

Report of the Head of Planning, Sport and Green Spaces

Address ALDI, 141 HIGH STREET YIEWSLEY

Development: External alterations to existing retail premises and amalgamation of the two existing Class A1 retail units.

LBH Ref Nos: 50096/APP/2013/3820

Drawing Nos: 110849 P(1)09 Site Location Plan
110849 P(1)01 Existing Site Plan
110849 P(1)05 Existing Elevations NE & NW
Planning Statement
Design & Access Statement
110849 P(1)06 Existing Elevations SE & SW
RAL 9006 Swatch
110849 P(1)04 Rev A Proposed Store Plan
110849 P(1)08 Rev A Proposed Elevations SE & SW
110849 P(1)07 Rev B Proposed Elevations NE & NW

Date Plans Received: 20/12/2013 **Date(s) of Amendment(s):** 06/03/2014
Date Application Valid: 20/12/2013 24/02/2014
20/12/2013

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,

110849 P(1)09 Site Location Plan
110849 P(1)01 Existing Site Plan
110849 P(1)05 Existing Elevations NE & NW
110849 P(1)06 Existing Elevations SE & SW
110849 P(1)04 Rev A Proposed Store Plan
110849 P(1)08 Rev A Proposed Elevations SE & SW
110849 P(1)07 Rev B Proposed Elevations NE & NW

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).

INFORMATIVES

1 152 **Compulsory Informative (1)**

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

2 153 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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.

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
BE28	Shop fronts - design and materials
LPP 4.7	(2011) Retail and town centre development
LPP 4.8	(2011) Supporting a Successful and Diverse Retail Sector
NPPF	

3 115 **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 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.

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The application relates to an existing Aldi Store in the Yiewsley & West Drayton, Major

Town Centre within the London Borough of Hillingdon. The High Street bounds the site to the south, to the west is the main retail centre of the town centre, to the north is the Kirby Estate trading area and to the east are the rear of buildings fronting Trout Street.

The store is a single storey brick warehouse-like building with a forward facing gable, comprising both an Aldi store and an Iceland store fronting the High Street. The Aldi store occupies a 24m frontage to the western side of the building whilst the Iceland store occupies the 18m frontage to the east.

The building occupies the western half of the site with a car park on the eastern side. The vehicular entrance is located between the two and directly accesses the High Street. The service yard, delivery bays and 6 staff car parking spaces are located behind the store in what is a stepped elevation of approximately 10m in depth to a splayed rear boundary. The car park occupies 76 parking spaces along with an additional 5 disabled and 9 parent and child spaces.

3.2 Proposed Scheme

Planning permission is sought for external alterations to the existing retail premises and the amalgamation of the two existing Class A1 retail units (Aldi and Iceland foodstores) to one retail unit (Aldi).

At present, the Aldi store has a net retail area of 786sq.m. The proposal would increase the net retail area by 502sq.m, thereby resulting in a total retail area of 1,288sq.m within the Aldi store. However, as the proposal is all contained within the existing building the amount of retail floorspace on the site actually remains unchanged. The internal dividing wall between the two units would be removed as part of the scheme. The warehouse/storage area will be retained in its current position whilst the office/staff welfare area would be relocated to the rear of the store and a meeting room would be added.

The external alterations include the relocation of the store entrance, new shopfront glazing, relocation of windows, removal of existing doors and the installation of a new fire escape.

There would be no change to the access and layout of the customer car park or to the delivery and services access.

3.3 Relevant Planning History

50096/APP/2009/1783 Aldi, 141 High Street Yiewsley

Single storey rear extension for use as warehouse, involving demolition of existing rear elements and associated alterations to parking.

