

Report of the Head of Planning & Enforcement

Address FORMER KINGS ARMS GARAGE SITE RICKMANSWORTH ROAD
HAREFIELD

Development: Conversion of existing listed building incorporating new two storey extension with habitable roofspace comprising 3 one-bedroom flats and part use as Class A1 (Retail) for use as convenience goods store, to include associated parking, involving demolition of existing single storey detached building and extension to listed building.

LBH Ref Nos: 3877/APP/2009/2442

Drawing Nos: GC21575.001 (Tree Survey)
44707X/1
3308 (P)200
GC.21575.002 Rev. D (Tree Constraints & Protection Plan)
Un-numbered East Elevation
Un-numbered North Elevation
Un-numbered South Elevation
Un-numbered West Elevation
Arboricultural Method Statement
Report on the Arboricultural Impact of the Proposed Development
Unilateral Planning Obligation
Renewable Energy Feasibility Study, September 2008 (4th Issue)
Transport Statement, October 2009
Geo-Environmental Assessment, April 2008
Listed Building and Conservation Area Consent Application
3308 (P)505 App.(A)
Planning, Design and Access Statement, November 2009
3308 (P)201 App.(B)
3308 (P)501 re[vii]
Archaeological Desk Based Assessment, dated May 2008
Background Noise Survey BS4142:1997 and PPG Assessment
Refrigeration and Air Conditioning Equipment
Background Noise Survey BS8233 Assessment on Residential Flats
Retail Assessment, October 2009
1:1250 Location Plan
Servicing Management Plan

Date Plans Received: 09/11/2009

Date(s) of Amendment(s):

Date Application Valid: 19/11/2009

1. SUMMARY

The proposal is a third submission involving the restoration, conversion and extension of the Grade II listed garage building and redevelopment of the site to provide for a mixed use scheme comprising a ground floor retail unit (convenience goods store) with residential above. The proposed building is identical to that proposed in the latest previous applications (refs. 3877/APP/2008/3159, 3160 and 3161) with 262m², (including ancillary areas) of retail floor space (206.5m² Gross internal floor area, excluding circulation space) on the ground floor and the rear part of the first floor (ancillary retail

storage and office space) with the remainder of the first floor comprising two one-bedroom residential flats and the third one-bedroom flat in the roof of the building. Only the parking/servicing arrangements have been revised.

The site is prominently located within the Harefield Village Conservation Area and incorporates part of the nineteenth century Grade II listed stables formerly associated with the Kings Arms public house.

There are no objections to the demolition of the modern flat roofed garage building and the mono-pitched extension to the listed stable building.

The previous scheme was not considered to raise any specific design concerns and this assessment remains the same on this application. If the applications had not been recommended for refusal, conditions would have been sought to address minor outstanding design issues, but otherwise, the scheme is not considered to detrimentally impact upon the setting of the Harefield Village Conservation Area or the Grade II listed stables.

The previously refused planning application (ref. 3877/APP/2008/3161) did raise highway objections relating to the proposed layout which was considered to provide insufficient manoeuvring space for retail parking and delivery vehicles. The parking layout was considered to be cramped and likely to result in vehicle and pedestrian conflict within the application site, to the detriment of vehicular and pedestrian safety. Furthermore, the scheme was refused on the basis that restricted delivery space would not allow for the safe and satisfactory manoeuvring of delivery vehicles from the public highway, appearing to be reliant on one of the residential bays being vacant during delivery times, interfering with the safe and efficient operation of both the public footpath and public highway in front of the application site. Also, in the absence of an appropriate legal agreement, a means of securing the Servicing Management Plan had not been secured and without control of the future management of service deliveries to the site, the scheme would have significant impacts on the adjoining highways network. A subsequent appeal was also dismissed.

The applicant has revised the parking and servicing arrangements on site, whereby four of the six customer parking spaces previously proposed have been omitted and the three residents and three remaining customer parking spaces, including a disabled space have been re-sited, enabling a shared use pedestrian path to be created to access the store and service vehicles to manoeuvre across the full width of the site.

The Council's Highway Engineer objects to this scheme on highway grounds. The proposed servicing arrangements would still involve a high level of management intervention for the scheme to operate which was criticised by the previous Inspector. A protected London Plan tree requires excessive crown lifting to allow use by larger delivery vehicles which is unacceptable to the appearance of the tree and the surrounding conservation area and has not been fully justified. It is therefore recommended that planning permission be refused for these reasons.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed delivery vehicle operations at the site would involve the need for a high and consistent level of management intervention throughout the life of the development which would not be sufficiently robust in the long term to ensure the safe operation of the

site. In the absence of such management intervention, the proposal is likely to result in delivery vehicles waiting and/or loading/unloading on the adjoining highway. The proposal would also involve cars exiting the site via an entry only access when deliveries are underway which would result in driver confusion and unexpected vehicle movements. The proposal would therefore be detrimental to highway and pedestrian safety and prejudicial to the free flow of traffic on the adjoining highway, including access by emergency vehicles at the adjoining Harefield Hospital, contrary to Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

2 NON2 Non Standard reason for refusal

The proposal involves the crown lifting of a protected London Plane tree (T11 of TPO3) to a height of 5m. It is considered that at this time, the crown lifting would be detrimental to the appearance of the tree and the surrounding area, whilst the need for such crown lifting has not been fully justified. The proposal is therefore considered to be detrimental to the character and appearance of the Harefield Village Conservation Area, contrary to Policies BE4, BE13 and BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2009).

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

PPS1	Delivering Sustainable Development
PPS4	Planning for Sustainable Economic Growth
PPS3	Housing
PPS5	Planning for the Historic Environment
PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning and Noise
LPP 4A.3	London Plan (February 2008)
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE11	Proposals for the demolition of statutory listed buildings
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
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.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
AM15	Provision of reserved parking spaces for disabled persons
HDAS	Residential Layouts Accessible Hillingdon
BE10	Proposals detrimental to the setting of a listed building

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a plot of land approximately 0.073 hectares in area, formerly known as The Kings Arms Garage and is situated on the western side of Rickmansworth Road, to the north of its roundabout junction with Park Lane, Breakspear Road North and High Street, Harefield. The southern boundary of the site abuts The Kings Arms Public House, a Grade II Listed Building. To the north of the site is the main entrance to Harefield Hospital, with a small wooded area on the immediate boundary. To the west is the beer garden of The Kings Arms Public House. The site is currently vacant and somewhat derelict, and has been partially fenced off. The western part of the site is occupied by a single storey ridged roof building with accommodation in the roof with a front dormer which was used as the garage/petrol sales/workshop. This building was formerly an outbuilding to The Kings Arms Public House and extends southwards across the site, linking with the public house. It has been added to with a mono-pitched extension on its

northern side. The northern part of the site is currently occupied by a single storey flat roofed detached building previously used as a car wash facility. To the east of the site on the other side of Rickmansworth Road is the village green. A pedestrian crossing is situated immediately outside the Public House.

The former garage/workshop building is Grade II listed, as is the adjoining Kings Arms Public House. The site is located within the Harefield Local Centre, Harefield Village Conservation Area and also forms an archaeological Priority Area as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007). A London Plane tree on the eastern boundary of the site has a Tree Preservation Order.

The site has a Public Transport Accessibility Level of 1b on a scale of 1 to 6 where 1 represents the lowest level of accessibility.

3.2 Proposed Scheme

The proposal involves the restoration of the Grade II listed building and redevelopment of the remainder of the site to provide for a mixed use scheme accommodating 262m² (206.5 Gross Internal Floor Area) of retail sales at ground floor (convenience goods store) and ancillary retail storage and office space and residential above. A small mono-pitched roof extension to the listed building and the flat roofed car wash building would be demolished.

The scheme seeks to accommodate 3, one-bedroom flats, two at first floor level and one in the roof space.

The overall building footprint would be L-shaped and would have an overall width of 15.25m taken from the side wall of the original former garage/workshop building, which would extend so that at its nearest point, the building would be set off from the north boundary by 2.4m. The building would abut the western boundary and have an overall depth of 17.0m. The main building would be two storeys with various gabled ended ridged roofs incorporating accommodation in the roofspace, with 2 front dormers, a side dormer and rooflight on the northern elevation and two rooflights at the rear. The overall height of the ridged roof would be 8.9m. A single storey extension with a ridged roof and front rooflight would link the main two storey building with the retained garage/workshop building, replacing the flat roof extension to the former outbuilding.

The scheme proposes 6 car parking spaces, 3 for residential and 3 for customers, including 1 disabled person space and 8 cycle parking spaces (4 for the flats and 4 for the convenience goods store).

The development would not be served by any communal or private amenity space.

Access to the customer and parking spaces would be via two existing vehicular crossovers on Rickmansworth Road. Service/delivery vehicle standing will be located in front of the customer parking spaces. Pedestrian access to the store would be taken from between the two crossovers with a separate entrance to the residential units located to the side of the store, on the northern elevation of the building. The goods entrance to the store would be sited behind the residential entrance with separate commercial and residential refuse stores proposed, adjacent to the respective entrances.

As part of the proposal, various supporting statements have been submitted:

Planning, Design and Access Statement:

This describes the more recent planning history that has led to the submission of these three applications, and in particular focuses upon the Planning Inspector's decision letter dated 11th June 2009. It highlights the changes made to the scheme in an attempt to address the Inspector's concerns and the pre-application consultation held with the Council. The background to the proposed development is provided, and a commentary on how the scheme has evolved. Reference is made to the two previous Tesco schemes, and the previous officers' reports to the 8th October 2008 and 17th March 2009 committees when officers considered that the retail element was consistent with policy, which was agreed by Members and the appeal Inspector. It goes on to highlight that although a significant number of residents objected to the presence of Tesco on the site on the planning consultation with the first scheme, this has to be contrasted with the questionnaire sent to 2,500 residents within a 1 kilometre catchment of the site on the 10th April 2008. Of the 462 respondents, 231 (50%) were in support of a Tesco Express on the site as opposed to 44% against.

It goes on to provide a description of the application site and the surrounding area, together with a planning history of the site. A detailed history of the evolution of the scheme is provided, together with details of the various officer discussions that took place and changes made to the scheme. The statement then goes on to assess the planning policy framework and provides an appraisal of the development. In terms of land use mix, the document refers to the Retail Assessment that shows a clear and definable need for new convenience goods floor space in the area and that the development, would have a positive impact upon the vitality and viability of the Harefield Local Centre and that no other sites are available. The development would regenerate the site, bringing environmental enhancement, provide new residential units and stimulate investment in the local centre. Again, the statement stresses that these arguments have been accepted by the Council and the Planning Inspectorate. The statement refers to the Heritage Assessment and assesses the impacts of the development upon the former stable building, the setting of the King's Arms Public House and the Harefield Village Conservation Area. The statement refers to a separate Archaeology Desk Based Assessment and acknowledges that the development could have an archaeological impact which would need to be evaluated at site. The layout, scale, appearance and landscaping of the development is described and the quality of the residential accommodation assessed. Although the units would have no amenity space, a suggestion that balconies be provided has previously been rejected by the Conservation Officer on design grounds and the site is immediately opposite the village green. Again, the Council has accepted the lack of provision. The statement then assesses the impact of the development on surrounding properties, both in terms of its built form and potential for noise generation. In respect of the latter, reference is made to the findings of the Noise Report. The Statement then looks at the impact upon footfall, transportation and parking and mainly re-iterates the findings of the Transport Statement. The statement then discusses renewable energy, store recycling and land contamination.

Transport Statement:

This describes the planning background to this application, focusing on the Inspector's decision letter dated 11th June 2009 and briefly describes how the current proposal overcomes the Inspector's concerns. It goes on to provide a description of the proposed development and the amendments that have been made since the second application, including a new pedestrian footway linking the store entrance with Rickmansworth Road and a re-arrangement of the car parking spaces. Vehicle access is then described, and the report advises that the existing footway and crossovers are in a poor state of repair and will be resurfaced to a specification agreed by the Highway Authority. The proposed

site access arrangements would include a general one way system, with in-bound vehicles using the northern crossover, and outbound vehicles the southern which would be clearly signed. The only time this arrangement would not apply would be when a customer vehicle requires to exit the site while a delivery is underway but such incidence is expected to be rare. It goes on to advise that a suggestion made at a pre-application meeting to incorporate bollards within the site each side of the crossovers has not been taken forward, as a swept path analysis shows that access to the site from the south by larger cars and vans would be difficult.

