

Report of the Head of Planning & Enforcement Services

Address UNIT 4A, SWALLOWFIELD WAY HAYES

Development: Change of use from Use Class B1c/B8 (Light Industry/ Storage and Distribution) to Use Class B1c/B2/B8 (Light Industry/ General Industry/ Storage and Distribution) for use as an MOT Testing Centre to include new customer entrance, alterations to elevations, installation of perimeter fence with gates and car wash and jet to rear.

LBH Ref Nos: 35696/APP/2011/2260

Drawing Nos: 81 00 189 Rev A
VTS_AL_200
VTS_AL_000
VTS-AL_100
VTS_AL_101
Toshiba Price List
VTS_AL_102
VTS_AL_103
VTS_AL_201
VTS_AL_202
VTS_AL_203
Example Photos of Car Wash
Design and Access Statement
VTS_AL_310
VTS_AL_304

Date Plans Received:	19/09/2011	Date(s) of Amendment(s):	20/09/2011
Date Application Valid:	05/10/2011		26/09/2011
			04/10/2011
			05/10/2011

1. SUMMARY

The application is for planning permission for the change of use of an existing industrial unit from B1c/B8 (Light Industrial /Storage and Distribution) to B1/B2/B8 for use as a MOT Testing and Car Servicing Centre. The proposed development would also include the development of a new customer entrance, alterations to elevations, installation of a perimeter fence with gates and the erection of a jet car wash to rear.

The proposed development would have an acceptable impact on the amenity of the neighbouring occupiers and would bring a vacant building back into employment use. Therefore, the proposed development 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 Policies BE13 and BE15 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3 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 London Plan (July 2011) Policies 7.1 and 7.3

4 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).

5 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 hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (ii) Measures to prevent mud and dirt tracking onto footways and adjoining roads.
- (iii) 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).
(iv) 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).

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 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).

8 MCD12 No Retail Sales

No part of the premises shall be used for retail sales

REASON

The use of the premises for retail purposes would be contrary to the Local Planning Authority's policy for the location of such uses, in particular Policy LE2 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

9 MCD9 No External Storage

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

REASON

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policy 7.1

10 TL5 Landscaping Scheme

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 H11A Visibility Splays

Unobstructed sight lines above a height of 1 metre shall be maintained where possible on both sides of the entrance to the site, for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

REASON

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

14 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 12 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 6 of the London Plan (July 2011).

15 H5 Sight Lines - submission of details

The development hereby permitted shall not be commenced until details of the sight lines at the point of the vehicular access to the highway have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved sight lines have been implemented and thereafter, the sight lines shall be permanently retained and kept clear of obstructions exceeding 0.6 metres in height.

REASON

To ensure that adequate sight lines are provided and thereafter retained in the interests of highway safety in accordance with Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan . (July 2011).

16 H6 Car parking provision

The development hereby approved shall not be commenced until details of the parking arrangements have been submitted to and approved in writing by the Local Planning Authority. The details shall include provision of not less than 10% of spaces being designed for use by disabled persons; and the development shall not be occupied until the approved arrangements have been implemented. 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 that adequate facilities are provided in accordance with Policies AM14, AM15 and the parking standards as set out in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

17 NONSC Non Standard Condition

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and administrative measures, including any other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the adopted UDP (Saved Policies September 2007).

18 NONSC Non Standard Condition

No development shall commence, until such time as plans and details for petrol / oil interceptors to be fitted in all car parking/washing/repair facilities have been submitted to and approved in writing by the Local Planning Authority. The petrol / oil interceptors shall be fitted in accordance with the approved details before the use hereby approved is commenced, and shall there after be retained and maintained for the life of the development.

REASON

To safeguard the amenity of the surrounding area and to prevent pollution of water ways and the wider environment and to accord with policy OE1 of the adopted UDP (Saved Policies September 2007).

19 DIS1 Facilities for People with Disabilities

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

REASON

To ensure that adequate facilities are provided for people with disabilities in accordance with Policy AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (July 2011) Policies 3.1, 3.8 and 7.2.

