Report of the Head of Planning, Transportation and Regeneration

Address ARGYLE HOUSE JOEL STREET NORTHWOOD

Development: Change of use from Use Class A1 (Retail) to Use Class D1 (Non-Residential Institutions) involving alterations to side and rear elevations

LBH Ref Nos: 500/APP/2018/2842

Drawing Nos: P202 A
P201
P101
P102

Date Plans Received: 31/07/2018 **Date(s) of Amendment(s):**

Date Application Valid: 03/09/2018

1. SUMMARY

The application seeks planning permission for the change of use from Use Class A1 (Shops) to Use Class D1 (Non Residential Institutions) involving the installation of extraction/ventilation duct to the rear elevation.

The site lies within the Northwood Hills Town Centre but outside of the Primary and Secondary Shipping Areas. The proposal is considered a suitable use within the town centre. The proposed external alterations are minimal and would not impact on the character of the street scene. The proposal would not impact on neighbouring occupiers and would not significantly impact on Highway safety. The application is therefore recommended for approval.

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, number P202 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 COM12 **Use Within Same Use Class**

The premises shall be used for Holistic Medical Services (Use Class D1) and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and

Country Planning (Use Classes) Order 1987).

REASON
To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 COM22 **Operating Hours**

The premises shall not be used except between:-
Monday - Saturday - 10:00 - 19:00
Sunday / Bank Holiday - 11:00 - 17:00

REASON
To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 I59 **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.

2 I70 **LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the western side of Joel Street and comprises a row of retail units at ground floor level with office space on the three floors above. The building is situated in the Northwood Hills Town Centre but outside the designated primary and secondary shopping areas. The unit is the northern end premises that formerly operated as a kitchen showroom, but is currently empty.

There is street parking to the front of the unit with restrictions between 8am and 6.30pm Monday to Saturday. To the rear of Argyle House is a large car park area with designated car parking spaces for each individual unit. Northwood Hills Tube Station is situated approximately 50m to the north.

The site lies within the Developed Area as identified within the Hillingdon Local Plan Part 2.

3.2 Proposed Scheme

The proposal is for the change of use from Use Class A1 (Shops) to Use Class D1 (medical) involving the blocking up of the rear access doors and the provision of a non transparent film on part of the front glazing and to two side windows. The medical centre will provide holistic medical services, including infusion therapies targeting a variety of wellness needs by replenishing hydration, aiding recovery from illness or jet lag, restoring vitamin & nutrient levels, refreshing cosmetic appearance and revitalising overall well being.

3.3 Relevant Planning History

500/ADV/2006/20 Argyle House Joel Street Northwood

INSTALLATION OF THREE INTERNALLY ILLUMINATED FASCIA SIGNS TO FRONT AND SII ELEVATIONS (NORTH END OF BUILDING)

Decision: 21-04-2006 Approved

500/ADV/2012/104 Argyle House Joel Street Northwood

A Fascia sign Advertising the name of the Dentist Practice and window Advertisement to advertise the type of dental treatment available from the Dentistry

Decision: 21-02-2013 NFA

500/APP/2000/1716 Argyle House Joel Street Northwood

INSTALLATION OF EXTERNAL FIRE ESCAPE TO REAR ELEVATION

Decision: 29-08-2000 Approved

500/APP/2005/1575 Argyle House Joel Street Northwood

CHANGE OF USE OF EXISTING COMMERCIAL BUILDING AND ERECTION OF NEW UPPEI FLOOR TO PROVIDE A MIXED USE OF 51 RESIDENTIAL UNITS (CLASS C3), WITH RETAI (CLASS A1), FINANCIAL AND PROFESSIONAL OFFICES (CLASS A2), RESTAURANT/CAFE (CLASS A3) AND LEISURE (CLASS D2) ON THE GROUND FLOOR WITH ASSOCIATED PARKING AND AMENITY SPACE

Decision: 25-08-2005 Refused

500/APP/2005/3382 Argyle House Joel Street Northwood

CHANGE OF USE OF GROUND FLOOR OFFICE AREA TO CLASS A1 (SHOP) USE (KITCHE SHOWROOM) AND INSTALLATION OF NEW SHOP ENTRANCE

Decision: 25-01-2006 Approved

500/APP/2007/1609 Argyle House 66-86 Joel Street Northwood

INSTALLATION OF NEW ENTRANCE DOORS AND SHOPFRONT TO GROUND FLOOR

RECEPTION AREA.