Service access is then described, stating that service vehicles would enter via the eastern [northern] crossover, and reverse toward the northern boundary once inside the site, aided by a trained banksman. The maximum size of vehicle would be a 10.35m rigid vehicle. The removal of three parking spaces allows for delivery vehicles to unload, whilst allowing pedestrians safe access to the site. Staff will close off the customer parking spaces 30 minutes in advance of each delivery. Vehicles will manoeuvre to a position free of the carriageway and footway and exit the site in a forward gear. The three residential spaces would be fully accessible during deliveries to the store. No customer parking would be permitted during deliveries but should a customer vehicle not have vacated one of the spaces before the arrival of the delivery vehicle, egress would still be possible as the delivery vehicle could move forward to let the customer vehicle out. Any delivery vehicles that cannot access the site must continue past and travel via Breakspear Road North, Northwood Road/White Hill and the A404 and legally park at the Tesco superstore in Rickmansworth to await further instructions. This is not expected to be a frequent occurrence as deliveries would be scheduled carefully, with only one vehicle at the site at a time. Long 'blocks' of time would be allocated to each delivery to allow for possible delays, congestion or other anomalies, as well as ensuring that peak traffic and trading times are avoided. Deliveries of fresh food and other goods would be undertaken using a 10.35m rigid vehicle making 4 deliveries on a typical day, with a delivery duration of 10 to 30 minutes. The total time each day when deliveries would affect the car park is therefore approximately 1 hour, 20 minutes out of a 16 hour trading day, outside of the peak hours and spread through the day. A delivery and car park management plan will be provided and should be conditioned as part of any planning approval. Prior to opening of any new store, Tesco undertake a delivery risk assessment which are passed to Tesco distribution centres, store staff and to third party suppliers, who are bound by contract to follow the instructions. These include all delivery information, including vehicle size and time restrictions and provides the mechanism which allows deliveries to Express stores to be carefully controlled and planning conditions/delivery management plans to be adhered to. Delivery vehicles also collect 90% of the stores refuse which is taken back to the distribution centres for sorting, then recycling/disposal as appropriate.

A new pedestrian footpath will provide pedestrian and cyclist access from Rickmansworth Road centrally through the car park. The car park would be constructed as a shared surface, with different materials to denote pedestrian routes.

The statement then goes on to discuss parking provision. It stresses that both the UDP and the London Plan set maximum standards with no minimum level of provision. The maximum level of provision for A1 floorspace is 1 space per 30m² GFA which would give a maximum number of 9 spaces, whereas the proposal would provide 3 spaces for the retail element, consistent with appropriate guidance. Furthermore, the statement refers to paragraph 8 of the Inspector's decision letter, where the Inspector confirmed the opinion of the Council's highway witness 'that an on-site retail parking provision would not be essential.' The residential element would have one space per unit and these spaces would have droppable bollards so that they can be restricted for residential use. This level of

provision is within the maximum level of provision suggested within the UDP and London Plan and is therefore appropriate. Four cycle parking spaces are provided for the retail store, and four covered and secure spaces for the residential units.

On-street parking surveys were undertaken by an independent company on Friday 13th and Saturday 14th March 2009. These took a 150m radius around the site, split into 75m and 75m - 150m areas, where all legal and possible on-street and public parking was counted on an hourly basis. This showed that on the Friday, between the hours of 08:00 to 18:00, peak occupancy occurred at 15:00, with 53% of the spaces occupied within a 75m distance, reducing to 51% in the 75m to 150m zone, leaving 27 spaces available within 150m of the site. On the Saturday, between the hours recorded of 09:00 and 16:00, peak occupancy occurred at 11:00, with 59% of the spaces filled within the 75m distance and 53% of spaces occupied in the 75m to 150m zone beyond, leaving 27 spaces available. There is therefore reserve parking capacity in the vicinity of the site to accommodate additional vehicles which may be attracted to the area during exceptional peaks.

The statement then looks at sustainability issues and considers pedestrian infrastructure within the vicinity of the site to be good and that the site is readily accessible to surrounding residential areas and the wider Harefield local centre for the convenience store to offer opportunities for linked pedestrian shopping trips. Cyclists will also be catered for and the site is served by three bus routes.

Traffic attraction is then analysed. This uses a TRICS database and takes a typical dwell time of between 10 and 12 minutes for a standard parking space serving a convenience retail unit such as is being proposed and a 20 minute typical time for a disabled space. Taking a worst case scenario where all the parking spaces are used for the store, in total, the site could attract a peak hour two-way traffic flow of 68, as compared to 28 associated with the existing use. This equates to approximately one vehicle every two minutes in each direction. The statement goes on to advise that recent research demonstrates that a significant proportion of traffic attracted to a retail development will already exist on the public highway and would only involve shopping trips diverting from previous destinations and therefore not all trips can be described as new traffic on the highway.

Draft Servicing Management Plan:

This illustrates the type of measures that would be included in the Servicing Management Plan, which would be controlled by a Unilateral Undertaking, identifying the manner in which the car park will be managed to facilitate deliveries to the store and associated safety measures to be applied. The plan seeks to ensure that the site will be serviced in a safe manner which does not result in any detriment to the free flow of traffic or public amenity. To this end, it would identify the most appropriate routes between the distribution centres and the store to be distributed to all appropriate drivers/distribution centres/stores etc, overall length of delivery vehicles to be restricted to 10.35m, includes auto-tracking plans to show vehicles can manoeuvre safely on site, store manager to be informed on daily basis of all delivery timings for the day, parking spaces to be closed 30 minutes before delivery vehicle arrives, specifies delivery times, delivery vehicle engines to be switched off during loading/unloading operations, 2 additional staff to direct vehicles with tail lifts to ensure public kept safe, delivery roll cages to be loaded/unloaded from the vehicle/store only when space available on the vehicle/in store, refuse handling details, third party delivery arrangements, including risk assessments and third parties to be bound by contract to follow Tesco instructions regarding delivery arrangements.

Unilateral Undertaking:

This would secure an appropriate Servicing Management Plan.

Retail Assessment:

This provides a site and proposal description, summarises the planning history and policy context. The report then assesses the quantitative need for the development by using a standard methodology whereby expenditure in the catchment area is calculated at a future date. The turnover of existing/committed facilities is then subtracted to leave the residual expenditure capable of supporting additional floor space. In this instance, the primary catchment area of 1km has been taken which mainly takes in Harefield village. Population in the catchment area is estimated, as is convenience goods expenditure per head. This is adjusted to take account of 'non-store sales' such as market stalls, on-line shopping etc. Growth projections are then applied. The study calculates that in 2012, there will be £8.38m of expenditure available on convenience goods within the catchment area, which represents a growth of £0.24m from the base line figures for 2007. Of this, 65% is estimated to be spent in the surrounding larger supermarkets and town centres, leaving 35% to be spent for 'top-up' shopping in the catchment area. In addition, a store in this location would attract some pass by expenditure and also attract trade from the workers and visitors of Harefield Hospital and from South Harefield, which lies outside the catchment area. In total, it is estimated that 20% of convenience goods spending would come from outside the catchment area. In total, this gives £3.66m of available top-up expenditure in Harefield in 2012, rising to £3.81m in 2015. Turning to existing convenience stores in Harefield, taking into account their floor areas, changing floor space efficiencies/turnovers etc., their total turn over is calculated to be £2.02m in 2012, rising to £2.05m in 2015. The proposed Tesco store would be likely to generate £1.66m in 2012 of which £1.33m or 80% would be derived from the 1km primary catchment area. This rises to £1.35 in 2015. Adding the projected turn over from the existing stores to the Tesco turnover from the catchment area leaves a residual turnover of £0.31 in 2012, rising to 0.4m in 2015. The identified surplus would be more than sufficient to support the proposed Tesco and allow existing stores to grow their turnover in line with national projections.

The report goes on to advise that the Tesco store would anchor the northern end of the centre, increasing footfall through the length of the High Street. The store would increase the range of fresh food available in Harefield and retain a greater proportion of spend that is currently leaking out to the larger supermarkets in Rickmansworth, Ruislip and Uxbridge. For a local centre in a London borough, Harefield is relatively isolated and rural and therefore important for it to provide a strong convenience provision to meet the needs of the local community, particularly those less able to travel and encourage sustainable travel patterns.

The report goes on to say that footfall surveys at Tesco Express stores elsewhere, show an average increase of 43%. Other surveys suggest that after the opening of a Tesco Express, more people buy fresh fruit and vegetables. As the site has an edge of centre location, a sequential analysis was also undertaken (updated in September 2009), to assess whether any other sites in the core shopping area were suitable, viable and available for the development. Within the Core Shopping Area, Nos. 18 and 28 High Street and the former fitness centre at No.34 were vacant. Of these, Nos. 18 and 28 were far too small, with only 8% and 17% respectively of the minimum number of product lines required of being displayed to accommodate a Tesco Express. With 178m² of floor space available at No. 34, the unit is much larger, but still only capable of accommodating 68%

of the required number of product lines. Access was also restricted and not considered suitable. There are no other sites in the town centre identified for retail and although the application site is edge of centre, it is well linked to the core shopping area. Other vacant sites outside the centre include Nos. 7 and 25 High Street and No. 9 Park Lane, but again these could only accommodate 31%, 18% and 16% respectively of Tesco's requirements. In sequential terms, the application site is the most appropriate location.

In terms of the impact of the proposal on the vitality and viability of the existing centre, Harefield was found to have a good mix of retail and service uses, and although the amount of floor space was in line with national averages, the number of units was above, suggesting the town is dominated by small scale retail units. With only two small retail units vacant, together with the former fitness centre, there is a lack of floor space for retailers looking to locate in the centre. The Hillingdon Retail Study undertaken in 2006 estimates that convenience stores in Harefield have a sales density of around £4,627 per sqm, whereas it considers an optimum trading density would be around £4,000 and suggest existing units are overtrading and although the study suggest that this is not having a detrimental impact, it does suggest existing stores are trading very well. With the proposed store the catchment area can be expected to retain greater expenditure, which would help to ensure the vitality and viability of the centre.

The report concludes that the current statement updates the survey undertaken in April 2009 which was accepted by the Council and the Inspector and the findings are still valid. The site satisfies policy guidance in PPS6 and the UDP and the quantitative need assessment demonstrates that the £1.64m residue available 'top-up' expenditure in the catchment area in 2012 is more than sufficient to support the new store. There is also a qualitative need for a modern format food store to retain a greater proportion of spend that is leaking to the larger supermarkets and the site satisfies sequential analysis. It would have a positive impact on the town centre.

PPS4 Statement:

This advises that the statement should be read in conjunction with the main Retail Assessment and other originally submitted documents as these already address the policy considerations that are now set out in PPS4. It identifies the relevant policies in the new guidance, and re-iterates the relevant considerations, namely:

Policy EC10.1:

This advises Local Planning Authorities to adopt a positive and constructive approach towards economic development and that applications which secure sustainable growth should be viewed favourably.

Policy EC10.2:

- a) The scheme could achieve a reduction in CO2 emissions and includes sustainable development principles of sustainable design and construction and store recycling.
- b) The application site is readily accessible to those on foot, being within a short walk of a good density of residential development. Proposed improvements to pedestrian facilities will improve pedestrian safety and cycling will be encouraged with a reasonable amount of cycle parking being provided on site. Movement along surrounding pedestrian and vehicle routes would not be affected.
- c) Proposed scheme has been carefully designed to harmonise with its surroundings, including listed stable building and public house,
- d) Re-development of a vacant and derelict site with a high quality scheme will have a positive impact on the application site, conservation area and local centre and

regeneration benefits will be realised throughout wider area.

e) Proposal will bring forward significant new jobs, equivalent of between 20 and 25 full time jobs. The proposal will retain expenditure in area which will be mutually beneficial to other shops through linked trips.

Policy EC13:

The retail assessment demonstrates that the impact of the proposal would not affect any existing facilities in the centre.

Policy EC14:

Requires a sequential assessment for retail applications that are not in an existing centre and are not in accordance with an up to date development plan. The proposal is within the Harefield Local Centre but outside the core shopping area. Alternative sites have been examined but it was concluded that no sites are available, viable and suitable for the proposal. This conclusion was accepted at the previous committees and by the 11 June Inspector decision.

Policy EC16.1:

This requires an Impact Assessment for retail applications over 2,500sqm gross floorspace. The proposal is significantly below this threshold and therefore a full impact assessment is not required under this policy. However, all the considerations under EC16.1 have already been addressed in the submitted Retail Assessment and the Inspector's decision on the 11 June 2009 accepted that the scheme would in fact bring positive impact to the centre, recapturing some of the lost expenditure.

