

Report of the Head of Planning, Sport and Green Spaces

Address 428A VICTORIA ROAD RUISLIP

Development: Refurbishment of Unit A involving installation of mezzanine floor, installation of shop front, alterations to elevations, installation of trolley bays, alterations to car parking arrangements, involving demolition of existing mezzanine floor, external sales area, entrance porch and canopy

LBH Ref Nos: 64445/APP/2013/1000

Drawing Nos: N01-AW Technical Note - Trip Generation Analysis
1242-PL01 Site Location Plan
1242-PL02 Existing Site Plan
1242-PL03 Existing Floor Plans and Sections
1242-PL04 Existing Elevations
1242-PL13 Proposed Floor Plans and Sections
1242-PL14 Proposed Elevations
1242-PL15 Proposed Trolley Shelter Plan & Elevations
Planning and Retail Statement
Transport Statement
Marketing Summary
Design and Access Statement
Eco Trolley Shelter
Planning Statement/Covering Letter
1242-PL12 Rev B Proposed Site Plan

Date Plans Received:	19/04/2013	Date(s) of Amendment(s):	18/06/2013
Date Application Valid:	29/04/2013		16/07/2013
			19/04/2013
			29/04/2013
			26/04/2013

1. SUMMARY

Planning permission is sought for refurbishment of Unit A (A1 retail), which has been vacant since 2007. The external sales area (866.2m² GEA) and the entrance porch and canopy (62.2m² GEA) would be demolished along with the existing mezzanine floor (139.2m² GEA), which would be replaced with a new mezzanine floor (346.3m² GEA). The overall floor area of Unit A would be reduced by approximately 720m² and would have a total sales area of 2448.3m² Gross Internal Area (GIA). There would be no change to the Gross External Area (GEA) of the ground floor. The scheme also includes a new shop front and the installation of trolley bays, alterations to elevations and alterations to the car parking arrangements.

The proposed scheme would not result in a detrimental impact on the character and appearance of the surrounding area or on the visual amenity of neighbouring residential properties, and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, AM14, BE13, BE15 and BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

The application is therefore recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:

A. That the Council enter into a legal agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) or any other legislation to secure the following:

1. Employment Strategy: An employment strategy to be entered into and adhered to address how local people will gain access to employment opportunities.

2. Travel Plan.

B. That the applicant meets the Council's reasonable costs in the preparation of the Section 106 agreement and any abortive work as a result of the agreement not being completed.

C. That the officers be authorised to negotiate the terms of the proposed agreement.

D. That, if the S106 agreement has not been finalised within 3 months, under the discretion of the Head of Planning, Green Spaces and Culture, the application is refused under delegated powers on the basis that the applicant has refused to address planning obligation requirements.

E. That if the application is approved, the following conditions be attached:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

1242-PL01 Site Location Plan
1242-PL02 Existing Site Plan
1242-PL03 Existing Floor Plans and Sections
1242-PL04 Existing Elevations
1242-PL12 Rev B Proposed Site Plan
1242-PL13 Proposed Floor Plans and Sections
1242-PL14 Proposed Elevations
1242-PL15 Proposed Trolley Shelter Plan & Elevations

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the London Plan (July 2011).

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

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

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Refuse Storage

2.b Cycle Storage

2.c Means of enclosure/boundary treatments

2.d Car Parking Layouts (including demonstration that 5% of all parking spaces are served by electrical charging points)

2.e Hard Surfacing Materials

2.f External Lighting

2.g Other structures (such as play equipment and furniture)

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

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

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with Policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

4 COM10 Tree 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 3998:2010 'Tree work - Recommendations' 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 Local Plan: Part Two - Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

5 COM12 Use Within Same Use Class

Notwithstanding the provisions of The Town and Country Planning (Use Classes) Order 1987 (as amended) or The Town and Country Planning (General Permitted Development) Order 1995 (as amended), the premises shall be used solely for the sale of the following non-food goods: DIY articles, garden materials and goods, building and decorating equipment and related goods, self-assembly furniture, carpets, office goods and equipment, white goods and other electrical goods and accessories, gas appliances and computers, sports goods and equipment, bicycles and associated equipment, play equipment, baby equipment and products, electronic games and equipment and other products associated with toys and children's entertainment, clothing and footwear, soft and hard furnishings, household goods and homewares and for the sale of ancillary goods which are part of the usual product mix of retailers of the foregoing and for no other purposes, unless prior written consent is obtained from the Local Planning Authority.

