

Report of the Corporate Director of Planning & Community Services

Address 151 HIGH STREET RUISLIP

Development: Change of use from Class A1 (Shops) to Mixed Use Class A3 / A5 (Restaurant with takeaway facility), with associated flue at rear.

LBH Ref Nos: 11899/APP/2009/2540

Drawing Nos: BM JP 001.1
Design & Access Statement

Date Plans Received: 23/11/2009 **Date(s) of Amendment(s):**

Date Application Valid: 04/12/2009

1. **SUMMARY**

Planning permission is sought for the change of use from retail to uses within classes A3 and/or A5. It is considered although the proposal would result in a separation gap of more than 12m between shop uses, as the permission granted in June 2005 for the change of use from retail to a use within class A2 has not expired and can still be implemented resulting in the loss of a retail unit, the proposed change to a non-shop use under this current application is acceptable in this particular case.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 T8 **Time Limit - full planning application 3 years**

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 N13 **Sound insulation of commercial/entertainment premises**

The development shall not begin until a sound insulation scheme for the control of noise transmission to the adjoining dwellings/premises has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be fully implemented before the development is occupied/use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

3 NONSC **Non Standard Condition**

No music and/or other amplified sound arising from the premises shall be audible from the inside of surrounding or adjacent premises.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with

Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

4 HLC1 Restaurants/Cafes/Snack Bars

The premises shall only be used for the preparation, sale of food and drink and clearing up between the hours of 08:00 and 23:30. There shall be no staff allowed on the premises outside these hours.

REASON

To safeguard the residential amenity of the occupiers and nearby properties, in accordance with Policies OE1 and OE3 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

5 OM5 Provision of Bin Stores

Prior to the commencement of works on site, full details of the provision to be made for the secure and covered storage of refuse and recycling shall be submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided on site prior to the premises being brought into use and thereafter maintained.

REASON

To ensure satisfactory provision is made for the storage of waste and recycling, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

6 NONSC Non Standard Condition

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

REASON

To safeguard the amenity of surrounding areas, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

7 NONSC Non Standard Condition

No development shall take place until details of the height, position, design and materials of a chimney or extraction vent and any air conditioning equipment to be provided in connection with the development have been submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out until the vent/chimney has been installed in accordance with the approved details. Thereafter the vent/chimney shall be permanently retained and maintained in good working order for so long as the use continues.

REASON

In order to safeguard the amenities of adjoining properties in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

8 NONSC Non Standard Condition

Development shall not commence until details of access to building entrances and w.c. facilities (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved

facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter.

REASON

To ensure that people with disabilities have adequate access to the development in accordance with Policy R16 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

9 NONSC Non Standard Condition

No development shall take place until a scheme detailing the method of disposal, storage and collection of litter and waste materials, generated by the business and/or discarded by patrons, has been submitted to and approved in writing by the Local Planning Authority. The details shall include a description of the facilities to be provided and the methods for collection of litter within and in the vicinity of the premises. The approved scheme shall be implemented in full thereafter.

REASON

To ensure that adequate provision is made for the disposal of litter and waste, in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with policy S1 of the Hillingdon Unitary Development Plan.

10 NONSC Non Standard Condition

A notice shall be displayed permanently and prominently within the premises requesting that customers dispose of their litter responsibly.

REASON

To ensure the satisfactory disposal of litter in the interests of maintaining a satisfactory standard of amenity in the locality, in accordance with policy S1 of the Hillingdon Unitary Development Plan.

11 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and also that the impact on adjoining occupiers is limited in compliance with policies BE13 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies September 2007)

3 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

4 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

6 I18 Storage and Collection of Refuse

The Council's Waste Service should be consulted about refuse storage and collection arrangements. Details of proposals should be included on submitted plans. For further information and advice, contact - the Waste Service Manager, Central Depot - Block A, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB8 3EU (Tel. 01895 277505 / 506).

