

Report of the Head of Planning, Transportation and Regeneration

Address 21 MAXWELL ROAD NORTHWOOD

Development: Change of Use from A1 Retail to D1 Pre-school Nursery to include replacement of shopfront and installation of windows, rooflights and kitchen ventilation system.

LBH Ref Nos: 33030/APP/2019/2247

Drawing Nos: Occupancy Chart May 2018
Design and Access Statement July 2019 (Revision A 17.09.19)
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Marketing support
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Date Plans Received: 03/07/2019 **Date(s) of Amendment(s):** 19/07/2019
Date Application Valid: 03/07/2019 16/09/2019
17/09/2019
04/07/2019

1. SUMMARY

The applicant seeks planning permission for the change of use from A1 Retail to D1 Pre-school Day Nursery to include the replacement of the shopfront and the installation of windows, rooflights and kitchen ventilation equipment to the rear. The proposed will result in the loss of an A1 Retail within Green Lane Northwood Town Centre and Green Lane Northwood Primary Shopping Area. There are 6 cycle spaces proposed however, no car parking is proposed as part of this application.

The site has been vacant since September 2018 and the property has been advertised for a period of 12 months with 4-5 interests with one offer for a children's day-care. Other interests for the premise includes optometry services, Indian dress shop and restaurant. The last occupier was an independent ironmongery and hardware retailer.

The most recent retail survey figures as of October 2019 indicate that the Northwood Primary Shopping Area has a 57.5% retail front with A1 use, which is below the minimum 70% required. As a result of the proposed, there would be a further loss of an A1 unit and there will be separation of more than 12 metres between A1 retail uses. As such, the proposed is contrary with Policy DMTC 2 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) and Policy S11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The Council's Highways Officer has raised an objection to the proposed as no parking is provided therefore would raise highways and pedestrian safety and parking concerns in the area in general. A valid petition was received raising concerns of parking, lack of open play area, limited window space and the objection to the change of use.

This application is recommended for Refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal, by reason of the loss of a retail unit and would create a separation of more than 12 metres between A1 retail uses within the primary shopping area of the Green Lane Northwood Town Centre and Green Lane Northwood Primary Shopping Area and the use proposed, would erode the retail function of the area, harming the vitality and viability of the centre. The proposal is therefore contrary to Policy S11 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Polices (November 2012), Policy DMTC 2 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) and Policy 2.15 of the London Plan (2016).

2 NON2 Non Standard reason for refusal

The proposed use of the premise as a day-nursery does not provide adequate onsite car parking, on-site pickup and drop off facilities to the detriment of child safety and fails to have regard to existing highway and pedestrian safety concerns. The proposed use would result in an increase in parking stress on the local highway network and surrounding area which is already subject to considerable pressure and would create an environment that would present considerable hazard to pedestrians and will be disruptive to residents of neighbouring dwellings. The proposed use is therefore in conflict with Policies AM7, AM14, BE13, BE19, OE1 and R16 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Policies 6.10, 6.13, 7.4 and 7.5 of the London Plan (2016) and PolicyDMT 6 of the Local Plan: Part 2 - Development Management Policies (October 2015).

3 NON2 Non Standard reason for refusal

The proposal by reason of the potential rise in traffic, and parking in and around the site, would be detriment to the public and highway safety and therefore the proposal is contrary to Policy AM7 of the Hillingdon Local Plan - Saved UDP Policies (November 2012) and Policy DMT 2 Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019).

4 NON2 Non Standard reason for refusal

Due to the low termination point of the proposed extraction duct it is considered dispersal of residual odourous extracted air could cause nuisance to nearby properties reducing their amenities to below a level they can reasonably expect to enjoy and therefore the application has failed to demonstrate that the development will safeguard the amenities of those properties. The proposal is therefore contrary to Policies OE1 and S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE 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.

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE4	New development within or on the fringes of conservation areas
DAS-SF	Shopfronts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
DMHB 11	Design of New Development
DMHB 13	Shopfronts
DMHB 4	Conservation Areas
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
DMTC 2	Primary and Secondary Shopping Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
S10	Change of use of shops in Local Centres - criteria for permitting changes of use outside core areas
S11	Service uses in Primary Shopping Areas
S6	Change of use of shops - safeguarding the amenities of shopping areas
DMTC 1	Town Centre Development
LPP 2.15	(2016) Town Centres
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

3 171 **LBH worked applicant in a positive & proactive (Refusing)**

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.

We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located south-east of Maxwell Road. The proposed is a two and a half storeys high building with red brick elevations and a oriel window at first floor with leaded top lights, a central arch below with a tiled roof. The eaves are coved and there are triangular dormers. The original downpipes are set on rough cast render. The proposed is a commercial property with retail A1 use on ground level and first level offices.

This north end of Maxwell Road was the first parade of shops that was built in the area, consisting of pairs of buildings with prominent gables. The ground floor shops are all modern. The south-west of Maxwell Road predominantly consists of large detached and semi-detached houses, and three storeys high flats.

The proposed is located in the Green Lane Northwood Town Centre, Green Lane Northwood Primary Shopping Area, Northwood Town Centre and is within the Green Lane Conservation Area.

