

Report of the Head of Planning, Sport and Green Spaces

Address BERKELEY PARK APARTMENTS MARLBOROUGH CRESCENT
HARLINGTON

Development: Proposed change of use from apartment hotel (Use Class C1) to a homeless persons hostel and associated external works

LBH Ref Nos: 31642/APP/2016/4411

Drawing Nos: 2016/D/204/P/004 Rev A
2016/D/204/P/002 Rev A
2016/D/204/P/003 Rev A
2016/D/204/P/006 Rev A
2016/D/204/P/007 Rev A
2016/D/204/P008
2016/D/204/P/005
2016/D/204/P/001
Transport Statement 3249_005_R01 v2

Date Plans Received: 08/12/2016 **Date(s) of Amendment(s):** 07/12/2016
12/12/2016
Date Application Valid: 08/12/2016 19/01/2017

1. SUMMARY

The application seeks consent for the proposed Change of Use from C1 (APARTMENT HOTEL) to SUI-GENERIS Homeless persons hostel use and associated external works for the Berkeley Park Apartments on Marlborough Crescent, just behind the Bath Road in Harlington.

The existing building has been designed as an apartment hotel which provides temporary accommodation, as such the proposed use of the site to provide temporary accommodation for homeless persons is considered to be appropriate and acceptable. No alterations are proposed to the external appearance of the building or landscaping. One of the existing car parking spaces will be reallocated for motorcycle parking as requested by the Councils Highways Engineer.

No objections have been raised on highways grounds and a condition is recommended to ensure the proposal meets Secure by Design standards.

The proposed Change of Use is therefore considered to accord with policies contained within the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan (March 2016) and the National Planning Policy Framework (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:

2016/D/204/P/001

2016/D/204/P/002 Rev A

2016/D/204/P/003 Rev A

2016/D/204/P/004 Rev A

2016/D/204/P/005

2016/D/204/P/006 Rev A

2016/D/204/P/007 Rev A; 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 (2016).

3 COM5 General compliance with supporting documentation

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:

Design and Access Statement 2016/D204/P008

Transport Statement 3249_005_R01 v2

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence

REASON

To ensure that the development complies with the objectives of Policies contained within the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 COM31 Secured by Design

The building(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No building shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in excising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (2016) Policies 7.1 and 7.3.

5 NONSC Non Standard Condition

Notwithstanding the submitted information, prior to first occupation a Site Supervision Management Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved scheme shall be implemented prior to the use hereby permitted being commenced, 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).

6 NONSC Non Standard Condition

The parking areas shown on the approved plans shall be provided before first occupation, and shall be allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

REASON

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2016).

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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

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.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
BE18	Design considerations - pedestrian security and safety
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
LPP 3.17	(2016) Health and social care facilities
LPP 6.13	(2016) Parking
LPP 7.16	(2016) Green Belt
LPP 7.3	(2016) Designing out crime
LPP 7.4	(2016) Local character

LPP 8.2	(2016) Planning obligations
NPPF	National Planning Policy Framework
OE1	Protection of the character and amenities of surrounding properties and the local area
OE5	Siting of noise-sensitive developments
R16	Accessibility for elderly people, people with disabilities, women and children
SPD-NO	Noise Supplementary Planning Document, adopted April 2006
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008
SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
T2	Location of tourist accommodation and conference facilities

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The site is known as Berkeley Park, located on Marlborough Crescent, just behind the Bath Road in Harlington. The site currently contains three 3 storey, pitched and hipped roofed brick built buildings. The blocks are currently occupied by serviced apartments. There are 28 existing parking spaces, 5 of these are located outside the gates for visitors and there are 3 disabled parking bays on site.