REASON

To accord with existing restrictions on the sale of goods from the premises, to protect the vitality and viability of town and local centres and to limit retail activity on sites which are more readily accessible by private motor vehicles than by public transport, bicycles or pedestrians, in accordance with Policy LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

6 COM14 No additional internal floorspace

Notwithstanding the provisions of Section 55 of the Town and Country Planning Act 1990 (or any others revoking and re-enacting this provision with or without modification), no additional internal floorspace shall be created in excess of that area expressly authorised by this permission.

REASON

To enable the Local Planning Authority to assess all the implications of the development and to ensure that adequate parking and loading facilities can be provided on the site, in accordance with Policies AM14 and LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7 COM27 Traffic Arrangements - submission of details

Development shall not begin until details of all traffic arrangements (including where appropriate carriageways, footways, turning space, safety strips, sight lines at road

junctions, kerb radii, car parking areas and marking out of spaces, loading facilities, closure of existing access 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. General parking bays shall be provided at 4.8m long by 2.4m wide, with a clear manoeuvring area of 6.0m provided behind all parking bays.

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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Chapter 6 of the London Plan (July 2011).

8 NONSC Deliveries and Collections

Deliveries and collections, including waste collections, shall be restricted to the following hours: 0800 hours to 1800 hours Monday to Fridays; 0800 hours to 1300 hours on Saturdays; and not at all on Sundays and Bank Holidays.

REASON

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

9 NONSC Platform Lift

Details of the platform lift to be installed shall be submitted to and approved in writing by the Local Planning Authority. This should be of an enclosed cabin type and accord with the specifications detailed in Approved Document M to the Building Regulations.

REASON

To ensure that the development meets the needs of disabled people in accordance with London Plan (July 2011) Policy 7.2.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 2.15	(2011) Town Centres

3 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

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

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

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

4 I14C Compliance with Building Regulations Access to and use of

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 8300:2001 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
- 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.
- 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.
- 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.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6 and 8.

5 143 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.

6 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site covers 1.57 hectares and comprises two A1 retail units (Unit A and Unit B) measuring a total Gross External Area (GEA) of 4,970.7m², with car parking at the front. Unit A was previously occupied by Focus DIY whilst Unit B was previously occupied by Land of Leather. The A1 retail units have been vacant since 2007 (Unit A) and 2009 (Unit B).

Unit A has a total Gross External Area (GEA) of 3973.3m² (including the existing mezzanine, external sales area and entrance porch and canopy). The site is accessed

from a traffic light controlled junction on Victoria Road, whilst the service yard is accessed via a road along the southeast boundary.

Residential and commercial properties are located opposite the application site along Victoria Road. Residential properties are located to the north and northeast along with commercial units within the Braintree Road Industrial Estate. The former Express Dairy/Arla Foods site is located south and southeast of the application site. Part of the High Speed 2 (HS2) Draft Safeguarding Area (October 2012) is located at the rear of the site lies, beyond which lies London Underground and Chiltern Railway Line. RAF Northolt lies approximately 440m west of the site.

The application site is located within the Braintree Road Industrial and Business Area (IBA) and has a Public Transport Accessibility Level of 1b. The site is located approximately 300m away from the South Ruislip Core Shopping Area.

3.2 Proposed Scheme

The applicant seeks planning permission for the refurbishment of Unit A. The scheme would involve the demolition of the existing mezzanine floor (139.2m² GEA), the external sales area (866.2m² GEA), and the entrance porch and canopy (62.2m² GEA). A new mezzanine floor (346.3m² GEA) would be installed and used for storage/stockroom, staff facilities and office accommodation. An additional storage/stockroom area along with toilet facilities will be located on the ground floor underneath the new mezzanine floor. The overall floor area of Unit A would be reduced by approximately 720m² and would have a total sales area of 2448.3m² Gross Internal Area (GIA). There would be no change to the Gross External Area (GEA) of the ground floor.

The scheme would also include a new shop front and the installation of trolley bays, alterations to elevations and alterations to the car parking arrangements.