Policy EC17.1:

This states that planning permission should be refused where there is 'clear evidence that the proposal is likely to lead to significant adverse impacts on any of the impacts set out in Policies EC10.2 and EC16.1'. This letter, in conjunction with the submitted Retail Assessment demonstrates that there is no evidence at all that the proposal will have a significant adverse impact on any of these impacts identified in the policies. On the contrary, the foodstore is a sustainable economic development which would provide a genuine choice to meet local needs and will reduce the need to travel for basic food shopping. The proposal would bring significant economic and physical benefits to the Harefield centre.

The letter concludes by stating that the proposal is fully compliant with PPS4.

Archaeological Desk Based Assessment:

This establishes the scope of the study and the planning policy background. The geology and topography of the site is described. The archaeological and historical background is assessed, and defines the time periods used in the study. It goes on to document the archaeological finds and features within a 750m radius of the application site. Given the scatter of finds, the possibility for the site producing finds from the prehistoric or Roman periods is low, whereas as the site has been used in connections with the Kings Head public house, which is thought to have fifteenth century antecedents and the site appears to have been within a historic core of a Late Medieval village, there is a moderate potential for Medieval finds at the application site. As regards the Post Medieval period (AD 1486 - 1749), there is documentary evidence of buildings on the site of the Kings Head public house and in the seventeenth century, it was recorded as an inn called The Butts. A survey of Middlesex in 1754 shows Harefield as a linear settlement along roads which become Rickmansworth Road, running north-south, and Park Lane/Breakspear Road,

which run east-west. Buildings are shown in the vicinity of the site which lies at the junction of these roads. A map of 1813 shows the study site occupied by buildings and open areas associated with the rear of the Kings Arms public house. Various demolitions and extensions to the public house buildings are shown on the Ordinance Survey maps after this date, with one of the buildings labelled a smithy on the Ordinance Survey map of 1896 and stabling and a motor garage are advertised at the public house in a photograph of 1908. The smithy and stables appear to have been demolished in the early twentieth century. The study site is labelled a garage on the 1960 map. The potential of the study site for the Post Medieval and Modern periods can be defined as moderate.

Any agricultural or horticultural use of the site prior to development, together with the various stages of building construction and demolition, together with associated cutting of foundations, services, levelling and landforming would have had a severe negative archaeological impact on the study site. However, in view of the site's archaeological potential, the redevelopment proposals are considered to have a potential archaeological impact. A rapid programme of archaeological evaluation is recommended and dependent upon the results, further work may be required.

Geo-Environmental Assessment:

This provides a preliminary assessment of the chemical and physical properties of the underlying soil and was primarily designed to identify whether any soil or groundwater contamination is present. The assessment identifies the scope of the study and possible limitations. The site location and use is described, as are the general underlying conditions of the soil and possible threats posed to the re-development of the site which is briefly described. A historical and regulatory review is then provided, together with a summary of potential sources of contamination. The various processes of site investigation are described, and the results of the laboratory analysis, observed ground conditions, geotechnical and environmental results are assessed. In particular, associated with the past use of the site as a petrol filling station, the presence of underground storage tanks is identified and the site lies on an aquifer. A summary of the site investigation and a contaminated land risk assessment is provided and given the sensitivity of the site, conclusions and recommendations are made.

Renewable Energy Feasibility Study:

This report identifies that a 10% reduction in CO₂ emissions is required to satisfy policy. Baseline energy consumption is calculated from the various energy demands made by the development. Various technologies are assessed, namely solar thermal, solar photovoltaic, biomass heating, combined heat and power, wind turbine and ground source heat pumps and evaluates their potential to deliver carbon footprint reductions on site. Financial considerations are factored in, such as maintenance and service costs and payback periods. It concludes that a ground source heat pump would be the most suitable system in terms of delivering the 10% reduction of CO₂ emissions, but if the Council could not support this solution due to the sensitive nature of the site, a wind turbine or a biomass boiler system could also satisfy the 10% reduction requirement. The report concludes by exploring the feasibility of a 20% reduction and considers this impractical on this site, as the technologies identified could not be easily scaled up due to the site constraints limiting the area from which renewables could be harvested.

Arboricultural Impact Statement:

This provides an existing site overview. An arboricultural impact is provided, and details of

recommended tree works. This includes removal of a dead tree trunk and crown lifting of other trees.

Arboricultural Method Statement:

This details the measures to be employed to ensure that retained trees will be protected during the construction process, including details of protective fencing and general site operations. It also includes the statement that the protected London Plane (T11 on TPO3) will require a crown lift of 5m in height to allow delivery vehicles to access the site without conflict with the tree.

Background Noise Survey - BS8233 Assessment on Residential Flats.

Background Noise Survey - BS4142:1997 and PPG Assessment Refrigeration and Air Conditioning Equipment.

3.3 Relevant Planning History

Comment on Relevant Planning History

The application site has had a very long history of being used in connection with the adjoining Kings Head Public House. A smithy and stabling used in connection with the public house appears to have given way to garaging activities with the advent of the car at the beginning of the twentieth century. This use evolved throughout the twentieth century and becomes distinct from the use of the public house and continues until the site is vacated.

The application site has an extensive planning history and includes the following more recent applications:

3877/APP/2006/3040 - Erection of a two storey building and conversion of existing workshop building to provide a ground floor restaurant and 4, one-bedroom self-contained flats at first floor (involving demolition of the existing single storey building). Refused on 25/01/2007 due to inadequate car parking giving rise to conditions prejudicial to highway and pedestrian safety and failure to demonstrate that existing trees on or close to the site would be retained in the longer term.

3877/APP/2006/3036 - The application for the associated Listed building consent for the above scheme was also refused at the same time as insufficient information had been submitted as regards the demolition and as the planning application had been refused, the proposed demolition was detrimental to the character and appearance of the listed building.

3877/APP/2008/2566 - Conversion of part of the two-storey garage/workshop and involving part demolition of the existing single storey workshop building (adjoining the listed coach house)(Application for Listed Building Consent). Refused 17/10/2008 for the following reasons:

1. Insufficient information has been submitted to enable the Council to determine the impact on the listed coach house from the proposed partial demolition of the workshop building and the erection of an extension on the eastern elevation of the building. In particular there are concerns about whether there are changes to floor levels and roof structures and whether existing doors and windows (including the attic window) are retained. Furthermore the height of the linking structure is not considered to be sufficiently subservient to the remaining coach house building, to the detriment of the character and

appearance of the listed building. The proposal is therefore considered to be detrimental to the character and appearance of the grade II listed building. The proposal therefore does not comply with policies BE8 and BE10 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007).

2. Planning application ref: 3877/APP/2008/2565 has been refused for the erection of a two storey building and conversion of the existing listed workshop building to provide a Class A1 use on the ground floor with ancillary storage on part of the first floor and 3, 1 bedroom flats on part of the first floor and second floor. As such there are no acceptable and detailed plans for any redevelopment. The proposal therefore does not comply with policies BE8 and BE10 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3877/APP/2008/2565 - Erection of a two storey building and conversion of the existing listed workshop building providing a Class A1 (retail) use at ground floor to be used as a convenience goods store, with ancillary storage on part of the first floor and second floor (involving the part demolition of the existing single storey workshop building, which is not listed) (Full Planning Application). Refused 17/10/2008 for the following reasons:

1. Insufficient information has been submitted to enable the Council to determine the impact on the listed coach house from the proposed partial demolition of this building and the erection of an extension on the eastern elevation of the building. In particular there are concerns about whether there are changes to floor levels and roof structures and whether existing doors and windows (including the attic window) are retained. Furthermore the height of the linking structure is not considered to be sufficiently subservient to the remaining coach house building, in this respect it would appear dominating and visually intrusive in the streetscene. This is to the detriment of the character and appearance of the Harefield Conservation Area and the curtilage listed building. Accordingly the proposal does not comply with policies BE4, BE8, BE10, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

2. The proposed layout provides insufficient manoeuvring space for the proposed residential parking, retail parking and delivery vehicle parking. The parking layout is considered to be cramped and likely to result in vehicle and pedestrian conflicts within the application site to the detriment of vehicular and pedestrian safety. The proposals are therefore contrary to policies AM7 and AM14 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3. It is considered that the restricted delivery space will not allow safe and satisfactory manoeuvring of delivery vehicles from the public highway. It is furthermore noted that the layout appears to rely on one of the residential parking bays being vacant during delivery times. It is considered that the proposals will result in delivery vehicles interfering with the safe and efficient operation of both the public footway and public highway in front of the application site, and that this would be to the detriment of highway and pedestrian safety. The proposals are therefore contrary to policies AM7 and AM14 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3877/APP/2008/2584 - Demolition of the existing detached car wash facility building (application for Conservation Area Consent). Refused 17/10/2008 for the following reason:

1. Planning applications ref: 3877/APP/2008/2565 and 2566 to extend the listed building have been refused. As such, there are no acceptable and detailed plans for any redevelopment. In this instance the Local Planning Authority do not have full information

about what is proposed for the site after demolition. In the absence of further information the proposed works are considered to be detrimental to the character and appearance of the listed building and the Harefield Conservation Area. The proposal is therefore considered contrary to Policies BE4, BE8 and BE9 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007)".

3877/APP/2008/3159 - Demolition of the existing detached car wash facility building (Application for Conservation Area Consent) - Refused 20/03/09 for the following reason:

Planning applications ref: 3877/APP/2008/3161 and 3160 to extend the listed building have been refused. As such, there are no acceptable and detailed plans for any redevelopment. In this instance the Local Planning Authority do not have full information about what is proposed for the site after demolition. In the absence of further information the proposed works are considered to be detrimental to the character and appearance of the listed building and the Harefield Conservation Area. The proposal is therefore considered contrary to Policies BE4, BE8 and BE9 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3877/APP/2008/3160 - Conversion of part of the two storey garage/workshop and involving part demolition of the existing single storey workshop building (adjoining the listed Coach House) (Application for Listed Building Consent) - Refused on 20/03/09 for the following reason:

Whilst there are no objections to the proposed alterations to the listed building as they would relate to the development proposals, planning application ref: 3877/APP/2008/3161 for these development proposals has been refused. In the event that the works were undertaken in isolation, it is considered that they would have a detrimental impact on this Grade II listed building. The proposal is therefore considered contrary to Policies BE8 and BE9 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3877/APP/2008/3161 - Erection of a two storey building and conversion of the existing listed workshop building providing a Class A1 (Retail) use at ground floor to be used as a convenience goods store, with ancillary storage on part of the first floor and 3 one-bedroom flats on part of the first floor and second floor, with six customer (including one disabled) and three residents parking spaces, and new crossover to Rickmansworth Road - Refused on 20/03/09 for following reasons:

1. The proposed layout provides insufficient manoeuvring space for the proposed retail parking and delivery vehicle. The parking layout is considered to be cramped and likely to result in vehicle and pedestrian conflicts within the application site to the detriment of vehicular and pedestrian safety. The proposals are therefore contrary to policies AM7 and AM14 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

2. It is considered that the restricted delivery space, together with the two wide crossovers will not allow safe and satisfactory manoeuvring of delivery vehicles from the public highway. It is furthermore noted that the layout appears to rely on some of the retail parking bays being vacant during delivery times. It is considered that the proposals will result in delivery vehicles interfering with the safe and efficient operation of both the public footway and public highway in front of the application site, and that this would be to the detriment of highway and pedestrian safety. The proposals are therefore contrary to policies AM7 and AM14 of the Hillingdon Unitary Development Plan, Saved Policies (September 2007).

3. The applicant has failed to provide, through an appropriate legal agreement a means of ensuring delivery of the Servicing Management Plan (dated December 2008). It is considered that without a legal agreement controlling the future management of service deliveries to this site the scheme will have significant impacts upon the adjoining highways network. The scheme therefore conflicts with Policy AM7, of the adopted Hillingdon Unitary Development Plan Saved Policies September 2007 and Hillingdon's Planning Obligations Supplementary Planning Document July 2008.