The site has a Public Transport Accessibility Level (PTAL) score of 3, and is situated within a Developed Area whilst land to the north of the site is allocated as green belt as designated by the policies contained within the Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The current use of the site is of fully serviced apartments or apartment hotel (Use Class C1) providing 50 fully furnished studios or one bedroom apartments. The current GIA of the serviced apartments comprise of 2525m². The proposal is to continue using the apartments as designed but specifically for temporary accommodation for homeless persons (Use Class Sui Generis). The proposed scheme involves some minor changes internally to accommodate a small number of larger units. The proposed change of use will be from a 50 Services Apartments into 43 units (1, 2 and 3 bedroom apartments) with no change to the GIA.

No alterations are proposed to the external appearance of the building or landscaping. One of the existing car parking spaces will be reallocated for motorcycle parking as requested by the Councils Highways Engineer.

3.3 Relevant Planning History

Comment on Relevant Planning History

Consent was granted on 02/04/2001 for the 'ERECTION OF 43 APARTMENTS IN FOUR BLOCKS TOGETHER WITH ACCESS ROAD, CAR PARKING AND LANDSCAPING WORKS'.

Since that time there have been a number of applications to create small extensions to the development leading to an increase in the number of apartments to 50. There have been no applications submitted since the development was constructed to alter the use of the site.

4. Planning Policies and Standards

The Hillingdon Local Plan: Part 1- Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)

London Plan (March 2016)

National Planning Policy Framework (NPPF)

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.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

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.

AM15 Provision of reserved parking spaces for disabled persons

AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

BE18 Design considerations - pedestrian security and safety

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

EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

LPP 3.17 (2016) Health and social care facilities

LPP 6.13 (2016) Parking

LPP 7.16 (2016) Green Belt

LPP 7.3 (2016) Designing out crime

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SPG-AQ	Air Quality Supplementary Planning Guidance, adopted May 2002
T2	Location of tourist accommodation and conference facilities

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **13th January 2017**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Consultation letters were sent out to circa 110 local properties and occupiers on the 21.12.17 and three site notices were posted in the immediate vicinity of the site. 5 letters of objection to the proposed change of use have been received that can be summarised to raise the following points:

- Inappropriate location in a small village for such a hostel
- Increase in crime/trespassing onto adjacent property/anti social behaviour
- Detrimental impact on residential amenity
- Inappropriate display of the planning notice
- Detrimental impact on the character of the area
- Extra car traffic and noise
- Devaluation of properties

Case Officer's comments:

The principle of the change of use, security, impact on residential amenity, impact on the character of the area and traffic issues are discussed within the body of this report. The impact of the development on property values is not a material planning consideration in this case and is not therefore considered. Site notices have been displayed correctly and the statutory consultation process has been adhered to.

SECURE BY DESIGN OFFICER

As this application seeks to develop 90 rooms for the homeless, I also note that a short distance away, it has been indicated that The Former Douglas Webb Section site is seeking to develop a possible similar type of premises. I have concerns about the impact of this on the local area. As within the local area, there is a full range of crime types ranging from theft from motor vehicle, local hotel crime and burglary.

I would say that at a minimum, the development has a Secured by Design condition imposed. Security at this site will be an imperative and in the absence of a robust security strategy.

Case Officer's comment:

An appropriate Secure by Design condition is recommended to be attached to any grant of planning consent for the proposed change of use.

Internal Consultees

WASTE STRATEGY OFFICER

The site currently receives a waste collection from a private sector company. The space currently allocated for waste storage can be allocated for the same purpose in the new site operation.

HIGHWAYS

Current use of the site is serviced apartments/apartment hotel providing 50 fully furnished studios or 1 bed apartments. Proposed use is for temporary accommodation for homeless persons comprising 43 units of 2 and 3 bedroom apartments for tenants who will be rehoused when suitable accommodation is found. There is no change in the GIA.

A transport statement has been provided with the application confirming a reduction in the vehicular trips to the site and a much lower demand for on site parking. As such the existing parking provision of 28 is acceptable, 5 of these are located outside the gates for visitors. 3 disabled bays have been provided. One of the parking spaces should be used/marked for motorcycle parking.

Cycle parking, minimum 10 spaces, ought to be provided in a covered and secure location. Refuse will be collected from within the site as is the current arrangement. Bin locations should be shown on plans, and covered and secure.

