

Report of the Head of Planning, Sport and Green Spaces

Address GRAND UNION OFFICE PARK PACKET BOAT LANE COWLEY

Development: External alterations to units 1-8 including amendments to external materials, amendments to fenestration, insertion of rooflights/windows and addition of balconies and porticos.

LBH Ref Nos: 1197/APP/2015/386

Drawing Nos: 3031/185 D
3031/186 D
3031/187 D
3031/188 D
Revision B 3rd February 2015 Ref 3031
3031/155 D
3031/156 D
3031/157 D
3031/158 D
3031/165 D
3031/166 D
3031/167 D
3031/168 D
Site location plan 1-125C

Date Plans Received: 02/02/2015 **Date(s) of Amendment(s):**
Date Application Valid: 05/02/2015

1. SUMMARY

The application proposes relatively minor alterations to the external appearance of the buildings including the provision of windows within the roof slopes, patio doors, balconies and render finish to the ground floor of the buildings.

The conversion of the building to residential has been permitted under the prior approval process, as such, the quality of the accommodation does not fall to be considered under this application.

The proposals do not raise any material planning concerns and therefore the development is considered to accord with the saved Unitary Development Plan policies, the Local Plan Part 1 policies, the London Plan and the NPPF.

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 3031/155 D, 3031/156 D, 3031/157 D, 3031/158 D, 3031/165 D, 3031/166 D, 3031/167 D, 3031/168 D, 3031/185 D, 3031/186 D, 3031/187 D and 3031/188 D 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 (March 2015).

3 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (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.

| | |
|------|---------------------------------------------------------------------------------------------------------------------------|
| BE13 | New development must harmonise with the existing street scene. |
| BE20 | Daylight and sunlight considerations. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| OE3 | Buildings or uses likely to cause noise annoyance - mitigation measures |

- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
- (i) Dial-a-ride and mobility bus services
 - (ii) Shopmobility schemes
 - (iii) Convenient parking spaces
 - (iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.

3 I14C Compliance with Building Regulations Access to and use of

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice.
AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

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

4 I15 Control of Environmental Nuisance from Construction Work

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

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

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

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

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

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

3. CONSIDERATIONS

3.1 Site and Locality

The site is an existing commercial office estate dating from the 1990s comprising eight office buildings arranged around an internal courtyard in three blocks of two and three storeys in a mixture of red and yellow brick with slate tile pitched roofs and metal windows and canopies.

The site perimeter benefits from established tree screening and associated soft landscape with car parking distributed generally across the site between the buildings and within the courtyard, interspersed with incidental soft landscaping.

The site is bounded to the west by the Grand Union Canal commercial/ industrial units to the south across Packet Boat Lane, employment commercial and residential property to the north and residential housing beyond tree screening to the east along Packet Boat lane and to its north.

The buildings and estate are generally of good condition and quality and are of a traditional architectural style and appearance.

The entrance to the site is directly onto Packet Boat Lane a short distance from the main trunk (classified) High Road, A408. The entrance itself comprises large double metal gates set well back from the edge of the pavement with security.

3.2 Proposed Scheme

The application seeks full planning permission for alterations to the external elevations of the buildings 1 to 8 including the provision of a render finish at ground floor level, provision of

balconies and patio doors, erection of porticos to the buildings entrances and insertion of (velux type) windows to the roof slopes. As part of the current application it is also proposed to remove all existing external (emergency) staircases.

The proposed scheme comprises the introduction of new Velux-type windows to the existing roofs to all the blocks. The Velux windows will have dark grey framing with clear glazing to help the windows recede into the roofs.

At ground floor level the existing brick cladding will be rendered and painted with a new stone string course at first floor level.

At the upper floors, all existing pressed metal window cills will be replaced with traditional reconstituted stone cills inset into the adjacent brickwork.

