered to have made adequate provision, through planning obligations, for contributions towards educational facilities, healthcare facilities, community facilities, library facilities, construction training and monitoring. Given that a Statement of Intent, or other appropriate legal agreement, has not been secured to address this issue the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document for Planning Obligations (Adopted July 2008).

2. The development has failed to provide adequate facilities for the storage and collection of refuse and recycling contrary to policy 4A.22 of the London Plan.

e) That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers, subject to the completion of the Statement.

f) That if the application is approved, the following conditions be attached:-

1 SP01 Council Application Standard Paragraph

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

2 T8 Time Limit - full planning application 3 years

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

REASON

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

**3 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

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

**REASON**

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

**5 NONSC Winter Gardens**

Prior to the commencement of the development hereby approved plans demonstrating the details design of the winter gardens and terrace balustrade shall be submitted to, and approved in writing by, the Local Planning Authority. The submission shall demonstrate the use of obscure glazing up to the top level of the balustrade which shall be to a minimum height of 1.2m.

**REASON**

To ensure an appropriate visual appearance and to prevent overlooking to adjoining properties in accordance with policies BE13, BE19 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and in accordance with the Council's Adopted SPD - Accessible Hillingdon.

**6 M5 Means of Enclosure - details**

Before the development is commenced, details of boundary fencing or other means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved means of enclosure shall be erected before the development is occupied and shall be permanently retained thereafter.

**REASON**

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

**7 H7 Parking Arrangements (Residential)**

The parking area servicing the proposed residential block shown on the approved plans, shall be marked out; designated and allocated for the sole use of the occupants; and constructed prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

**REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

## **8 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.
- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

### **REASON**

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## **9 TL2 Trees to be retained**

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

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

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

### **REASON**

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

## **10 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **11 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas (including details of access to amenity areas),
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

The landscaping details shall address landscaping within the main application site; landscaping to the frontage of and within the proposed open car parking area adjacent to Melbourne House; landscaping to the parking area adjacent to 83 Perth Avenue; and, if necessary, replacement planting adjacent to the Norwood Gardens Access.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**12 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

**REASON**

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**13 TL7 Maintenance of Landscaped Areas**

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

**REASON**

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

**14 TL21 Tree Protection, Building & Demolition Method Statement**

Prior to development commencing on site, a method statement outlining the sequence of development on the site including demolition, building works and tree protection shall be submitted to and approved by the Local Planning Authority, and the scheme thereafter implemented in accordance with the approved method statement.

**REASON**

To ensure that trees can be satisfactorily retained on the site in accordance with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 TL20 Amenity Areas (Residential Developments)**

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these

are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

#### REASON

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

#### **16 SUS2 Energy Efficiency Major Applications**

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 20% of the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

#### REASON

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

#### **17 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 4 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance with level 4.

#### REASON

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

#### **18 SUS5 Sustainable Urban Drainage**

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

#### REASON

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

#### **19 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development, including the 3 open parking areas. Details of security measures shall be

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

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

#### **20 OM2 Levels**

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

#### REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed to be fully wheelchair accessible, or easily adaptable for residents who are wheelchair users, and provide a space for the storage and charging of mobility scooters and/or electric wheelchairs as set out in the Council's Supplementary Planning Document 'Hillingdon Design and Accessibility Statement: Accessible Hillingdon'.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

#### **22 NONSC Platform Lift**

Prior to the commencement of development hereby approved, details of the platform lift to serve the wheelchair accessible unit shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter the lift shall be installed in accordance with the approved details and permanently retained and maintained.

#### REASON

In order to ensure the development achieves an appropriate level of accessibility in accordance with Policy 3A.5 of the London Plan and the HDAS - Accessible Hillingdon.

#### **23 MCD10 Refuse Facilities**

No development shall take place until details of facilities to be provided for signposted, screened and secure storage and collection of refuse and recycling at the premises have

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

No storage of refuse or recycling shall take place external to the approved stores or building envelope.

#### REASON

In order to safeguard the amenities of the area, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

#### **24 NONSC Cycle Storage**

No part of the development hereby permitted shall be occupied until the 12 covered and secure cycle storage spaces shown on the approved plans has been provided on site. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

#### REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

#### **25 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

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

#### REASON

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

#### **26 H6 Car Parking - Layout, Lighting and Security**

The development hereby approved shall not be commenced until the details scheduled below relating to the 3 open car parking areas have been submitted to, and approved in writing by, the Local Planning Authority. Thereafter, the scheme shall be implemented in



accordance with the approved details.

Schedule:

Parking layouts, including the marking out of spaces;

Lighting arrangements; and

Additional security measures, including specific measures to address access between the neighbouring residential estate and the car parking area accessed off Norwood Gardens.

REASON

To ensure that the facilities is provided have an appropriate layout and design in accordance with Policies AM7 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and in pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

**27        SUS8        Electric Charging Points**

Before development commences, plans and details of 2 electric vehicle charging points, serving the development and capable of charging multiple vehicles simultaneously, shall be submitted to and approved in writing by the Local Planning Authority.

REASON

To encourage sustainable travel and to comply with London Plan Policy 4A.3.

**28        NONSC        Non Standard Condition**

Prior to the commencement of the development hereby approved details of the access gate to the undercroft car park, incorporating facilities for its operation by disabled persons, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the access gate shall be installed in accordance with the approved details and maintained for so long as the development remains on site.

REASON

In order to ensure the development achieves an appropriate level of accessibility in accordance with Policy 3A.5 of the London Plan and the HDAS - Residential Layouts.

**29        NONSC        Non Standard Condition**

Prior to the commencement of development details of a scheme of waiting restrictions in Perth Avenue at, and opposite, the site access bell mouth shall be submitted to, and approved in writing by the Local Planning Authority. Thereafter the approved scheme shall be implemented prior to the occupation of the development.

REASON

In order to provide safe and unobstructed access into and out of the site access in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

## INFORMATIVES

### 1 152 **Compulsory Informative (1)**

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

### 2 153 **Compulsory Informative (2)**

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

PT.10	
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H5	Dwellings suitable for large families
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM8	Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
BE23	Requires the provision of adequate amenity space.

**3**            **11**                    **Building to Approved Drawing**

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

**4**            **12**                    **Encroachment**

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

**5**            **13**                    **Building Regulations - Demolition and Building Works**

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

**6**            **15**                    **Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

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

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

**8**

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

- (i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between

the hours of 0800 and 1300 on Saturday. No such work should be carried out on Sundays and Bank Holidays. All noise generated during such works should be controlled in compliance with British Standard 5228;

(ii) Measures shall be taken to eliminate the release of dust and odours caused by the works that may create a public health nuisance.

(iii) No bonfires on the site should be allowed to take place at any time.

## 9

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

## 10

The applicant is encouraged to incorporate an in sink waste disposal system to the scheme in order to reduce the level of landfill waste generated by the proposal.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site consists of three separate areas of land, including the main site and two garage sites. The garage sites are located in proximity to the main site with one being adjacent to Melbourne Court and one being adjacent to nos. 83-87 Perth Avenue, they contain 38 and 19 garages respectively. The garages are currently only available to those willing to rent them and at presently 21 of the garages are rented, although it should be noted that these may be utilised for storage rather than car parking.

The main site is a roughly rectangular area of land accessed via a private road from Perth Avenue and a second access leads to the site from Norwood Gardens, the existing hard play areas to the rear of Sydney Court are also included within the application site.

The site was formerly a car parking area, however it has been unused for some time and is currently fenced off with the hardstanding damaged in places. There are no marked out parking bays and in its current condition the site is not capable of use as for car parking without substantive repairs. The site lies within the developed area as defined within the Saved Policies UDP and has a public transport accessibility level of 2.

It is approximately 1m below the level of the surrounding ground, which includes a school and neighbouring flats.

The surrounding area is predominantly residential in character with properties in the immediate vicinity consisting of post-war Council blocks, which are four storeys in height. Immediately to the north of the site lies Brookside Primary School and Melbourne House. A 13 storey Council block lies slightly to the south west.

#### 3.2 Proposed Scheme

Planning permission is sought for a residential development to provide 12 flats (11 two

bedroom and 1 one bedroom) with associated parking and landscaping.

The proposed block would be approximately 16m (five storeys) in height, 12.6m wide and 23m deep. It should be noted that the change in levels means this would only be 15m above the surrounding ground level.

Private terraces totalling 123 sq.m would be provided to the south of the block serving three of the first floor units, these would be located above the undercroft car park and be approximately 2m above neighbouring ground level.

Each flat above first floor level would be provided with a 4.68sq.m winter garden (in effect a balcony enclosed by glazing). A communal amenity space totalling 400 sq.m would be provided for the future occupiers and a soft landscaped amenity area totalling 450sq.m would be provided for the benefit of residents within the neighbouring estate.

One of the existing hard surfaced play areas within the neighbouring estate would be replaced with landscaping and re-provided as a new 190sq.m play space to the rear of the site for the benefit of existing and future occupiers.

The equipped play area to the rear of Sydney Court is not altered by the proposals, however the adjacent hard surface play area would be replaced with soft landscaping. A replacement hard surfaced play area is proposed to the rear of the main application site, adjacent Lyttleton Court.

The existing vehicular access from Perth Avenue would be utilised to serve the new block of flats and would lead to a total of 12 car parking spaces (1 of which would be disabled standard) within an undercroft parking area. The undercroft area would also provide for refuse/recycling storage, secure cycle storage and general stores for use by future residents.

14 new car parking spaces would be provided to the rear of the main application site and access via the existing road from Hobart Close.

On the garage sites a total of 45 garages would be demolished and replaced with formal parking areas containing a total of 58 parking spaces (38 adjacent to Melbourne Court and 20 adjacent to No. 83 Perth Avenue).

### **3.3 Relevant Planning History**

65936/APP/2009/713 Car Park Rear Of 1-16 Sydney Court Perth Avenue Hayes

Residential development to provide 11 two-bedroom flats and 1 one-bedroom flat with associated parking and landscaping.

**Decision:** 21-09-2009 Withdrawn

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

A previous application for the redevelopment of the main site (Ref: 65936/APP/2009/713) was deferred by the Central and South Planning Committee on the 08/09/2009 due to concerns relating principally to car parking issues, although further information was also requested relating to the density of the wider estate. The current application seeks to address the concerns relating to parking and additional information has been provided within the density section of this report.

There are no conditions or other planning restrictions within the history of the main site or the garage sites which require the provision of parking on these sites or allocate parking on these sites to occupiers of any neighbouring buildings.

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

See above.

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

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

##### Part 1 Policies:

- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.17 To seek to ensure the highest acceptable number of new dwellings are provided in the form of affordable housing.

##### Part 2 Policies:

PT.10

- BE13 New development must harmonise with the existing street scene.
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- H4 Mix of housing units
- H5 Dwellings suitable for large families
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons

- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE5 Siting of noise-sensitive developments
- BE23 Requires the provision of adequate amenity space.

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

**5.1** Advertisement Expiry Date:- **6th January 2010**

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

## **6. Consultations**

### **External Consultees**

The application was advertised in a local newspaper, site notices posted and 371 local owner/occupiers notified including the Yeading Residents Association, Hayes Town Centre Residents Association and the Hayes Town Partnership.

3 petitions have been received objecting to the proposal for the following reason:

- (i) Noise and disturbance arising from building works;
- (ii) Overlooking of existing homes and school;
- (iii) Loss of light/overshadowing; Increased traffic on a dangerous road, in particular due to proximity of the school; and
- (iv) Loss of car parking.

7 letters of objection raising the following concerns:

- (a) The estate is already overcrowded;
- (b) Will create increased car parking;
- (c) The proposal will cause disruption during construction;
- (d) Object to the loss of the garages which are rented by residents of Melbourne House and provide secure parking; and
- (e) Concerns relating to vandalism within the open parking areas.

LETTER FROM JOHN MCDONNELL MP

Objects to the proposal for the following reasons:

The proposal is too dense and intensive;

The proposal will have an overbearing impact on nearby dwellings and the school playing field;

The proposal will increase traffic generation; and

Consideration should be given to the use of the site as a play area.

THAMES WATER

No objection.

### **Internal Consultees**

TREES AND LANDSCAPE OFFICER

This advice is offered after reference to the drawings submitted with the application, Simon Pryce's Arboricultural Report dated 21 August 2008 and a recent site visit.

The site is a disused car park with the only significant trees situated at either end of the site near the access roads and off-site in the open space to the north. An arboricultural report (August 2008)

has been submitted which assesses the quality and value of eleven trees on and close to the site. There are several other trees on land adjacent to the site.

Three Birches are, situated at the west end of the site, alongside the access road off Perth Avenue. These trees are categorised 'R' (for removal), because they are dying or in severe decline and their removal is justified on the grounds of good arboricultural management.

The eight trees situated at the eastern end of the site (off-site - on Council land) are of varying quality and value. The Cherry trees (Nos. 10 & 11 on the survey) nearest to Hobart Road are valuable features, allied to the clump of similar trees on the small green east of Westport Court, and should be retained as part of any development.

The other trees (No.s 4-9) are situated off-site on sloping land in proximity to the proposed car parking area (and widened drive). Depending on how the parking spaces are to be constructed, there may have to be changes in ground levels and/or retaining walls close to the trees, which may well put them in jeopardy, but no details have been provided. If any of these trees are affected and/or have to be removed to facilitate this part of the development, there is space on land which lies in the ownership of the applicant (blue site outline) to plant new trees in replacement of them.

While some tree loss is proposed and justified, and more may be necessary, a commitment to tree retention and replacement as part of a detailed landscape scheme is made in the Design and Access Statement. The layout indicates that there will be space and opportunity for a high quality landscape scheme in accordance with Saved Policy BE38.

Subject to conditions TL1, TL2, TL3, TL5, TL6, TL7 and TL21, the application is acceptable in terms of Saved Policy BE38.

#### ENVIRONMENTAL PROTECTION UNIT - NOISE AND AIR QUALITY

No objections are raised to the proposal and no conditions are considered necessary in relation to these issues.

#### ENVIRONMENTAL PROTECTION UNIT - CONTAMINATION

There is no contaminative use of the land. It appears there is some limited landscaping. I would suggest adding the soil landscaping condition below so any soil used for the amenity areas is tested to make sure it is clean and uncontaminated.

#### SECTION 106 OFFICER

The proposed scheme would give rise to the need for the following planning obligations:

1. Education: in line with the SPD a contribution of £41,020 towards education.
2. Health: in line with the SPD a contribution of £3,902.23 is required in order to meet the healthcare needs of the proposed development.
3. Community Facilities: in line with the SPD a contribution in the sum of £10,000 is required in order to improve facilities at the Hayes Recreation Centre.
4. Libraries: in line with the SPD a contribution equal to £414 is sought in order to improve local library facilities.
5. Construction training: in line with the SPD if the construction period exceeds 3 months or costs



over £2m then a contribution equal to £2,500 for every £1m build cost will be required.

6. Project Management and Monitoring: in line with the SPD if a s106 agreement is entered into then a contribution equal to 5% of the total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

#### URBAN DESIGN OFFICER

The proposal regards the erection of a single block of flats on an existing brownfield site, at the Northern edge of a flatted development site. The application site, which is currently used as a car park, adjoins extensive playing fields to the North. The flat roofed 4 storey block is considered to integrate well with the existing built context as well as the wider surroundings in terms of scale, height, massing and general design concept. The development of the car park is not considered to have any detrimental impact on the character of the adjacent playing fields, as the application area is an existing built up area, and views of the future development and proposed landscaping as opposed to the existing car park is considered to enhance the appearance and character of the site as a whole. The proposed materials; stock facing bricks on the ground floor and coloured render on the upper storeys, are well established in the area. The introduction of decorative panels in the form of murals and coloured render on the North elevation; which provide interest, ensure architectural quality and assist in reducing the visual impact of the building; is welcomed.

The proposed amenity spaces with rigorous new tree planting are strongly supported, as they create new recreation areas, but also provide an important visual and ecological green link to the adjacent playing fields.

The apartments benefit from extensive winter gardens with full height sliding glass doors, which provide additional amenity space and increase daylight levels. The first floor apartments benefit from secluded private gardens. The building is partly sunken into the ground and provides car parking space and plant on the lower level. The proposed scheme benefits from high standards of design, materials and details, and includes sustainable high tech solutions such as solar panels and rain water harvesting, which is strongly supported.

#### HIGHWAYS

Refuse bins should be located within 10 metres of the public highway. The storage area is shown to be over 35 m from the public highway. However the plans indicate a waste collection point by the gable wall of Sydney Court. Subject to a management plan for refuse bins to be transferred to the collection point and back being included within a Section 106 agreement the proposed arrangement is acceptable.

Car parking provision meets the Council's maximum standards. One cycle space per flat has been provided.

The provision of the 3 parking courts would increase the availability of parking facilities to occupiers of the estate and is likely to result in a reduction of on-street parking. Conditions should be imposed to secure details of the layout, drainage and lighting of these areas. Subject to no concerns being raised by the Council's Access Officer no objection is raised to the lack of disabled parking spaces in these parking areas, which would be some distance from the units they are intended to serve.

No objections are raised on highway grounds.

#### ACCESS OFFICER

No objection, subject to conditions to secure the wheelchair unit and implementation of Lifetime

Homes.

In relation to the car parking sites (satellite) there is no objection to the lack of disabled parking within these areas, given the purpose of their provision and the distance from the units they are intended to serve.

## **7. MAIN PLANNING ISSUES**

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

The proposal seeks permission for the erection of a residential development on a disused car parking site. The proposals would also provide a soft landscaped amenity area in the centre of the neighbouring residential estate and a replacement hard surfaced play area to the rear of the site for use by neighbouring residents.

There is no objection to the principle of a residential development on the application site and the provision of additional amenity space for the residents of the neighbouring estate is supported.

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

The main application site has an area of approximately 0.29 hectares and benefits from a public transport accessibility level of 2. The low level buildings and open space of the neighbouring school, combined with the 4 storey and 13 storey blocks within the locality provide a mixture of characteristics from both urban and suburban contexts, however the site is predominantly within a suburban setting.

Policy 3A.3 of the London Plan seeks to maximise the level of development on sites, subject to compatibility with the local context and all other relevant planning policy. Table 3A.2 of The London Plan recommended densities of 150-250 hr/ha and 50-95u/ha for a suburban setting.

The proposal seeks a density of 148 hr/ha or 41 u/ha which is considered to be appropriate for the area having regard to the London Plan Guidance and surrounding context.

At the Central and South Planning Committee on the 08/09/2009 members sought to obtain additional information relating to the density of the wider area. In relation to this issue density is the ratio of the number of units or habitable rooms and the area, the appropriate area for such a calculation is a subjective issue while information on this issue is provided below, this is 'approximate only' and it is not considered it would be sound to rely on such information in decision making.

\* Immediately neighbouring estate to the south (Sydney Court, Hawke Court, Christchurch Court, Lyttleton Court, Westport Court, Auckland Court and Westport Court) approximately 78u/ha.

\* Opposite estate (Melbourne Court, 1-23 Dunedin Way and 1 - 23 Perth Avenue) approximately 124 u/ha.

In determining this planning application the density of the proposed scheme should be treated on its own merits in accordance with the adopted development plan and current guidelines within the London Plan. In the case of an existing area the material implications of the density (or number of occupiers) present themselves within the existing conditions within the area, such as capacity of amenity space and levels of on street parking. The impact of the proposal having regard to these existing conditions is assessed within the relevant sections of this report and the application is not considered to result in any

detrimental outcomes.

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

The application site is not located within proximity to an archaeological priority area, a conservation area, an area of special local character or any listed buildings. The proposal does not raise any concerns relating to these matters.

#### **7.04 Airport safeguarding**

The proposal does not give rise to any concerns regarding airport or aerodrome safeguarding.

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

The application site is not located in proximity to the Metropolitan Green Belt.

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

The proposal would involve the erection of a 5 storey (16m high) block on a disused car parking site. The indicative materials palette consists of stock facing bricks on the ground floor and coloured render on the upper storeys which are well established in the area.

The context within the surrounding area is primarily four storey post war Council blocks, with the 13 storey Melbourne house forming a significant part of the areas character. The site is set approximately 30m behind the primary building line on Perth Avenue and it is considered that the flat roofed block would integrate well with the neighbouring estate and the built context of the wider area in terms of scale, height, massing and general design concept.

In addition, the main application site is currently a vacant area of hardstanding which is not currently maintained to a high standard and does not positively contribute to the character of the area or the amenity of surrounding properties. It is considered that the proposed development, which includes landscaping and amenity areas to serve future and existing occupiers, would enhance the appearance of the site benefiting both the character of the area and providing a higher level of amenity for nearby occupiers.

The relocation of an the hard play surface within the neighbouring residential estate to the rear of the main application site would allow for the provision of a soft landscaped amenity area, which would enhance the appearance of the existing estate and total level of open space available to neighbouring occupiers while maintaining a commensurate level of play facilities.

The garages which are proposed for demolition are brick built with metal garage doors, they are of no particular architectural merit. There would also be the opportunity to provide soft landscaping to the road frontage with Perth Avenue adjacent to the largest proposed open parking area adjacent to Melbourne Court which would serve to enhance the amenity value of the street scene.

Accordingly, the development is considered to positively integrate and enhance the character of the existing area in accordance with policies BE13 and BE19 of the Saved Policies UDP.

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

Policy BE24 the Saved Policies UDP and guidance within the adopted Hillingdon Design and Accessibility Statement (HDAS) - Residential Layouts require that the design of new buildings protects the privacy of occupiers and their neighbours.

In relation to overlooking all of the proposed windows are over 21m from habitable room windows within Sydney Court, Lyttleton Court and Napier Court. It is therefore considered

that the proposed development would not result in any detriment to neighbouring owners or occupiers as a result of overlooking and that the scheme complies with policy BE24 of the Saved Policies UDP.

The HDAS - Residential Layouts and Policy BE20 of the UDP seek to ensure that all new developments maintain appropriate provision of daylight and sunlight to neighbouring properties and avoid overshadowing. Policy BE21 of the UDP and guidance within HDAS - Residential Layouts requires that proposals for new buildings would not result in a significant loss of residential amenity by reason of their, siting, bulk or proximity. The proposed development is located such that it would not be detrimental to the amenity of neighbouring occupiers through overshadowing or dominance.

The proposed development would also involve the provision of a 190sq.m hard surfaced play area to the rear of the main site, for use by the existing neighbouring occupiers, and involve the soft landscaping of part of the existing play surfaces within the neighbouring estate. This would increase the visual amenity of the central area of the estate and level of external amenity space currently available to the benefit of the occupiers of neighbouring properties.

It is not considered that the proposal to replace the garages with open car parking areas would have any detrimental impacts on the occupiers of 83,85 or 87 Perth Avenue or Melbourne Court. Nor is it considered that the introduction of the small parking area adjacent to Westport Court would have any detrimental impact on the amenity of these occupiers.

In summary, it is considered that the proposed development would have a satisfactory relationship with, and maintain an appropriate level of residential amenity to, neighbouring residential properties.

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

Policy BE24 the Saved Policies UDP and guidance within the adopted Hillingdon Design and Accessibility Statement (HDAS) - Residential Layouts require that the design of new buildings protects the privacy of occupiers and their neighbours.

The design and layout of buildings, winter gardens and roof top amenity space within the scheme is such that there are no instances of overlooking to habitable windows internal to the scheme which would be a cause of concern with regard to privacy. The scheme also achieves appropriate levels of separation from neighbouring properties so as to avoid overlooking.

The HDAS - Residential Layouts and Policy BE20 of the UDP seek to ensure that all residential developments and amenity space receives adequate daylight and sunlight. It is considered that that the proposed residential units and their associated amenity space would all benefit from an appropriate level of daylight.

The HDAS - Residential Layouts seeks to ensure that an appropriate living environment is ensured for future occupiers through the provision of adequate internal floorspace within residential units. As such, for one-bedroom and two-bedroom units it seeks a minimum internal floorspace provision of 50m<sup>2</sup> and 63m<sup>2</sup>, respectively. All of the units within the proposed development would provide adequate floorspace in accordance with the Council's requirements.

The HDAS - Residential Layouts recommends as a minimum 20m<sup>2</sup> of amenity space be

provided per one bedroom unit and 25m<sup>2</sup> per two bedroom unit. This area must be in a convenient location in relation to the flats they serve and be of a usable size. For the proposed development this would equate to 295sq.m of amenity space. The proposal would provide a 400sq.m communal amenity space, three private terraces totalling 123sq.m and a number of winter garden balconies would also be provided. It would therefore provide adequate amenity space to ensure the amenity of future occupiers.

Overall, the development would provide an appropriate residential environment for future occupiers.

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

The proposal seeks to provide the following levels of car parking:

12 spaces (including 1 disabled space) on the main application site to provide for the future occupiers;

14 spaces on the main site to re-provide for occupiers of the adjoining residential estate;

38 spaces on the garage site adjacent to Melbourne Court to re-provide for occupiers of the adjoining estate; and

20 spaces on the garage site adjacent to 83 Perth Avenue to re-provide for occupiers of the adjoining estate.

In relation to car parking there are three main considerations, whether the proposed parking for future occupiers is acceptable; whether there is a loss of parking from the main site; whether the proposals for the garage sites will result in increased on-street parking; and whether the parking provision for neighbouring occupiers would be appropriate.

#### **WHETHER THE PROPOSED PARKING FOR FUTURE OCCUPIERS IS ACCEPTABLE**

The proposal would provide 12 parking spaces for the 12 residential units proposed. One of which would be provided to disabled standards.

This level of parking is considered to comply with the Council's maximum parking standards and the recommendations of the London Plan and accordingly, there would be adequate parking for future occupiers of the development.

#### **WHETHER THERE IS A LOSS OF PARKING FROM THE MAIN SITE**

The history of the application site (the main site and the two garage sites) is particularly relevant to this consideration.

The main site was developed as part of the Yeading Green estate in the mid 1960's and provided a multi-storey car park for the estate. The planning history for the site does not contain any requirement that the site be utilised or retained for the purposes of car parking.

The multi-storey car park was demolished in the 1970's and was converted to provide 72 car parking spaces, this area was subject to a number of problems including flooding and this resulted in the Tenant's association at the time electing to cease use of the site and secure it. The exact date of the closure of the car park is unclear, however it is known to have been more than five years ago and anecdotal evidence provided by residents at the previous Committee meeting would suggest the closure took place a significant time ago.

However, there are a number of leaseholders within the Yeading Green estate who have a

right to park on the site or such other area or areas as the Lessor in its absolute discretion from time to time determines. This in itself is a civil matter, rather than a planning issue, however the need for the lessor to re-supply parking elsewhere has potential implications and therefore the application identifies locations for this re-provision on two existing garage sites at Melbourne Court and adjacent 83 Perth Avenue. The re-provision proposals would provide 72 parking spaces for residents of the neighbouring estate, which is the same number of spaces which were historically located on the application site.

In conclusion, there is no planning requirement for the site to be utilised for parking, and given the length of time that the site has been closed the proposal would not result in the displacement of car parking from the main site or any implications for the operation of the highway network. The proposal addresses the matter of re-provision of parking for future occupiers and the redevelopment of the main site does not therefore raise any material issues relating to car parking.

#### WHETHER THE PROPOPOSALS FOR THE GARAGE SITES WILL RESULT IN INCREASED ON-STREET PARKING

The planning history indicates that the garage sites sites at Melbourne Court and adjacent to 83 Perth Avenue are not linked to any surrounding properties by way of any conditions or restrictions. They are currently rented out on an individual basis and the applicant has confirmed there are no leasehold interests in these garages.

36 of the 57 existing garages are currently vacant, which means demolition of the garages would result in a maximum of 21 spaces being displaced from these areas (although it is considered likely that a number of the rented garages are utilised for general storage rather than parking and that a lower number of vehicles would be displaced).

However, the proposal as a whole would provide 72 spaces for the use of occupiers of the residential estate, who in the existing situation would be required to park on the street. It is therefore considered that overall, the proposal is would reduce the level of on-street parking and any associated impacts within the the vicinity of the application site.

#### WHETHER THE PARKING PROVISION FOR NEIGHBOURING OCCUPIERS WOULD BE APPROPRIATE

In terms of the number and specification of the proposed open parking areas, they would represent a like for like replacement for those which were historically located on the main application site. While a number of the parking courts lie a greater distance from the units they would serve, these spaces have the benefit that they do not lie on lower land, meaning users will not have to traverse a relatively steep slope in order to utilise the facilities.

There is no provision of disabled parking spaces within the proposed open parking areas, however the parking areas adjacent to Melbourne Court and 83 Perth Avenue are located at a distance where the provision of disabled parking within these areas would provide little benefit to the users. Similarly, the 14 spaces to the rear of the main application site are located at a lower level than the units they are intended to serve and their use by disabled persons would not be practical.

In considering this issue it should also be taken into account that all of the units above

ground floor level within the existing residential estate are accessed only by stairs and that given these units were built in the 1960's they are not constructed in a manner which makes them readily accessible by, or easily converted for use by, disabled persons.

In this instance it is not considered that the lack of disabled parking spaces within these parking areas represents a significant concern, nor would it represent sufficient grounds on which to refuse the scheme.

In terms of layout the these parking areas are considered to be acceptable.

## CYCLE PARKING

The proposal would provide cycle parking facilities within the basement in accordance with the Council's requirements.

## ACCESS ARRANGEMENTS

The proposed block and car parking areas on the main application site would utilise the existing site accesses and the proposed development would result in fewer vehicular movements than if the site were brought back into use as a car park.

Similarly, the re-provided parking spaces on the garage sites would be accessed utilising the existing accesses and the total number of spaces proposed within each area would result in no increase in the level of use of these accesses, above that which would occur if the current garages were fully utilised.

Accordingly the Council's Highways Engineer has raised no objections to the scheme in terms of access or traffic generation.

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

Issues relating to design have been addressed within the 'Impact on the character & appearance of the area' section above.

Issues relating to access have been addressed within the 'Disabled Access' section below.

Subject to a condition requiring the development to meet Secured by Design standards the proposal is not considered to give rise to any concerns regarding security.

### **7.12 Disabled access**

Policy 3A.5 of the London Plan and guidance within the HDAS - Accessible Hillingdon requires new residential developments to achieve Lifetime Homes Standards and for 10% of the units to be easily adaptable for wheelchair users.

The Council's Access Officer has reviewed the application in detail and considers that the proposal would represent a development which fully complies with Lifetime Homes Standards and would provide a wheelchair unit with two potential access routes.

Accordingly, the proposal complies with policy 3A.5 of the London Plan and guidance within HDAS - Accessible Hillingdon.

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

The London Plan and guidance within the Council's Supplementary Planning Document

for Planning Obligations requires that 50% of all residential units are provided as affordable housing on schemes of this size.

The application has been submitted on behalf of the Council's Housing Department and all of the units within the scheme would be provided as affordable. The proposal would therefore exceed the requirements of adopted policy relating to affordable housing.

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

An arboricultural report has been submitted which assesses the quality and value of 11 on and off site trees. 1 of these trees are Birch, situated at the west end of the site, alongside the access road off Perth Avenue and are proposed for removal within the scheme, these trees are rated 'R' because they are in decline and their removal is justified on the grounds of sound arboricultural management. The indicative details demonstrate an intention to provide replacement planting in this area.

The other 8 trees are situated at the east end of the site. These trees are given 'B' and 'C' ratings (fair and poor). These trees are marked for retention and subject to appropriate tree protection measures would not be directly affected by the proposed development.

There are also other trees situated on sloping land to the east of the site, in proximity to the proposed car parking area (and widened drive). It is unclear from the submitted details whether the construction of the car parking area in this location will be detrimental to these trees. However, the trees are not considered to be of a particularly high standard and their is scope to secure replacement planting within land under the ownership of the applicant by condition.

In the existing situation the application site is a fenced off area of hard landscaping which has been poorly maintained and overgrown. The proposal would provide a soft landscaped amenity area to the rear for future residents and additional soft landscaping area within the neighbouring estate.

There would also be the opportunity to provide soft landscaping to the road frontage with Perth Avenue, which lies within the applicants ownership, adjacent largest of open parking area adjacent to Melbourne Court. This would help to screen and soften the appearance of the parking area and enhance the landscape value of the street scene.

The layout indicates that there will be space and opportunity for a high quality landscape scheme in accordance with saved Policy BE38. Subject to conditions securing an appropriate landscaping scheme, it is considered that the proposed development would enhance the landscaping of the site in accordance with Policy BE38 of the Saved Policies UDP.

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

The proposal would provide adequate provision for the storage of waste and recycling within the undercroft parking area. The storage area is over 30m from the public highway and that there is inadequate space within the proposed development to manoeuvre a refuse vehicle, accordingly a refuse collection point has been specified adjacent to the access road and the refuse bins would be moved from the storage area on collection days.

Subject to a condition to secure details of the setting out of the collection area and the management of the bins on collection days being secured through an appropriate legal agreement there is no objection to the proposed development in terms of refuse and recycling storage.



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

Policies within section 4A of the London Plan require developments to provide for reductions in carbon emissions, including the provision of 20% of the developments energy needs through on site renewable technology.

The application is supported by an assessment which indicates that the development has been designed to achieve level 4 of the Code for Sustainable Homes and that a significantly more than a 20% carbon dioxide reduction (based on regulated emissions) would be provided through the installation of solar thermal and solar photovoltaic panels to the roof of the proposed building.

While the submitted energy report does not appear to take account of unregulated energy usage within the proposed development adequate information has been provided to indicate that the development is capable of providing for a 20% reduction in total carbon dioxide emissions and this issue could be appropriately addressed through the imposition of a condition requiring a revised energy strategy.

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

Subject to a condition requiring the use of sustainable urban drainage on site it is not considered that the proposal would give rise to any concerns relating to flooding or drainage.

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

The application seeks permission for a residential development within a residential area. It is not considered that the proposal gives rise to any concerns regarding noise for either future or neighbouring occupiers of the main site or neighbouring occupiers of the existing garage sites.

The application is accompanied by an Air Quality Assessment, which concludes that the development would not have a detrimental impact on local air quality. The Council's Environmental Protection Unit have reviewed the submission and raise no concerns in relation to Air Quality.

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

The application was advertised in a local newspaper, site notices posted and 371 local owner/occupiers notified including the Yeading Residents Association, Hayes Town Centre Residents Association and the Hayes Town Partnership.

#### **PETITIONS**

3 petitions have been received objecting to the proposal for the following reason:

- (i) Noise and disturbance arising from building works;
- (ii) Overlooking of existing homes and school;
- (iii) Loss of light/overshadowing;
- (iv) Increased traffic on a dangerous road, in particular due to proximity of the school; and
- (v) Loss of car parking.

Comment on the petitions:

Issues (ii), (iii) and (iv) are addressed within the body of the report.

Issues (i) pertains to construction impacts which could be appropriately mitigated by condition.

Issue (iv) relates to concerns of increased traffic and highways safety. These issues are addressed within the body of the report and the Council's Highways Engineer does not have any concerns regarding the proposal with regard to traffic generation or highway/pedestrian safety.

## INDIVIDUAL OBJECTIONS

2 letters of objection raising the following concerns:

- (a) The estate is already overcrowded;
- (b) Will create increased car parking; and
- (c) The proposal will cause disruption during construction;

Comment on individual objections:

Issues (a) and (b) are addressed within the report.

Issue (c) pertains to construction impacts which could be appropriately mitigated by condition.

Issue (d) pertains to the loss of garages rented by residents of Melbourne House. There is no planning requirement for the retention of these garages. The parking issues are discussed in detail within the body of the report and overall it is considered that the proposal is likely to reduce the level of on street parking in the vicinity.

Issue(e) pertains to concerns relating to vandalism within the proposed open parking areas, the concerns are noted and conditions are recommended to ensure that appropriate measures are implemented with regard to security in these areas.

## LETTER FROM JOHN MCDONNELL MP

Objects to the proposal for the following reasons:

The proposal is too dense and intensive;

The proposal will have an overbearing impact on nearby dwellings and the school playing field;

The proposal will increase traffic generation; and

Consideration should be given to the use of the site as a play area.

Comments on objection from John McDonnell MP:

The first 3 issues are addressed within the body of this report.

The fourth issue relates to a potential alternative use for the site. There is no planning policy which requires the site to be utilised for other purposes and each scheme must be considered on its own merits. No objection is raised to the principle of the development as addressed in the body of the report.

### **7.20 Planning obligations**

The Council's S106 Officer has advised that the scheme would give rise to the need for the following planning obligations:

1. Education: in line with the SPD a contribution of £41,020 towards education.
2. Health: in line with the SPD a contribution of £3,902.23 is required in order to meet the

healthcare needs of the proposed development.

3. Community Facilities: in line with the SPD a contribution in the sum of £10,000 is required in order to improve facilities at the Hayes Recreation Centre.

4. Libraries: in line with the SPD a contribution equal to £414 is sought in order to improve local library facilities.

5. Construction training: in line with the SPD if the construction period exceeds 3 months or costs over £2m then a contribution equal to £2,500 for every £1m build cost will be required.

6. Project Management and Monitoring: in line with the SPD if a s106 agreement is entered into then a contribution equal to 5% of the total cash contributions will be sought to enable the management and monitoring of the resulting agreement.

Subject to an appropriate legal agreement being entered into, the proposed development would provide for the required obligations.

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

N/A

#### **7.22 Other Issues**

None.

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

## 10. **CONCLUSION**

The application seeks permission for the erection of a block of 12 residential units on the site of a derelict car park.

The design, scale and massing of the building are considered to be appropriate and in keeping with the character and context of the surrounding area.

The proposal would not detrimentally impact on the residential amenity of neighbouring occupiers and would provide an area of soft landscaped amenity space for the benefit of the neighbouring estate. In addition the proposal would provide an appropriate residential environment for future occupiers.

The proposed scheme, as amended, would provide for an appropriate level of accessibility and the proposal does not give rise to any concerns with regard to highway or pedestrian safety.

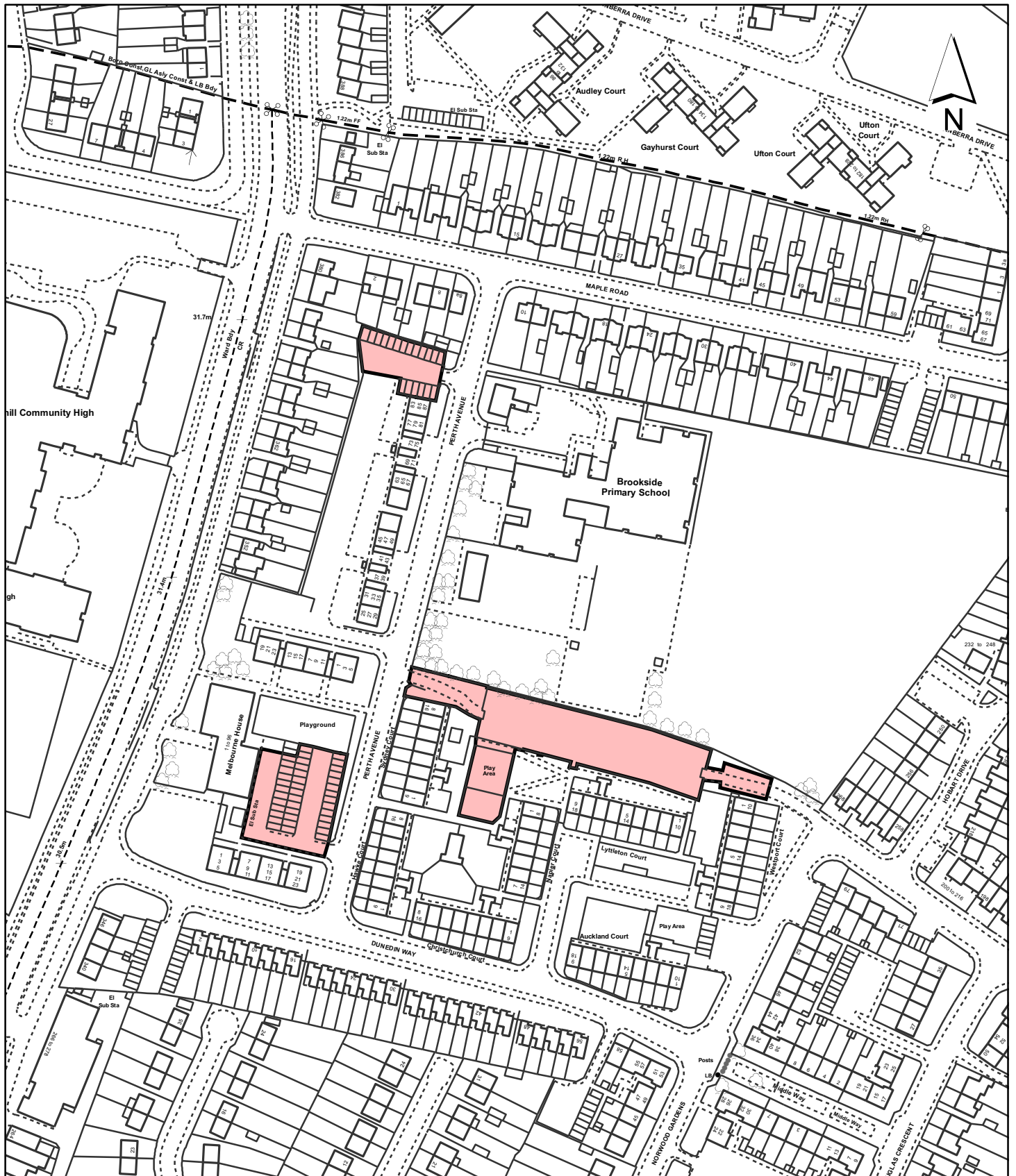
The application is therefore recommended for approval, subject to conditions and a legal agreement to secure the provision of affordable housing and the necessary planning obligations.

## 11. **Reference Documents**

- (a) The London Plan
- (b) PPS1
- (c) PPS Planning and Climate Change
- (d) PPS3
- (e) HDAS - Residential Layouts
- (f) HDAS - Accessible Hillingdon

**Contact Officer:** Adrien Waite

**Telephone No:** 01895 250230



**Notes**

 Site boundary  
For identification purposes only.

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Site Address

**Car park at rear of  
1 - 16 Sydney Court  
Perth Avenue, Hayes**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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

Planning Application Ref:  
**65936/APP/2009/2629**

Scale  
**1:2,000**

Planning Committee  
**Central and South**

Date  
**February 2010**



**HILLINGDON**  
LONDON

## APPENDIX B

<p><b>124.</b></p>	<p><b>Car park rear of 1-16 Sydney Court, Perth Avenue, Hayes - 65936/APP/2009/2629</b></p> <p>In accordance with the Council's constitution a representative of 2 petitions received objecting to the proposal and the agent addressed the meeting.</p> <p>The petitioners made the following points:-</p> <ul style="list-style-type: none"> <li>• There are two schools within 20 yards of the site and the dust from the removal of the concrete will have an impact on the playgrounds as they are in constant use.</li> <li>• The proposal would not be a benefit to the estate.</li> <li>• The estate is already overcrowded with a number of occupiers needing re-housing.</li> <li>• Traffic problems due to the construction traffic entering and leaving the site.</li> <li>• There are 4 schools within 10 minutes walk of the site and construction traffic would cause congestion throughout the school drop off and pick up times.</li> <li>• Perth Avenue is used as a rat run for everyday traffic without the additional construction traffic for this site.</li> <li>• Parking problems already exist in the area and speed of traffic already an issue.</li> <li>• Where are the cars displaced by this development going to park.</li> <li>• Vandalism to cars already occurs due to the current situation in relation to parking.</li> <li>• Demolition of 59 garages and creation of two car parks would mean decrease of parking places available .</li> <li>• Replacement parking spaces were being provided for leaseholders and not tenants.</li> <li>• Quality of life for residents of Melbourne House would be affected by disturbance, noise and pollution.</li> <li>• Demolition of garages should not be allowed as Hillingdon has double the average car crime.</li> <li>• There was a lack of parking for people with disabilities.</li> <li>• The five storey block would be out of character with the surrounding area.</li> <li>• The effect the proposal would have on the school should be taken into account.</li> <li>• An application to extend the school would conflict with the proposed plans for this site.</li> <li>• If this proposal was allowed the school playing field would flood.</li> <li>• There are no facilities for young people in the area.</li> </ul> <p>The agent made the following points:-</p>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>
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- Site has been securely fenced and not used as a car park for many years.
- Funding has been secured for the proposal from Homes and Community Agency and would be an opportunity to stop the site from deteriorating still further.
- The development proposes 12 units and a condition restricting the occupiers to over 55s would be acceptable.
- There would be lift access to all floors.
- Council standards have been met in regard to sustainability.
- There would be no overlooking from the development to existing properties.
- The proposal would improve the appearance of the site with the ball court being relocated.
- The proposal would provide 72 car parking spaces at no cost to residents.
- Consultation has been undertaken with the Head Teacher at the school and concerns regarding the construction process discussed.
- Calming measures have been welcomed by the school.

The Ward Councillor addressed the meeting making the following points:-

- Supported the petitioners objecting to the proposal
- BE13 not complied with in regard to layout and appearance
- The proposal does not complement or improve the area.
- The flat roof would be out of keeping with the surrounding area as the building adjoining the site had pitched roofs.
- If allowed the proposal would give the feeling of a ghetto effect.
- All neighbouring residents affected by the proposal had objected to the proposals.

The Chairman asked officers for clarification of the points raised in relation to construction management, anti social behaviour, parking provided and the Clean Air Act.

In regard to the construction management, officers reported that condition 25 covered the concerns raised by the petitioners in relation to noise, vehicle movements and hours of use.

Officers acknowledged that the school was a sensitive neighbour and the traffic management contained in condition 25 v should be amended to include avoidance of school drop off and pick up times. The committee agreed the amendment to condition 25 v.

In regard to the concerns raised in relation to vandalism and anti social behaviour conditions 19 and 26 sought to address these issues. Condition 19 – Secure by design would require sign off by the Police.



A question was raised in relation to density to which officers advised that page 32 contained the information requested at the previous meeting. The density for the proposal was within the range contained in the London Plan.

The parking provided replaced the 72 garages lost as a result of this development. There are currently only 17 garages occupied.

Members were informed that in regard to the query in relation to the Clean Air Act this was included as an informative as there was more powers under separate legislation to enable immediate action.

A member raised concerns in relation to the openness of the site and that if allowed this application would close this visual gap changing the character of the estate. The flat roof would be out of keeping and would not harmonise with the surrounding area. It was acknowledged that the school had flat roofs but the buildings were lower.

In answer to a number of issues made in relation to security and flooding, officers reported that:

i) The Crime Prevention Officer was aware of the Anti Social Behaviour (ASB) in the area. In the light of this a robust condition was sought to address the issues of ASB. This application gave the opportunity to redesign the parking to improve the security of the area providing security lighting and CCTV. It was suggested and agreed that condition 26 be amended to include additional parking for people with disabilities.

ii) In relation to the issue raised in relation to flooding officer advised that the site was not the subject of any Environment Agency Flood Hazard. The site was historically subject to poor drainage but there was no evidence of excessive flooding from the school playing field.

The recommendation with conditions 25 and 26 amended and an additional condition added was moved, seconded and on being put to the vote there were 4 in favour and 2 against. The recommendation was therefore agreed.

The dissent of Councillors Allam and Duncan was recorded against this decision.

### **Resolved**

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

	<p>a) That the applicant being the local authority and being the only legal entity with an interest in the land which is the subject of this application, and hence being unable to enter into a section 106 Agreement with the local planning authority, completes a Statement of Intent (Statement) to make provision for the following matters as would a third party developer under a section 106 planning obligation:</p> <ul style="list-style-type: none"> <li>i) The provision of 100% affordable housing by habitable room.</li> <li>ii) A refuse/recycling management strategy.</li> <li>ii) The provision of a contribution of £41,020 towards educational facilities.</li> <li>iii) The provision of a contribution of £3,902 towards healthcare facilities.</li> <li>iv) The provision of a contribution of £10,000 toward community facilities.</li> <li>v) The provision of a contribution of £414 towards local library facilities</li> <li>vi) A contribution of £2,500 for every £1 million build cost to provide for construction training.</li> <li>vii) A cash contribution equal to 5% of the total cash contribution to enable the management and monitoring of the requirements of the legal agreement.</li> </ul> <p>b) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in preparation of the Statement and any abortive work as a result of the agreement not being completed.</p> <p>c) That planning officers be authorised to negotiate and agree details of the proposed Statement.</p> <p>d) That if by 17th March 2010, the Statement has not been completed, delegated powers be given to the Director of Planning and Community Services, at their discretion, to refuse planning permission for the following reasons:</p> <ul style="list-style-type: none"> <li>1. The applicant has failed to provide, through an appropriate Statement of Intent or other appropriate legal agreement, an adequate provision of on site affordable housing. The proposal is therefore contrary to Policy Pt1.17 of the London Borough of Hillingdon Unitary Development Plan Saved Policies September 2007, Policies 3A.10 and 3A.11 of the London Plan (February 2008) and the London Borough of Hillingdon's Supplementary Planning Document on Planning Obligations.</li> </ul>	
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2. The development is not considered to have made adequate provision, through planning obligations, for contributions towards educational facilities, healthcare facilities, community facilities, library facilities, construction training and monitoring. Given that a Statement of Intent, or other appropriate legal agreement, has not been secured to address this issue the proposal is considered to be contrary to Policy R17 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Supplementary Planning Document for Planning Obligations (Adopted July 2008).

3. The development has failed to provide adequate facilities for the storage and collection of refuse and recycling contrary to policy 4A.22 of the London Plan.

- e) That subject to the above, the application be deferred for determination by the Director of Planning and Community Services under delegated powers, subject to the completion of the Statement.
- f) That if the application is approved, the conditions and informatives set out in the officer's report, addendum sheet condition 25 and 26 as amended and an additional condition be attached.