3.2 Proposed Scheme

The application seeks planning permission for the change of use from A1 Retail to D1 Pre-school Nursery to include the replacement of shopfront and installation of windows, rooflights and a kitchen ventilation system. The proposed would provide nursery rooms for a total of 43 children. The proposed hours of opening are 7.30am to 6.30pm. No car parking or pickup/drop off facilities is proposed as part of this application.

The development proposes:

- Aged 0 to 2 years, 29.3sqm - maximum 8 babies
- Aged 2 years room, 59.9sqm - approximately 23 children
- Aged 3 to 5 years, 30.8sqm - approximately 13 children
- Play Area, 25.3sqm
- Include Reception, Office, Waiting area, Pram store, Baby Change room, WC, Kitchen, Plant room and Cycle Store
- Windows to the Play Area will be new light grey aluminum windows inserted into existing wall
- Existing uPVC windows to Age 2 years room will be replaced with light grey aluminium windows (RAL 9018)
- Shopfront - Painted shop sign in dark grey with 200mm high lettering (RAL 7005) on a light grey background (RAL 9018) and new timber shopfront with light grey painted finish (RAL 9018)
- Installation of new rooflight in existing flat roof
- Existing uPVC windows to Aged 0-2 room be to replaced with light grey aluminium windows (RAL 9018)
- Rear door - New light grey aluminium door and sidelight (RAL 9018).
- Installation of kitchen ventilation equipment to the rear
- Canopy awning blind retained and refurbished
- Refuse Door - New light grey aluminium louvre panel doors to refuse store (RAL 9018).

3.3 Relevant Planning History

33030/APP/2014/2718 21 Maxwell Road Northwood

Change of use of first and second floors from A1 (Retail) to C3 (Dwellings) to create a 2-bed self contained flat (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 02-10-2014 Approved

33030/APP/2014/2735 21 Maxwell Road Northwood

Alterations to shop front to create independent access for first and second floors

Decision: 20-10-2014 Approved

33030/PRC/2018/264 21 Maxwell Road Northwood

Change of use from retail to D1 Nursery

Decision: 28-02-2019 NO

33030/PRC/2018/267 21 Maxwell Road Northwood

Change of use from A1 to an A1/A3 coffee shop/sandwich bar/ice cream bar

Decision: 28-02-2019 PRC

33030/PRC/2018/268 21 Maxwell Road Northwood

NFA

Decision: 04-12-2018 NFA

Comment on Relevant Planning History

A pre-application under reference 33030/PRC/2018/267 was completed on 28-02-19 for the change of use from A1 to an A1/A3 coffee shop/sandwich bar/ice cream bar. Pre-application advice was provided.

A pre-application under reference 33030/PRC/2018/264 was completed on 28-02-19 for the change of use from retail to D1 Nursery. No objection was raised and the principle of development is considered to comply with policy R10 which states that the change of use from A1 to D1 would be acceptable in principle providing it complies with the rest of the development plan policies.

A planning application under reference 33030/APP/2014/2735 was granted on 20-10-14 for the alterations to shop front to create independent access for first and second floors.

A Certificate of Lawful Development under reference 33030/APP/2014/2718 was granted on 02-10-14 for the change of use of first and second floors from A1 (Retail) to C3 (Dwellings) to create a 2-bed self contained flat.

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

PT1.E5 (2012) Town and Local Centres

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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S6	Change of use of shops - safeguarding the amenities of shopping areas
DMTC 1	Town Centre Development
LPP 2.15	(2016) Town Centres
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th August 2019**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 28 neighbouring owner/occupier were consulted. A public notice was displayed and expired on 8.8.19. There were three objections received by two members of the public.

Summary of objection:

- Object to the change of use away from retail/bank/restaurant use in a long-established retail location and within the Northwood Conservation Area
- Lack of open play area/outdoor play area, and limited windows
- Suitability for the proposed use
- No dedicated parking area for staff

- No suitable drop off area for children
- Already a very busy commercial Area
- Potential illegal/inconsiderate parking likely to regularly occur when dropping off and picking up

A valid petition was received for the following reasons:

- Concern relating to drop-offs/pick-ups as, considering drop-offs/pick-ups at other nurseries in Northwood, illegal/inconsiderate parking is likely to regularly occur when dropping off and picking up
- Lack of open play area space and limited window space at eye level
- Object to the change of use away from retail/bank/restaurant use in a long-established retail location and within the Northwood Conservation Area

SECURED BY DESIGN

I do not object to this proposal, but would recommend that a SBD accreditation planning condition is adhered to it.

I can advise based on the plans on the planning portal that the basic recommendations that would be needed to achieve this would be:

- All external doors to conform to LPS 1175 Issue 7/SR2 or STS 202 BR2 rated security doors (please note that this is higher than PAS 24 standards, the higher standard is required due to the amount of wear and tear and possibility of the site being targeted)
- The reception desk needs to be orientated so that it looks at the front entrance, and this door is to remain locked, with an intercom type system so that the receptionist can open the door remotely.
- The reception area needs to have a second line of defence (this would conform of a door of the same standard as above and the glazing being to a security level or it being designed in such a way that people are unable to access the reception area, bypassing the second line of defence so that if somebody gets in past the first line (e.g angry parent, parent in the midst of a custody disputes etc) then the receptionist can prevent further entry into the building.
- The frontage and all windows will need to conform with SBD requirements in terms of physical security standards.
- The access at the back is not to be used on a day to day basis - all staff, children, parents etc would have to enter at the front.
- Perimeter treatments at the back would need to be reviewed which I cannot do based on materials on planning portal alone (depending on what the site neighbours, recommended heights could be up to 2.4m, owing to its vulnerable location at the rear)

These are basic points, to give full list of what would be required I would need to meet the applicant to review the proposal in depth and reviewing their operating procedures etc.