7 I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

8

You should ensure that your premises do not generate litter in the streets and nearby areas. Sections 93 and 94 of the Environmental Protection Act 1990 give local authorities the power to serve 'Street Litter Control Notices' requiring businesses to clear up the litter and implement measures to prevent the land from becoming littered again. By imposing a 'Street Litter Control Notice', the local authority has the power to force businesses to clean up the area in the vicinity of their premises, provide and empty bins and do anything else which may be necessary to remove litter. Amendments made to the 1990 Act by the Clean Neighbourhoods and Environment Act 2005 have made it immediately an offence to fail to comply with the requirements of a Street Litter Control Notice, and fixed penalties may be issued as an alternative to prosecution.

Given the requirements of the Clean Neighbourhoods and Environment Act 2005, you are advised to take part in Defra's Voluntary Code of Practice for 'Reducing litter caused by Food on the Go', published in November 2004.

Should you have any queries on the above, please contact the Environmental Enforcement Team within the Environment and Consumer Protection Group on 01895 277402 at the London Borough of Hillingdon.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the east side of High Street, Ruislip, south of its junction with Brickwall Lane, and comprises a three-storey semi-detached property with a retail unit on the ground floor with residential above, accessed from the rear. The attached property, no.149 High Street, lies to the north and comprises a hot food takeaway use on the ground floor with residential above. To the south lies 153 High Street, a three storey semi-detached property comprising a public house. The street scene is commercial in character and appearance and the application site lies within the secondary shopping area

of the Ruislip Town Centre, as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site also lies within the Ruislip Village Conservation Area.

3.2 Proposed Scheme

Planning permission is sought for the change of use from retail to a restaurant and/or hot food take away use within classes A3 and A5. No external alterations are proposed at the front of the building however a flue is proposed on the rear roofslope of the first floor rear extension. It would measure 0.5m by 0.5m and run along the slope of the roof at which point it would project 1.2m above the roof slope.

3.3 Relevant Planning History

11899/APP/2005/860 151 High Street Ruislip

CHANGE OF USE FROM CLASS A1 (SHOP) TO CLASS A2 (FINANCIAL AND PROFESSIONAL SERVICES)

Decision: 07-06-2005 Approved

11899/APP/2007/1495 151 High Street Ruislip

ERECTION OF SINGLE STOREY REAR EXTENSION TO GROUND FLOOR SHOP UNIT.

Decision: 12-07-2007 Approved

11899/APP/2007/3407 151 High Street Ruislip

ERECTION OF A TWO-STOREY REAR EXTENSION TO PROVIDE AN OFFICE AREA FOR THE SHOP ON THE GROUND FLOOR AND ADDITIONAL 2 X 1 BEDROOM FLATS ON THE FIRST FLOOR

Decision: 04-01-2008 Refused

11899/APP/2008/1884 151 High Street Ruislip

ERECTION OF A TWO-STOREY REAR EXTENSION TO PROVIDE AN OFFICE AREA FOR THE SHOP ON THE GROUND FLOOR AND ADDITIONAL 2 X 1 BEDROOM FLATS ON THE FIRST FLOOR (RE-SUBMISSION)

Decision: 14-08-2008 Refused

11899/APP/2009/1696 151 High Street Ruislip

Change of use from Class A1 (Retail) to mixed use A3 (Restaurants and cafes) / A5 (Hot food takeaways) and erection of an extraction flue at rear.

Decision: 25-09-2009 Refused

11899/C/83/9006 151 High Street Ruislip

Advertisement (P)

Decision: 22-02-1983 Approved

Comment on Relevant Planning History

The permission approved in 2005 (ref: 11899/APP/2005/860) involved a change of uses from class A1 to A2. At that time, the shopping survey completed in 2004 indicated that the loss of the application property would still maintain 58% of A1 shop uses in the secondary shopping area, and that it would not result in a separation of A1 uses or a concentration of non-A1 uses. However, an oversight was made at that time when that application was being determined, no.149 High Street, which lies to the north, comprised a hot food takeaway use on the ground floor and no.153 High Street, comprised a public house, resulting in a separation distance of more than 12m.