**Amend condition 25 replacing the words:**

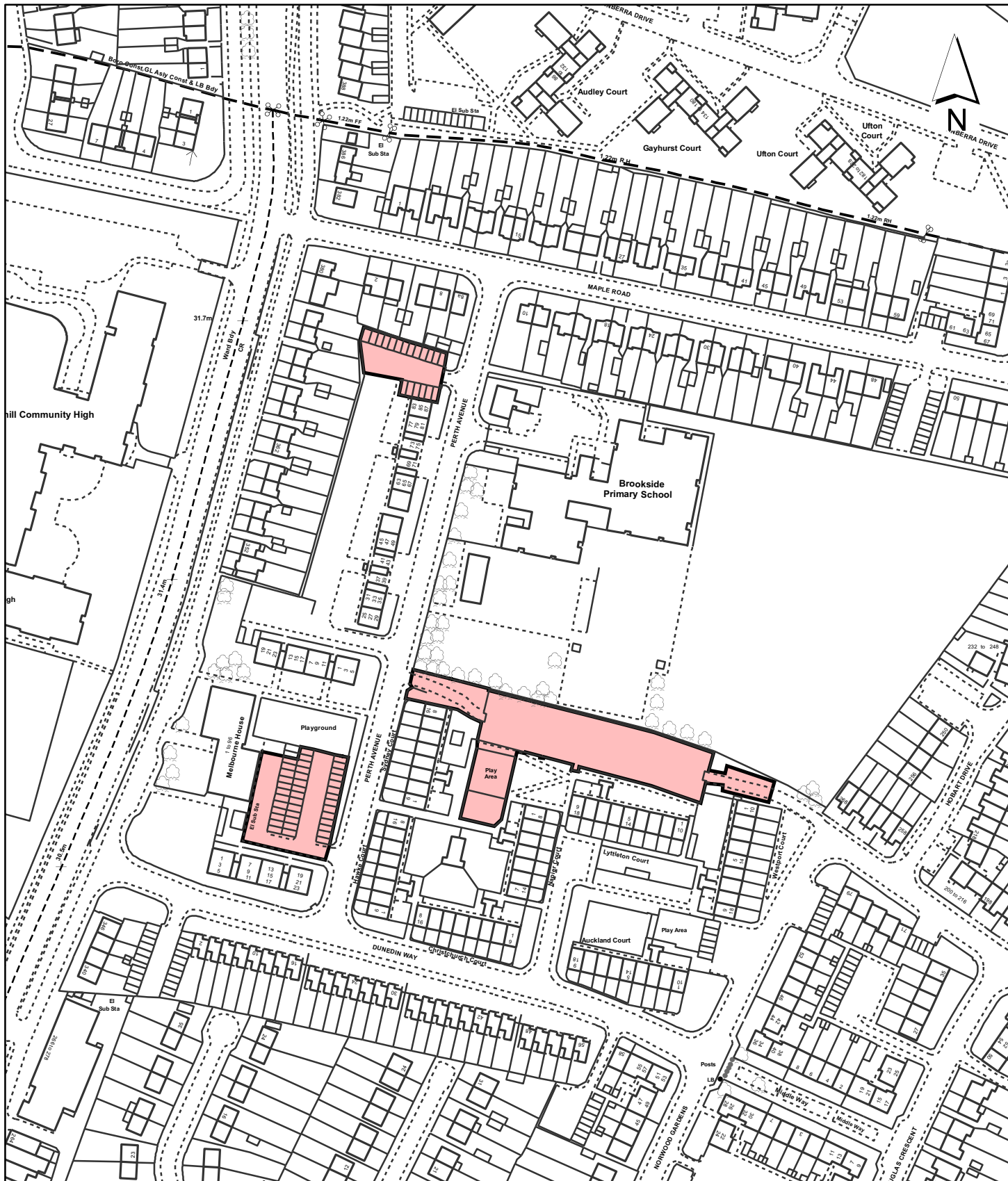
**"Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval"**

**with the words "Prior to development commencing, a demolition and construction management plan shall be submitted to and (in consultation with the adjoining school) be approved in writing by the Local Planning Authority."**

**Also amend condition 25 (v) - by inserting the words "and to avoid school drop off and pick up times" after the words "peak hours"**

**Amend condition 26 by - inserting the words "The final approved scheme shall be implemented prior to the occupation of the dwellings" after the words "approved details" which are at the end of the second sentence.**

	<p><b>Also amend condition 26 - by inserting the words "<i>and provision of 10 percent of all the spaces being designed for use by disabled persons</i>"</b></p> <p><b>Additional Condition –</b></p> <p><b>None of the dwelling units hereby approved shall be occupied at any time by any person other than:</b></p> <p><b>(a) A person or persons aged 55 years of age or over; or</b>  <b>(b) A person aged 45 years of age or over residing in the same unit with their spouse or partner aged 55 years or over, as "a couple"; or</b>  <b>(c) A person falling wholly within the scope of (b) above who continues to reside in the same unit upon and following the demise of such older spouse or partner.</b></p> <p><b>Reason:</b>  <b>To safeguard the residential amenities of the occupiers of the units, to safeguard the adequacy of ancillary vehicular parking provision at the site and to mitigate the impacts of the development on local educational facilities and to accord with policies BE19, AM14, R17 of the London Borough of Hillingdon Unitary Development Plan, Saved Policies (September 2007)."</b></p>	
125.	<p><b>1 &amp; 1A Bath Road, Harlington - 35805/APP/2009/2433</b></p> <p><b>Demolition of existing buildings and erection of a five storey, 192-bedroom hotel, basement and surface level car parking, bar/restaurant, meeting rooms and other associated works.</b></p> <p><b>35805/APP/2009/2433</b></p> <p>In accordance with the constitution a representative of the petitioners in support of the application addressed the meeting.</p> <p>The petitioner in support of the application made the following points:-</p> <ul style="list-style-type: none"> <li>• The proposed Hotel is of a high quality design establishing a higher standard of Hotel along the Bath Road.</li> <li>• The proposed Hotel had been reduced to 5 storeys with 192 rooms with the main feature being retained.</li> <li>• Planter boxes make a feature linking to the proposal to the Green Belt.</li> <li>• Landscaping was important and enhances the area and this would be maintained.</li> </ul>	<p><b>Action By:</b></p> <p><b>James Rodger Nigel Bryce</b></p>



**Notes**

 Site boundary

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Site Address

**Car park at rear of  
1 - 16 Sydney Court  
Perth Avenue, Hayes**

Planning Application Ref:  
**65936/APP/2009/2629**

Planning Committee  
**Central and South**

Scale  
**1:2,000**

Date  
**February 2010**

**LONDON BOROUGH  
OF HILLINGDON  
Planning &  
Community Services**

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



**HILLINGDON**  
LONDON

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## Report of the Head of Planning & Enforcement Services

**Address** 47 SWANAGE WAYE HAYES  
**Development:** Erection of a first floor side extension  
**LBH Ref Nos:** 48600/APP/2011/548  
**Drawing Nos:** 1:1250 Location Plan  
FEB/11/08 - Proposed Plans & Elevations

**Date Plans Received:** 07/03/2011      **Date(s) of Amendment(s):**  
**Date Application Valid:** 07/03/2011

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the corner of Swanage Waye and is sited on the north side of this road. It comprises a two storey end of terrace house with a hipped roof, front porch, single storey side and rear extension (granted planning permission on 01/09/1995 ref: 48600/C/95/0889) as well as a detached outbuilding at the end of the rear garden. The application property adjoins 45 Swanage Waye to the west, which has not been extended at the rear. To the southeast and northeast of the application site and on the opposite side of Swanage Waye, are nos. 66 to 68 Swanage Waye and 70 Swanage Waye, respectively. To the north (rear) of the application site is 49 Swanage Waye, which has its flank elevation wall facing the rear garden of the application property. The street scene is residential in character and appearance comprising two storey terraced and semi-detached properties and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 1.2 Proposed Scheme

The previously refused scheme proposed a first floor side extension set 1m behind the front wall of the application property. It measured 2.8m wide along the front elevation, 5.3m deep and finished with a hipped roof set 400mm below the main house roof ridge.

This current application attempts to overcome the reasons for refusal of the previous scheme by proposing a first floor side extension set 0.2m behind the front wall of the main house, as per the existing ground floor extension. It would measure 3m wide, 6m deep and finished with a hipped roof set flush with the main roof ridge.

#### 1.3 Relevant Planning History

48600/APP/2010/1535 47 Swanage Waye Hayes

First floor side extension.

**Decision Date:** 25-08-2010 Refused **Appeal:**23-DEC-10 Dismissed

### **Comment on Planning History**

The previous application was refused for the following reasons:

1. The proposed first floor side extension, by reason of its siting, overall size, height and bulk, taken together with the projection beyond the return building line with the neighbouring properties to the north, along Swanage Waye, would result in a visually intrusive and overdominant form of development on this prominent corner plot, which would be detrimental to the visual amenities of the street scene and character and appearance of the area. The proposal is therefore contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

2. The proposed first floor side extension, by reason of its siting behind the front wall and below the roof ridge of the main house, would fail to integrate with the scale and form of the original house and the row of terrace houses of which it forms a part. The extension would be detrimental to the character and appearance of the original house and this row of terrace properties, nos. 41 to 47 Swanage Waye and would detract from the visual amenities of the street scene and surrounding area. The proposal is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

An appeal was lodged and subsequently dismissed on 23rd December 2010.

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

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

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

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

12 adjoining owner/occupiers have been consulted. A petition with 50 signatories in support of the application has been received making the following comments:

"The following petition is to confirm that we the undersigned have no objections to the proposed development of a first floor side extension at 47 Swanage Waye and we believe that this development will have no detrimental effect to the local area and we therefore fully support this application.

We believe that permission should be granted for the above development on the basis of the above."

Officer comments: The points raised are addressed in the report.

Councillor Garg: Requests that this application is determined by the planning committee.



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

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS	'Residential Developments'
BE15	Alterations and extensions to existing buildings

#### 5. **MAIN PLANNING ISSUES**

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area, and on residential amenity.

In determining the appeal, the Inspector states at paragraph 4:

"The proposed extension would breach the return building line of properties in Swanage Way to the north. In this respect it would conflict with the requirements of the Hillingdon Design and Accessibility Statement Supplementary Planning Document (HDAS). I have not been informed as to the extent of public consultation on the HDAS and as such I can only attach limited weight to it. Nevertheless the design principles within it are generally those to which I would have regard in any event. Given its size, height and siting the appeal proposal would be prominent in the street scene from Swanage Way and as a result of these features I consider that it would be both intrusive and overdominant. Whereas the existing single storey extension also breaches the building line, it has significantly less visual impact.

From the front of the property the proposed extension would be read in the street scene as part of the terrace. I note that there have been alterations to other dwellings in the terrace but none as significant as that proposed here. The proposal would incorporate materials and design features to match the existing dwelling. However, it would be stepped in from the existing ground floor extension and front elevation and the roof ridge would be set down from that of the main part of the building. In my view, these aspects of the design would not integrate well with the form of the house and its relationship with the rest of the terrace. They would also not accord with the guidance in the Hillingdon Design & Accessibility Statement: concerning end of terrace extensions."

Paragraphs 5.7 and 5.8 of the Hillingdon Design & Accessibility Statement: Residential Extensions advises that for end of terrace houses, two storey side extensions should integrate with the main house. There is no requirement for a setback from the front wall and the roof ridge should be equal to the main roof.

The proposed development would integrate with the main house and the terrace of properties and as such would not detract from the character and appearance of the street

scene, overcoming the second reason for refusal of the previous scheme. However, the proposed first floor side extension would be wider than the previously refused scheme. It would therefore project further beyond the return building line with the neighbouring properties to the north, along Swanage Way, resulting in a visually intrusive and overdominant form of development on this prominent corner plot, which would be detrimental to the visual amenities of the street scene and character and appearance of the area.

The applicant has made reference to similar developments on Swanage Way and in surrounding streets. However, each application is determined in their own merits and furthermore, on this issue, the Inspector makes the following comments:

"My attention has been drawn to many other examples of extensions in Swanage Way and the wider locality which are considered to be comparable with that proposed here and which I saw on my visit. However, in my estimation none directly replicate the circumstances of the appeal scheme and in any event I do not have the background details that led to their approval."

The proposal is therefore contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions. The current application proposal is therefore not considered to have overcome the first reason for refusing the previous application.

There are no properties to the east that would be adversely affected by the proposed development. The attached house, 45 Swanage Way, would not be adversely affected by the proposed development as it lies on the opposite side of the application property. Furthermore, 49 Swanage Way, which lies to the rear, is some 17m away and this distance is sufficient to ensure that the proposal will not harm the residential amenities of the occupiers of that property through overdominance and visual intrusion. The new rear first window would not result in a significant increase in overlooking onto 49 Swanage Way over and above that from the existing first floor windows of the properties in the terrace.

It is therefore considered that the proposal would not harm the residential amenities of the occupiers of the adjoining properties and as such would comply with BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3.

Off-street parking and private amenity space will not be affected by the proposed development.

This application is recommended for refusal.

## **6. RECOMMENDATION**

### **REFUSAL for the following reasons:**

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

The proposed first floor side extension, by reason of its siting, overall size, height and

bulk, taken together with the projection beyond the return building line with the neighbouring properties to the north, along Swanage Way, would result in a visually intrusive and overdominant form of development on this prominent corner plot, which would be detrimental to the visual amenities of the street scene and character and appearance of the surrounding area. The proposal is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 5.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

## INFORMATIVES

### Standard Informatives

- 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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:  
**Policy No.**


BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS	'Residential Developments'
BE15	Alterations and extensions to existing buildings

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

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Site Address	
<b>47 Swanage Way Hayes</b>	
Planning Application Ref:	Scale
<b>48600/APP/2011/548</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

**LONDON BOROUGH OF HILLINGDON**

**Planning, Environment, Education & Community Services**

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



**HILLINGDON**  
LONDON

## Report of the Head of Planning & Enforcement Services

**Address** 298 KINGSHILL AVENUE HAYES

**Development:** Change of use from A1 (Retail) to A3 (Restaurant) & A5 (Takeaway) and installation of 2 x extract ducts to rear.

**LBH Ref Nos:** 8195/APP/2011/38

**Drawing Nos:** Design & Access Statement  
Drg No 1510/1  
Drg No 5559/1A

**Date Plans Received:** 10/01/2011

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

**Date Application Valid:** 07/02/2011

### 1. SUMMARY

The application relates to the change of use of an existing vacant A1 retail unit to an A5 restaurant use. The application seeks to get the principle of the use to be determined and no exterior alterations are proposed save the installation of two extract ducts to the rear. Any future alterations to the frontage would require further planning permission. The parade comprises 24 units (although 3 of the existing units are double units).

Currently, 14 of these units (excluding the application site) remain in A1 (Retail) use, as such, it is considered that should the application receive consent an adequate choice of facilities would remain. Furthermore, subject to appropriate conditions relating to hours of operation, litter control, odour and extraction control, the proposal would not conflict with any other of the relevant Adopted policies within the Hillingdon Unitary Development Plan (Saved Policies September 2007).

In this case the 2 rear extraction vents/flues/chimney would be set sufficiently far (9m and 15m) from residences located above the ground floor shops. In addition, because of the parapet atop the rear of the ground floor element, the flues would not be highly visible from properties to the north. There is not an objection in terms of impact on visual amenity.

In addition, the proposal would bring an existing vacant unit back into commercial use along with its associated employment opportunities.

Therefore subject to appropriate conditions the application is recommended for Approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

**1 T8 Time Limit - full planning application 3 years**

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

**REASON**

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

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

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

**REASON**

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

**3 OM15 General Litter/Waste**

No development shall take place until a scheme detailing the method of disposal, storage and collection of litter and waste materials, generated by the business and/or discarded by patrons, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided and the methods for collection of litter within and in the vicinity of the premises. The approved scheme shall be implemented in full thereafter.

**REASON**

To ensure that adequate provision is made for the disposal of litter and waste, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Plans (September 2007).

**4 NONSC Non Standard Condition**

No persons other than staff shall be permitted to be on the premises between the hours of 10:30 am and 23.00 hours.

**REASON**

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

**5 NONSC Non Standard Condition**

Deliveries and collections, including waste collections, shall be restricted to the following hours;  
09:00 hrs to 18:00 hrs Monday to Saturdays and not at all on Sundays and Bank/Public Holidays.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE3 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007).

**6 H16 Cycle Storage - details to be submitted**

No part of the development hereby permitted shall be commenced until details of covered and secure cycle storage for 2 bicycles have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with

Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

**7 DIS1 Facilities for People with Disabilities**

The proposed unisex accessible toilet facility shall to be designed to BS 8300:2009 and shall be provided before the use hereby approved commences and thereafter permanently retained as such.

**REASON**

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

**8 N12 Air extraction system - noise and odour**

No air extraction system shall be used on the premises until a scheme for the control of noise, odour and vibration emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

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

**2 I53 Compulsory Informative (2)**

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

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation

R16	measures Accessibility for elderly people, people with disabilities, women and children
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

**3            I1                    Building to Approved Drawing**

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

**4            I2                    Encroachment**

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

**5            I3                    Building Regulations - Demolition and Building Works**

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

**6            I5                    Party Walls**

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

- carry out work to an existing party wall;
- build on the boundary with a neighbouring property;
- in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

**7            I6                    Property Rights/Rights of Light**

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

**8            I34                    Building Regulations 'Access to and use of buildings'**



Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2009 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

## 9

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other

emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in 'The control of dust and emissions from construction and demolition: best practice guidelines', Greater London Authority, November 2006; and  
(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

## 10

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321

SEWERAGE INFRASTRUCTURE - Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

WATER COMMENT - With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## 11

Please ensure that the entrance door is not be too heavy to open - the maximum opening force at the leading edge of the door should not exceed 30 Newton from 00 (closed position) to 300 and 22.5N from 300 to 600. An electronic - hydraulic assisted mechanism can be employed to stop the door from being disabling and considered "heavy" to many people. Further information can be obtained from Building Control on 01895 250804/5/6.'

## 12

It is noted that roller shutters have been applied to the unit. The installation of roller shutters requires planning consent. The Authorities Adopted Design Guidance on 'Shopfronts and Signage' Section 9.0 - 9.9 deals with security measures, and comments as follows, whilst the councils recognises the need for premises to be adequately secured and protected through appropriate security devices, it is concerned the character of the area can be adversely effected by inappropriate physical security measures. Solid and visually impermeable roller shutters can create a forbidding and unsafe environment after dark, preventing passive surveillance (both into the street and the shop). Their appearance also adversely affects the character and appearance of the building and the area. These types of shutters are easy to vandalise with graffiti, which in turn can further negatively affect the character and image of the area. Therefore, external solid roller shutters (including punched, perforated or micro-perforated shutters) should be avoided and where necessary, internal open-mesh type screens and other visually permeable shutters should be used.

## 13            I25            **Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs and in particular does not grant consent for the projecting sign; separate consent for which may

be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

### **3. CONSIDERATIONS**

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

The application site is on the north side of Kingshill Avenue. The unit forms part of a 3 storey parade, with commercial at ground floor and residential above. To the front there is a wide footway and limited street side parking is available. This side of the street is commercial in character and appearance, although facing the parade, on the opposite side of the road are residential properties. The application site lies within a 'Parade', as identified in the Hillingdon Unitary Development Plan (UDP) (Saved Policies, September 2007).

#### **3.2 Proposed Scheme**

The proposal involves the change of use of the ground floor from a retail unit (A1) to Restaurant (A3). No external alterations are proposed to the frontage and to the rear two extract ducts would be installed.

The unit has been vacant for approximately 2 years

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

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

None

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

Policy 3D.2 Town centre development of the London Plan  
Policy 3D.3 Maintaining and improving retail facilities of the London Plan  
Policy 4A.22 of the London Plan

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

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

Part 1 Policies:

Part 2 Policies:

- |      |  |
|------|--|
| BE13 | New development must harmonise with the existing street scene.                         |
| BE15 | Alterations and extensions to existing buildings                                       |
| BE19 | New development must improve or complement the character of the area.                  |
| BE20 | Daylight and sunlight considerations.  |
| BE21 | Siting, bulk and proximity of new buildings/extensions.                                |
| OE1  | Protection of the character and amenities of surrounding properties and the local area |

OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R16	Accessibility for elderly people, people with disabilities, women and children
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

22 neighbours and interested parties were consulted and four responses have been received, which make the following comments -

1. I believe that there is a lot more restaurants than needed so I am strictly against an A3 use being given. For improvement to Kingshill Avenue I believe that restaurants are not needed
2. Often the air is polluted by smells coming from these and the large amounts of waste left in overflowing and open wheely bins. It would also add to the parking problems, the traffic using the service road and the rodent infestation which already exists in the area.
3. As owners of the Freehold at 302 Kingshill Avenue we feel that currently there are enough restaurants and other eateries in this area, meaning that there is too much competition causing them all to struggle. New businesses would breathe new life into Kingshill Avenue.

Following a review of the scheme it was identified that there was a Takeaway component to the scheme, and it was renotified on 26 April with a revised description (including the takeaway operation). Four objections were received in relation to the second round of consultation, raising the following matters:

- \* Reiterate objections raised in the first round of consultation.
- \* The applicant should utilise existing extraction equipment rather than introduce 2 new extraction vents
- \* The restaurant current emits odours which are unpleasant and affect washing
- \* The restaurant will divert trade away from other restaurants and have a competitive impact on other restaurants

### Thames Water

Recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321

SEWERAGE INFRASTRUCTURE - Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application.

WATER COMMENT - With regard to water supply, this comes within the area covered by the Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ - Tel - 0845 782 3333.

## Internal Consultees

Environmental Protection Unit:

Recommend the following conditions should the application be recommended for approval.

### Condition 1

No persons other than staff shall be permitted to be on the premises between the hours of 10:30 am and 23.00 hours.

REASON: To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

### Condition 2

Deliveries and collections, including waste collections, shall be restricted to the following hours; 09:00 hrs to 18:00 hrs Monday to Saturdays and not at all on Sundays and Bank/Public Holidays.

Reason:

To safeguard the amenity of surrounding areas in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

### Condition 3

No air extraction system shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise and odour emanating from the site or to other parts of the building, has been submitted to, and approved by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. The said scheme shall include such secure provision as will ensure that the said scheme and all of it endures for use and that any and all constituent parts are repaired and maintained and replaced in whole or in part so often as occasion may require.

REASON:

To ensure that the amenity of the occupiers of adjoining or nearby properties is not adversely affected in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

Informative

INF 20 Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

(i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;

(ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use best practicable means as defined in section 72 of the Control of Pollution Act 1974;

(iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in The control of dust and emissions from construction and demolition: best practice guidelines , Greater

London Authority, November 2006; and

(iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

Highways:

The site is located in Kingshill avenue Hayes, which is unclassified road, although section of Kingshill Avenue is classified Borough Secondary Distributor Road. The site form part of a

shopping parade and is set back by approximately 6.5m from the rear of existing footway which is 3.5m wide, and carriageway of 9.0 m wide, with unrestricted parking spaces in the front of shops, although parking restriction applies to the rear of parking bays to within the vicinity of the site.

As indicated in the submitted application form, the proposed restaurant would employ two full time and four part time staff, and undecided about the opening hours.

Some trips to/from the site are likely to be linked with residents or those already in the vicinity, and no increase in trip generation is anticipated.

The peak traffic and car parking associated with the application is likely to be at times outside the normal highway network peak periods and also at times when most retail units in the Town Centre have ceased trading, and hence the lay-by in front of the site could be used by customers for parking, whilst nearby customers are likely to walk to the proposed restaurant.

Policy AM14 of the UDP refers to the Council's vehicle parking standard contained in the Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires maximum of three vehicle parking and six cycle parking spaces for similar use.

However, considering the location of site, availability of on street parking at the lay by in front of shop, no objection is raised on the highways aspect of the proposals subject to the applicant be requested to provide the following

1) Details of covered and secure cycle storage for use by staff.

Waste and Recycling Officer - I would make the following comments on the above application regarding waste management.

a) The application is for a fast food take-away. One x 1,100 litre type of bulk bin is needed to safely and hygienically contain the waste arising from this type of business. This design of bin has dimensions given in the table below:-

Bin Size	Height	Depth	Width
1,100 litre Eurobin	1,370mm	990mm	1,260mm

Further bins could be required for the separation of waste for recycling.

b) The bulk bin should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows towards a proper drain.

c) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the rear of the shop, via Adelphi Way. Alternatively the owners would have to present the bulk bin at an agreed collection point on the allocated day.

d) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the path is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

ACCESS OFFICER - Plans submitted indicate that this building would not be fully accessible to disabled people using wheelchairs. It is appreciated that this application relates only to a change of use and that no building works are proposed, however, 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.

1. In terms of this particular planning application, as no alterations are proposed to the existing shopfront, no specific accessibility improvements will be required for gaining access into the shop unit. However, the planning applicants should be advised, by way of a planning informative attached to any grant of planning permission, of their legal obligations to provide a service that allows disabled people access and should be encouraged to put in place provisions that allow wheelchair users to gain access to the restaurant.
2. A planning condition should be attached to any grant of planning permission, requiring the proposed unisex accessible toilet facility to be designed to 8300:2009.

## **7. MAIN PLANNING ISSUES**

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

The Local Planning Authority seeks to protect vulnerable parades which are particularly important to the community and to provide opportunities for the establishment of new essential shop uses in existing A1 premises.

Policy S6 states changes of use applications will be granted where; a frontage of design appropriate to the surrounding area is maintained or provided; the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and would have no harmful effect on road safety or worsen traffic congestion.

Policy S7 states changes of uses in parades will only be permitted if the parade retains sufficient essential shops to provide a choice appropriate to the size of the parade, the surrounding area is not deficient in essential shop uses, and the proposal accords with policy S6 (above).

Policy 3D.3 of the London Plan (2008), states Boroughs should work with retailers and other to prevent the loss of retail facilities within these areas.

Kingshill Avenue comprises a parade of approximately 24 commercial units at ground floor with residential units above (although of the commercial units there are 3 double units). Currently the parade comprises 14 units still maintaining an A1 use. It is noted this unit has been vacant since 2009. As such it is considered should the proposal receive consent, there would still be an appropriate choice of shops within the parade, and furthermore, it would bring an existing vacant unit back into commercial use along with its associated employment opportunities and therefore would be considered acceptable in this instance.

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

Not applicable No housing is proposed.

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

Not applicable - the application does not affect any of these designations

### **7.04 Airport safeguarding**

Not applicable The application is not within a safeguarding area..

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

Not applicable the application is not within the Green Belt

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

Policy BE13 of the UDP (Saved Policies September 2007) requires new development to harmonise with the appearance of the existing street scene and area, and Policy BE15 requires alterations to existing buildings to harmonise with the scale, form, architectural composition and proportions of the original building.

The application proposes the installation of two extractor flue to the rear. Accordingly, these flues would not be visible from the street front, although vantage would be gained from the adjacent properties to the rear. However, these elements are considered to be in-keeping with the commercial nature of the existing building and entirely what you would expect to see on a site of this nature.

The 2 rear extraction vents would be set sufficiently far (i.e. 9m and 15m) from residences located above the ground floor shops that they would not cause such harm to the outlook of these residences as to warrant refusal of the application. In addition, because of the parapet atop the rear of the ground floor element, the flues would not be highly visible from properties to the north.

In this instance, the proposal is considered to accord with policies BE13 and BE15 of the Hillingdon UDP (Saved Policies, September 2007).

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

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

The Environmental protection officer has considered this application and has suggested a number of conditions should be applied relating to control of; hours of operation; extract ventilation systems and odour control; deliveries; and future illumination to advertisements, to safeguard the amenity of residents and the surrounding area.

The case officer has held a meeting with the Environmental protection officer to specifically understand if the proposed flues would cause harm to the amenity of occupiers of the residences above the ground level shops due to noise, vibration and odour. The Environmental protection officer has made it clear that subject to the conditions which are recommended, the scheme would not cause harm to residential amenity.

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

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

Not applicable, no housing is proposed.

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

The Highway Engineer has been consulted on the application and has commented that the site is located in an unclassified road, although a section of Kingshill Avenue is classified Borough Secondary Distributor Road. The site forms part of a shopping parade and is set back by approximately 6.5m from the rear of the existing 3.5m wide footway. The carriageway is 9.0 m wide with unrestricted parking spaces in the front of shops..

The submitted application forms state the proposed restaurant would employ two full time and four part time staff. Likely opening hours are undecided at this stage. Some trips to/from the site are likely to be linked with existing residents or those already in the vicinity, and therefore no increase in trip generation is anticipated.

The peak traffic and car parking associated with the application is likely to be at times outside the normal highway network peak periods and also at times when most retail units in the Town Centre have ceased trading, and hence the lay-by in front of the site could be used by customers for parking, whilst nearby customers are likely to walk to the proposed



restaurant.

Policy AM14 of the UDP refers to the Council's vehicle parking standards, contained within Annex 1. The London Borough of Hillingdon UDP (adopted 1998) saved policies, 27th September 2007, requires maximum of three vehicle parking and six cycle parking spaces for similar use. However, considering the location of the site and the availability of on street parking at the lay by in front of the unit, no objection is raised on highway grounds, subject to the covered and secure cycle storage for 6 no. cycles being provided for use by staff.

Cycle storage could be provided to the rear of the property and this could be secured by way of condition.

The proposal would therefore comply with AM7 and AM14 of the UDP (Saved Policies September 2007).

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

Not applicable the application is for change of use and installation of extract ducts to the rear. Therefore the application does not involve any alterations to the frontage of the building

#### **7.12 Disabled access**

A disabled WC is provided and conditions and informatives are recommended to cover accessibility issues.

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

Not applicable

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

Not applicable. The application is for change of use with installation of extract ducts to the rear. The site is situated within an existing commercial area and would not have an effect on any existing landscape features.

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

The waste development manager has been consulted on this application and has commented that the site would require a bulk bin to safely and hygienically contain waste arising from the use and that this would need to be stored in a suitable position.

The plans clearly show an area available to store a bulk bin of adequate size. A condition is recommended to secure appropriate details of screening to any permission issued before the development commences. As such, the proposal would be considered acceptable in relation to these matters.

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

Not applicable the application is for change of use and save the installation of the extract ducts to the rear, does not involve any alterations to the building

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

The site is not within a flood zone and no further drainage issues have been raised.

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

These matters have been considered under 'impact on neighbours'.

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

The issues raised in terms of noise, odour, refuse storage impacts have been addressed in the report and conditions are recommended to ensure amenity is not affected by odours from the proposed use.

The other matters raised have either been dealt with by way of condition, informative, or in the main body of the report. The competitive relationship between other restaurants, in this scenario is not a material planning consideration.

#### **7.20 Planning obligations**

Not applicable

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

Not applicable

#### **7.22 Other Issues**

None

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

### **10. CONCLUSION**

The application relates for change of use only and does not involve any exterior alterations to the building, save the installation of two extract ducts to the rear and as such the existing frontage would be maintained. Subject to appropriate safeguarding conditions the proposal would be considered compatible with neighbouring uses, the due to the existing siting (within a commercial parade) it is not considered to result in an adverse impact to highway safety. It is considered that should the application receive consent, the parade would still an appropriate level and choice of shops, and therefore is considered to comply with Policies S6 and S7 of the UDP (Saved Policies September 2007).

## **11. Reference Documents**

- (a) Adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007)
- (b) London Plan (February 2008)
- (c) HDAS: 'Residential Layouts', 'Accessible Hillingdon' and 'Shopfronts'
- (d) Council's Adopted Car Parking Standards (Annex 1, Hillingdon Unitary Development Plan, Saved Policies, September 2007)
- (e) Consultation responses

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230



**Notes**

 Site boundary  
For identification purposes only.

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London Borough of Hillingdon  
100019283 2011

Site Address

**298 Kingshill Avenue,  
Hayes**

Planning Application Ref:

**8195/APP/2011/38**

Planning Committee

**Central & South**

Scale

**1:1,250**

Date

**April 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

## Report of the Head of Planning & Enforcement Services

**Address** 13 BOURNE AVENUE HAYES

**Development:** Alterations to single storey rear extension with new flat roof to rear and part demolition of existing single storey outbuilding to rear to provide extra amenity space to front. (Part Retrospective)

**LBH Ref Nos:** 30586/APP/2011/252

**Drawing Nos:** 1400A/05/KG: Location Plan  
1400A/04/KG: Proposed Elevations  
1400A/03/KG: Proposed Floor Plans  
1400A/02/KG: Existing Elevations  
1400A/01/KG: Existing Floor Plans

**Date Plans Received:** 03/02/2011      **Date(s) of Amendment(s):**

**Date Application Valid:** 03/02/2011

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the south side of Bourne Avenue and comprises a two storey end of terrace house with a single storey rear extension and a detached outbuilding at the end of the rear garden, the subject of this application. The application property adjoins 15 Bourne Avenue to the west, which has not been extended at the rear and has a ground floor rear bay window (which serves a lounge) sited closest to the shared side boundary. To the east of application site and separated from it by a shared side path is 11 Bourne Avenue, which has not been extended at the rear and has an obscure glass ground floor secondary habitable room window in the side wall facing application property. The street scene is residential in character and appearance comprising two storey mid-terraced houses, some with single storey rear extensions and the application site lies within the 'developed area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 1.2 Proposed Scheme

Planning permission is sought for the erection of a single storey flat roof rear extension, involving alterations to the existing unauthorised rear extension. The currently constructed rear extension measures 5.75m wide, 4.2m deep and finished with a mono-pitched roof 2.6m high at eaves level and 3.5m high at its highest point. The proposed rear extension would now measure 5.75m wide, 4.2m deep along the side boundary with 11 Bourne Avenue for a width of 3.4m, 3.6m deep along the side boundary with 15 Bourne Avenue for a width of 2.35, forming a stepped rear wall. It would be finished with a flat roof 3m high.

It is also proposed to carry out alterations to the outbuilding involving removal of the front wall to create a covered area to form private amenity space.

### 1.3 Relevant Planning History

30586/APP/2008/3204 13 Bourne Avenue Hayes

Single storey rear extension (Retrospective application).

**Decision Date:** 07-01-2009 Refused **Appeal:**

30586/APP/2009/2475 13 Bourne Avenue Hayes

Retention of existing single storey rear extension to include alterations to rear and roof (Part retrospective) (Resubmission).

**Decision Date:** 18-01-2010 Refused **Appeal:**25-NOV-10 Dismissed

#### Comment on Planning History

Planning permission ref: 30586/APP/2009/2475 for the retention of existing single storey rear extension to include alterations to rear and roof (Part retrospective) was refused in January 2010 for the following reasons:

1. The existing single storey rear extension, by reason of its excessive length of projection along the eastern elevation and overall size, constitutes a disproportionate and unsympathetic addition, failing to appear subordinate to the scale, form and appearance of the original house. The extension is detrimental to the character and appearance of the original house and the visual amenities of the surrounding area generally. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

2. The development, having regard to the size of the enlarged accommodation, fails to maintain an adequate amount of amenity space for the occupiers of the enlarged property, and as such results in an over intensive use of the remainder of the garden to the detriment of the amenity of the neighbouring occupiers and character of the area. The proposal is therefore contrary to policies BE19 and BE23 of the Councils adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

An appeal was lodged against the Council's decision and an enforcement notice was issued on 23rd February 2010 in respect of the unauthorised erection of a rear extension without the benefit of planning permission. The appeals were dismissed and the enforcement notice upheld, on 25th November 2010.

### 2. Advertisement and Site Notice

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

### 3. Comments on Public Consultations

10 adjoining owner/occupiers have been consulted. 2 letters raising no objections and 1 letter raising an objection have been received, making the following comments:

- (i) No objection on the grounds that steps are taken to comply with the requirements of the enforcement notice and the Council's decision.
- (ii) The extension is too large by virtue of its bulk and proposed use as a stand-alone residence.

Officer comments: Point (i) is noted and point (ii) is addressed in the report.

Crossrail: No safeguarding objections.

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

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

Part 1 Policies:

Part 2 Policies:

- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE19 New development must improve or complement the character of the area.
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- HDAS 'Residential Developments'

#### **5. MAIN PLANNING ISSUES**

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the surrounding area generally, and on residential amenity.

In determining the appeal, the Inspector states at paragraph 9:

"I agree with the Council that the size of the extension as built has resulted in a disproportionate and unsympathetic addition to this property. In particular, the height of the extension where it abuts the original dwelling is just below the height of the sill of the main window at first floor level. This has resulted in an addition to the main house, which appears bulky and over-large. It clearly fails to harmonise with the original building because its scale is not subordinate and it dominates the rear elevation of the original building. In my view the extension detracts from the character and appearance of original house. I am aware that the SPD would limit the height to 3.4m but I consider the height of the extension over and above this has resulted in its visual unacceptability."

In terms of the effect of the extension on living conditions of the occupiers of No. 15 having particular regard to loss of outlook, the Inspector states at paragraph 14:

"I am advised that the rear ground floor bay window at No. 15 serves a lounge. I know that the extension is not directly in front of the bay window. However, I am of the view that the

depth and height of the extension (which is sited along the common boundary with No. 15, in relation to the bay window is such that the extension dominates and is harmful to the outlook for the occupiers of that dwelling from that bay window."

The proposed amendments to the rear extension attempts to overcome these comments. The proposed amendments would result in the reduction in the overall height of the rear extension and this would go some way to achieve a subordinate extension to the main house. However, part of the rear extension would still appear excessive in length in relation to the original house. The proposal is still considered to appear overly large and would not harmonise with the character, proportions and appearance of the original house, contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions.

11 Bourne Avenue is set a sufficient distance from the rear extension so as not to be adversely affected by it. The length of projection of the rear extension would be reduced along the side boundary with 15 Bourne Avenue resulting in a rear extension 3.6m deep along that side boundary and less than 3.4m high, in accordance with paragraphs 3.3 and 3.7 of the Hillingdon Design & Accessibility Statement: Residential Extensions. This distance and height are sufficient to ensure that the proposal would not breach a 45 degree line of sight taken from the rear bay window at 15 Bourne Avenue. Therefore, the proposal is not considered to represent a visually intrusive and overdominant form of development or a result in a significant increase in overshadowing, onto 15 Bourne Avenue, in accordance with policies BE20 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

No windows are proposed facing 15 Bourne Avenue and therefore, no overlooking will result, in accordance with policy BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Off-street parking will not be affected by the proposed development. With regards to external private amenity space, the Inspector states at paragraphs 18 and 19:

"The rear garden between the extension and the outbuilding amounts to about 41 square metres. This space is usable in terms of its shape and siting. The amount of available space seems to be substantially greater than this figure because the common driveway referred to earlier have been incorporated into the rear garden of No. 13. However, I understand that the rights of neighbouring property occupiers to use this driveway remain. Further, the existing situation of having this driveway effectively incorporated into the garden at No. 13 may not continue in the long term especially if one of the other residents with a right to use the driveway exercised that right in such a way that the occupiers of No. 13 felt that the only way in which they could secure sufficient privacy and security for their children was by fencing their garden off from the driveway. In my view the amount of external amenity space would be insufficient to meet the reasonable needs for outdoor living space for a family dwelling.

The amenity space could be enlarged if part or whole of the outbuilding was demolished. Whilst there is an Enforcement Notice, which requires the demolition of the outbuilding, I understand that the Council do not require that step to be taken. On the limited information I have it appears to me that any trade off in the size of the amenity space and the outbuilding needs to be the subject of discussion between the appellant and the Council and cannot be reasonably be resolved through the imposition of a planning



condition."

In response, it is proposed to remove the front facade of the outbuilding to create an open covered area, which will be used as additional external private amenity space to that which currently exists. This will result in a private amenity area some 57sq.m in size.

Paragraph 3.13 of the Hillingdon Design & Accessibility Statement: Residential Extensions advises that at least 60sq.m of private amenity space should be retained for 3 bedroom houses. Although the proposal would result in an area some 3sq.m less than the recommended standard, this difference is minimal and as such, it is considered that a refusal on this ground will not be sustained at appeal. However, the proposal would result in an outbuilding that would appear unsightly at the bottom of the rear garden. There are no other outbuildings of a similar design to that which is being proposed to the rear of houses in this part of Bourne Avenue, and furthermore the alterations do not comply with paragraph 19 of the Inspector's comments. It is therefore considered that the proposal would detract from the character and appearance of the surrounding area generally, contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 9.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

This application is recommended for refusal.

## **6. RECOMMENDATION**

### **REFUSAL for the following reasons:**

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

The proposed single storey rear extension, by reason of its excessive length of projection along the eastern side elevation, constitutes a disproportionate and unsympathetic addition, that would fail to appear subordinate to the scale, form and appearance of the original house. The extension would be detrimental to the character and appearance of the original house and the visual amenities of the surrounding area generally. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

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

The alterations to the existing outbuilding will result in a structure that would represent an incongruous and visually intrusive form of development which would be detrimental to the character and appearance of the surrounding area generally. The proposal is therefore contrary to policies BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and section 9.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

## **INFORMATIVES**

### **Standard Informatives**

- 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 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

**Policy No.**

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS	'Residential Developments'

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address

**13 Bourne Avenue  
Hayes**

Planning Application Ref:

**30586/APP/2011/252**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

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## Report of the Head of Planning & Enforcement Services

**Address** 165 NORTH HYDE ROAD HAYES

**Development:** Change of ground floor from Class A1 (Retail) to Class A3 (Restaurants and Cafes) for use as fast food restaurant with new extract duct to rear.

**LBH Ref Nos:** 17357/APP/2011/18

**Drawing Nos:** Exist Plan and Elev PL03 Rev A  
Prop Plan and Elev PL04  
PL02  
PL01

**Date Plans Received:** 05/01/2011 **Date(s) of Amendment(s):** 05/01/2011

**Date Application Valid:** 20/01/2011 19/01/2011

### 1. **SUMMARY**

Planning permission is sought for the change of use of a retail unit to a fast food restaurant. The proposed change of use will not harm convenience shopping for local residents and as such would not harm the vitality and character of the shopping parade.

While no issue is taken with the change of use, there are concerns over the ability of the proposal to adequately accommodate refuse and recycling storage which would be associated with the proposal. Given the site constraints objection is raised to the scheme in this regard.

### 2. **RECOMMENDATION**

**REFUSAL for the following reasons:**

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

The proposal has failed to provide adequate waste storage facilities, in a suitable location, in accordance with the councils adopted standards, and therefore the proposal is contrary to policy OE1 of the Unitary Development Plan Saved Policies (September 2007) and policy 4A.22 of the London Plan (February 2008).

## **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 Unitary Development Plan Saved Policies

(September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S6	Change of use of shops - safeguarding the amenities of shopping areas
S7	Change of use of shops in Parades
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 4A.22	Spatial policies for waste management

### **3. CONSIDERATIONS**

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

The application site is located on the south side of North Hyde Road between the junctions of Roseville Road and Wyre Grove and forms part of a terrace of 16 units forming a parade of shops, comprising ground floor commercial units with first floor residential units above, some accessed from the rear, and a two storey rear extension. The application property comprises a ground floor retail unit with a rear extension and lies opposite a pedestrian crossing.

The buildings and structures to the rear of the application premises significantly constrain the space to the rear of the premises to narrow alleyways.

To the east lies 167-9 North Hyde Road, a GP practice, and to the west lies 163 North Hyde Road, a betting office. To the rear of the terrace lies a service road. This part of North Hyde Road is predominantly residential in character and appearance, with the parade of shops providing convenience shopping for local residents, and the application site lies within the 'Developed Area' as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### **3.2 Proposed Scheme**

Planning permission is sought for the change of use of the ground floor vacant retail unit to a restaurant within class A3 and installation of an extract flue on the eastern facing flank wall of the two storey side extension.

The proposed flue would measure 0.5m wide and extend 1m above the eaves of the roof. The existing metal staircase leading to the first floor flat entrance would be shifted 0.8m to be attached to the inner flank wall of the extension at 167 North Hyde Road, to accommodate the proposed extract duct.

### 3.3 Relevant Planning History

17357/PRE/2003/179      165 North Hyde Road Hayes  
TP PRE-CORRES. CHANGE OF USE

#### Decision:

#### Comment on Relevant Planning History

The site has a long and varied planning history, however there are no planning decisions directly relevant to this proposal.

### UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S6	Change of use of shops - safeguarding the amenities of shopping areas
S7	Change of use of shops in Parades
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 4A.22	Spatial policies for waste management

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

### 6. Consultations

#### External Consultees

23 adjoining owner/occupiers have been consulted. 1 letter of objection has been received making the following comments:

- (i) There are enough food outlets in the parade;
- (ii) The proposal will lead to an increase in litter; and
- (ii) the proposal will be adjacent to a crossing and as such may harm highway and pedestrian safety as vehicles may park in front of the premises.

Officer comments: These are addressed in the report.

These issues are addressed in the main body of the report report.

Hillingdon Chamber of Commerce: No comments received.

BAA: No safeguarding objections

Thames Water:

Sewerage: Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above application

Thames Water recommends the installation of a properly maintained fat trap on all catering establishments. We further recommend, in line with best practice for the disposal of Fats, Oils and Grease, the collection of waste oil by a contractor, particularly to recycle for the production of bio diesel. Failure to implement these recommendations may result in this and other properties suffering blocked drains, sewage flooding and pollution to local watercourses. Further information on the above is available in a leaflet, 'Best Management Practices for Catering Establishments' which can be requested by telephoning 020 8507 4321

With regard to water supply, this comes within the area covered by Veolia Water Company. For your information the address to write to is - Veolia Water Company The Hub, Tamblin Way, Hatfield Herts, AL10 9EZ - Tel - 0845 782 3333.

#### **Internal Consultees**

Environmental Protection Unit:

No objections subject to conditions relating to plant and machinery, noise, external lighting, restriction on the hours for delivering and waste collection, restriction on the hours of operation.

Environmental Protection Unit - Contamination:

The application site is located on the former National Filling Factory. It is noted that this is a change of use application, and no ground works appear to be indicated. However, it may still be advisable to include a contamination informative as a precaution.

Waste Management:

I would make the following comments on the above application regarding waste management.

a) The application is for a restaurant and cafe. One x 1,100 litre type of bulk bin is needed to safely and hygienically contain the waste arising from this type of business. This design of bin has dimensions given in the table below:-

Bin Size: 1,100 litre Eurobin / Height: 1,370mm / Depth: 990mm / Width: 1,260mm

Additional bins for recycling waste may also be required.

b) The bulk bin should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows towards a proper drain.

c) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the rear of the shop. Alternatively the owners would have to present the bulk bin at an agreed collection point on the allocated day.



d) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the path is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

Highways:

No objections to the proposal.

## **7. MAIN PLANNING ISSUES**

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

The application site forms part of a local shopping parade; nos. 141 to 171 odd. Local shopping parades serve an important role in providing convenience shopping that caters for the needs of local residents.

Policy S6 of the London Borough of Hillingdon Unitary Development Plan (Saved Policies September 2007) states that change of use will be granted where; a frontage of design appropriate to the surrounding area is maintained or provided; the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and would have no harmful effect on road safety or worsen traffic congestion.

While there is not an objection in terms of the impact of the proposal on the street scene, the rear flue/chimney would adjoin the residence above the shop and be immediately adjacent to the rear stairs leading to the upstairs residence.

Policy OE1 of the UDP (Saved Policies September 2007) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

Policy S7 establishes the criteria where service uses would be permitted in parades and states that change of use from A1 will only be granted if the parade retains sufficient essential shop uses to provide a range and choice of shops appropriate to the size of the parade and to its function in the Borough and that the surrounding residential area is not deficient in essential shop uses.

The supporting text to this policy comments that the Local Planning Authority seeks to protect vulnerable parades which are particularly important for the local community and provide opportunities for the establishment of new essential shop uses in existing Class A1 premises. Therefore, as many essential shop uses as possible will be protected, and ideally there should be no less than three in smaller parades and a choice of essential shops in larger parades and in local centres should be retained.

Paragraph 8.22 and policy S7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) seeks to ensure that all residential areas are within half a mile of a least 5 essential shop uses, although not necessarily within the same parade. For some local shopping areas the closure of just one essential shop may be so significant as to precipitate the closure of other shops and the ultimate demise of the centre as a whole. The LPA seeks to protect vulnerable parades and corner shops which have a particularly important role for the local community and to provide opportunities for the establishment of new essential shop uses in existing class A1 premises. Ideally there should be no less

than 3 (essential shops) in the smaller parades and a choice of essential shops in the larger parades.

The shopping parade comprises the following uses:

- 141 Travel Agent (A2)
- 143 Take Away (A5)
- 145 Electrical Store (A1)
- 147 Grocer (A1)
- 149 Newsagent (A1)
- 151 Butcher (A1)
- 153 Off Licence (A1)
- 155 Salon (A1)
- 157 Driving School (Sui Generis)
- 159 Takeaway (A5)
- 161 Takeaway (A5)
- 163 Betting Office (A2)
- 165 PA Hire (A1)
- 167-9 Solicitors (A2)
- 171 Vacant (A1)

There are at least 3 essential shop uses in the centre - nos. 147, 149 and 151 North Hyde Road. As such, the loss of this retail unit would not harm local convenience shopping provision or the vitality and function of this shopping parade, in accordance with policy S7 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

No alterations are proposed on the front elevation of the unit and therefore the proposal would not harm the appearance of the street scene.

There are no material changes to the bulk and massing of this building and the open look shopfront would be maintained to the street and therefore it is not considered the change of use of the ground floor of the building would result in a material impact on the appearance of the street scene or result in the loss of light or outlook as a result of the change of use.

With regard to the design and appearance of the proposed extraction flue to the rear, this structure, given its position, height and general bulk would be visible when viewed from the rear window of and stairs leading to the residential flat above the application site.

It must be noted that to the rear of the site are buildings and structures which infill the majority of space. The design and appearance of these structures and the rear of the application site are of little architectural merit. Given that the appearance of this area to the rear of the premises is significantly compromised, it is not considered the flue would cause such harm as to warrant refusal.

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

Policy OE1 of the UDP (Saved Policies September 2007) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated. The Environmental Protection Officer has raised no objection to the operational effectiveness of the extract duct proposed and has suggested a number of conditions should the Council be minded to approve the application relating to the control of noise and disturbance; the

extract ventilation system etc to safeguard the amenity of residents and the surrounding area.

With regard to the extract duct it is considered the height of the duct will ensure the extracted fumes would not present an adverse amenity issue in terms of air pollution.

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

The proposal restaurant use would not lead to an increase in traffic generation given its proposed use and location within a parade of shops. The application site lies opposite a pedestrian crossing with its the 'zig-zag' white lines, both of which will prevent parking outside of the unit. As such, it is not considered that the proposal will harm highway and pedestrian safety.

The Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) requires 1 space per 25sqm for non-shop uses. This requirement is the same for shop uses. As no additional floorspace is proposed, no additional parking spaces are required. As such, the proposal would not result in a significant increase in on-street parking and would comply with policies AM2, AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

The existing stairway access to the upper floor flat will be retained albeit slightly relocated to accommodate the extraction duct. As has been discussed in section 7.07, the design of the flue would not enhance the appearance of the building or improve the outlook from the upstairs flat or the rear access to it, and is not considered to be acceptable.

#### **7.12 Disabled access**

No external alterations are proposed to the existing shopfront. However, the existing shopfront has an at grade shop entrance which will allow wheelchair access. It is not considered that refusal of the scheme could be sustained for this reason.

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

No details of refuse storage has been provided. Given the red line site essentially wraps around the building it is not clear that there would be anywhere to locate a suitable bin store within the red line application site.

Additionally, there are significant space constraints to the rear of the building and it is not clear that there would be room (even beyond the red line) where adequate covered and secure waste and recycling facilities could be provided. Objection is raised to the scheme in this regard.

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

The siting of the proposed extraction duct has already been addressed above. The Environmental Health Officer has raised no objections to the siting of the extraction duct. As such, the proposal would comply with policy OE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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

With regards to third party comments, these have been addressed in the report.

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

## **10. CONCLUSION**

The application site is within a parade and is an A1 shop, taking into account UDP policy S7 it is not considered that there should be an objection to the loss of a shop in this parade.

The hours of operation as well as noise and disturbance could be controlled and limited by planning condition. However issues exist in relation to the refuse storage facilities and waste collection.

It is not evident that there is space within the site to locate refuse and recycling facilities. Given the space constraints to the rear of the premises is it not clear that any alternative location for bins storage exists beyond the red line site. In the absence of adequate refuse and recycling facilities the scheme is recommended for refusal.

## **11. Reference Documents**


Hillingdon Unitary Development Plan Saved Policies (September 2007).  
London Plan (February 2008)

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary

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Site Address	
<b>165 North Hyde Road Hayes</b>	
Planning Application Ref:	Scale
<b>17357/APP/2011/18</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



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## Report of the Head of Planning & Enforcement Services

**Address** FORMER B&Q SITE UXBRIDGE ROAD HAYES

**Development:** Variation of condition 12 (to extend the opening hours of the store) of planning permission ref. 51508/APP/2008/2927 dated 16/04/2010 : (Single storey canopy to front entrance, refurbishment and variation of condition of planning permission ref. 51508/96/1907 dated 16/04/1997 to allow use as an Asian supermarket, comprising 1,606sq.m main retail area, 69sq.m cafe area, 690sq.m bulk goods warehouse, 1,141sq.m goods storage area, and the utilisation of the former Garden Centre trading area as a 425sq.m covered trading area for fruit and vegetables. The proposal includes changes to the external appearance of the existing building, existing parking layout, boundary treatments, external lighting and associated bin storage/compactors)

**LBH Ref Nos:** 51508/APP/2011/963

**Drawing Nos:** Design & Access Statement  
Location Plan 1:1250  
Letter dated 6/10/08  
A(00)-01  
A(00)-02  
A(00)-00  
Planning Statement and Retail Impact Assessment  
Design & Access Statement  
Draft Travel Plan  
Transport Assessment  
A(10)-01 Rev B  
A(10)-10 Rev B  
A(10)-11 Rev A

**Date Plans Received:** 19/04/2011

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

**Date Application Valid:** 27/04/2011

### 1. SUMMARY

Planning permission was granted in April 2010, for the change of use of the former B&Q store off Uxbridge Road in Hayes, for use as an Asian Supermarket (ref:51508/APP/2008/2927). This application seeks the variation of condition 12 of that consent, which restricts operating hours. The reason for that condition is to safeguard the amenity of nearby residents, particularly with regard to potential noise from the site.

The site has been subject to longer opening hours following grant of a temporary period for six months, to assess the impact this would have. The Environmental Protection Unit has confirmed they have not received any complaints from local residents within this period and therefore have not raised an objection to the proposal.

The applicant has submitted a Design and Access Statement and supporting letter in order to justify the proposal, contending that this condition is inconsistent with condition 13, relating to delivery hours; restricts other activities at the site, related to the operation of the store; harms the ability of the store to compete with other supermarkets in the

area; and throughout the six months when the store has benefited from the extended opening hours there have been no complaints of noise or disturbance.

In relation to the current hours of operation, the applicant's arguments are noted, particularly in relation to the restriction this places on other uses of the site, such as stocktaking, cleaning, etc, which are unlikely to generate excessive noise. It is not considered that the additional opening hours proposed would lead to a significant increase in noise or disturbance to the nearest residential occupiers. Therefore, approval is recommended for the extended trading hours.

## **2. RECOMMENDATION**

**APPROVAL subject to the following:**

### **1 T8 Time Limit - full planning application 3 years**

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

#### **REASON**

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

### **2 M2 External surfaces to match existing building**

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

#### **REASON**

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

### **3 M3 Boundary treatment - details**

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

#### **REASON**

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

### **4 OM1 Development in accordance with Approved Plans**

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

#### **REASON**

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

### **5 OM11 Floodlighting**

No floodlighting or other form of external lighting shall be installed unless further details are submitted to and approved in writing by the Local Planning Authority. Such details



shall include location, height, type and direction of light sources, hours of illumination and intensity of illumination and automatic light shut off system for the use of floodlights for the car park or as otherwise required for security purpose. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

**REASON**

To safeguard the amenity of surrounding properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and in the interests of highway safety and London Plan (February 2008) Policy 4B.1.

**6 NONSC Screening to the outdoor sales area**

Prior to the commencement of development, detailed drawings, including the proposed materials to be used, in respect of the proposed screening to the frontage of the outdoor sales/canopy area shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approval.

**REASON**

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

**7 NONSC Service and Delivery Management Plan**

Prior to the commencement of development, details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approval. The plan shall incorporate measures to minimise the impact of the development on local congestion levels, including measures to minimise vehicle deliveries during am and pm peak hours.

**REASON**

To encourage out of hours/off peak servicing to help mitigate the site's contribution to local congestion levels in compliance with Policy AM2 of the Hillingdon Unitary Development Plan (saved Policies September 2007).

**8 H10 Parking/Turning/Loading Arrangements - Commercial Devs.**

The roads/turning/loading facilities/sight lines and parking areas (including the marking out of parking spaces) and bicycle stands shown on the approved plans shall be constructed prior to occupation of the development, thereafter permanently retained and used for no other purpose.

**REASON**

To ensure that the loading, roads, turning facilities and parking areas are satisfactorily laid out on site in accordance with Policies AM3 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**9 H13 Installation of gates onto a highway**

No gates shall be installed which open outwards over the highway/footway. The gates shall be locked outside the hours of use specified under Condition 12 and deliveries under Condition 13.

**REASON**

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**10 N11 Control of plant/machinery noise**

No plant or machinery shall be used on the premises until a scheme for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

**REASON**

To safeguard the amenity of the surrounding area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**11 N12 Air extraction system - noise and odour**

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**12 NONSC Hours of operation**

Retail sales shall not take place outside the hours of 08.00 to 21.00 Monday to Saturday and 10.00 to 18.00 Sundays and Bank Holidays.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**13 NONSC Delivery and Loading hours**

The premises shall not be used delivery and the loading or unloading of goods (to include waste collections) outside the hours of 0700 and 1900, Monday to Friday, and between the hours of 0700 and 1700 on Saturdays. No deliveries or loading shall take place on Sundays or Bank Holidays.

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Polices September 2007).

**14 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

(i) Species, position, height, condition, vigour, age-class, branch spread and stem diameter of all existing trees, shrubs and hedges on and immediately adjoining the site.

- (ii) A clear indication of trees, hedges and shrubs to be retained and removed.
- (iii) Existing and proposed site levels.
- (iv) Routes of any existing or proposed underground works and overhead lines including their manner of construction.
- (v) Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees and other vegetation to be retained during construction work.

#### REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **15 TL2 Trees to be retained**

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

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

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

#### REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

#### **16 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;

2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.
5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **17 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Compactors and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **18 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or

in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **19 TL7 Maintenance of Landscaped Areas**

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

#### REASON

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

### **20 NONSC Risk Assessment**

Prior to the commencement of development a Risk Assessment and Method Statement outlining all works to be carried out adjacent to the water must be submitted and approved in writing by the local planning authority in consultation with British Waterways. The risk assessment shall also include details of the proposed safety equipment along the canal frontage, which shall be installed prior to first occupation of the development hereby permitted.

#### REASON

To ensure the safety to the users of the adjacent canal and the canal itself, in accordance with Policy BE38 of Unitary Development Plan Saved Policies (September 2007).

### **21 NONSC Landscaping canal side**

No development shall take place on site until full details of the proposed landscaping scheme, to include screening of the building and external vegetable market from the Grand Union Canal, have been submitted to and approved in writing by the Local Planning Authority in consultation with British Waterways. The landscaping scheme should include reference to plant species types, surface treatments, fences and walls, any signage and information boards together with the means of on-going maintenance for a five year period. The approved landscaping scheme shall be implemented by the first planting scheme after the development commences.

#### REASON

In the interest of preserving open views to and from the canal, the living environment for future residents and enhancing the canal setting, in accordance with Policy BE38 of Unitary Development Plan Saved Policies 2007.

### **22 NONSC Structural Integrity of Waterway wall**

Prior to the commencement of the development hereby approved a survey of the condition of the waterway wall, and a method statement and schedule of the repairs

identified as part of the development hereby permitted, shall be submitted to and approved in writing by the Local Planning Authority, in consultation with British Waterways. Any heritage features and materials identified by the survey shall be made available for inspection by British Waterways and where appropriate, preserved in-situ or reclaimed and re-used elsewhere on site or on a nearby waterway wall. The repair works identified shall be carried out in accordance with the method statement and repairs schedule by a date to be agreed in the repairs schedule.

#### REASON

In the interest of the structural integrity of the waterway wall, waterway heritage, navigational safety and visual amenity, in accordance with Policy BE38 of Unitary Development Plan Saved Policies 2007.

#### **23 NONSC Freight by water**

Before development is commenced, a feasibility study shall be carried out to assess the potential of a wharf on the canal edge and for moving freight by water during the construction cycle (waste and bulk materials) and following occupation of the development (waste and recyclables). The use of waterborne transport shall be maximised during the construction of the development unless the above assessment demonstrates that such use of the canal is not physically or economically feasible.

#### REASON

To encourage the use of the canal for transporting waste and bulk materials in accordance with Blue Ribbon Network Policies 3C.25 and 4C.8 of the London Plan 2008 and Policy AM18 of the Unitary Development Plan Saved Policies 2007.

#### **24 NONSC Trolley Traps**

Prior to the commencement of development, details of a trolley trap to prevent shopping trolleys entering the canal, public highway and any access points into the site and in accordance with the initiative launched by British Waterways to encourage supermarkets to better manage the use shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented prior to the occupation of the retail store.

#### REASON

To prevent the abandonment of shopping trolleys on the canal and associated anti-social behaviour, to the detriment of Health and Safety and the character and appearance of the canal environment in accordance with Policy BE39 of the Unitary Development Plan Saved Policies September 2007.

#### **25 NONSC Electric charging points for electric vehicles**

Prior to commencement of the development hereby approved, details of the installation (including location and type) of at least two secure electric vehicle charging points within the car park must be submitted to and approved in writing by the Local Planning Authority. The electric vehicle charger points shall be installed prior to occupation of the development and retained for the lifetime of the building.

#### REASON

To comply with London Plan Policy 4A.3 and to encourage sustainable travel.

#### **26 NONSC Screening of the compactors**

Notwithstanding plans hereby submitted, and before any work commences on site, further details of landscaped screening for the compactors shall be submitted to and

approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approval.

**REASON**

To safeguard the visual amenities of the canal setting, in accordance with Policy BE38 of the Unitary Development Plan Saved Policies 2007.

**27 H16 Cycle Storage - details to be submitted**

Prior to commencement of the development, details of covered and secure cycle storage provision for a minimum of 30 cycle parking spaces (for use by staff and visitors) shall be submitted to and approved in writing by the Local Planning Authority. The cycle storage areas shall be completed in accordance with the agreed scheme prior to the occupation of the development and thereafter permanently retained.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

**28 NONSC Waste Management Strategy**

Prior to the commencement of development, a waste strategy shall be submitted to and approved in writing by the Local Planning Authority and thereafter implemented in accordance with the approval. The plan shall include details of;

- a) waste management and maintenance from the site and;
- b) any form of screening (planting and fencing) to be incorporated to stop any refuse coming into the canal from the site

**REASON**

To ensure that refuse from the site does not enter the canal which can adversely affect its appearance as well as ecology, in accordance with Policy BE38 of Unitary Development Plan Saved Policies 2007.

**29 OM14 Secured by Design**

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

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, and to reflect the guidance contained in Circular 5/94 'Planning Out Crime' and the Council's SPG on Community Safety By Design.

**30 NONSC retail sales area**

No retail sales shall occur outside of the indoor and outdoor sales area as shown on the approved plans.

#### REASON

To safeguard the visual amenities of the area and to restrict retail sale of goods in accordance with Policy BE13 of Unitary Development Plan Saved Policies and in compliance with Planning Policy Statement 6: Planning for Town Centres.

#### **31 DIS1 Facilities for People with Disabilities**

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

#### REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policies 3A.13, 3A.17 and 4B.5.

#### **32 DIS2 Access to Buildings for People with Disabilities**

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

#### REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policies AM13 R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

#### **33 DIS4 Signposting for People with Disabilities**

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

#### REASON

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

#### **34 DIS3 Parking for Wheelchair Disabled People**

Development shall not commence until details of 10% of the total parking provision for wheelchair disabled people have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until all the approved details have been implemented and thereafter these facilities shall be permanently retained.

#### REASON

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



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

**35 NONSC Non Standard Condition**

Materials and/or equipment deposited outside of the retail building shall not be stacked or deposited to a height exceeding 2 metres above existing ground level.

**REASON**

In order to safeguard the visual amenities of the area in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policy (February 2008) 4B.1.

**36 NONSC Non Standard Condition**

Notwithstanding hereby submitted plans, a vehicle auto tracks (including HGVs) shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development demonstrating that delivery vehicles turning left through the main gates can satisfactorily manoeuvre through the car park.

**REASON**

To ensure that the site can accommodate delivery vehicles and without prejudice to the safety and free flow of traffic on the adjacent highway, in accordance with Policy AM2 of the Unitary Development Plan Saved Policies 2007.

**37 NONSC Non Standard Condition**

The premises shall not be used for any purpose on Public Holidays (which are not also Bank Holidays).

**REASON**

To safeguard the amenity of surrounding areas in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**1 I52 Compulsory Informative (1)**

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

**2 I53 Compulsory Informative (2)**

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

OL11	Green Chains
EC1	Protection of sites of special scientific interest, nature conservation importance and nature reserves
EC3	Potential effects of development on sites of nature conservation importance
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE25	Modernisation and improvement of industrial and business areas
BE32	Development proposals adjacent to or affecting the Grand Union Canal
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LE2	Development in designated Industrial and Business Areas
AM1	Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 3D.11	London Plan Policy 3D.1 - Supporting Town Centres
LPP 3D.3	London Plan Policy 3D.3 Maintaining and Improving Retail Facilities.
LPP 4A.3	London Plan Policy 4A.3 - Sustainable Design and Construction.

### **3 I14B Compliance with Legislation Administered by EPU**

The Council's Environmental Protection Unit (EPU) advises that, pursuant to the Control of Pollution Act 1974, the Clean Air Acts 1956/1968, Public Health Act(s) and other relevant legislation, you must ensure that the following are complied with where applicable:-

(i) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays. All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228 : 1984;

(ii) The elimination of the release of dust or odours caused by works, that may create a public health nuisance;

(iii) No bonfires that create dark smoke or nuisance to local residents;

(iv) Notification to EPU of the installation of a boiler with a rating 55,000 to 1.25 million Btu/hr and/or the construction of a chimney serving a furnace with a minimum rating of 1.25 million Btu/hr;

(v) Notification to EPU of the siting of any external machinery (eg. air conditioning);

(vi) EPU (and Planning Services) to be consulted if additional plant/machinery is to be installed or existing machinery replaced.

#### **4**

Any access from the towpath, closures of the towpath or scaffolding over-sailing British Waterway's land or water during the construction must be agreed in writing with British Waterways before development commences. Please contact Ben Loader in British Waterways London's Estate Team on 020 7985 7288 for further information.

#### **5**            I28            **Food Hygiene**

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

#### **6**

The applicant/developer is advised to contact third party works engineer, in order to ensure that any necessary consents are obtained and the works are compliant with the current British Waterways' 'Code of Practice for Works affecting British Waterways'.

#### **7**

You are advised that should a scheme for Closed Circuit Television (CCTV) be proposed for the site, you should liaise with the Metropolitan Police Crime Prevention Officer to ensure that this is compatible with the Council's CCTV system.

#### **8**            I15            **Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays or Bank Holidays.

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

#### **9**

The applicant is advised that the site is restricted to sale of goods to those of Asian origin. The restriction is secured through a S106 Agreement.

#### **10**

You are advised that this approval in no way overrides your requirement to accord with relevant Trading Law.

#### **11**

You are advised that where appropriate the Council will be minded to consider any details which have previously been submitted and approved in relation to conditions on planning permission 51508/APP/2008/2927 dated 16/04/2010 to be equally applicable and acceptable in relation to the corresponding conditions on this permission.

#### **12**

You are advised that this permission related to the amendment of condition 12 of 51508/APP/2008/2927 dated 16/04/2010 and has been considered on the basis of the plans provided within that application. The application does not constitute approval of any alternative drawings not referenced within the decision notice.

### **3. CONSIDERATIONS**

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

The application site comprises an approximately 1.2 hectare site, which accommodates the former B&Q warehouse and associated car park, located on the southern side of Uxbridge Road in Hayes. It forms a small part of a much larger site comprising the warehouse building and ancillary car parking area. Planning permission has recently been granted for the use of the building as an Asian Supermarket, this permission has now been implemented and the site is now operating. The wider site is bounded to the north by Uxbridge Road, beyond which are warehouse style buildings occupied by Shurguard Self-Storage; to the east the site is bounded by the Grand Union Canal, beyond which are residential properties in Bankside; and to the south and west are industrial and commercial buildings.

The site falls within the Springfield Road Industrial and Business Area as shown on the Hillingdon Unitary Development Plan Proposals Map and also forms part of the Hayes/West Drayton Corridor. The adjacent Grand Union Canal is designated as a Nature Conservation Site of Metropolitan or Borough Grade I Importance and forms the legislative boundary between the London Borough of Hillingdon and the London Borough of Ealing. Uxbridge Road is designated as a London Distributor Road.

#### **3.2 Proposed Scheme**

This application seeks to replace condition 12 of planning permission ref: 51508/APP/2008/2927 dated 16/04/10 which allowed alterations and refurbishment of the existing building for use as an Asian supermarket.

Condition 12 of that consent states:

"The premises shall not be used outside the hours of 0800 and 2000, Monday to Friday, and between the hours of 0800 and 1800 on Saturdays. The premises shall not be used outside the hours of 1000 and 1700 on Sundays and Bank Holidays (hours of opening should be in keeping with hours stated in Trading Law).

## REASON

To safeguard the amenity of surrounding areas in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007)."

This application seeks to vary that condition to restrict retail sales to between the hours of 08.00 and 21.00 Monday to Saturday and 10.00 and 18.00 Sundays and Bank Holidays.

### 3.3 Relevant Planning History

51508/APP/2010/1416 Former B&Q Site Uxbridge Road Hayes

For a period of six months from the date of this permission, retail sales shall not take place outside the hours of 08.00 to 21.00 Monday to Saturday and 10.00 to 18.00 Sundays and Bank Holidays. Thereafter, retail sales shall not take place outside the hours of 08.00 to 20.00 Monday to Friday, 08.00-18.00 Saturdays and 10.00 to 17.00 Sundays and Bank Holidays, unless otherwise agreed in writing by the Local Planning Authority (Variation of condition 12 (opening hours) of planning permission ref: 51508/APP/2008/2927 dated 16/04/2010: single-storey canopy to front entrance, refurbishment and use as an Asian supermarket)

**Decision:** 15-10-2010 Approved

51508/APP/2010/641 Former B&Q Site Uxbridge Road Hayes

Erection of canopy, relocation of cold storage unit and provision of WC facilities.

**Decision:** 10-06-2010 Approved

#### Comment on Relevant Planning History

The site was part of an area transferred from Ealing to Hillingdon in the late 1980s. The store was built following planning permission granted on appeal in November 1985, and the following condition was attached:

'The premises shall be used for the retailing of DIY home and garden improvement and car maintenance products, building materials and building merchants goods only and for no other purpose within Class 1 of the schedule to the Town & Country (Use Classes) Order 1972.'

Planning permission (Ref. 51508/96/1907) to vary this condition was approved on 16/04/1997, and this allowed an extended range of goods to be sold (excluding food). On 16 April 2010 planning permission was granted for the use of the site as an Asian supermarket comprising 1,606m<sup>2</sup> main retail area, 69m<sup>2</sup> cafe area, 690m<sup>2</sup> bulk goods warehouse, 1,141m<sup>2</sup> goods storage area, and the utilisation of the former garden centre trading area as a 425m<sup>2</sup> covered trading area for fruit and vegetables. That application comprised the erection of a single-storey canopy to the front entrance and refurbishment of the building (ref: 51508/APP/2008/2927).

On 10 June 2010 planning permission was granted for the erection of a canopy, relocation of a cold storage unit and provision of WC facilities (ref: 51508/APP/2010/641).

Planning permission ref no. 51508/APP/2010/1416, sought permission, for a period of six months from the date of that permission, to allow retail sales to place between the hours of 08.00 to 21.00 Monday to Saturday and 10.00 to 18.00 Sundays and Bank Holidays. Thereafter, retail sales would not take place outside the hours of 08.00 to 20.00 Monday to Friday, 08.00-18.00 on Saturdays and 10.00 to 17.00 Sundays and Bank Holidays,

unless otherwise agreed in writing by the Local Planning Authority (Variation of condition 12 (opening hours) of planning permission ref: 51508/APP/2008/2927 dated 16/04/2010: single-storey canopy to front entrance, refurbishment and use as an Asian supermarket). This application was approved on the 15th October 2010.

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

Supplementary Planning Guidance Noise

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

OL11 Green Chains

EC1 Protection of sites of special scientific interest, nature conservation importance and nature reserves

EC3 Potential effects of development on sites of nature conservation importance

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

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

BE25 Modernisation and improvement of industrial and business areas

BE32 Development proposals adjacent to or affecting the Grand Union Canal

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

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

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

LE2 Development in designated Industrial and Business Areas

AM1 Developments which serve or draw upon more than a walking distance based catchment area - public transport accessibility and capacity considerations

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

LPP 3D.11 London Plan Policy 3D.1 - Supporting Town Centres

LPP 3D.3 London Plan Policy 3D.3 Maintaining and Improving Retail Facilities.

LPP 4A.3 London Plan Policy 4A.3 - Sustainable Design and Construction.

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

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

Consultation letters were sent to 123 local owner/occupiers. 2 responses have been received which make the following comments

1. I cannot see any reasonable objection to this proposal other than; the tannoy system is very intrusive now, hopefully that would not be allowed the extended hours; and hopefully the owners will take care of the wildlife that use the canal, by not cutting the undergrowth during nesting season, etc.
2. I would like to appeal against this as it will create extra traffic on the Uxbridge Road and also extra noise. As it is we get noise until late at night and this will make it worse.

LONDON BOROUGH OF EALING - No response received.

ENVIRONMENT AGENCY- No comments to make on this application

BRITISH WATERWAYS No comments to make on the extended opening hours

### Internal Consultees

ENVIRONMENTAL PROTECTION UNIT - The applicant seeks to vary condition 12 of planning permission ref:

51508/APP/2010/1416 dated 15th October 2010, following a six month permission allowed for temporary extended trading hours to monitor whether the scheme will adversely impact on residential amenity by way of noise disturbance from trading activities.

I have reviewed the covering letter submitted by CGMS consulting and details of the design and access statement. I can confirm that the Environmental Protection Unit have not received any complaints of disturbance from the store during the extended temporary operating hours. Therefore I have no objection to the condition being varied as applied.

## 7. MAIN PLANNING ISSUES

### 7.01 The principle of the development

The principle of allowing a supermarket at this site was established by planning permission ref: 51508/APP/2008/2927 dated 16/04/10.

### 7.02 Density of the proposed development

Not applicable to this type of application

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

Not applicable to this type of application

### 7.04 Airport safeguarding

Not applicable to this type of application

### 7.05 Impact on the green belt

Not applicable to this type of application

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

Not applicable to this type of application

### 7.08 Impact on neighbours

The nearest residential properties are located approximately 40m away to the east in Bankside, and 65m to the north west at the junction of Uxbridge Road and Delamere Road. The main impact of the proposal on residential amenity is considered to be the potential noise impacts associated with the longer trading hours proposed. This issue is addressed in part 7.18 of the report.

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

Not applicable to this type of application

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

Given that the proposed extended trading hours are outside peak travel times, and would spread the vehicle movements to/from the site throughout the day, it is not considered that the proposal would have any significant impact on the surrounding road network. It is further noted, no objection was raised by the Council's Highway Engineer to the previous application for the same proposal, albeit for a temporary permission (51508/APP/2010/1416). The proposal would therefore comply with Policy AM7 of the UDP Saved Policies (September 2007).

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

Not applicable to this type of application

#### **7.12 Disabled access**

Not applicable to this type of application

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

Not applicable to this type of application

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

Not applicable to this type of application

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

Not applicable to this type of application

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

Not applicable to this type of application

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

Not applicable to this type of application

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

The wording of condition 12 restricts the use of the premises, outside specified times, throughout the week. The applicant argues that this would restrict essential out of hours trading activities, such as cleaning, shelf filling, setting up before opening, staff training, maintenance, closing down and cleaning at the end of the trading day, etc, which are fundamental to most stores. It is suggested that this restriction is so severe that it would significantly affect the operation of the store. It is not considered that these activities are likely to give rise to significant noise or disturbance, which is likely to be audible from outside the site. Most activity, largely attributable to a small outdoor sales area, and vehicle movements, would take place during trading hours.

Accordingly, it is not considered that the variation of the condition to restrict trading hours only, would give rise to a significant increase in noise or disturbance sufficient to justify refusal. The nearest residential properties are located approximately 40m away to the east in Bankside, and 65m to the north west at the junction of Uxbridge Road and Delamere Road. Properties in Delamere Road, which are located beyond the Grand Union Canal, overlook the rear of building. The main operational area of the building, and the store entrance, are located on the north and west sides of the building. Whilst service access is provided to the rear of the building, this is restricted by a separate condition. Accordingly, it is not considered likely that the extended hours would have a significant impact on the residential amenity of the occupiers of these properties. The nearest properties to the northwest are located beyond the busy four lane wide Uxbridge Road and significant hedge/tree screening along the site's northern boundary. Given the distance and screening provided, it is not considered likely that the proposal would have a significant impact on the residential amenity of occupants of these properties.



The site has been subject to longer opening hours following grant of a temporary period for six months, to assess the impact this would have. The Environmental Protection Unit has confirmed they have not received any complaints from local residents within this period and therefore have not raised an objection to the proposal. As such the proposal is considered to accord with policies OE1 and OE3 of the UDP Saved Policies (September 2007).

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

With regard to point 1, the tannoy system does not form part of this application and further to discussions with the Environmental Protection Unit, it is confirmed should a nuisance be found due to the use of a tannoy system at the site this would be more appropriately dealt with under the Environmental Protection Act 1990. The remaining points are addressed in the full report.

#### **7.20 Planning obligations**

Not applicable to this type of application

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

Not applicable

#### **7.22 Other Issues**

None

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

Not applicable

## **10. CONCLUSION**

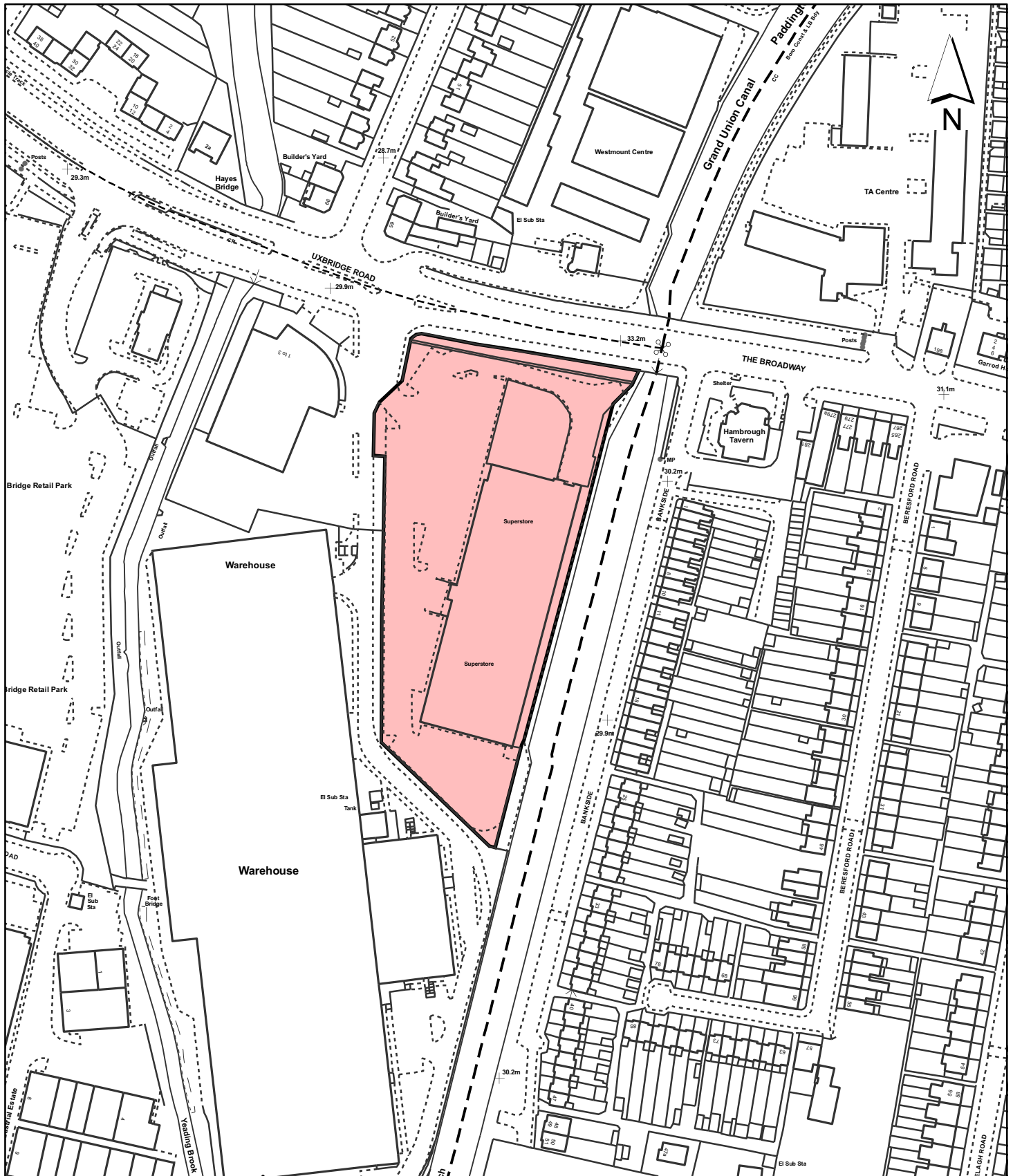
It is not considered that the additional opening hours proposed would be likely to lead to a significant increase in noise or disturbance to the nearest residential occupiers, particularly given the temporary nature of the proposal. There would be no adverse impact on the local highway network and, notably, no objections have been received. The proposal complies with relevant UDP policies and, accordingly, approval is recommended.

## **11. Reference Documents**


Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (Consolidated with Alterations since 2008)  
Supplementary Planning Guidance - Noise

**Contact Officer:** Catherine Hems

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Former B&Q Site  
Uxbridge Road  
Hayes**

Planning Application Ref:

**51508/APP/2011/963**

Planning Committee

**Central and South**

Scale

**1:2,000**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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



**HILLINGDON**  
LONDON

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## Report of the Head of Planning & Enforcement Services

**Address** GARAGE SITE REAR OF 85 AND 87 MANOR WAYE UXBRIDGE

**Development:** Erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings.

**LBH Ref Nos:** 67593/APP/2011/329

**Drawing Nos:** Design and Access Statement  
Report on the Impact on Trees  
Issue Sheet  
110\_B 001 REV B  
110\_B 002 REV A  
110\_B 003 REV D  
110\_B 004 REV B  
110\_B 005 REV B  
110\_B 006 REV B  
110\_B 007 REV B  
110\_B 008

**Date Plans Received:** 11/02/2011      **Date(s) of Amendment(s):** 11/02/2011

**Date Application Valid:** 11/02/2011

### 1. SUMMARY

Full planning permission is sought to erect a pair of semi detached dwellings with associated landscaping and parking. Analysis of separation distances to neighbouring properties has been undertaken and the proposals are not considered to result in any loss of amenity to adjoining occupiers due to loss of light or privacy. The proposed dwellings would meet all relevant Council standards in terms of car parking, unit size and amenity space provision and would, as such, afford future occupiers with adequate levels of amenity. The proposal would result in the displacement of car parking spaces. All these spaces would be reprovided nearby. No objection is therefore raised in this regard. As such approval is recommended subject to conditions.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

**1            SP01            Council Application Standard Paragraph**

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

**2            T8                    Time Limit - full planning application 3 years**

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

**REASON**

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

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

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

**REASON**

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

**4 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

**REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5 OM2 Levels**

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

**REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**6 M3 Boundary treatment - details**

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

**REASON**

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

**7 TL1 Existing Trees - Survey**

Prior to any work commencing on site, an accurate survey plan at a scale of not less than 1:200 shall be submitted to and approved in writing by the Local Planning Authority. The plan must show:-

- (i) Existing and proposed site levels.
- (ii) Routes of any existing or proposed underground works and overhead lines including their manner of construction.

## REASON

To enable the Local Planning Authority to assess the amenity value of existing trees, hedges and shrubs and the impact of the proposed development on them and to ensure that the development conforms with Policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **8 TL2 Trees to be retained**

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

If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with

BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'. Remedial work should be carried out to BS 3998 (1989) 'Recommendations for Tree Work' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

## REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and to comply with Section 197 of the Town and Country Planning Act 1990.

### **9 TL3 Protection of trees during site clearance and development**

Prior to the commencement of any site clearance or construction work, detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres. The fencing shall be retained in position until development is completed. The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

1. There shall be no changes in ground levels;
2. No materials or plant shall be stored;
3. No buildings or temporary buildings shall be erected or stationed.
4. No materials or waste shall be burnt; and.

5. No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation to be retained are not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **10 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **11 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species



unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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

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

#### REASON

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

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

Prior to the commencement of the development hereby approved, details demonstrating full compliance with all Lifetime Homes criteria shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall thereafter be permanently retained.

#### REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

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

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

#### REASON

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

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

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

REASON

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

**16 OM14 Secured by Design**

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

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

**17 H7 Parking Arrangements (Residential)**

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

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**18 NONSC Soils**

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

REASON

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

**19 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from

the Local Planning Authority.

**REASON**

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**20 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

**21 RPD2 Obscured Glazing and Non-Opening Windows**

The windows facing nos. 85-87 Manor Waye and the recreation ground shall be glazed with permanently obscured glass and non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**22 NONSC Reprovision of garages**

Before development commences, a garage occupant relocation scheme shall be submitted to and approved in writing by the Local Planning Authority. The garage occupant relocation scheme shall make provision of not less than 3 off street parking spaces within 200m of the site. The replacement parking spaces are to be of an appropriate width and condition to be agreed in writing by the Borough Highway Engineer. Thereafter the development shall not be occupied until the garage occupant relocation scheme has been implemented and existing garage users have been relocated

**REASON**

to ensure the continued provision of off street parking spaces that are currently rented to local Hillingdon residents and to accord with policy AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**23 TL20 Amenity Areas (Residential Developments)**

None of the dwellings hereby permitted shall be occupied, until the outdoor amenity area serving the dwellings as shown on the approved plans (including balconies where these are shown to be provided) has been made available for the use of residents of the development. Thereafter, the amenity areas shall so be retained.

**REASON**

To ensure the continued availability of external amenity space for residents of the development, in the interests of their amenity and the character of the area in accordance with policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

**24 SUS5 Sustainable Urban Drainage**

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

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**25 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**26 NONSC Stopping Up**

No development shall commence until all parts of the adopted Public Highway within the site boundary have been 'Stopped Up' in accordance with S247 of the Town and Country Act 1990 or any other relevant legislation. All and any costs related to this work shall be borne by the applicant.

**REASON**

To ensure Public Highways land within the site boundary is released to facilitate the development and to accord with policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**27 OM19 Construction Management Plan**

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

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads

(including wheel washing facilities).

(v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).

(vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.

(vii) The storage of demolition/construction materials on site.

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

#### REASON

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

### INFORMATIVES

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

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

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

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated

HDAS land - requirement for ameliorative measures  
'Residential Developments'

### **3 I5 Party Walls**

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

carry out work to an existing party wall;

build on the boundary with a neighbouring property;

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

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

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

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

### **5 I12 Notification to Building Contractors**

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

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

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

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

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

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

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

### **8 I20 Land Drainage**

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

London SE1 7TG.

**9**

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

**10**      I21                      **Street Numbering**

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

**11**

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

**12**      I15                      **Control of Environmental Nuisance from Construction Work**

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

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

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

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

**13**

In relation to Condition 14, the applicant is advised that a financial contribution of £10,607 would satisfy the requirement of the condition.

### **3. CONSIDERATIONS**

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

The site is located on the south side of Manor Waye. It consists of a small garage court (three garages and 9 parking spaces) abutting gardens of properties on the east and north boundaries with the southern boundary adjoining a recreation ground.

The character of the area is predominantly defined by a mixture of post war two storey semi detached and terraced houses with gardens and the more recent 1960's-1980's development of houses and maisonettes occupying the area of land west of Manor Waye to Whitehall Road. Buildings are pre-dominantly either brickwork or painted render with pitched tiled roofs.

The site is not located in a designated area and is not subject to any Tree Preservation Orders (TPO's).

#### **3.2 Proposed Scheme**

It is proposed to erect a pair of two storey, two bedroom semi detached dwellings with curtilage car parking. Each dwelling would have one curtilage parking space.

Three existing garages on the site would be demolished, and it is the case that existing users would be allocated other garages close to the site.

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

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

There is no planning history on this site. Relevant officers have investigated the history of this particular site and can confirm that there are no planning or legal agreements which require the parking area to be provided.

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

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

AM15 Provision of reserved parking spaces for disabled persons

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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



BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE25	Modernisation and improvement of industrial and business areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
HDAS	'Residential Developments'

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

**5.1** Advertisement Expiry Date:- **14th March 2011**

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

## **6. Consultations**

### **External Consultees**

A total of 23 neighbours were notified of this application. Two letters of objection were received. Objections have been raised on the following grounds:

- i) Parking congestion
- ii) Loss of light
- iii) Overlooking
- iv) Impact on health of local residents
- v) Size of the development would have an overbearing impact on existing properties
- vi) Site is too small to accommodate 2 dwellings
- vii) Damage to trees
- viii) Loss of parking spaces
- ix) Construction impacts will adversely impact on residents (including from construction traffic)

### **Internal Consultees**

HIGHWAYS ENGINEER

Further to our conversation of today, I understand that further proposal is made by the applicant following highway comments dated 25th March 2011:

- 1) Original site visit showed nine vehicles were parked within the private land outside the garages. However, I understand that vehicles parking within the area outside the garages are solely used by others (namely Council staff who have not been allocated with vehicle parking spaces in the Council's multi storey car park) rather than residents.
- 2) There are eight other garages at the rear of 11-59 Whitehall Road owned by the applicant. The applicant is proposing to reprovide displaced users of garages at the site available garages at the rear of 11-59 Whitehall Road.
- 3) Proposal is to demolish three garages and erect a pair of two storey two bedroom semi detached houses with one parking space for each dwelling which complies with Policy AM14 of the UDP Saved Policies (September 2007), Council's vehicle parking standard contained in the Annex 1.

4) Consequently there will be no objection subject to the following:

- a) The applicant should apply for stopping up order under s116 of highway act 1980 or s247 of the planning act 1990, to acquire necessary section of public highway shown in the above drawing which would enable development to be carried out.
- b) A Grampian type condition to provide three garages replacing loss of garages by current residents.

#### ACCESS OFFICER

The Access Officer raised the following concerns:

1. Level or gently sloping access should be confirmed.
2. The bathrooms/ensuite facilities, including the entrance level WC, should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite. The location of the proposed entrance level WC will have, due to its siting below the staircase, a sloped ceiling that would likely prevent the cubicle from being used as a future shower facility.
3. To allow the first-floor, including the entrance level WC, to be used as a wet rooms in future, plans should indicate floor gulley drainage.

#### WASTE MANAGEMENT OFFICER

I would make the following comments on the above application regarding waste management.

The plan does show that a space has been allocated for the storage of waste which is good practice. However, Hillingdon is not a wheeled bin borough. Bins or other containment would have to be provided by the developer.

The current waste and recycling collection systems are: -

- i) Weekly residual (refuse) waste using sacks purchased by the occupier
- ii) Weekly dry recycling collection using specially marked sacks provided by the Council.
- iii) Fortnightly green garden waste collection using three specially marked reusable bags provided by the Council free of charge.

The waste and recycling should be presented near the curtilage of the property on allocated collection days.

#### ENVIRONMENTAL PROTECTION UNIT

There are no known historical contaminative uses identified at the site. The former garage use is a possible source of contamination, and there is also the possibility of contaminated made ground beneath the existing hard standing, as well as the hard standing itself if tarmac was used.

As new sensitive receptors are being introduced some contamination site investigation is required for the site. This can be carried out as part of a geotechnical investigation.

If a standard contaminated land condition is considered too onerous for this application, as a minimum the imports/landscaping condition is advised along with the contamination informative.

Condition to minimise risk of contamination from garden and landscaped area

All soils used for gardens and/or landscaping purposes shall be clean and free of contamination. Site derived soils and imported soils shall be tested for chemical contamination, and the results of this testing shall be submitted for approval to the Local Planning Authority.

Note: The Environmental Protection Unit (EPU) must be consulted for their advice when using this condition.

#### REASON

To ensure that the occupants of the development are not subject to any risks from soil

contamination in accordance with policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### CONTAMINATION INFORMATIVE

There is a possibility there may be some contaminating substances present in the ground at depth. We have no information on the ground conditions. We would advise persons working on site to take basic precautions in relation to any contamination they may find. Precautions should be taken to minimise the mixing of any material that is dug up with clean shallow soils that are to remain on site. Please contact the Environmental Protection Unit on 01895 250155 if you require any advice.

#### REASON

You are advised this development is on a former block of garages based on Ordnance Survey data. We have no information on ground conditions. There is a possibility of some contaminating materials being present below the hard standing. The advice is provided on the grounds of Health and Safety of the workers on site and to ensure the appropriate remediation and restoration of the site once works are complete to minimise risk to the future occupants of the site. The suitability of building materials and building techniques may also need to be considered under the Building Regulations.

The construction site informative has been provided below for your use.

#### Construction Site Informative:

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday
- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

(iii) No bonfires on the site shall be allowed to take place at any time.

#### EDUCATION

Based on the creation of 2x4 room private houses in Uxbridge North a contribution of £10,607 is sought.

#### TREES & LANDSCAPING

The garage site is located between the houses and the recreation ground. There are several trees on and close to the site, which contribute to the visual amenity of the area. The line of four Lime and Sycamore trees in the park, close to the southern boundary of the site, has a high amenity value, as it forms part of the belt of trees lining the recreation ground, which is a large-scale landscape feature of merit in terms of Saved Policy BE38. The two Sycamores on the site reinforce the feature, but have relatively low amenity values and, as such, do not constrain the development of the site. The other (off-site) trees also have relatively low values.

The application includes a tree survey report and proposed tree protection measures. The scheme has been designed so that the trees in the park (and the other off-site trees) will not be affected. The layout also reserves space for landscaping, including tree planting adjacent to the boundary

with the neighbouring residential properties. In this context, there is no objection to the loss of the two Sycamore trees on the site to facilitate the proposed development.

Subject to conditions TL1 (levels and services ONLY), TL2, TL3 (modified to refer to the measures detailed on the approved tree protection plan and methods in the approved 'Tree Report' dated 11 December 2009), TL5, TL6 and TL7, the application is acceptable in terms of Saved Policy BE38 of the UDP.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the Developed Area as shown on the Unitary Development Plan Proposals Map. Furthermore, the site does not fall in a conservation area or Area of Special Local Character. As such, there is no objection in principle to the demolition of the existing garages and redevelopment of the site for residential purposes.

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

The site has a Public Transport Accessibility Level (PTAL) of 3. The London Plan (2008) range for sites with a PTAL of 2-3 in a suburban area is 150-250 habitable rooms per hectare and 59-950 units per hectare. As such, based on a total site area of 470m<sup>2</sup> the site would have a density of 42.6 units per hectare and 170 habitable rooms per hectare. This complies with London Plan standards.

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

The site does not fall within an Archaeological Priority Area and there are no Conservation Areas, listed buildings or Areas of Special Local Character within the vicinity.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues arising from the proposed scheme.

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

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

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

The surrounding area is largely characterised by a mix of terrace and semi detached two-storey properties. Only limited views of the development would be available from Manor Way due to the site's location at the end of a cul de sac. It is not considered that it would have a significant impact on the visual amenities of the street scene in this location. The proposed two storey dwellings are of a height and scale similar to surrounding properties. As such it is not considered that the development would have an unacceptable impact on visual amenity or the character and appearance of the streetscene.

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

### **7.08 Impact on neighbours**

The site adjoins residential properties to the north and is in proximity to dwellings to the west on Manor Way.

The distance to the dwellings to the north is approximately 19.5m. The distance to the properties opposite will be approximately 16m. These distances exceed the minimum 15m separation distance suggested as being appropriate in the HDAS Residential Layouts.

Windows are positioned looking either to the public highway or rear gardens of near by properties. The rear bedroom windows are 7m from the rear boundary, they are at a right

angle to the rear of 79, 81 and 83 Manor Waye such that there would not be an unacceptable degree of overlooking to the rear windows of these houses. Although there would be increased overlooking of the rear gardens of these properties it should be noted that these gardens are already overlooked from the common / neighbouring property. On balance the level of overlooking is considered to be acceptable.

As such the scheme is not considered to result in any significant loss of amenity to neighbouring properties in accordance with policies BE20, BE21 and BE24 of the Hillingdon UDP saved policies (September 2008).

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

##### Unit Size

The Council's HDAS SPD states that a two bedroom house should have a minimum floor area of 63sq metres. The proposal is two houses each with a floor area of 75sq metres which accords with the Council's minimum standard and is as such considered acceptable.

The proposed habitable rooms would all have an adequate outlook and natural lighting, in accordance with policy BE20 of the saved UDP and 4A.3 of the London Plan (February 2008).

##### Amenity Space

The minimum requirement for private amenity space, as set out in the HDAS SPD, for a 2 bedroom house is 60sq metres of private amenity space. The proposed amenity space proposed is 96sq metres and 123sq metres respectively for the two houses, which is in excess of the minimum standards.

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

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

The site is not connected to the surrounding dwellings by any planning conditions or legal agreements.

The parking forecourt currently contains three garages which are leased to local residents as well as 9 parking spaces (12 total). During day time site inspections, the site was found to be utilised for car parking. Officers noted however that the large majority of people parking on the site were not local residents. This was established by noting that the cars belonged to Council staff (cars featured Council staff parking stickers).

Officers also carried out evening parking surveys over a period of 2 weeks. It is worth noting that there were no cars parked on the garage forecourt which is subject of this application (i.e. it was only being used during the day) after 7pm.

Three other garage forecourts are located close to the site, these are described below:

- i) 12 spaces (including 3 garages)
- ii) 11 spaces (including 4 garages)
- iii) 11 spaces (including 4 garages)

These had a total of 11 garages. It should be noted that several of garages on the other 3 alternative sites are not in use. The applicant has confirmed that there are a number (more than 3) which are not let.

Furthermore Manor Way had an average of 14 free on-street spaces for residents. It should be noted that many of the properties on Manor Way also have large front gardens where cars are parked.

The alternative sites are within 200m of the application site. There are 3 garages on the application site which are let. It is proposed to rehouse these tenants in alternative and vacant garages on the near by sites. A condition is recommended to secure this re-provision.

The proposal makes provision for two off street cutilage car parking spaces, one for each house. This, given the medium PTAL rating for the site and its relative proximity to the Uxbridge Town Centre, is considered acceptable.

It is therefore considered that the change of use of the site from parking to residential dwellings would not have a significant impact on traffic and pedestrian flow in the immediate area. The proposal therefore accords with Policies AM2, AM7 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

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

This has been largely discussed in part 7.07 of the report. The size, siting scale and mass of the building is considered to be acceptable in this location and the design, including the roof, materials and fenestration, would be in keeping with the character and appearance of the area. As such, the scheme is considered to be acceptable on design grounds.

#### **7.12 Disabled access**

The Council's Access Officer raised some minor concerns that the scheme did not meet all lifetime homes standards. These will be secured by way of a condition should planning permission be forthcoming.

Subject to a condition, the proposed development has been designed to meet Lifetime Homes standards in accordance with Policy 3A.5 of the London Plan and guidance within the Hillingdon Design and Accessibility Statement Residential Layouts and Accessible Hillingdon Supplementary Planning Documents. The integration of these features within the final design can be secured by an appropriate condition in the event of planning permission being granted. The development is not of a scale which would warrant the provision of wheelchair adaptable units.

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

The scheme is for less than 10 units and therefore there is no affordable housing requirement for the development.

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

The application site contains several trees, all of which have relatively low amenity values. These are to be removed with new planting being proposed.

