

Report of the Head of Planning, Transportation and Regeneration

Address 32 VICTORIA ROAD RUISLIP
Development: Change of use from A1 shop to Beauty Salon (Sui Generis)
LBH Ref Nos: 15291/APP/2019/4144
Drawing Nos: AR-011
Location Plan

Date Plans Received: 27/12/2019 **Date(s) of Amendment(s):**
Date Application Valid: 20/01/2020

1. SUMMARY

The proposal is for the change of use from Use Class A1 (Shops) to Beauty Salon (Sui Generis)

The Beauty Salon would occupy the ground floor of the premises.

It is considered that the proposed development would not harm the retail function of this parade in the Ruislip Manor Town Centre Secondary Shopping Area and that the application proposal would not represent an unneighbourly form of development.

The application has been reviewed by the Highway Authority which is satisfied that the proposal would not exacerbate congestion or parking stress, and would not raise any highway safety concerns,

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number AR-011 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), Hillingdon Local Plan Part 2- Development Management Policies (January 2020) and the London Plan (2016).

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant policies of the Hillingdon Local Plan Part 2- Development Management Policies (January 2020) and the London Plan (2016).

3 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
DMHB 11	Design of New Development
DMHB 13	Shopfronts
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres

4 I26 Retail Development - Installation of a Shopfront

You are advised that planning permission will be required for the installation of a shopfront at these premises. For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

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

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

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The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located towards the north-east side of Victoria Road. It comprises a unit with Use Class A1 in a three storey, brick built building. It forms part of a terraced retail parade. The unit is accessed via Victoria Road, with parallel pay and display parking on either side of the road. To the rear of the site is an access road.

The site lies within the Secondary Shopping Area of the Ruislip Manor Town Centre as identified in the policies of the

The surrounding shopping frontage has a mix of Class A uses.

3.2 Proposed Scheme

The proposal is for the change of use from A1 shop to Beauty Salon (Sui Generis)

3.3 Relevant Planning History

15291/ADV/2000/60 32 Victoria Road Ruislip

INSTALLATION OF INTERNALLY ILLUMINATED FASCIA AND PROJECTING BOX SIGNS

Decision: 05-10-2000 Approved

15291/APP/2000/1652 32 Victoria Road Ruislip

CHANGE OF USE OF GROUND FLOOR FROM CLASS A1 (RETAIL) TO CLASS A2 (BETTING OFFICE) AND INSTALLATION OF NEW SHOPFRONT, ERECTION OF A SINGLE STOREY REAR EXTENSION, PLUS SATELLITE DISHES AND AIR CONDITIONING UNITS

Decision: 18-10-2000 Refused

15291/APP/2004/177 32 Victoria Road Ruislip

ERECTION OF A SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING REAR ADDITION)

Decision: 16-03-2004 Refused

15291/APP/2004/828 32 Victoria Road Ruislip

ERECTION OF A SINGLE STOREY REAR EXTENSION (INVOLVING DEMOLITION OF EXISTING REAR EXISTING)

Decision: 19-05-2004 Approved

15291/APP/2016/2529 32 Victoria Road Ruislip

Single storey rear extension

Decision: 20-10-2016 Approved

Comment on Relevant Planning History

Most recently under reference number 15291/APP/2016/2529 - Single storey rear extension. Approved. There is previous planning history associated with retail use.

4. Planning Policies and Standards

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

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

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

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight

may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

Policy DMTC 2 of the Hillingdon Local Plan: Part Two - January 2020 states that in secondary shopping areas, the Council will support the ground floor use of premises provided that the frontage of the proposed use is no more than 12 m between Class A1 shops or the proposed use does not result in a concentration of non retail uses which could be considered to cause harm to the vitality and vibrancy viability of the town centre.

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
DMHB 11	Design of New Development
DMHB 13	Shopfronts
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 3	Road Safeguarding
DMT 4	Public Transport
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
NPPF- 7	NPPF-7 2018 - Ensuring the vitality of town centres

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Neighbours were notified on 22/01/2020 and a site notice displayed on 25/01/2020. No responses were submitted

Internal Consultees

Highways and Traffic - As highlighted the site is relatively sustainable on transport grounds thereby reducing dependency on travelling to the location by private motor car. Private car usage is also deterred by the extensive waiting restrictions in the locality whereby 'uncharged for' parking is unavailable as an alternative to an absence of on-plot parking as is the case here. Patrons to the address are therefore expected to be reliant on other sustainable modes of travel such as walking, cycling and the relatively convenient and efficient public transport services that serve the town centre reflected by the abundance of bus services and neighbouring LU train station.

Hence there are no specific concerns with this CoU from A1 to a sui generis beauty salon use due to the above reasoning which is supplemented by the relative small scale of the proposal and the

existing retail/commercial mix of the local district centre which is likely to contribute to linked trips to the site given these established use attractions. This would inherently contribute to reducing the potential for any new vehicular activity generated by the proposal. Even if this were not to be the case, the small scale of the proposal limits the potential for measurable detrimental highway related impacts

Environmental Protection Unit - no comments received.