3.3 Relevant Planning History

3953/DS/93/1523 430 Victoria Road Ruislip

Demolition of existing buildings and the erection of 3,716m² of Non-Food Retail warehousing (Class A1), 929m² of open garden centre plus servicing, car parking, landscaping and access (outline application)

Decision: 16-05-1996 Approved

3953/EG/96/1602 430 Victoria Road Ruislip

Variation of condition 11 of planning permission ref. 3953DS/93/1523 dated 16/05/96 for retail warehousing to allow sale of domestic electrical goods, gas appliances, and office equipment

Decision: 09-05-1997 Approved

3953/EH/96/1603 430 Victoria Road Ruislip

Variation of condition 11 of planning permission ref. 3953DS/93/1523 dated 16/05/96 for retail warehousing to allow sale of pets and pet products, auto accessories, bicycles, domestic electrical goods, gas appliances, photographic goods, computers and office equipment

Decision: 15-12-1997 Refused **Appeal:** 15-12-1997 Dismissed

64445/APP/2008/1295 428a Victoria Road Ruislip

VARIATION OF CONDITION 2 OF PLANNING PERMISSION REF. 3953EG/96/1602 DATED 09/05/97 TO ALLOW FOR EXTENSION OF THE RANGE OF GOODS AVAILABLE FOR SALE FROM THE PREMISES TO ALLOW FOR THE SALE OF SPORTS GOODS AND EQUIPMENT, BICYCLES AND ASSOCIATED EQUIPMENT, PLAY EQUIPMENT, BABY EQUIPMENT AND PRODUCTS, ELECTRONIC GAMES AND EQUIPMENT AND OTHER PRODUCTS ASSOCIATED WITH TOYS AND CHILDREN'S ENTERTAINMENT.

Decision: 03-09-2008 Approved

64445/APP/2008/2496 428a Victoria Road Ruislip

CHANGE OF USE OF RETAIL UNIT (A1) TO USE AS A BINGO CLUB (D2)

Decision:

64445/APP/2013/1050 428a Victoria Road Ruislip

Variation of condition No.1 of planning permission ref. 64445/APP/2008/1295 dated 03/09/2008 to allow the sale of A1 non food goods and preclude the sale of food and drink (variation of condition 2 of planning permission ref. 3953EG/96/1602 dated 09/05/97 to allow for extension of the range of goods available for sale from the premises to allow for the sale of sports goods and equipment, bicycles and associated equipment, play equipment, baby equipment and products, electronic games and equipment and other products associated with toys and children's entertainment)

Decision:

Comment on Relevant Planning History

An application for the variation of Condition 1 of planning permission ref: 64445/APP/2008/1295, dated 03/09/2008, to allow for a wider range of goods to be sold from Unit A, is being considered under planning application ref: 64445/APP/2013/1050.

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.E5 (2012) Town and Local Centres

PT1.26 To encourage economic and urban regeneration in the Hayes/West Drayton Corridor, designated Industrial and Business Areas (IBA's) and other appropriate locations.

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LE2	Development in designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
LPP 2.15	(2011) Town Centres

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 45 local owners/occupiers and South Ruislip Residents Association. A site notice was also posted. One response was received:

i) will redevelopment of the old garden centre result in the demolition of the brick wall that separates the store from Tiptree Road?

NATS:

The proposed development has been examined from a technical safeguarding aspect and does not conflict with our safeguarding criteria. Accordingly, NATS (En Route) Limited has no safeguarding objections to this proposal.

Please be aware that this response applies specifically to the above consultation based on the information supplied at the time of this application. If any changes are proposed to the information supplied to NERL in regard to this application (including the installation of wind turbines) which become the basis of a full, revised, amended or further application for approval, then as a statutory consultee NERL requires that it be further consulted on any such changes prior to any planning permission or any consent being granted.

Ministry of Defence:

The MOD has no safeguarding objections to this proposal.

Internal Consultees

Highways:

Based on the existing use and the level of disabled parking provided, the proposed increase as shown on the attached drawing would be considered acceptable.

Further to reviewing the Trip Generation Assessment Note submitted in support of the above, I note that the sample sites selected from within the TRAVL Database are limited.