The Council's Trees and Landscape Officer has raised no objections to the proposal, including the removal of trees on the site, subject to conditions, which would achieve appropriate outcomes in terms of policy BE38.

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

The plans indicate that two refuse storage areas would be provided adjacent to the proposed houses, one for each. The Council's Waste Strategy Department has suggested that as shown the bin provision would appear to be adequate for this development. A condition is attached to ensure that the bin stores will be covered and secure.

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

The applicant's Design and Access Statement indicates that the scheme has been designed to achieve a minimum of Level 3 of the Code for Sustainable Homes. Given the modest scale of the scheme, the achievement of Code Level 3 is considered to demonstrate that sufficient consideration has been given to sustainability issues.

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

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

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

It is not considered that the provision of residential unit on this site will lead to significant noise or air quality issues sufficient to justify refusal.

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

issues relating to the loss of parking, light and impacts on privacy have been discussed in the body of the report and are considered acceptable. Conditions are recommended to mitigate impacts during the construction phase.

There is no evidence to suggest the development or future occupiers would cause harm to the health of existing residents in the area.

Subject to conditions to secure landscaping no objection is raised in terms of tree impacts.

The size of the site is adequate to accommodate the 2 dwellings and for internal floor areas and external amenity space to comply with relevant requirements.

#### **7.20 Planning obligations**

The Council's planning obligations officer has advised that a contribution is required to mitigate impacts likely to arise from the scheme on local schools. A condition is recommended to secure this.

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

Not applicable to this application.

#### **7.22 Other Issues**

None.

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

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of

these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

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

## **10. CONCLUSION**

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

The design is such that it would provide an adequate living environment for future occupiers. The location of windows and separation distances to existing dwellings is adequate to prevent overlooking issues. The impact on the amenity of adjoining properties is considered to be acceptable.

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

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

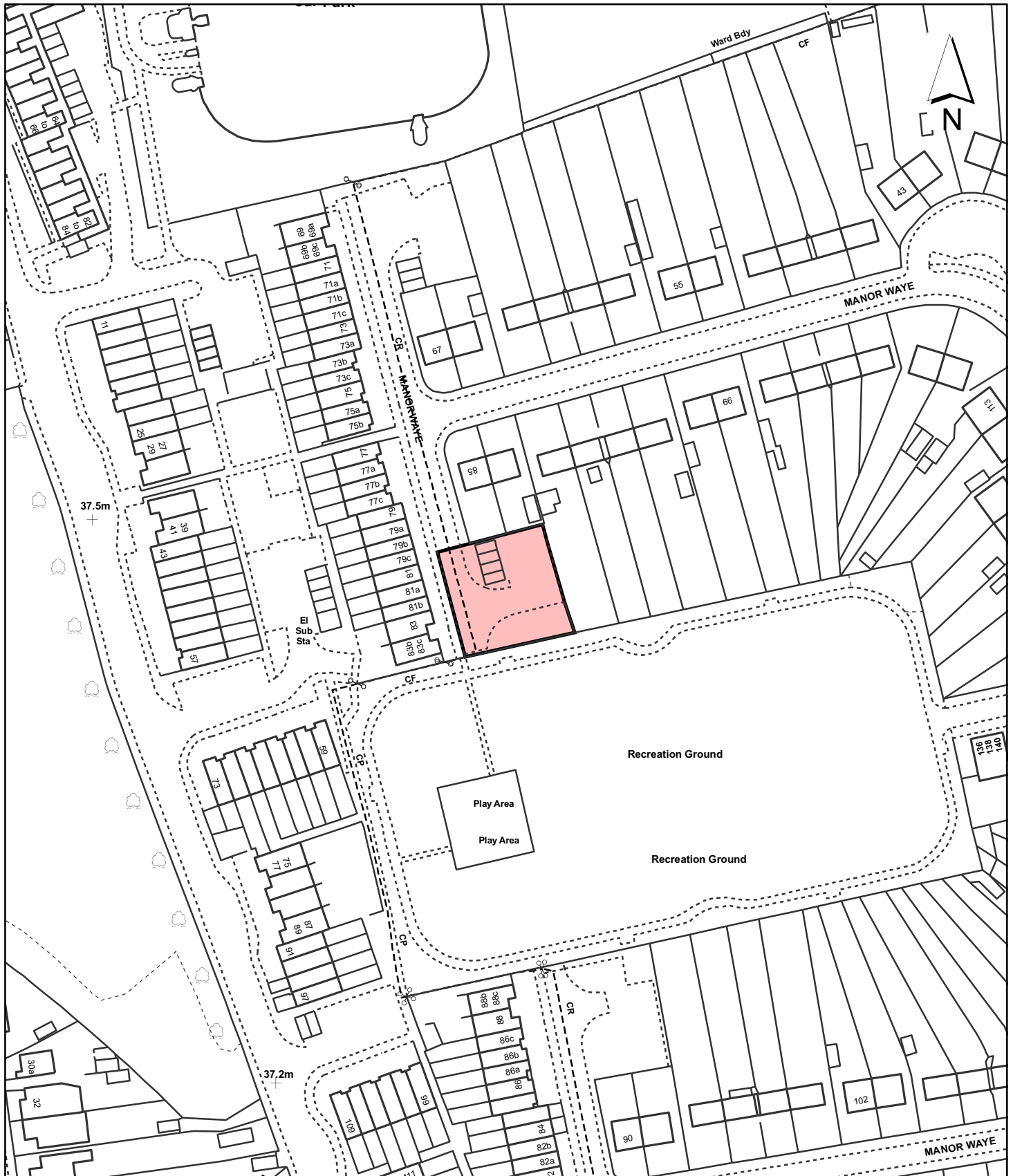
## **11. Reference Documents**

Hillingdon Unitary Development Plan Saved Policies September 2007  
London Plan (Consolidated with Alterations since 2004)  
Planning Policy Statement 1 (Delivering Sustainable Development)  
Planning Policy Statement 3: Housing  
Hillingdon Design and Accessibility Statement: Residential Layouts  
Hillingdon Design and Accessibility Statement: Accessible Hillingdon  
Supplementary Planning Document - Planning Obligations

**Contact Officer:** Matt Kolaszewski

**Telephone No:** 01895 250230





**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Garage Site rear of  
85 and 87 Manor Way  
Uxbridge**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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

Planning Application Ref:

**67593/APP/2011/329**

Scale

**1:1,250**

Planning Committee

**Central and South**

Date

**July 2011**



**HILLINGDON**  
LONDON

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## Report of the Head of Planning & Enforcement Services

**Address** 67 BERRYDALE ROAD HAYES MIDDLESEX  
**Development:** Single storey side extension (Part-Retrospective)  
**LBH Ref Nos:** 64145/APP/2011/858  
**Drawing Nos:** Site Layout (Block Plan)  
1:1250 Location Plan  
First Floor Plan (received 15/6/2011)  
Side Elevations (received 15/6/2011)  
Rear Elevations (received 15/6/2011)

**Date Plans Received:** 06/04/2011      **Date(s) of Amendment(s):** 06/04/2011  
**Date Application Valid:** 07/04/2011      15/06/2011

### DEFERRED ON 28th June 2011 FOR FURTHER INFORMATION ON

The application was deferred from the 28 June 2011 Planning Committee as incorrect versions of the submitted plans had been presented to members. Those plans indicated the rear extension being 3.6m deep. The revised plans show the extension being 3m in depth.

The issue has been resolved, the correct plans (received 15 June 2011) are before the committee for consideration.

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site is located on the north side of Berrydale Road, at its junction with Broadmead Road. It comprises a one bedroom two storey end of terrace house with a single storey rear extension to the southeast side. The application property adjoins 66 Berrydale Road to the west, 37 Coulter Close to the northwest and 32 Coulter Close to the north. No.32 Coulter Close has not been extended at the rear and has a main ground floor rear habitable room window closest to the side boundary with the application property. To the south of the site are nos. 1 to 4 Berrydale Road. The street scene is residential in character and appearance comprising two storey mid-terraced houses. The application site lies within the 'developed area' as identified in the saved adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

### 1.2 Proposed Scheme

The previously refused scheme proposed to retain the existing single storey rear extension at site. The single storey rear extension has been finished with a mono-pitch roof and is in set some 100mm from the side boundary with 32 Coulter Close and the rear garden of the application property, facing Broadmead Road. The extension is set back some 3.4m from the southern site boundary with Berrydale Road. The single storey rear extension measures, 4.9m deep, 4.2m wide, 2.4m high at eaves level and 3.4m to its maximum height. Two windows and a door have been installed in the southern elevation wall of this extension. The single storey rear extension comprises a kitchen.

This current application proposes to reduce the length of projection of the rear extension from 4.9m to 3m deep, resulting in an eaves height of 2.9m high.

### 1.3 Relevant Planning History

64145/APP/2009/1813 67 Berrydale Road Hayes Middlesex

Single storey rear extension (Retrospective Application).

**Decision Date:** 29-10-2009      **Refused**      **Appeal:**

#### Comment on Planning History

Planning permission reference: 1217DN/83/547 was granted for the development of the dwellinghouse with a schedule of conditions. Condition 8 states:

"Notwithstanding anything contained in the Town and Country Planning (General Permitted Development) Orders 1977 - 1981 no further enlargement extension improvement or alteration of any dwellinghouse as therein detained shall be carried out, nor any additional windows be provided or any garage to be erected or extended without prior written permission of the Local Planning Authority."

A planning application ref: 64145/APP/2009/1813 for the erection of a single storey rear extension was refused in October 2009 for the following reasons:

1. The existing single storey rear extension, by reason of its excessive length of projection and overall size, constitutes a disproportionate and unsympathetic addition, failing to appear subordinate to the scale, form and appearance of the original house. The extension is detrimental to the character and appearance of the original house and the visual amenities of the surrounding area generally. The development is therefore contrary to policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

2. The existing single storey rear extension, by reason of its overall siting in proximity to the side boundary with 32 Coulter Close, taken together with its length of projection beyond the rear elevation of that property, represents an overdominant / visually obtrusive form of development when viewed from the rear ground floor habitable room window on that property, compounded by a significant increase in overshadowing during the morning. As such the extension constitutes an un-neighbourly form of development, resulting in a material loss of residential amenity to the occupiers of 32 Coulter Close, contrary to policies BE20 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007), as well as section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

3. The existing development, fails to maintain an adequate amount of private usable external amenity space for the occupiers of the existing property, resulting in overdevelopment of the site and poor living environment, detriment to the residential amenity of the existing occupiers as well as the character, appearance and visual amenities of the surrounding area. The development is therefore contrary to policy 4B.1 of the London Plan, policies BE19 and BE23 of the Councils adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 3.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Extensions.

In 2009 the site was inspected and it was noted that a rear extension had been erected in breach of condition 8 of the original 1983 consent (1217DN/83/547). A Breach of Condition Notice was approved by Committee on 30 March 2011 and the notice was served on the 18 May 2011 requiring the demolition of the unauthorised extension.

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

2.1 Advertisement Expiry Date:- Not applicable

2.2 Site Notice Expiry Date:- Not applicable

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

11 adjoining owner/occupiers have been consulted. No comments have been received.

Environmental Protection Unit:

The development is about 63 metres from the landfill area which lies below the new Grand Union Village site. This was historic landfill and is not thought to be a high gas risk. The property itself is also on land that was used as a landfill site, the landfill being removed by builders. It was also used for MOD purposes such as weapons training.

As the extension is part retrospective it is likely partially built, and a gas membrane may not be able to be installed. I would advise adding a gas and contamination informative.

Planning Enforcement Officer:

The extension was built without planning approval, and contrary to a condition on the original consent for the main house. The Council's Planning Enforcement Team sought permission from the Central and South Planning Committee to issue a breach of condition notice. The matter was considered on 29 March 2011 where it was determined to issue the notice.

The notice was issued on 31 March 2011.

The applicant has subsequently lodged this application in an attempt to overcome the notice. If this planning application is approved then no further enforcement action would be taken.

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20 Daylight and sunlight considerations.

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

BE23 Requires the provision of adequate amenity space.

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

## 5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the original house, on the street scene and surrounding area, and on residential amenity.

The proposed reduction in the length of projection of the single storey rear extension has not commenced. The proposed single storey rear extension by reason of its size, siting, design, appearance and length of projection is considered to harmonise with the character, proportions and appearance of the original property. It would appear subordinate, as it would be set sufficiently below the first floor window. The proposed rear extension would not be out of character with the surrounding area and as such, the proposal would comply with policies BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The proposal would overcome the first reason for refusal of the previous scheme.

There are no properties to the south west that would be adversely affected by the proposed development. The proposed single storey rear extension would not be more than 3m deep and 3.4m high, in accordance with paragraphs 3.3 and 3.7 of the Hillingdon Design & Accessibility Statement: Residential Extensions. This distance and height are considered to be sufficient to ensure that the proposal would not have a visually intrusive and overdominant impact or result in a significant increase in overshadowing, on the residential amenities of the occupiers of 32 Coulter Close. No windows are proposed facing 32 Coulter Close and therefore, no overlooking will result. The proposal would therefore comply with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3. The proposal would overcome the second reason for refusal of the previous scheme.

Paragraph 3.13 of the Hillingdon Design and Accessibility Statement (HDAS): Residential Extensions states that for a one bedroom house a minimum of 40 sqm of garden space should be provided. At present, the as built scheme only retains some 17sq.m of private

amenity space.

This current scheme would increase this to some 25.4sq.m (not counting the front garden). It is acknowledged that this is a small house, and the applicant has advised the extension is needed to accommodate a kitchen. Given the small size of the dwelling, it is acknowledged that the extension would make the property more useable for its occupiers.

Although the size of the garden would be below the recommended standard of 40sqm, in this case given the small size of the house and that the applicant is reducing the size of the extension to increase the size of the garden, a departure from guidance is considered acceptable in this instance.

This application is recommended for approval.

## 6. **RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 NONSC Non Standard Condition**

Subject to the constraints of condition 2, the development hereby permitted shall be implemented within 3 months from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990 and to ensure that in the interests of securing development in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) there is not an accumulation of un-implemented planning permissions.

#### **2 NONSC Non Standard Condition**

The existing rear extension shall be demolished in so far as to implement the existing rear extension shall be demolished in so far as to implement the development hereby approved and all equipment and materials brought onto the land for this purpose and all materials resulting from the demolition shall be removed within 4 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below.

(i) within 1 month of the date of this notice of planning permission a timetable for the development shall be submitted to and approved in writing by the Local Planning Authority

and the timetable shall be no longer than an aggregate 3 month period commencing on the date the local planning authority approves the timetable to the last day for the substantial completion of the development as permitted by this decision notice;

(ii) If within 4 months of the date of this planning permission the local planning authority refuse to approve or do not determine the timetable within the period set out in (i) above a valid appeal shall be made to the Secretary of State;

(iii) If an appeal is made in pursuance of (ii) above, the appeal shall be finally determined and the submitted timetable shall be approved by the Secretary of State;

(iv) The development, including the demolition of the southern section of the existing outbuilding, shall have been carried out and completed in accordance with the timetable approved under this condition.

#### **REASON**

In the interests of the proper planning of the area and in order to facilitate the compliance with the development hereby granted the local planning authority is of the view that the implementation of this planning permission should take place in a timely manner.

**3**            HH-M2            External surfaces to match existing building

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

**REASON**

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

**4**            HH-MRD4        Single Dwellings Occupation

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

**REASON**

To ensure that the premises remain as a single dwelling until such time as the Local Planning Authority may be satisfied that conversion would be in accordance with Policy H7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**5**            HH-OM1            Development in accordance with Approved Plans

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

**REASON**

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

**6**            HH-RPD1        No Additional Windows or Doors

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing 32 Coulter Close.

**REASON**

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

**Standard Informatives**

- 1            The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council



policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

**Policy No.**

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.

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

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

- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building

Control,

3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your

neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

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

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

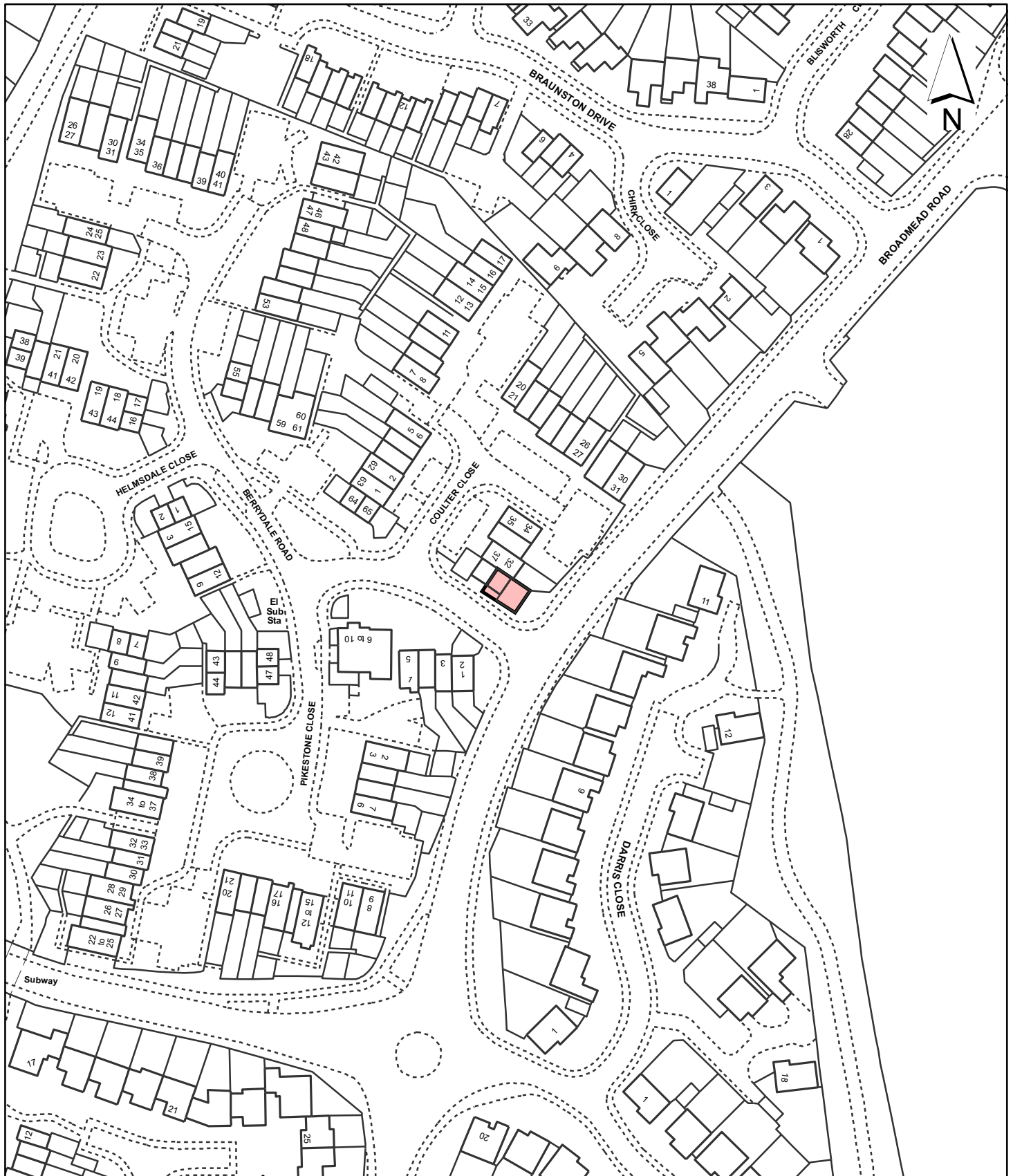
You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek

prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.


- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**67 Berrydale Road  
Hayes**

Planning Application Ref:

**64145/APP/2011/858**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

## Report of the Head of Planning & Enforcement Services

**Address** 18 STIPULARIS DRIVE HAYES

**Development:** Erection of a single storey detached outbuilding to rear for use as storage involving part demolition of existing building (Part-retrospective)

**LBH Ref Nos:** 31178/APP/2011/263

**Drawing Nos:** 1903 02/MT: Proposed Floor Plan and Elevations  
1903 01/MT: Existing Floor Plan and Elevations  
1903 03/MT: Location and Block Plans  
Supporting Planning Statement

**Date Plans Received:** 04/02/2011      **Date(s) of Amendment(s):**

**Date Application Valid:** 04/02/2011

### 1. CONSIDERATIONS

#### 1.1 Site and Locality

The application site is located on the south side of Stipularis Drive and comprises a two storey end terrace dwellinghouse with a single storey side extension, a single storey rear extension and a detached outbuilding at the bottom of the rear garden, the subject of this application. The attached house, 20 Stipularis Drive, lies to the east, is set back behind the front wall 18 Stipularis Drive, and has not been extended. To the west lies 14 & 16 Stipularis Drive, a two storey apartment. The site is bounded by the Willows School to the rear. The street scene is residential in character and appearance comprising two storey semi-detached and terraced dwellings and flats and the application site lies within the developed area as identified in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### 1.2 Proposed Scheme

The existing detached outbuilding is located at the end of the garden. It measures 7.3m wide, 3.1m deep and finished with a flat roof with parapet walls 3m high at its highest point. The outbuilding contains a shower room with a toilet and a wash basin, store and gym and has been rendered and contains a UPVC door and window on the front elevation.

It is proposed to reduce the size of the outbuilding from 7.3m wide and 3.6m wide. It would be set along the side boundary with 20 Stipularis Drive and would provide a store.

#### 1.3 Relevant Planning History Comment on Planning History

Following a complaint, it was established that a detached outbuilding had been built at the bottom of the rear garden of 18 Stipularis Drive. Following the initial complaint, a detailed investigation established that permitted development rights had been removed from the entire housing estate and therefore the structure did not benefit from permitted development. Subsequently the owner was advised that the detached outbuilding was unauthorised.

An enforcement notice was issued in April 2010 for the following reason:

The outbuilding by virtue of its size, siting and design results in an incongruous, overbearing and visually intrusive form of development, and as a result has an adverse effect on the character and appearance of the dwelling and the wider locality. Therefore the outbuilding is contrary to policies BE13, BE15, and BE19 of the Unitary Development Plan and to the Council's Supplementary Planning Documents HDAS Residential Extensions.

An appeal was lodged against the service of the Notice and was subsequently dismissed and the Notice upheld in December 2010.

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

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

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

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

9 adjoining owner/occupiers have been consulted. 1 letter of objection has been received on the grounds that the part demolition of the outbuilding will make no difference to the building bordering on 20 Stipularis Drive. It will still appear as an eyesore. The size of the structure goes far beyond its intended use as a store.

Officer comments: This is addressed in the report.

Trees/Landscape:

No objections subject to conditions TL5 and TL6.

Environmental Health Contamination:

No objections subject to a contamination and site construction informatives.

Councilor Allen: I too am opposed to this application. The PD rights for these dwellings were removed for good reason. It was envisaged that any further development here would destroy what openness there is to the rear of these properties.

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

### **Standard Informatives**

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
HDAS	'Residential Developments'

## 5. MAIN PLANNING ISSUES

The main issues for consideration relate to the effect of the proposal on the character and appearance of the surrounding area and on residential amenity.

In determining the Enforcement Appeal, the Inspector states at paragraph 3:

"The outbuilding straddles the width of the back garden to the appeal property and it is also located beside the rear boundary. Its walls are rendered. The building looks squeezed in against its garden boundaries and the render does not accord with the design of the house, which is finished with bricks. Painting the render would do little to ameliorate the discordant appearance of the building. There are good views of the outbuilding from certain points along Glencoe Road and Pendula Drive across the open school playing field, which adjoins the rear of the appeal site. From these locations the building is a block of development, which stands out, rather than blending with its surroundings. It is an incongruous feature that impacts adversely on the character and appearance of the area."

The proposed outbuilding would be much smaller than that which currently exists. Although it would not retain a 0.5m gap to the side boundary with 20 Stipularis Drive, contrary to paragraph 9.2 of the Hillingdon Design & Accessibility Statement: Residential Extensions, the proposed outbuilding, by reason of its overall size, scale, bulk and design, would not represent an incongruous feature in the rear garden. Overall, it is considered that the proposed outbuilding would not detract from the character and appearance of the surrounding area, in accordance with policies BE13, and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The proposed outbuilding would be some 6m from the rear walls of 18 and 20 Stipularis Drive and this distance is sufficient to ensure that it would not harm the residential amenities of the occupiers of those houses through overdominance and visual intrusion. Furthermore, the Inspector states the following on this matter at paragraph 5:

'As far as neighbours are concerned, the outbuilding is positioned as far away as possible from the appeal house and the rears of adjoining houses. Therefore, while the building may not be attractive, it does not impact unduly on matters of outlook, sunlight and daylight. In these circumstances the living conditions of neighbours has not been materially harmed. However, these matters do not outweigh the finding of serious harm identified above.'

The proposal would comply with policies BE20 and BE21 of the adopted Hillingdon Unitary

Development Plan (Saved Policies September 2007).

With regards to private amenity space, the Inspector states the following at paragraph 5:

'It is noted that in relation to other SPD guidelines the development is acceptable. There is a very slight shortfall in the usable garden space as a consequence of this building and other extensions that have been added to the appeal property. However, this marginal deficit is not a serious contravention and I do not find material harm to the amenities of the occupiers of the house as a result.'

At present the amenity space measures some 36sq.m. The proposal would increase this to 47sq.m. Although this would still be less than the 60sq.m recommended for 2 bedroom houses, given the Inspector's comments, it is considered that the application cannot be refused for this reason.

This application is recommended for approval.

## **6. RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 NONSC Non Standard Condition**

Subject to the constraints of condition 2, the development hereby permitted shall be begun before the expiration of 4 Months from the date of this permission.

#### **REASON**

To comply with Section 91 of the Town and Country Planning Act 1990 and to ensure that in the interests of securing development in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) there is not an accumulation of un-implemented planning permissions.

#### **2 NONSC Non Standard Condition**

The existing outbuilding shall be demolished to ground and all materials resulting from the demolition shall be removed within 4 months of the date of failure to meet any one of the requirements set out in (i) to (iv) below.

(i) A timetable with no longer than an aggregate 3 month period from the date of the local planning authority's approval of the timetable to the last day for the substantial completion of the development permitted by this decision notice shall be submitted to and approved in writing by the Local Planning Authority within 1 month of the date of this notice of planning permission;

(ii) If within 4 months of the date of this planning permission the local planning authority refuse to approve or do not determine the timetable within the prescribed period a valid appeal shall have been made to the Secretary of State;

(iii) If an appeal is made in pursuance of (ii) above, the appeal shall have been finally determined and the submitted timetable shall have been approved by the Secretary of State;

(iv) The development, including the demolition of the southern section of the existing outbuilding (as indicated on Plan 1903-02/MT), shall have been carried out and



completed in accordance with the approved timetable.

#### REASON

There is an extant enforcement notice on this site and in the opinion of the local planning authority remains to be complied with. The planning permission is intended to remedy this breach of planning control. In the interests of the proper planning of the area the authority is of the view that the remediation of the breach of planning control and the implementation of this planning permission should take place as expeditiously as reasonably possible.

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

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

#### REASON

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

#### **4 RPD1 No Additional Windows or Doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

#### REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **5 RPD5 Restrictions on Erection of Extensions and Outbuildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no extension to any dwellinghouse(s) nor any garage(s), shed(s) or other outbuilding(s) shall be erected without the grant of further specific permission from the Local Planning Authority.

#### REASON

So that the Local Planning Authority can ensure that any such development would not result in a significant loss of residential amenity in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **6 M2 External surfaces to match existing building**

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

#### REASON

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

Saved Policies (September 2007).

**7 NONSC Non Standard Condition**

The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 118 Stipularis Drive. The outbuilding shall not be used for purposes such as a living room, bedroom, kitchen, or as a separate unit of accommodation. This restriction preventing the outbuilding from being used as habitable accommodation shall apply for so long as the out building is in existence.

**REASON**

To avoid any future undesirable fragmentation of the curtilage or the creation of a separate residential use, so as to protect the amenity of adjoining residential properties in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

**8 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shown on the approved plans shall be completed within the first planting and seeding seasons following the completion of the development. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

**REASON**

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**9 RPD7 Exclusion of Garages, Sheds and Out-buildings**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no garage, shed or other outbuilding shall be erected within the curtilage of the dwellinghouse.

**REASON**

To protect the character and amenity of the area and prevent overdevelopment in accordance with policy BE21 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**INFORMATIVES**

- 1 The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:
- Policy No.**
- |      |   |
|------|---|
| BE13 | New development must harmonise with the existing street scene.        |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations.                                 |
| BE21 | Siting, bulk and proximity of new buildings/extensions.               |
| HDAS | 'Residential Developments'  |
- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning, Environment and Community Services, Building Control,  
3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at

any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).

- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
- carry out work to an existing party wall;
  - build on the boundary with a neighbouring property;
  - in some circumstances, carry out groundworks within 6 metres of an adjoining building.

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

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

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays Bank and Public Holidays.

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

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate

any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.


- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO<sub>2</sub>) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

**Contact Officer:** Sonia Bowen

**Telephone No:** 01895 250230



**Notes**

 Site boundary

For identification purposes only.

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Site Address

**18 Stipularis Drive  
Hayes**

Planning Application Ref:

**31178/APP/2011/263**

Planning Committee

**Central and South**

Scale

**1:1,250**

Date

**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

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By virtue of paragraph(s) 6 of Part 1 of Schedule 12A  
of the Local Government (Access to Information) Act 1985 as amended.

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of the Local Government (Access to Information) Act 1985 as amended.

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# Plans for Central & South Planning Committee

19th July 2011



HILLINGDON  
LONDON



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Page 243

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

**Address** AIRLINK HOUSE, 18-22 PUMP LANE HAYES

**Development:** Single storey rear extension and change of use of building from offices to a restaurant / banquet hall at ground floor level with 23 hotel rooms above.

**LBH Ref Nos:** 5505/APP/2010/2455

**Date Plans Received:** 21/10/2010

**Date(s) of Amendment(s):** 12/11/2010

**Date Application Valid:** 10/11/2010

REVISION	DESCRIPTION	DATE	CHECKED BY
<p>ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 6PX</p> <p>PROJECT: PROPOSED CHANGE OF USE</p> <p>CLIENT <b>Mr S. Singh</b></p> <p>PROJECT ADDRESS <b>18-22 PUMPLANE, HAYES, UB3 3NB</b></p> <p>SCALE: 1:200@A3 DATE: 18TH SEPT 2010 DRAWN BY: OAA ISSUE STAGE: PLANNING CHECKED BY: OAA DRAWING No.: PUMP/EX/BLK/002/SEPT10 PROJECT NO.: PUMP/RE/DEV/201006 DRAWING TITLE: EXIST BLOCK PLAN@1:200 SCALE</p>			

\*TOTAL SITE AREA  
1215M2 (0.1215HA)



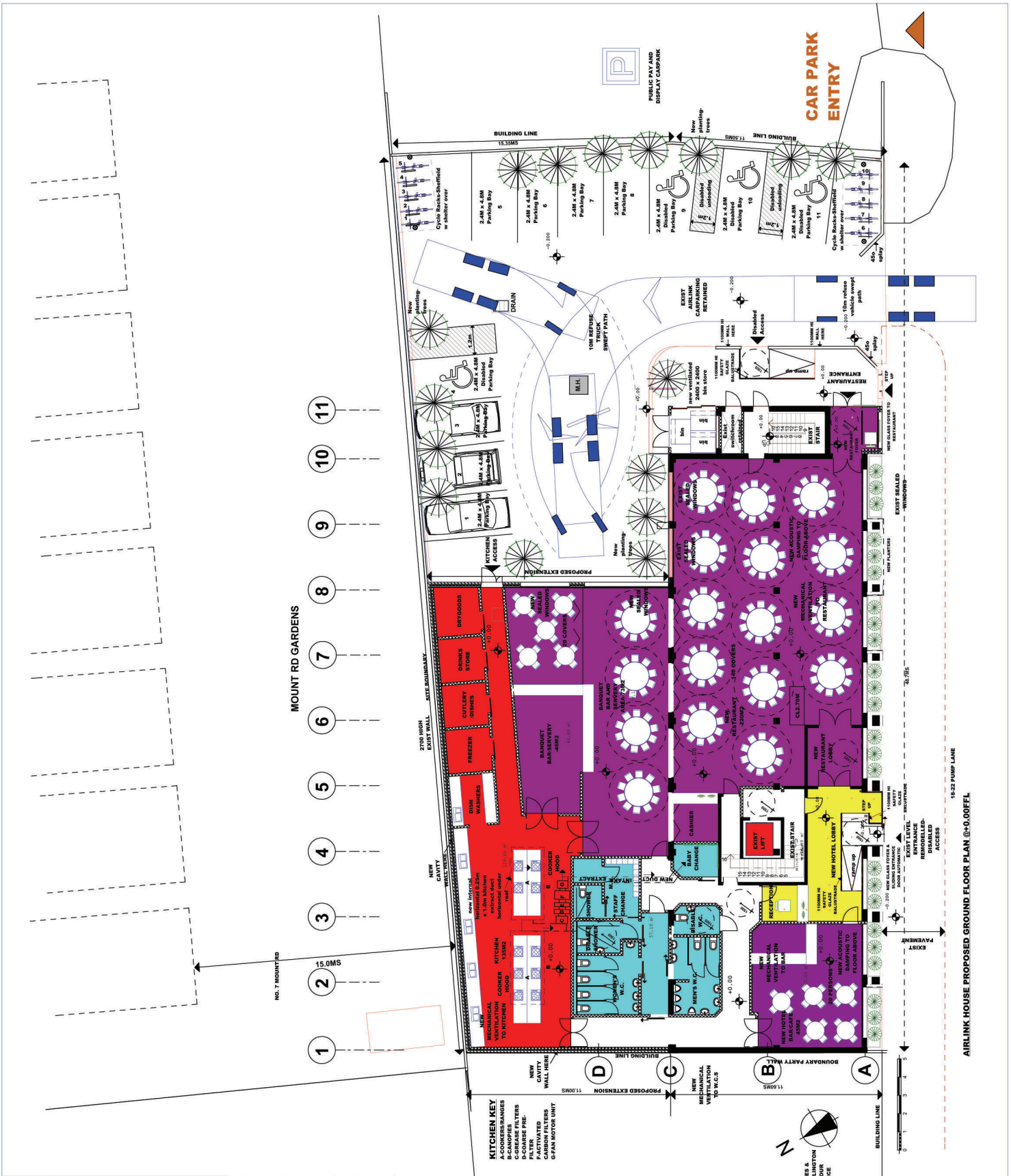
REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TM7 6PX			
<b>PROJECT: PROPOSED CHANGE OF USE</b>			
<b>CLIENT</b> <b>Mr S. Singh</b>			
<b>PROJECT ADDRESS</b> 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
1:200@A3	18TH SEPT 2010	OAA	OAA
STAGE	DATE	CHECKED BY	
PLANNING		OAA	
DRAWING No.	PROJECT No.	PUMP/REDEV/201006	
PUMP/EX/IND/003/SEPT10			
DRAWING TITLE	EXIST GROUND FLOOR PLAN @1:200 SCALE		



AIRLINK HOUSE EXISTING GROUND FLOOR PLAN @1:200 SCALE

REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 6PX			
<b>PROJECT:</b> <b>PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL</b>			
<b>CLIENT</b> <b>Mr S. Singh</b> <b>PROJECT ADDRESS</b> <b>18-22 PUMPLANE, HAYES, UB3 3NB</b>			
SCALE	DATE	DRAWN BY	ISSUE
1:200@A3	18TH SEPT 2010	OAA	OAA
STAGE	PLANNING	CHECKED BY	OAA
DRAWING NO	PUMP/HOTEL/INDPROF PROJECT NO.		
200P05/SEPT10	PUMP/HOTEL201006		
DRAWING TITLE	PROPOSED GROUND FLOOR PLAN @+0.00FFL-1:200 SCALE		

\*revised 5/11/10



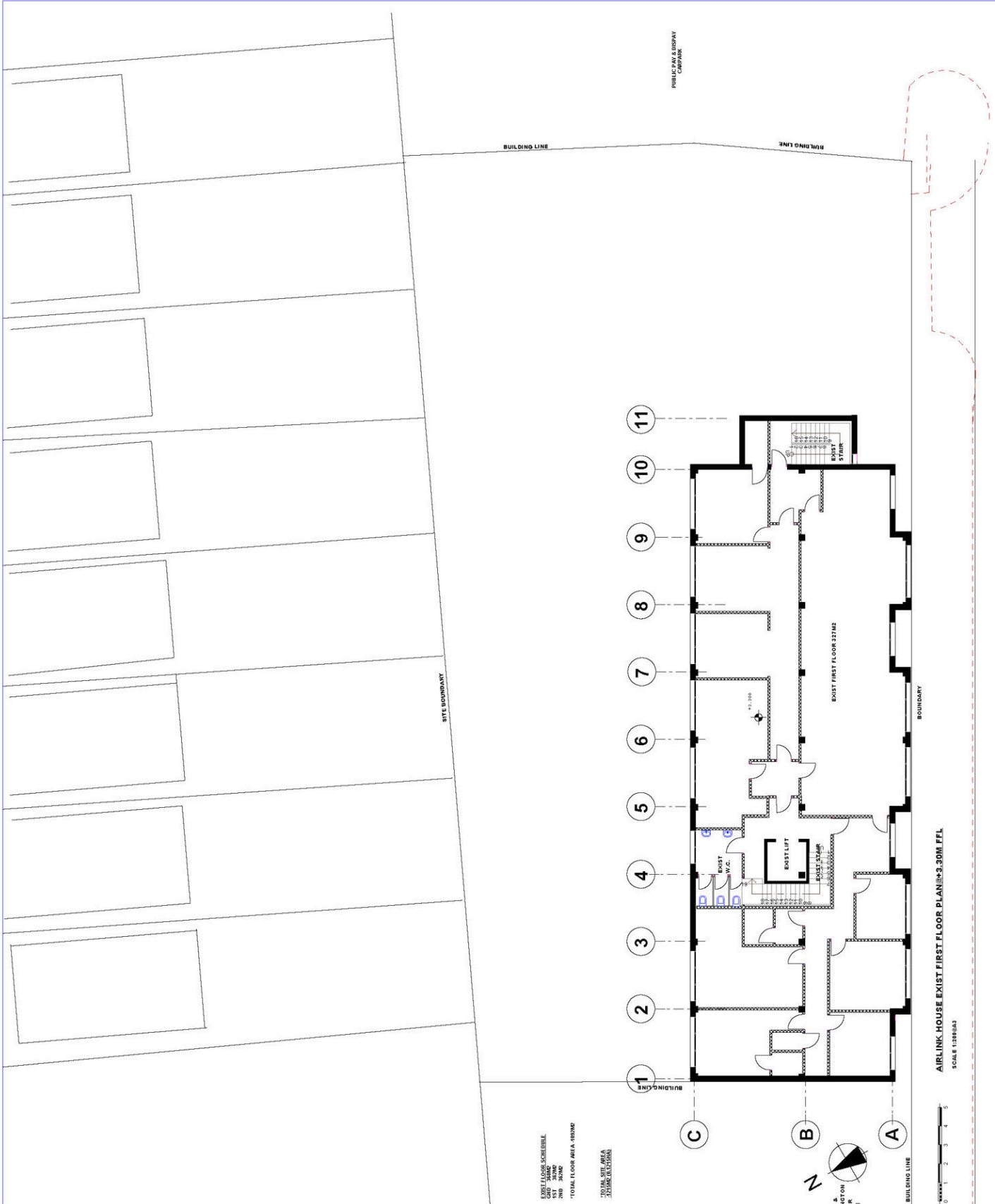
**KITCHEN KEY**  
 A-COOKERS/RANGES  
 B-CANDIDERS  
 C-GRINDERS  
 D-COURSE PREP  
 FILTER  
 WASHED  
 CARBON FILTERS  
 GFAN MOTOR UNIT

**\*PROPOSED NEW 23 BED HOTEL**  
 BASE SCHEDULE  
 ST 3000  
 TOTAL AREA 10300  
 TOTAL BUILDING AREA 10300  
 TOTAL AREA 10300  
 TOTAL AREA 10300  
 TOTAL AREA 10300

**EXIST** Ground Floor area = 33842  
 Proposed Ground Floor area extension = 50962  
 Total Proposed Ground Floor Area = 84804  
 Total Proposed 2<sup>nd</sup> Floor Area = 39242  
 Total Proposed 3<sup>rd</sup> Floor Area = 39242  
**TOTAL FLOOR AREA OF PROPOSED SCHEME = 153802**  
 Individual Areas-Proposed Hotel Area -HdH Bar, 1<sup>st</sup> and 2<sup>nd</sup> Floor = 16842 (HdH bar is 1512)  
 Proposed Ground Floor (bars) = 5592  
 Proposed Banquet Hall = 13502  
 Proposed New Entrance Lobby = 2562

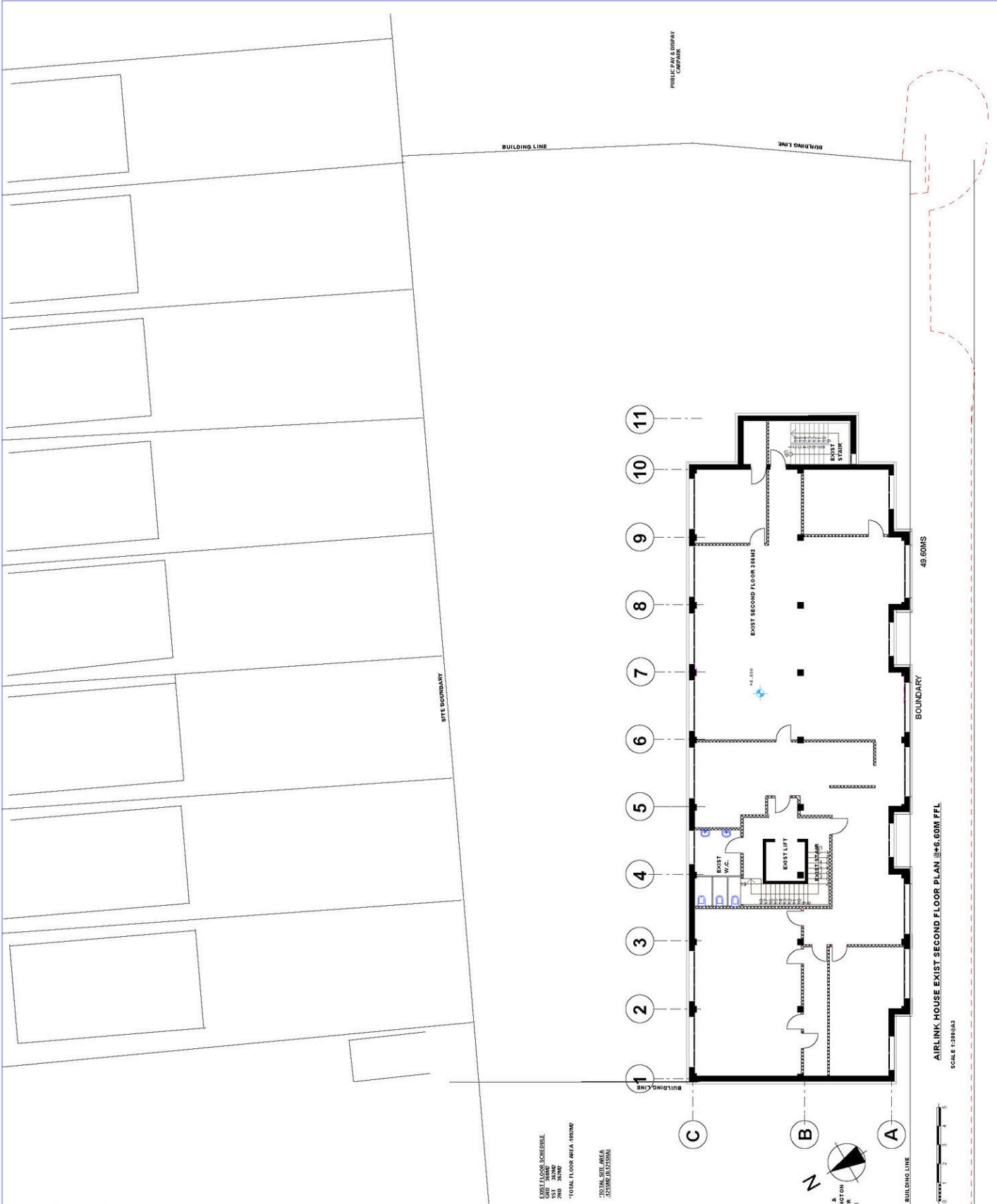
AIRLINK HOUSE PROPOSED GROUND FLOOR PLAN @+0.00FFL

REVISION	DESCRIPTION	DATE	CHECKED BY
	ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 6PX		
<b>PROJECT: PROPOSED CHANGE OF USE</b>			
<b>CLIENT</b>			
<b>Mr S. Singh</b>			
<b>PROJECT ADDRESS</b>			
<b>18-22 PUMPLANE, HAYES,</b>			
<b>UB3 3NB</b>			
<b>SCALE</b>	<b>DATE</b>	<b>DRAWN BY</b>	<b>ISSUE</b>
1:200 @ A3	18TH SEPT 2010	OAA	
<b>STAGE</b>	<b>CHECKED BY</b>	<b>PROJECT NO.</b>	
PLANNING	OAA	PUMP/EX/1870048EPT10	
<b>DRAWING No.</b>	<b>PROJECT No.</b>	<b>PUMP/REDEV/2010/05</b>	
<b>DRAWING TITLE</b>	EXIST FIRST FLOOR PLAN @ 1:200 SCALE		





REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTEENEY CLOSE LONDON TM7 6PX			
<b>PROJECT: PROPOSED CHANGE OF USE</b>			
<b>CLIENT</b> <b>Mr S. Singh</b>			
<b>PROJECT ADDRESS</b> <b>18-22 PUMPLANE, HAYES,</b> <b>UB3 3NB</b>			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE	PLANNING	CHECKED BY	OAA
DRAWING No.	PUMP/EX/2ND/005/SEPT10	PROJECT NO.	PUMP/REDEV/2010006
DRAWING TITLE	EXIST SECOND FLOOR PLAN@1:200 SCALE		



EXIST FLOOR SCHEDULE  
 OLD 3000  
 NEW 3000  
 TOTAL FLOOR AREA 1829M<sup>2</sup>

EXIST SITE AREA  
 2270M<sup>2</sup> (10.25A)  
 2270M<sup>2</sup> (10.25A)

AIRLINK HOUSE EXIST SECOND FLOOR PLAN @1:200 SCALE  
 SCALE 1:200@A3



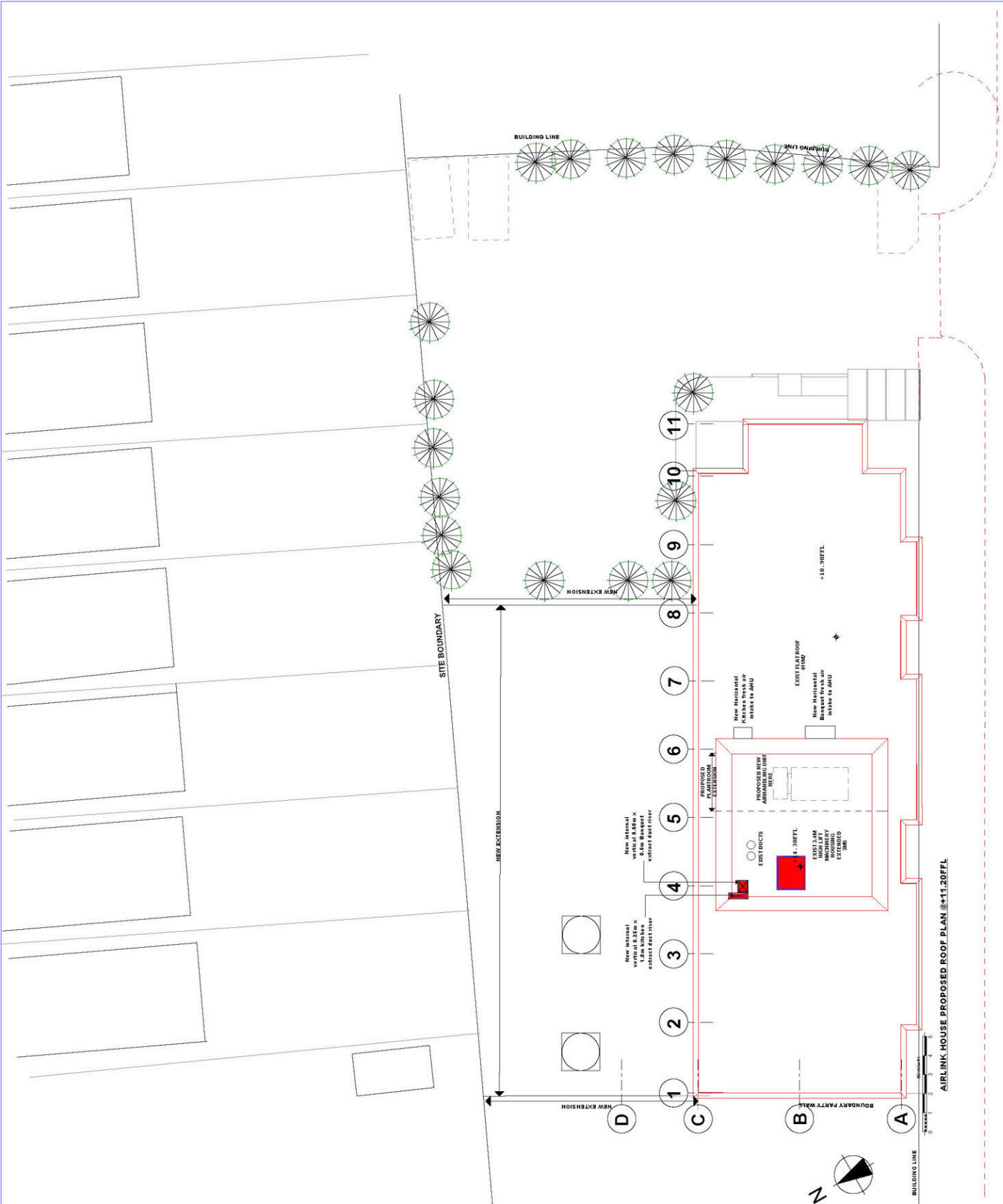
REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 8PX			
<b>PROJECT:</b> <b>PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL</b> CLIENT			
<b>Mr S. Singh</b> PROJECT ADDRESS			
18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
1:200@A3	18TH SEPT 2010	OAA	OAA
STAGE	CHECKED BY		
-PLANNING	OAA		
DRAWING No.	PROJECT NO.		
/200P/07/SEPT10	PUMP/HOTEL/2010/06		
DRAWING TITLE	PROPOSED SECOND FLOOR PLAN@+6.60FFL-1:200 SCALE		
*revised 5/11/10			