Appeals on the three applications relating to the latest scheme were subsequently dismissed on the 11/06/09.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|--------|--|
| PT1.7 | To promote the conservation, protection and enhancement of the archaeological heritage of the Borough. |
| PT1.8 | To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities. |
| PT1.9 | To seek to preserve statutory Listed Buildings and buildings on the Local List. |
| PT1.10 | To seek to ensure that development does not adversely affect the amenity and the character of the area. |
| PT1.16 | To seek to ensure enough of new residential units are designed to wheelchair and mobility standards. |
| PT1.19 | To maintain a hierarchy of shopping centres which maximises accessibility to shops and to encourage retail development in existing centres or local parades which is appropriate to their scale and function and not likely to harm the viability and vitality of Town or Local Centres. |
| PT1.20 | To give priority to retail uses at ground floor level in the Borough's shopping areas. |
| PT1.31 | To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps. |
| PT1.39 | To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed. |

Part 2 Policies:

- | | |
|------|--|
| PPS1 | Delivering Sustainable Development |
| PPS4 | Planning for Sustainable Economic Growth |
| PPS3 | Housing |
| PPS5 | Planning for the Historic Environment |

PPG13	Transport
PPS22	Renewable Energy
PPG24	Planning and Noise
LPP 4A.3	London Plan (February 2008)
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE11	Proposals for the demolition of statutory listed buildings
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
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
OE11	Development involving hazardous substances and contaminated land - requirement for ameliorative measures
H4	Mix of housing units
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
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.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
AM15	Provision of reserved parking spaces for disabled persons
HDAS	Residential Layouts

Accessible Hillingdon

BE10

Proposals detrimental to the setting of a listed building

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **30th December 2009**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

151 surrounding properties have been consulted and the application has been advertised in the local press and a notice has been displayed on site. A petition with 565 signatories and 20 individual responses have been received.

The petition states: 'Please sign this petition to support the reasons for refusal entered on behalf of the Harefield Retailers and Residents Group. We have objected to the size of the store, its impact on the historic village setting, its traffic generation, retail impact and lack of participatory consultation with the community.'

The individual responses make the following comments:

- (i) Nothing has changed since last application which was rejected,
- (ii) Retail impact of the development - Tesco store would be large compared to size of the village and would add further competition and may result in closure of existing stores as could not compete with Tesco's economies of scale/aggressive buying and marketing. This would lead to ghost town with its high street left to charity shops and transient retailers. Although Harefield residents would benefit in the short term, in the longer term people will regret the loss of unique suppliers and outlets which differentiate Harefield from other towns and give it its individual character,
- (iii) Site is not large enough for the size of delivery lorries that will be used, and layout provides insufficient manoeuvring space for the proposed residential parking, retail parking and delivery vehicle parking. The parking layout is cramped and likely to result in vehicle and pedestrian conflicts within the application site, detrimental to highway and pedestrian safety. Traffic generation levels suggested by the applicant are disputed and proposed delivery arrangements are inadequate and not practical. It is likely that Harefield will come to a standstill. The adjoining hospital needs good access for emergency vehicles.
- (iv) If car owners cannot be found in the half an hour before deliveries, lorries will park on the road,
- (v) Any application that brings more lorries and vehicles through the village will cause problems no matter how well planned
- (vi) Currently, have no end of problems of shoppers blocking access, even if for just a couple of minutes,
- (vii) The proposal does not reflect local distinctiveness, is not integrated with its local context and harms the visual amenity of the street scene
- (viii) The proposal on this prominent plot would impact upon the setting of the historic building and the conservation area,
- (ix) Reasons for refusal should reflect views of the community and that they have the right to shape their environment as enshrined in PPS1.
- (x) Proposal needs to be compared with national guidance, particularly PPS1 and 6 and the UDP.
- (xi) As retail outlets shrink, local food producers would become more dependent on the patronage of the supermarkets, and once decline accepted would be hard to reverse, with knock on effects on

local pubs, restaurants and cafes, many of whom pride themselves on using local produce.

(xii) With large store in Rickmansworth, further Tesco store is unwarranted and unwanted.

(xiii) Site not within the centre and is set apart from the 4 long established shopping parades within the village. This would not produce linked trips and is contrary to PPS6 and policies Pt1.19 and Pt1.20 of the UDP. If there was to be a new convenience store, it should be within one of the established parades where commercial competition would be outside the remit of the planning system.

(xiv) There is 1 large supermarket within a few miles radius of the site and Harefield already benefits from 4 grocery stores, 2 Post Offices, 1 village bakery, 1 butcher, 1 greengrocer, 1 florist, 1 chemist and an off-licence. There is no need for such a store.

(xv) Application makes no mention of the grocery and Post Office stores closest to the application site, the newsagent Post Office on Northwood Road and Post Office and Londis on Moorhall Road.

(xvi) Sole reason for siting a store in this position is to attract those in vehicles. Shoppers only walk to local convenience stores if live very close and if only looking to purchase 1 or 2 items.

(xvii) Insufficient parking provision on the site and surrounding spaces are often fought over. Express stores of average 280sqm generates approx. 200 vehicles per hour in and out of their car park. Guesstimate figures are provided without any evidence. The only public parking is in the free car park at the far end of the centre, too far for most people to be willing to walk carrying a weeks shopping. Proposal likely to result in extensive use of local private parking facilities, the surgery, library and King's Arms car parks being prime targets.

(xviii) Site should be developed for housing only, used as a car park or independent traders/farmer's market.

(xix) Recent Competition Commission Report said choice was the presentation of a wide variety of offers from a wide variety of suppliers, not a huge range from one. Tesco object to this and the 'competition test' the commission came up with to protect centres like Harefield.

(xx) Bus service going to Tesco in Rickmansworth would be welcome.

(xxi) Site is opposite a children's playground, very close to zig zag lines of the roundabout, next to the driveway of local health centre and Harefield Hospital. There are two schools just around the corner in Park Lane and commercial vehicles delivering to Co-op on that corner already cause danger from HGV delivery vehicles. Tesco here would cause untold traffic problems and safety issues, particularly to children coming and going from schools.

(xxii) CO2 emissions will be increased.

(xxiii) The route for delivery lorries on Rickmansworth Road is up a hill with at least four very sharp, blind corners and on Saturday/Sunday morning, the parking of cars of people playing football on the playing fields on Rickmansworth Road leaves the road with very limited passing. During the week, cars park opposite the Green. Vehicles are often seen mounting the pavement to allow two-way traffic to pass with associated danger to pedestrians and damage to footway.

(xxiv) Proposed building, being taller than the Kings Arms Public House adjacent to it, is too tall for this prominent location.

(xxv) Listed buildings and Tesco's neon lights are not compatible.

(xxvi) Reason 10 given in Inspector in appeal report is still valid. The Council would be in no better position re enforcement with this amended application, than before. The proposed service plan/Section 106 agreement would still require unacceptable monitoring and intervention by the Council to the detriment of pedestrian/road safety, the reasonable expectations of Harefield residents and the financial cost to the whole borough community.

1 response in support has been received, making the following comments:

(i) The previous objections by the existing traders were self-serving and did nothing to enhance the future development of the village. Tesco being in the village will encourage other traders to come back to the village.

(ii) The Council has an obligation to avoid too many empty shops.

Harefield Tenants and Residents' Association:

We do not believe that the reduction of three parking spaces on the site, in this new planning application, answers the objections raised by us in our previous submission or the objections raised in the planning appeal Inspector's report.

The proposed management of delivery vehicles is totally inadequate and questionable as to how effective it would be. The applicant states lorries will be sent to their Rickmansworth store if they can't access the site and return later. They may be able to do that to their staff but what about other delivery firms? It is quite obvious that parking of lorries in Rickmansworth Road will occur with subsequent mayhem of blocking the freeflow of traffic on the roundabout in the centre of the village.

It is over development of the site which will be detrimental to the community and the Harefield Village Conservation Area.

We request refusal.

Harefield Village Conservation Panel:

The Panel has no objection to the three applications for the proposal which relates well architecturally to the existing historic listed buildings adjacent and others in the vicinity. It will also regenerate the visually important but derelict site in the village. The revised forecourt layout which has reduced numbers of shopper car parking places has improved the proposal significantly. This will facilitate access and egress for pedestrian shoppers considerably and manage deliveries much better. If Planning Services are minded to recommend approval for these applications the Panel urges the inclusion of a condition limiting the opening hours for the new shop to those currently operated in the village. However, concerns still remain about the impact that the new shop with the power of Tesco behind it is likely to have on the existing retail outlets in the village.

Harefield Retailers & Residents' Group:

Object to the proposed development on the following grounds;

1. The site is of paramount importance to the conservation area, opposite the village green and it impacts upon the setting of the adjoining listed building. Not enough importance has been given to this point, perhaps down to a lack of local knowledge.
2. The location of the site and access to it has not been understood with regard to traffic generation and delivery problems. Traffic generation levels are disputed. Various car counts carried out at existing Tesco Express Stores would suggest a level of 100 cars in and 100 cars out per hour is a much more accurate assumption for generation of traffic. The delivery lorry figure is also low for the size of store. A figure of 6 - 8 would be more appropriate. Tesco do not deliver all their products in one lorry. They have daily deliveries for dairy, freezer and bread products with other goods delivered in addition, and smaller delivery lorries for papers, lottery etc. There will also be security vans to cater for daily. The estimated traffic flow to and from the site has been grossly underestimated. Delivery lorry numbers do not reflect the size of store, but rather the manner of operation.
3. To suggest deliveries can be made possible on this site by restricting the number and size of lorries by means of a condition is fraudulent. Tesco have a history of breaking conditions imposed on other stores, examples within the Council's own jurisdiction would include Yeading and Yiewsley. No enforcement action has been taken to date so to opt out of the responsibility by issuing a condition is not acceptable.
4. Size, mass and scale of this development amount to an over development of the site. The three flats do not fulfil any 'need' as GLA target for Borough has been exceeded already. Tesco can afford to pay for the building of their own stores without the need for mixed development.
5. Tesco's retail impact assessment figures are never correct. Proposed store is out of scale in this village setting and would totally dominate the local market and threaten the viability of the local

economic environment. The existing retail community would not be able to survive the aggressive pricing methods of Tesco. A 12% increase in profits is only made in a declining market by targeting existing thriving retail centres and driving them out of business.

6. The proposed store would directly compete with Harefield's existing stores and coupled with the large Rickmansworth store, will take an overwhelming portion of local trade, which will reduce choice, contrary to findings of Competition Commission's Report and re-written PPS6.

7. Parking provision on site is insufficient. This is recognised by their own report which then suggests that there are sufficient spaces available on the surrounding roads. Our surveys suggest otherwise and the Council found it necessary to build a car park at the opposite end of the village for the same reason. This sort of store attracts a large number of customers willing to break parking restrictions. At Ruislip Manor, 58 customers parked on the double yellow lines outside the store in just one hour, despite 36 spaces being provided in its rear car park. The proposed store is half the size, but even without the flats, cannot reach the parking provision (proportionally) required there. Why should different requirements apply to this store? Other store counts suggest 100 cars in and 100 cars out per hour is a likely traffic generation figure for this size and location of store. These counts also suggest less than a third of customers arrive on foot so parking will be woefully inadequate. The lack of parking will lead to extensive use of local private parking, including the King's Arms and the surgery car parks.

8. Strongly object to the design of the store. A mock Victorian structure is not appropriate on a site which has never had a Victorian building on it and directly attaches to a far older building with a different architectural style. This is inappropriate and unsuitable for such a sensitive site.

9. This is not 'a natural extension of the town centre' as suggested. This site is not connected to the village centre, being interrupted by the Kings Arms and its substantial car park. To permit this development would fracture the retail offer and pull traffic away from the main parades.

10. The proposal will impact upon the amenity of residents throughout the area due to inadequate car parking in relation to projected custom of the store. There is not sufficient space on the roads as suggested and at most points in the day, the only spaces available are in the public car park which are too remote from the stores location, particularly when goods have to be carried. Traffic volumes, with 5 times that of the population of Harefield needed to ensure the store's viability will result in on street chaos. Some noise may result from the pub but the landlord takes this seriously and tries to keep late noise to a minimum. This store will add to that and have little regard to the disturbance of local residents. The plant noise will also disturb neighbours.

11. The impact on the highway is a reason for refusal that cannot be solved by any redrawing of the development. The pedestrian safety point also cannot be solved since the site is not large enough to allow 44ft lorries to manoeuvre within the site. Any promise to use smaller lorries will quickly be ignored as proved by the operator in many of its other stores where conditions are continually ignored and enforcement action has proved futile.

12. The total lack of consultation with the community is reason enough for both refusal and for judicial review should the application be granted. The community are strongly against this development which cannot be justified on either a 'clawback' or 'needs' basis.

We ask that the reasons for refusal profoundly reflect the views of the community and that their rights to decide the future shape of their environment as enshrined in PPS1 are recognised and acted upon.

Ward Councillor 1: Objects to this application.

Ward Councillor 2:

This is the third application submitted by Tesco on the site of the former Kings Arms service station, Rickmansworth Road, Harefield to which I have submitted an objection.

Given that the material change to the current application is minor in nature and relates, as far as I can ascertain from the drawings, solely to a change in the car parking arrangements, and a

diminution in provision at that, I would ask that all former objections be taken into consideration as relevant planning history to this application and to this site.

The reduction in car park provision demonstrated in the application will compound the congestion in the Rickmansworth Road and the High Street, Harefield, on a route that is part of the safer routes to schools scheme in the village.