However, it is considered that based on the nature of the development and the operates of the selected sample sites, the trip generation provided within the Transport Statement is considered acceptable for a non specific, non food retail use.

Environmental Protection Unit:

No objection subject to standard construction informative and condition regarding deliveries:

Deliveries and collections, including waste collections, shall be restricted to the following hours: 0800 hrs to 1800 hrs Monday to Fridays; 0800 hrs to 1300 hrs on Saturdays; and not at all on Sundays and Bank Holidays.

REASON: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Local Plan: Part 2 - Saved UDP Policies (November 2012).

Access Officer:

Victoria Road Retail Park comprises a pair of semi-detached retail units which are understood to have been vacant since 2007. Planning permission is sought to remove the entrance porch and canopy and carry out various other structural alterations and aesthetic enhancements, in addition to restoring the buildings to their original condition.

The works would also involve demolishing the existing mezzanine at the front of Unit A and constructing a new mezzanine floor for storage, staff facilities and office accommodation. The new floor would be accessible by stairs and a goods lift. In addition, a platform lift would also serve a mezzanine floor to allow access by disabled people. The site plan indicates that six accessible parking spaces will be provided immediately outside the entrance.

The proposal is acceptable from an accessibility standpoint with the exception of the following:

1. The number of accessible car parking spaces should be increased from 6 to 10% of the total number of spaces in line with UDP saved policy AM15.
2. Details of the platform lift to be installed should be submitted. This should be of an enclosed cabin type and accord with the specifications detailed in Approved Document M to the Building Regulations.

Conclusion: acceptable, subject to suitable planning conditions attached to any approval to secure the provisions raised in points 1 and 2 above.

Officer Comment:

The proposal is increasing the number of disabled parking spaces from 6 to 15. This represents a 7% provision. Given there is no increase in overall parking numbers and a reduction in sales area this provision is considered appropriate.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is located within the Braintree Road Industrial and Business Area (IBA) and approximately 300m away from the South Ruislip Core Shopping Area. The proposal seeks to refurbish the existing A1 retail unit through the demolition of the existing mezzanine floor (139.2m² GEA), the external sales area (866.2m² GEA), and the entrance porch and canopy (62.2m² GEA). The refurbishment would include a new shop front and alterations to the elevations, along with alterations to the car parking arrangements. The A1 retail unit was previously occupied by Focus DIY but has been vacant since 2007 and the proposed external and internal alterations would allow for a new retail occupier (Matalan) to move into the vacant unit.

The proposed scheme would demolish the existing external sales area and entrance porch, thereby reducing the overall sales area of Unit A by approximately 720m², although there would be no change to the Gross External Area (GEA) of the ground floor.

The original planning permission granted in May 1996 (ref: 3953/DS/93/1523) imposed a condition (condition 12) restricting the amount of retail floorspace to 3,716m². Although the proposal includes the installation of a new mezzanine (346.3m² GEA), this would be used for storage/stockroom, staff facilities and office accommodation. The retail unit would have a total sales area of 2448.3m² Gross Internal Area (GIA), therefore remaining below the retail floorspace limit imposed by condition 2 of planning permission ref: 3953/DS/93/1523.

It is therefore considered that the proposal to refurbish Unit A through the demolition of the existing mezzanine and the external sale area is acceptable in principle.

7.02 Density of the proposed development

This is not applicable to this application.

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

This is not applicable to this application.

7.04 Airport safeguarding

The application has been examined by the various safeguarding authorities who do not raise any safeguarding objections to the proposals.

7.05 Impact on the green belt

This is not applicable to this application.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that new development complements and improves the character and amenity of the area. Policy BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) require alterations and extensions to harmonise with the scale, form, architectural composition and proportions of the original building.

The scheme includes alterations to the existing elevations and would install a new shop front. The scheme would also demolish the existing external sales area and remove the internal walls between the external sales area and the car park. At present, the site is vacant and in a poor condition, due to vandalism and graffiti. It is considered that the alterations to the elevations and the new shop front would enhance the visual appearance of the vacant retail unit, which, along with the removal of the internal walls of the external sales area, would improve the character and appearance of the application site and the surrounding area.