Decision: 09-10-2009 Approved

50096/B/96/1125 Aldi High Street Yiewsley

Installation of a compactor

Decision: 12-09-1996 Approved

Comment on Planning History

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.BE1 (2012) Built Environment

PT1.E5 (2012) Town and Local Centres

Part 2 Policies:

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

BE28 Shop fronts - design and materials

LPP 4.7 (2011) Retail and town centre development

LPP 4.8 (2011) Supporting a Successful and Diverse Retail Sector

NPPF

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **5th February 2014**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

EXTERNAL

Consultation letters were sent to 20 local owners/occupiers. Two responses were received:

i) object to use of render on the existing brickwork

ii) loss of Iceland store - impact on retail choice on the High Street and on viability and vitality of the town centre

iii) Iceland provided home delivery but Aldi does not

iv) the district centre would be dominated by a small number of large providers

v) net loss of employment at the site in an area of high unemployment

vi) the proposed plant and condensers are larger than the existing and should have an acoustic assessment

Points i), ii), iv), v) and vi) are discussed elsewhere in the report

Point iii) regarding the provision of home deliveries is not a material planning consideration.

Yiewsley & West Drayton Town Centre Action Group:

No response received.

Yiewsley Community Involvement Group:

No response received.

One response was received objecting to the revised plans:

- a) the proposed elevational changes are detrimental to the street scene
- b) loss of active frontage facing the High Street

Internal Consultees

INTERNAL

Access Officer:

The existing building accommodates both Aldi and Iceland food stores. The proposal is to increase the area of the Aldi Store. The proposed office/staff welfare area is to be relocated to the rear of the store, with the addition of a meeting room. The plan is to retain the warehouse/storage in its current position, and to extend it to occupy the vacated area of the former Iceland store.

In addition, a new Aldi customer entrance is proposed on the corner of the North East elevation, along with a new stand alone canopy. The existing Aldi entrance will be infilled with a rendered wall, and the current Iceland entrance and glazed screens replaced with new shopfront glazing. The proposal encompasses additional alterations including infilling the loading bay and adjacent door to increase the internal merchandising space.

Access into the building is via a flush threshold from the external environment. It is further stated that the aisles would be 1800 mm wide to provide unhindered access for all customers.

Conclusion: no objection is raised from an accessibility perspective.

Environmental Protection Unit:

No objection to the planning application subject to 'Control of environmental nuisance from construction work' informative.

Urban Design Officer:

This proposal is for external alterations to a major public building in the middle of Yiewsley High Street and is acceptable in design terms. However, given the prominence of the building within the street scene, I would suggest the following amendments/conditions.

- The existing grey panels are to be re-sprayed (labelled 2 on plans). I would condition the precise colour.
- The building is constructed of Yellow London Stock Bricks with Engineering Blue Brick dressings. It is proposed to render all the brickwork and paint. The brickwork enhances the quality of the area - painted render should therefore be avoided - which would also require greater maintenance.
- A new entrance canopy is proposed. Further detail is required, as it is not clear from the plans.

CONCLUSION: Acceptable, subject to the above conditions/amendments.

Officer comments:

Amended plans have been received and are considered acceptable.

The Council's Urban Design Officer has commented on these revised plans that he would still prefer to see a second entrance to the front of the store and one of the end wall panels in brick rather than render. These are not matters that can be conditioned. Although the scheme is not perfect from an urban design perspective it is not refusible.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site comprises of two A1 retail units, Iceland and Aldi. At present, the Aldi store has a net retail area of 786sq.m. The proposed scheme would remove internal dividing walls to create one large A1 retail store. The net retail area would be increased by 502sq.m, thereby resulting in a total net retail area of 1288sq.m. There would be no change to the total retail area on the site and the scale of the existing building would not be materially altered by the proposal.

Concerns were raised during the public consultation over the loss of employment resulting from the closure of the Iceland store and the impact on the vitality of the Yiewsley & West Drayton Town Centre. Under Policy 4.8 of the London Plan (July 2011), the loss of retail space should be prevented in order to ensure adequate facilities for the local community are maintained. Although the scheme would result in the loss of one retail provider, it is considered that sufficient retail space would be retained and that the proposal would not cause detrimental harm to the vitality of the Yiewsley & West Drayton Town Centre. Although it is noted that the proposal would result in the loss of jobs to those employed in the Iceland store, there would be an increase of 5 equivalent full-time employees in the proposed Aldi store. As such, the proposal would provide adequate levels of employment.

There is no objection in principle to the proposed amalgamation of the two A1 retail units into one larger A1 retail unit.