REVISION	DESCRIPTION	DATE	CHECKED BY
ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON W1T 6PX			
PROJECT: PROPOSED CHANGE OF USE			
CLIENT			
<b>Mr S. Singh</b>			
PROJECT ADDRESS			
18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
1:200 @ A3	18TH SEPT 2010	OAA	
STAGE	CHECKED BY		
PLANNING	OAA		
DRAWING No.	PROJECT NO.		
PUMP/EX/ROOF/06/SEP10	PUMP/REDEV/2010/05		
DRAWING TITLE	EXIST ROOF @ +10.900 FFL PLAN @ 1:200 SCALE		



REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 6PX			
<b>PROJECT:</b> PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL			
<b>CLIENT</b> <b>Mr S. Singh</b> <b>PROJECT ADDRESS</b> 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE	CHECKED BY		
PLANNING	OAA		
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/ROOFPREP2009/05SEPT10	PUMPHOTEL/2010/006		
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PROPOSED ROOF PLAN@+10.00FFL-1:200 SCALE			

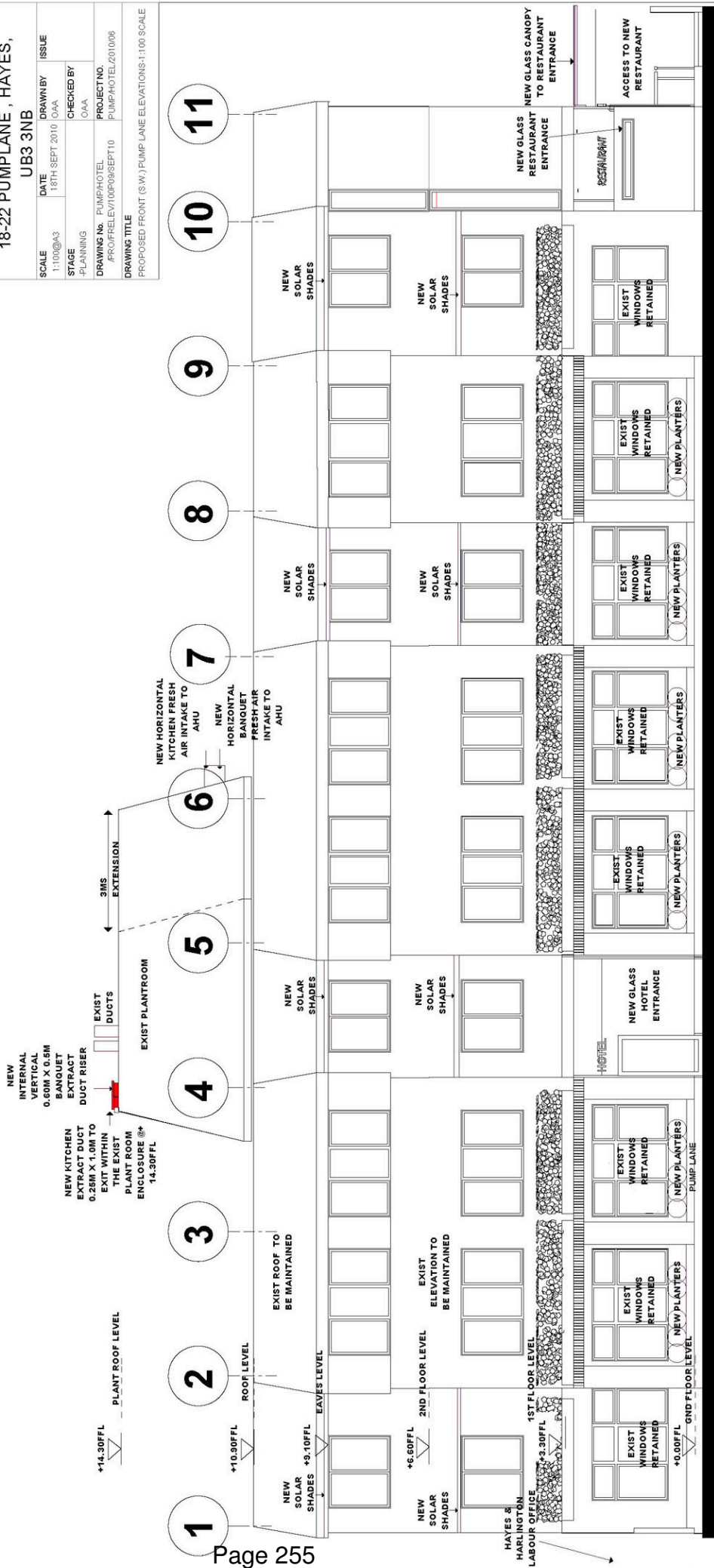




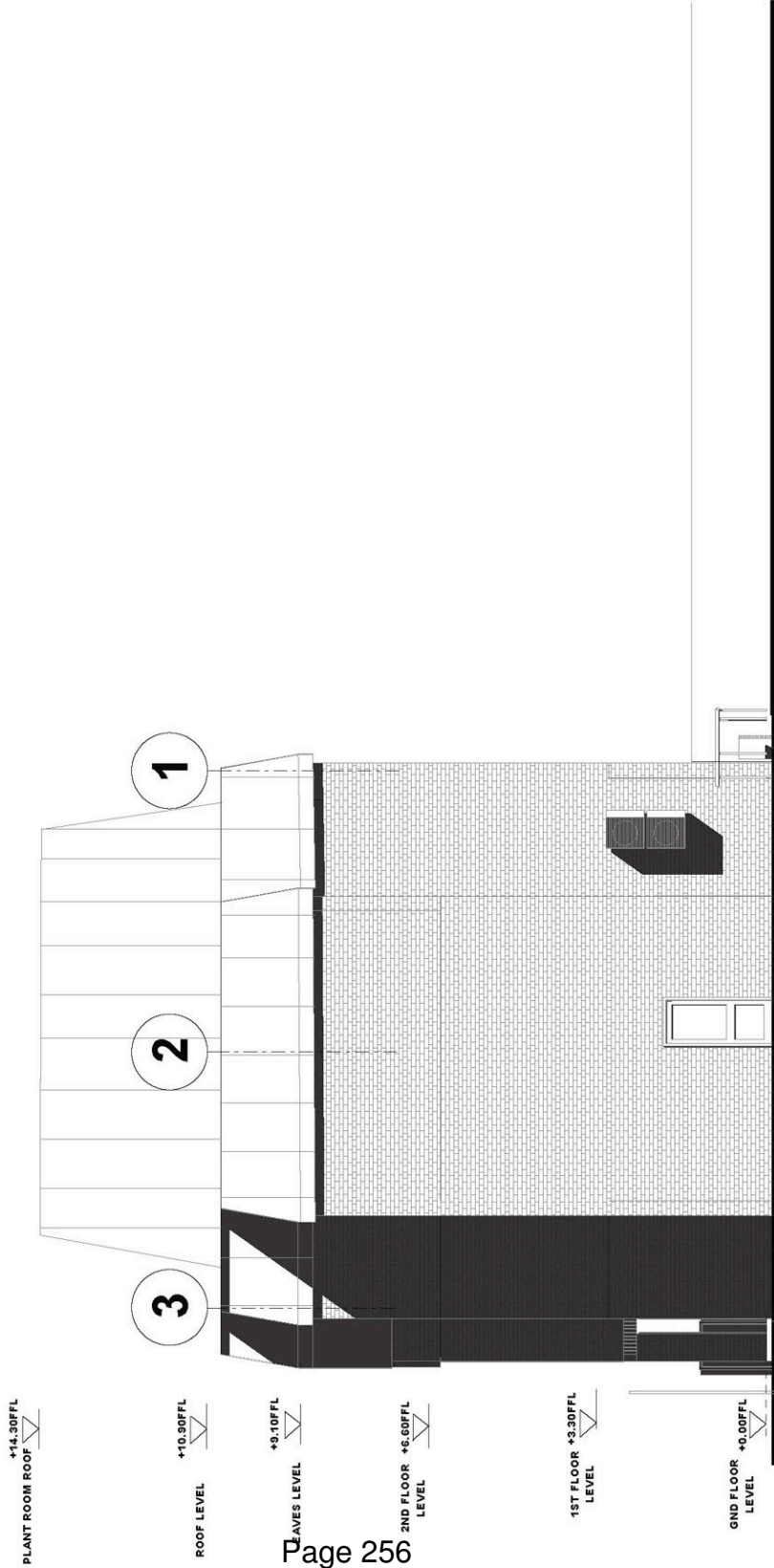
**AIRLINK HOUSE EXIST SOUTH-WEST ( FRONT-PUMP LANE) ELEVATION**

REVISION	DESCRIPTION	DATE	CHECKED BY
ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 6PX			
PROJECT: PROPOSED CHANGE OF USE			
CLIENT <b>Mr S. Singh</b>			
PROJECT ADDRESS 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE 1:100@A3	DATE 18TH SEPT 2010	DRAWN BY OAA	ISSUE
STAGE -PLANNING		CHECKED BY OAA	
DRAWING NO. PUMP/EX/FRONT/ELEV/008/SEP10		PROJECT NO. PUMP/REDEV/2010/06	
DRAWING TITLE EXIST FRONT(SOUTH-WEST) PUMP LANE ELEVATIONS @ 1:100 SCALE			

REVISION	DESCRIPTION	DATE	CHECKED BY
ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 8PX  PROJECT: PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL  CLIENT  <b>Mr S. Singh</b>  PROJECT ADDRESS  18-22 PUMPLANE, HAYES, UB3 3NB  SCALE 1:100@A3 DATE 18TH SEPT 2010 DRAWN BY OAA CHECKED BY OAA STAGE PLANNING DRAWING No. PUMP/HOTEL PROJECT No. PUMP/HOTEL/201006 /PROJ/REV/100P/09/SEPT10 DRAWING TITLE PROPOSED FRONT (S.W.) PUMP LANE ELEVATIONS:1:100 SCALE			



**AIRLINK HOUSE PROPOSED FRONT (S.W.) ELEVATION**



**AIRLINK HOUSE EXIST SOUTH-EAST ( RIGHT- PUBLIC PAY & DISPLAY CARPARK) ELEVATION**

REVISION	DESCRIPTION	DATE	CHECKED BY
	ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 6PX		
<b>PROJECT: PROPOSED CHANGE OF USE</b>			
CLIENT			
<b>Mr S. Singh</b>			
PROJECT ADDRESS			
18-22 PUMPLANE , HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE		CHECKED BY	
-PLANNING		OAA	
DRAWING No.	PROJECT No.		
PUMP/EX/RIGHT/ELEV/01/0/SEPT10	PUMP/REDEV/2010/006		
DRAWING TITLE			
EXIST RIGHT(SOUTH-EAST) ELEVATIONS @1:100 SCALE			

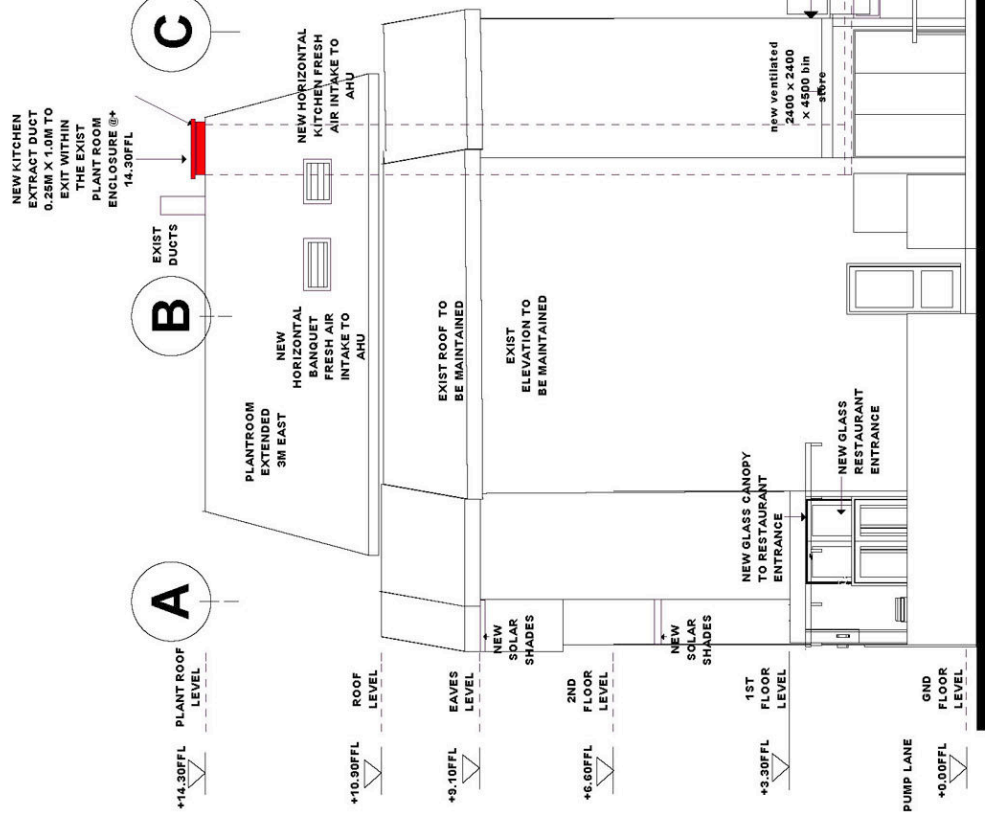
REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 6PX			
<b>PROJECT:</b> PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL			
<b>CLIENT</b> <b>Mr S. Singh</b>			
<b>PROJECT ADDRESS</b> 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE	CHECKED BY		
PLANNING	OOA		
DRAWING No.	PUMP/HOTEL	PROJECT NO.	
PROJ/RIGH/TELEV/100P/11/SEPT10	PUMP/HOTEL/2010096		
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**E**

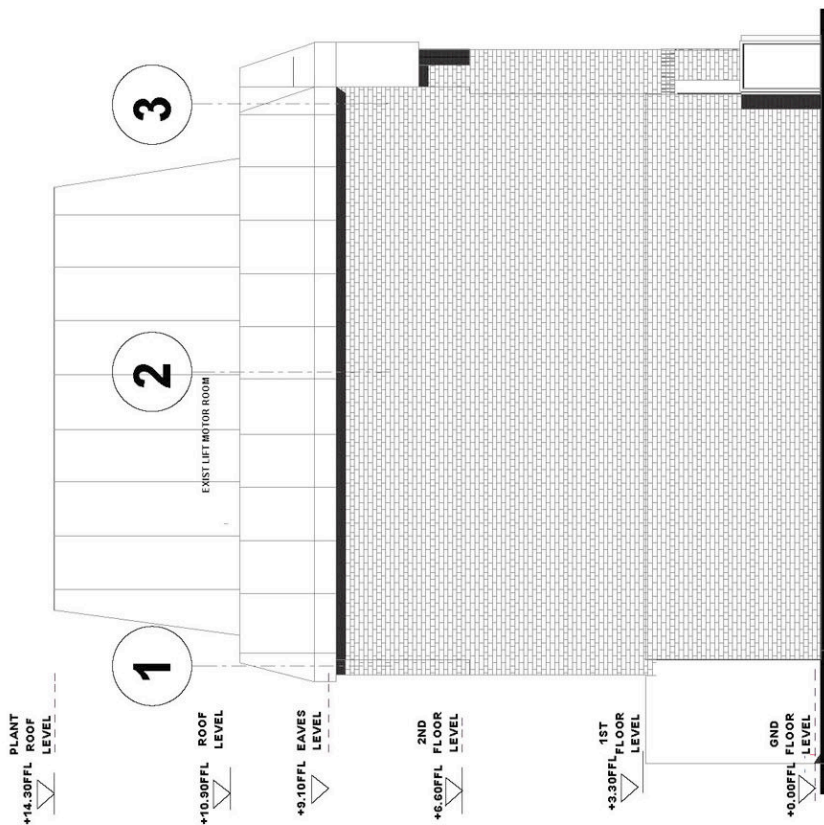
**D**

**C**

**A**



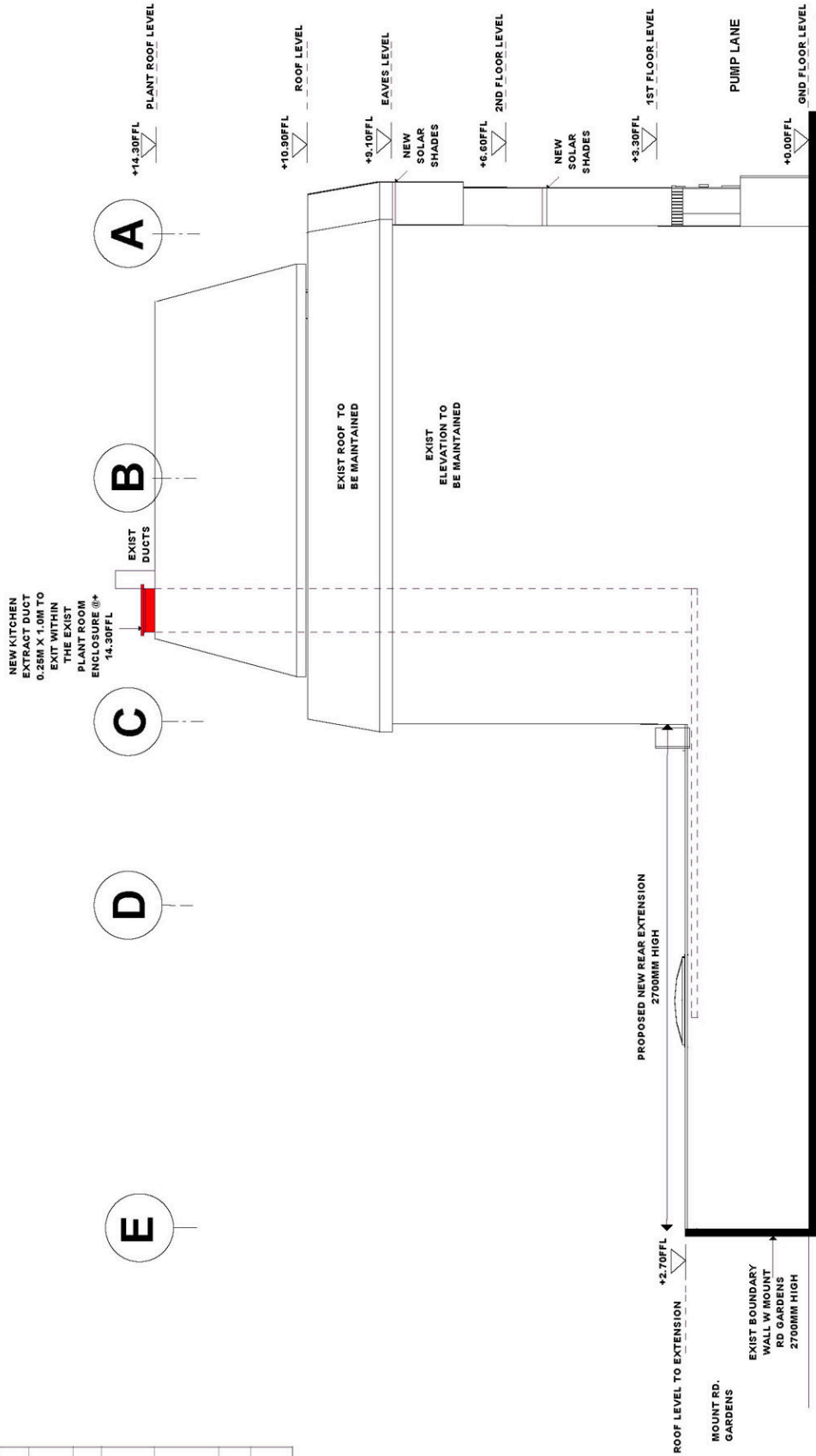
**AIRLINK HOUSE PROPOSED RIGHT (S.E.) ELEVATION**



REVISION	DESCRIPTION	DATE	CHECKED BY
ASH DESIGN ASSOCIATES 25 PULTENEY CLOSE LONDON TW7 6PX			
PROJECT: PROPOSED CHANGE OF USE			
CLIENT			
<b>Mr S. Singh</b>			
PROJECT ADDRESS			
18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE		CHECKED BY	
-PLANNING		OAA	
DRAWING No.		PROJECT No.	
PUMP/EX/LEFT/ELEV/009/SEPT10		PUMP/REDEV/201006	
DRAWING TITLE			
EXIST LEFT (NORTH-WEST) ELEVATIONS @ 1:100 SCALE			

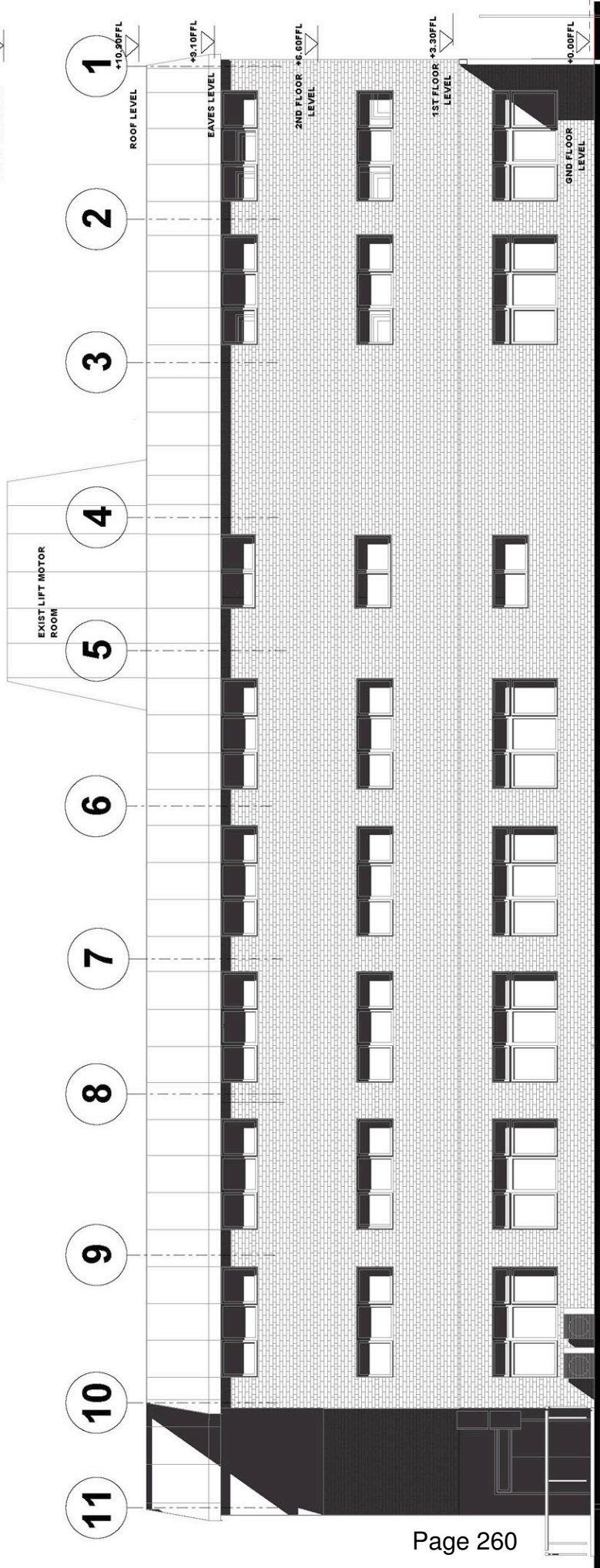


REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 6PX			
<b>PROJECT:</b> PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL			
<b>CLIENT</b> <b>Mr S. Singh</b> PROJECT ADDRESS 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
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STAGE	CHECKED BY		
-PLANNING	OAA		
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/PROJ/TELEW/00P/05/SEPT10		PUMP/HOTEL/201.0006	
<b>DRAWING TITLE</b>			
PROPOSED LEFT (N.W.) ELEVATIONS-1:100 SCALE			



**AIRLINK HOUSE PROPOSED LEFT (N.W.) ELEVATION**

PLANT ROOM ROOF  
+14.30FFL

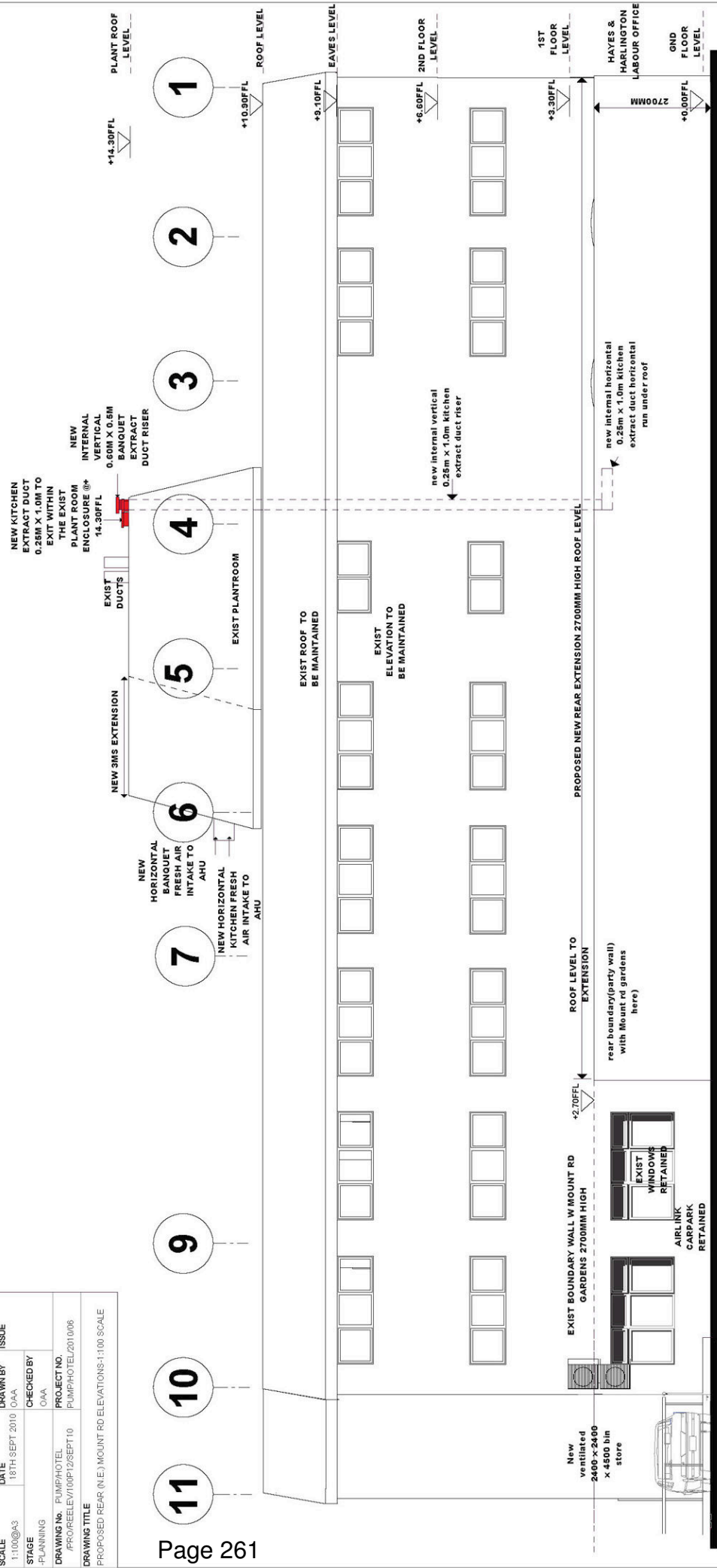


AIRLINK HOUSE EXIST NORTH-EAST ( MOUNT ROAD) ELEVATION

+13.70FFL

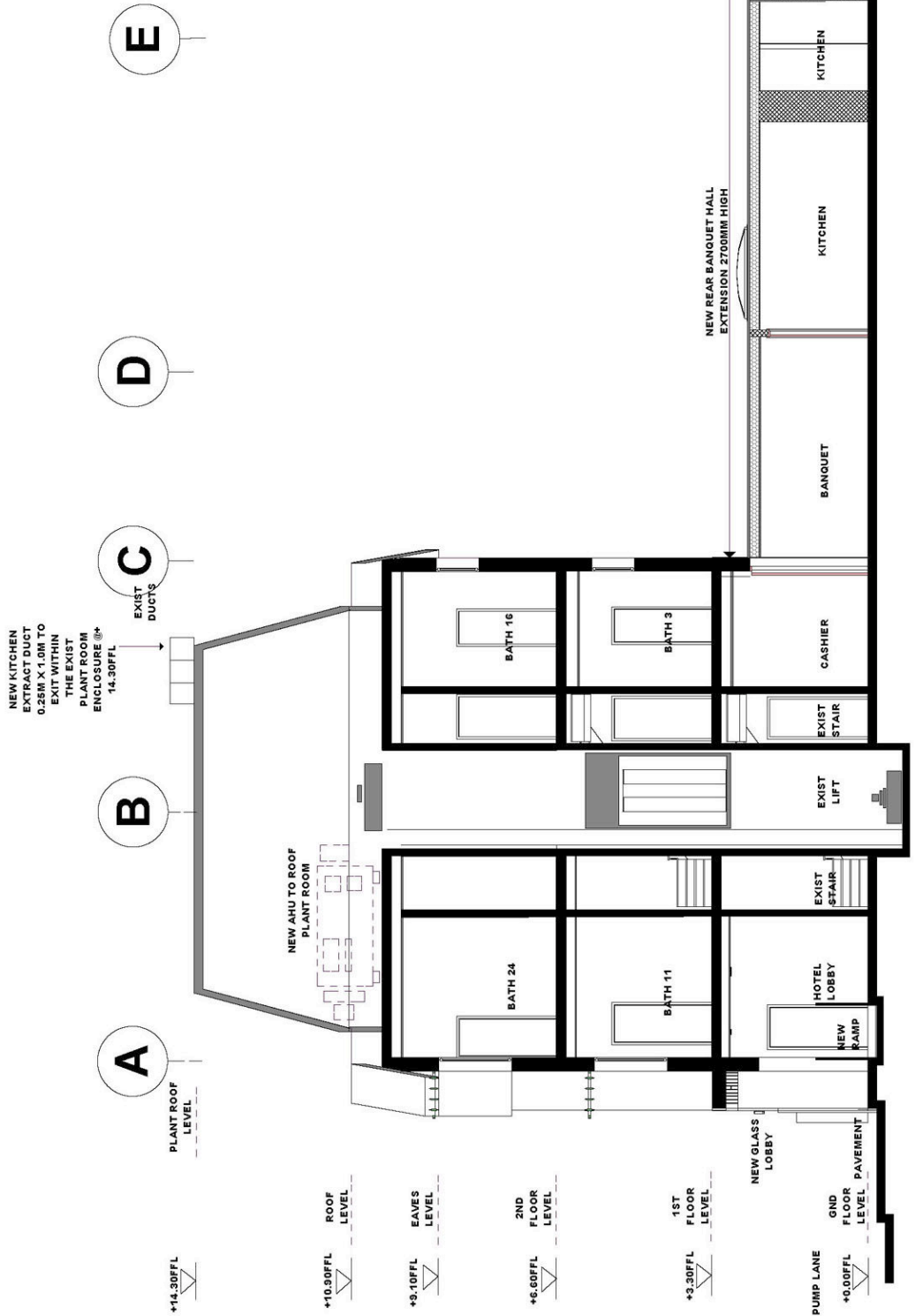
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PROJECT: PROPOSED CHANGE OF USE			
CLIENT			
<b>Mr S. Singh</b>			
PROJECT ADDRESS			
18-22 PUMPLANE , HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
1:100@A3	18TH SEPT 2010	OAA	
STAGE		CHECKED BY	
-PLANNING		OAA	
DRAWING NO.		PROJECT NO.	
PUMP/REAR/ELEV/011/SEPT10		PUMP/REDEV/2010006	
DRAWING TITLE			
EXIST REAR(NORTH-EAST) MOUNT RD ELEVATIONS @1:100			
SCALE			

REVISION	DESCRIPTION	DATE	CHECKED BY
<p><b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TW7 6PX</p> <p><b>PROJECT:</b> PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL</p> <p><b>CLIENT</b></p> <p><b>Mr S. Singh</b></p> <p><b>PROJECT ADDRESS</b> 18-22 PUMPLANE, HAYES, UB3 3NB</p>			
SCALE	DATE	DRAWN BY	ISSUE
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-PLANNING	OAA		
DRAWING No.	PROJECT No.		
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DRAWING TITLE			
PROPOSED REAR (N.E.) MOUNT RD ELEVATIONS-1:100 SCALE			

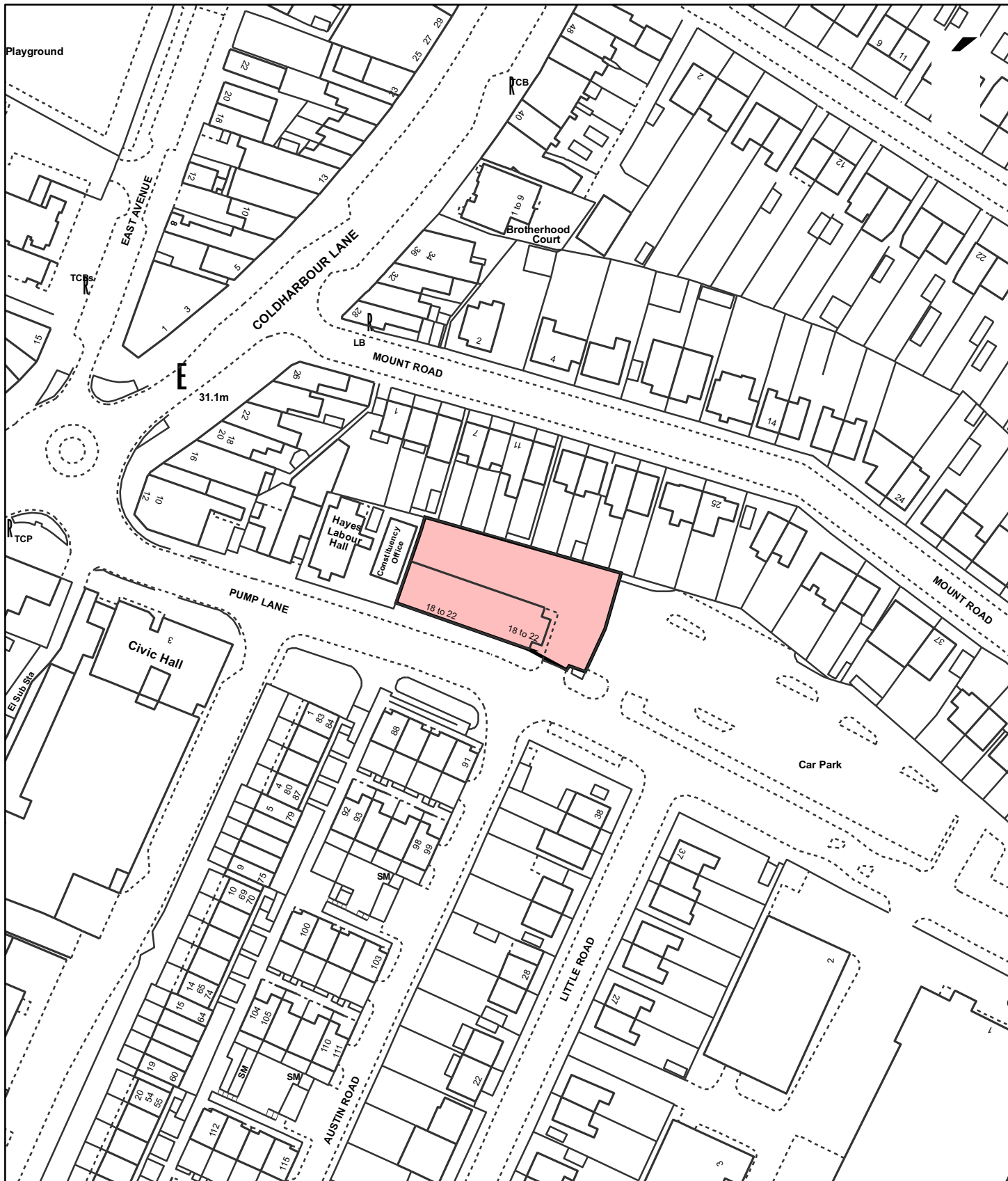


**AIRLINK HOUSE PROPOSED REAR (N.E.) ELEVATION**


REVISION	DESCRIPTION	DATE	CHECKED BY
<b>ASH DESIGN ASSOCIATES</b> 25 PULTENEY CLOSE LONDON TM7 6PX			
<b>PROJECT:</b> PROPOSED CHANGE OF USE FROM OFFICES TO RESTAURANT/BANQUET HALL AND 23 ROOM HOTEL			
<b>CLIENT</b>  <b>Mr S. Singh</b> PROJECT ADDRESS 18-22 PUMPLANE, HAYES, UB3 3NB			
SCALE	DATE	DRAWN BY	ISSUE
1:10 @ A3	18TH SEPT 2010	OAA	
STAGE	CHECKED BY		
-PLANNING	OAA		
DRAWING No.	PROJECT No.		
/PROSECT/100P13/SEPT10	PUMP/HOTEL/2010/006		
<b>DRAWING TITLE</b> PROPOSED CROSS-SECTION @ 1:1000 SCALE			



PROPOSED CROSS-SECTION SHOWING REAR EXTENSION



**Notes**

 Site boundary  
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Site Address	
<b>Airlink House 18 - 22 Pump Lane Hayes</b>	
Planning Application Ref:	Scale
<b>5505/APP/2010/2455</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



HILLINGDON

LONDON

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

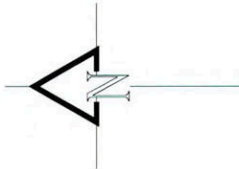
**Address** 19-22 CHIPPENDALE WAYE & CAR PARK AREA TO REAR OF 23-28  
CHIPPENDALE WAYE UXBRIDGE MIDDX

**Development:** Erection of a two storey building comprising 12, one-bedroom supported housing units, along with ancillary office space and associated landscaping for new building, alterations to car parking and access arrangements (both vehicular and pedestrian) (involving demolition of dwellings known as 19, 20, 21 and 22 Chippendale Way). (Outline Application).

**LBH Ref Nos:** 67544/APP/2011/736

<b>Date Plans Received:</b>	21/03/2011	<b>Date(s) of Amendment(s):</b>	21/03/2011
<b>Date Application Valid:</b>	21/03/2011		24/06/2011

NOTES  
 1. THIS DRAWING IS THE PROPERTY OF HILLINGDON LOCAL AUTHORITY AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF HILLINGDON LOCAL AUTHORITY.  
 2. THIS DRAWING IS FOR INFORMATION ONLY AND DOES NOT REPRESENT A CONTRACT. ANY INFORMATION SHOWN HEREON IS NOT TO BE USED FOR ANY OTHER PURPOSE.  
 3. DO NOT SCALE FROM THIS DRAWING.



Author	Drawn	Checked	Scale

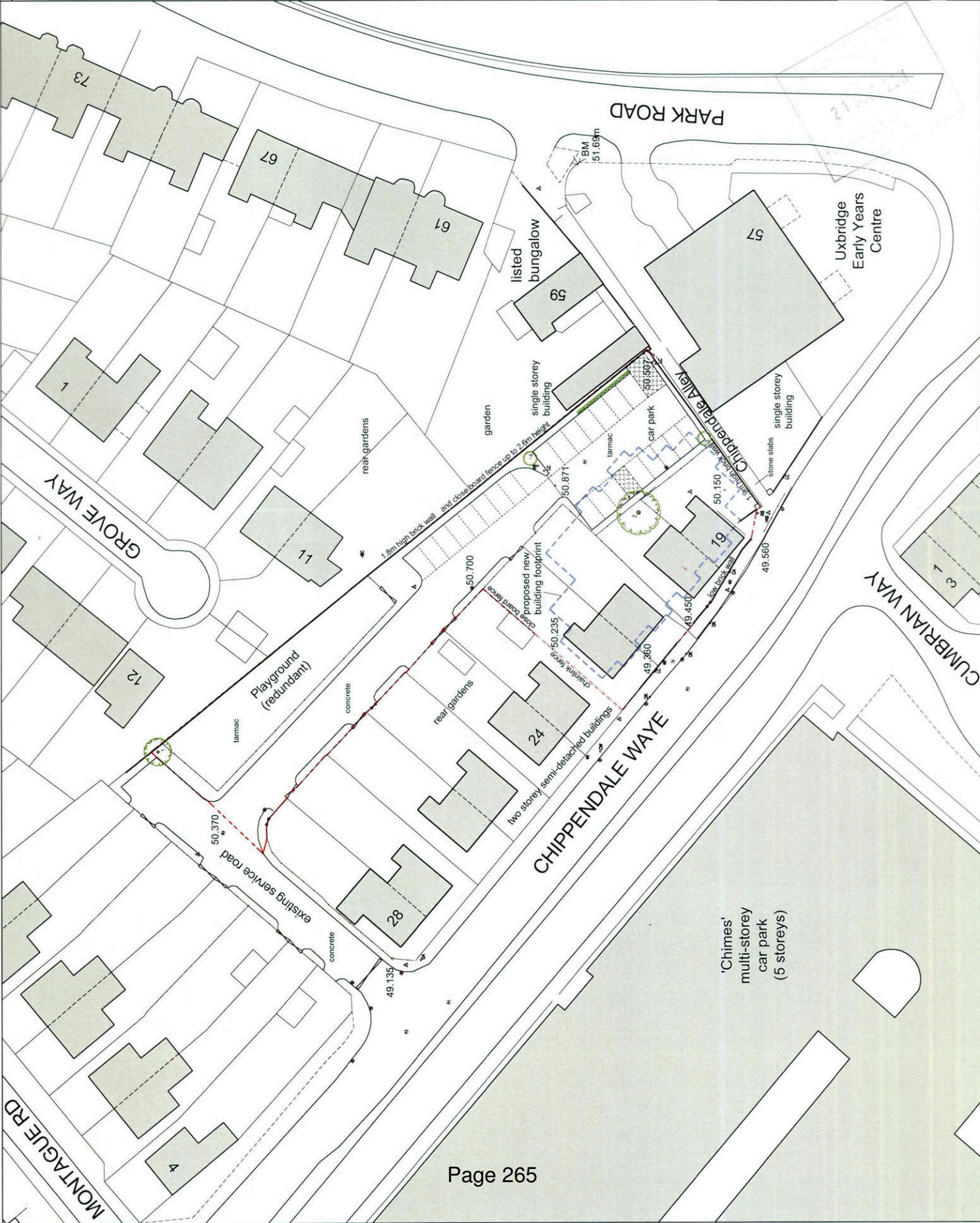
**HILLINGDON**  
 LOCAL AUTHORITY

MAJOR CONSTRUCTION PROJECTS  
 44/12 CIVIC CENTRE 01883 242 131  
 44/13 CIVIC CENTRE 01883 242 131  
 Fax: 01883 277 224

PROJECT  
 19-22 CHIPPENDALE WAY  
 UXBRIDGE

EXISTING SITE PLAN

SCALE	DATE
1:500 @ A3	19/10/10
DRAWN BY	CHECKED BY
SP	
DRAWING NO.	REV
2010D20/P/02	



NOTES  
 The Contractor must verify all dimensions at the site before setting out, commencing work, or making any shop drawings. Any discrepancies must be reported to the Contract Administrator before proceeding.  
 DO NOT SCALE FROM THIS DRAWING



Schedule of Accommodation

Site Area 2,008m<sup>2</sup>  
 0.20ha  
 0.496acre

Supported Housing Units

Ground Floor:		
1-B flats 'A' @ 50.8m <sup>2</sup>	5No	
1-B flats 'B' @ 50.8m <sup>2</sup>	1No	
1-B flats 'C' @ 60.7m <sup>2</sup>	1No	
GF total	7No	
First Floor:		
1-B flats 'A' @ 50.8m <sup>2</sup>	4No	
1-B flats 'B' @ 50.8m <sup>2</sup>	1No	
FF total	5No	
<b>TOTAL</b>	<b>12No</b>	

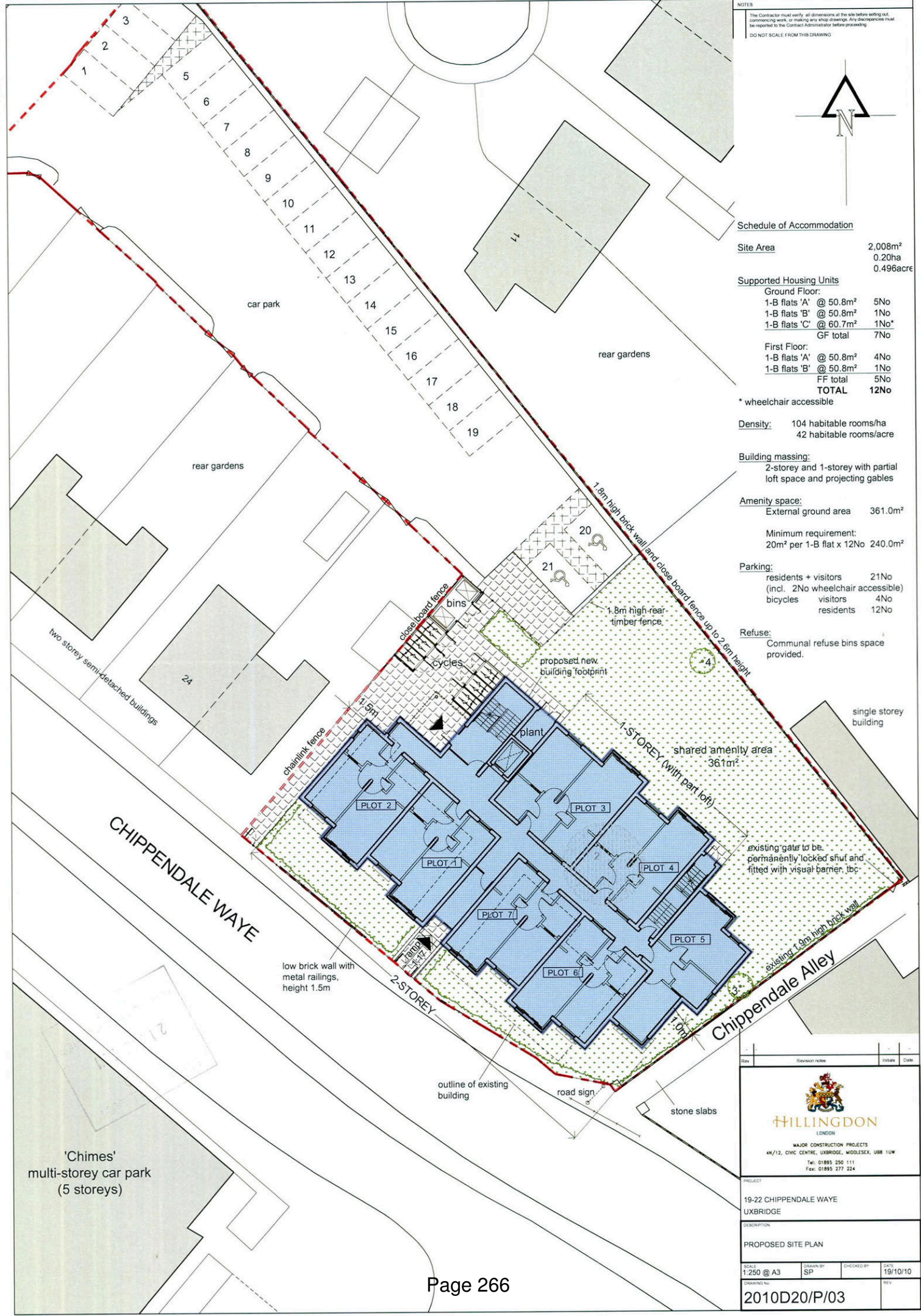
\* wheelchair accessible  
 Density: 104 habitable rooms/ha  
 42 habitable rooms/acre

Building massing:  
 2-storey and 1-storey with partial loft space and projecting gables

Amenity space:  
 External ground area 361.0m<sup>2</sup>  
 Minimum requirement:  
 20m<sup>2</sup> per 1-B flat x 12No 240.0m<sup>2</sup>

Parking:  
 residents + visitors 21No  
 (incl. 2No wheelchair accessible)  
 bicycles visitors 4No  
 residents 12No

Refuse:  
 Communal refuse bins space provided.