Marlborough Crescent is not an adopted highway but has waiting restrictions in place. Subject to amendments being carried out as mentioned above no objections would be raised on highway grounds.

Case Officer's comments:

The Applicant has provided an amended layout plan to show the information required (plan reference 2016/D/204/P/002 Rev A).

ENVIRONMENTAL PROTECTION UNIT

As this was a hotel it is expected there would be high level sound insulation already in place, and having reviewed the application it appears there is no information on the level of existing sound insulation and ventilation that will be provided. As such we would expect them to demonstrate before occupation that internal noise levels of 35dB LAeq, 16 hours (07:00-2300) are being achieved for living rooms and bedrooms for daytime and LAeq,30dB, 8 hours(23:00 -07:00 are being achieved in bedrooms for night time. Alternative mechanical ventilation will need to be provided as the windows will have to be kept closed due to high external noise levels.

Case Officer's comments:

The Applicant has provided the following response:

For clarity all the blocks are traditional construction comprising brick/cavity/block dab and plaster finish with concrete floors and tiled pitched roof. Internal party walls, between units are either 250mm, 300mm cavity walls or solid 215 mm block walls. All the habitable rooms have upvc double glazed windows with secondary glazing. In addition all the habitable rooms have acoustic background ventilation units fixed to the external walls or through the roof.

All the doors to habitable rooms are 44 mm thick with self closing closures. The party floors are 150mm thick concrete planks finishes with resilient layer and 75 mm screed and soffit lined with 60mm insulation and plasterboard with skim finish. All the blocks appear to be well constructed. The current use is designed to accommodate families with children and the proposed use is likewise to accommodate families moving on to permanent homes after temporary stay.

Based on the construction details described above I believe the buildings are well insulated as being

nearer to the airport and the sound reduction values would meet standards set for the proposed use.

ENVIRONMENTAL PROTECTION UNIT 2nd comments:

Based on the information provided, a noise condition would not be necessary as the existing noise mitigation measures are sufficient.

ACCESS OFFICER

Having reviewed the supporting Design & Access Statement, I conclude that the accessibility measures proposed are commensurate with a proposal of this type.

Conclusion: acceptable

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The existing building has been designed as an apartment hotel which provides temporary accommodation, as such the proposed use of the site to provide temporary accommodation for homeless persons is considered to be acceptable.

Policy T2 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) states that the Local Planning Authority will encourage the provision of a range of accommodation on sites that are easily accessible from Heathrow Airport, underground and railway stations and from the main road network provided the development does not conflict with the aim to maintain and improve the environment. Given that the proposed scheme is an alternative type accommodation and no external alterations are proposed the scheme is deemed to accord with Policy T2.

The proposed Change of Use from C1 to Sui Generis is therefore considered to accord with policies contained within the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan (March 2016) and the National Planning Policy Framework (NPPF).

7.02 Density of the proposed development

The London Plan density matrix and HDAS density guidelines relate specifically to residential developments. As such, the density of Sui Generis temporary housing schemes needs to be assessed on a case by case basis taking into account issues such as urban design, landscaping, parking and traffic impact. These issues are all discussed later in the report.

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

The site does not fall within close proximity to any listed buildings, conservation areas, or areas of special local character.

7.04 Airport safeguarding

Not applicable to the proposed change of use as no external changes are proposed to the building.

7.05 Impact on the green belt

The application site lies directly to the south of an area of land allocated as green belt. However there are no external alterations proposed to the buildings and as such the impact of the change of use on the adjacent green belt is deemed minimal and acceptable.

7.07 Impact on the character & appearance of the area

No alterations are proposed to the external appearance of the building, parking provision or landscaping.

7.08 Impact on neighbours

No external alterations are proposed to the existing buildings. Concerns have been raised

by some local residents regarding potential detrimental impacts on residential amenity as a result of the proposed change of use. The predominant concern relates to an increase in crime. The Metropolitan Police Designing out Crime Officer has been consulted on the proposals and has raised no objections subject to the inclusion of a Secure by Design condition. This condition is therefore recommended to be attached to any grant of planning consent for the change of use.