All previous objections remain valid, the adverse impact on the viability of the shops in the High Street during a recession, lack of car parking provision on site, very poor access for delivery vehicles to and from the site across a well used footpath by both children, adults and visitors to the neighbouring GP surgery and hospital.

The Planning Committee of the London Borough of Hillingdon have recognised the adverse impact that granting permission for this store in Harefield will have on the village and on the environment of the village. I would urge it to recognise that minor alterations to previous applications does not render the current application acceptable or worthy of approval.

Protected Tree Pruning

I am also aware that in conjunction with the planning application Tesco have submitted an application to prune a tree which is adjacent to the site and has the benefit of a Tree Protection Order.

I would further object to permission being granted to this wholly opportunistic application the purpose of which is not to enhance public safety or the life of the tree but to reduce the tree in size to allow for vehicular access to the site. I have inspected the tree, from a layman's point of view and it does not block the footpath or present a danger to pedestrians, is of a normal/regular height, presents no danger to passing vehicular traffic and there are no over hanging, loose branches that present a problem. It is entirely innocent tree save that it presents a slight impediment to a planning application.

I would urge refusal.

English Heritage (Archaeology):

The site is situated within an Archaeological Priority Area as defined by the Council, due to the medieval centre of Harefield. Early maps, as provided in the accompanying documents, show that the site has been developed at least since the mid 18th century, and may well have been built upon earlier. The Kings Head public house to the immediate south is thought to have antecedents dating to the 15th century. The proposed development may, therefore, affect remains of archaeological importance.

I do not consider that any further work need be undertaken prior to determination of this planning application but that the archaeological position should be reserved by attaching a condition to any consent granted under this application.

The condition might read:

Condition: No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Local Planning Authority.

Informative: The development of this site is likely to damage archaeological remains. The applicant should therefore submit detailed proposals in the form of an archaeological project design. This

design should be in accordance with the appropriate English Heritage guidelines.

Should significant archaeological remains be encountered in the course of the initial field evaluation, an appropriate mitigation strategy, which may include archaeological excavation, is likely to be necessary.

Thames Water:

With regard to sewerage infrastructure, there are no objections. As regards surface water drainage, it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water, it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. They can be contacted on 0845 850 2777. With regard to water supply, this comes within the area covered by the Veolia Water Company, The Hub, Tamblin Way, Hatfield, Herts, AL10 9EZ Tel. 0845 782 3333.

Internal Consultees

Conservation Officer:

PROPOSALS: Demolition of existing car wash facility, erection of a two- three storey building providing Class A1 at ground floor with ancillary storage at part first floor and three one bed flats at first and second floors.

BACKGROUND: The site is prominently located within the Harefield Village Conservation Area. It includes part of the nineteenth century grade II listed stables associated with the Kings Arms Public house. This building lies to the west of the site, it dates from seventeenth century and is also grade II listed. The site is archeologically sensitive.

RECOMENDATION: The design of the previously refused scheme was subject to pre-application discussions with officers. Its appropriateness and contribution to the setting of the adjacent listed building and the wider conservation area were considered by the Inspector and were found to be positive and to enhance both. The current applications include the proposed buildings as previously discussed, but address the issues relating transport matters noted by the Inspector.

There are no objections to the demolition of the modern garage and the brick structure adjoining the listed coach house. A condition linking the demolition works with the letting of a contract for demolition should be imposed on any CAC/PP approval. In design terms, there are no objections in principle to the proposed scheme provided safeguarding conditions are attached, these should include, samples of all external materials to be agreed, detailed design of shopfront and fascia to be agreed, details of fenestration- window design and construction to be submitted, details of forecourt design, samples of hardsurfacing materials, marking out, bollards, lighting and planting to be submitted.

The archaeological aspects of the site should be addressed in accordance with the advice given by GLAAS (Greater London Archaeological Advisory Service)

A schedule of repairs to the coach house (both internal and external) and a methodology statement should be requested as part of any Listed Building Consent.

CONCLUSION: No objection in principle, subject to suitable conditions being attached to any

approvals.

Highway Engineer:

Site

The site is located on the north-western side of Rickmansworth Road, which is a Classified Road and is a designated Local Distributor Road in the Council's Unitary Development Plan.

Previous application

Planning permission for a Tesco Express store was previously refused by the Council. The highway related grounds of refusal relate to vehicle and pedestrian safety, car parking and delivery vehicles. The Council's decision to refuse the planning application was upheld by the Planning Inspector and the planning appeal was dismissed. On the issues of car parking, delivery arrangement on the previous application was shown to displace 4-5 of the 6 car parking spaces on the site. The inspector considered that there was availability of street parking in the surrounding area and therefore the reduction in car parking during loading/unloading would not have an unacceptable effect on highway safety.

New application

The revised proposals are for a Tesco Express store with 3 car parking spaces including a disabled space (reduction of 3 car parking spaces than the previous application) and 3 one bedroom flats with 3 car parking spaces.

Delivery

Rickmansworth is a busy road. It is relatively narrow, its effective width being reduced by street parking. The application site is close to schools, hospital, shops, and a park, resulting in a considerable level of pedestrian movements on the footway in front of and in close proximity to the site. The site is close to a pedestrian crossing alongside a roundabout junction. The proposed tesco store would also have additional pedestrian movements to/from the site.

The applicant has proposed to utilise rigid delivery vehicles to service the store (overall vehicle length = 10.35m or less) and has submitted a servicing management plan. The delivery vehicles are proposed to enter the site via the northern access and exit via the southern access. The applicant has suggested that delivery drivers would be made aware that should they arrive at the site and not be able to access the site they are to continue past and wait at Tesco superstore Rickmansworth. Item-10 of the Planning Inspector's comments state "...the appellants indicate that the arriving lorry would be directed to a remote waiting location, before returning to the site. However, there is a likelihood of unsafe practices arising, including temporary stopping on the highway adjacent to the shop, and access or loading outside the specified parameters. Whilst the Council would have powers to require compliance with the Service Management Plan through the Section 106 Undertaking, the temporary nature of any breach would make enforcement difficult. In any event, however onerous the penalties, it would not be desirable to rely on a scheme which required a high and consistent level of management intervention throughout the life of the development, which might include changes of operators. It would not be a sufficiently robust system to ensure the long term road safety and free flow of traffic to accord with UDP Policy AM7." The proposed delivery arrangements would clearly require strict adherence, and a high and consistent level of management intervention throughout the life of the development, which might include changes of operators and is not considered to be a sufficiently robust system to ensure the long term road safety and free flow of traffic.

Since the refusal of the previous planning application and the dismissal of the subsequent appeal, the Council has carried out further investigation into the issue of the delivery problems caused by Tesco delivery vehicles on other Tesco Express stores. This has been in response to the issues raised by the members of the public, ward councillors and council officers concerning highway

safety, free flow of traffic and delivery drivers not respecting parking restrictions. In response to the additional enquiries raised by the Council on this application, the applicant has advised that the delivery vehicles servicing the Tesco Express stores in Ickenham and Ruislip areas are as below:

- * Ickenham - 14.25m articulated vehicle
- * Ruislip High Street - 12.6m articulated vehicle
- * Ruislip Manor/Park Way - 16.5m articulated vehicle

Unannounced site visits have been carried out on the above three stores and articulated delivery vehicles of up to 14.25m have been found to service all of these stores. The delivery vehicles were also noted to go from one store to another and a second articulated delivery vehicle arriving at the site when a delivery was already underway by one articulated lorry on the highway, leading to conditions detrimental to highway safety and free flow of traffic. The delivery vehicles were also seen to park inappropriately near junctions, on bus stops where 24 hours clearway restrictions apply, and on double yellow lines for loading/unloading. The delivery durations were observed to be up to 45 minutes excluding indiscriminate waiting on the highway. Despite issuing parking tickets, the Council is continuing to have parking, traffic and safety problems caused by the delivery vehicles.

Although deliveries by 16.5m articulated vehicles did not take place at the time of site visits, but clearly vehicles of this size are also used for Tesco Express stores, as indicated by the applicant. In light of the site observations, it would be reasonable to assume that 16.5m articulated lorries also travel from one store to another. It is important to note that none of the delivery vehicles observed on the above stores were of the size and type of the delivery vehicles proposed to be used for the proposed Tesco Express store. Whilst some deliveries to the proposed store may be by smaller vehicles, but no doubt, deliveries by long articulated lorries could also take place, which in the absence of a suitable delivery area would lead to delivery vehicles waiting/loading & unloading adjacent to the site that would be likely to produce significant congestion at the junction, and hazardous road conditions for passing vehicles, including access by ambulances to/from Harefield Hospital. The site's forecourt area is restricted in size and therefore fails to provide a suitable delivery area for larger delivery lorries used on other Tesco Express stores.

In response to the additional enquiries raised by the Council, the applicant has submitted information on sample sites with delivery management plans. Only a few of the sample sites are considered to be partially compatible with the one proposed and some of which have not been built, therefore the operation and adherence to the delivery management plan of the stores not built cannot be confirmed. Notwithstanding the above, the site visits have confirmed breaches of the delivery management plan.

Car Park

The applicant has proposed a one way system, vehicles entering the site utilising the northern access and exiting the site utilising the southern access. However, when deliveries are taking place, this arrangement would not be adhered to. The applicant has proposed to close off the customer parking spaces 30 minutes in advance of each delivery, but have also stated that should customer vehicles have not been vacated the site prior to the arrival of a delivery, egress will be provided with delivery vehicles on the forecourt. This effectively would need to be through an access signed to be used for entrance only. As per item 2.4.2 of the transport statement this arrangement would not be adhered to when a customer vehicle requires egress from the site while a delivery is underway. The applicant expects such an occurrence to be rare. Nonetheless, there could be situations when customer vehicles would not have been vacated the site prior to the arrival of a delivery vehicles, leading to additional back and forth delivery vehicle movements on the forecourt and customer vehicles exiting the car park via an entry only access. During deliveries, vehicles associated with the residential element of the development would be required to utilise the southern access for entry and exit, which would be signed as no entry. The proposed arrangement

would therefore be confusing for drivers and has the potential to have a detrimental effect on highway safety as other highway users would not expect the vehicles to turn into/exit from the access signed as no entry and entry only respectively.

Given the available space on the forecourt and no measures being proposed to avoid additional parking taking place, the associated parking demand could lead to indiscriminate parking on the forecourt, leading to delivery vehicles waiting on the highway. Delivery vehicles waiting/loading & unloading adjacent to the site would be likely to produce significant congestion at the junction, and hazardous road conditions for passing vehicles.

Conclusion

The scheme is likely to result in delivery vehicles waiting/loading & unloading on the highway, which would likely be detrimental to highway safety and free flow of traffic. A scheme which heavily relies on strict accordance of a servicing management plan requiring a high and consistent level of management intervention throughout the life of the development is not considered to be acceptable. Hence the system is not considered to be sufficiently robust to ensure the long term road safety and free flow of traffic. The application is therefore recommended to be refused, as it is considered to be contrary to the Council's UDP Policy AM7.

Tree Officer:

There are several trees on and close to the site. The semi-mature London Plane tree on the road frontage is protected by Tree Preservation Order 3 (TPO 3) (T11). The trees forming part of a belt of woodland on the adjacent land at Harefield Hospital (northern boundary of the site) are protected by virtue of their location in the Harefield Village Conservation Area. The trees are landscape features of merit in terms of Saved Policy BE38.

The scheme retains the Plane tree (T11 on TPO 3) and will not affect the trees closest to the northern boundary of the site, which overhang the site by up to 3m. It is necessary to prune some of the overhanging branches and a (Conservation Area trees) notification was dealt with in late 2009. These pruning works will not harm these trees nor affect the integrity of the woodland and/or the visual amenity of the Conservation Area.

The applicants have also indicated that the 8m high Plane tree will have to be crown lifted to provide a 5m clearance for delivery vehicles, and that such works would not harm the tree. Another application has also been submitted for consent under the TPO, and the reason given is to provide such clearance as to allow vehicular movement on the site without conflict with the tree, although the applicants have indicated that the largest delivery vehicle (lorry) will be 3.7m high. This application is considered to be unnecessary, as the proposed tree works form part of this application, and is yet to be determined, as it presupposes that there is permission for the proposed layout and use of the site, which will, depending on the height of delivery vehicles, necessitate the lifting of the tree's canopy to 4m or 5m. The current layout of the site allows access without the need to prune this tree.

Given the branch structure of the tree, which has lateral branches arising at about 2.5m, 3m, 3.5m and 5m, and its relatively low height, the proposed crown-lifting to 5m (over half the tree's height) associated with the clearance for large delivery vehicles is considered to be excessive at the present time and would adversely affect the appearance of the tree and the visual amenity of the Conservation Area, and so does not comply with Saved Policy BE38.