20 SUS3 Energy Efficiency DC 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 report shall identify measures that will be integrated into the development to improve energy efficiency in accordance with the Mayor's energy Hierarchy. 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 London Plan (July 2011) Policies 5.1, 5.3, 5.4, 5.5, 5.7, 5.9 and 5.10

21 NONSC Non Standard Condition

Prior to commencement of development details of a Delivery and Servicing Plan shall be submitted to and approved in writing by the Local Planning Authority. This shall incorporate measures to minimise vehicle deliveries during mornings and evenings peak hours. The approved strategy shall be implemented as soon as the use hereby approved is brought into use and the strategy shall remain in place thereafter. Any changes to the strategy shall be agreed in writing by the Local Planning Authority.

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).

22 NONSC Non Standard Condition

The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water associated with the development hereby approved has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason

To protect surface and ground waters and to ensure the development complies with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

23 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).

24 NONSC Non Standard Condition

The development shall not occur outside the hours of 08.00 and 18.00 Mondays to Fridays, 08.00 to 13.00 Saturdays and not at all on Sundays, Public and Bank Holidays.

REASON

To accord with the terms of the application and to safeguard the residential amenity of the area in accordance with Policy 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).

2 153 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 (July 2011) and national guidance.

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
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.
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.
LE1	Proposals for industry, warehousing and business development
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
SPD-NO	Noise Supplementary Planning Document, adopted April 2006

3

Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Waters ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical 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, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality, Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.

4

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.

To this end, the opportunity should be taken to incorporate provisions that ensure that the service and facility can provide disabled people were an equitable service on par with non-disabled people.

5 111 The Construction 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).

6 114 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).

7 115 Control of Environmental Nuisance from Construction Work

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

A) Demolition and construction works 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.

8 118 **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).

9 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.

10 120 **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.

11 14 **Neighbourly Consideration**

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).

12 143 **Keeping Highways and Pavements free from mud etc**

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 1980.

13 147 **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).

14 158 **Opportunities for Work Experience**

The developer is requested to maximise the opportunities to provide high quality work experience for young people (particularly the 14 - 19 age group) from the London

Borough of Hillingdon, in such areas as bricklaying, plastering, painting and decorating, electrical installation, carpentry and landscaping in conjunction with the Hillingdon Education and Business Partnership.

3. CONSIDERATIONS

3.1 Site and Locality

The application relates to a 1,940 square metre industrial unit, located on the loop road of Swallowfield Way.

The site is located within an industrial estate and is the northern most building in a block of five large industrial premises. These properties form a staggered terrace of units, with the front building line of the application building set behind the front building of the attached property.

To the north of the building is a car park which is within the curtilage of the application site, which provides space to park 56 cars with no disabled spaces.

The building is constructed out of blue and grey steelwork with the last use of the building being classified as B1c/B8 (Light Industrial /Storage and Distribution), although the building is currently vacant.

The site is located within a Developed Area and within the Rigby Lane / Swallowfield Way Industrial and Business Area, as identified in the policies of the Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

3.2 Proposed Scheme

The application is for planning permission for a number of developments at the site, which are outlined below:

- i) Change of use of the premises from the existing use of B1c/B8 (Light Industrial /Storage and Distribution) to B1/B2/B8 for use as a MOT Testing and car servicing centre.
- ii) The erection of a new shopfront and customer entrance in the northern side elevation of the property.
- iii) The erection of a new 2.4 metre high security fence with entrance gates, to enclose the car park area and land at the rear of the building.
- iv) Creation of a jet car wash structure at the rear of the building. The car wash would have a footprint of 10 metres by 4.5 metres with a height above the ground of 3.85 metres.
- v) Internal alterations to the building, with an additional area of first floor area added which would increase the floor area from 1940.2 square metres to 2102.2 square metres.

3.3 Relevant Planning History

35696/85/0032 Hayes Ind Pk Swallowfield Way Unit 4a Swallowfield Way Hayes
Change of use of vehicle hardstanding to a fenced in hardstanding for storage of liquid nitrogen.