The proposed scheme is considered to comply with Policies BE13 and BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The existing boundary wall between the external sales area and Tiptree Road is to be retained which would prevent overlooking onto the adjoining properties from the car park. The proposal would improve the appearance of the retail unit through the installation of a new shop front and alterations to the elevations, and would not have a detrimental impact on the visual amenity of neighbouring residential properties.

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) does not allow developments that result in an unacceptable amount of traffic generation, prejudice the free flow of traffic or have a detrimental impact on highway and pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November

2012) requires developments to be in accordance with the Council's adopted car parking standards, which states that A1 Shops (including retail warehouses) need to comply with the standards set out in Table 6.2 of the 2011 London Plan.

The proposed scheme involves alterations to the car parking arrangements within the application site, which has a Public Transport Accessibility Level of 1b. At present, the car park has a total of 218 parking spaces which includes 6 disabled parking spaces and 38 parking spaces located at the rear and to the side of Units A and B; 31 of these spaces would be relocated to the existing external sales area, which is to be demolished. The amended car park layout would retain the existing total of 218 car parking spaces and would have 15 spaces allocated to disabled parking. The scheme would provide 14 cycle parking spaces.

The Council's Highways Engineer considers that the proposed alterations to the car park and the retention of the existing car parking provision are acceptable. The proposal therefore complies with Policies AM7 and AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) subject to suitable conditions, as suggested by the Council's Highways Engineer.

7.11 Urban design, access and security

Design issues are discussed in section 7.07 of this report. There are no changes proposed in relation to access to the application site and security can be dealt with by way of condition on any consent granted.

7.12 Disabled access

The proposed scheme would provide level access to the retail unit, disabled WC facilities and a platform lift to allow disabled people access to the proposed mezzanine. Details of the proposed platform lift can be secured by way of a condition. The Council's Access Officer does not object to the proposed scheme.

7.13 Provision of affordable & special needs housing

This is not applicable to this application.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided when necessary.

The application site already comprises landscaping around the site boundaries and within the car park, including a large number of trees. The existing landscaping will be retained and two new trees will be provided within the car park. The scheme also includes an additional 3.5m wide landscaping strip along the northwest boundary with Tiptree Road.

The proposal therefore complies with Policy BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) subject to a suitable landscaping scheme, which can be dealt with by way of a condition on any consent granted.

7.15 Sustainable waste management

The proposals will not result in any changes to waste and recycling arrangements.

7.16 Renewable energy / Sustainability

This is not applicable to this application.

7.17 Flooding or Drainage Issues

This is not applicable to this application.

7.18 Noise or Air Quality Issues

This is not applicable to this application.

7.19 Comments on Public Consultations

One response was received during the public consultation. This has been dealt with elsewhere in the report.

7.20 Planning Obligations

This is not applicable to this application.

7.21 Expediency of enforcement action

This is not applicable to this application.

7.22 Other Issues

- Crime and Amenity of the area

It should be noted that due to the vacancy of the unit, there has been a history of anti-social behaviour and vandalism at the site and such activity has a detrimental impact on the amenity of the area in general. Whilst this matter is currently dealt with through on-site security, bringing the retail unit back into use would be a preferable way to reduce such incidents and would serve to improve the amenity of the area. This benefit weighs in favour of the development.

- Jobs

Bringing the vacant unit back into use would ensure job provision to the benefit of the local economy. It is recommended that an employment strategy is secured to encourage local employment. The benefits of the additional local jobs also weighs in favour of the development.

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

This is not applicable to this application.

10. CONCLUSION

Planning permission is sought for refurbishment of Unit A (A1 retail), which has been vacant since 2007. The external sales area (866.2m² GEA) and the entrance porch and canopy (62.2m² GEA) would be demolished along with the existing mezzanine floor (139.2m² GEA), which would be replaced with a new mezzanine floor (346.3m² GEA). The overall floor area of Unit A would be reduced by approximately 720m² and would have a total sales area of 2448.3m² Gross Internal Area (GIA). There would be no change to the Gross External Area (GEA) of the ground floor. The scheme also includes a new shop front and the installation of trolley bays, alterations to elevations and alterations to the car parking arrangements.

