

Report of the Head of Planning, Sport and Green Spaces

Address 428A VICTORIA ROAD RUISLIP

Development: Variation of condition 1 of planning permission ref. 64445/APP/2008/1295, dated 03/09/2008 (Variation of condition 2 of planning permission ref. 3953EG/96/1602 dated 09/05/1997, 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), as it relates to Unit A, to allow for the sale of food and drink.

LBH Ref Nos: 64445/APP/2014/2463

Drawing Nos: 1242-PL120 Site Location Plan Unit A
Planning and Retail Assessment July 2014
Transport Statement July 2014
Marketing Summary July 2014
130938A/AT/B01 Rev A Swept Path Analysis
Travel Plan July 2014
N02-AW- Post Application Response 19 November 2014
N02-AW- Post Application Response 01 December 2014
1242-PL110 Rev F Proposed Site Plan with Existing Access
1242-PL111 Rev E Proposed Site Plan Assuming Citygrove Scheme
Letter dated 17 Feb 2015

Date Plans Received:	11/07/2014	Date(s) of Amendment(s):	11/03/2015
Date Application Valid:	15/07/2014		04/03/2015
			11/07/2014
			17/02/2015

1. SUMMARY

The applicant seeks to vary condition 1 of planning permission ref. 64445/APP/2008/1295, dated 03/09/2008, to allow a larger range of A1 goods to be sold from Unit A, a vacant A1 retail warehouse.

The range of goods that can be sold from Unit A has been extended through a number of applications to vary conditions restricting the type of goods. This proposal seeks to vary the existing condition to allow for the sale of food and drink from the retail unit.

The proposal is considered to comply with Policies AM7 and LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the National Planning Policy Framework (NPPF). The application is therefore recommended for approval.

2. RECOMMENDATION

That subject to the Mayor not directing the Council under Article 6 of the Town and Country Planning (Mayor of London) Order 2008 to refuse the application, or under Article 7 of the Order that he is to act as the local planning authority for the purpose of determining the application, delegated powers be given to the Head of Planning and Enforcement 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 and Enforcement, 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 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), Unit A as shown on Drawing No. 1242-PL120 shall be used for the sale of food and other convenience goods or 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).

2 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 floor space 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).

3 NONSC Deliveries and Collections

Deliveries and collections, including waste collections, shall be restricted to the following hours: 0700 hours to 2200 hours Monday to Saturdays; and 0900 hours to 1800 hours 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)

4 NONSC Delivery and Servicing Plan

Prior to occupation, a delivery and service plan for Unit A and Unit B shall be submitted to and approved in writing by the Local Planning Authority. The delivery and service plan shall include measures to minimise the impact of servicing and deliveries on the strategic highway network in accordance with the London Freight Plan (November 2007) and the 'Delivering a road freight legacy' document (September 2013) and shall include monitoring measures and avoiding peak periods.

The development shall be carried out in strict accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON

In order to ensure that the servicing and delivery activity associated with the development does not have an adverse impact on the strategic highway network in accordance with London Plan Policy 6.14 (July 2011).

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.
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
NPPF	National Planning Policy Framework

3. CONSIDERATIONS

3.1 Site and Locality

The application site covers 1.57 hectares and comprises two 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 retail units have been vacant since 2007 (Unit A) and 2009 (Unit B).

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 and is therefore outside the South Ruislip Local Centre.

3.2 Proposed Scheme

Outline planning permission for the 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 was granted in May 1996 (ref: 3953/DS/93/1523) and imposed a condition (condition 11) restricting the type of goods that could be sold from the retail units:

"The development hereby approved 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, furniture, self-assembly furniture and carpets. The premises shall be used for no other purposes, including any other use within Class A1 of the Town and Country Planning (Use Classes) Order 1987, unless prior written consent is obtained from the Local Planning Authority".

Planning application ref: 3953/EG/96/1602 was granted in May 1997 to vary condition 11 of planning permission ref: 3953DS/93/1523 to allow for extension of the range of goods available for sale from the premises. A condition was imposed (Condition 2) to allow the sale of the following non-food goods:

"DIY articles, garden materials and goods, building and decorating equipment and related

goods, furniture, self-assembly furniture and carpets, office goods and equipment, white goods and other electrical goods and accessories, gas appliances and computers".