It is also proposed the addition of balconies to some windows. These will be traditional painted metal balconies with steel close centre balustrades and posts. Flooring to the balconies will be hardwood decking with open joints. At each balcony 1 no. existing window is to be altered to a French (patio) door to allow access. Additional windows are also added to other areas of the existing facades, matching the existing windows.

3.3 Relevant Planning History

1197/APP/2014/3122 Union Park Packet Boat Lane Cowley

Change of use from B1 (office) to residential (C3) (Application for Prior Approval under Schedule 2 Part 3 Class J of the Town and Country Planning (General Permitted Development) Order 1995 (as amended))

Decision: 14-10-2014 Refused **Appeal:** 18-02-2015 Allowed

1197/APP/2014/3725 Union Park Packet Boat Lane Cowley

Prior approval application for change of use from B1(a) to C3 use

Decision: 11-12-2014 Refused

1197/APP/2014/3988 Unit 6 Union Park Packet Boat Lane Cowley

Prior approval for change of use from B1(a) to C3 use (to create 27 self contained flats with a mix of 4x studios, 7x 1 bed and 16 x 2 bed)

Decision: 31-12-2014 Approved

1197/APP/2014/3989 Units 7-8 Union Park Packet Boat Lane Cowley

Prior Approval for change of use from B1(a) to C3 (to create 18 self contained flats with a mix of 8 x 1 bed and 10 x 2 bed)

Decision: 31-12-2014 Approved

1197/APP/2014/3990 Units 1-5 Union Park Packet Boat Lane Cowley

Prior approval for change of use from B1(a) to C3 use (to create 65 self contained flats with a mix of 34 x 1 bed and 31 x 2 bed)

Decision: 31-12-2014 Approved

Comment on Relevant Planning History

A number of applications, as detailed above, have been submitted under the prior approval procedure. These applications sought permission to change the use of the existing buildings from general office uses into residential uses. Officers initially sought to resist the change of use from offices to residential use at this site, planning application 1197/APP/2014/3725 was initially refused. However the grounds that can be used to refuse such prior approval applications are very limited and as such, the applicants appeal against the councils refusal was allowed by the Planning Inspectorate in February 2015. Any subsequent prior approval applications, if refused, would have also been allowed at appeal.

The acceptability of residential uses within this site has been considered acceptable, including at appeal. However, in accordance with the prior approval procedure the conversion of these buildings needs to be substantially completed before the end of May 2016.

The current application has been undoubtedly submitted in association with the conversion of the buildings to residential use, in particular, as it seeks to refresh their appearance but also to add residential features to the buildings, such as velux windows at roof level to enable the use of the roof space for residential purposes as well as seeking to provide porticos to existing entrances and private balconies to the upper floors units.

Notwithstanding this, due to procedural planning reasons, the application must be considered on its own merits irrespective of the possible final use of the buildings and site.

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

Part 2 Policies:

BE13 New development must harmonise with the existing street scene.

BE20 Daylight and sunlight considerations.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE1 Protection of the character and amenities of surrounding properties and the local area

- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -
(i) Dial-a-ride and mobility bus services
(ii) Shopmobility schemes
(iii) Convenient parking spaces
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **5th March 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

33 nearby owner occupiers were consulted, a site notice was posted and the application was advertised in a local paper.

So far 2 letters have been received objecting to the proposals by reason of its impact on the privacy of adjacent occupiers and 1 letter commenting on the proposals.

The issues raised in the letters of objection have been addressed in the report.

Canal & River Trust

No objections to proposals.

Internal Consultees

None.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In land use terms there are no objections in principle to the proposed alterations to the external appearance of the buildings within this site, subject to compliance with other relevant planning policies and all the national considerations.

The Members attention is drawn to the fact that the use of conditions in the current application is restricted to the matters for which permission is being sought.

In the circumstances, no conditions pursuant to the potential use of the site for residential purposes or matters other than those relating to the external alterations proposed in the current application can be lawfully imposed.