The proposed scheme would not result in a detrimental impact on the character and appearance of the surrounding area or on the visual amenity of neighbouring residential properties, and would not cause harm to pedestrian or highway safety. The proposed development complies with Policies AM7, AM14, BE13, BE15 and BE38 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

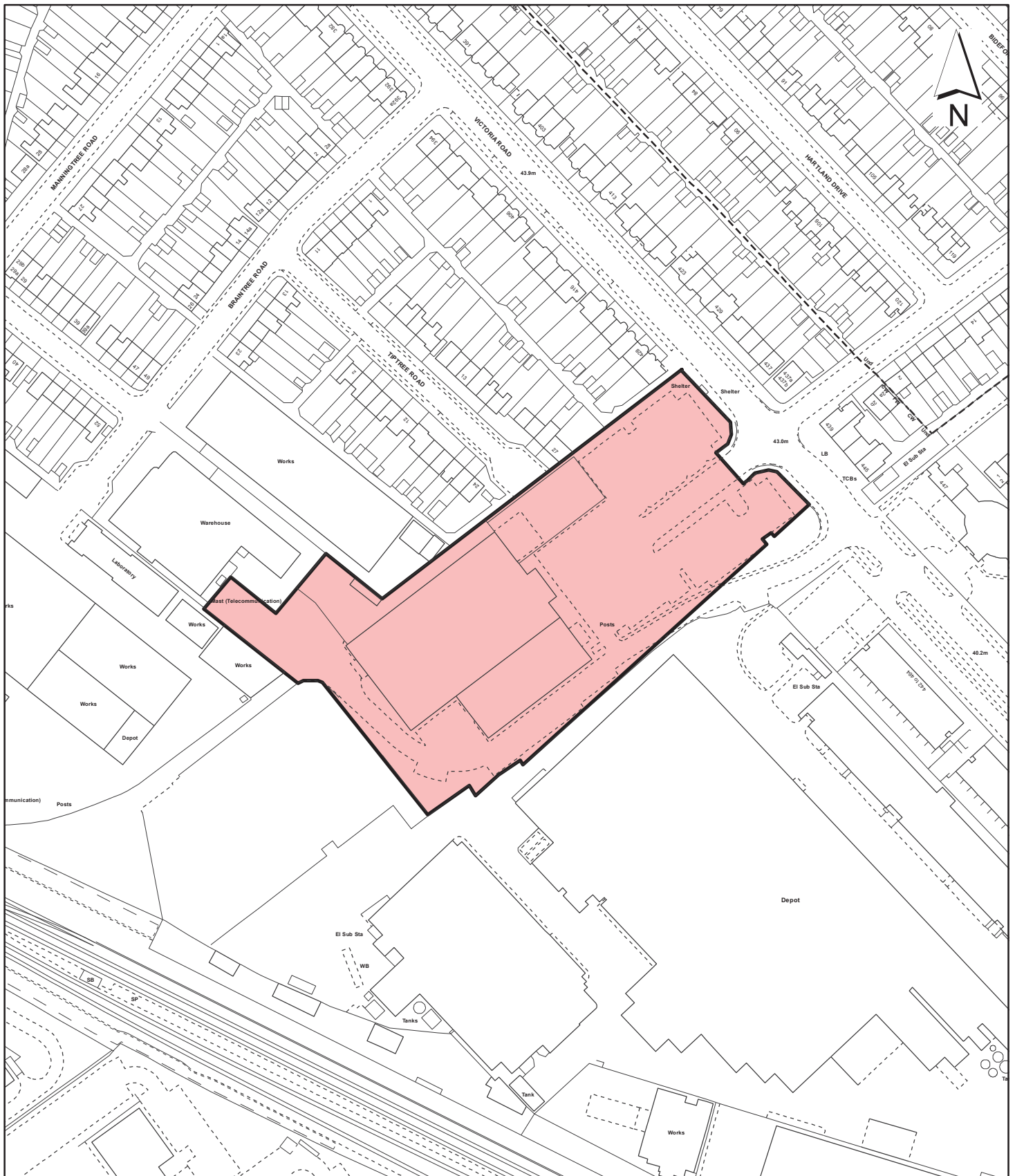
The application is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (July 2011)

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Notes

 Site boundary

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Planning Application Ref:
64445/APP/2013/1000

Scale
1:2,000

Planning Committee
North

Date
**June
 2013**



HILLINGDON
 LONDON