In September 2008 planning application ref: 64445/APP/2008/1295 was granted to vary condition 2 of planning permission ref. 3953/EG/96/1602, to allow for a further extension of the range of goods available for sale from Unit A (former Focus). A condition was imposed (condition 1) to allow the sale of the following non-food goods:

"DIY articles, garden materials and goods, building and decorating equipment and related goods, furniture, carpets, toys, 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".

In June 2014 planning application ref: 64445/APP/2013/1050 was granted to vary condition 1 of planning permission ref: 64445/APP/2008/1295, dated 03/09/2008, to allow 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".

The current proposal is for the variation of condition 1 of planning permission ref: 64445/APP/2008/1295, dated 03/09/2008 (Variation of condition 2 of planning permission ref. 3953EG/96/1602 dated 09/05/1997, to allow for the 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), to allow for the sale of food and drink from Unit A.

It is proposed that convenience goods would take up 56% of the gross floor space. No more than 20% of the gross floor area would be used of the sale of non-food (comparison) goods

Aldi is the proposed occupier of Unit A, which would have a Gross Internal Area of 1507.4sq.m.

3.3 Relevant Planning History

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/2013/1000 428a Victoria Road Ruislip

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

Decision: 12-11-2013 Approved

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: 12-11-2013 Approved

64445/APP/2014/2465 428a Victoria Road Ruislip

Variation of condition 1 of planning permission ref. 64445/APP/2008/1295 dated 03/09/2008 (Variation of condition 2 of planning permission ref. 3953EG/96/1602 dated 09/05/1997, 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), as it relates to Unit B, to allow for the sale of a limited range of ambient, non perishable food and drink products, toiletries and pet products.

Decision:

64445/APP/2014/2467 428a & 428b Victoria Road Ruislip

Refurbishment of the existing retail units to provide revised floor layouts, including demolition of the garden centre, installation of new shop fronts, alterations to elevations, erection of entrance porch and canopy, installation of trolley bays, revisions to parking layout and associated landscaping

Decision:

Comment on Relevant Planning History

See above

4. Planning Policies and Standards

An application for the refurbishment of Units A and B, is being considered under planning application ref: 64445/APP/2014/2467.

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 B, is being considered under planning application ref: 64445/APP/2014/2465.

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.
- 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
- NPPF National Planning Policy Framework

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 46 local owners/occupiers and South Ruislip Residents Association. A site notice was also posted. No responses were received.

Greater London Authority:

The application complies with some of the relevant London Plan policies, but not with others for the following reasons:

Retail:

(i) Sequential test: It is requested that Hillingdon Council provide a view on the local assessment of site options within the borough and furthermore engage with Harrow Council on sites within its administrative area.

(ii) Test of scale: This application with other approved and potential retail floor space in South Ruislip continues to raise concern in relation to the cumulative impacts of the additional floor space on the defined network of retail centres.

(iii) Assessment of impact: The overall potential quantum of retail development in South Ruislip could

have adverse impacts on retail health and investment in town centres within Hillingdon and Harrow. Hillingdon Council should undertake a thorough review of the findings of the retail impact assessment findings on the town centre hierarchy with particular focus on potential cumulative impacts of the current application proposals, ASDA (ARLA application) and approved Sainsbury's food store expansion. This process should include consultation with Harrow Council.

(iv) Managing out of centre retail: The applicant is requested to indicate whether an alternative (residential) use has been considered as a development option for the site and Hillingdon Council are requested to provide an opinion on the site coming forward for alternative use.

Urban Design: The purpose of these design changes are to place the corporate brand of the new occupiers ALDI and B&M Home Stores and on the existing warehouse sheds and are acceptable in strategic planning terms. The main design concern with the refurbishment proposals relates to making the old retail warehouse units more energy efficient and is reflected in comments set out in the energy section of the report.

Transport: The applicant has only provided a highways assessment; however given the potential transport impact of the proposed development, TfL expects that the assessment should also consider the pedestrian, cycling and public transport network and reflect that the site has been vacant for at least five years. The applicant should also respond in full to all other London Plan compliance issues before Stage 2.

Sustainable energy: The applicant has not submitted an energy strategy and this should be provided in compliance with London Plan policy 4.7 and the guidance given in the report.

OFFICER COMMENTS:

The GLA comments in regards to the retail impacts of the development have been discussed elsewhere in this report. The other issues raised have been dealt with as part of planning application ref: 64445/APP/2014/2467.