There is limited scope for landscaping, but the scheme includes a Silver Birch in front of the stables building and some additional soft landscaping.

If the application is recommended for approval, then conditions TL1 (services), TL2, TL3, TL5, TL6,

TL7 and TL21 (to requiring that the works are carried out in accordance with the approved arboricultural method statement) should be imposed.

Environmental Protection Services:

Noise

Use of retail premises

Mixed use developments require adequate protection be afforded to occupiers of the residential dwellings to ensure protection of amenity. Should planning permission be granted I would recommend conditions be applied to protect the amenity of the area relating to hours of operation, hours of delivery and waste collection and sound insulation scheme between commercial and residential use.

Plant

I have reviewed the document entitled 'Background Noise Survey', an acoustic assessment of proposed refrigeration and air-conditioning equipment. This assesses the noise level of the following installations at the nearest residential property; 1No. Searle refrigeration unit Model No. MGB124, 2No. Mitsubishi air-conditioning units to serve the sales floor, both Model No. FDCA 501 HESR and 1No. Mitsubishi air-conditioning unit to serve the cash office, Model No. SRC 28 CD-5. The BS:4142 assessment is acceptable and complies with the Borough's SPD on Noise. To However a condition restricting levels of noise is recommended.

The noise projections from the proposed plant are subject to a barrier correction of 5dB provided by the timber fence to the north and west boundary; it is necessary to ensure that the area forming the goods entrance and housing the refrigeration and air-conditioning plant is enclosed by a barrier of sufficient height and mass. Drawing (P) 201 dated 22/02/08 shows the acoustic timber barrier on the north elevation measures 2.7m in height to ground level and on the west elevation measures 2.4m in height to the ground level.

I corresponded with CgMs regarding the specification of the acoustic timber fence, and received the following confirmation; 'The acoustic timber fence on the north elevation measures 2.7m in height to ground level and on the west elevation measures 2.4m in height to the ground level, the ground levels are at different heights as can be seen on the proposed north elevation. The construction is close boarded timber fencing with upgraded boards for acoustic performance on a timber post frame'.

I would recommend the following condition;

The development shall not begin until a scheme which specifies the acoustic properties of the timber barrier to be installed along the western and northern site boundaries, as shown in drawing reference (P)201, has been submitted to, and approved in writing by the LPA. The barrier shall be fully installed before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building hereby approved remains in use.

REASON: To protect the amenity of the surrounding area.

Environmental (Contamination):

With reference to the above applications and the Geo-Environmental Assessment report by Delta-Simons consultants submitted by Tesco Stores Ltd, the development is on the old garage site and the survey referred to did investigate the below ground conditions and history of the site. The report has been reviewed and as expected, there is contamination at the site in the ground and the groundwater. There are underground fuel storage tanks to be removed and associated garage infrastructure such as fuel lines, interceptors etc. There is soil and water testing provided and this

confirms contamination in the soil and water will require remediation for the new use. Hydrocarbons as expected appear to be present in soil and water samples taken by the consultants. There is also some gas confirmed in the ground that will require the installation of some gas protection measures on the new buildings. On garage sites we generally advise gas and vapour protection as there are usually some residual vapours from hydrocarbons either in the soil or groundwater. No remediation has been undertaken at the site. There is much information to come on the decommissioning of the site (tank removals) and clean up. There is also a need for a risk assessment to design the appropriate clean up targets.

I would advise attaching the four stage condition below to any permission. This will cover the further work following the initial report.

The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance on Land Contamination and approved by the Local Planning Authority (LPA). All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(i) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(ii) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use;

(iii) (a) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement and all requirements shall be implemented and completed to the satisfaction of the LPA by a competent person. No deviation shall be made from this scheme without the express written agreement of the LPA prior to its implementation. (b) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified, an addendum to the remediation scheme must be agreed with the LPA prior to implementation; and

(iv) Upon completion of the remedial works, this condition will not be discharged until a verification report has been submitted to and approved by the LPA. The report shall include details of the final remediation works and their verification to show that the works have been carried out in full and in accordance with the approved methodology.

Note: The Environmental Protection Unit (EPU) must be consulted at each stage for their advice when using this condition. The Environment Agency (EA) should be consulted when using this condition.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

Education: A total education contribution of £3,663 is required (£349 Nursery, £1,187 Primary, £886 Secondary and £1,241 Post-16).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The current application has been revised in an attempt to address the reasons for refusal and the concerns raised by the Inspector on the previous scheme (Ref. Nos. 3877/APP/2008/3159, 3160 and 3161). In this respect, the scheme has been amended in terms of the layout of the parking areas and servicing arrangements.

The proposal is considered to raise four key policy issues, namely (i) the loss of a garage/workshop, (ii) the suitability of the retail component in a local centre, (iii) the impact on the Harefield Conservation area and setting of Listed Buildings and (iv) the suitability of the site for housing.

(i) Loss of the garage/workshop

Policy LE4 of the Unitary Development Plan (Saved Policies) provides the policy context for the loss of employment generating industrial floor space outside of designated industrial or business areas. Previously, it was noted that the site does not currently generate any employment, whereas the proposal would provide 16 equivalent full time jobs. Criteria (i) and (ii) of Policy LE4 are particularly pertinent due to the predominantly residential character of the surrounding area. Whilst the applicant has not provided a market assessment of the garage/workshop (criteria iii), it is evident that there are alternative sites in the locality. In addition, there is an established need for housing (criteria iv). Therefore the criteria of policy LE4 were considered to have been met and there has been no change in circumstance to suggest that the proposal no longer complies with Policy LE4 of the saved UDP.

(ii) Retail Development and the Impact upon the Town Centre Hierarchy

The previous scheme was considered against PPS6: Planning for Town Centres which sought to protect the viability and vitality of centres to support sustainable communities and identified six tests to be applied to development not within the Primary Shopping Area of a shopping area, namely quantitative need, qualitative need, appropriateness of scale, sequential approach to site selection and accessibility. The previous report to committee assessed the development against these tests and concluded that the scheme complied with PPS6.

PPS6 has been superseded by PPS4: Planning for Sustainable Economic Growth on the 29th December 2009. This confirms the government's commitment to sustainable economic growth. Planning can assist in achieving this by building prosperous communities by improving the economic performance of areas, reducing gap in growth rates between regions and promoting regeneration, encouraging more sustainable patterns of development, promoting the vitality and viability of town and other centres as important places for the community by focusing growth in existing centres with the aim of offering a wide range of services, competition between retailers and enhanced consumer choice to meet the needs of the whole community and conservation of the historic, archaeological and architectural heritage to provide a sense of place.

To this end, Policy EC10.1 of PPS4 advises local planning authorities to take a positive and constructive approach towards applications economic development and those that secure sustainable economic growth should be treated favourably. Policy EC10.2 advises that all applications for economic development should be assessed in terms of:

- a. whether the proposal has been planned over the lifetime of the development to limit

- carbon dioxide emissions and minimise the impact of climate change,
- b. ensuring proposal is accessible by a variety of means of transport, including walking, cycling, public transport and the car, the effect on local traffic levels and congestion,
 - c. whether the development achieves a high quality and inclusive design which improves the character and quality of the area,
 - d. the impact on the economic and physical regeneration of the area, and
 - e. the impact on employment.

Policy EC13 states that when assessing applications that affect shops, leisure uses or services in local centres and villages, local planning authorities should:

- a. take into account the importance of the shop, facility or service to the local community or area if the proposal would result in its loss or change of use,
- b. refuse applications which fail to protect existing facilities which provide for people's day-to-day needs,
- c. respond positively to applications for the conversion or extension of shops which are designed to improve their viability and
- d. respond positively to farm shops as long as they do not adversely affect easily accessible convenience shopping.

Policy EC14 dealing with application for main town centre uses, including retail advises of the type and circumstances when applications should include supporting evidence, but the advice mainly applies to development outside of an existing centre. The only exception to this is EC14.6 which advises that an impact assessment will be required for applications in an existing centre which are not in accordance with the development plan and which would substantially increase the attraction of the centre to an extent that the development could have an impact on other centres. Policy EC16 considers the types of impact that the impact assessment should consider and again, mainly relates to applications for town centre uses that are not in the centre. The only exception is found at EC16.1 e, which advises that if located in or on the edge of a town centre, the proposal should be of an appropriate scale (in terms of gross floorspace) in relation to the size of the centre and its role in the hierarchy of centres.

As this application was submitted before PPS4 was published, it follows the guidance in PPS6, including the submission of a revised retail assessment and sequential test. The applicants were also requested to demonstrate how the proposal complies with PPS4 and this has now been submitted. Their letter of the 1st March 2010 advises that the submitted documents already address the policy considerations now set out in PPS4, but for completeness, each of the new policy tests is listed and a summary given as to how the previously submitted information ensures compliance. The Inspector on the previous appeal considered the retail impact of the proposal. The Inspector, having considered the previous objections raised to the scheme considered that there is sufficient convenience expenditure capacity to support the retail floor space proposed. The Inspector went on to say that there was a realistic likelihood of the store providing greater consumer choice and a reduction in reliance on the larger supermarkets elsewhere. The Inspector was also satisfied that there was not a more central site available for the proposal. The Inspector concluded that although the proposed store would be larger than other convenience stores, it is not disproportionate in relation to the centre as a whole. He went on 'From the evidence and my own observations, the town centre appears to be trading reasonably well and, whilst there would undoubtedly be a period of re-adjustment, there is no reason to believe that the appeal proposal would lead to its deterioration or decline. On the contrary I consider that the food store would be likely to add to the range of goods and generate linked trips through the good connectivity between the site and the Core Shopping Area.

Taking all these matters together, I consider that the proposal would meet the objectives of PPS6 by maintaining the viability and vitality of the Harefield town centre.'

It is considered that there has been no significant change in policy, including the publication of PPS4 or site circumstances to suggest that the Inspector's assessment is no longer appropriate.

The other main policy issues raised by this application are dealt with in other sections of this report and the related listed building and conservation area consent applications also being reported to this committee (refs. 3877/APP/2009/2443 and 2444).

7.02 Density of the proposed development

London Plan Policy 3A.3 seeks to maximise the potential of sites for residential redevelopment. The site is within a suburban area with a PTAL of 1b. The scheme would result in a residential density below the 50 - 75 units per hectare envisaged by the London Plan. However, the proposed scheme is a mixed use development with much of the ground floor providing a retail store with associated car parking and servicing facilities. As such, no objections are raised to the proposed residential density.

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

The site is prominently located within the Harefield Village Conservation Area. It includes part of the nineteenth century Grade II listed stable building associated with the adjoining Kings Arms public house, which dates from the seventeenth century and is also Grade II listed. Furthermore, the site is archeologically sensitive.

Policy BE4 advises 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. Development should avoid the demolition or loss of such features and there will be a presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area. Applications for planning permission should also contain full details of the building works.

Policy BE8 states that planning permission to alter or extend applications for listed building consent will normally be permitted if no damage is caused to historic structures. Any additions should be in keeping with other parts of the building and any new external or internal features should harmonise with their surroundings. Furthermore, Policy BE10 states that planning permission or listed building consent will not normally be granted for proposals, which are considered detrimental to the setting of a listed building.

The design of the proposals was originally subject to pre-application discussions. The approach adopted has been supported by the submitted statements that include a useful map regression, and consider both conservation and listed building issues. No objections were raised on design grounds to the previous scheme (refs. 3877/APP/2008/3159, 3160 and 3161) and the Inspector did not raise any particular concerns regarding design issues. There has been no significant change in policy guidance or circumstances on site to suggest that the proposed buildings are no longer acceptable in the context of the application site.

The Council's Conservation and Urban Design officer raises no objections to the demolition of the modern garage and the brick structure adjoining the listed coach house, but suggests that a condition linking the demolition works with the letting of a contract for demolition should be imposed on any CAC/PP approval.

In design terms, there is also no objection in principle to the proposed scheme. The

Council's Conservation and Urban Design officer recommends that a number of matters are covered by conditions, but subject to these conditions raises no objection to the proposal.

In accordance with saved Policy BE4 of the UDP, the development is considered to preserve and enhance those features of special architectural and visual qualities which contribute to the Harefield Village Conservation Area. While the application for listed building consent is dealt with separately, the scheme is considered to accord with Policy BE8 as the scheme is not considered damage or harm the listed building.

7.04 Airport safeguarding

This scheme does not raise any safeguarding issues.

7.05 Impact on the green belt

The scheme does not raise any issues associated with the Green Belt.