Application ref: 11899/APP/2009/1696 was refused for the following reason:

The proposal would result in a concentration of non-retail uses within this part of the Secondary frontage which would be detrimental to the vitality and viability of Ruislip Town Centre as a whole. The proposal is therefore contrary to Policy S12 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Following the above refusal, the applicant contacted officers to highlight that permission 11899/APP/2005/860 was still extant and therefore a material consideration. Furthermore, the approval of the 2005 application established the principle of the loss an A1 unit.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
OE1	Protection of the character and amenities of surrounding properties and the local area
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies September 2007)

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **3rd February 2010**

5.2 Site Notice Expiry Date:- **3rd February 2010**

6. Consultations

External Consultees

31 adjoining owner/occupiers have been consulted and the application has been advertised as a development that affects the character and appearance of the Ruislip Village Conservation Area. No comments have been received.

Ruislip Chamber of Commerce:

We objected to this change of use when it was first submitted in September 2009 and the Chamber's view on this has not changed. The Chamber believe the number of A3 and A5 premises at the southern end of the High Street already exceeds the planning criteria set by the Council and if we are to maintain our position as a vibrant well balanced High Street we cannot afford to keep losing A1 retail units to A3/A5 businesses which is what would happen if this planning application is granted. Therefore, the Chamber strongly objects to this change of use application and hopes it will not be granted by the Council.

Ruislip Village Conservation Panel: No comments received

Ruislip Residents' Association:

Whilst the applicant may well take the view that this proposal is a suitable change of use in a secondary location no regard is taken of two very pertinent facts, namely

- 1) The existing retail unit is in the Ruislip Village Conservation Area, and
- 2) There is already a surfeit of eateries and take aways in the immediate area and by any quantitative measure saturation point based on Council policy must have surely been reached.

Whilst the exact nature of the proposed new facility is not yet known it is likely to incorporate fast food which will not increase the quality of the present shopping experience whereas retaining the unit as a retail outlet has to add greater diversity to the existing street scene.

All in all we do not see any benefits accruing as a result of this application and would hope that it would be declined when up for consideration.

Please keep us informed of the outcome.

Ward Councillor: Raises an objection to this application.

Internal Consultees

Conservation:

The site lies within the Ruislip Village Conservation Area. Following the recent Conservation Area designation, any 'new development should preserve or enhance the character and appearance of the area' (PPG 15).

The proposed scheme is for internal alterations and conversion of retail unit to restaurant/hot food takeaway. From a conservation point of view, these would not have any impact on the character and appearance of the conservation area, and are therefore acceptable.

The extraction flue is proposed to be located to the rear of the property, and as such, would not have an impact on the street scene and appearance of the Conservation Area. It is, therefore, acceptable in principle. We would, however, like to see details of materials and finish of the proposed flue. Ideally, it should be painted in a dark matt finish colour.

Recommendation: Acceptable

Environmental Protection Unit:

It is understood from the submissions made that no additional information is currently available in respect of any proposed kitchen extract system. EPU would prefer to agree the specification of measures to prevent noise and odour complaints at the planning stage, however in this instance it does not appear that this can be overcome without separating the use from the extract system permissions. In principle it is acceptable to terminate the extract flue at the height shown in this location.

Should this proposal be recommended for approval conditions relating to hours of operation and deliveries and details of extraction equipment are recommended.

Highways:

The site is located on the north-eastern side of High Street, which is a classified Road and is designated as a London Distributor Road in the Council's UDP. The site is embedded within the Ruislip Major Town Centre as described in the UDP.

As per the design and access statement, the proposed restaurant with takeaway facility will be open between 0900 and 2300 Sunday to Thursday, and 0900 and 2400 hours on Friday and Saturday. However, the proposed opening times on the application form are between 0900 and 2400 seven days a week. No information has been proposed on staff numbers. The site is located close to Ruislip underground station and the area is served by several buses.

The site has rear parking area, which could be utilised for staff parking and some deliveries. On-street parking is restricted by double yellow lines in front of the site, but pay and display parking facilities are available in close proximity to the site. In addition, public car parks are also nearby. The peak traffic and car parking associated with the application is likely to be at times outside the normal highway network peak periods and also at times when most retail units in the Town Centre have ceased trading.

At these times car parking is likely to be readily available in the locality and in addition, patrons of the restaurant are likely to spend time in finding a suitable parking location rather than parking indiscriminately.