In relation to the impact of the proposal on the vitality and viability of the Town Centre, in this particular case these matters are more linked to the design and layout of the proposal rather than the principle of the development. As such, this matter is discussed in the Urban Design Section of the report.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

Policies BE13 and BE15 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) seek to protect the character and appearance of the street scene from inappropriate development. Policy BE28 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) will not allow shopfronts where the design and materials would result in detrimental harm to the building and the character of the area.

The application site is located at the end of Yiewsley High Street and comprises of two retail units with separate entrances. The existing entrances to the stores would be removed as part of the proposal and a new entrance and exit would be located at the western end of the shopfront, near the car park. The design of the entrance and exit is considered to be acceptable.

The external alterations would include the installation of a new fire escape, removal of existing doors on the side and rear elevations, relocation of windows, the installation of new shopfront glazing and re-spraying of the cladding panels.

Initially, concern was raised regarding the proposed use of render on the existing brickwork as it would result in a significant stretch of blank facade on the shop frontage facing onto the High Street. The applicant submitted amended plans retaining the existing brick piers and a section of brickwork on the eastern end of the shopfront along with additional glazing. The revised elevations are an improvement on the initial appearance and provide some visual activity on the shop frontage.

The proposal is now considered to provide an adequate external appearance and as such, no objection is raised in terms of design. The proposal is therefore considered to comply with Policies BE13, BE15 and BE28 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part 2 -Saved UDP Policies (November 2012) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties. This application seeks to combine the two units to create one large retail unit, which would remain in A1 retail use. The proposal is not considered to result in any additional noise and disturbance, over and above the current authorised use of the site. As such, the proposal is considered to accord with Policy OE1 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposal would not result in an increase in traffic to and from the site. There would be no change to the existing vehicular access to the site. The proposal would not result in any changes to the existing parking provision or layout of the car park.

7.11 Urban design, access and security

Urban Design

Due to the distance from the main town centre, the proposed location of the store entrance and exit is not ideal in terms of permeability between the retail unit and the town centre. However, the use of the site for an Aldi foodstore has been well established and customers are likely to link trips to the foodstore with other facilities and services within the town centre. As such, it is unlikely that the proposal would reduce the experience of the journey between the store entrance and the rest of the town centre to such an extent that it would cause significant harm to the vitality of the centre overall. The proposal would certainly not represent best practice having regard to town centre and design policies, however, on balance it is considered that there would be insufficient grounds to refuse the application based on the location of the entrance and exit, and it is unlikely that a refusal on these grounds this would be upheld at appeal.

- Access

There would be no change to the accessibility of the site.

-Security

There would be no change to the existing external lighting.

7.12 Disabled access

The proposed scheme would result in a larger retail area and would have minimum aisle widths of 1800mm which would provide unhindered access for all customers. The proposal would provide level access into the building. The Council's Access Officer raises no objection to the proposal.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

There would be no change to the existing landscaping in and around the site and existing trees would be retained.

7.15 Sustainable waste management

Refuse would be dealt with as part of the existing store's waste management.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The proposal includes the installation of new external condensing units to replace those existing. It is not considered that these units would result in noise levels in excess of those already experienced on site.

7.19 Comments on Public Consultations

Three responses raising a number of concerns were received during the public consultation. In relation to Point iii), this is not a material planning consideration. Points i), ii), iv), v) and vi), along with Points a) and b) are discussed elsewhere in the report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

None

10. CONCLUSION

Planning permission is sought for external alterations to the existing retail premises and the amalgamation of the two existing Class A1 retail units (Aldi and Iceland foodstores) to one retail unit (Aldi).