7.06 Environmental Impact

Land Contamination

Policy OE11 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) advises that proposals which involve the use, storage, installation or processing of toxic or other harmful/hazardous substances or involve an increase in the use by the public of contaminated land will not be permitted unless appropriate amelioration measures are carried out.

The Geo-Environmental Assessment Report prepared by Delta-Simons (Environmental Consultants) submitted with the application has been reviewed by the Council's Environmental Protection Officer. Considering the report, the officer states that 'as expected, there is contamination at the site in the ground and the groundwater. There are underground fuel storage tanks to be removed and associated garage infrastructure such as fuel lines, interceptors etc. There is soil and water testing provided and this confirms contamination in the soil and water will require remediation for the new use. Hydrocarbons as expected appear to be present in soil and water samples taken by the consultants. There is also some gas confirmed in the ground that will require the installation of some gas protection measures on the new buildings. On garage sites, we generally advise gas and vapour protection as there are usually some residual vapours from hydrocarbons either in the soil or groundwater. No remediation has been undertaken at the site.'

The report was found to be sufficient by the Environment Protection Officer subject to a comprehensive land contamination condition to deal with de-commissioning the site and the need for a risk assessment to design appropriate clean up targets. The proposal is therefore considered to comply with Policy OE11 of the saved UDP.

7.07 Impact on the character & appearance of the area

Policy BE13 of the saved UDP requires new development to harmonise with the existing street scene or other features of the area that the Local Planning Authority considers desirable to retain or enhance. Policy BE26 states that within town centres, the design, layout and landscaping of new buildings should reflect the role, overall scale and character of the town centres as a focus of shopping and employment activity.

The supporting text to the latter policy states that the Local Planning Authority will use these and other appropriate policies of the Plan to influence new development so that the following objectives are achieved:

-the design of buildings and external spaces should increase the visual and functional attractiveness of town centres in order to attract people and investment;

- new buildings should maintain the feeling of bulk and scale of the town centres while creating variety and interest in themselves;
- where centres have prominent sites with development potential the opportunity to create distinctive new buildings that can act as landmarks or focal points of the centres should be taken, although buildings which exceed the height of their surroundings will only be permitted where it can be shown that they will make a positive and welcome contribution to the character of the centre;
- variety should be introduced into the street scene by the incorporation of townscape elements, including the use of recesses (the setting back of buildings to create small enclosures or public areas in front of them), raised beds, trees and shrubs and the opening up of views between buildings.

No objections were raised to the previous scheme in terms of its design and scale and it was concluded that the scheme would reflect the scale and character of the Harefield Local Centre and would not compromise the setting of the adjoining listed buildings and the Harefield Village Conservation Area, as discussed above. The Inspector in considering the appeal also did not raise any concerns relating to the impact of the development upon the surrounding area.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the saved UDP seek to safeguard the amenities of surrounding residential properties from new development through its potential impacts upon sunlight/daylight, excessive dominance and loss of privacy respectively.

The application site is adjoined by a Health Centre to the north, the village green on the opposite side of Rickmansworth Road, the Kings Arms public house to the south and its beer garden to the east. There are no side windows at the Kings Arms public house that serve habitable rooms in its residential elements that would be affected by a loss of sunlight/daylight or be dominated by the proposed development. Furthermore, the Council's HDAS 'Residential Layouts' advises that a minimum 21m distance is required between properties and their habitable room windows and private patio areas taken to be the 3m depth of rear garden adjoining the rear elevation of the property in order to minimise any potential overlooking. Although there are rear gardens beyond the beer garden to the west, the properties and their patio areas are more than 21m from the application site and the proposal does not include any habitable room windows on the rear elevation.

Therefore, as previously considered, the siting and scale of the proposed building would not result in a loss of light/overshadowing or the direct overlooking of neighbouring properties, nor would it appear as an overdominant form of development as viewed from them. The proposal complies with policies BE20, BE21 and BE24 of the saved UDP.

7.09 Living conditions for future occupiers

The Council's HDAS 'Residential Layouts' requires that one-bedroom flats, in order to afford a suitable level of amenity for future occupiers, should have a minimum internal floor area of 50m². In this instance, the flats would provide a minimum floor space of 50m² in accordance with the Council's minimum standards. The flats would also be self-contained and the habitable rooms would have adequate daylight and outlook.

The Council's HDAS 'Residential Layouts' requires that flats with one-bedroom should have a minimum shared amenity space of 20m² per flat. In this case, no shared amenity space has been provided and it is noted that the HDAS at paragraph 4.19 states that 'exceptions to garden area requirements will apply in special circumstances such as the provision of non-family housing, predominantly made up of one-bedroom units, in town

centres or the provision of small non-family housing above shops'.

It was previously considered that as the proposal satisfied all three provisions, there should be no specific requirement for amenity space to be included as part of this scheme. It was also noted that the site is located directly opposite public amenity space on the village green and given that the units are not capable of being utilised as family dwellings, the lack of amenity space servicing three one-bedroom units in this town centre location was considered appropriate. There has been no change in circumstance to suggest that such an assessment is no longer appropriate.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) states that the Council will not grant planning permission for developments whose generation is likely to i) unacceptably increase demand along roads or through junctions, ii) prejudice the free flow of traffic or conditions of general or pedestrian safety, iii) diminish materially the environmental benefits brought about by new or improved roads, and iv) infiltrate streets classified as local roads, unless satisfactory calming measures can be installed.

Policy AM14 of the Unitary Development Plan Saved Policies September 2007 states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards.

In considering the previous appeal, the Inspector noted that Rickmansworth Road appeared to be a busy, local distributor route its narrow width being further compromised by on-street parking. The site is also close to a pedestrian crossing by a roundabout junction. He considered that a goods vehicle waiting adjacent to the site would be likely to produce significant congestion at the junction, prejudicial to highway safety. To avoid this conflict, the previous proposal would utilise the forecourt for servicing, and in so doing, would occupy space for which would otherwise be available for parking. The Inspector did not raise objection to the means of access to the site, as although the two crossovers take up a significant width of the site with the potential for conflict with passing pedestrians, this is an existing situation, the crossovers previously served the garage and car wash facility and the speed of vehicles entering and leaving the site would be slow. The Inspector considered that this aspect of the scheme was not unduly harmful and not out of keeping with the area. The alignment of the crossovers could be optimised by condition to minimise the probability of vehicles over-running the kerbs whilst minimising their width.

The previous proposal would have displaced four or five of the six car parking spaces proposed during the loading/unloading periods. In considering this loss, the Inspector noted that the car parking standards in the London Plan are maximum standards and sufficient on-street parking within 150m of the site as evidenced by the applicants submissions and during the Inspector's site visit was available so that the proposal would not result in a loss of road safety as a result of the reduction of on-site parking.

The Inspector then turned his attention to the issue of the workability of the scheme. The previous Servicing Management Plan made provision for the closure of the spaces 15 minutes prior to a lorry arrival. However, the Inspector considered that given the likelihood of customers patronising other shops, the peripheral siting of the store and the linear nature of Harefield's local centre, there was a significant possibility of such linked trips taking longer than 15 minutes, so preventing lorry loading/unloading. Although the applicants indicated that the lorry would be directed to a remote waiting area before returning to the site, the Inspector considered that unsafe practices would arise from such

an arrangement, including temporary stopping on the adjacent highway and access and loading occurring outside of the specified parameters. The Inspector stated at paragraph 10 in his decision letter 'Whilst the Council would have powers to require compliance with the Servicing Management Plan through the Section 106 Undertaking, the temporary nature of any breach would make enforcement difficult. In any event, however onerous the penalties, it would not be desirable to rely on a scheme which required a high and consistent level of management intervention throughout the life of the development, which might include changes of operator. It would not be a sufficiently robust system to ensure the long term road safety and free flow of traffic to accord with UDP Policy AM7.'

The Inspector then considered the issue of vehicle and pedestrian movement on site. Although the swept path analysis showed the need for consist movement of the lorry into position and the restricted size of site to allow off-loading at the rear of delivery vehicles, the Inspector considered that the scheme could be made to work and with the availability of staff at the store to assist the driver, this aspect of the proposal was acceptable.

As regards conflicts between pedestrians and vehicles, the Inspector noted it was commonplace for access arrangements to take place from a car parking area without any separation between vehicles and pedestrians. However, the Inspector did raise concern regarding the lack of an identified route between the store's entrance doors and the adjoining public footpath. Access would be further hampered by the occupation of the parking spaces. The Inspector concluded on this issue that the complete segregation of pedestrians and vehicles would neither be practicable nor necessary, but without a clear pedestrian route, the proposal made insufficient provision for their safety, contrary to UDP Policy AM7.

The current proposal represents a reduction of three retail spaces as compared to the previous scheme, whereas three spaces would be retained for residents. Given the previous Inspector's consideration, the Council's Highway Engineer does not raise any objection to the proposed level of car parking. The Applicant has been able to demonstrate the availability of on-street parking.

Although the current proposals identify the existing Tesco store in Rickmansworth as the remote waiting area and suggest that spaces would be closed 30 minutes before a lorry arrival, the proposed delivery arrangements would still require strict adherence and a high and consistent level of management intervention throughout the life of the development.

As part of the Highway Engineer's assessment of the proposal, other Tesco Express stores have been analysed. At Tesco's stores in Ickenham, Ruislip High Street and Ruislip Manor/Park Way, the applicant has advised that articulated vehicles of 14.25m, 12.6m and 16.5m service these stores respectively but unannounced site visits revealed that articulated delivery lorries of up to 14.25m serviced all of the stores. They appeared to go from one store to another and a second delivery lorry was also seen to arrive, whilst a delivery was already underway, prejudicial to highway safety and the free flow of traffic. The delivery lorries were also seen to park inappropriately, near junctions and on bus stops, on parking and loading/unloading restrictions up to 45 minutes. The Council is continuing to have parking, traffic and safety problems caused by these delivery lorries, despite being issued with parking tickets. Although not witnessed at the time of the site visits, Tescos are known to use 16.5m articulated lorries to serve their Express stores and given existing practices, it would not be unreasonable to assume they also travel from one store to another. None of the delivery vehicles seen was of the size and type proposed to be used in Harefield. In the absence of an unrestricted delivery area and existing working practices, the possibility of delivery vehicles, including larger vehicles waiting and

loading/unloading on the adjacent highway remains a high possibility and given the Inspector's previous consideration, would be difficult to control. This would produce significant congestion at the junction and hazardous road conditions, including the possibility of restricted ambulance access to the adjoining Harefield Hospital.

The proposal does now include an identified pedestrian route across the forecourt to access the town centre. The Highway Engineer does also raise a concern regarding the proposed one way use of the two crossovers. In the event of a car parking space still being occupied when a delivery is underway, the returning vehicle owner can still exit the site by the delivery vehicle moving forward, but this would be through the access signed to be used for entrance only. Resident's vehicles would also have to leave the site through this access during deliveries. Although the applicants expect this to be a rare occurrence, the additional vehicle movements and the egress of the site via an entry only access would be confusing for drivers, detrimental to highway safety as such a manoeuvre would not be expected.

The current scheme does not overcome the Inspector's previous concerns and is contrary to saved Policy AM7 of the UDP.

7.11 Urban design, access and security

On the previous application, the Crime Prevention Officer raised a number of concerns with the proposal. In particular, no provision had been made for surveillance of the parking area and the building itself, which could lead to anti-social behaviour. Furthermore, the effect of anti-social behaviour on the residents above the store had not been considered. The recessed nature of the entrance to the flats and parking arrangement did not meet secured by design standards.

In the event that the scheme is approved, it is recommended that a condition requiring the submission of details to address secured by design matters be attached.

7.12 Disabled access

The plans indicate that the convenience goods store would incorporate suitable measures to ensure accessibility for all. These include level access, a door width of 1.5m and a disabled parking bay, which would be located directly in front of the store entrance. This accords with policies 3A.5 of the London Plan (February 2008) and AM15 of the saved UDP and the Council's HDAS: 'Accessible Hillingdon'.

With respect to the residential development, the scheme falls short of some of these standards i.e. the entrance door, stair corridor (not able to accommodate a stair lift) and internal corridor widths are too narrow. However, this is minor in nature and can be addressed via conditions requiring that the dwellings be built to lifetime home standards. This is to ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, AM15 of the saved UDP, and HDAS (SPD) 'Accessible Hillingdon' (January 2010).

7.13 Provision of affordable & special needs housing

The scheme does not increase the level of residential dwellings beyond the threshold which would require affordable housing to be provided for on site.