Access Officer - no comments received

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site is situated within the Secondary Shopping frontage on Victoria Road. The principle of the development and loss of an A1 retail unit would not harm total convenience shopping provision or the overall vitality and function of this shopping area. Furthermore the proposal would not result in a material impact on the appearance of the street scene, would not result in a loss of residential amenity and the demand for parking would not be significantly different from the currently authorised use.

Policy DMTC 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) advises the Council will support main town centre uses where the development proposal is consistent with the scale and function of the centre.

Policy DMTC 2 advises that in secondary shopping areas the Council will support ground floor uses of premises for retail, financial and professional activities and restaurants, cafes, pubs and bars, and other community services providing that a minimum of 50% of the frontage is retained as A1 and the proposed use will not result in a concentration of non retail uses which could be considered to cause harm to the vitality and viability of the town centre.

Ruislip Manor has a total frontage of 1,060 m within its boundary made up of 415.5m (58 units) in secondary shopping areas. A shopping survey was carried out by the Council in October 2019 which demonstrated that the share of A1 frontages within the Secondary Shopping Area was 51.7% (215/415.5) and 46.6% (27/58).

The unit has a frontage of 5.3m. The change of use of this unit would bring the frontage percentage in A1 use down to 50.46%, which accords with Policy DMTC 2.

The property is adjoined by a photography shop (Class A1) and a pizza take away and delivery shop. Otherwise the parade is a mix of Class A uses. Officers have been advised that the premises have been advertised 'To Let' since October 2019 but with no interested parties except the current applicant.

It is considered that the proposed development for sui-generis purposes would not harm the retail function of this shopping parade within the Ruislip Manor Town Centre Secondary Shopping Area.

7.02 Density of the proposed development

Not relevant

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

Not relevant

7.04 Airport safeguarding

Not relevant:

7.05 Impact on the green belt

Not relevant

7.07 Impact on the character & appearance of the area

As there would be no external alterations proposed there would be no detrimental impact on the existing street scene

7.08 Impact on neighbours

Given the scale of the proposal, it would not cause an adverse impact on the neighbours' amenity. The nearest residential unit is set above from the application site and as such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion.

As such, the application proposal would not represent an unneighbourly form of development

7.09 Living conditions for future occupiers

Not relevant:

7.10 Traffic impact, car/cycle parking, pedestrian safety

The site is relatively sustainable on transport grounds thereby reducing dependency on travelling to the location by private motor car. Private car usage is also deterred by the extensive waiting restrictions in the locality whereby 'uncharged for' parking is unavailable as an alternative to an absence of on-plot parking as is the case here. Patrons to the address are therefore expected to be reliant on other sustainable modes of travel such as walking, cycling and the relatively convenient and efficient public transport services that serve the town centre reflected by the abundance of bus services and neighbouring LU train station.

Hence there are no specific concerns with this CoU from A1 to a sui generis beauty salon use due to the above reasoning which is supplemented by the relative small scale of the proposal and the existing retail/commercial mix of the local district centre which is likely to contribute to linked trips to the site given these established use attractions. This would inherently contribute to reducing the potential for any new vehicular activity generated by the proposal. Even if this were not to be the case, the small scale of the proposal limits the potential for measurable detrimental highway related impacts.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any highway safety concerns, in accordance with Local Plan Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

No issues arise

7.12 Disabled access

No issues arise

7.13 Provision of affordable & special needs housing

Not relevant

7.14 Trees, Landscaping and Ecology

Not relevant

7.15 Sustainable waste management

The uses proposed would have limited waste requirements which could be provided on site

7.16 Renewable energy / Sustainability

Not relevant

7.17 Flooding or Drainage Issues

Not relevant

7.18 Noise or Air Quality Issues

Not relevant

7.19 Comments on Public Consultations

No local response

7.20 Planning Obligations

None

7.21 Expediency of enforcement action

Not relevant

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

It is considered that the proposed development would not harm the retail function of this parade in the Ruislip Manor Town Centre Secondary Shopping Area and that the application proposal would not represent an unneighbourly form of development. No highways or traffic issues are raised. The proposal is recommended for approval subject to conditions.

11. Reference Documents

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

The Local Plan: Part 2 - Development Management Policies (2020)

The London Plan - Consolidated With Alterations (2016)

Contact Officer: Cris Lancaster

Telephone No: 01895 250230



Notes:



Site boundary

For identification purposes only.

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Site Address:

**32 Victoria Road
Ruislip**

Planning Application Ref:

15291/APP/2019/4144

Planning Committee:

North

Scale:

1:1,250

Date:

March 2020

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

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



HILLINGDON
LONDON