7.02 Density of the proposed development

The density remains unchanged and further consideration of this matter is not warranted under the current application.

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

The site is not located within an Archaeological Priority Area, Conservation Area, Area of Special Local Character or affect the setting of any Listed Buildings.

7.04 Airport safeguarding

The proposal does not conflict with aircraft safeguarding criteria.

7.05 Impact on the green belt

The site does not fall within land designated as Green Belt and therefore raises no Green Belt issues.

7.07 Impact on the character & appearance of the area

Overall, the proposed alterations to the external appearance of the development are minor and will alter its overall appearance only to emphasise and service its future residential use, which will be in keeping with the surrounding area. Notwithstanding this, it is considered that the provision of balconies, porticos, patio doors and a contrasting render finish at ground floor level will refresh and add interest to the elevations of these buildings whilst providing a common frontage to the units and will result in an improvement to the appearance of the development overall.

A condition is recommended to ensure that the details of the proposed external materials are provided.

7.08 Impact on neighbours

Although concerns have been raised regarding overlooking and the impact of the proposals on privacy, the distance and position of the new windows and balconies is such, in excess of 21 metres from the boundary of the nearest residential property, that it would have negligible impact on nearby residential properties and therefore the proposal would not have a detrimental impact on the amenity of neighbouring occupiers.

7.09 Living conditions for future occupiers

Although the development is to provide enhanced facilities for future residential occupiers, the proposal is not seeking permission for a change of use to residential purposes.

The residential use was permitted under the prior approval process which did not allow for consideration of residential amenity; and this does not fall to be considered under this application. However, the proposal would provide additional windows and balconies which are likely to improve the quality of the resulting flats when compared to the buildings if they were to be simply converted.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposals do not seek to increase the amount of floorspace or remove existing parking spaces within the site and therefore the external alterations raise no highways concerns.

7.11 Urban design, access and security

Issues of design and access are dealt with in the appropriate sections of the report.

The scheme is considered adequate in terms of security and no concerns are raised in this respect.

7.12 Disabled access

The proposed external alterations raise no additional issues for wheelchair accessible users.

7.13 Provision of affordable & special needs housing

Not applicable

7.14 Trees, landscaping and Ecology

No existing trees or landscaping would be affected by the proposals.

7.15 Sustainable waste management

The proposed development has no impact on the location of waste and refuse stores.

7.16 Renewable energy / Sustainability

Not applicable.

7.17 Flooding or Drainage Issues

Not applicable.

7.18 Noise or Air Quality Issues

The appropriateness of the development in terms of noise and air quality remains unchanged and the development would not impact on these issues and as such are acceptable in these respects.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

Not applicable to development of this nature.

7.21 Expediency of enforcement action

Not applicable.

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

The application proposes relatively minor alterations to the external appearance of the buildings including the provision of windows within the roof slopes, patio doors, balconies and render finish to the ground floor of the buildings.

The proposals do not raise any material planning concerns and therefore the development is considered to accord with the saved Unitary Development Plan policies, the Local Plan Part 1 policies, the London Plan and the NPPF.