No objection is raised on the highways aspect of the proposals subject to a suitable condition being attached restricting any delivery service from the restaurant.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 8.24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) defines secondary shopping areas as peripheral to the primary areas in which shopping and service uses are more mixed although class A1 shops should still be the majority use. Paragraph 8.26 states that as a guideline, the Council will normally seek to prevent a separation or an increase in the separation of class A1 units of more than approximately 12m which is broadly the width of two typical shop fronts. Class A1 shops should remain the predominant use in secondary areas and the Local Planning Authority will expect at least 50% of the frontage to be in class A1 use.

Policy S12 establishes the change of use from class A1 to non class A1 uses in secondary frontages where there remains adequate retail facilities to accord with the character and function of the shopping centre in order to maintain the vitality and viability of the town centre.

The 2009 shopping survey shows that within the secondary frontage of the Ruislip Town Centre, class A1 is at 61.7% of the frontage. The loss of the application property would

reduce this to 60.6%. Therefore the proposal would not result in a reduction in the retail frontage below 50%.

Adjoining the application site to the north and south are non-retail uses. The proposed change of use to a non retail use would result in a 17.5m long break in the retail frontage. However, planning permission was granted in 2005 for a change of use from class A1 to class A2. The current adjoining non-shop uses were the same adjoining uses in 2005 and resulted in a separation distance of 17.5m. However, this was missed in the consideration of that application and planning permission was granted at the North Planning Committee on 7th June 2005.

There still exists an extant permission for a class A2 use which the applicant could implement and then seek a further permission for a change of use to classes A3 or A5. It is therefore considered that a refusal of a further application for a change of use from class A2 to A3/A5 would not be sustained at appeal. As such, it is considered that on this basis, the proposed change of use from class A1 to a use within classes A3 or A5 is acceptable in this particular case.

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

No alterations are proposed on the front elevation and therefore the proposal would not harm the appearance of the street scene and the character and appearance of the Ruislip Village Conservation Area.

The proposed ventilation duct attached to the rear roof slope has been sensitively sited and is not considered to be detrimental to the appearance of the surrounding area and the character and appearance of the Ruislip Village Conservation Area. The proposal would comply with policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.08 Impact on neighbours

In terms of assessing the effects of the proposal on residential amenity, the relevant factors are those of noise, smell and disturbance. The nearest residential properties lie above and adjacent to the application unit and a ventilation duct is proposed on the rear roofslope of the building but is considered to be sited a sufficient distance from habitable room windows. It is therefore considered that planning conditions requiring details of the ventilation equipment, the installation of appropriate sound attenuation and insulation between floors and the imposition of limitations on hours of operation and deliveries would be sufficient to maintain the residential amenity of the occupiers of adjoining and nearby residential properties, should planning permission be granted. The proposal would therefore comply with policies OE1 and S6 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

This is not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) requires 1 space per 50sqm for non-shop uses. This requirement is the same for shop uses. As no additional floorspace is proposed, no additional parking spaces are required. Furthermore, the peak traffic and car parking associated with the application is likely to be at times outside the normal highway network peak periods and also at times when most retail units in the Town Centre have ceased trading.

As such, the proposal would not result in a significant increase in on-street parking and would comply with policies AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's Parking Standards (Annex 1, adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007).

7.11 Urban design, access and security

This is addressed at section 07.07.

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

With regards to waste management, a condition is recommended requiring suitable waste receptacles to be provided prior to commencement of the use.

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 addressed at section 07.08.

7.19 Comments on Public Consultations

The comments raised have been addressed in the report.

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

There are no other relevant issues.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it

unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

This is not applicable to this application.