Looking at the plan I cannot see what purpose the second entrance door I would recommend its removal unless there is a reason for it.

Case Officer's Comments:

The Secured by Design Officer has raised no objections to the proposed. Shall this application be recommended for Approval, a condition can be added to achieve SBD accreditation.

Internal Consultees

EPU OFFICER:

The submitted documents show a low level ventilation system, the proposed location is not adequate for cooking odour dispersal and there is a likelihood that smells will affect nearest sensitive.

Case Officer's Comments - The Council's EPU Officer was consulted and an objection has been raised. The current scheme is considered unacceptable and will likely to impact neighbouring occupiers.

FLOOD AND WATER MANAGEMENT OFFICER:

No objection. The site is not shown to be at risk of flooding.

ACCESS OFFICER:

I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following informative should be attached to any grant of planning permission: The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

URBAN DESIGN AND CONSERVATION OFFICER:

Original Comments - 1 Summary of Comments

There is conservation objection in principle to the proposed shopfront design, which fails to complement the original building and fails to preserve or enhance the conservation area. Proposed changes to the rear will also require revision.

The loss of traditional shop usage is always lamentable in the effect it has on the intangible character of a traditional high street. If you are minded to approve change of use, revisions will be required to the shopfront design and for the proposed changes to the rear, before the proposals can be fully considered for possible future approval.

2 Significance

This property is part of an attractive row of shops at the top of Maxwell Rd, stretching from the junction with Green Lane to Murray Rd. It is vaguely Queen Anne style and forms part of a terrace of 3 originally identical retail properties constructed in the same period. Handsomely detailed, it retains many features of interest including its projecting half-timbered gable and timber leaded light oriel window. It has a traditionally designed, but non-original shopfront.

These shops are strong contributors to Northwood Town Centre Conservation Area and sit within the setting of the grade II listed former Northwood Police Station, on the corner of Murray Road. They are part of the town's economic growth in the early decades of the 20th century.

3 Comments

The main area of conservation concern is the proposed shopfront which fails to preserve or enhance either the building or the conservation area and would set an unwelcome design precedence. A more traditional shopfront is required for the context of this proposal, designed to complement and enhance the original building and using traditional materials. It is generally desirable to retain or reinstate original design features, for example the awning.

In addition, the information supplied does not go into adequate detail, with no colour scheme or materials presented for the fascia and lettering and no image of how the proposed coloured glass panelling might look, for example. The use of overly bright or lurid design features is generally unacceptable. Greater detail should be presented with any future application for changes to the shopfront.

Regarding the proposed changes to the existing rear extension, there is no objection to additional openings in principle, however, the drawings for the rear elevation have omitted the first floor windows which makes it impossible to comment on the positioning or style of the proposed openings in their context. The proposed rear entrance appears too primary and should be smaller to reflect the secondary character of the rear of these commercial properties. It is noted that the rear extensions are visible to the general public and enhancement would be looked for here. Traditional materials and colours would generally be expected given the context. A sample image of window frame profile and colour would help determine if the more modern proposed window design would be appropriate or not.

As stated in the pre-application comments, the use of this property should ideally remain retail, in common with the physical and intangible character of the immediate area. There is concern for the impact on the intangible character of the conservation area at peak dropping off and collection time due to inappropriate parking causing congestion.

4 Recommendations

If you are minded to approve change of use, revisions will be required to the shopfront design and the elevation drawings for the proposed changes to the rear, before the proposals can be fully considered for possible approval.

Revised Comments - Summary

Improvements to the proposed shop front are welcome. The use of modern metal framed windows to the rear extensions is acceptable, as are the changes to the rear entrance.

However, it is not possible to properly assess the addition of the kitchen ventilation equipment to the rear. The existing rooflights in this section of roof, have not been represented on the drawings. It is recommended that the drawings be updated to properly represent this situation. See comments below.

Comments

The applicant has made some changes in light of previous comments, see drawing 2.001 D3.

The shopfront design has been revised to something more traditional in timber and is now considered in keeping with the original property and its original use. It is also nice to see that they intend to refurbish the awning. The painted signage and proposed colour scheme are considered acceptable.

The change in design of the rear entrance is now considered more appropriate for its status and is acceptable.

The replacement of uPVC windows, to the rear of the property, with modern metal windows is considered an improvement and should work well with the older existing metal windows at first floor level.

The existing 3 lantern style roof lights above the main rear extension do not appear on the drawings. Are they being removed or changed? These should be shown on the drawings.

The kitchen ventilation equipment, which is now depicted in the drawings is potentially quite intrusive in size and is seemingly in an impossible position. The presence of the existing roof lights may also make it difficult to locate the ventilation equipment in the middle of the roof, where its impact would be reduced. Also, with the existing roof lanterns, the roof line could become quite cluttered.

Given the potential visual impact and the importance of this equipment for the applicant's project, the final design of the equipment and its position should really be looked at before approval.

As mentioned in previous comments, it is still felt that the change of use to nursery is not appropriate for this property.