Decision: 25-07-2007 Approved

500/APP/2008/40 Argyle House Joel Street Northwood

ERECTION OF NEW UPPER FLOOR TO EXISTING ARGYLE HOUSE TO PROVIDE A REVOLVING RESTAURANT AND BANQUETING SUITE WITH ANCILLARY FACILITIES.

Decision: 03-04-2008 Refused

500/APP/2009/1398 Argyle House Joel Street Northwood

Part change of use of second floor from B1 (Office) to D1 (Non -Residential Institutions)

Decision: 07-10-2009 Approved

500/APP/2009/1578 Argyle House Joel Street Northwood

Change of use of part second and third floors to Class D2 (Assembly and Leisure).

Decision: 07-10-2009 Approved

500/APP/2009/1705 Argyle House Joel Street Northwood

Change of use of Units 3C and 3D on third floor from from Class B1 (Business) to Class D1 (No Residential Institutions).

Decision: 29-09-2009 Approved

500/APP/2009/1768 Argyle House Joel Street Northwood

Part change of use of ground floor from Class B1 (Office) to Class A1 (Retail) and associated alterations.

Decision: 06-10-2009 Approved

500/APP/2010/110 Argyle House Joel Street Northwood

Part second floor change of use from Class B1 (offices) to Class D1 (non-residential institution f education.)

Decision: 31-03-2010 Approved

500/APP/2010/1824 Argyle House Joel Street Northwood

Details in compliance with conditions 3 (car parking management scheme), 4 (cycle storage), 5 (storage of refuse) and 7 (details of access) of planning permission ref: 500/APP/2010/110 date 31/03/2010: Part second floor change of use from Class B1 (offices) to Class D1 (non-residentia institution for education.)

Decision: 03-11-2010 Approved

500/APP/2012/3217 Argyle House Joel Street Northwood

Part change of use of ground floor from Use Class A1 and Use Class B1(a) to Use Class D1(a) (Non-Residential Institutions) for use as dentistry.

Decision: 08-05-2013 Approved

500/APP/2014/3171 Argyle House Joel Street Northwood

Change of Use of unit D1 from Use Class B1 (Business) to D1 (Non-Residential Institutions) to b used as a primary healthcare clinic

Decision: 15-12-2014 Approved

500/APP/2018/223 Argyle House Joel Street Northwood

Change of use from Retail (Use Class A1) to Use Class A3 and installation of extractor fan.

Decision: 05-04-2018 Approved

500/K/87/1095 Argyle House Joel Street Northwood

Installation of a new office entrance

Decision: 28-08-1987 Approved

500/L/87/3070 Argyle House Joel Street Northwood

Inst of illum shop fascia & proj box sign

Decision: 28-08-1987 Approved

500/M/92/0456 Argyle House Joel Street Northwood

Erection of replacement office entrance window front and doors

Decision: 30-04-1992 Approved

500/P/93/0653 Argyle House Joel Street Northwood

Erection of a 1.8 metre high generator on a 2.47 metre high frame

Decision: 29-09-1993 Approved

500/W/97/0752 Argyle House Joel Street Northwood

Recladding external facade, installation of replacement windows, refurbishment of roof, installati of new air conditioning system and erection of new entrance canopy

Decision: 30-06-1997 Approved

Comment on Relevant Planning History

There have been numerous planning applications associated with the building in recent years. In particular, planning permission has been granted for several changes of uses on the 2nd and 3rd floor of the building from B1 to D1 education use.

There have also been more recent permissions on the ground floor for change of use from B1 office to A1 retail and change from A1 retail to D1 Dentist.

In general the building retains a healthy mix of retail and non retail uses which is expected in this part of the town centre boundary.

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:

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE28	Shop fronts - design and materials
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
PR10	Powergen/Bulls Bridge Site North Hyde Gdns Hayes
S6	Change of use of shops - safeguarding the amenities of shopping areas
LPP 6.13	(2016) Parking
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.9	(2016) Cycling
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

2 neighbours and the Northwood Hills Residents Association were consulted for a period of 21 days expiring on the 26 September 2018. A site notice was also erected on a lamp post to the front. There were no responses received.

