

Report of the Head of Planning, Sport and Green Spaces

Address FORMER WINDMILL PH WINDMILL HILL RUISLIP

Development: Change of use from A1 (shops) to flexible use permitting A1 (Shops), A2 (Financial and professional services) or use as a Gymnasium, Dental Clinic or health Centre.

LBH Ref Nos: 11924/APP/2013/1871

Drawing Nos: 1317(PL)01
1317(PL)02
1317(PL)03
1317(PL)10
1317(PL)11
1317(PL)100
1317(PL)101
Transport Statement
Acoustic Assessment Report 4589/AAR
1317(PL)00

Date Plans Received: 04/07/2013 **Date(s) of Amendment(s):** 04/07/2013
Date Application Valid: 19/07/2013 04/07/0013

1. SUMMARY

The proposed scheme seeks to change the use of the ground floor units of the former Windmill Public House from retail to a more flexible range of uses permitting A1 (Shops), A2 (Financial and professional services), D1 (non-residential institutions) and D2 (assembly and leisure).

The proposed scheme is considered to be acceptable in relation to Policy considerations for uses within Use Class A1 & A2. The submitted Transport Statement has only considered the highways and parking impacts of the scheme in relation to uses as a dental clinic, health centre and gymnasium. As such, a condition limiting the use of the unit to these stated uses is proposed.

The proposal is acceptable in principle as it is outside the protected retail area. No objections have been raised by the Council's Highways Officer (with the limiting condition attached) or EPU in relation to traffic, parking and noise. Therefore, the proposed uses are not considered harmful to the amenity of the adjoining occupiers.

Accordingly the application is recommended for permission.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

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

REASON

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

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 1317 (PL)00 & 1317 (PL)101 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

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

3 COM22 Operating Hours

The premises shall not be used except between:-
[0800 and 2100], Mondays - Fridays
[0800 to 2100] Saturdays
[1000 to 1800] Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 COM12 Use Within Same Use Class

The premises shall be used any purpose within either Use Class A1, Use Class A2 or a Gymnasium, Dental Clinic or health Centre and for no other purpose (including any other purposes in Use Class D1 or D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

REASON

To ensure the development would not prejudice the free flow of traffic in accordance with Policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) to ensure no adverse impact on highway safety and parking issues.

5 NONSC Non Standard Condition

Notwithstanding the details of noise mitigation contained in the acoustic report, reference 4859/AAR submitted with the planning application details of noise mitigation measures including the LnTw measurements shall be submitted to and approved in writing by the Local Planning Authority prior to the approved use commencing.

REASON

To safeguard the amenities of adjoining residential occupiers in accordance with Policy OE1 of the Hillingdon Local Plan (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE26	Town centres - design, layout and landscaping of new buildings
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R12	Use of premises to provide child care facilities
S6	Change of use of shops - safeguarding the amenities of shopping areas
S8	Change of use of corner shops

3 I25 Consent for the Display of Adverts and Illuminated Signs

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

4 I26 Retail Development - Installation of a Shopfront

You are advised that planning permission will be required for alterations of the shopfront at these premises. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises the former Windmill public house on Windmill Hill, Ruislip. The site has previously been granted planning permission for a mixed use scheme comprising residential on the upper floors with retail units on ground floor. The development has been implemented and the application site now comprises a part 3 storey / part 4 storey brick building. The residential units are currently occupied but the retail units on the ground floor are still vacant.

The application unit has a floor area of 630 sq.m.

The site occupies a prominent corner location on the junction of Windmill Hill and Pembroke Road. The location is made up of similar mixed uses with commercial uses at ground floor and residential above.

The site is located within the "Developed Area" and also within the Ruislip Manor Minor Town Centre as defined in the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

3.2 Proposed Scheme

The application proposes the change of use from A1 (shops) to a more flexible range of uses permitting A1 (Shops), A2 (Financial and professional services), D1 (non-residential institutions) and D2 (assembly and leisure). The applicant has confirmed that the D1/D2 uses are limited to Dental clinic, Health centre or Gymnasium.