Decision: 05-02-1985 Approved

35696/A/85/1451 Hayes Ind Pk Swallowfield Way Unit 4a Swallowfield Way Hayes

Change of use (section 53 determination)

Decision: 09-09-1985 Refused

35696/B/85/1664 Hayes Ind Pk Swallowfield Way Unit 4a Swallowfield Way Hayes
Change of use from industrial to warehouse

Decision: 21-11-1985 Approved

35696/C/89/3631 Hayes Ind Pk Swallowfield Way Unit 4a Swallowfield Way Hayes
Installation of a non-illuminated company name board

Decision: 01-03-1990 Approved

Comment on Relevant Planning History

Planning permission was granted in 1985 for a change of use of the building to warehousing (35696/B/85/1664). No subsequent changes of use has been granted since this date.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

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
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.
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LPP 6.9	(2011) Cycling

LPP 6.13 (2011) Parking

SPD-NO Noise Supplementary Planning Document, adopted April 2006

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 neighbouring occupiers were notified of the proposed development on 6th October 2011, including Unit 4B which shares a boundary line with the application site.

By the close of the consultation period on 27th October 2011, one letter of objection had been received in relation to the proposed development. This neighbouring occupier provided the following comments:

TMD would like you to include in your plans for the new occupier parking restrictions i.e. double yellow lines on both side of the section of Swallowfield Way from the junction of Rigby Lane past our main goods yard entrance and what is proposed for the new occupier. We are concerned that with the new occupier there may be more likelihood of vehicles parking in this area. TMD uses suppliers with large long vehicles that need room in the road to manoeuvre to gain access to our yard. Also this section of Swallowfield Way is classified as one way but many people ignore this. Other measures to ensure this is complied with would be beneficial.

Case officer comments: Subject to the proposed development meeting the required car parking standards, there is no indication that the change of use of the unit would have a detrimental impact on access to any other unit. Therefore, conditioning any of the above proposals would not be directly related to the proposed development and would not be acceptable.

External Consultees:

CrossRail London: No comments to make on this application.

Thames Water: Recent legal changes under The Water Industry (Scheme for the Adoption of private sewers) Regulations 2011 mean that the sections of pipes you share with your neighbours, or are situated outside of your property boundary which connect to a public sewer are likely to have transferred to Thames Waters ownership. Should your proposed building work fall within 3 metres of these pipes we recommend you contact Thames Water to discuss their status in more detail and to determine if a building over / near to agreement is required. You can contact Thames Water on 0845 850 2777 or for more information please visit our website at www.thameswater.co.uk

A Trade Effluent Consent will be required for any Effluent discharge other than a 'Domestic Discharge'. Any discharge without this consent is illegal and may result in prosecution. (Domestic usage for example includes - toilets, showers, washbasins, baths and canteens). Typical 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, treated cooling water and any other process which produces contaminated water. Pre-treatment, separate metering sampling access etc, may be required before the Company can give its consent. Applications should be made to Waste Water Quality,

Crossness STW, Belvedere Road, Abbeywood, London. SE2 9AQ. Telephone: 020 8507 4321.

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.

Internal Consultees

Trees and Landscaping - LANDSCAPE CONTEXT:

The site is occupied by an industrial shed and car park (for approximately 35 cars) on the Swallowfield Way Industrial Estate. Laid out in the 1970 s the Rigby Lane frontage has a wide verge which is planted with a mix of specimen trees and drifts of shrubs. This landscape is now well established and contributes to the character of this industrial / business area by softening the effect of the industrial units set back from the service road. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

PROPOSAL:

The proposal is to change the use of the business within the building, provide a new customer entrance, alter the elevations, install a car wash and a new perimeter fence and gates. The Design & Access Statement refers to the landscape proposals (section 4e) and confirms that no trees will be lost and that a new hedge will be planted in order to soften the visual impact of the security fence.