TfL:

The application will involve the refurbishment of the existing retail units and the variation of condition to allow for the sale of perishable goods on site. The applicant expects a food retailer and retailer selling non perishable goods to occupy the two units. TfL's comments on these applications are as follows:

- It is not clear whether the impact assessment takes into account the existing vacancy of the two units as TfL would expect the existing number of trips to be zero. Furthermore, a multi-modal impact assessment has not been provided. TfL are therefore unable to ascertain the number of walking, cycling and public transport trips expected to be generated by the proposals. Notwithstanding this, TfL is satisfied there would be sufficient public transport capacity within the local area to accommodate a development of this nature.

- The applicant proposes 218 car parking spaces, inclusive of 16 disabled. The figure proposed is far in excess of the car parking maximum standards contained within the Further Alterations to the London Plan (FA LP). The FALP standards are as follows for a retail unit with a PTAL of 3.

Maximum standards for retail uses: space per sq.m of gross floor space

Use	PTAL 6 and 5	PTAL 4 to 2	PTAL 1
-----	--------------	-------------	--------

· Food			
Up to 500 m2	75	50-35	30
Up to 2500 m2	45-30	30-20	18
Over 2500 m2	38-25	25-18	15
· Non food			
	60-40	50-30	30
· Garden Centre	65-45	45-30	25
· Town Centre/Shopping Mall/Dept Store	75-50	50-35	30

Applying these standards would allow for an absolute maximum of 75 spaces for the food retail and 75 spaces for the non-food retail. The relevant car parking ranges for the food unit is 45-75 spaces and 50-75 spaces for the non-food retail unit. The proposals therefore represent an overprovision of 68 spaces. You should be aware that these figures represents an absolute maximum and with consideration to the site's moderate PTAL and existing highway congestion, TfL do not believe it would be appropriate to apply these standards at this location.

On that basis, to determine an appropriate number of spaces, a maximum standard in the range allowed (i.e. 25 for the food unit and 40 for the non food unit) is considered to provide a logical approach and this gives a maximum of 60 spaces for the non food unit and 56 for the food unit therefore giving a total number of 106 spaces. TfL therefore requests that the car parking is reduced from 218 to 106 spaces in accordance with London Plan policy 6.13. For the eventual number of spaces agreed on site 10% of all spaces will need to be fitted with active Electrical Vehicle Charging Points (EVCPs) with a further 10% fitted with passive charging infrastructure.

The applicant is proposing space for 28 cycles or 14 stands. The FALP does require additional spaces to be provided as follows:

- 1,507.4sqm of food retail - 9 long stay spaces and 22 short stay spaces
- 2,257sqm of non food retail - 5 long stay spaces and 9 short stay spaces

TfL therefore requests the cycle parking provision is increased accordingly. Furthermore, the long stay spaces should be provided within the retail units to provide a secure environment and shower and changing facilities should be provided for all staff employed on site.

A workplace travel plan has been provided and TfL consider the content acceptable. Little detail has been provided on the servicing requirements of the two units. Nevertheless, considering the nature of retail occupier TfL requests that a Delivery and Servicing Plan (DSP) is provided.

OFFICER COMMENTS:

The site currently provides 218 parking spaces, some of which would be relocated within the site. The number of parking spaces has been reduced and active and passive electric vehicle charging points have been provided. The number of cycle parking spaces has also been increased.

TfL:

Our latest position is that the car parking remains in excess of the London Plan maximum standards and the lack of shower and changing facilities is accepted on the basis that it has not been agreed with the tenants. The increase in cycle parking provision is welcomed. We expect a DSP to be secured by condition.

Internal Consultees

Highways:

Further to reviewing the Transport Statement submitted in support of the above, it is noted that the sample site selected from within the TRICS Database, in relation to the trip assessment of Unit A, only consider discount food stores. As the operator of this unit cannot be controlled, the trip assessment required to be undertaken in relation to non-discount food stores. In addition it is noted that the selection of sample sites in relation to the Saturday peak hour are limited with only two sites provided. As a result, the trip rates used in the Transport Statement undertaken for the Sainsbury's store, located adjacent to the junction of Victoria Road and Long Drive are required to be used in relation to the current proposals.

When considering the trip assessment associated with Unit B, it is noted that the sample sites are not representative due to the nature of goods sold. Therefore, the trip rates used in relation to the extant planning consent (ref: 64445/APP/2013/1050) in relation to Unit A, are required to be used.