3.3 Relevant Planning History

11924/APP/2006/2632 Windmill P.H. Windmill Hill Ruislip

REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE)

Decision: 20-07-2007 Approved

11924/APP/2007/2528 Windmill P.H. Pembroke Road Ruislip

DETAILS OF A CONSTRUCTION AND ENVIRONMENTAL MANAGEMENT PLAN AND DEMOLITION PROTOCOL IN COMPLIANCE WITH CONDITIONS 18 & 19 OF PLANNING PERMISSION REF: 11924/APP/2006/2632 DATED 20/07/2007 'REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE)'

Decision: 07-03-2008 Approved

11924/APP/2008/1274 Windmill P.H. Pembroke Road Ruislip

DETAILS OF MATERIALS IN COMPLIANCE WITH CONDITION 3 OF PLANNING PERMISSION REF. 11924/APP/2006/2632 DATED 20/07/2007: REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE).

Decision: 01-05-2008 Approved

11924/APP/2008/2437 Windmill P.H. Windmill Hill Ruislip

Details in compliance with condition 7 (shop front) of planning permission ref: 11924/APP/2006/2632: mixed use redevelopment; dated 29 September 2006.

Decision: 09-09-2008 Withdrawn

11924/APP/2008/267 Windmill P.H. Pembroke Road Ruislip

DETAILS OF ALTERNATIVE NOISE MITIGATION MEASURES FOR UNITS A105, A106,

A107, A205, A206 AND A207 (Block A) IN COMPLIANCE WITH CONDITION 16 OF PLANNING PERMISSION REF.11924/APP/2006/2632 DATED 20/07/2007: REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE).

Decision: 31-10-2008 Approved

11924/APP/2008/3524 Windmill P.H. Windmill Hill Ruislip

Details in compliance with conditions 8 (management plan), 15 (cycle stores), 21 (sustainability) and 26 (landscape scheme) of planning permission ref.11924/APP/2006/2632 dated 20/07/2007: Redevelopment of site with a mixed use comprising 39 residential units in two blocks with ground and lower ground parking, amenity space and access from West Way and retail unit on ground floor facing Pembroke Road/ Windmill Hill (involving demolition of public house).

Decision: 30-03-2009 Approved

11924/APP/2008/830 Windmill P.H. Pembroke Road Ruislip

DETAILS OF EXISTING VEHICULAR ACCESS IN COMPLIANCE WITH CONDITION 13 OF PLANNING PERMISSION REF.11924/APP/2006/ 2632 DATED 20/07/2007: REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE).

Decision: 08-05-2008 Withdrawn

11924/APP/2008/832 Windmill P.H. Pembroke Road Ruislip

DETAILS OF BIN STORES ALLOCATION AND LOCATION IN COMPLIANCE WITH CONDITION 9 OF PLANNING PERMISSION REF.11924/APP/ 2006/2632 DATED 20/07/2007: REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC HOUSE).

Decision: 31-03-2009 Approved

11924/APP/2008/850 Windmill P.H. Pembroke Road Ruislip

DETAILS OF DISABLED CAR PARKING PROVISION AND LOCATION IN COMPLIANCE WITH CONDITION 12 OF PLANNING PERMISSION REF.11924/APP/2006/2632 DATED 20/07/2007: REDEVELOPMENT OF SITE WITH A MIXED USE COMPRISING THIRTY NINE RESIDENTIAL UNITS IN TWO BLOCKS WITH GROUND AND LOWER GROUND PARKING, AMENITY SPACE AND ACCESS FROM WEST WAY AND RETAIL UNIT ON GROUND FLOOR FACING PEMBROKE ROAD/WINDMILL HILL (INVOLVING DEMOLITION OF PUBLIC

HOUSE).