A further condition which has successfully been used to mitigate harm caused by HMO type changes of use (a site supervision management plan) is also proposed to ensure neighbour impacts are minimised.

7.09 Living conditions for future occupiers

The NPPF, London Plan and Local Policies on living conditions for new developments relate specifically to residential developments (Use Class C3). As such, the living conditions of Sui Generis temporary housing schemes need to be assessed on a case by case basis.

The existing building has been designed as an apartment hotel which provides temporary accommodation, as such the proposed use of the site to provide temporary accommodation for homeless persons is considered to be appropriate and acceptable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Council's Highways Engineer has reviewed the submitted proposals and raised no objections to the development, noting that the existing parking provision is acceptable and traffic would be reduced as a result of the change of use.

7.11 Urban design, access and security

No alterations are proposed to the external appearance of the building or landscaping. As discussed above a Secure by Design condition is recommended.

7.12 Disabled access

The existing building has been designed as an apartment hotel which provides temporary accommodation, as such the proposed use of the site to provide temporary accommodation for homeless persons is considered to be appropriate and acceptable.

The Council's Access Officer was consulted as part of the application process and no objections have been received.

7.13 Provision of affordable & special needs housing

The proposed change of use is to provide temporary accommodation for homeless persons, as such the provision of affordable and special needs housing is not applicable to this application.

7.14 Trees, landscaping and Ecology

No alterations are proposed to the existing landscaping.

7.15 Sustainable waste management

The existing facilities will be utilised for waste management. The Council's Waste Management Officer has been consulted as part of the application process and raised no objections to the change of use.

7.16 Renewable energy / Sustainability

Not applicable to this change of use application.

7.17 Flooding or Drainage Issues

The proposals would not result in any significant change to the overall area of hardstanding on the site and therefore there would be no significant implications for flood risk.

7.18 Noise or Air Quality Issues

The Council's Environmental Protection Unit have been consulted as part of the proposals and have requested a condition to protect future residents from external noise. The applicant has provided a response that details the build quality and design of the existing building, including the existing acoustic background ventilation units. This information has been passed to the Council's Environmental Protection Unit and no objections have been received.

7.19 Comments on Public Consultations

The principle of the change of use, security, impact on residential amenity, impact on the character of the area and traffic issues are discussed within the body of this report. The impact of the development on property values is not a material planning consideration in this case and is not therefore considered. Site notices have been displayed correctly and the statutory consultation process has been adhered to.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

No enforcement issues are raised by this development.

7.22 Other Issues

There are no other planning issues raised by this 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

None

10. CONCLUSION

The application seeks consent for the proposed Change of Use from C1 (APARTMENT HOTEL) to SUI-GENERIS Homeless persons hostel use and associated external works for the Berkeley Park Apartments on Marlborough Crescent, just behind the Bath Road in Harlington.

The existing building has been designed as an apartment hotel which provides temporary accommodation, as such the proposed use of the site to provide temporary accommodation for homeless persons is considered to be appropriate and acceptable. No alterations are proposed to the external appearance of the building or landscaping. One of the car parking spaces will be reallocated for motorcycle parking as requested by the Councils Highways Engineer.

No objections have been raised on highways grounds and a condition is recommended to ensure the proposal meets Secure by Design standards.