Internal Consultees

Environmental Protection Unit
No response

Access Officer
No response

Highways Officer
The application has been reviewed by the Highway Authority who are satisfied that the proposal is unlikely to exacerbate congestion or parking stress to a measurable degree, and would not raise any highway safety concerns, in accordance with policies AM2, AM7 and AM14 of the Development Plan (2012) and policies 6.3,6.9, and 6.13 of the London Plan (2016).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy S6 states that changes of use applications will be granted where i) a frontage of design appropriate to the surrounding area is maintained or provided; ii) the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and iii) would have no harmful effect on road safety or worsen traffic congestion.

Although the site lies within Northwood Hills Town Centre, it is not within either the primary or secondary shopping areas. Argyle House currently provides a balanced use of retails units on the ground floor and commercial above. There are a total of 14 units; 6 double and 8 single of which this site forms one double unit. This unit is currently empty and given the prominent corner position the proposed use would bring the empty units back into use. It is not considered this use would be out of keeping with the surrounding area or would impact on the amenity of the neighbouring occupiers or impact on traffic congestion and would thus comply with Policy S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not relevant to this proposal.

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

Not relevant to this proposal.

7.04 Airport safeguarding

Not relevant to this proposal.

7.05 Impact on the green belt

Not relevant to this proposal.

7.07 Impact on the character & appearance of the area

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area.

The proposal would include blocking up of the rear access doors and the provision of a non transparent film to part of the frontage and two windows on the side elevation. Given the limited alterations to the visual appearance of the building, it is therefore considered that the proposal would not detract from the building and the character and appearance of the wider area and as such complies with Policies BE13 and BE28 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

Given the existing shop front and the scale of the proposal, it would not cause an adverse impact on the neighbours' amenity. The nearest residential unit is situated approximately 33 m to the rear and as such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion.

The proposed hours of opening are Monday - Saturday - 10:00 - 19:00 and Sunday / Bank Holiday - 11:00 - 17:00, which is consistent with the existing retail use and other commercial premises in the immediate vicinity.

As such, the application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not relevant to this proposal.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM2 and AM7 states that all proposals for development will be assessed against their contribution to traffic generation and their impact on congestion and the present and potential availability of public transport and its capacity to meet increased demand.

There are no specific concerns with this CoU from an A1 to D1 (medical) use due to the relatively small scale of the proposal and the existing retail/commercial mix of the local district centre which is likely to contribute to linked trips to the site given these established use attractions. This would inherently reduce the potential for any new vehicular activity generated by the proposal. There are 6 allocated parking bays for this unit within the car park to the rear of the block, which could be used by staff and some patrons to the establishment.

However even if this were not to be the case, the small scale of the proposal limits the potential for measurable detrimental highway related impacts given the extensive local parking controls and legitimate 'Pay & Display' parking provisions that cover the area coupled with public transport accessibility/linked trips that, when combined, are likely to cope with any new demand. Hence in parking and traffic generation terms there are no envisaged issues related to highway detriment.

The Highways Officer has confirmed that they do not have significant highway concerns over the proposed change of use. As such the proposal would comply with the requirements of Policies AM7 and Am14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

Not applicable to this proposal.

7.12 Disabled access

There are no changes proposed to the existing access.

7.13 Provision of affordable & special needs housing

Not applicable to this proposal.

7.14 Trees, Landscaping and Ecology

Not applicable to this proposal.

7.15 Sustainable waste management

Not applicable to this proposal.

7.16 Renewable energy / Sustainability

Not applicable to this proposal.

7.17 Flooding or Drainage Issues

Not applicable to this proposal.

7.18 Noise or Air Quality Issues

Not applicable to this proposal.

7.19 Comments on Public Consultations

None.

7.20 Planning Obligations

Not applicable to this proposal.

7.21 Expediency of enforcement action

Not applicable to this proposal.