Recommendations

The rooflights to the main existing extension should be properly represented in the drawings as they potentially affect the positioning of the kitchen ventilation equipment and the appearance of it in the roofscape.

The required size, shape and position of the extraction equipment should be finalised prior to any of the works commencing at the very latest.

Case Officer's Comments - The application site comprises of 6 existing rooflights towards the rear of the property. No changes are proposed. The kitchen ventilation equipment is to be located on the roof of the first floor level therefore, it is unlikely to affect the proposed new rooflight above the single storey high 0 to 2 years old room or the existing rooflights. The extraction system is located to the rear of the property. Although the ventilation system will unlikely be seen from the street scene, neighbouring occupier will be impacted due to its location and proximity to the nearest window on the first floor level of the premise.

HIGHWAYS OFFICER:

The application site forms part of a parade of shops situated on the edge of Northwood town centre fronting directly onto Maxwell Road. Maxwell Road is a classified highway and benefits from footways and street lighting. Immediately outside 21 Maxwell Road there are five car parking spaces, one of which is for loading only, two are reserved for disabled users with the remainder being available for use on a pay and display basis. There are double yellow lines parking restrictions on the opposite side of the road. A short distance away from the application site Maxwell Road intersects with Murray Road, parking along Murray Road is controlled by a Residents Parking Management Scheme operational from 13:00 to 14:00 hours - Monday to Friday. Beyond the junction with Murray Road, Maxwell Road itself is also covered by a Residents Parking Management Scheme operating from 08:00 to 18.30 hours - Monday to Saturday. Parking within the vicinity of the site is in limited supply.

Transport for London use as system called PTAL (Public Transport Accessibility Level) to measure access the public transport network. PTAL assesses walk times to the nearest public transport location taking into account service frequency. The location is then scored between 0 and 6b where 0 is the worst and 6b the best. According to the Transport for London WebCAT service the application site has a PTAL ranking of 3 indicating access to public transport is moderate compared to London as a whole suggesting that there will inevitably be a reliance on the private car for trip making.

Planning permission is sought for the change of use from A1 retail to D1 nursery. The nursery will operate from 07.30 to 18.30 hours Monday to Friday. The nursery would have room to cater for up to 43 children though the applicant reports that it is anticipated that the nursery would have a typical 'day to day' 80% occupancy level of 34 children. The nursery would employ 12 full time employees. No on-site car parking would be provided neither would 'drop off/pick up' facilities. The development therefore fails to provide the requisite number of off-street car parking spaces as set out in Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy and emerging Development Management Policy DMT 6.

In terms of cycle parking there would be a requirement to provide at least 1 secure and accessible space per 2 staff. As there are in total 12 FTE staff associated with the nursery proposal (full and part-time), 6 cycle spaces should be provided. This quantum has been proposed and hence is considered acceptable.

A Transport Statement has been submitted alongside the planning application. This includes trip generation figures derived from the industry standard TRICS database. The Transport Statement reports that the development would generate around 95 two-way movements per day. During the AM peak hours 08:00 to 09:00 hours there would be 20 two-way movements and 14 two-way movements during the PM peak 17:00 to 18:00 hours. The applicant highlights that this would be a worst case scenario - based on the nursery being fully occupied. Furthermore, unlike a school, the nursery has no fixed start and finish time, arrivals and departures would therefore be spread out over a longer period of time.

The absence of "drop off/pick up" facilities raises highway concerns given that there is nowhere safe and convenient on-street near the site for parents/guardians to stop and park when dropping off or collecting their children. To save time parents/guardians may be tempted to park in unsuitable locations so they can quickly 'pop in' to the Nursery to drop off/pick up their child.

The application has been reviewed by the Highway Authority who is concerned that the proposal would lead to inappropriate parking in turn hindering the free flow of traffic and posing a risk to road safety. There are highway objections to this development as it is contrary to Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP which requires the Council to consider 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. Furthermore the development is not in accordance with Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP policy and emerging Development Management Policy DMT 6 which state that new development will only be permitted where it is in accordance with the Council's adopted parking standards.

Case Officer's Comments - The applicant has provided a response to the Highways Officer's comments however following further consultation, the officer's comment remains valid. An objection is raised due to absence of car parking and drop off/pick up facilities. It is suggested by the applicant in their response that during periods where no-street parking spaces in the immediate vicinity of the site, parents could easily park in the nearby Waitrose car park (adjacent site), which is considered unacceptable and will likely to impact on neighbouring sites. As such, the proposed will lead to parking stress on the local highway network and surrounding area and would pose a risk to road and pedestrian safety.

TREES/LANDSCAPE OFFICER:

This site is occupied by one of a terrace of retail unit within a shopping parade on the east side of Maxwell Road. The existing building fronts directly onto the high street and much of the back garden has been built / extended over. There is no soft landscape on the site. The property lies within the Northwood Town Centre Conservation Area. COMMENT No trees will be affected by the proposal and the D&AS confirms that there is no space, or opportunity, for soft landscape enhancement. RECOMMENDATION No objection and no need for landscape conditions.

POLICY TEAM:

Original Comments -

1. Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents: The Local Plan: Part 1 - Strategic Policies (2012) The Local Plan: Part 2 - Saved UDP Policies (2012) The London Plan - Consolidated With Alterations (2016)

1.3 The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance. Draft Local Plan Part 2

1.4 The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

1.5 The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

1.6 The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and were published for public consultation from 27 March to 8 May 2019.