Rev	Revision notes	Initials	Date

**HILLINGDON**  
 LONDON  
 MAJOR CONSTRUCTION PROJECTS  
 4N/12, CIVIC CENTRE, UXBRIDGE, MIDDLESEX, UB8 1UW  
 Tel: 01895 250 111  
 Fax: 01895 227 224

PROJECT  
 19-22 CHIPPENDALE WAY  
 UXBRIDGE

DESCRIPTION  
 PROPOSED SITE PLAN

SCALE  
 1:250 @ A3

DRAWN BY  
 SP

CHECKED BY  
 [Signature]

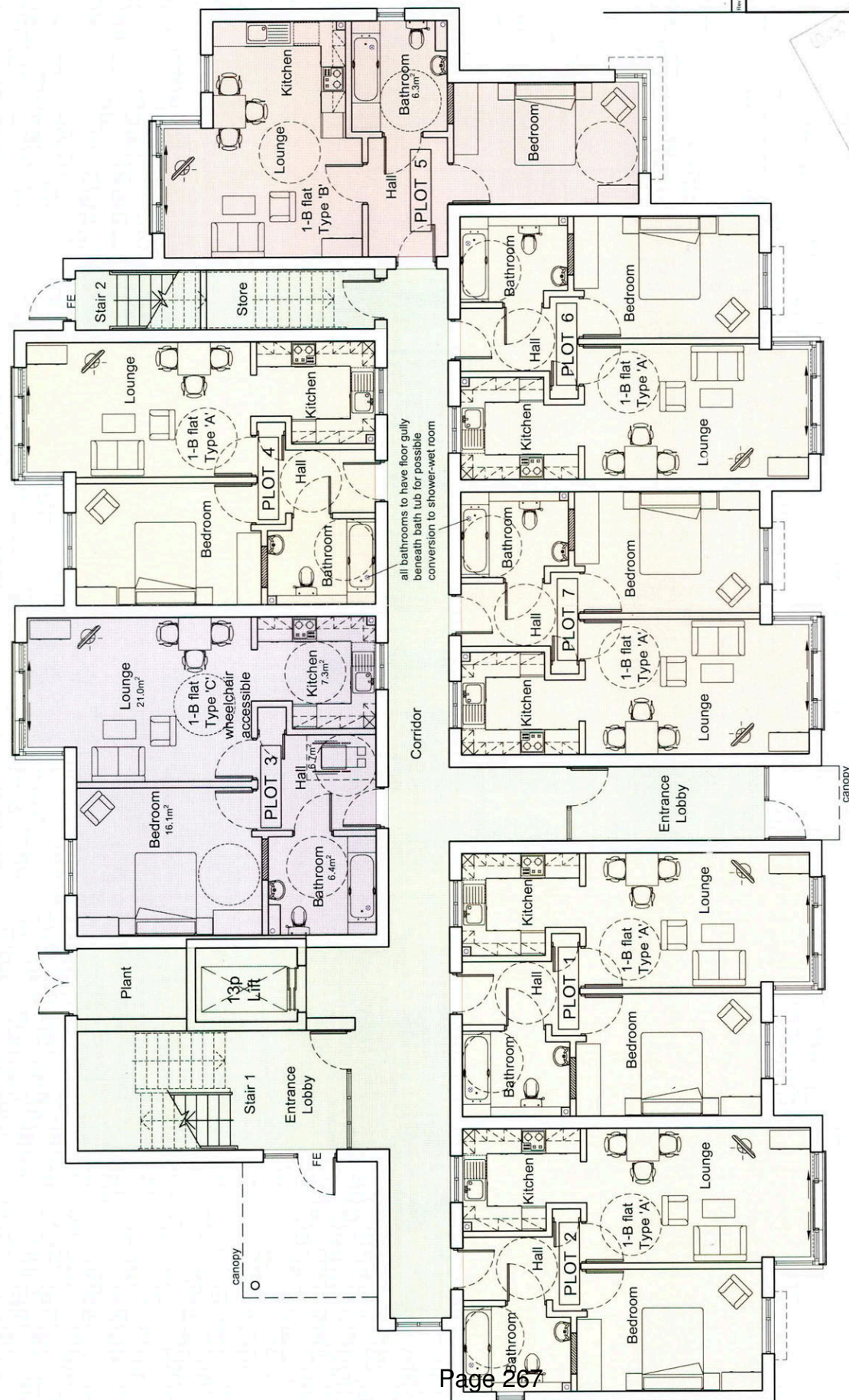
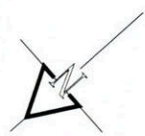
DATE  
 19/10/10

DRAWING NO.  
 2010D20/P/03

REV.  
 [Signature]

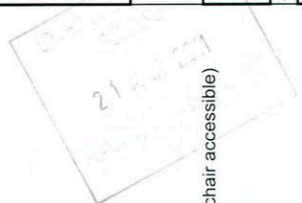


NOTES  
 The Contractor must verify all dimensions at site before building out.  
 All dimensions are to be taken to the face of the work unless otherwise stated.  
 All dimensions are to be taken to the face of the work unless otherwise stated.  
 DO NOT SCALE FROM THIS DRAWING



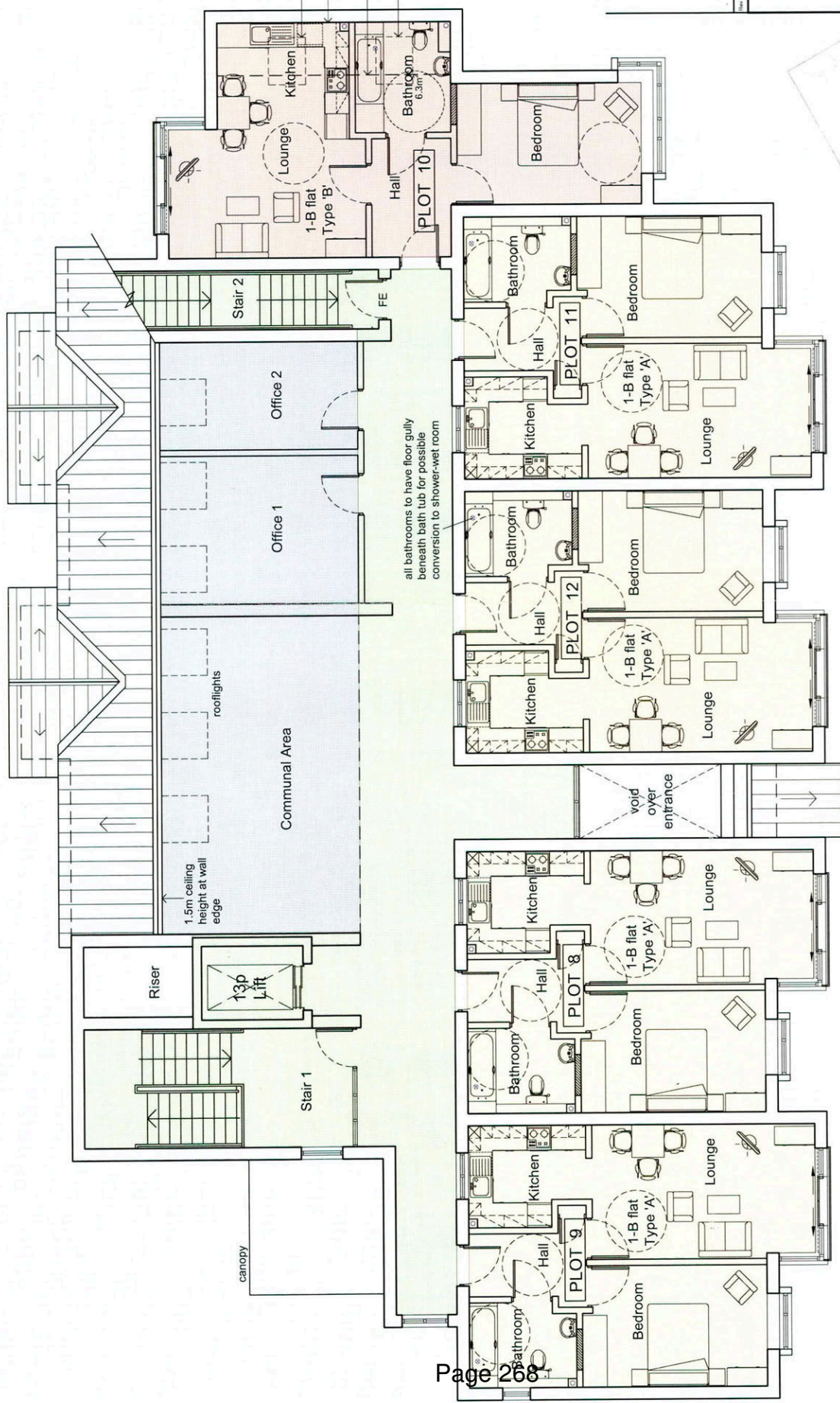
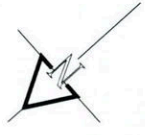
ACCOMMODATION SCHEDULE:

1-B FLATS Type 'A'	5No	50.8m <sup>2</sup>
1-B FLATS Type 'B'	1No	50.8m <sup>2</sup>
1-B FLATS Type 'C'	1No	60.7m <sup>2</sup> (wheelchair accessible)
<b>GF TOTAL</b>	<b>7No</b>	
<b>GF GIFA</b>	<b>497.6m<sup>2</sup></b>	
<input type="checkbox"/> Shared Spaces		<b>101.0m<sup>2</sup></b>



MAJOR CONSTRUCTION PROJECTS 40/72, CIVIC CENTRE, UMBROSE, MIDDLESEX, UB8 3UH TEL: 01845 200 111 FAX: 01845 207 204	
PROJECT:	19-22 CHIPPENDALE WAY UXBRIDGE
PROPOSED GROUND FLOOR PLAN	
SCALE:	1:100 @ A3
DATE:	19/10/10
<b>2010D20/P/04</b>	

NOTES  
 The Contractor shall verify all dimensions at the site. Any discrepancy shall be reported to the Contract Administrator before proceeding.  
 DO NOT SCALE FROM THIS DRAWING



**HILLINGDON**  
 LONDON

MAJOR CONSTRUCTION PROJECTS  
 44/12, ONE CENTRE, URBODGE, WOODSLEY, GB 10W  
 Tel: 01923 277 121  
 Fax: 01923 277 124

PROJECT: 19-22 CHIPPENDALE WAY  
 LOCATION: UXBRIDGE

PROPOSED FIRST FLOOR PLAN

SCALE: 1:200 @ A3  
 DATE: 19/10/10

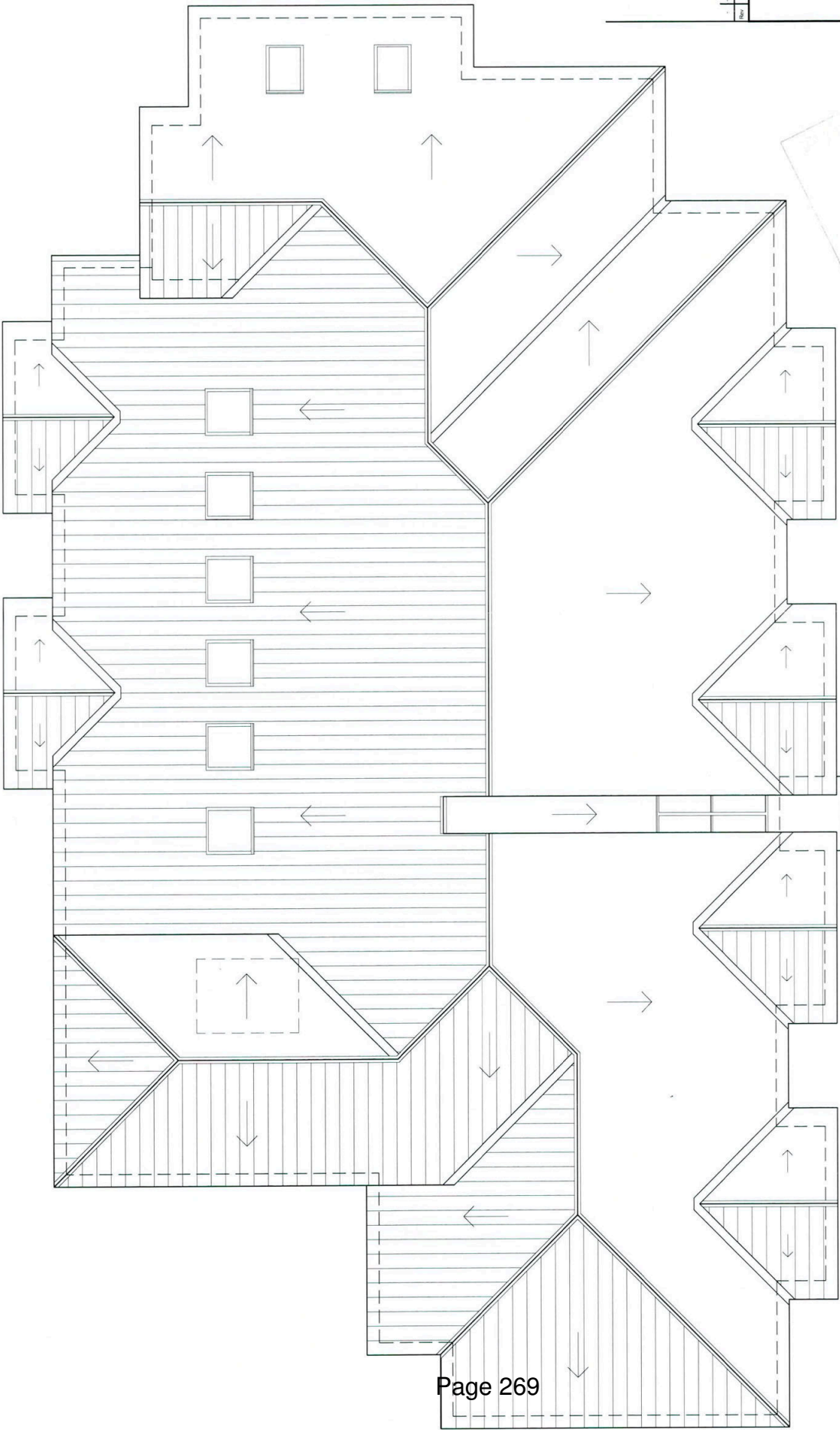
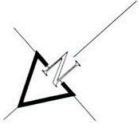
2010D20/P/05

ACCOMMODATION SCHEDULE:

1-B FLATS Type 'A'	4No	50.8m <sup>2</sup>
1-B FLATS Type 'B'	1No	50.8m <sup>2</sup>
<b>FF TOTAL</b>	<b>5No</b>	<b>438.5m<sup>2</sup></b>
<b>FF GIFA</b>		<b>438.5m<sup>2</sup></b>
Shared Spaces		99.0m <sup>2</sup>
Communal Area		70.5m <sup>2</sup>

NOTES

The Contractor must verify all dimensions at the site before starting. All dimensions are to be taken from the face of the wall unless otherwise stated. Any discrepancies must be reported immediately to the architect. DO NOT SCALE FROM THIS DRAWING.



Rev	Revised Notes	Issue	Date

**HILLINGDON**  
LONDON



MAJOR CONSTRUCTION PROJECTS  
4N/12, CIVIC CENTRE, LUXBRIDGE, MIDDLESEX, UB8 3JW  
Tel: 01895 250 111  
Fax: 01895 277 224

PRODUCT  
19-22 CHIPPENDALE WAVE  
LUXBRIDGE

DESCRIPTION  
PROPOSED ROOF PLAN

SCALE  
1:100 @ A3

DRAWN BY  
SP

CHECKED BY  
SP

DATE  
19/10/10

REVISED BY  
REV

2010D20/P/06

NOTES  
 The Contractor must verify all dimensions at the site before starting out.  
 Any discrepancies must be reported to the Contract Administrator before proceeding.  
 DO NOT SCALE FROM THIS DRAWING



CHIPPENDALE WAY  
 STREET ELEVATION (1)  
 SOUTH-WEST

PROPOSED DEVELOPMENT

low brick wall with metal railings,  
 height 1.5m,  
 (wall shown transparent for clarity)

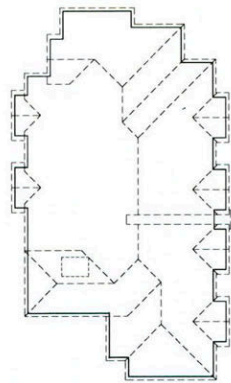
Chippendale  
 Alley

Nursery

No 23

No 24

KEY:  
 Page 270



ELEVATION 2 - NORTH-WEST

PROPOSED DEVELOPMENT

rear site boundary  
 1.8m high rear timber fence  
 car parking  
 (2 No spaces)  
 external ground graded  
 to max 1.20 fall

1.5m high metal railing

pedestrian gate

footpath

Chippendale Way

PROPOSED DEVELOPMENT



Author	Designer	Checker	Drawn
 <b>HILLINGDON</b> LONDON MAJOR CONSTRUCTION PROJECTS 40/12, CIVIC CENTRE, UXBIDGE, MIDDLESEX, UB8 3UH Tel: 01895 250 111 Fax: 01895 277 224			
PROJECT: 19-22 CHIPPENDALE WAY, UXBRIDGE			
DESCRIPTION: PROPOSED ELEVATIONS			
SHEET 1/2			
SCALE: 1:200 @ A3	DATE: 19/10/10		
DRAWING No: 2010D20/P/07			

NOTES  
 The Contractor shall verify all dimensions of the building setting out, and report to the Contract Administrator before proceeding.  
 DO NOT SCALE FROM THIS DRAWING

DATE	ISSUED	DATE

**HILLINGDON**  
LONDON

MAJOR CONSTRUCTION PROJECTS  
 4W/72, CIVIC CENTRE, UXBIDGE, MIDDLESEX, UB8 3UH  
 Tel: 01895 250 111  
 Fax: 01895 257 224

PROJECT: 19-22 CHIPPENDALE WAY  
 UXBIDGE

PROPOSED ELEVATIONS  
 SHEET 2/2

SCALE: 1:200 @ A3  
 DATE: 19/10/10

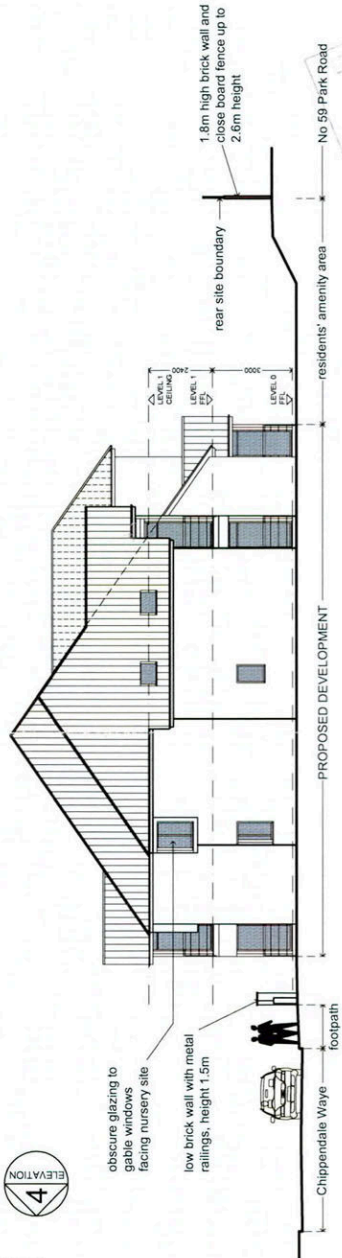
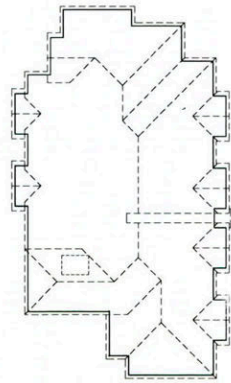
2010D20/P/08



ELEVATION 3 - NORTH-EAST

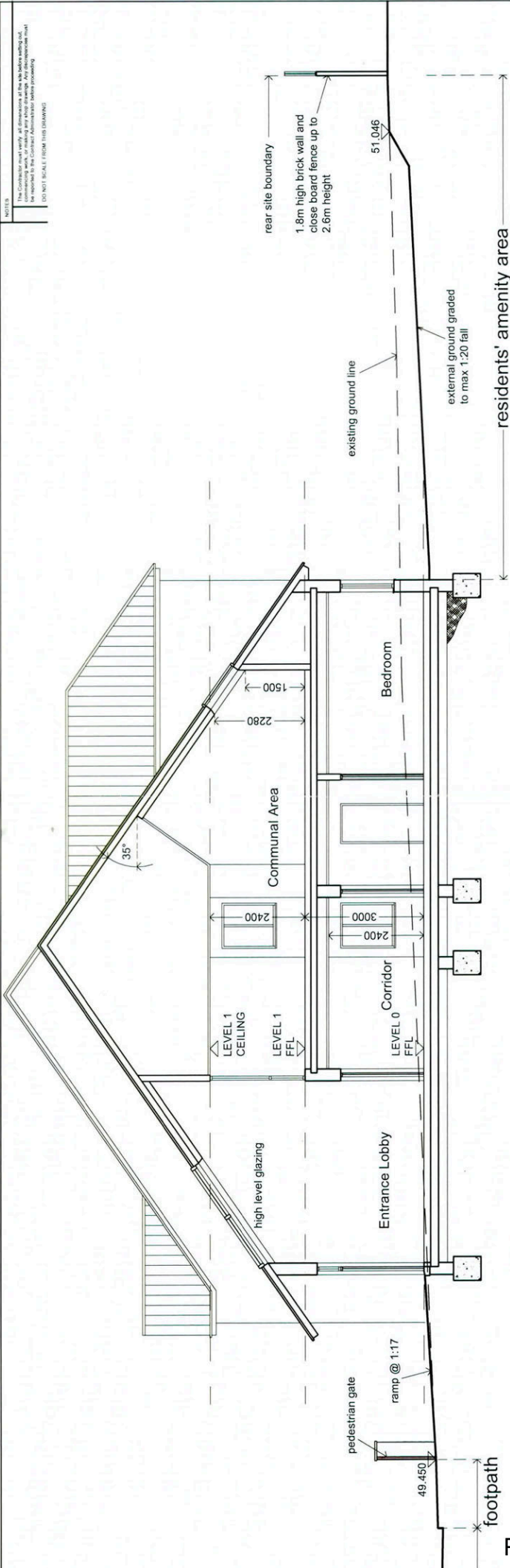


KEY:  
 Page 271



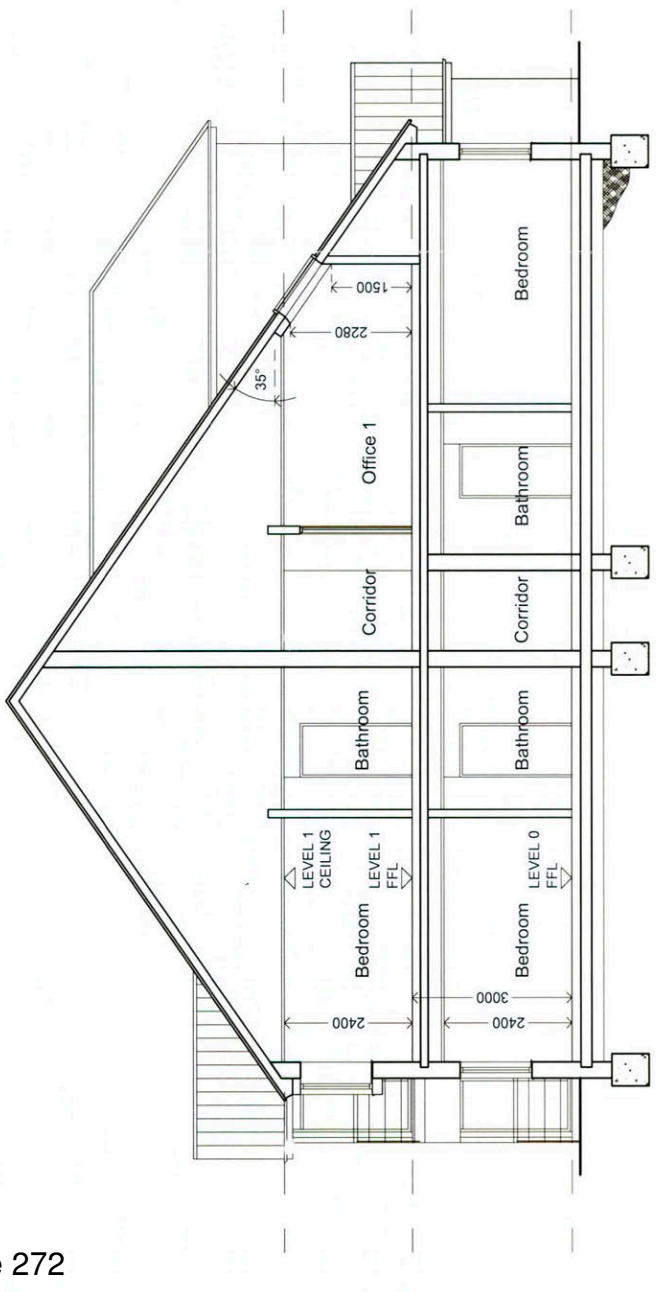
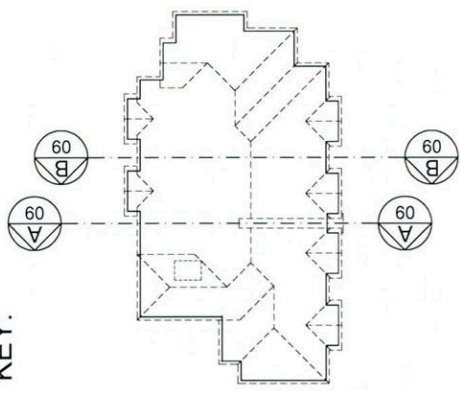
ELEVATION 4 - SOUTH-EAST





SECTION A-A

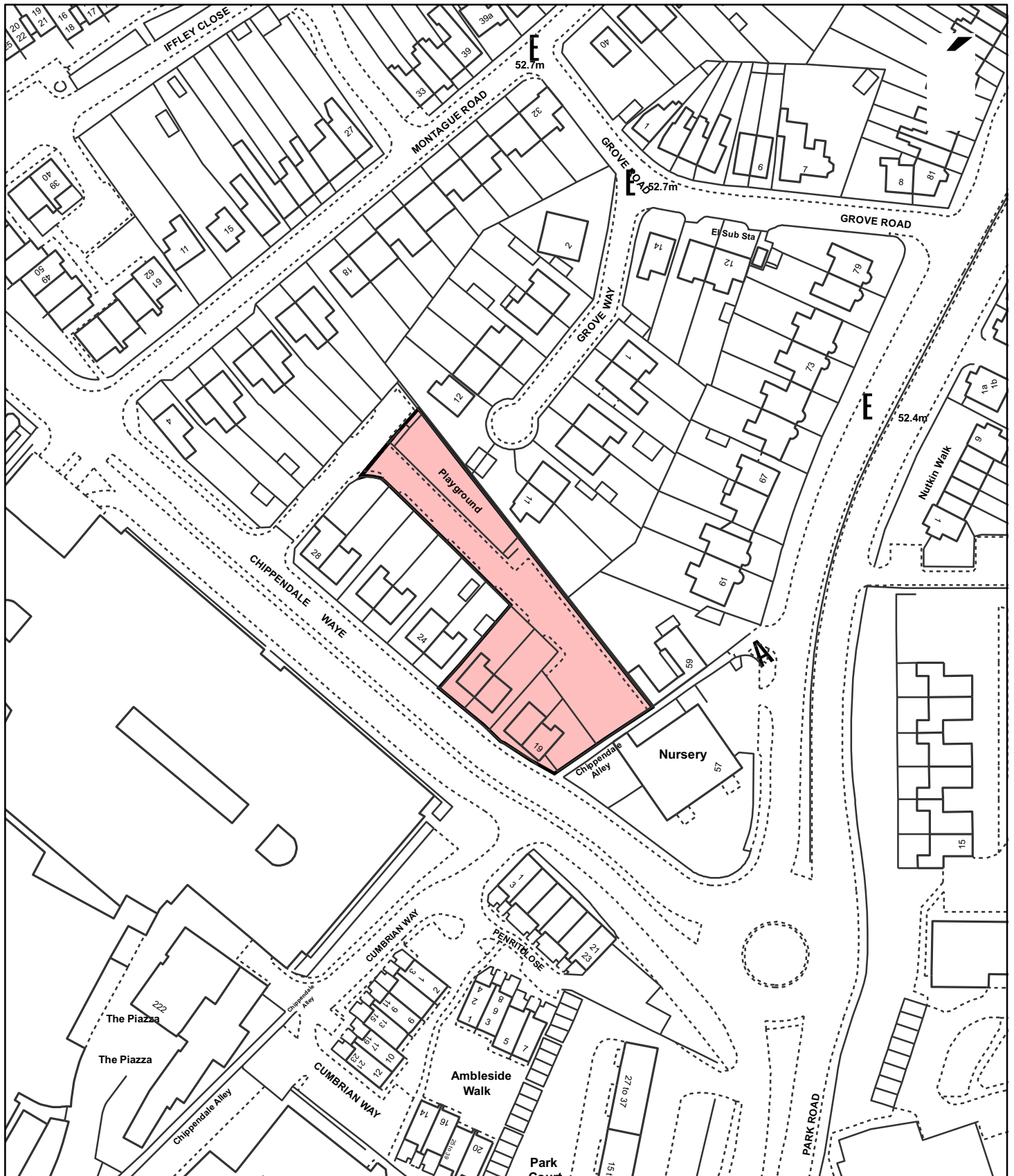
KEY:




SECTION B-B

NOTES  
 This Contributor warrants that all dimensions are as shown unless otherwise stated.  
 It is the responsibility of the Contractor to verify all dimensions and to ensure that  
 all work is completed in accordance with the approved drawings.  
 DO NOT SCALE FROM THIS DRAWING

MAJOR CONSTRUCTION PROJECTS 44/713, CIVIC CENTRE, UXBIDGE, MIDDLESEX, UB8 3UH Tel: 01895 290 234 Fax: 01895 271 234	
PROJECT: 19-22 CHIPPENDALE WAY UXBRIDGE	
PROPOSED SECTIONS	
SCALE: 1:100 @ A3	DATE: 19/10/10
DRAWING NO: 2010D20/P/09	



**Notes**

 Site boundary

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Site Address	
<b>19 - 22 Chippendale Way and Car Park area to rear of 23 - 28 Chippendale Way, Uxbridge</b>	
Planning Application Ref:	Scale
<b>67544/APP/2011/736</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

**LONDON BOROUGH OF HILLINGDON**

Planning,  
Environment, Education  
& Community Services

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



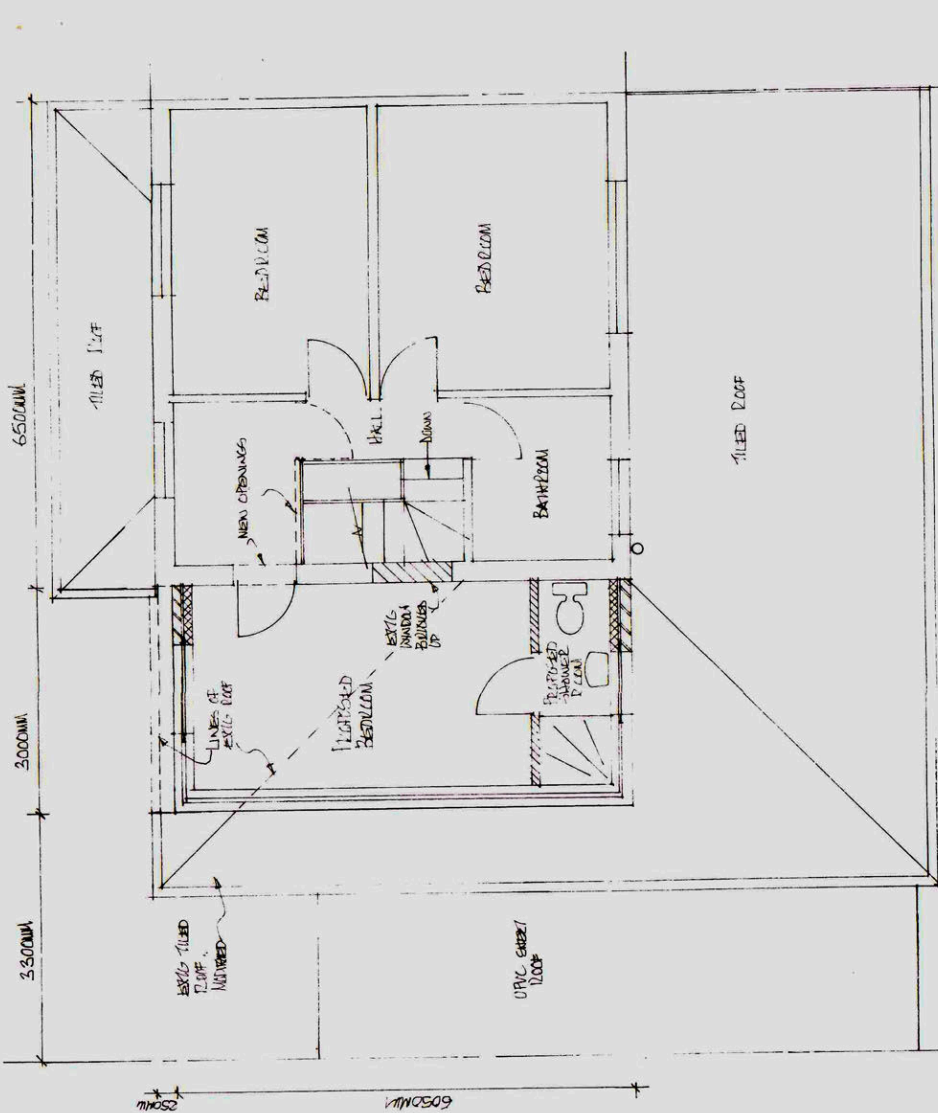
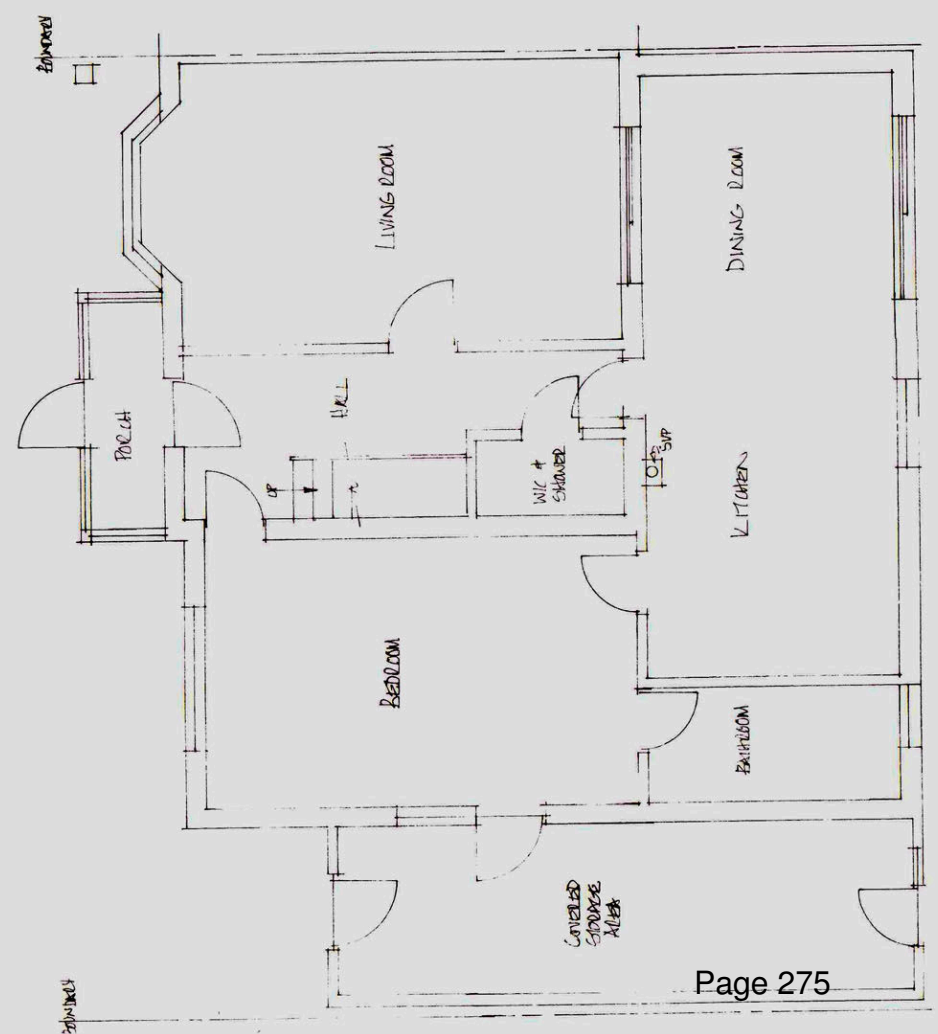
**HILLINGDON**  
LONDON

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

**Address** 47 SWANAGE WAYE HAYES  
**Development:** Erection of a first floor side extension  
**LBH Ref Nos:** 48600/APP/2011/548

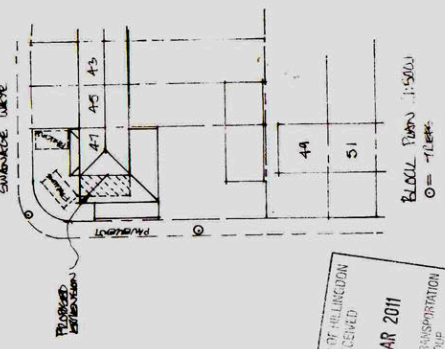
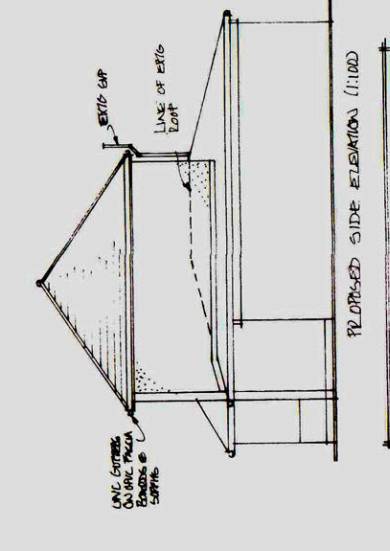
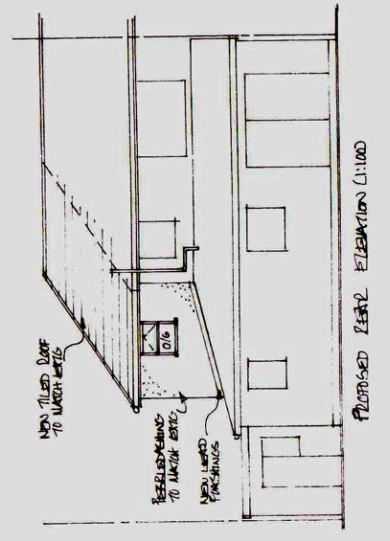
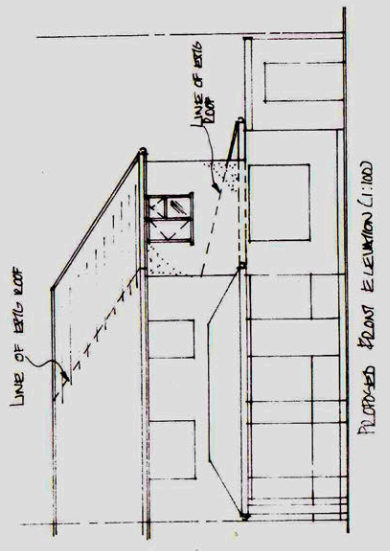
**Date Plans Received:** 07/03/2011      **Date(s) of Amendment(s):**  
**Date Application Valid:** 07/03/2011





EXISTING GROUND FLOOR PLAN (1:50)

PROPOSED FIRST FLOOR PLAN (1:50)




LOW BOARD BY HELLINGHORN RECEIVED  
- 7 MAR 2011  
PLANNING & TRANSPORTATION GROUP

PROPOSED FIRST FLOOR - SIDE EXTENSION @ 1:50
A1, SHUNNASE WAY, HAYES, MIDDLESEX UB4 0NY
SCALE: 1:100 @ 1:50
DRAWN: FEB 11/08
REVISIONS:



**Notes**

 Site boundary

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Site Address	
<b>47 Swanage Way Hayes</b>	
Planning Application Ref:	Scale
<b>48600/APP/2011/548</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



HILLINGDON

LONDON

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

**Address** 298 KINGSHILL AVENUE HAYES

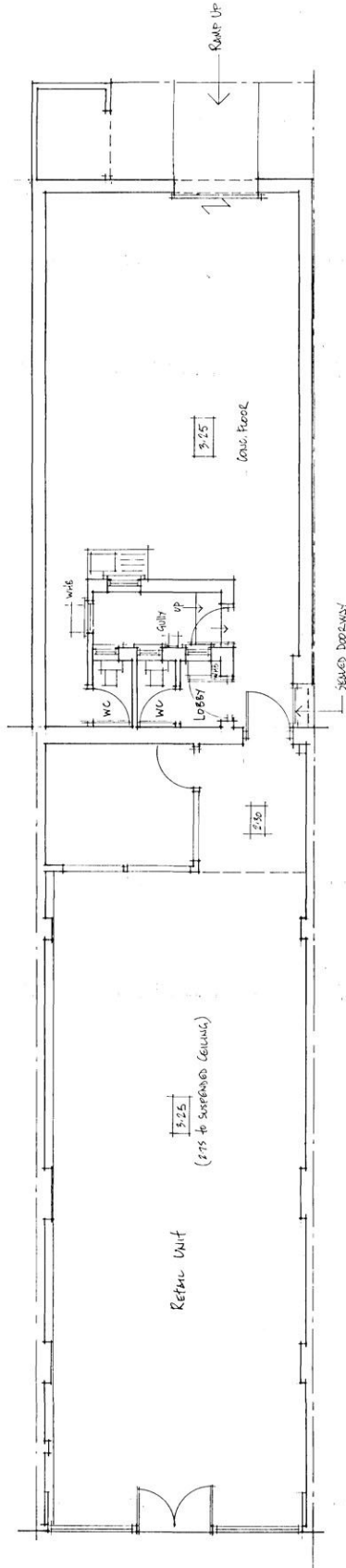
**Development:** Change of use from A1 (Retail) to A3 (Restaurant) & A5 (Takeaway) and installation of 2 x extract ducts to rear.

**LBH Ref Nos:** 8195/APP/2011/38

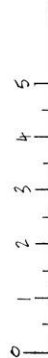
**Date Plans Received:** 10/01/2011

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

**Date Application Valid:** 07/02/2011



GROUND FLOOR PLAN

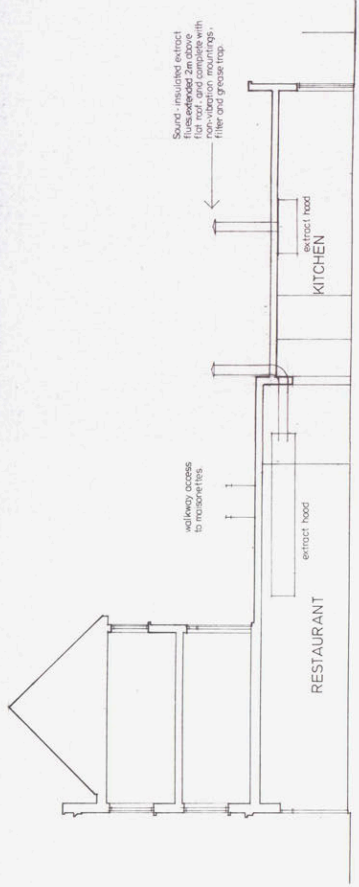


SCALE BAR @ 1:50

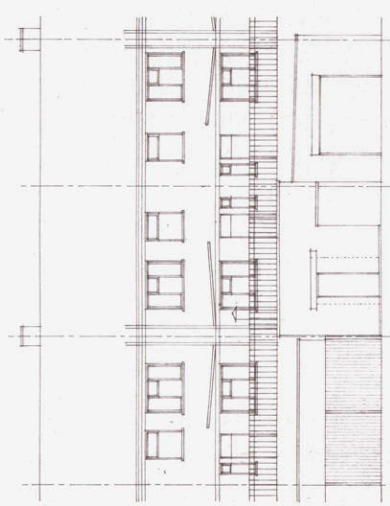
<u>EXISTING FLOOR PLAN</u>	
298 KINGSHILL AVENUE, HAYES, MIDDYX, UB4 8EX.	
PRG. MS. SABRA SAJER	DATE: No. 1510   1
SCALE: 1:50	OCTOBER 2010
DES: MS	DRG. No. 1510   1
ANTHONY BYRNE ASSOC. 6 IVOR STREET LONDON NW11 9PL TEL. NO. 020 7267 2396	



FRONT ELEVATION



SECTION



REAR ELEVATION



LOCATION PLAN 1:1250

SITE:  
 298 KINGSHILL AVENUE,  
 HAYES,  
 MIDDLESEX, UB4 8BX.  
 PROPOSAL:  
 Proposed Restaurant

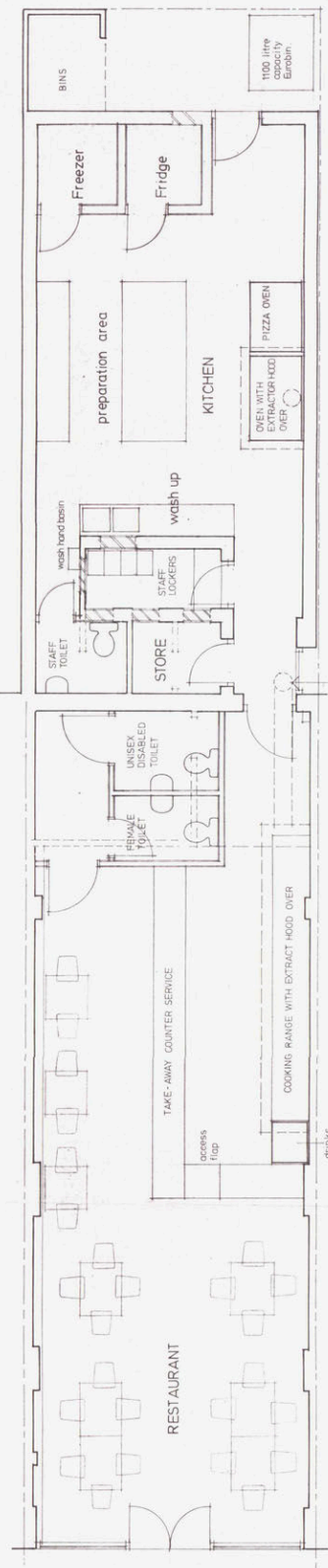
CLIENT:

REVA 23110  
 Revised for kitchen table and restaurant  
 Section amended

Anthony Byrne Associates  
 6 Ivor Street, London NW1 9PL  
 Tel: 0207 - 267 2396  
 Fax: 0207 - 267 7990

SCALE 1:150, 1:100, DATE: OCT 2010

DRAWING NO: 5559 / 1 A



GROUND FLOOR PLAN



**Notes**

 Site boundary

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Site Address

**298 Kingshill Avenue,  
Hayes**

Planning Application Ref:  
**8195/APP/2011/38**

Planning Committee  
**Central & South**

Scale  
**1:1,250**

Date  
**April 2011**

**LONDON BOROUGH  
OF HILLINGDON**

**Planning,  
Environment, Education  
& Community Services**

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



**HILLINGDON**  
LONDON

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

**Address** 13 BOURNE AVENUE HAYES

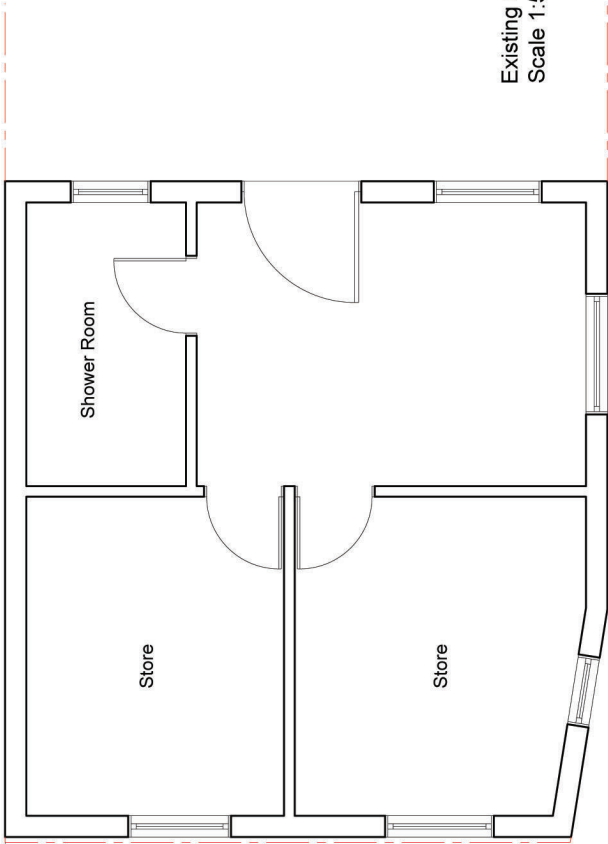
**Development:** Alterations to single storey rear extension with new flat roof to rear and part demolition of existing single storey outbuilding to rear to provide extra amenity space to front. (Part Retrospective)