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

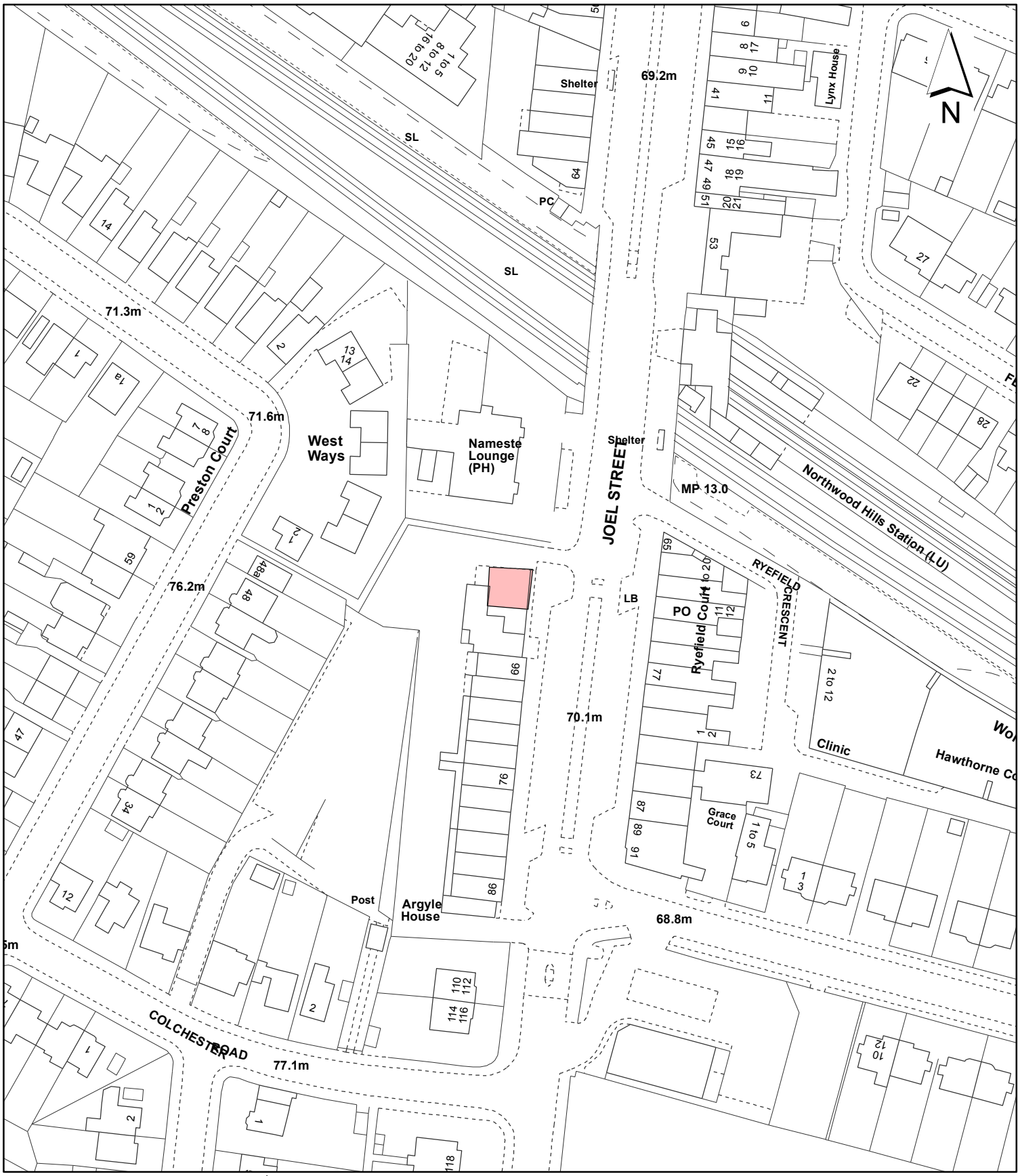
10. CONCLUSION

There is no objection in principle to the scheme. The change of use is not considered to result in an adverse impact upon highway safety or parking and would not detract from the residential amenities of nearby properties, in accordance with Policy S6 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (2016).
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework.

Contact Officer: Liz Arnold **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 2018 Ordnance Survey 100019283

Site Address:

Argyle House
Joel Street
Northwood

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

Planning Application Ref:
500/APP/2018/2842

Scale:
1:1,250

Planning Committee:
North

Date:
December 2018

HILLINGDON
LONDON