Decision: 31-10-2008 Approved

11924/APP/2009/308 Windmill P.H. Pembroke Road Ruislip

Details in compliance with conditions 20 (security) & 28 (landscape maintenance) of planning permission ref.11924/APP/2006/2632 dated 20/07/2007: Redevelopment of site with a mixed use comprising 39 residential units in two blocks with ground and lower ground parking, amenity space and access from West Way and retail unit on ground floor facing Pembroke Road/Windmill Hill (involving demolition of public house).

Decision: 14-04-2009 Approved

11924/APP/2012/327 Former Windmill Ph Windmill Hill Ruislip

Details pursuant to Condition 7 of planning permission Ref: 11924/APP/2006/2632 .

Decision: 30-03-2012 Withdrawn

Comment on Relevant Planning History

Planning permission has been granted for redevelopment of site with a mixed use comprising thirty nine residential units in two blocks with ground and lower ground parking, amenity space and access from west way and retail unit on ground floor facing Pembroke Road/Windmill Hill (involving demolition of public house), Reference 11924/APP/2006/2632. Subsequently planning conditions have been discharged. The scheme has now been implemented.

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.C11 (2012) Community Infrastructure Provision
- PT1.C12 (2012) Leisure and Recreation
- PT1.E5 (2012) Town and Local Centres
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM14 New development and car parking standards.
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE26	Town centres - design, layout and landscaping of new buildings
OE2	Assessment of environmental impact of proposed development
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R12	Use of premises to provide child care facilities
S6	Change of use of shops - safeguarding the amenities of shopping areas
S8	Change of use of corner shops

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Letters were sent to local residents and Residents Association on 22 July 2013 and the site notice was posted on 24 July 2013. Representations have been received from 3 residents objecting to the proposal including an 11 signature petition from the residents of Windmill Court.

The objection raised in the petition are as follows:

- Impact on residential amenity due to noise and disturbance.
- Parking issues
- Visual impact, a gym or dance hall is out of character with the area
- Proposed uses would be out of scale and character with the area.
- The uses would attract unwanted attention and anti social behaviour to the area
- The impact of additional traffic on the road system

The other representations raised concerns regarding potential noise, security, traffic, parking, loss of independent shops and community character and the impact on the value of properties.

Case Officer Comments: These issues will be addressed in the main body of the report.

Internal Consultees

Highways Officer:

The proposal is for a change of use within the ground floor unit from the existing permitted use of Retail (use class A1) to an alternative land use that fall within one of the following categories:

Shops (Use Class A1)

Financial and Professional services (Use Class A2)

Non residential Institutions (Use Class D1)

Assembly and Leisure (Use Class D2)

Under the above categories the Transport Statement assesses the following uses:

Shops,

Financial Services,

Dental Clinic

Health Centre and

Gymnasium

The proposed uses gym (D2), financial services (A2) and GP surgery/health (D1) will generate less traffic movements than the existing permitted use through out the day as well as during peak hours. As such no objections are raised subject to a Condition specifically excluding other unassessed D1 and D2 uses such as educational, places of worship and night clubs.

There is a loading layby in Pembroke Road along the site frontage. 3 on site parking spaces are provide for staff. Customers travelling by car will have to use on street or off street places in car parks. Surveys indicate spare capacity of at least 38 spaces in the vicinity of the site.

No objections are raised on highway grounds.

ENVIRONMENTAL PROTECTION OFFICER:

The Council's EPU has raised issues of clarification which the applicant's have responded to and the final comments of the EPU are as follows:

Noise affecting residential property The acoustic noise report indicates the lowest background level to be 52.8 dB and the plant design not to exceed 48 dB when assessed at the nearest residential window. However the final plant design would need to be approved at a noise rating level of at least 5 dB below background noise levels. Impact of the operation of the gym on the residents: Predicted noise levels in Flat 5 are a maximum of 8dB above the recommended criterion [NR20 LA eq]. The noise report author/s believe that the main cause for this exceedance was sound flanking through the timber hoarding although some sound energy was detectable in the floor itself. EPU would support the recommended mitigation measures are included as part of the fit-out of the gym to ensure that flanking noise is eliminated and there is a further reduction of sound energy within the separating floor. EPU would support further mitigation/remedial measures in principal to the proposed flats outlined in the acoustic report as follows: Installation of a suspended ceiling, Installation of a noise limiter, All music reproduction equipment to be isolated from the building structure, Use of resilient mounting to fixed resistance and cardio trainers, Use of cushioned floor finish in free weights areas, Installation of a suitable facade. However to determine if the mitigation measures are entirely adequate EPU requests further information and measurements on the cumulative effect of noise from the gym activities, the music and the plant/equipment which are likely to occur on a daily basis and affect nearby residents

Following receipt of the DnTw measurements EPU responded;

With reference to your latest email. The DnTw measurements provided are acceptable. However to determine if the structure borne noise mitigation methods outlined in the acoustic report are adequate, EPU request the LnTw measurement.

EPU subsequently responded on the LnTw measurements that these could be subject to a suitable planning condition.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site is located within the the Ruislip Manor Town Centre as defined in the Hillingdon Local Plan Part 2 Saved Policies (November 2012). However, whilst the ground floor of the property benefits from planning permission for retail A1 units, the site lies outside both the Primary and Secondary shopping area as identified in Hillingdon Local Plan Part 2 Saved Policies (November 2012) and therefore the constraints of the respective policies S11 and S12.

As such there is no presumption against the change of use of retail A1 units, subject to the specific constraints of Policy S6, to other town centre uses. The proposed development comprises a range of uses which are appropriate to town centres and would enhance the viability of vitality of the Town Centre, through increase footfall when compared to the existing vacant unit. Therefore, it is considered that there is no objection to the principle of change of use of the A1 units to uses within A1, A2, D1 and D2 of the Town and Country (Use Classes) Order 1987 as amended.

7.02 Density of the proposed development

Not applicable to the current application.

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

The site is not within a Conservation Area or Area of Special Local Character and the building is neither Listed nor on the Local List.

7.04 Airport safeguarding

The application is for a change of use and raises no airport safeguarding concerns.

7.05 Impact on the green belt

Not applicable to the current application.

7.07 Impact on the character & appearance of the area

As previously considered the proposed uses are compatible to town centre locations and are not considered to be harmful, in principle, to the character and appearance of the area. The application does not proposed specific alterations to the ground floor of the building, even though indicative sketch schemes have been provided.

Given that a change to the frontage has not been applied for, planning permission would be required for any alteration to the building.

As such it is considered that the proposed development will not be harmful to the character and appearance of the area and complies with the requirements of Policies S6, BE13 & BE26 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.08 Impact on neighbours

Policy S6 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) requires a consideration of potential changes of use on the amenity enjoyed by adjoining residential properties. The application site comprises a number of residential flats above the proposed uses.

The applicant's have submitted information in relation to noise and traffic. With regard to traffic as detailed in this report the Council's Highway Officer has no objection to the proposed scheme. Therefore, as there will be parking and traffic movements only within the town centre area it is considered that there will be no adverse impact upon the residential amenity of adjoining residents.

With regard to noise and disturbance from potential uses the Council's EPU state that the proposed development and the suggested mitigation measures are acceptable subject to

a suitable planning condition.

However, given the close proximity of the residential properties it is considered appropriate to restrict the hours of use of the premises to weekdays 0800 - 2200, Saturdays 0800 - 2200 and Sundays 0900 - 2000, to further protect the amenity of adjoining occupiers.

Therefore, it is considered that the proposed uses are not harmful to the amenity of adjoining occupiers and comply with Policies OE1 & S6 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposed site is located within a mixed use area which makes up a local/neighbourhood centre. There is good public transport including the railway station within minutes walk of the application site.