1.7 Regarding the weight which should be attributed to the emerging LPP2, paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

1.8 With regard to (a) above, the preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

1.9 With regard to (b) above, those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

1.10 With regard to (c) it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

1.11 Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 Saved UDP Policies 2012.

Designations

- Northwood District Centre - Primary Shopping Area

Principle of Development

The adopted and emerging Local Plan policies seek to retain the retail function of primary shopping areas within the borough's town centres to support their vitality and viability. To achieve this a

threshold of retain 70% of the frontage within primary and secondary shopping areas is set out in adopted policy S11 and emerging policy DMTC 2: Primary and Secondary Shopping Areas criteria (i).

The Council's most recent town centre survey data, which was undertaken in 2016 and has been updated used Google Street View information from April 2019, shows that in terms of length of frontage, 60% of the primary shopping area in Northwood remains in A1 retail use. In terms of the number of units, the percentage in retail use drops to 56%. The only vacant unit within the primary shopping area is that which is the subject of this application and which has been recorded in supporting information as having been vacant since September 2018. Within the wider town centre as a whole there are two longer term vacant units. Northwood town centre therefore continues to perform well in terms of low vacancy rates although the overall level of A1 is already below the threshold set out in the Local Plan policies and the proposed change of use would result in an even lower percentage of the primary shopping area in retail use. Furthermore, in terms of the immediate frontage in which the proposed D1 use is located, the current adjacent uses are an A3 use at no. 17-19 and an A1 use at no. 23. There is another A1 use at no. 13-15. The combined non-retail frontages of 17-19 and 21 Maxwell Road (15 metres) would therefore create a separation distance of more than 12 metres between A1 uses. On this basis the proposal would also be contrary to criteria (iii) of policy DMTC 2.

The supporting text to policy DMTC 2 as modified does state that departures will be considered where they provide clear and long lasting benefits to the vitality and viability of town centres. This is intended to reflect more recent evidence that the retail environment on high streets has become challenging in recent years as shopping habits have changed. It is therefore important that support is given for uses that will continue to drive footfall to town centres and keep vacancy rates as low as possible. The proposed use change of use to a D1 nursery would create the only type of this provision within the town centre, and would be one of only four D1 uses in the town centre as a whole. This shows that in terms of the overall mix, there does not appear to be an over concentration of D1 uses as set out in criteria (iv) of policy DMTC 2. The remaining two vacant A1 units also leave an opportunity for any future A1 proposals to locate within the town centre. The proposed use is also likely to drive some regular footfall to the town centre, although this will be primarily in the early morning and later in the afternoon when children are brought to and from the nursery. This may limit the impact in terms of creating additional custom on the High Street throughout the day although there will inevitably be some linked trips.

Taking the above factors into account, a balance needs to be struck between retaining the predominantly retail function of the borough's town centres and ensuring their continued vitality and viability. It does seem that the addition of a D1 nursery would bring a new offer into Northwood town centre and would not result in the over concentration of this particular use. However, such a change of use would be contrary to policy in terms of further reducing the provision of A1 uses and creating a larger section of non-retail frontage within the primary shopping area. I would therefore recommend that before a decision is made, further evidence is sought from the applicant on the scale and location of alternative nursery provision in the area surrounding the town centre which could be taken into account when weighing up the benefits of the proposal to the wider community. Evidence of local need for nursery provision would demonstrate a greater benefit.

Further Comments - The updated survey data shows that the percentage of A1 retail use in the Primary Shopping Area is now approx 50% which is below the 70% policy threshold in criteria (i) of emerging policy DMTC2. This indicates that the proposed change of use is likely to have a negative impact on the vitality and viability of the town centre. However, this should also be considered within the wider context of other relevant criteria in policy DMTC 2 as well as any other material considerations. The proposed change of use would not result in a concentration of non-retail uses in this part of the town centre however the combination of the application site and the adjacent A3 unit would result in more than 12 metres of frontage in non-retail use contrary to criteria (iii) of policy

DMTC 2. Other material considerations which could also be taken into account include the length of time the unit has been vacant and the overall level of vacancy. A relatively short vacancy period would indicate that the market for alternative A1 occupier has not been properly explored. In terms of the primary shopping area overall, the level of vacancy is very low at two units and the only vacant A1 unit is the application site. This indicates that the demand for A1 units remains relatively strong.

The evidence set above indicates that the proposed change of use is not justified as it would further reduce the proportion of retail uses within the town centre contrary to policy DMTC2. The results of the recent town centre survey also indicate that the town centre and primary shopping area continue to perform well, and that in the absence of evidence to demonstrate otherwise, that there is likely to be continued demand for A1 units within Northwood.

WASTE STRATEGY OFFICER:

Original Comments - The application makes no reference to the storage or collection of waste generated by the property. The proposed use is likely to generate an increased amount of waste and recycling materials than the current use. An area should be allocated for storage and collections and marked on the proposed plan.