LANDSCAPE CONSIDERATIONS:

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.

No trees or other landscape features will be affected by the development and the proposed new car wash facility will have little impact on views into the site, or the landscape setting.

The details of the security fence and gates should be conditioned. Palisade fencing should be avoided and a traditional railing or panelled weldmesh would be preferred. Both provide high security and visual permeability. The chosen product should have a polyester powder-coated finish -ideally in black or dark green.

The existing planting should be reviewed with a view to removing poor / weak specimens and adding new planting where appropriate. The proposed use of planting in association with the new fence is welcomed. Full details should be conditioned.

A landscape management / maintenance plan should be submitted to ensure that the landscape is successfully established and maintained in accordance with good practice.

RECOMMENDATIONS:

No objection, subject to the above considerations and conditions TL5, TL6 and TL7.

Environmental Protection Unit

It is believed that the application involves addition of a B2 use to an already established B1c/B8 use to incorporate the installation of car wash and jet to the rear. I have considered the proposed change of use and note there is potential for noise from the jet wash and ancillary equipments. These equipment need to be adequately silenced or if possible enclosed to minimise the emission of noise to the outside arrears. This will ensure that the satisfactory internal noise levels of other commercial properties in particular offices in the area are maintained as recommended under BS8233 1999 (Sound reduction for building)

It is understood that the proposed site is situated in a largely industrial area and the nearest residential receptor is some distance away from the site. However, my advise is that the applicant should provide a site noise control scheme to minimise disturbance to other commercial properties/offices in the area. Accordingly, the following condition has been recommended in any

approval granted.

Condition 1

N5 Scheme for site noise control

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and administrative measures, including any other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the adopted UDP (Saved Policies September 2007).

It is recommended that the construction site informative is added to any approval.

ACCESS OFFICER

No specific access observations are required for this development proposal, however, the following informative should be attached to any grant of planning permission.

Informative.

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.

To this end, the opportunity should be taken to incorporate provisions that ensure that the service and facility can provide disabled people were an equitable service on par with non-disabled people.

Conclusion: acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is located within an Industrial and Business Area (where the proposed use would be acceptable in principle).

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

No objection is raised to the proposal in terms of aircraft safeguarding.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The change of use would not involve significant alterations to the building or cause any unacceptable harm to the appearance of the existing building or surrounding industrial area.

7.08 Impact on neighbours

The application site is located within an industrial estate with the nearest residential

property over 250 metres to the south. At this distance separation the proposed development would not have an adverse impact on the residential amenity of the nearest residential dwelling.

The property is located within a designated Industrial and Business area, therefore, the MOT testing and vehicle servicing centre would be best suited in this location. Whilst the change of use could result in additional noise, this could be controlled by condition, and would therefore have an acceptable impact on the neighbouring businesses in terms of noise disturbance. Therefore, the proposed development would comply with Policy OE1 and OE3 of the adopted UDP (Saved Policies September 2007).

The proposed development is considered to have an acceptable impact on the neighbouring business in terms of loss of light, loss of outlook, loss of privacy and would comply with Policies BE19, BE20, BE21 and BE24 of the adopted UDP (Saved Policies September 2007).

7.09 Living conditions for future occupiers

The application is not for residential development, as such consideration of living conditions are not strictly applicable to this type of application. The plans indicate adequate facilities would be provided for staff and visitors and there is no objection from the Access Officer to this scheme. The scheme is considered acceptable in this regard.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

A neighbouring occupier has objected over the proposed development due to the potential impact on access to their premises and parking in the area. The proposed development would not cause an unacceptable level of additional traffic and would cause no significant access issues for the neighbouring unit. Therefore, it is considered acceptable in terms of its impact on access to the neighbouring units.

The proposed entrance gates created at the rear of the building would be built up to the vehicle highway, which would fail to provide sufficient visibility splays for cars exiting the car wash. In addition having a fence with no set back to the vehicle carriageway would be considered to cause potential harm to highway safety. Therefore, a condition would be added to any approval requiring the visibility splays to be provided. In addition details for an improved boundary treatment layout would be required to be approved by the Local Planning Authority prior to the commencement of works. With these conditions in place, the proposed development would comply with Policy AM7 of the adopted UDP (Saved Policies September 2007).