Clarification is required to be provided in relation to the methodology used in determining the vehicle trips identified in table 5.5 and paragraph 5.10 of the Transport Statement. In addition, reference is required to be provided in relation to the amount (31%) of transferred trips travelling eastbound along Victoria Road.

The Transport Statement is required to demonstrate how the existing signal controlled junction that provides access to the site will be brought back into operation, in order that the proposals can be implemented. This will need to identify if any changes to the existing signal timings will be required in order that the access/junction will operate at optimum performance.

The Transport Statement informs that there will be 218 parking spaces provided within the site. However, the plans included with the document show 212 parking spaces.

All vehicle swept paths are required to include a 300mm margin of error.

The submitted vehicle swept paths are showing parking spaces located across the proposed servicing access to unit B. Therefore these are required to be deleted.

In order to provide a comparative assessment, vehicle swept paths of a 16.5m articulated vehicle servicing unit B, under the existing access arrangements are required to be provided.

Officer comments:

In regards to the parking spaces across the proposed servicing access to unit B, these spaces would be removed. The number of overall parking spaces has been reduced and is considered to be acceptable. The applicant has submitted additional/revised transport information which addresses the above comments.

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 is therefore subject to Policy LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), which designates Industrial and Business Areas (IBAs) for business, industrial and warehousing purposes (Use Classes B1-B8) and for Sui-Generis uses appropriate in an industrial area.

The application site has been used as Non-Food Retail warehousing (Class A1) since planning permission was granted in May 1996 (ref: 3953/DS/93/1523) until 2007 when Unit A (former Focus DIY) became vacant.

The range of goods that can be sold from Unit A has been extended through a number of applications to vary conditions restricting the type of goods. Previous permissions have extended the range of goods to include non-bulky items such as toys and children's entertainment, clothes, footwear, fashion accessories and home wares. The current proposal seeks to add food and drink to the range of non-food goods which are already permitted to be sold from Unit A.

SEQUENTIAL ASSESSMENT

Paragraph 24 of the National Planning Policy Framework (NPPF) establishes the requirement for a sequential assessment by advising that applications for main town centre uses such as retail development should be located within town centres, then in edge of centre locations and finally on out of centre sites. Annex 2 of the NPPF specifically includes local centres in the definition of town centres.

This approach is carried forward in the current London Plan (July 2011) and the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

- London Plan Policy 4.7 (Retail and Town Centre Development) requires retail and town centre development to relate to the size, role and function of a town centre and that development should be focused on sites within the town centres themselves.
- London Plan Policy 4.8 encourages a proactive approach to retail planning and bringing forward capacity for additional comparison goods retailing, particularly in the large international, metropolitan and major town centres with convenience retail supported in the district, neighbourhood and more local centres to secure a sustainable pattern of neighbourhood provision.
- Policy E5 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that the Council will accommodate additional retail growth within established centres in accordance with the conclusions of the latest evidence base. Growth for comparison goods will primarily be accommodated in District Centres as set out in Table 5.5 which excludes South Ruislip. Planning decisions will be taken in accordance with the provisions of national guidance, particularly the sequential and impact tests.

As the application site is located outside of the South Ruislip Local Centre a sequential assessment is required. The applicant has submitted a sequential assessment as part of the Planning and Retail Statement, which defines the application site as an "edge of centre location". The sequential assessment has used a combined approach to the individual units (Unit A and Unit B) and has applied a 25% discount to the proposed floor area of each unit.

The sequential assessment has been carried out on existing vacant premises in South Ruislip and nine other retail centres, including Ruislip, Northolt, South Harrow and Rayners Lane. These centres are the same as those reviewed as part of planning permission ref: 64445/APP/2013/1050, approved in June 2014.

The sequential assessment concludes that within the South Ruislip retail centre and the other retail centres studied, there were "no suitable, available or viable sites or units" which could accommodate Aldi, even with the 25% reduction in floor space to allow for the "'flexible' format". The application site is therefore the most suitable and viable option for the applicant.

IMPACT ON WIDER AREA

The applicant has submitted a retail assessment as part of the Planning and Retail Statement; the existing food store provision within the Study Area has been considered in line with the neighbouring Arla Foods proposals and adopted the same estimated turnovers. Currently, there is no retail offer comparable to Aldi within the Study Area. Given the relative location of other discount food retailers in this area and catchment areas, the retail assessment considers the anticipated trading effects of the proposed Aldi store on South Ruislip and nearby local centres including Ruislip, Eastcote, South Harrow, North Harrow and Rayners Lane. The retail assessment estimates that around 90% of the proposed Aldi store' convenience goods turnover will be derived from the Study Area.