**LBH Ref Nos:** 30586/APP/2011/252

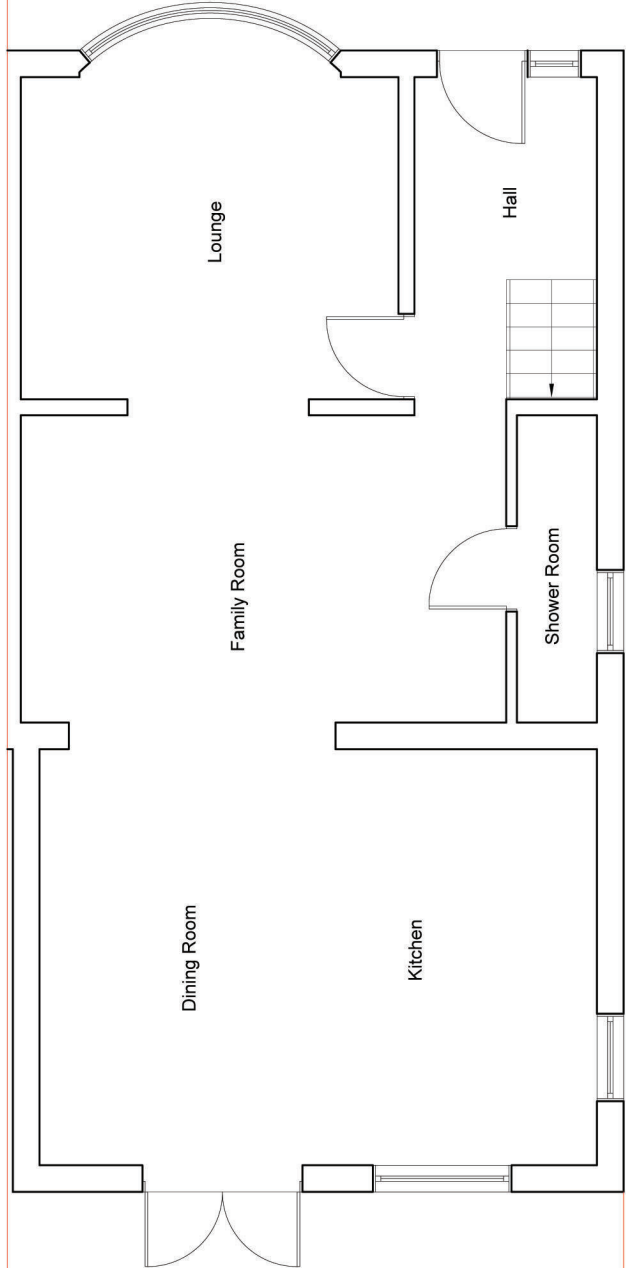
**Date Plans Received:** 03/02/2011

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

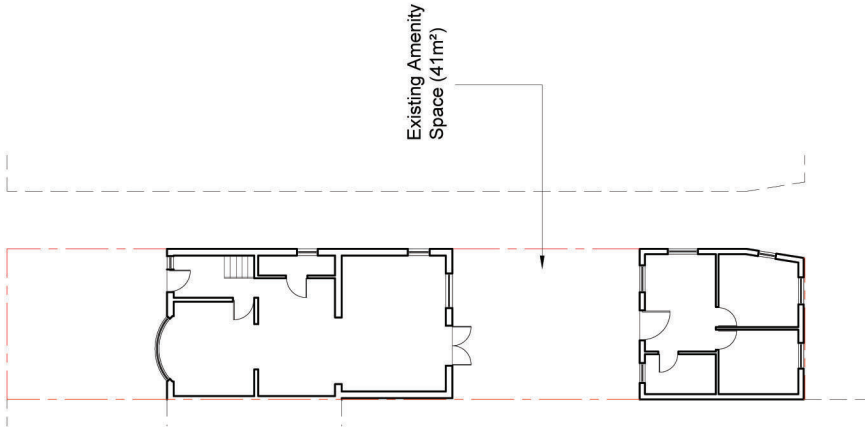
**Date Application Valid:** 03/02/2011



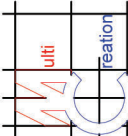
Existing Out Building Plan  
Scale 1:50



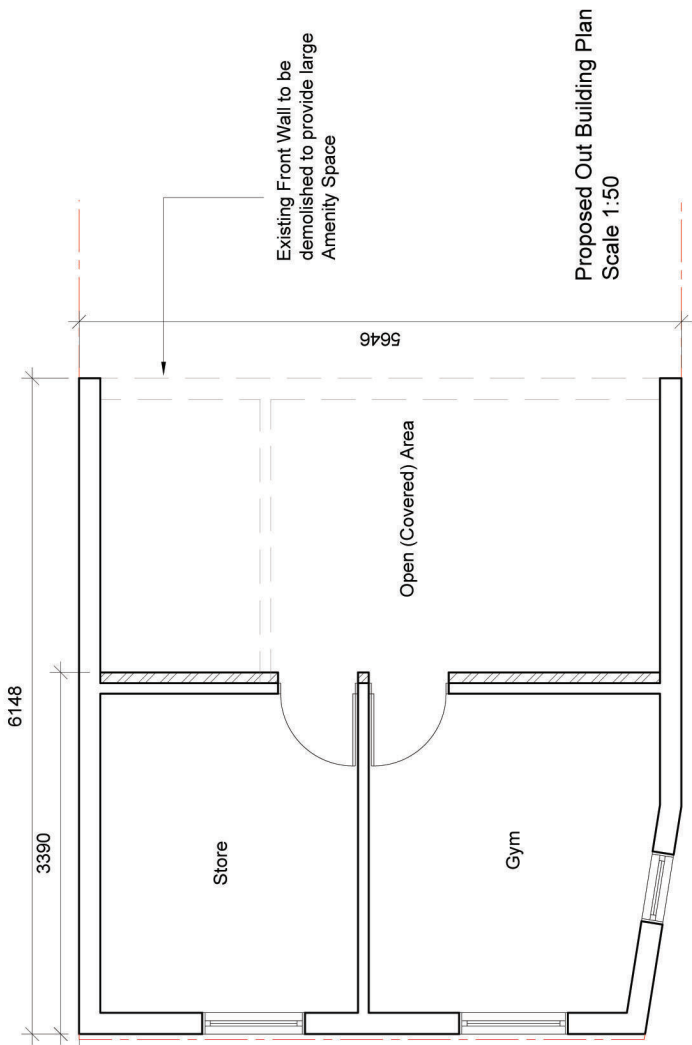
Existing Ground Plan  
Scale 1:50



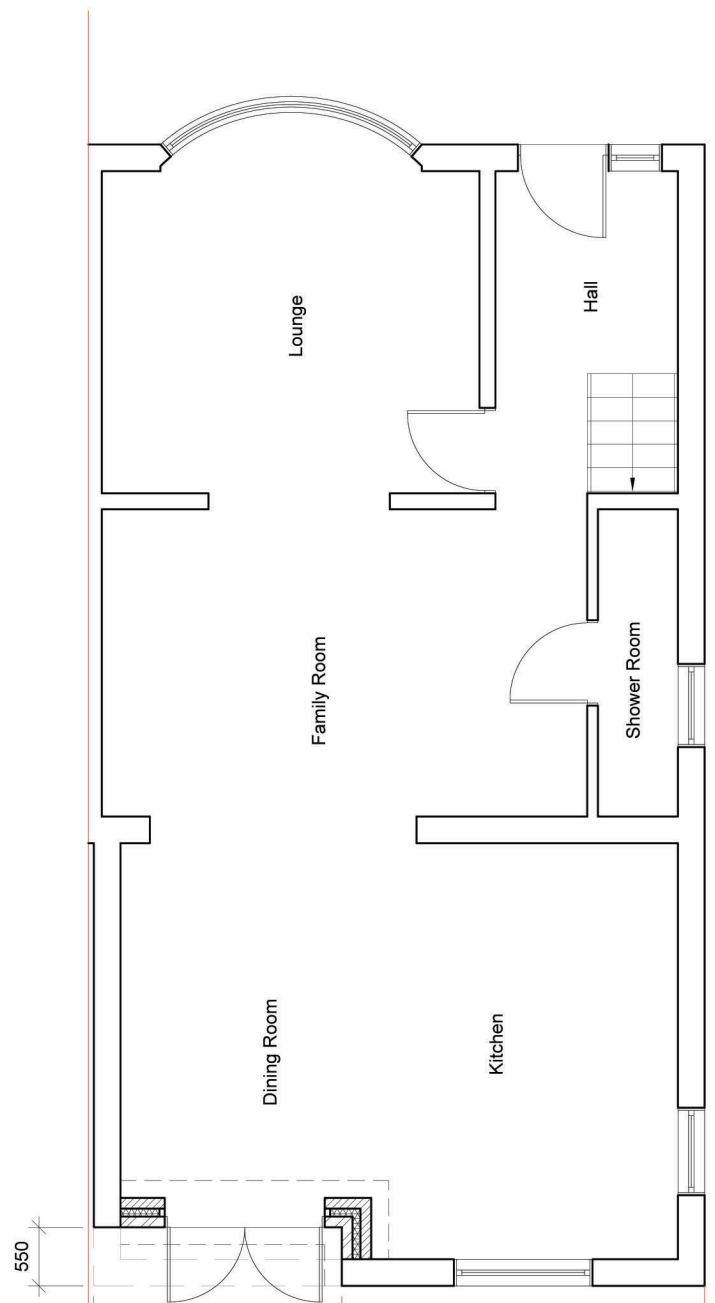
Existing Site Plan Scale 1:200

	<b>Project:</b> 13 Bourne Avenue Hayes Middlesex UB3 1QL	<b>Title:</b> Existing Plans Existing Site Plan	<b>Scale:</b> 1:50/200 <b>Date:</b> Dec 2010 <b>Drawing No.:</b> 1400A -01/KG <b>Revision</b>
	239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 Fax: 020 8843 2008		

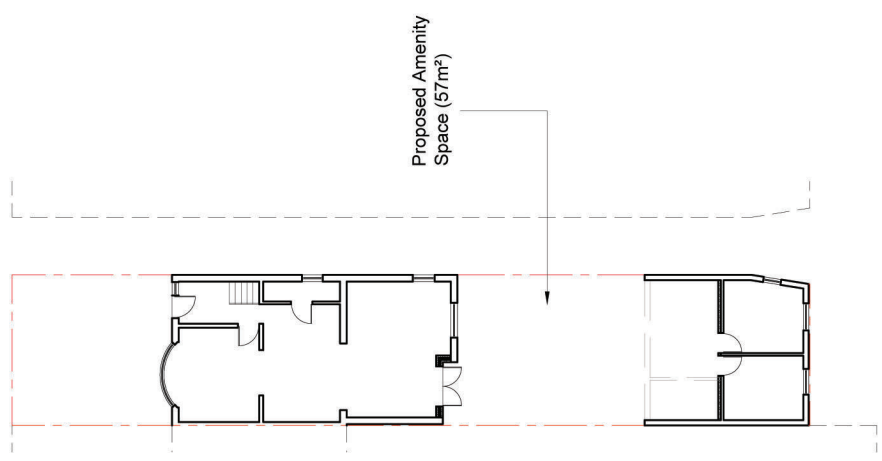




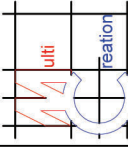
Proposed Out Building Plan  
Scale 1:50

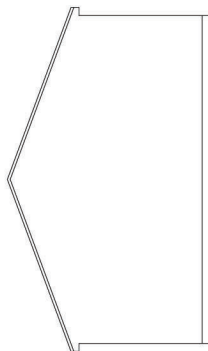


Proposed Ground Plan  
Scale 1:50

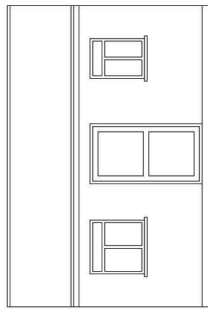


Proposed Site Plan Scale 1:200

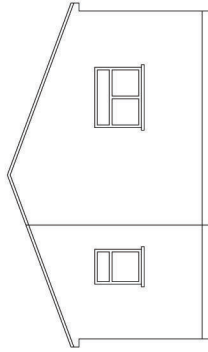
	<b>Project:</b> 13 Bourne Avenue Heyes Middlesex UB3 1QL	<b>Title:</b> Proposed Plans Proposed Site Plan	<b>Scale:</b> 1:50/200 <b>Date:</b> Dec 2010 <b>Drawing No.:</b> 1400A-03/KG <b>Revision</b>
	239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 Fax: 020 8643 2008		



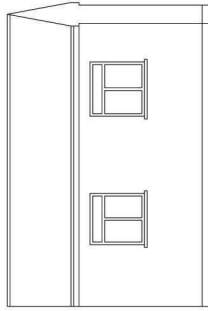
Existing Out Building (Side Elevation)  
Scale 1:100



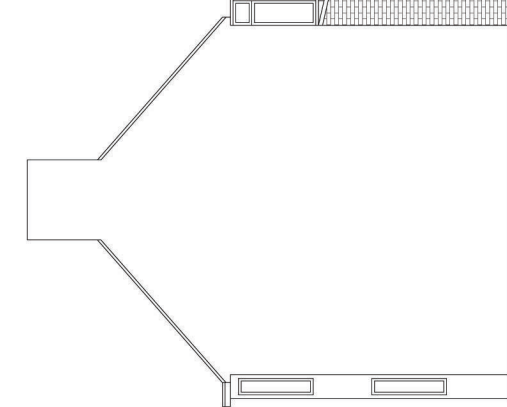
Existing Out Building (Front Elevation)  
Scale 1:100



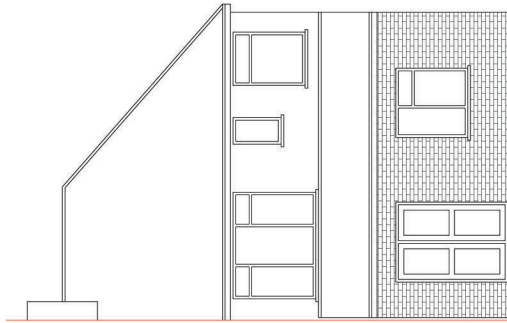
Existing Out Building (Side Elevation)  
Scale 1:100



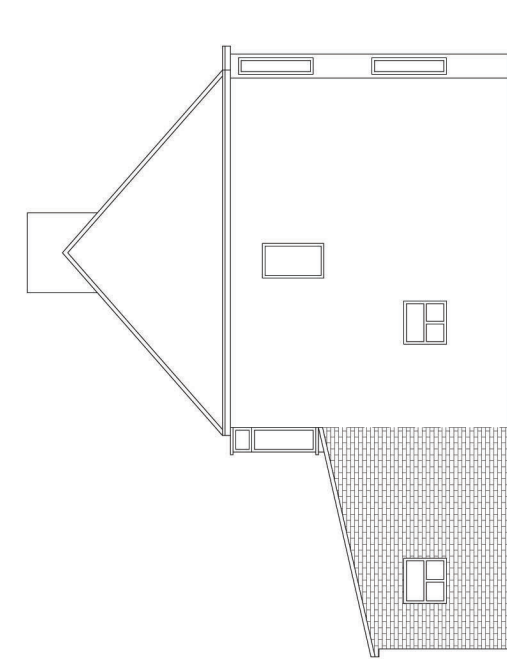
Existing Out Building (Rear Elevation)  
Scale 1:100



Existing Extension (Side Elevation)  
Scale 1:100

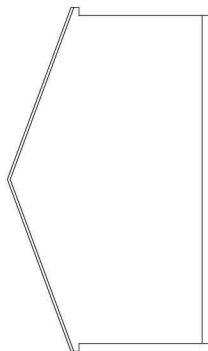


Existing Extension (Rear Elevation)  
Scale 1:100

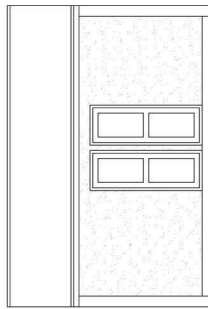


Existing Extension (Side Elevation)  
Scale 1:100

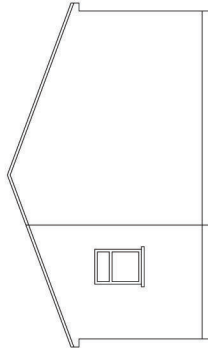
	<b>Project:</b> 13 Bourne Avenue Hayes Middlesex UB3 1QL	<b>Title:</b> Existing Elevations	<b>Scale:</b> 1:100 <b>Date:</b> Dec 2010 <b>Drawing No.:</b> 1400A -02/KG <b>Revision:</b>
	239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 Fax: 020 8843 2008		



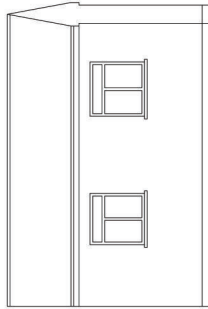
Existing Out Building (Side Elevation)  
Scale 1:100



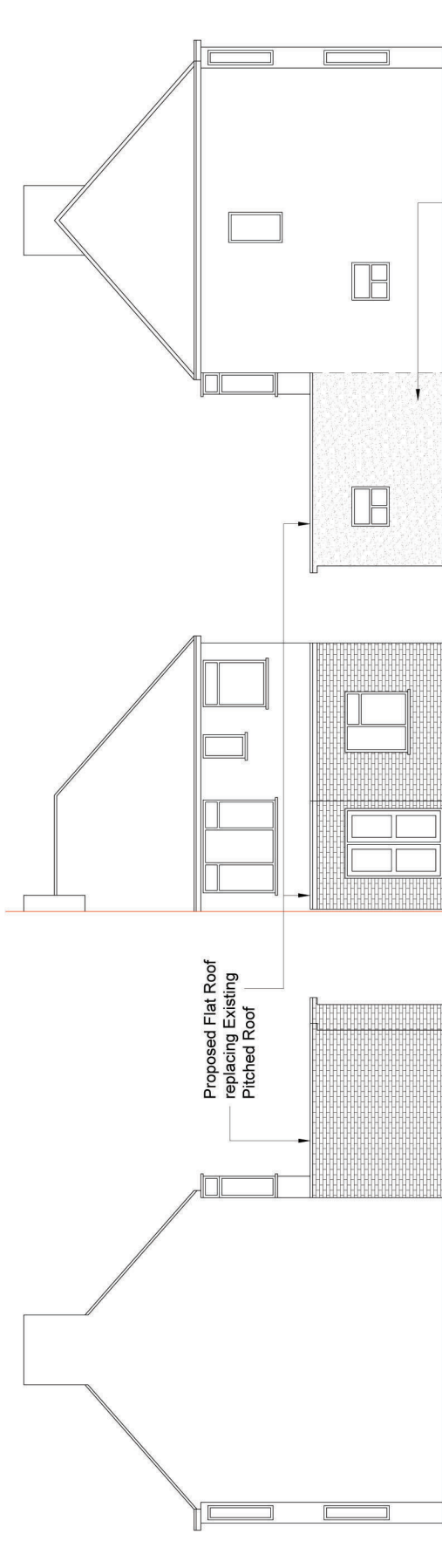
Proposed Out Building (Front Elevation)  
Scale 1:100



Existing Out Building (Side Elevation)  
Scale 1:100



Existing Out Building (Rear Elevation)  
Scale 1:100



Proposed Extension (Side Elevation)  
Scale 1:100

Proposed Extension (Rear Elevation)  
Scale 1:100

Proposed Extension (Side Elevation)  
Scale 1:100

Extension Flank Wall to have  
Pebble Dash (Grey), to match  
Existing Host Property

		Project: 13 Bourne Avenue Hayes Middlesex UB3 1QL		Title: Proposed Elevations		Scale: 1:100 Date: Dec 2010 Drawing No.: 1400A-04/KG Revision:	
		239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 Fax: 020 8643 2008					



**Notes**

 Site boundary

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Site Address

**13 Bourne Avenue  
Hayes**

Planning Application Ref:  
**30586/APP/2011/252**

Planning Committee  
**Central and South**

Scale  
**1:1,250**

Date  
**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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



**HILLINGDON**  
LONDON

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

**Address** 165 NORTH HYDE ROAD HAYES

**Development:** Change of ground floor from Class A1 (Retail) to Class A3 (Restaurants and Cafes) for use as fast food restaurant with new extract duct to rear.

**LBH Ref Nos:** 17357/APP/2011/18

**Date Plans Received:** 05/01/2011

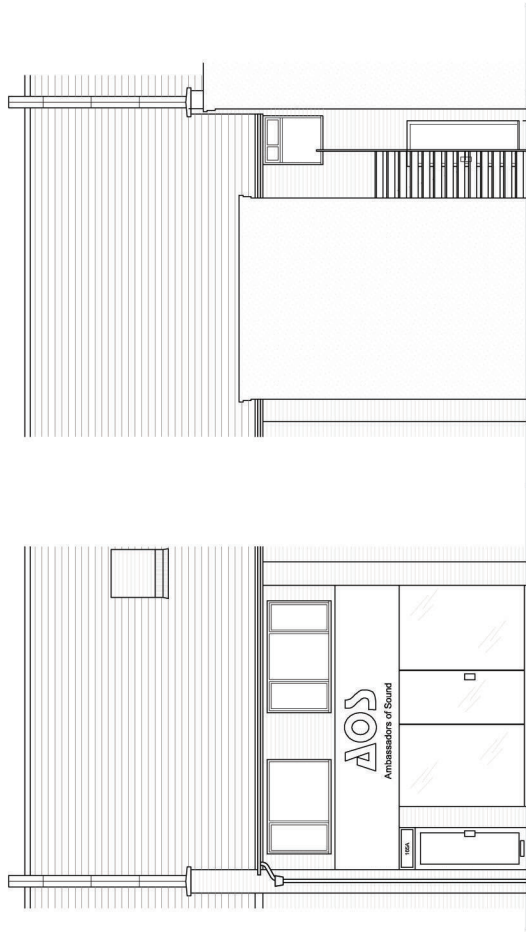
**Date(s) of Amendment(s):** 05/01/2011

**Date Application Valid:** 20/01/2011

19/01/2011

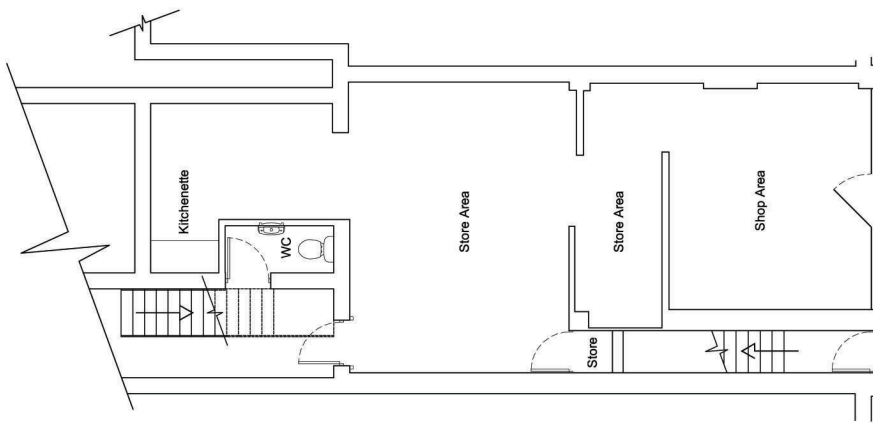
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Rev	Comment	By	Date
A	Room names added to plan, Rear and side elevations added.	JAS	17/01/11



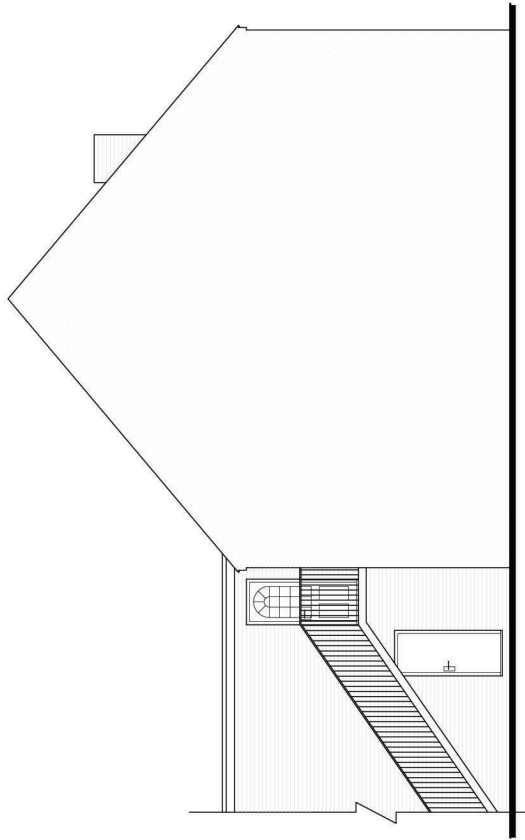
FRONT ELEVATION

REAR ELEVATION

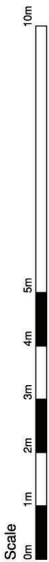


Entrance & stairs to accommodation above (not included within application)

GROUND FLOOR PLAN



SIDE ELEVATION

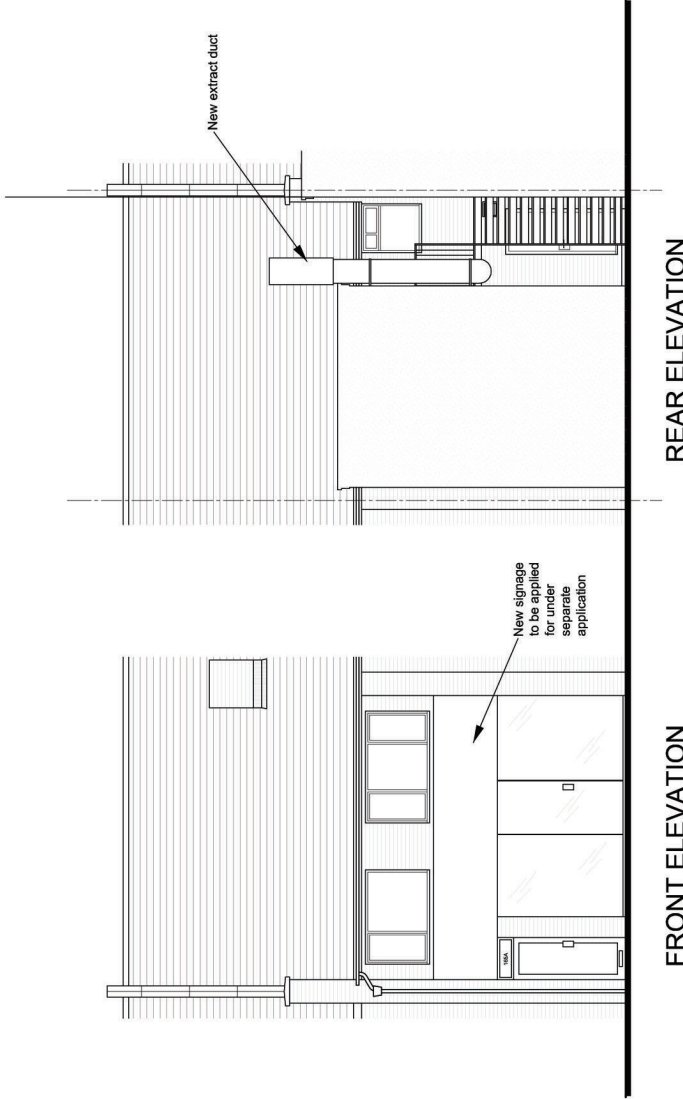


Client:	Mr Vik Roda
Address:	165 North Hyde Road Hayes Middlesex UB3 4NS
Drawing title:	Existing Ground Floor Plan & Elevations
Scale:	1:100
Date Drawn:	30.12.10
Drawn by:	CRW
Job No:	041
Urg No:	PL03
Rev:	A
Status:	Planning Submission

**thinkarchitecture**  
 The Studio, 12 Lightfields, Oakley  
 RG23 7BL  
 Email: info@thinkarchitecture.biz  
 Mobile: 07791 286370  
 www.thinkarchitecture.biz

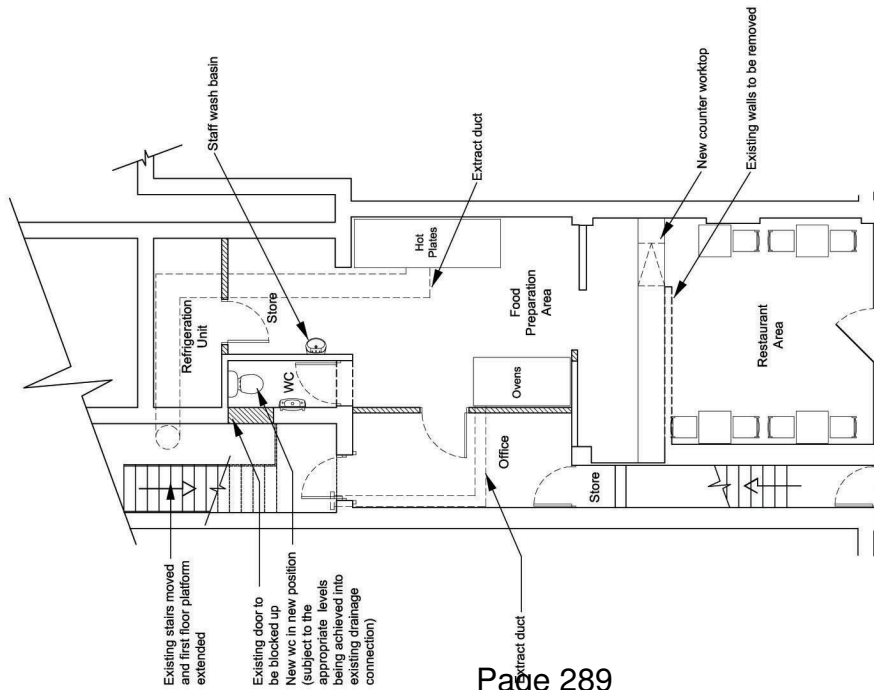
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Rev	Comment	By	Date



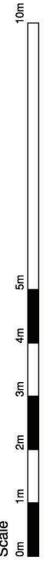
FRONT ELEVATION

REAR ELEVATION



GROUND FLOOR PLAN

Entrance & stairs to accommodation above (not included within application)



Client:	Mr Vik Roda
Address:	165 North Hyde Road Hayes Middlesex UB3 4NS
Drawing title:	Proposed Ground Floor Plan & Front Elevation
Scale:	1:100
Date Drawn:	19.01.11
Drawn by:	JAS
Job No:	041
Dwg No:	PL04
Rev:	-
Status:	Planning Submission

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REAR ELEVATION



**Notes**

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Site Address

**165 North Hyde Road  
Hayes**

Planning Application Ref:  
**17357/APP/2011/18**

Planning Committee  
**Central and South**

Scale  
**1:1,250**

Date  
**July 2011**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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



**HILLINGDON**  
LONDON



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

**Address** FORMER B&Q SITE UXBRIDGE ROAD HAYES

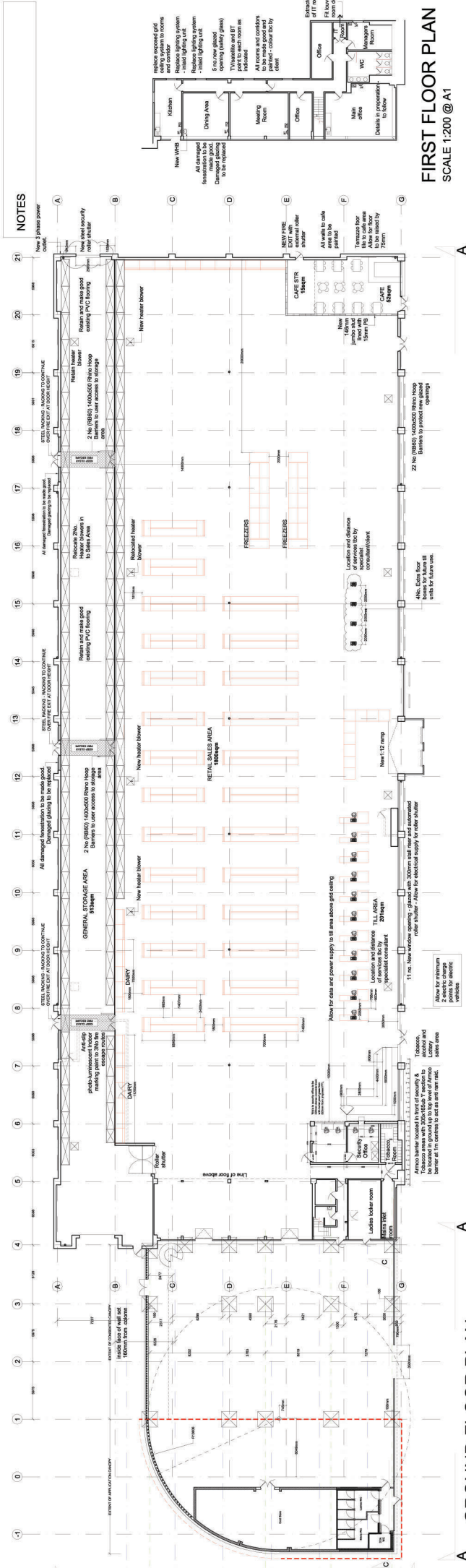
**Development:** Variation of condition 12 (to extend the opening hours of the store) of planning permission ref. 51508/APP/2008/2927 dated 16/04/2010 : (Single storey canopy to front entrance, refurbishment and variation of condition of planning permission ref. 51508/96/1907 dated 16/04/1997 to allow use as an Asian supermarket, comprising 1,606sq.m main retail area, 69sq.m cafe area, 690sq.m bulk goods warehouse, 1,141sq.m goods storage area, and the utilisation of the former Garden Centre trading area as a 425sq.m covered trading area for fruit and vegetables. The proposal includes changes to the external appearance of the existing building, existing parking layout, boundary treatments, external lighting and associated bin storage/compactors)

**LBH Ref Nos:** 51508/APP/2011/963

**Date Plans Received:** 19/04/2011

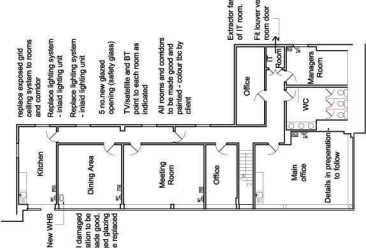
**Date(s) of Amendment(s):**

**Date Application Valid:** 27/04/2011



**GROUND FLOOR PLAN**  
SCALE 1:200 @ A1

**FIRST FLOOR PLAN**  
SCALE 1:200 @ A1



1. Heating system to be amended as per drawings and recommissioned.
2. All internal walls to be painted, colour tbc
3. All steel beams and trusses to be painted
4. Allow for CCTV to clients requirements

Revised as per clients amendments:  
Till size and location.  
Shopping layout (racking).  
New racking added.  
Rear pillar shutter to storage area.  
Wall along GL B straightened.  
Ladies locker room moved to old plantroom.  
Racking added (as per Link 5).  
revised setting out for canopy wall

**INFORMATION**

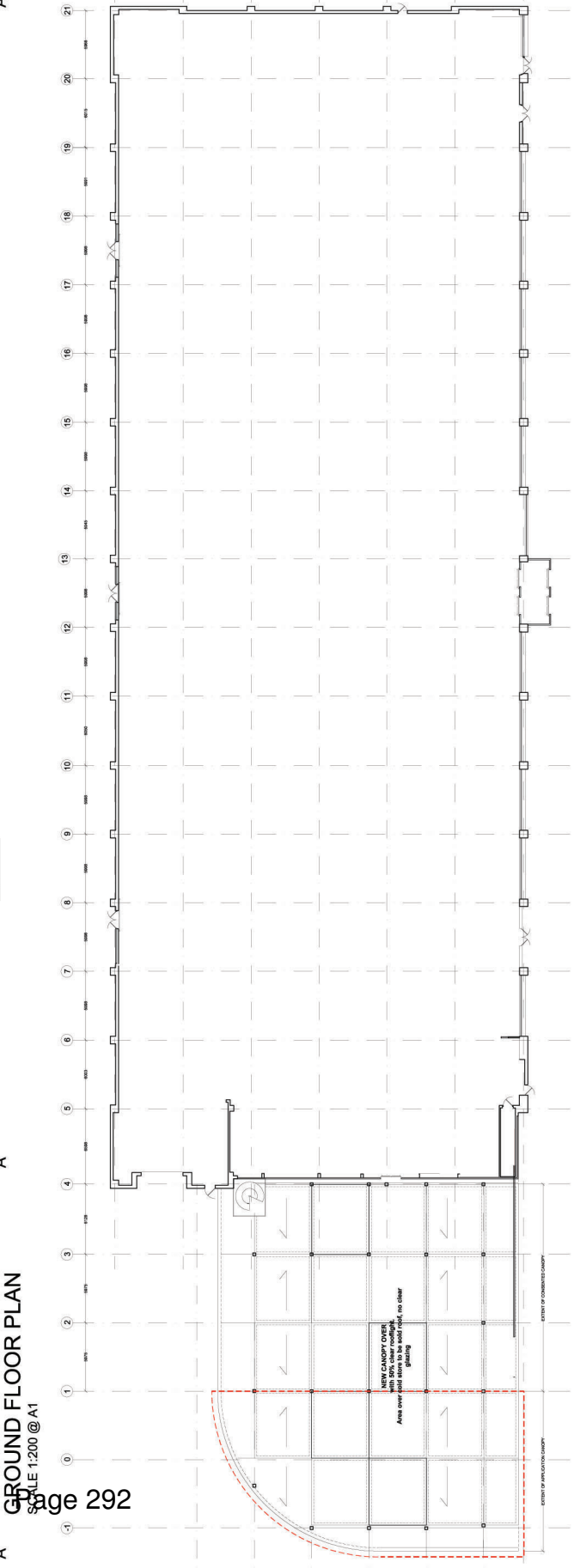
**YOOP**  
Architecture for people

Compass House 37-41 Church Road  
Stammore Middlesex HA7 2SF  
info@yooparchitects.co.uk  
020 8954 6291

**QUALITY FOODS**  
UXBRIDGE ROAD  
HAYES UB4

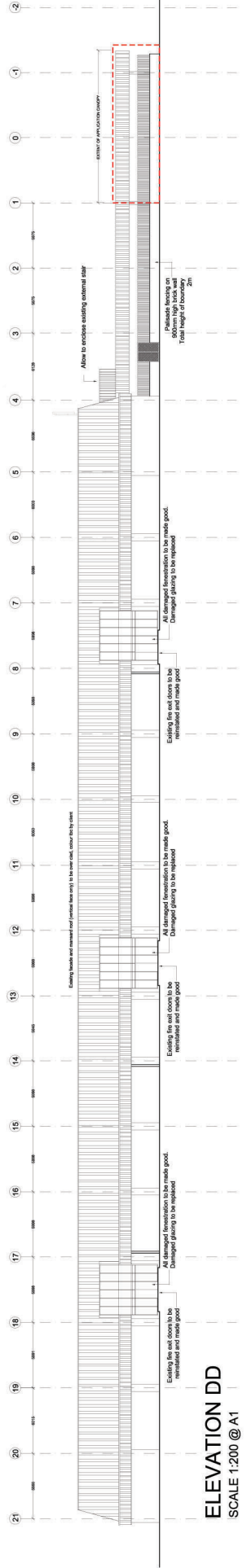
**GROUND & MEZZANIN PLAN**  
PROPOSED

SCALE	DATE	DRN	CHK
1:200@A1	APR 2010	SC	BK
JOB NUMBER	DRWG NUMBER	REVISION	
2010/012	201/WD/012		<b>F</b>

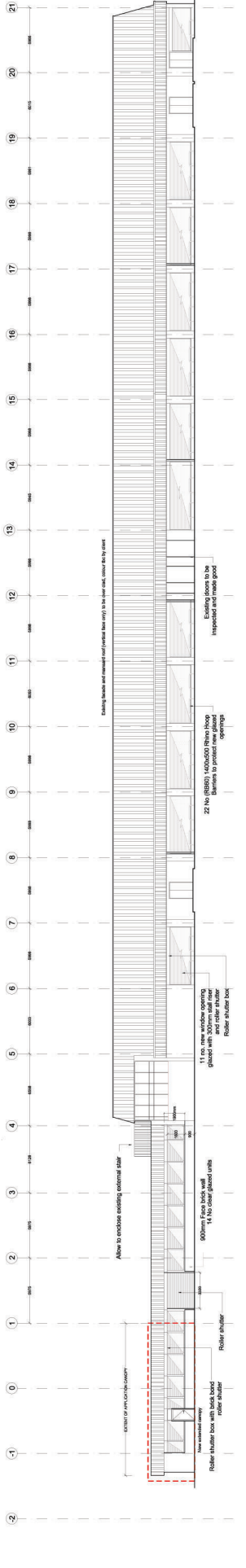


**CANOPY ROOF PLAN**  
SCALE 1:200 @ A1

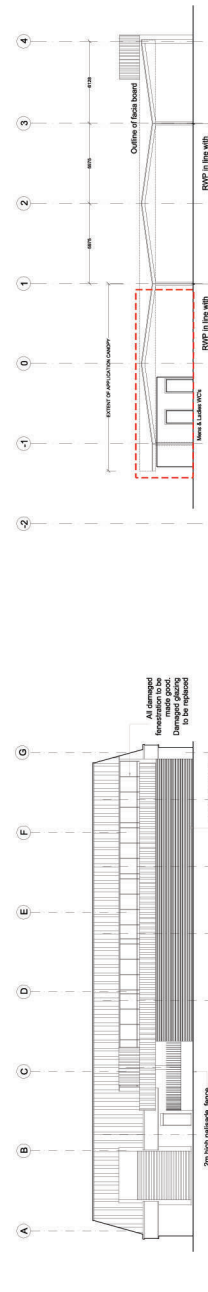
NOTES



ELEVATION DD  
SCALE 1:200 @ A1



ELEVATION AA  
SCALE 1:200 @ A1



ELEVATION BB  
SCALE 1:200 @ A1

ELEVATION CC  
SCALE 1:200 @ A1

REV. DESCRIPTION

INFORMATION



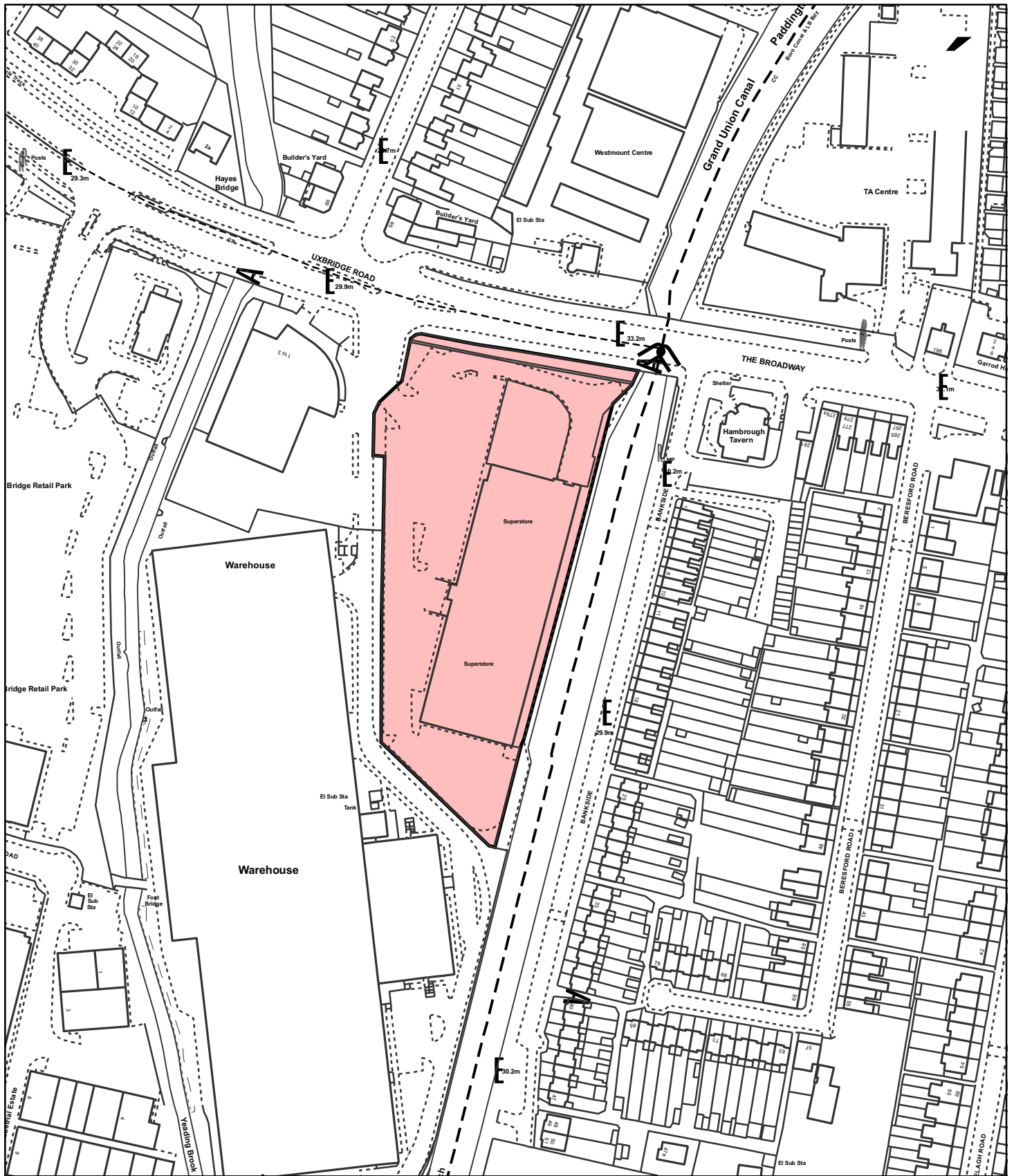
Compass House 37-41 Church Road  
Slamore Middlesex HA7 2SF  
info@yooparchitects.co.uk  
020 8954 6291

JOB: QUALITY FOODS  
UXBRIDGE ROAD  
HAYES UB4

DRAWING: ELEVATIONS  
PROPOSED

SCALE	DATE	DRN	CHK
1:200@A1	Feb 2010	BK	GE
JOB NUMBER	DRWG NUMBER	REVISION	
2010/012	202/MWD/012	<b>A</b>	

To be read in conjunction with  
YOOP drawing:201/MWD/012



**Notes**

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Site Address

**Former B&Q Site  
Uxbridge Road  
Hayes**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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

Planning Application Ref:  
**51508/APP/2011/963**

Scale  
**1:2,000**

Planning Committee  
**Central and South**

Date  
**July 2011**



**HILLINGDON**  
LONDON

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

**Address** GARAGE SITE REAR OF 85 AND 87 MANOR WAYE UXBRIDGE  
**Development:** Erection of a pair of 2 two-storey, two-bedroom, semi-detached dwellings.  
**LBH Ref Nos:** 67593/APP/2011/329

**Date Plans Received:** 11/02/2011                      **Date(s) of Amendment(s):** 11/02/2011  
**Date Application Valid:** 11/02/2011



01  
110\_B  
001

Site Location Plan  
1:1250



Key Plan  
n/a



03  
110\_B  
001

View from North towards the site



04  
110\_B  
001

View from Manor Way

PLANNING SUBMISSION	
B	Site boundary revised
A	North point added
REV.	DESCRIPTION
DATE	INITIALS/DATE

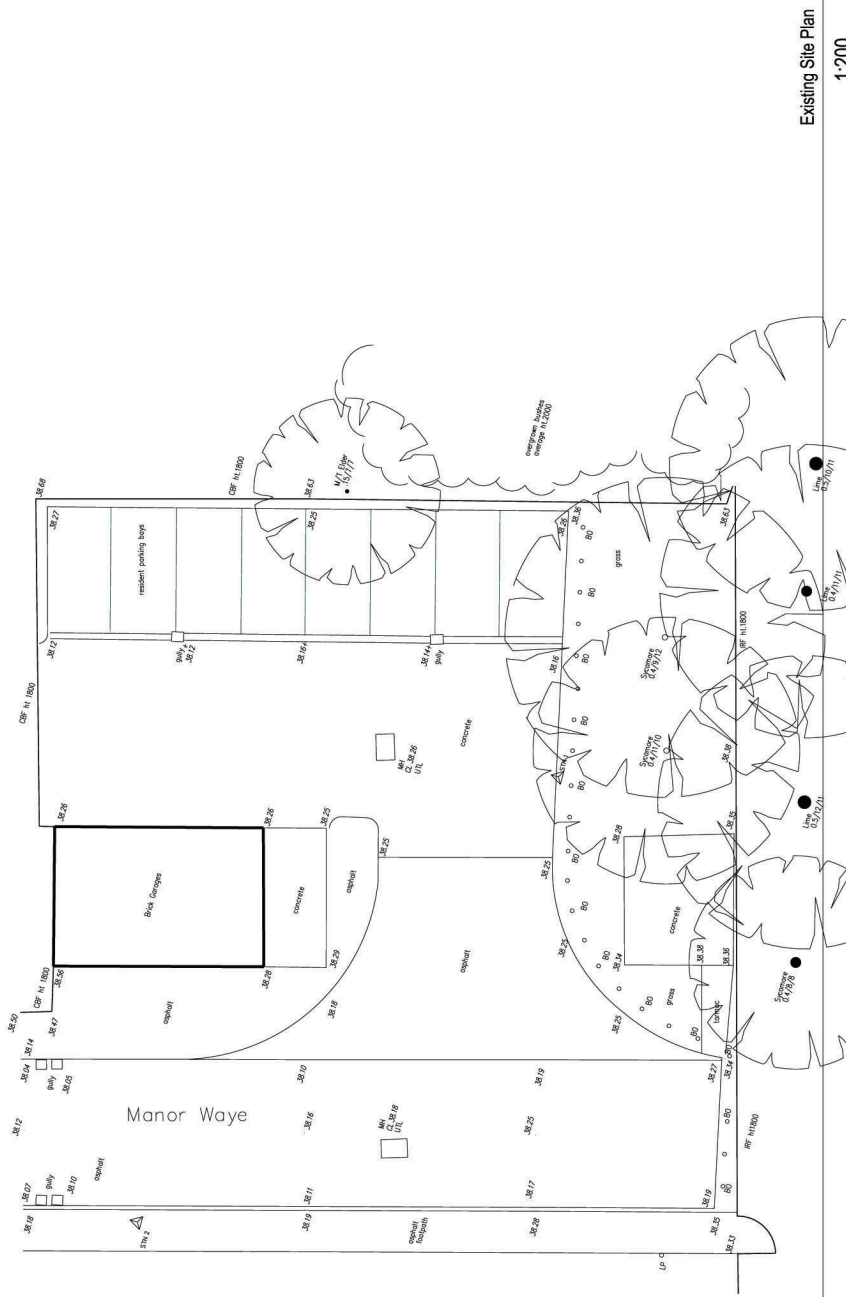
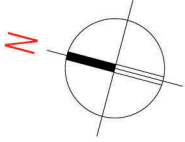
JOB NAME	LB Hillingdon Pipeline sites Whitehall Road Site B
DRAWING TITLE	Location Plan Existing
STATUS	Planning
DATE	12/04/11
SWIFT BY	MS
SCALE	1:1250@A3
JOB NO.	3588
DRAWING NUMBER	D(--)
REV	110_B 001 B

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london@dlgarchitects.com  
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No.85