The submitted Transport Statement assesses the following uses Shops (Use Class A1), Financial Services (Use Class A2), Dental Clinic, Health Centre and Gymnasium.

The Highways Officer has stated the proposed uses gym (D2), financial services (A2) and GP surgery/health (D1) will generate less traffic movements than the existing permitted use through out the day as well as during peak hours. As such he raised no objections to these uses. However, unassessed D1 and D2 uses such as educational, places of worship and cinemas, would have a far higher level of parking demand and traffic movements which have not been assessed. Therefore, the highways impacts are considered acceptable for these uses alone and a condition limiting these uses will be applied.

There is a loading layby in Pembroke Road along the site frontage. 3 on site parking spaces are provide for staff. Customers travelling by car will have to use on street or off street places in car parks. Surveys indicate spare capacity of at least 38 spaces in the vicinity of the site.

The Council's Highways Officer has raised no objection to the proposed scheme, subject to condition. As such it is considered that the proposed scheme complies with policy AM7 and AM14 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012). However, it is considered appropriate to limit the D1/D2 uses to a dental clinic, health centre and gymnasium.

7.11 Urban design, access and security

Not Applicable to the current application

7.12 Disabled access

The proposed development would not alter the previously approved layout of the unit and would comply with Policy R16 of the Hillingdon Local Plan (November 2012) and Policy 7.2 of the London Plan (July 2011).

7.13 Provision of affordable & special needs housing

Not Applicable to the current application

7.14 Trees, Landscaping and Ecology

Not Applicable to the current application

7.15 Sustainable waste management

The proposed change of use of the unit would make use of the existing refuse storage arrangement which were approved as part of the original development in 2006.

7.16 Renewable energy / Sustainability

Not Applicable to the current application

7.17 Flooding or Drainage Issues

Not Applicable to the current application

7.18 Noise or Air Quality Issues

The Council's EPU comments are detailed in Section 7.08 of this report and it is considered that the proposed scheme is acceptable subject to a suitable planning condition with regard to LnTw measurements. Therefore, the proposal accords with Policy OE5 of the Hillingdon Local Plan Part Saved Policies (November 2012).

7.19 Comments on Public Consultations

Many of the points raised by third parties relate to noise and traffic issues these are dealt with in the planning assessment of the scheme. In relation to anti social behaviour there is no evidence to suggest the uses proposed would result in any adverse impacts in relation to crime and loss of property value is not a material planning consideration.

7.20 Planning Obligations

Not applicable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

No other issues for consideration.

8. Observations of the Borough Solicitor

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

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

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

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

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

other status'.

9. Observations of the Director of Finance

Not Applicable

10. CONCLUSION

The proposed scheme seeks to change the use of the ground floor units of the former Windmill Public House from retail to a more flexible range of uses permitting A1 (Shops), A2 (Financial and professional services), D1 (non-residential institutions) and D2 (assembly and leisure). The proposed scheme is considered to be acceptable in relation to policy considerations for such a use as it is outside the protected retail area. No objections have been raised by the Council's Highways Officer or EPU in relation to traffic, parking and noise. Therefore, the proposed use are not considered harmful to the amenity of the adjoining occupiers. It is considered appropriate to restrict the uses to those requested by the applicant, gymnasium, dental clinic and health centre.

No alterations are proposed to the shopfront, the indicative scheme is provided but a suitable condition is imposed requesting details to be submitted prior to use commencing.

Accordingly the application is recommended for permission.

11. Reference Documents

National Planning Policy Framework.