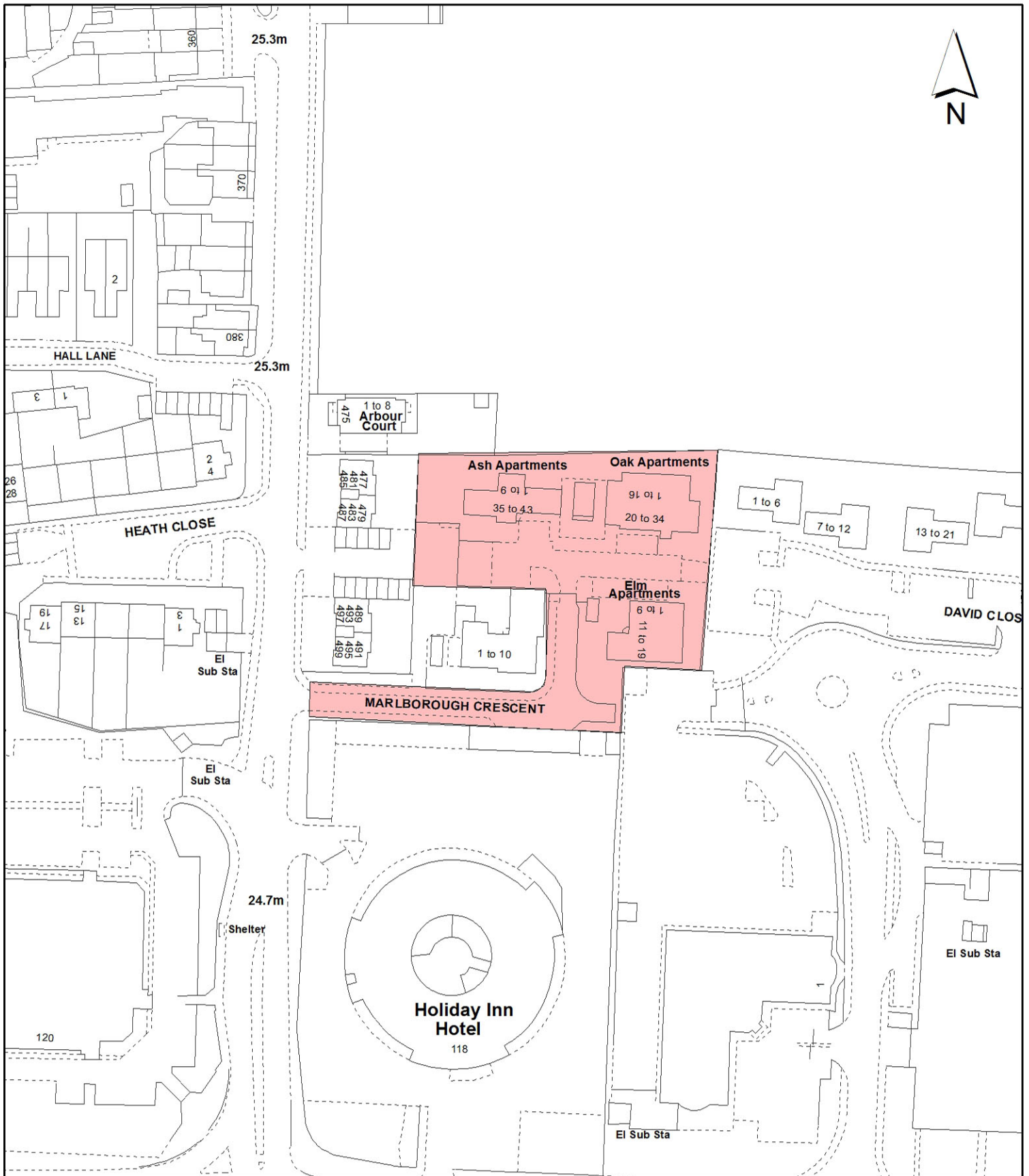
The proposed Change of Use is therefore considered to accord with policies contained within the Hillingdon Local Plan: Part 1- Strategic Policies (November 2012), the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012), London Plan (March 2016) and the National Planning Policy Framework (NPPF).

11. Reference Documents

The Hillingdon Local Plan: Part 1- Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (March 2016)
National Planning Policy Framework (NPPF)

Contact Officer: Ed Laughton

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Notes:

 Site boundary

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Site Address:

**Berkeley Apartments
 Heathrow Village**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
31642/APP/2016/4411

Scale:
1:1,250

Planning Committee:
Major

Date:
February 2017



HILLINGDON
 LONDON