Revised Comments - Acceptable for waste and recycling requirements

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy DMTC 2 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states that in primary shopping areas, the Council will support the ground floor use of premises for retail, financial and professional activities and restaurants, cafes, pubs and bars provided that:

- i) a minimum of 70% of the frontage is retained in retail Use Class A1 use;
- ii) Use Class A5 hot food takeaways are limited to a maximum of 15% of the frontage; and
- iii) the proposed use will not result a separation of more than 12 metres between A1 retail uses. the frontage of the proposed use will not result in a separation of Class A1 uses of is no more than 12m interruption in frontage of between Class A1 shops; and
- iv) or the proposed use does not result in a concentration of non retail uses which could be considered to cause harm to the vitality and vibrancy viability of the town centre.

Policy S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that to safeguard the amenities of of shopping areas, the Local Planning Authority will grant permission for changes of use of Class A1 Shops if:

- (i) the proposal will not be detrimental to visual amenity where the premises form part of a statutory or locally listed building or are located within a conservation area;
- (ii) a frontage of a design appropriate to the surrounding area is maintained or provided (the local planning authority may impose conditions to ensure retention or installation of an appropriate frontage); and
- (iii) the proposed use is compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties by reason of disturbance, noise, smell, fumes, parking or traffic related problems;
- (iv) has no harmful effect on road safety and does not worsen traffic congestion or disrupt bus operations.

Policy S11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that in primary shopping areas, permission will only be granted for the service uses where the remaining retail facilities are adequate to accord with the character and function of the shopping centre and to provide for the needs of modern retailing and the proposed

will not result in a separation of Class A1 uses or a concentration of non-retail uses which might harm the viability or vitality of the centre are satisfied.

R10 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that the Local Planning Authority will regard proposals for new meeting halls, buildings for education, social, community and health services, including libraries, nursery, primary and secondary school buildings, as acceptable in principle subject to the other policies of this plan.

The application site is within the Green Lane Northwood Town Centre, Green Lane Northwood Primary Shopping Area and Northwood Town Centre. In accordance with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019), the Local Planning Authority's aim is to retain a minimum of 70% of primary area frontage in Class A1. The Local Planning Authority will resist proposals that would result in the loss of Class A1 shop use in core areas and will examine very closely similar proposals for other parts of these centres. The principle for a change of use from A1 to a non-A1 use in a primary frontage can be established if there are adequate retail facilities to maintain the character and function of the shopping centre.

The application site has been vacant since September 2018 and a marketing report was provided in support of the proposed. The proposed site was marketed for 12 months beginning from March 2018 until March 2019. Uses including optometry services, Indian dress shop and restaurant have considered the property however no offers were made. The applicant has made an offer for a children's day-care subject to this planning application's outcome.

According to the updated retail survey figures October 2019 of Northwood Primary Shopping Area, the retail frontage with A1 use is currently at 57.5%, which is below the minimum 70%. The granting of permission to this unit would further erode the retail function and would result in a separation of more than 12 metres between A1 retail uses. The Policy Team was consulted and reviewed the proposed. Within the Primary Shopping Area, there is a low level of vacancy and the only vacant A1 unit is the application site and as such, this indicates there is demand for A1 units. In the absence of further evidence to justify the proposed changes of use, it would further reduce the proportion of retail uses within the town centre. Therefore, the proposal is contrary from Policy DMTC 2 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019).

Although it is noted that Policy DMTC 2 also recognises that departures will be considered where a proposed use will not result in a concentration of non-retail uses, however it does not outweigh the harm and the impact of the loss of the A1 unit have on the viability and vitality of the Green Lane North Primary Shopping Area. As such, this proposal is considered unacceptable in principle.

7.02 Density of the proposed development

Not applicable to this application.

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

The site is located within the Northwood Town Centre Conservation Area. South-east to the site, no. 2 Murray Road is the Northwood Police Station which is a Grade II Listed Building. Following the revised documents, the proposed shop frontage indicate a more tradition design in timber that is considered in keeping with the original property. Due to the site's proximity with adjacent Listed Buildings, the impact on the setting is addressed in the sections below.

7.04 Airport safeguarding

Not applicable to this application. The proposed is for the change of use, primarily involving interior and external window, door, shopfront alterations and a installation of a kitchen ventilation.

7.05 Impact on the green belt

The site is not located within the green belt.

7.07 Impact on the character & appearance of the area

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities.

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the Local Planning Authority considers it desirable to retain or enhance.

Policy BE15 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) then goes on to say that proposal for alterations and extensions to existing building will be permitted where they harmonise with the scale, form, architecture composition and proportions of the original building.

The Hillingdon Design and Accessibility Statement (HDAS) - Supplementary Planning Document: Shopfronts (July 2006) sets out a more detailed criteria under which proposals for shopfronts are assessed.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will: A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area. B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification. C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states that A) All development, including extensions, alterations and new buildings will be required to be designed to the highest quality standards and, incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces

and their environment. ii) ensuring the use of high quality building materials and finishes; iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure. B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. C) Development will be required to ensure that the design safeguards the satisfactory redevelopment of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs. D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Policy DMHB 13 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states A) New shopfronts and alterations to existing shopfronts should complement the original design, proportions, materials and detailing of the building of which it forms a part and the surrounding street scene. B) The Council will resist the removal of shopfronts of architectural or historic interest, particularly those listed on the Register of Locally Listed Buildings. C) New shopfronts must be designed to allow equal access for all users. D) Inset entrances on shopfronts should be glazed and well-lit to contribute to the attractiveness, safety and vitality of the shopping area and avoid blank frontages to the street. E) Shop signage will generally be limited to the strip above the shop window and below the upper floor, plus one projecting sign. Proposals for further advertising additional to the shop name will be resisted. F) Illumination to shopfronts must be sited and designed to avoid any visual intrusion from light pollution to adjoining or nearby residents. Flashing internal or external lighting and/or internally illuminated box lights will not be permitted. G) Blinds, canopies and shutters, where acceptable in principle, must be appropriate to the character of the shopfront and its setting. External security grilles will not normally be permitted, unless they are of good quality design. H) In order to improve and maintain the quality of the public realm, the design of shopfronts should be of a high quality, taking into consideration: i) retention and maintenance of active shopfronts at all times; ii) the relationship between the shopfront and upper floors; iii) the relationship with surrounding shopfronts and buildings; iv) the use of materials which are appropriate to and enhance the character of the local area; and v) the value of existing architectural and historic features.

The applicant site is located within the Northwood Town Centre Conservation Area and within the setting of the Grade II Listed Former Northwood Police Station. The shopfront consists of a tradition timber with light grey painted finish, painted shop sign and to retain and refurbish the canopy awning blind. The Council's Urban Design and Conservation Officer was consulted and assessed the application. No objections were raised as the proposed is considered to be in keeping with the area in general.

The rear alterations includes the installation of the kitchen ventilation however, due to its position and height, it is unlikely it will have visual impact on the street scene.

As such, the proposed is considered in accord to Policies BE4, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 4, DMHB 11 and DMHB13 of the Hillingdon Local Plan: Part Two - Development Management

Policies With Modifications (March 2019) and the Hillingdon Design and Accessibility Statement (HDAS) - Supplementary Planning Document: Shopfronts.

7.08 Impact on neighbours

Policy BE20 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) say that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded.

Policy BE21 of Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that planning permission will not be granted for new buildings or extensions which by reason of their siting, bulk and proximity, would result in a significant loss of residential amenity.

Policy OE1 of Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) will not normally grant planning permission for uses and associated structures which are, or are likely to become, detrimental to the character or amenities or surrounding properties or the area generally because of traffic generation and congestion and noise and vibration or the emission of dust, smell or other pollutants unless sufficient measures are taken to mitigate the environmental impact of the development and ensure that it remains acceptable.

The nearest residential dwelling is approximately 18m away from the application site. The kitchen ventilation system proposed is located on the first floor level rooftop at the rear of the premise with ducting to the ground level kitchen area. On the basis of its location, it is unlikely there will be visual impact from the street scene however the system will be highly visible to neighbouring occupiers of the upper floor premise and adjacent properties. The Council's EPU officer was consulted and an objection is raised due to the low level extraction. The proposed location is considered inadequate for cooking odour dispersal that there is likelihood that smells will impact on neighbours.

As such, the application is considered contrary to with Policies BE20, BE21 and OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

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 (November 2012) considers whether the traffic generated by proposed development is acceptable in terms of the capacity and functions of existing and committed principal roads only, and will wholly discount any potential which local distributor and access roads may have for carrying through traffic.

Policy AM14 of the Hillingdon Local Plan: Part Two - Saved UDP (November 2012) permits new development if it is in accordance with the Council's adopted car parking standards.

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) states that A) Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations. B) All car parks provided for new development will be required to

contain conveniently located reserved spaces for wheelchair users and those with restricted mobility in accordance with the Council's Accessible Hillingdon SPD.

There were no car parking arrangements proposed as part of this application. The site is situated on Maxwell Road and is approximately 150m away from the Northwood Station. The site is within the Northwood Town centre and has a PTAL rating of 3 (moderate). There are 6 new cycle spaces proposed. A total of 10 full time and 4 part time employees (equivalent to 12 full-time staff) are expected and a maximum of 43 children. The operating hours are 7.30am to 6.30pm.

The Council's Highways Officer has reviewed the application and considers that the proposed would lead to concerns of inappropriate parking, the hindering the free flow of traffic and posing a risk to road and safety, therefore an objections is raised. In the absence of car parking and drop off/pick up facilities, the proposal would be contrary to Policies AM2, AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019).

7.11 Urban design, access and security

Refer to "Impact on the character & appearance of the area".

7.12 Disabled access

The site is located on the ground floor accessible via Maxwell Road and a rear emergency exit is available from Murray Road onto the back lane. The Council's Access officer was consulted and no accessibility issues has been raised.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Council's Tree/Landscape Officer was consulted. As no trees will be affected by the proposed, no objections were raised.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The existing site is a long established commercial property. The Council's Flood and Water Management team was consulted. The site is considered not in risk of flooding and no objections were raised.

7.18 Noise or Air Quality Issues

The application proposes a kitchen ventilation system is located on the first floor rooftop of the existing rear extension. The Council's EPU Officer has reviewed the application and objection is raised. The proposed is unacceptable due to the location of the ventilation system which will result in cooking odour dispersal impacting on nearby properties.

7.19 Comments on Public Consultations

Refer to "External Consultees".

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

- Waste Storage and Collection

The applicant has noted that all waste will be sorted and separated into respective containers within the premise and handed to appropriate contractors for processing. Following the receipt of revised plans, an enclosed bin store is located to the rear of the property and as such, the Council's Waste Strategy officer is now satisfied with the proposed.