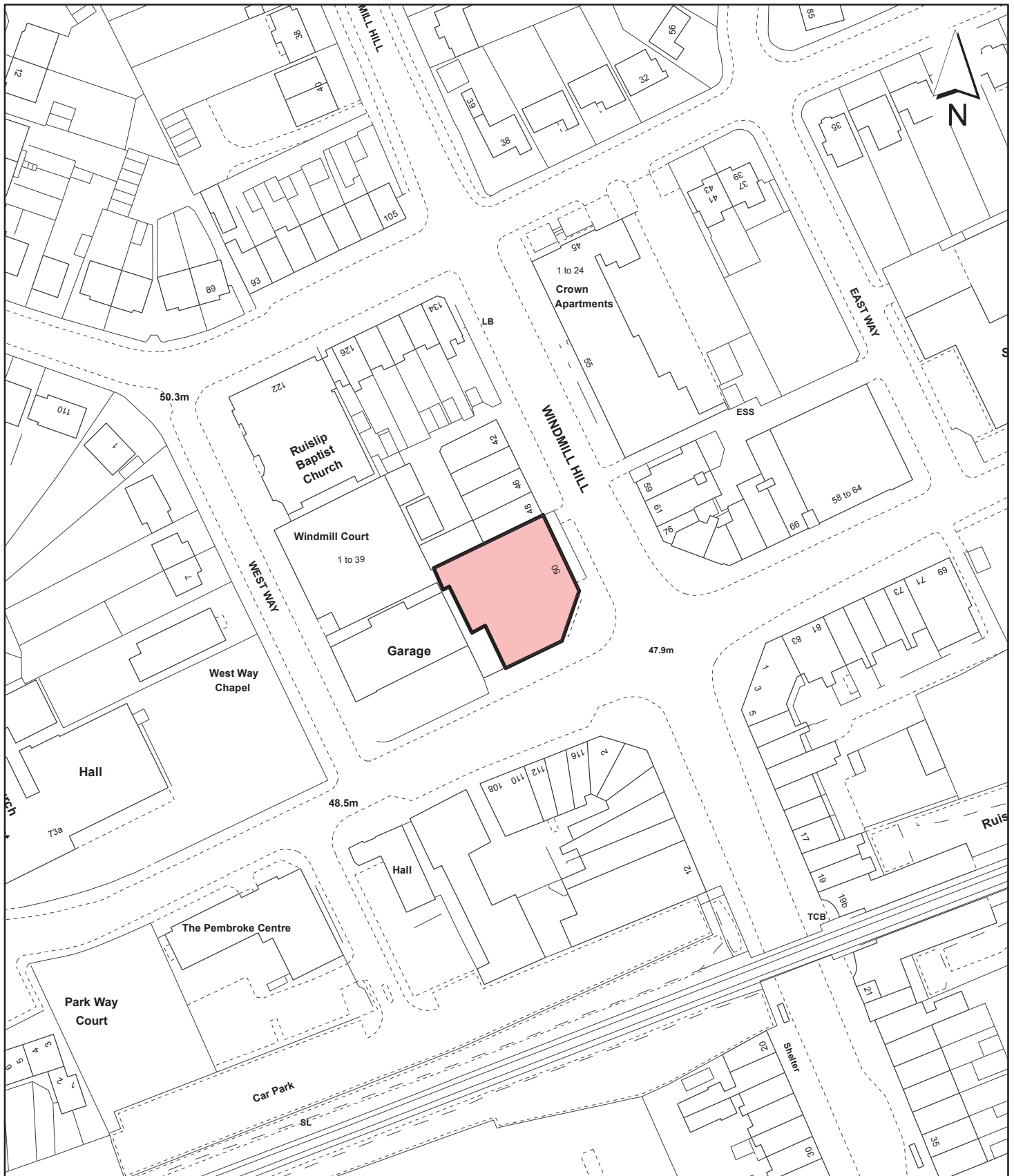
London Plan (July 2011).

Hillingdon Local Plan Part 1 2012.

Hillingdon Local Plan Part 2 Saved Policies (November 2012).

Contact Officer: Mark Jones

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.
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Site Address

**Former Windmill PH
 Windmill Hill
 Ruislip**

Planning Application Ref:
11924/APP/2013/1871

Planning Committee
North

Scale
1:1,250

Date
November 2013

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

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



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