No.87



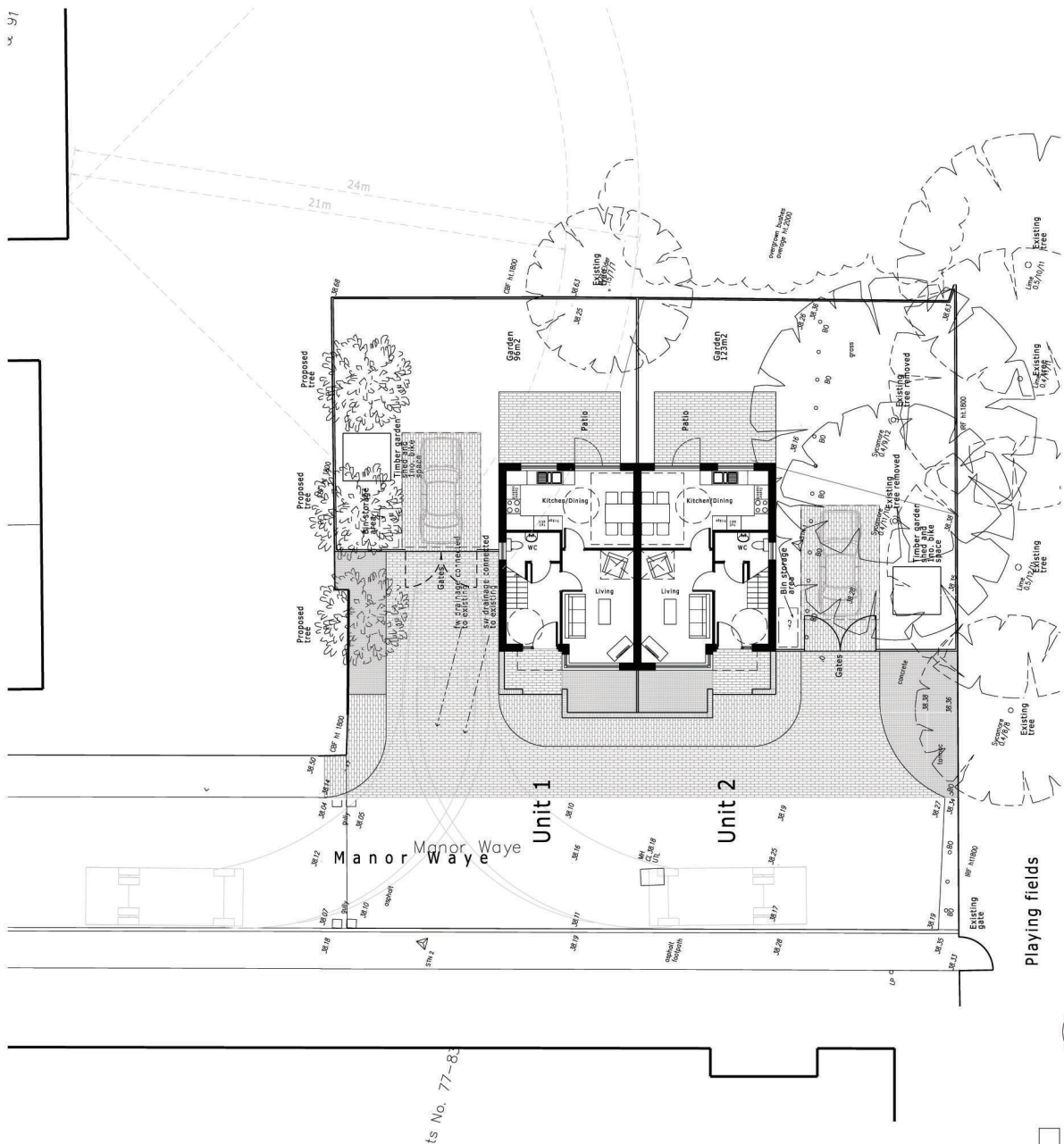
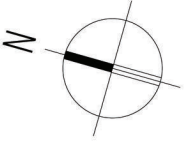
01  
110\_B  
002

Existing Site Plan  
1:200



NOTES  
Refer to Tree Report TC/1-38-2483

<b>PLANNING SUBMISSION</b>	
A Reference to Tree Report added	pb/24/01/10
REV DESCRIPTION	INITIALS/DATE
JOB NAME	SCALE
LB Hillingdon	1:200@A3
Pipeline sites	STATUS
Whitehall Road	Planning
Site B	DATE
DRAWING TITLE	SHEET BY
Site Plan	MS
Existing	JOB NO.
	3588
	D(--)
	DRAWING NUMBER
	110_B 002 A
	REV



Refer to Tree Impact Assessment  
Report ref TC/1-38-2483

Key

- 0.9m high brick wall
- 1.8m high close boarded fence
- Proposed soft landscape/verge
- Proposed concrete set permeable paving system (Marshalls/Piora)



PLANNING APPLICATION

- D Target drawing ref no corrected ms/26/11/10
- C Note on landscape budget incorporated 09/21/01/10
- B Tree Impact Assessment recommendations incorporated 09/21/01/10
- A Amended in accordance with mtg 14/10/09 comments 09/28/10/09

REV DESCRIPTION INITIALS/DATE

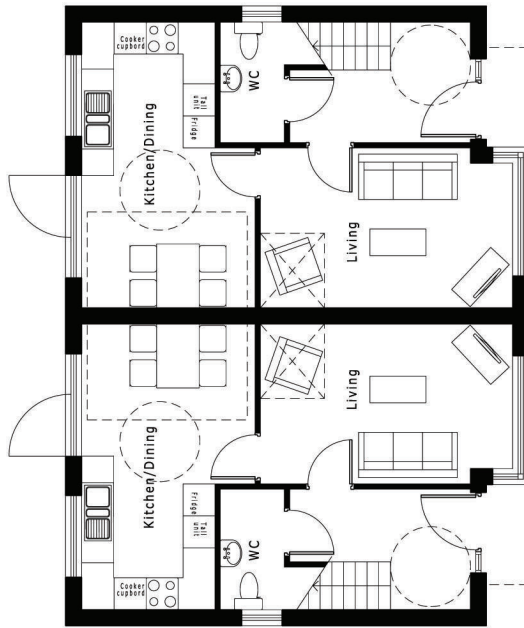
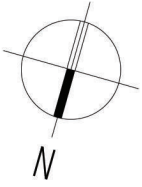
JOB NAME	Client Name	Whitehall Road	STATUS	Proposed
DRAWING TITLE	Site Plan	Proposed	DATE	Sep 09
JOB NO.	3588	D(--)	SHEET BY	MS
DRAWING NUMBER	110_B_003	110_B_003 D	SCALE	1:200@A3
REV			DRAWING NUMBER	110_B_003 D

Existing Site Plan  
1:200

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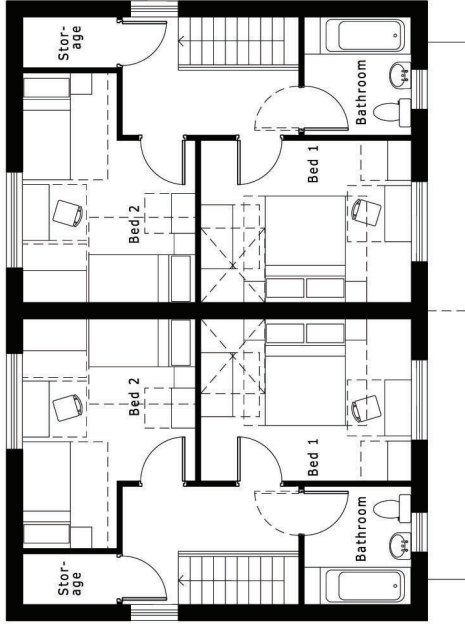






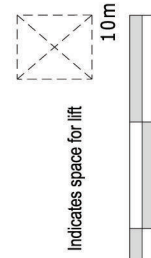
01  
110\_B  
004

Proposed Ground Floor Plan  
1:100



02  
110\_B  
004

Proposed First Floor Plan  
1:100



Indicates space for lift

0 2m 10m

PLANNING SUBMISSION  
 B Drawing title and scale annotation in title block corrected pb/04/03/10  
 A Amended in accordance with msg 14/10/09 comments tg/30/10/09

REV DESCRIPTION INITIALS/DATE

JOB NAME  
 Client Name Pipeline sites  
 Whitehall Road  
 Site B

STATUS  
 Planning

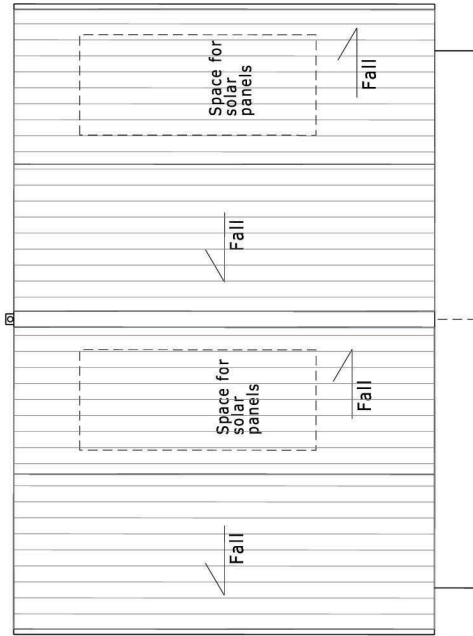
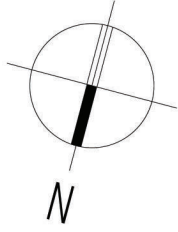
DATE SHEET BY SCALE  
 Sep 09 MS 1:100@A3

JOB NO. DRAWING NUMBER REV  
 3588 D(--) 110\_B\_004\_B

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01  
110\_B  
005

Proposed Roof Plan

1:100



PLANNING SUBMISSION  
 B Valley gutter and gutters added pb/24/01/10  
 A Amended in accordance with mtg 14/10/09 comments tg/30/10/09

REV DESCRIPTION INITIALS/DATE

JOB NAME  
 Client Name  
 Pipeline sites  
 Whitehall Road  
 Site B

STATUS  
 Planning

DRAWING TITLE  
 Roof Plan  
 Proposed

DATE  
 Sep 09

SHEET BY  
 MS

SCALE  
 1:100@A3

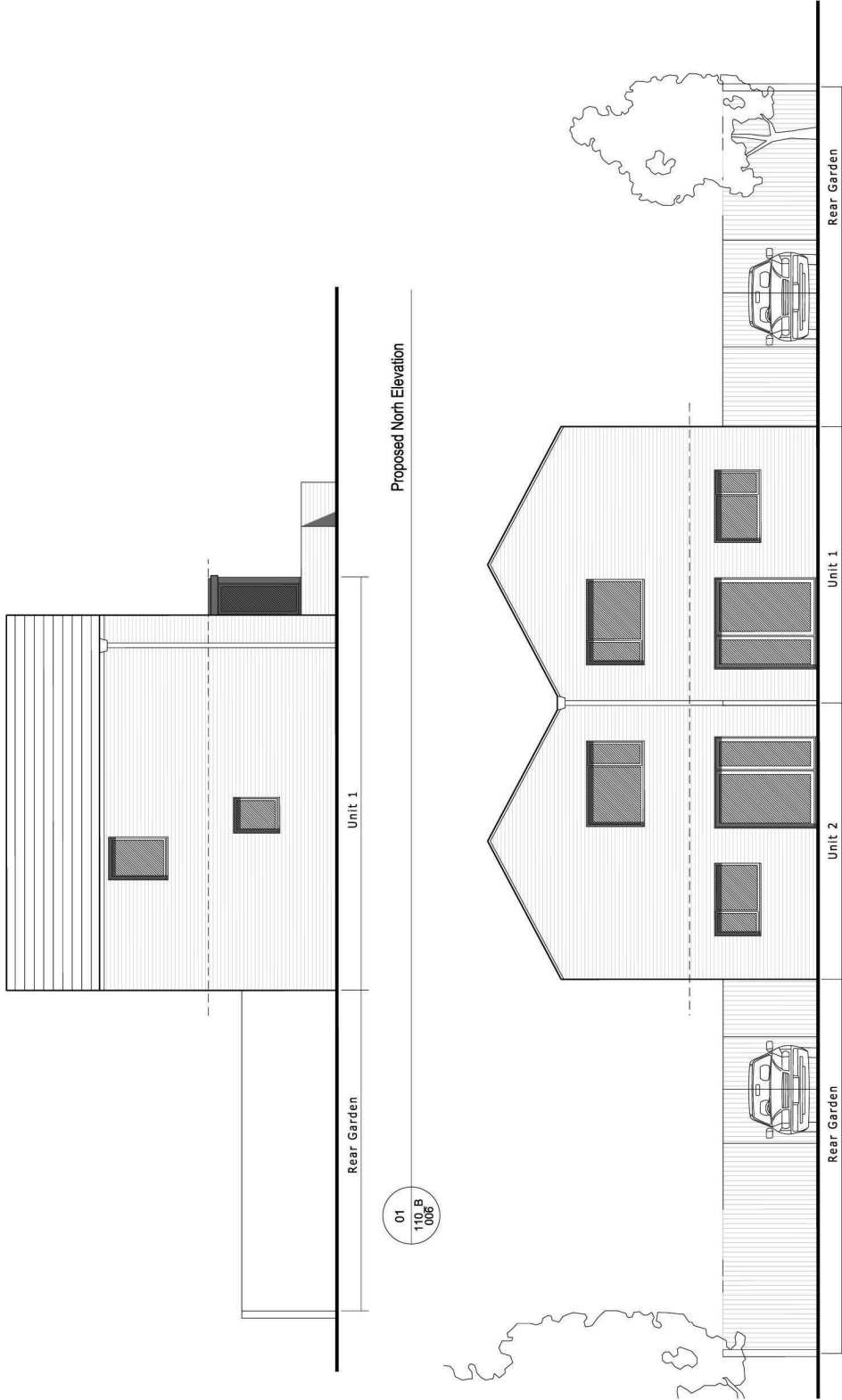
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 3588

DRAWING NUMBER  
 110\_B\_005

REV  
 B

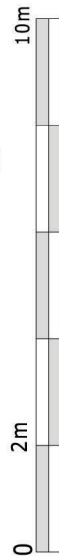
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Proposed North Elevation

Proposed East Elevation



**Proposed Materials**  
 Walls: (300mm thick - U-value 0.2 w/m<sup>2</sup>k)  
 - Horizontal hatch indicates red clay facing brickwork (Baggeridge 'Classic Orange Multi') with light grey mortar  
 Windows/Doors: (U-value 0.8 w/m<sup>2</sup>k)  
 - Dark grey polyester powder-coated aluminium faced timber windows

**Proposed Materials**  
 Roof: (U-value 0.12 w/m<sup>2</sup>k)  
 - Fibre cement red plain tile (Eternit Ashmore 'Chesnut')  
 - Dark grey polyester powder-coated Aluminium rectangular profile flush gutters, hopper and circular downpipe  
 - Metal flat roof to bay window/canopy  
 - Dark grey polyester powder-coated Aluminium rectangular profile flush gutter to leading edge, hopper and circular downpipe

**Boundary treatments:**  
 - Close boarded timber fencing  
 - Low brick wall as indicated  
 Vehicle access/hard standing:  
 - Concrete set permeable paving system (Marshalls 'Prima')

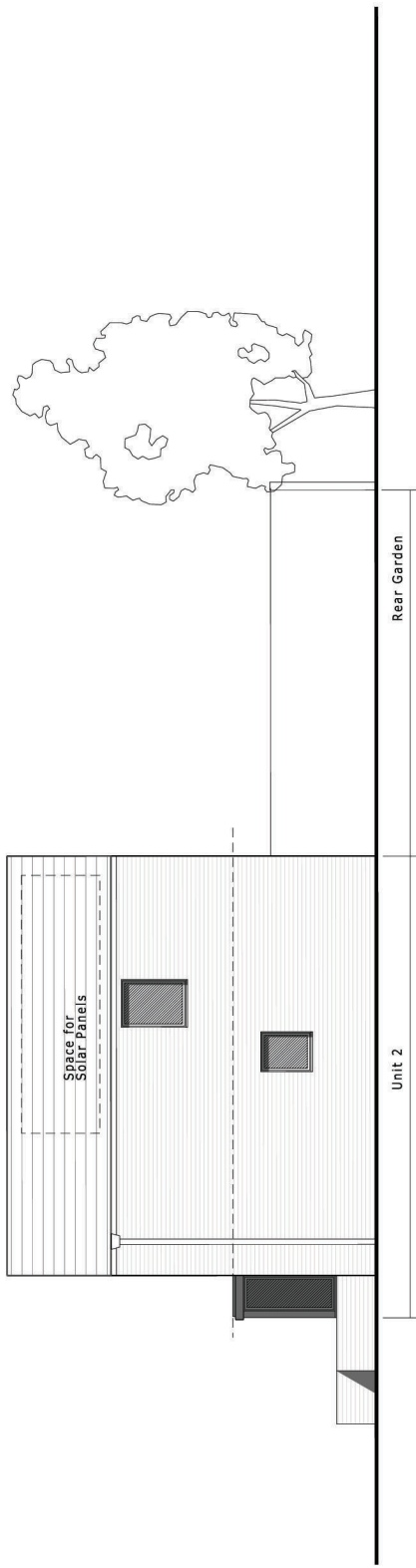
PLANNING SUBMISSION

B Tree Report recommendations incorporated pb/24/01/10  
 A Amended in accordance with meeting 14/10/09 comments tg/30/10/09

REV	DESCRIPTION	INITIALS	DATE	STATUS	SHEET BY	SCALE
01	110_B_006			Planning	MS	1:100@A3
02	110_B_006				D(--)	110_B_006 B

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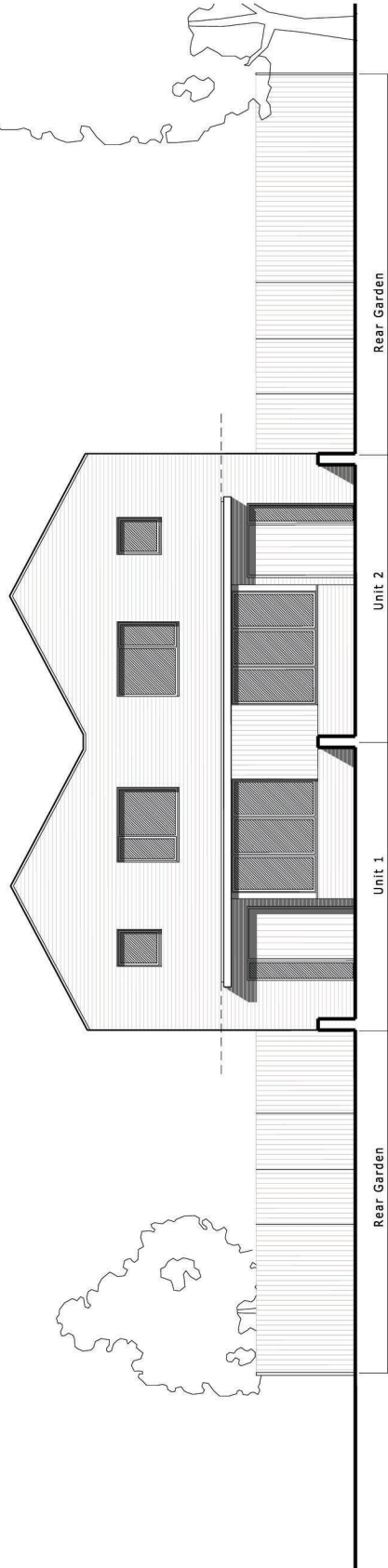
01  
110\_B  
007

Proposed South Elevation

Rear Garden

Unit 2

Unit 1



02  
110\_B  
007

Proposed West Elevation

Rear Garden

Unit 2

Unit 1

0 2m 10m

**PLANNING SUBMISSION**

B Garden fence, tree report recommendations incorporated pb/26/01/10  
 A Amended in accordance with mtg 14/10/09 comments tg/30/10/09

REV DESCRIPTION

INITIALS/DATE

JOB NAME

Client Name

DATE

STATUS

INITIALS

Pipeline sites  
 Whitehall Road  
 Site B

DRAWING TITLE

South & West Elevations

DATE

STATUS

INITIALS

Sep 09 MS Planning

PROPOSED

South & West Elevations

DATE

STATUS

INITIALS

Sep 09 MS Planning

DRAWING NUMBER

3588

JOB NO.

REV

INITIALS

D(--)

DRAWING NUMBER

3588

JOB NO.

REV

INITIALS

110\_B 007 B

**Proposed Materials**

Walls: (300mm thick - U-value 0.2 w/m2k)

- Horizontal hatch indicates red clay facing brickwork

(Baggeridge 'Classic Orange Multi') with light grey mortar

Vertical hatch indicates square edge Larch timber cladding with rebated joints

Windows: (U-value 0.8 w/m2k)

- Dark grey polyester powder-coated aluminium faced timber windows

Doors:

- Timber boarded solid single panel timber door, painted grey to match windows

Roof: (U-value 0.12 w/m2k)

- Fibre cement red plain tile (Eternit Ashmore 'Chesnut')

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

Dark grey polyester powder-coated Aluminium rectangular profile

**Boundary treatments:**

- Close boarded timber fencing

- Low brick wall as indicated

Vehicle access/hard standing:

- Concrete set permeable paving system

(Marshalls 'Priors')

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Scale 1:100@A3

110\_B 007 B

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DLG architects



Bird's eye view



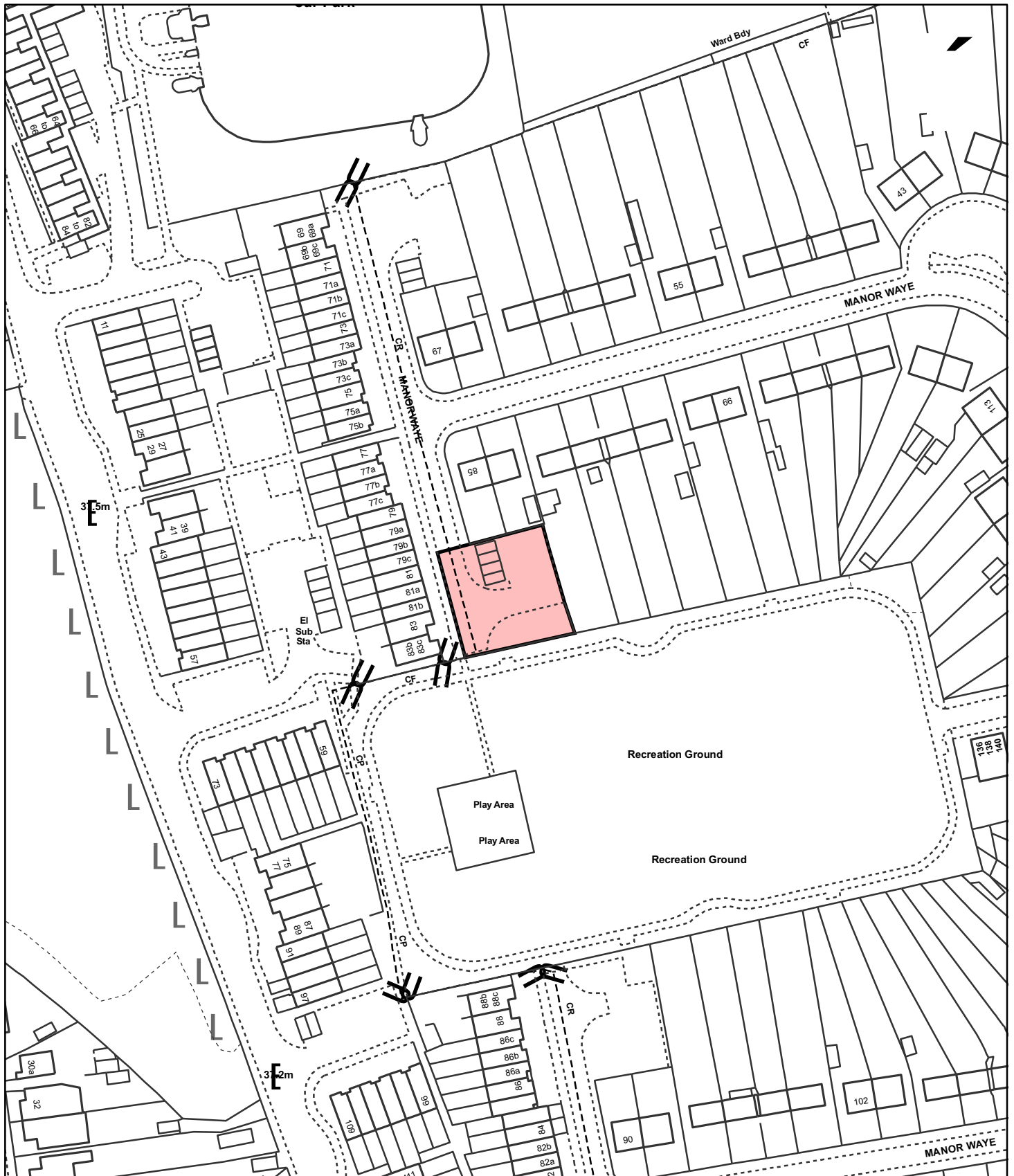
Proposed View from Manor Waye

**PLANNING SUBMISSION**


REV	DESCRIPTION	INITIALS/DATE
<b>JOB NAME</b> LB Hillingdon Pipeline sites Whitehall Road Site B		
<b>STATUS</b> Planning		
<b>DATE</b>	<b>SHEET BY</b>	<b>SCALE</b>
Nov 09	MS	n/a
<b>JOB NO.</b>	<b>DRAWING NUMBER</b>	<b>REV</b>
3588	D(--)	110_B_008 -

**DLG Architects LLP**  
 11-29 Fashion Street  
 London E1 6PZ  
 T +44(0)20 7426 3630  
 F +44(0)20 7426 3631  
 london@dlgarchitects.com  
 dlgarchitects.com





**Notes**

 Site boundary

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Site Address	
<b>Garage Site rear of 85 and 87 Manor Way Uxbridge</b>	
Planning Application Ref:	Scale
<b>67593/APP/2011/329</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

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Environment, Education  
& Community Services**

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Telephone No.: Uxbridge 250111



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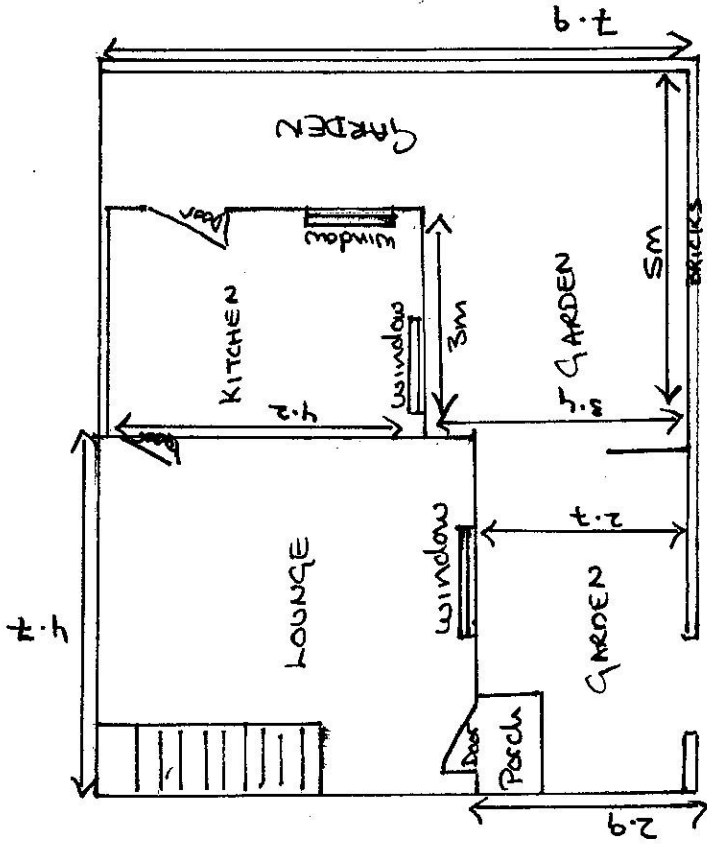
**Report of the Head of Planning & Enforcement Services**

**Address** 67 BERRYDALE ROAD HAYES MIDDLESEX  
**Development:** Single storey side extension (Part-Retrospective)  
**LBH Ref Nos:** 64145/APP/2011/858

<b>Date Plans Received:</b>	06/04/2011	<b>Date(s) of Amendment(s):</b>	06/04/2011
<b>Date Application Valid:</b>	07/04/2011		15/06/2011

Received 15/6/11

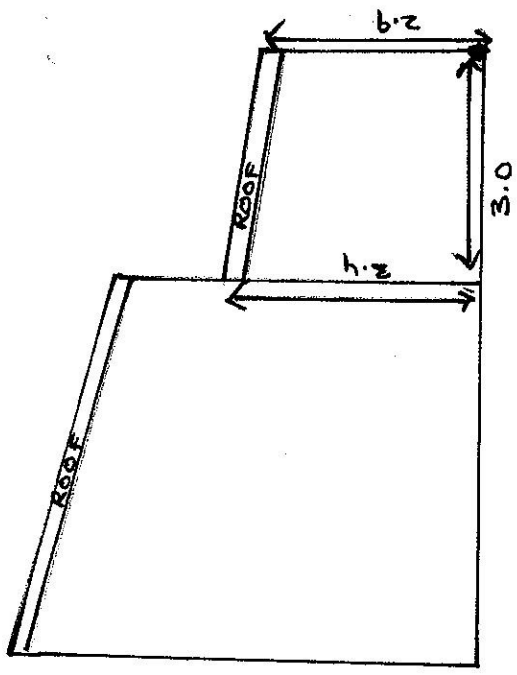
FLOOR PLAN



Single Storey rear  
 extension  
 67 Berrydale road  
 Hayes WSY 9QP  
 MR & MRS MIAH  
 Scale 1:100



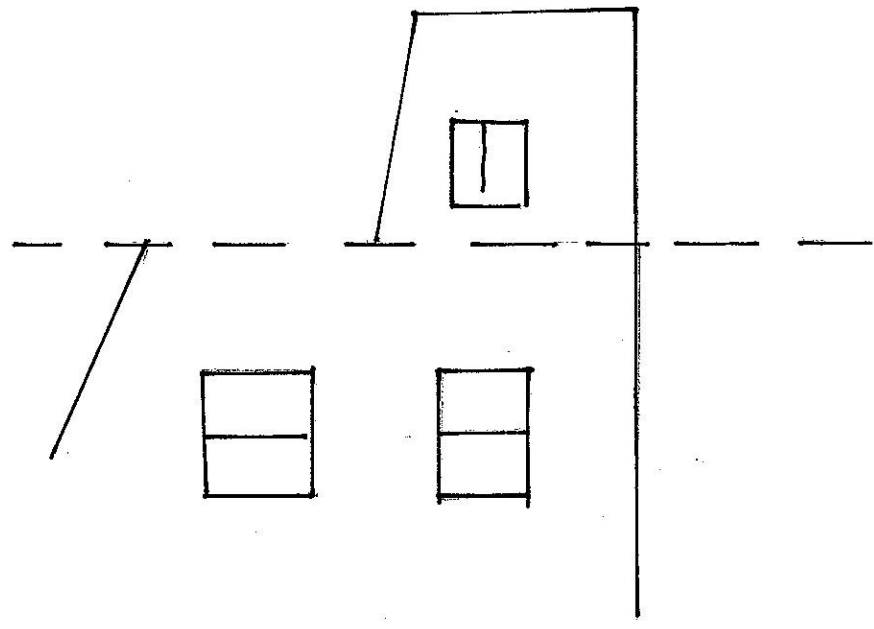
received  
15/6/2011



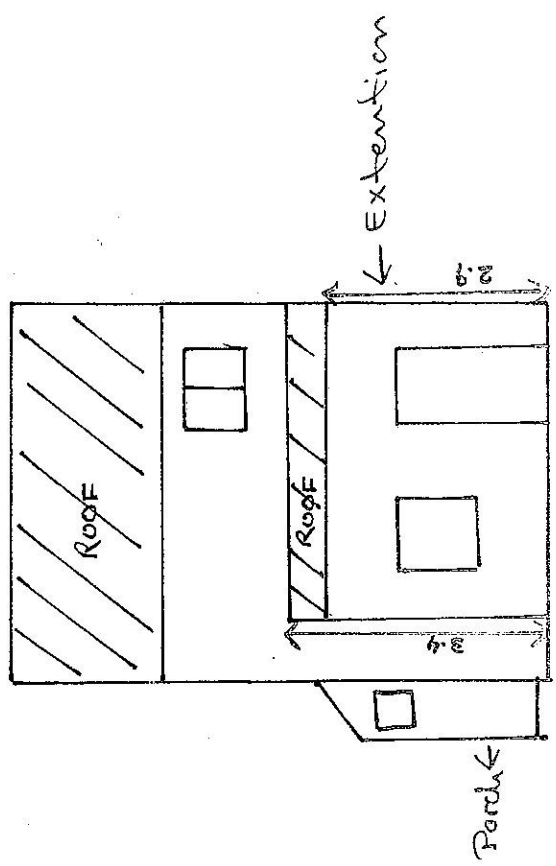
Side Elevation

Scale 1:100

67 BERRYDALE  
ROAD HAYES  
UB4 9QP  
MR & MRS MIAH  
Scale 1:100

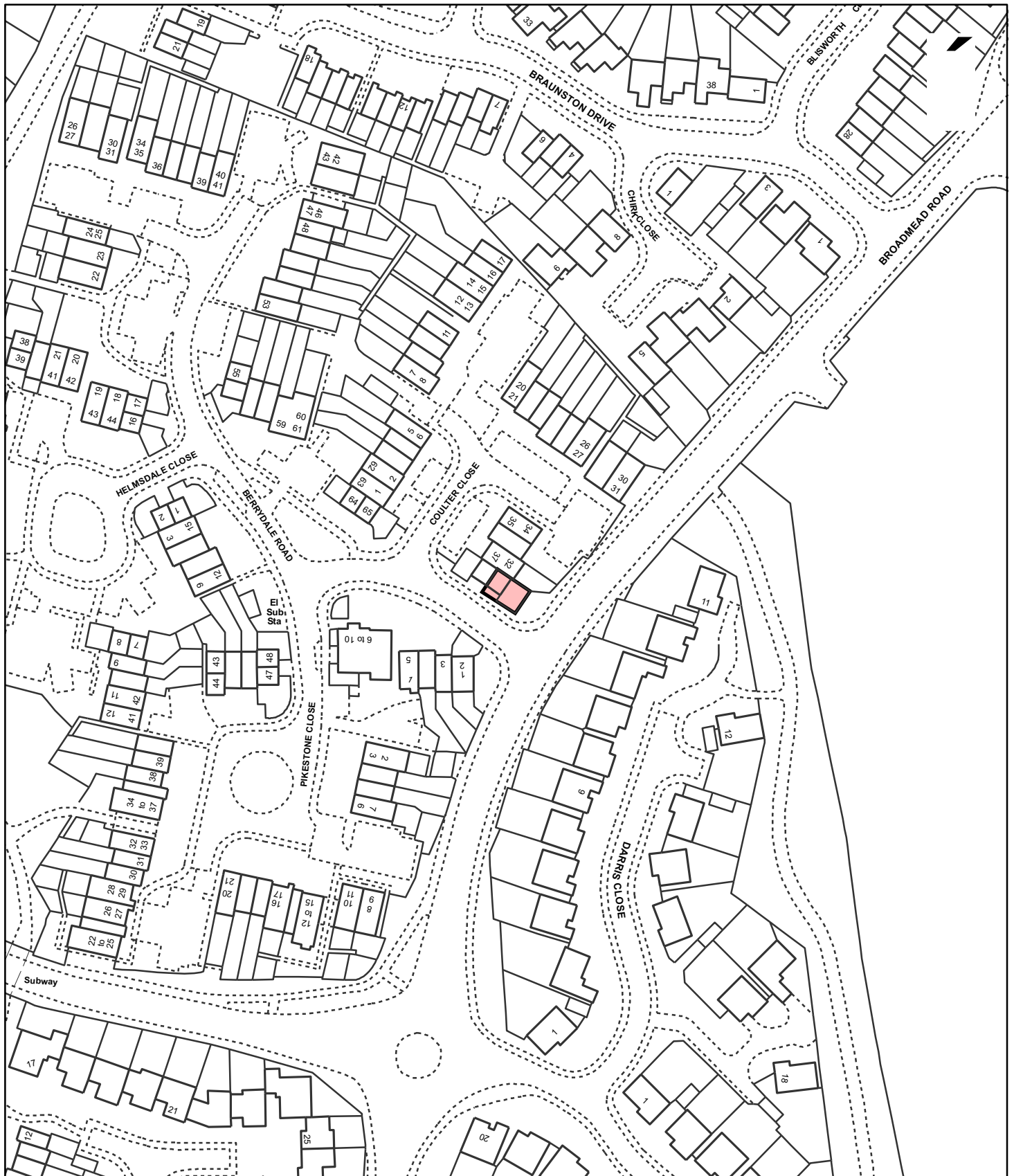


received 15/6/11




Rear Elevation

67 BERRYDALE ROAD  
HAYES UB4 9QP  
MR IMRIS MIAH  
Scale 1:100



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Site Address	
<b>67 Berrydale Road Hayes</b>	
Planning Application Ref:	Scale
<b>64145/APP/2011/858</b>	<b>1:1,250</b>
Planning Committee	Date
<b>Central and South</b>	<b>July 2011</b>

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Telephone No.: Uxbridge 250111



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

**Address** 18 STIPULARIS DRIVE HAYES

**Development:** Erection of a single storey detached outbuilding to rear for use as storage involving part demolition of existing building (Part-retrospective)

**LBH Ref Nos:** 31178/APP/2011/263

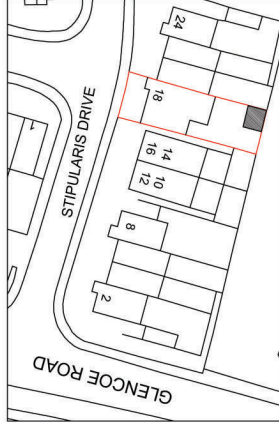
**Date Plans Received:** 04/02/2011

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

**Date Application Valid:** 04/02/2011

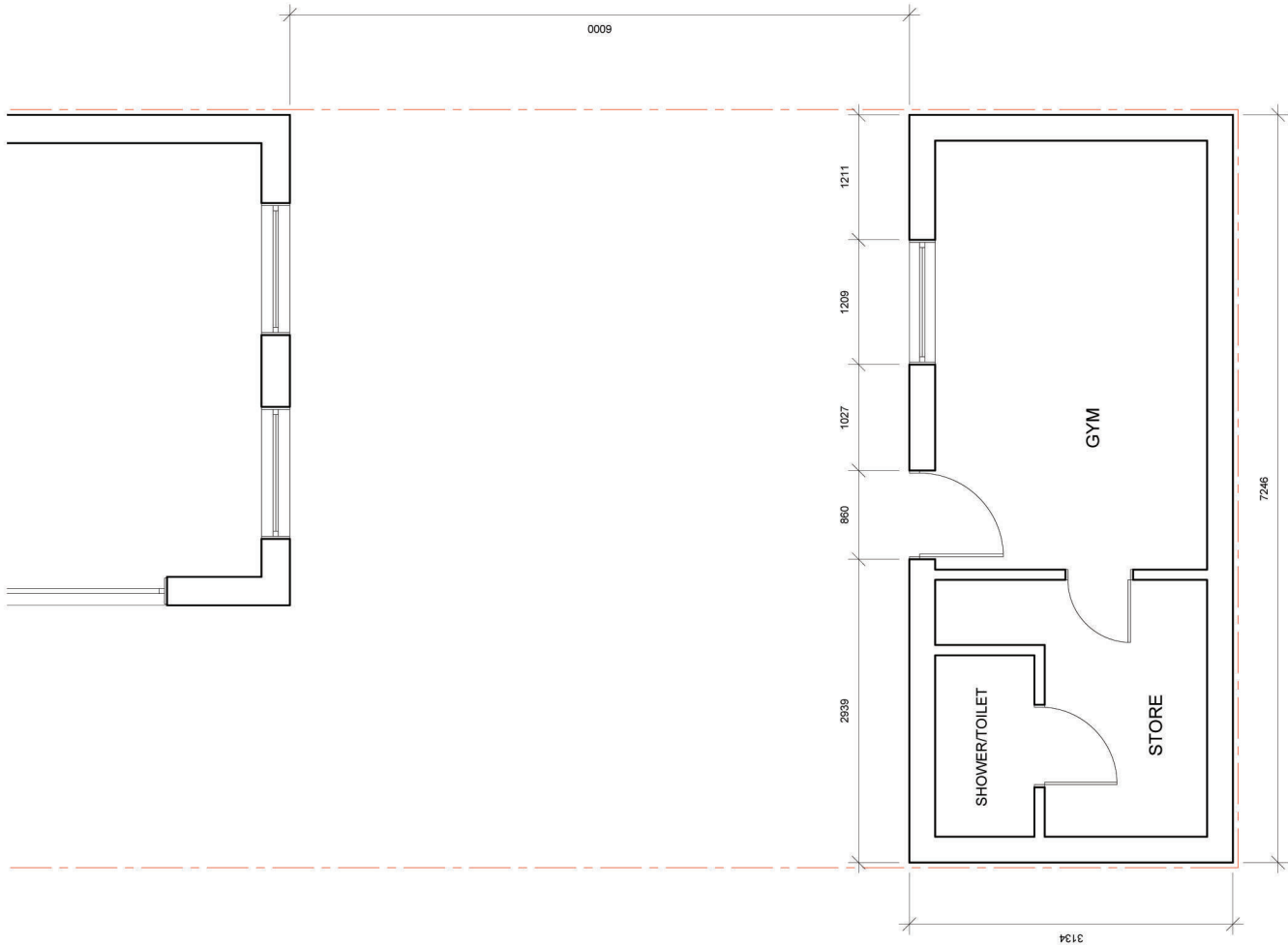


**Block Plan**  
Scale: 1:200

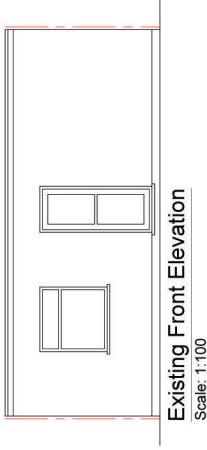


**Location Plan**  
Scale: 1:1250

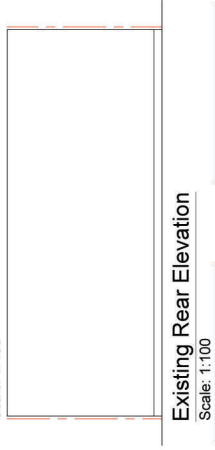
	<b>Project:</b> 18 Stipularis Drive Yeading UB4 9PW	<b>Title:</b> Proposed Location/Block plan	<b>Scale:</b> As shown <b>Date:</b> 01 2011 <b>Drawing No.:</b> 1903 - 03/MIT <b>Revision</b> <table border="1"> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </table>								
239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1369 Fax: 020 8843 2008											



**Existing Gym/Store to be retained**  
Scale: 1:50



**Existing Front Elevation**  
Scale: 1:100



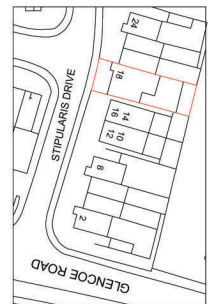
**Existing Rear Elevation**  
Scale: 1:100



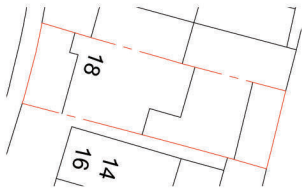
**Existing Side Elevation**  
Scale: 1:100



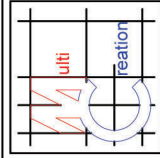
**Existing Side Elevation**  
Scale: 1:100



**Location Plan**  
Scale: 1:1250



**Block Plan**  
Scale: 1:500

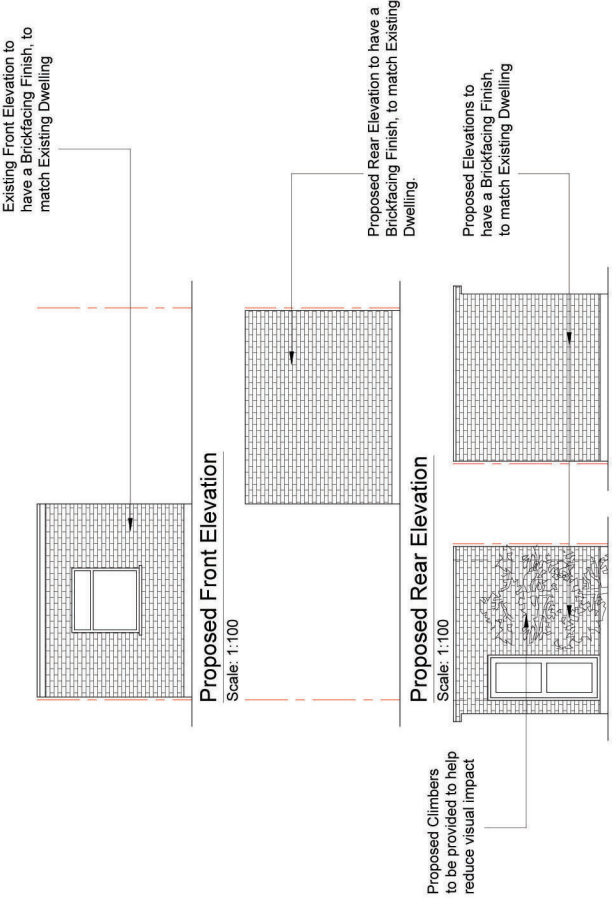
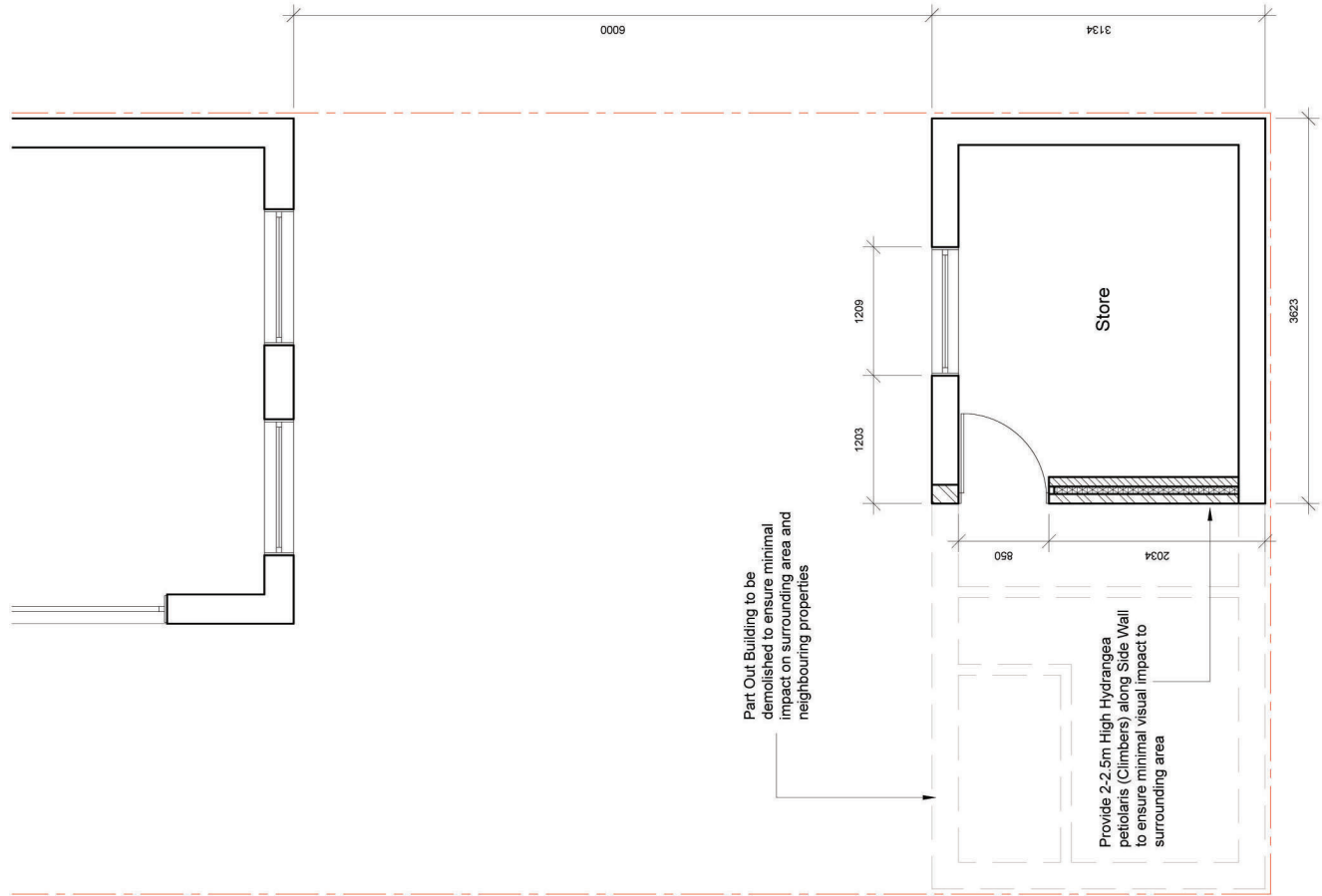


**Project:**  
18 Stipularis Drive  
Yeading  
UB4 9PW

**Title:**  
Existing Gym/Store  
Existing Elevations  
Existing  
Location/Block plan

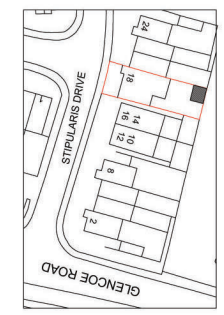
**Scale:** As shown  
**Date:** 03 2010  
**Drawing No.:**  
1903 - 01/MT  
**Revision**

239 Western Road, Southall, Middx, UB2 5HS Tel: 020 8571 1389 Fax: 020 8843 2008

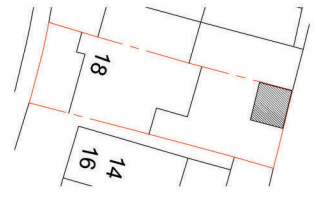


**Proposed Side Elevation**  
Scale: 1:100

**Proposed Side Elevation**  
Scale: 1:100



**Location Plan**  
Scale: 1:1250



**Block Plan**  
Scale: 1:500

**Project:**  
18 Stipularis Drive  
Yeading  
UB4 9PW

**Title:**  
Proposed Gym/Store  
Proposed Elevations  
Proposed Location/Block plan

**Scale:** As shown  
**Date:** 01 2011  
**Drawing No.:** 1903 - 02/MT  
**Revision:**

**Existing Gym/Store to be retained**  
Scale: 1:50



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Site Address

**18 Stipularis Drive  
Hayes**

Planning Application Ref:  
**31178/APP/2011/263**

Planning Committee  
**Central and South**

Scale  
**1:1,250**

Date  
**July 2011**

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Telephone No.: Uxbridge 250111



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