10. CONCLUSION

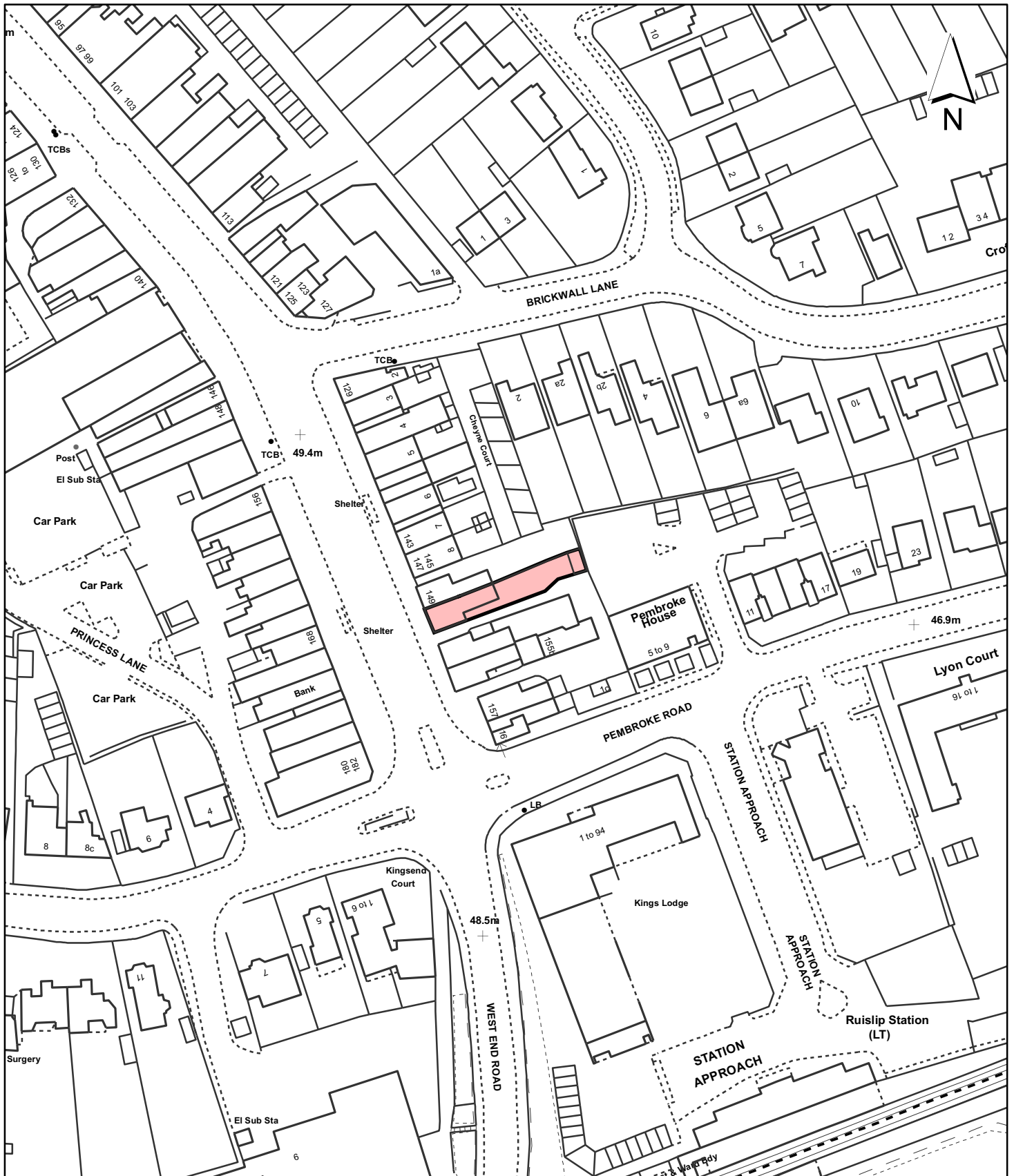
It is considered although the proposal would result in a separation gap of more than 12m between shop uses, as the permission granted in June 2005 for the change of use from retail to a use within class A2 has not expired and can still be implemented resulting in the loss of a retail unit, the proposed change to a non-shop use under this current application is acceptable in this particular case.

11. Reference Documents


Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)

Contact Officer: Sonia Bowen

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address	
151 High Street Ruislip	
Planning Application Ref:	Scale
11899/APP/2009/2540	1:1,250
Planning Committee	Date
North	February 2010

**LONDON BOROUGH
OF HILLINGDON**

**Planning &
Community Services**

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



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LONDON