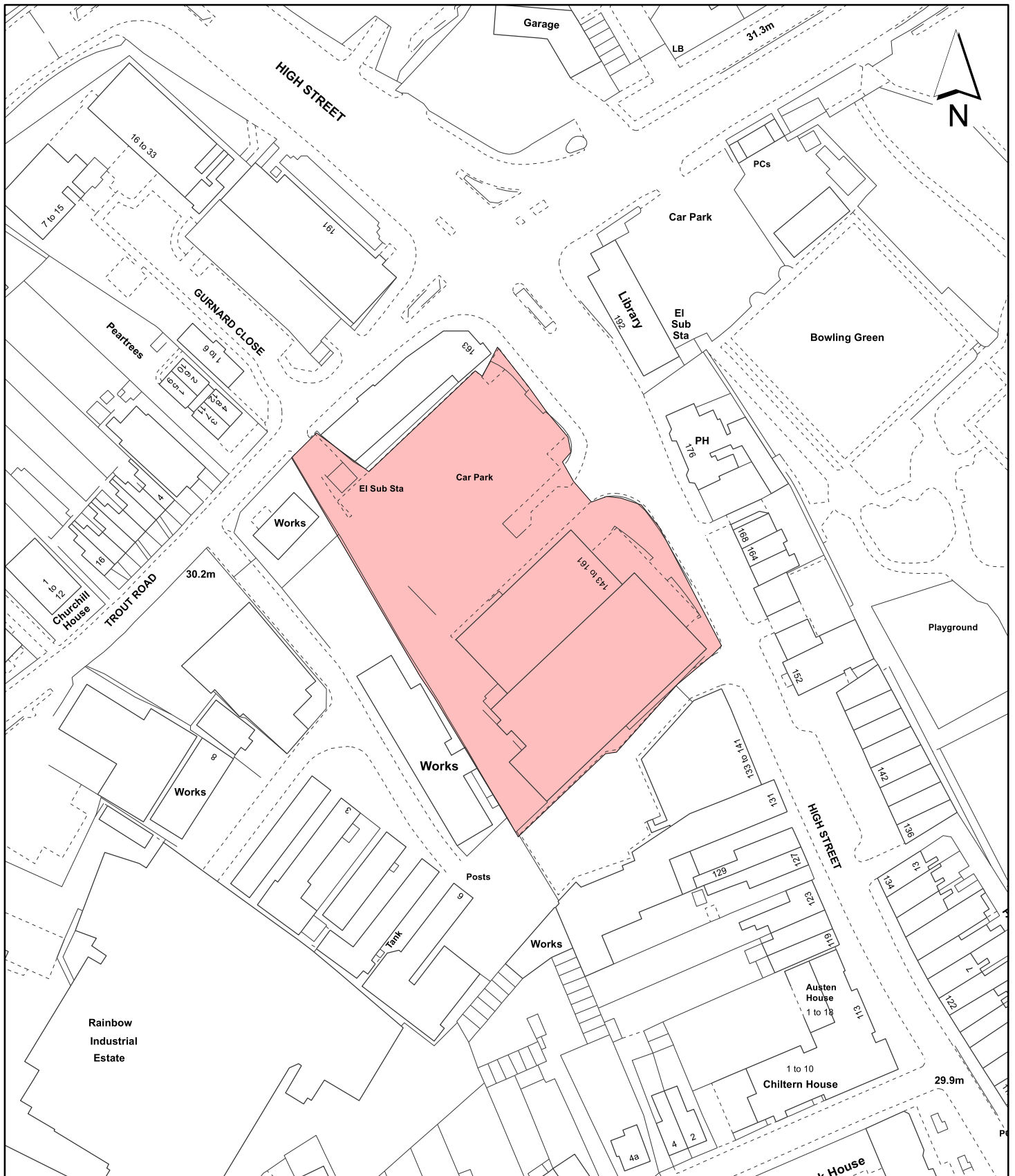
The proposed amalgamation of the two retail units is considered to be acceptable in terms of sales area and would provide adequate levels of employment. The external alterations are considered to be acceptable in design terms. The proposal is therefore considered to comply with Policies BE13, BE15, BE26 and BE28 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012). The application is thereby 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)
National Planning Policy Framework (March 2012)
National Planning Practice Guidance (March 2014)
London Plan (July 2011)

Contact Officer: Katherine Mills

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2013 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">ALDI, 141 High Street Yiewsley</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">50096/APP/2013/3820</p>	<p>Scale</p> <p style="text-align: center;">1:1,250</p>	 <p>HILLINGDON LONDON</p>
	<p>Planning Committee</p> <p style="text-align: center;">Major Application</p>	<p>Date</p> <p style="text-align: center;">March 2014</p>	