7.14 Trees, Landscaping and Ecology

The Council's Trees and Landscape Officer advises that there are several trees on and close to the site. The semi-mature London Plane tree on the road frontage is protected by Tree Preservation Order 3 (TPO 3) (T11). The trees forming part of a belt of woodland on the adjacent land at Harefield Hospital (northern boundary of the site) are protected by virtue of their location in the Harefield Village Conservation Area. The trees are landscape

features of merit in terms of Saved Policy BE38.

The scheme retains the Plane tree (T11 on TPO 3) and will not affect the trees closest to the northern boundary of the site, which overhang the site by up to 3m. It is necessary to prune some of the overhanging branches and a (Conservation Area trees) notification was dealt with in late 2009. These pruning works will not harm these trees nor affect the integrity of the woodland and/or the visual amenity of the Conservation Area.

The applicant's arboricultural statements advise that the 8m high Plane tree will have to be crown lifted to provide a 5m clearance for delivery vehicles, and that such works would not harm the tree. Another application has also been submitted for consent under the TPO (3877/TRE/2009/98), and the reason given is to provide such clearance as to allow vehicular movement on the site without conflict with the tree. The applicants have indicated elsewhere that the largest delivery vehicle (lorry) will be 3.7m high. This application for tree works is considered to be unnecessary, as the proposed tree works form part of this application, and is yet to be determined, as it presupposes that there is permission for the proposed layout and use of the site, which will, depending on the height of delivery vehicles, necessitate the lifting of the tree's canopy to 4m or 5m. The current layout of the site allows access without the need to prune this tree.

Given the branch structure of the tree, which has lateral branches arising at about 2.5m, 3m, 3.5m and 5m, and its relatively low height, the proposed crown-lifting to 5m (over half the tree's height) associated with the clearance for large delivery vehicles is considered to be excessive at the present time and would adversely affect the appearance of the tree and the visual amenity of the Conservation Area, and so does not comply with Saved Policy BE38.

There is limited scope for landscaping, but the scheme includes a Silver Birch in front of the stables building and some additional soft landscaping.

7.15 Sustainable waste management

London Plan Policies 4A.3 and HDAS 'Residential Layouts' Section 4.40-4.41 relates to the provision of satisfactory recycling and waste disposal provisions as part of new developments.

The applicant has indicated in their supporting statement that recycling will occur at the store. In this respect, all waste cardboard and plastic are separated from the general waste stream. The materials are stored separately in metal roll cages and these cages returned to the recycling service units used by the store.

The submitted plans indicate a dedicated refuse store and a commercial waste bin to the northern part of the site. This will be screened from view from the streetscape and would be easily accessible by the future occupiers of the flats and the staff from the store.

7.16 Renewable energy / Sustainability

Policy 4A.7 of the London Plan advises that boroughs should require developments to show how a development would achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation unless it can be demonstrated that such provision is not feasible.

The applicant has submitted a Renewable Energy Feasibility Study. This concludes that a ground source heat pump would be the most suitable system in terms of reducing CO2 emissions, but this is only likely to produce a 10% reduction. A 20% reduction would be difficult to achieve given the constraints of the site.

While this scheme would not be likely to meet the 20% requirement, it is considered that such a reduction would not be feasible in this instance, in light of the sites setting within the Harefield Village Conservation Area and the relationship with the Grade II listed building.

7.17 Flooding or Drainage Issues

The site is not within a Flood Zone and therefore no flooding issues are raised by the development of this site.

7.18 Noise or Air Quality Issues

With respect to noise, it is considered that the siting of the proposed store and number of flats would not give rise to additional noise and disturbance to the surrounding area or from the commercial use to the adjoining habitable room, subject to conditions as discussed below.

One of the proposed bedrooms (flat 1) has a party wall with a space labelled 'retail office/storage'. The Environment Protection Unit has recommended a condition be attached to any consent requiring sound insulation be provided. This would control the noise transmission from the commercial use.

With respect to opening hours and deliveries and collections, these could be restricted by appropriate planning conditions attached to any consent. This would ensure that the amenity to the surrounding area is protected.

The Council's Environmental Protection Unit has reviewed an assessment of noise levels associated with plant equipment and considers that it complies with the Council's SPD on noise and raises no objections (subject to conditions) to the development on these grounds. It is noted that, the area forming the goods entrance and housing the refrigeration and air conditioning plant is enclosed by an acoustic timber fence, which provides a barrier protection from the noise. This along with the recommended conditions will ensure the amenity of the surrounding area is protected.

7.19 Comments on Public Consultations

As regards the comments made by the petitioners, these in the main, have been dealt with in the main report. It is considered that the consultation undertaken on the various applications has been extensive. As regards the individual responses, point (i) is noted but incorrect. Points (ii), (iii), (iv), (v), (vii), (viii), (x), (xi), (xiii), (xiv), (xvi), (xvii), (xxi), (xxiii), (xxiv) and (xxvi) have been dealt with in the officer's reports. Points (vi), (xii), (xv), (xviii) (xix) and (xx) are noted. As regards point (ix), whilst the views of local residents are taken into consideration, they do not override the requirement upon the Local Planning Authority to consider each application on its individual merits. As regards point (xxii), any increase in CO₂ is not proven and the scheme may even reduce CO₂. As regards point (xxv), this proposal does not include a proposal for signage which would need to be considered if and when an application for advertisement consent were to be submitted.

The points made in the one response in support of the proposal are noted.

7.20 Planning Obligations

The applicant has submitted a Unilateral Undertaking to ensure compliance with the Servicing Management Plan submitted with the application.

Education Services also advise of the requirement for a S106 contribution of £3,663 toward education space. This would have been dealt with by condition had the application not been recommended for refusal.

7.21 Expediency of enforcement action

Not applicable to this site.

7.22 Other Issues

There are no other relevant planning issues raised by this proposal.

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

The site is prominently located within the Harefield Village Conservation Area. It includes part of the nineteenth century Grade II listed stables associated with the adjoining Kings Arms public house.

There are no objections to the demolition of the modern garage and the brick structure adjoining the listed coach house. In design terms, there is also no objection in principle to the proposed scheme. Subject to conditions to address minor design issues, the scheme is not considered to impact upon the setting of the Harefield Village Conservation Area, or the Grade II listed stables located on site.

The earlier refused application (ref.3877/APP/2008/3161) raised highways objections relating to the proposed layout which was considered to provide insufficient manoeuvring space for residential parking, retail parking and delivery vehicle parking. The parking layout was considered to be cramped and likely to result in vehicle and pedestrian conflicts within the application site to the detriment of vehicular and pedestrian safety.

Furthermore, the scheme was refused on the basis that service delivery vehicles would interfere with the safe and efficient operation of both the public footway and public highway in front of the application site.

The applicant proposes a similar system of service deliveries to the site, whereby the forecourt would be utilised. Conflict with customer and resident parking would be mitigated by a service management plan but the previous Inspector considered that an excessive level of management intervention would be involved to ensure compliance with the plan. This proposal would still involve a similar amount of intervention and the Council's Highways Engineer objects to this scheme on this basis, particularly as working practices at other Tesco stores suggests that delivery arrangements often ignore highway restrictions and compromise highway safety. The egress arrangements for customers and residents vehicles during deliveries is also unsatisfactory. As such, the scheme would compromise highway safety. Crown lifting of a protected London Plane tree to allow for deliveries by larger vehicles is also unacceptable with regard to the appearance of the tree and surrounding conservation area and has not been fully justified.

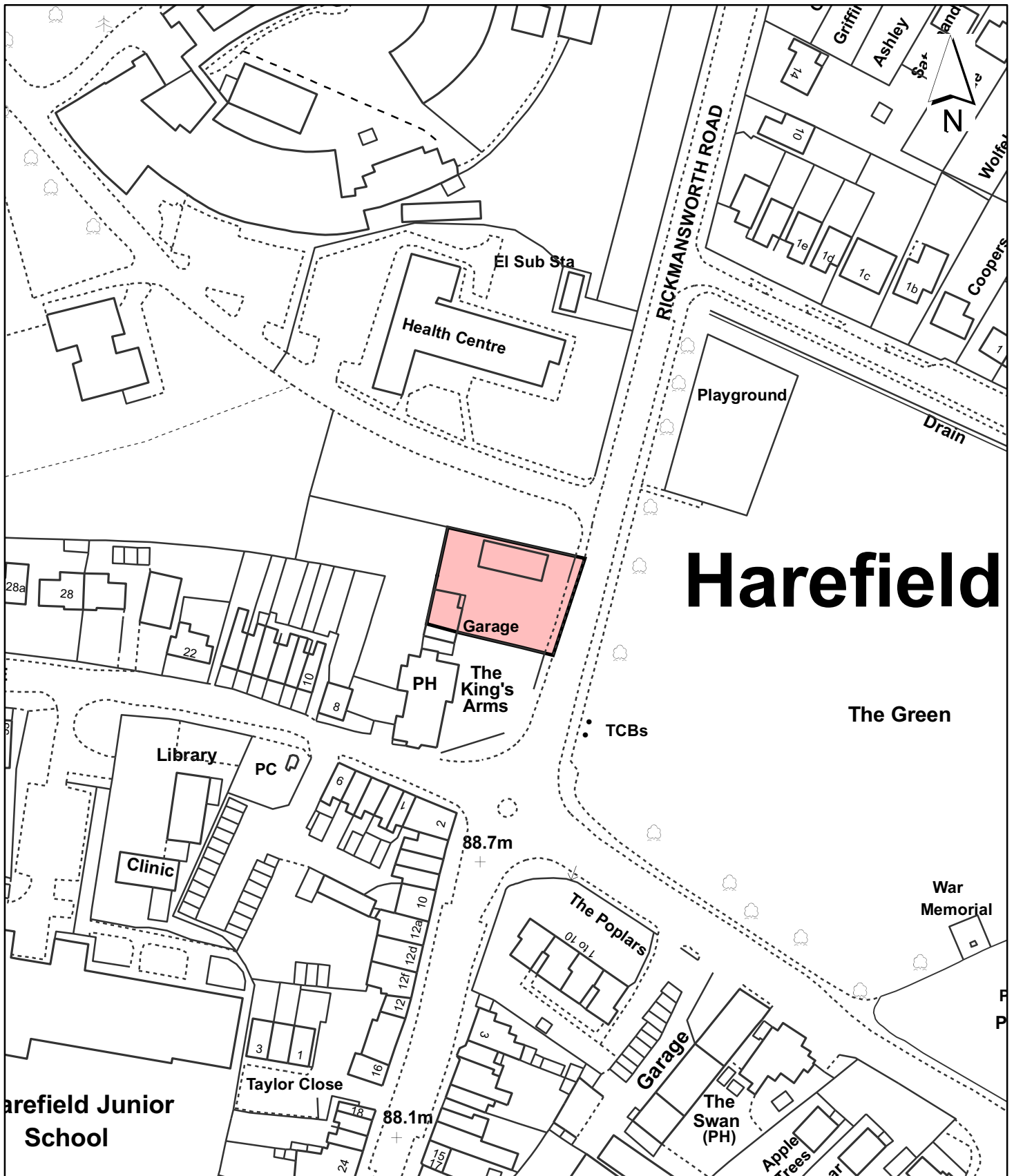
It is therefore recommended that planning permission be refused for the above reasons.

11. Reference Documents

The London Plan (February 2008)
Adopted Affordable Housing Supplementary Planning Document (May 2006)
Planning Policy Statement 1 - Delivering Sustainable Development
Planning Policy Statement 3 - Housing
Planning Policy Statement 4 - Planning for Sustainable Economic Growth
Planning Policy Statement 6 - Planning for Town Centres (Now superseded by PPS4)
Planning Policy Guidance 13 - Transport
Planning Policy Guidance 15 - Planning and the historic environment
Planning Policy Guidance 16 - Archaeology and Planning
Planning Policy Guidance 24 - Planning and Noise
Hillingdon Design and Accessibility Statement - Accessible Hillingdon
Hillingdon Design and Accessibility Statement - Residential Layouts
Supplementary Planning Guidance - Air Quality
Supplementary Planning Guidance - Community Safety by Design
The London Borough of Hillingdon's Planning Obligations Supplementary Planning Document (SPD), adopted 15 July 2008.
English Heritage: Policy Statement/Practical guide to assessment: Enabling development and the conservation of heritage assets (2001)

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Harefield


The Green

TCBs

War Memorial

Harefield Junior School

Notes

 Site boundary

For identification purposes only.

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Site Address

**Former Kings Arms Garage
Rickmansworth Garage
Harefield**

**LONDON BOROUGH
OF HILLINGDON**

**Planning &
Community Services**

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

Planning Application Ref:

3877/APP/2009/2442

Scale

1:1,250

Planning Committee

North

Date

May 2010



HILLINGDON
LONDON