After the change of use and the alterations to the building the number of parking spaces at the site would decrease from 56 to 55, with 2 new disabled parking spaces provided. The parking standards contained with the adopted UDP (Saved Policies September 2007) requires the same level of parking to be provided for the existing and proposed use classes for the property. The parking provided on site would meet these standards and would comply with Policy AM14 of the adopted UDP (Saved Policies September 2007) and Policy 6.13 of the London Plan 2011.

The application site fails to provide the required cycle bays for use by staff and visitors to the site. Therefore, a condition will be added to any approval requiring plans and elevations for a cycle store to provide the 28 cycle spaces which would be required by the adopted parking standards. With this condition in place, the proposed development would comply with Policy AM14 of the adopted UDP (Saved Policies September 2007) and Policy 6.9 of the London Plan 2011.

7.11 Urban design, access and security

Subject to an appropriate condition the scheme would accord with secure by design standards. Access issues are discussed in the following section. No objections are raised to the impact of the scheme in terms of urban design.

The proposed change of use would result in the application building being used as an MOT Testing and Car Servicing Centre. This would be classified as Use Class B2 and would be an acceptable use of a property within an Industrial and Business Area, in compliance with Policy LE2 of the adopted UDP (Saved Policies September 2007).

The plans provided have indicated the existing trees on site would not be removed and a new hedge would be planted around the car park to soften the impact of the proposed security fence. Subject to conditions relating to landscaping plans, the application would be considered to comply with Policy BE38 of the adopted UDP (Saved Policies September 2007).

7.12 Disabled access

The application was referred to the Access Officer who advised he would raise no objection to the scheme subject to the following informative:

"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.

To this end, the opportunity should be taken to incorporate provisions that ensure that the service and facility can provide disabled people were an equitable service on par with non-disabled people."

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The Council's Trees and Landscape Officer has advised that no objection would be raised subject to the imposition on any consent of standard landscaping conditions (which are recommended).

7.15 Sustainable waste management

The applicant has indicated on the plans that a bin storage area would be provided at the rear of the site. This would ensure sufficient open air space would be allocated for the storage of refuse at the site.

Thames Water has requested for petrol/oil interceptors to be fitted in all car parking/washing/repair facilities. Therefore, a condition will be added that no development shall take place until details of all petrol and oil interceptors to be fitted to the drains within the site have been approved by the local planning authority.

7.16 Renewable energy / Sustainability

The application is for a change of use without any significant works. The Council's Sustainability Officer has advised that in such cases, full compliance with the London Plan requirements is not strictly applicable, and can be overly onerous, rather the focus should be on what the applicant can reasonably achieve given financial constraints etc. As such a condition is recommended requiring the applicant to provide an energy statement setting out what they can achieve in terms of energy efficiency.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The Council's EPU have considered the scheme and note that the proposed site is situated in a largely industrial area and the nearest residential receptor is some distance away from the site. Notwithstanding this, the applicant should provide a site noise control scheme to minimise disturbance to other commercial properties/offices in the area. Accordingly, a relevant condition is recommended.

7.19 Comments on Public Consultations

Matters raised by consultees have either been addressed in the body of this report, by way of recommended condition or are not material planning considerations.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