In terms of the surrounding local centres, these are trading well with below national average vacancy rates. It is considered that the trade draw of the proposed Aldi store would be 40% from South Ruislip, 20% from Pinner, 10% from South Harrow, 10% from an out-of-centre supermarket in Pinner and 20% from the other centres. The impact of the proposed Aldi store on the estimated convenience goods turnover of existing centres would be as follows:

South Harrow (in town centre) - 1.5% impact
Pinner (in town centre) - 1.9% impact
South Ruislip (in town centre) - 2.7% impact

In addition, the retail assessment considered the cumulative impact of the proposed Aldi store, the proposed ASDA food store on the adjoining Arla Foods site and the proposed extension to Sainsbury on the Study Area. The cumulative impact was estimated to be as follows:

South Harrow (in town centre) - 9.1% impact
Pinner (in town centre) - 9.2% impact
South Ruislip (in town centre) - 21.4% impact

That said, these figures are somewhat misleading as they have not assessed any potential diversion of trade from the ASDA proposed as part of the ARLA foods scheme to the proposed Aldi. It is a general principle that like effects like and given the proximity of the two proposals, it is considered likely that a larger proportion of the Aldi trade would be drawn from the ASDA instead of the main town centres. It is therefore considered that these figures are likely to be an overestimate of impact and the cumulative impact would be lower.

Overall it is considered that the proposal would not have a significant impact on the convenience goods turnover of the local centres and they will continue to experience considerable growth in turnover. Taking into account comparison goods, the overall impact on the local centres would be relatively small and would not have a significantly detrimental impact.

The retail assessment therefore demonstrates that the proposal would not harm the vitality and viability of other local centres, given the anticipated trade draws. For the avoidance of any doubt officers consider there are no sequentially preferable sites and the proposal would not have an unacceptable adverse impact. As such, the scheme is considered to be consistent with the National Planning Policy Framework (NPPF) and the Hillingdon Local Plan: Parts One and Two.

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**
- This is not applicable to this application.
- 7.05 Impact on the green belt**
- This is not applicable to this application.
- 7.06 Environmental Impact**
- This is not applicable to this application.
- 7.07 Impact on the character & appearance of the area**
- With regard to impact on the character and appearance of the area, this proposal seeks an alteration to a condition restricting the sale of goods at an existing retail unit. As this proposal does not involve any external alterations, the proposal would not harm the appearance of the application property and the street scene, in accordance with Policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).
- 7.08 Impact on neighbours**
- With regard to impact on residential amenity, this proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. As this proposal does not involve any external alterations, the proposed variation to a condition will not have a visual impact on nearby 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**
- With regard to impact on traffic, parking and pedestrian safety, this proposal seeks an alteration to a condition restricting the sale of goods at an existing retail park. As this proposal does not involve any alterations to the car parking or traffic arrangements, the proposed variation to a condition would not cause harm to traffic and parking.
- 7.11 Urban design, access and security**
- This is not applicable to this application.
- 7.12 Disabled access**
- This is not applicable to this application.
- 7.13 Provision of affordable & special needs housing**
- This is not applicable to this application.
- 7.14 Trees, Landscaping and Ecology**
- This is not applicable to this application.
- 7.15 Sustainable waste management**
- This is not applicable to this application.
- 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**
- No responses were received during the public consultation.

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

The proposal would provide 65 new 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 provided also weighs in favour of the development.

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

This is not applicable to this application.

10. CONCLUSION

The applicant seeks to vary condition 1 of planning permission ref. 64445/APP/2008/1295, dated 03/09/2008, to allow a larger range of A1 goods to be sold from Unit A, a vacant A1 retail warehouse.

The range of goods that can be sold from Unit A has been extended through a number of applications to vary conditions restricting the type of goods. This proposal seeks to vary the existing condition to allow for the sale of food and drink from the retail unit.

