

Report of the Head of Planning, Sport and Green Spaces

Address UNIT 3 (MEDIA HOUSE) SPRINGFIELD ROAD HAYES
Development: Change of Use from Use Classes B1/B8 to Use Classes B1/B2/B8
LBH Ref Nos: 44110/APP/2015/2570
Drawing Nos: Email from agent dated 01-09-15
S3087/AL(0)003 Rev B Ground and First Floor - Proposed
S3087/AL(0)002 Rev B Ground and First Floor - Existing
L150368-D09-002 Site Plan

Date Plans Received: 08/07/2015 **Date(s) of Amendment(s):**
Date Application Valid: 08/07/2015

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,

L150368-D09-002 Site Plan

S3087/AL(0)003 Rev B Ground and First Floor - Proposed

S3087/AL(0)002 Rev B Ground and First Floor - Existing

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 (2015).

3 NONSC Refuse Storage

Prior to occupation of the development hereby approved, details of refuse storage shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development provides adequate refuse facilities in compliance with Policy 5.17 (refuse storage) of the London Plan (2015).

4 NONSC Cycle Parking

Prior to occupation of the development hereby approved, details of covered and secure parking for 23 cycles shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that adequate cycle parking is provided on site in accordance with Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

5 COM20 Air extraction system noise and odour

No operations or activities falling with Use Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) shall commence until details of an air extraction system to control emissions and odour emanating from the site has first been submitted to and approved in writing by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 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 (2015) 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.
BE25	Modernisation and improvement of industrial and business areas
LE1	Proposals for industry, warehousing and business development
LE2	Development in designated Industrial and Business Areas
LE3	Provision of small units in designated Industrial and Business Areas

3 I15 Control of Environmental Nuisance from Construction Work

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

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.23 To encourage industry and warehousing to located within existing Industrial and Business Areas and offices and other business uses, shops and public buildings employing or attracting large numbers of people to located within Town Centres or other areas identified for such purposes.
- PT1.24 To reserve designated Industrial and Business Areas as the preferred locations for industry and warehousing.
- PT1.25 To encourage the provision of small industrial, warehousing and business units within designated Industrial and Business Areas.

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.
- BE25 Modernisation and improvement of industrial and business areas
- LE1 Proposals for industry, warehousing and business development
- LE2 Development in designated Industrial and Business Areas
- LE3 Provision of small units in designated Industrial and Business Areas

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **18th August 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent to 7 local owners/occupiers and a site notice was displayed. No responses were received.

Friends of Minet Country Park:

No response received.

Hayes Chamber of Commerce:

No response received.

Internal Consultees

Highways:

Clarification is required regarding the allocation of car parking and provision for HGV vehicles between the units within the estate and the GFA of each unit.

a. LBH maximum Car park standards is one space/100sqm. This would equate to a maximum provision of 17 spaces.

- b. London Plan indicates parking for commercial vehicles should be provided at a a maximum standard of one space/500qsm. This equates to a maximum provision of 3 spaces.
- c. 10% car park provision for disabled users should be provided
- d. 20% active and 10% passive provision for electric vehicles should be provided.
- e. Minimum cycle parking provision of 1 space/75sqm for B1/B2 uses and 1 space/250sqm for B8 use should be provided.

Officer comments:

There are 29 parking spaces allocated for the existing Unit 3; 20 parking spaces for cars and commercial vehicles are required by the Council's Car Parking Standards.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site comprises an industrial unit located within the Springfield Road Industrial and Business Area (IBA).

Policy E2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies LE1 and LE2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) establishes the principle of providing a business, industrial and/or warehouse unit in this area for B1(c), B2 or B8 purposes, provided that site specific issues can be satisfactorily addressed.

It is considered that the proposed change of use from B1 and B8 use to a mixed B1, B2 and B8 use would be acceptable in principle subject to compliance with relevant Hillingdon Local Plan Polices (November 2012) relating to the impact on the amenity, character & appearance of the area, and on highways impact and parking provision.

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

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene.

The proposed change of use would not result in any external changes to the industrial unit and so would not impact on the character and appearance of the street scene and the surrounding areas, thereby complying with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

There are no residential properties located close to the application site and so there would be no impact on residential amenity.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The Council's Car Parking Standards states that for B1, B2 and B8 use, one car parking space per 100sqm should be provided whilst the London Plan standards states that one commercial vehicle parking space should be provided per 500qsm. As such, 17 car parking spaces and 3 commercial vehicle parking spaces should be provided.

Unit 3 has an existing parking provision for 29 vehicles located in front of the building and so would exceed the recommended parking standards for B1, B2 and B8 use. As the proposal is for a flexible B1, B2 and B8 use at an existing building in B1 and B8 use, the existing parking arrangements for the site are considered to be acceptable.

Notwithstanding the London Plan requirements to make provision for electric vehicles, this is an existing site with existing car parking provision. The application merely seeks a greater flexibility for uses to maximise the ability for the building to be put to beneficial use. In this context it is not considered necessary or reasonable to impose a requirement for electric charging facilities to be retrospectively created within the existing car park.

Cycle parking provision helps to support the adoption of sustainable travel choices in accordance with Policy 6.9 of the London Plan. This will be achieved through the use of a condition to ensure adequate provision is made.

In regards to the impact on traffic, the proposed mixed B1, B2 and B8 is not likely to result in a significant increase in the number of vehicle movements to and from the site and so considered to be acceptable in terms of traffic generation, in accordance with Policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Urban Design:

The proposed change of use would not result in any changes to the appearance of the building.

Access & Security:

The proposal would not result in any changes to the access and security arrangements of the site.