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

The applicant seeks planning permission for the change of use from A1 Retail to D1 Pre-school Day Nursery to include the replacement of the shopfront and the installation of windows, rooflights and kitchen ventilation equipment to the rear. No car parking or drop off/pick up facilities were proposed as part of this application.

The Council's Policy Team was consulted and highlighted that the proposed will result in the loss of an A1 Retail and would create a separation of more than 12m between A1 retail use within Green Lane Northwood Town Centre and Green Lane Northwood Primary Shopping Area. Furthermore, the current statistics indicate that there is 57.5% retail front with A1 use, therefore, shall this application be approved, it would further erode the retail function of the area. As such, the proposed is contrary with Policy DMTC 2 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019) and Policy S11 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

In addition, the Highways and EPU Officer has raised objections to the proposed. With the absence of adequate provisions for car parking and drop off/pick up facilities, it would likely to generate parking stress to the existing area and impact on the safety of the pedestrian and highway safety. Therefore, the proposed is contrary to Policies AM2, AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019).

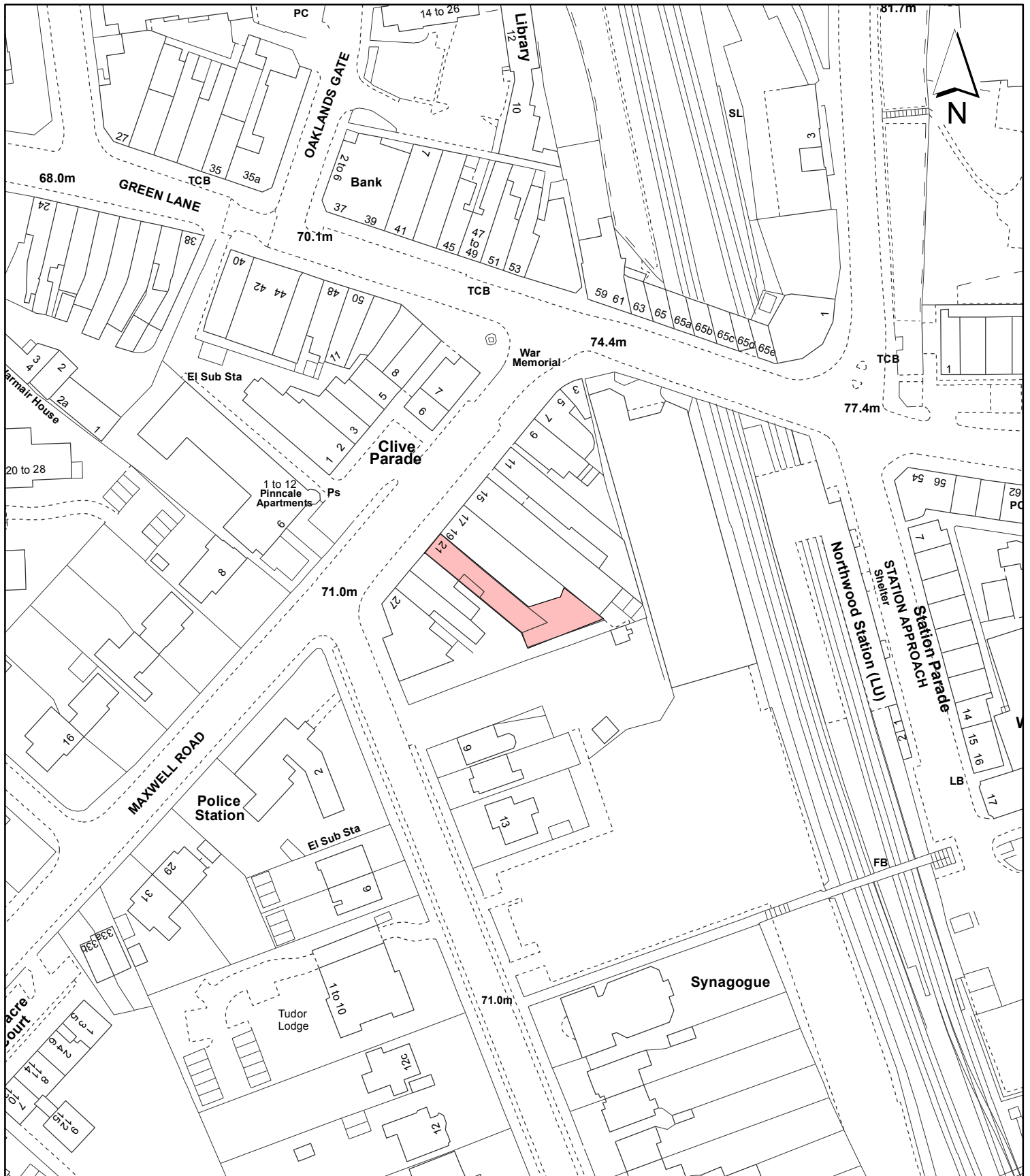
In conclusion, this application is recommended for Refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
Hillingdon Local Plan: Part Two - Development Management Policies With Modifications (March 2019)
Hillingdon Supplementary Planning Document: Shopfronts
The London Plan (2016)
National Planning Policy Framework (2019)

Contact Officer: Rebecca Lo

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**21 Maxwell Road
 Northwood**

Planning Application Ref:

33030/APP/2019/2247

Planning Committee:

North

Scale:

1:1,250

Date:

November 2019

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 01895 250111



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