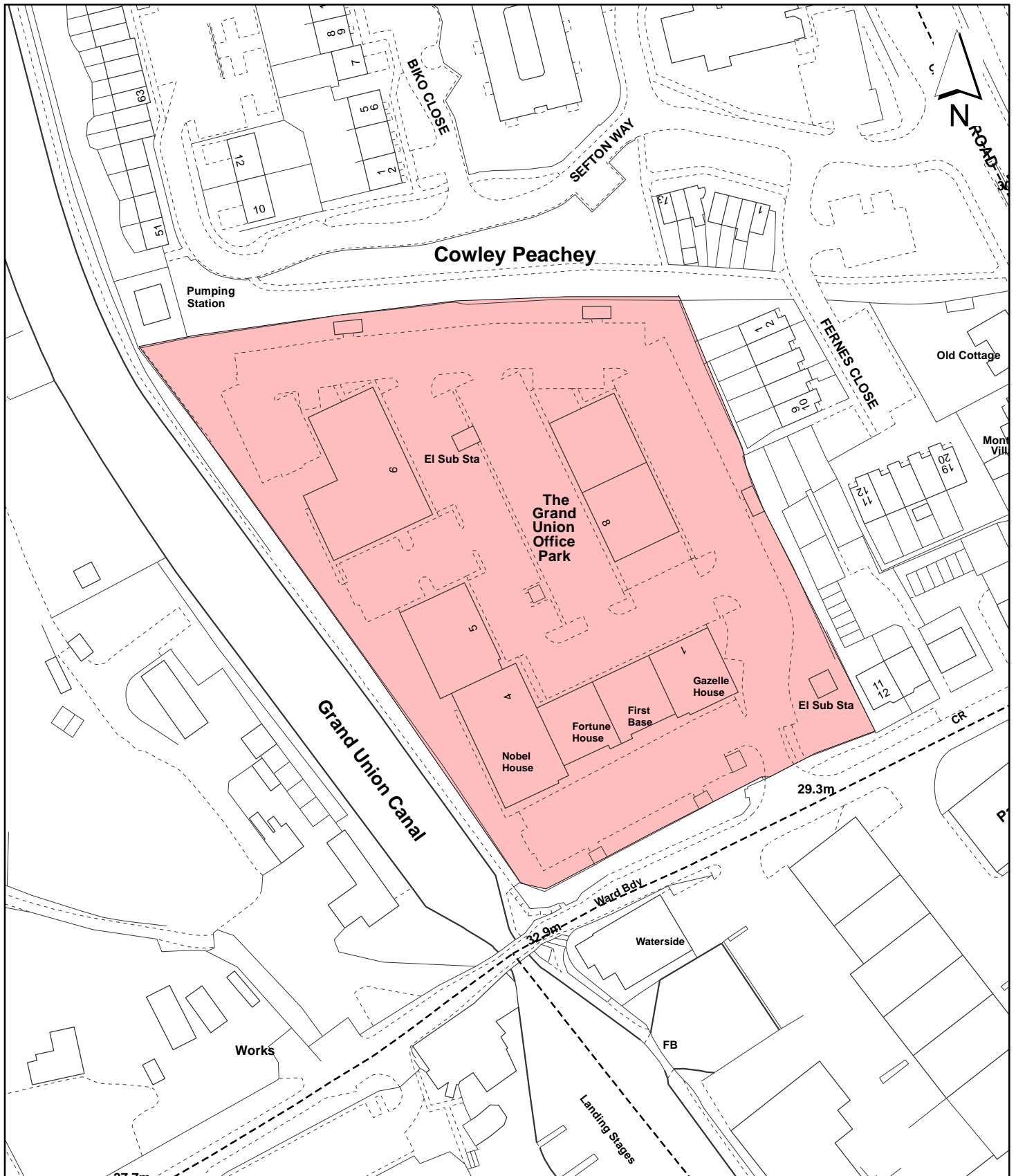
Accordingly the application proposal is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (March 2015)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Accessible Hillingdon
Hillingdon Supplementary Planning Document - Noise
Hillingdon Supplementary Planning Document - Planning Obligations
Hillingdon Supplementary Planning Guidance - Air Quality
Hillingdon Supplementary Planning Guidance - Community Safety by Design
Hillingdon Supplementary Planning Guidance - Land Contamination

Contact Officer: Tiago Jorge

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.
 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.

© Crown copyright and database rights 2015 Ordnance Survey 100019283

Site Address

**Grand Union Office Park
 Packet Boat Lane
 Cowley**

Planning Application Ref:

1197/APP/2015/386

Planning Committee

Major

Scale

1:1,250

Date

April 2015

**LONDON BOROUGH
 OF HILLINGDON**

**Residents Services
 Planning Section**

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



HILLINGDON
 LONDON