7.12 Disabled access

There would be no change to existing disabled access as a result of this proposal.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

In order to ensure adequate waste management, details of sustainable waste management

for the unit can be dealt with by way of a suitable condition.

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 application would extend the range of uses that could be accommodated within the premises to include general industrial operations falling within Use Class B2. These activities would by definition introduce a greater likelihood for detrimental impacts to arise than the existing B1(c) and B8 activities consent on the site. In order to prevent future emissions or odour a restrictive condition is recommended that would ensure that adequate filtration was installed prior to any B2 use being commenced.

The site is located away from residential properties in an area dominated by other employment uses. On this basis it is not considered that there is a sensitivity to noise in this location that would justify the imposing of restrictive conditions such as controls on the hours of operation.

7.19 Comments on Public Consultations

No responses were received during the public consultation.

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

Not applicable to this application.

10. CONCLUSION

Planning permission is sought for the change of use from Use Classes B1 (Office/Light Industry) and B8 (Storage and Distribution) to a mixed B1, B2 and B8 use, in order to allow Unit 3 to be used for Industrial Bakery purposes (Use Class B2) with ancillary office use.

The proposed change of use from B1 and B8 use to a mixed B1, B2 and B8 use is considered to be acceptable in principle. The proposal would not impact on the character and appearance of the street scene and the surrounding areas. The proposal is considered to be acceptable in regards to highways impact and parking provision.

The proposal complies with Policies AM7, AM14, BE13, BE25, LE1, LE2 and LE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The application is therefore recommended for approval.

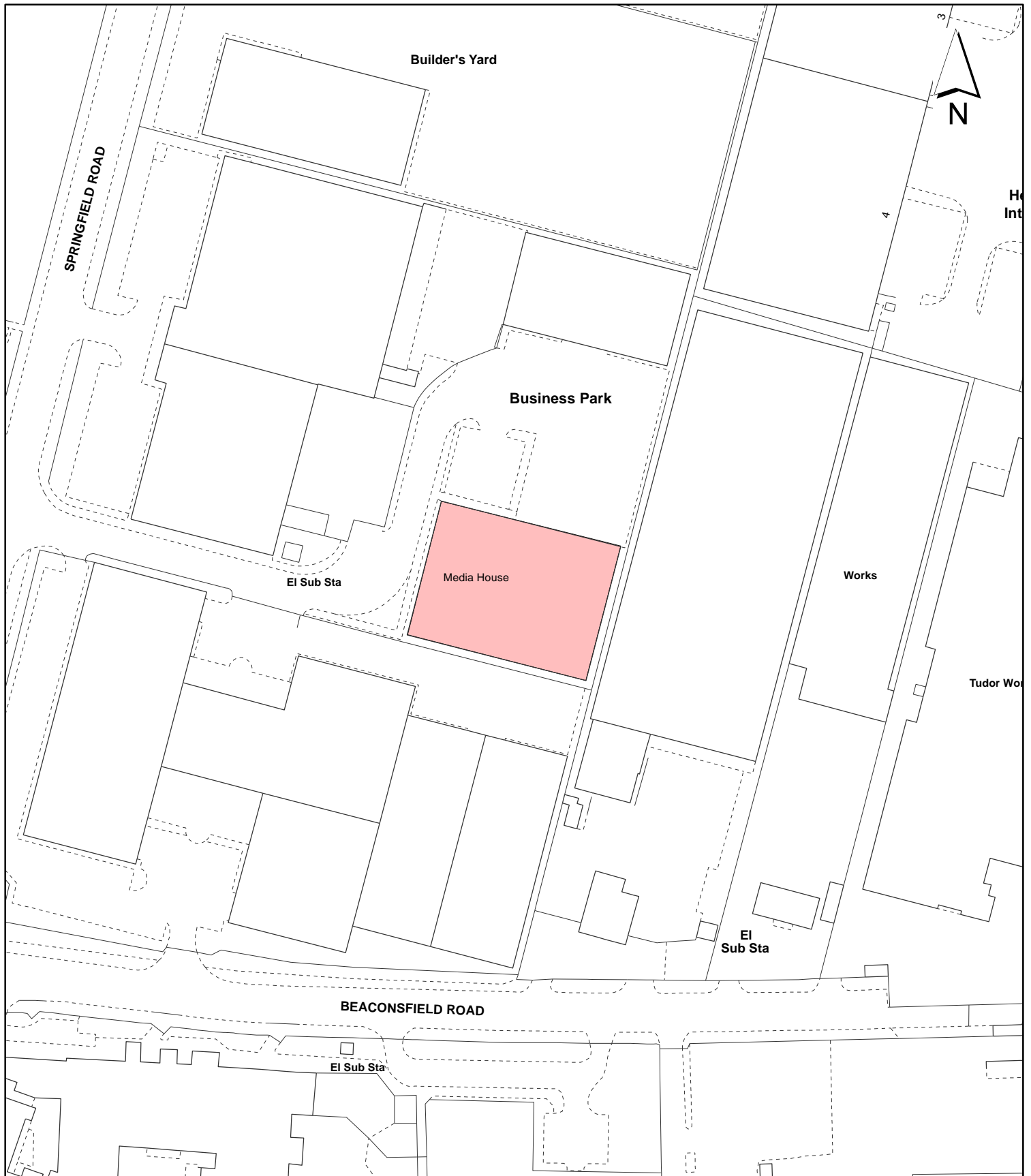
11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

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Notes:

 Site boundary

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**LONDON BOROUGH
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 Telephone No.: Uxbridge 250111

Planning Application Ref:
44110/APP/2015/2570

Scale:
1:1,250

Planning Committee:
Major

Date:
October 2015