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

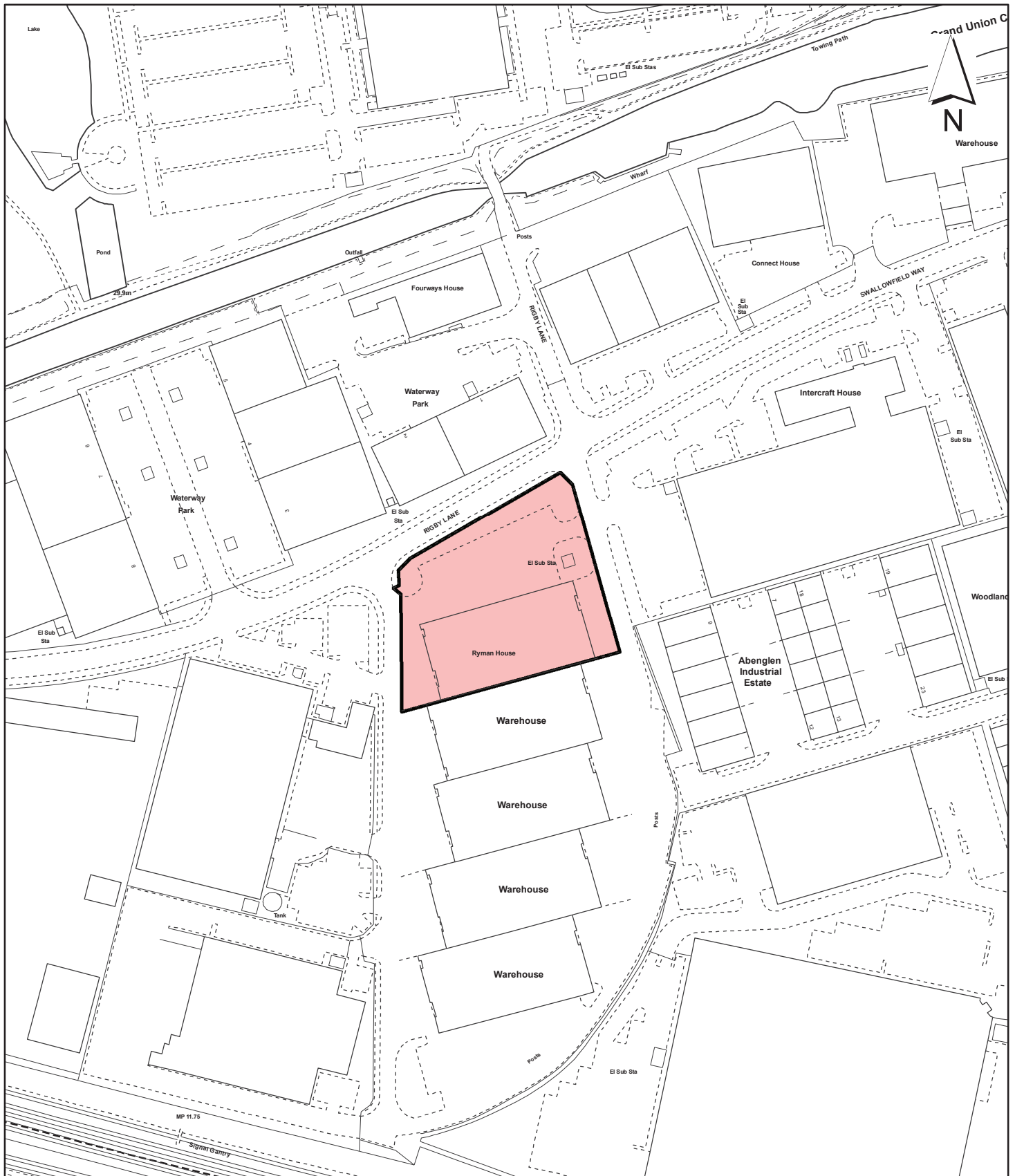
The proposed development would have an acceptable impact on the amenity of the neighbouring occupiers and would bring a vacant building back into employment use. Therefore, subject to conditions, the proposed development is recommended for approval.

11. Reference Documents

Hillingdon Unitary Development Plan (Saved Policies September 2007).
The London Plan 2011.
Supplementary Planning Document Noise (April 2006).

Contact Officer: Mark Smith

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Notes

 Site boundary

For identification purposes only.

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Planning Application Ref:

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Scale

1:2,000

Planning Committee

Central and South

Date

**February
2012**



HILLINGDON
LONDON