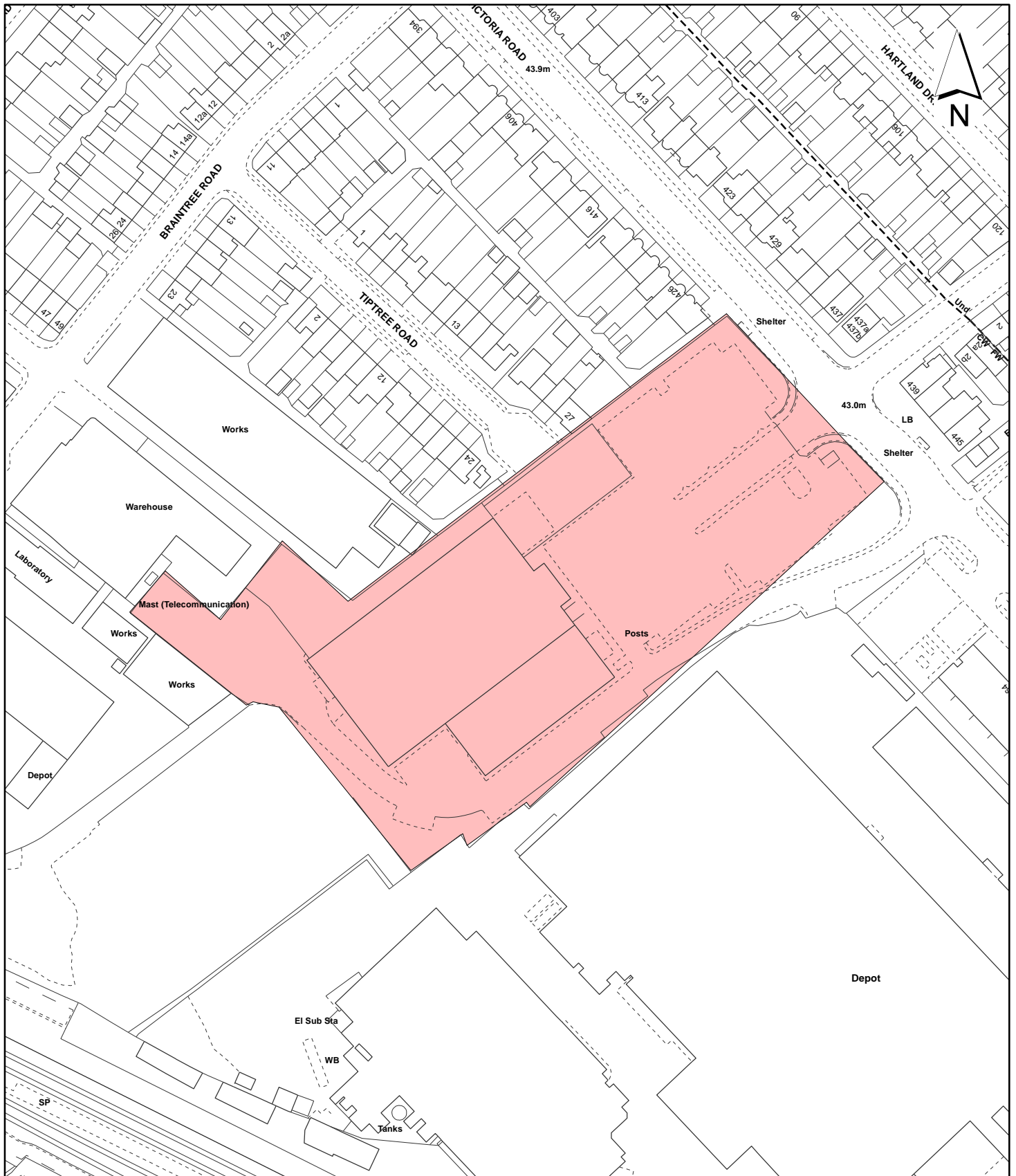
The proposal is considered to comply with Policies AM7 and LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the National Planning Policy Framework (NPPF). The application is therefore recommended for approval.



11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
London Plan (July 2011)
National Planning Policy Framework (March 2012)

Contact Officer: Katherine Mills

Telephone No: 01895 250230



<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). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2015 Ordnance Survey 100019283</p>	<p>Site Address</p> <p style="text-align: center;">428A Victoria Road Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
	<p>Planning Application Ref:</p> <p style="text-align: center;">64445/APP/2014/2463</p>	<p>Scale</p> <p style="text-align: center;">1:1,600</p>	
	<p>Planning Committee</p> <p style="text-align: center;">Major</p>	<p>Date</p> <p style="text-align: center;">April 2015</p>	