# Report of the Head of Planning & Enforcement

Address BUILDERS YARD JOEL STREET NORTHWOOD

**Development:** Single storey building for use as office sales desk, showroom and storage

facility, external storage racking and associated parking (involving demolition

of existing buildings and telecommunications mast and compound).

**LBH Ref Nos:** 16194/APP/2009/2214

Drawing Nos: 1728/PL/03

1728/PL/02

1728/PL/01 Rev G 1728/PL/04 Rev G

Design & Access Statement Revision D1

 Date Plans Received:
 12/10/2009
 Date(s) of Amendment(s):
 12/10/2009

 Date Application Valid:
 06/11/2009
 09/06/2010

 29/06/2010
 29/06/2010

#### 1. SUMMARY

The proposal is for a replacement building on a builders yard within the Green Belt. Although the new building represents inappropriate development within the Green Belt, it is considered that on balance, very special circumstances have been demonstrated to justify the proposal in terms of the proposed improvements to the appearance of the site and its impact upon the character and openness of the Green Belt. Furthermore, the building would be sufficiently remote from surrounding residential properties so that their amenities would not be adversely affected. Although the access into the site is not ideal for lorries, this is an existing situation and the proposal should improve access arrangements. It is recommended accordingly.

# 2. RECOMMENDATION

# APPROVAL subject to the following:

# 1 T8 Time Limit - full planning application 3 years

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

#### **REASON**

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

# 2 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 3 OM1 Development in accordance with Approved Plans

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

#### **REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 4 OM2 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and know datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

#### **REASON**

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 5 OM19 Construction Management Plan

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating materials and fittings can be removed safely and intact for later re-use or processing.
- (iv)Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
- (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
- (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
- (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

# **REASON**

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

# 6 HLC5 Industrial and Commercial Development

The premises shall not be used except between 07:30 hours and 20:00 hours Mondays to Saturdays and at no time on Sundays and Bank Holidays.

**REASON** 

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

#### 7 NONSC Non Standard Condition

Deliveries and collections, including waste collections, shall be restricted to between 07:00 and 18:00 hours Monday to Saturday and not at all on Sundays and Bank/Public Holidays.

#### **REASON**

To safeguard the amenity of surrounding residential properties, in accordance with Policies BE19 and OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 8 N12 Air extraction system - noise and odour

No air extraction system shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall then be fully implemented before the development is occupied/the use commences and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

#### **REASON**

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

# 9 DIS2 Access to Buildings for People with Disabilities

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

### **REASON**

To ensure that people with disabilities have adequate access to the development in accordance with Policies AM13 and R16 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policies (February 2008) Policies 3A.13, 3A.17 and 4B.5.

# 10 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- · Written specification of planting and cultivation works to be undertaken,
- $\cdot$  Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- · Implementation programme.

The scheme shall also include details of the following: -

- · Proposed finishing levels or contours,
- · Means of enclosure,

- · Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- · Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- · Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- · Retained historic landscape features and proposals for their restoration where relevant.

#### **REASON**

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 11 TL6 Landscaping Scheme - implementation

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

# **REASON**

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 12 TL7 Maintenance of Landscaped Areas

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

# 13 MCD8 Height of External Storage

No goods or materials shall be stacked or deposited above 3 metres as measured from

existing ground level, within the storage areas shown on Drw. No. 1728/PL/04 Rev. G received on the 9th June 2010.

# **REASON**

In order to safeguard the visual amenities of the area in accordance with Policies OL4 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan Policy (February 2008) 4B.1.

# 14 MCD9 No External Storage

No display, placing or storage of goods, materials, plant or equipment shall take place other than within the building or within the storage areas shown on Drw. No. 1728/PL/04 Rev. G received on the 9th June 2010.

#### REASON

In the interests of amenity and to ensure that external areas are retained for the purposes indicated on the approved plans in accordance with Policies OL4 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

# 15 SUS5 Sustainable Urban Drainage

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

#### **REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), polices 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

#### 16 MCD10 Refuse Facilities

No development shall take place until details of facilities to be provided for the covered, secure and screened storage of refuse and recycling at the premises have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.

#### **REASON**

In order to safeguard the amenities of the area, in accordance with Policies OL4 and OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 4B.1.

# 17 RPD12 Restrictions - Enlargement of Industrial/Warehouse Buildings

Notwithstanding the provisions of Part 8, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the building(s) shall not be extended without the prior written consent of the Local Planning Authority.

#### **REASON**

To enable the Local Planning Authority to assess the implications of the development in terms of the openness of the Green Belt in accordance with policy OL4 of the Hillingdon

Unitary Development Plan Saved Policies (September 2007).

# 18 H13 Installation of gates onto a highway

No gates shall be installed which open outwards over the highway/footway.

#### REASON

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

# 19 NONSC Non Standard Condition

When the site is open, the entrance gates shall be secured/locked in an open position at all times.

# **REASON**

To ensure that pedestrian and vehicular safety is not prejudiced in accordance with Policies AM3 and AM8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan (February 2008).

# 20 H11A Visibility Splays

Notwithstanding the details shown on Drw. No. 1728/PL/04 Rev. G received 9/6/10, unobstructed sight lines above a height of 1 metre shall be maintained on both sides of the entrance to the site, at a depth of 2.4m and for a distance of at least 2.4m in both directions along the back edge of the footway or verge.

#### REASON

To ensure that pedestrian and vehicular safety is not prejudiced, in accordance with Policy AM7 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 21 H8 Surfacing and marking out of access/parking/servicing areas

The development shall not be occupied until the parking and servicing areas shown on the approved plans have been provided and marked out and thereafter these areas shall be permanently retained and used for no other purpose.

# **REASON**

To ensure that the vehicular access, servicing and parking areas are satisfactorily laid out on site in accordance with Policy AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

# 22 RCU2 Use Within Same Use Class

The premises shall only be used as a builders yard and for no other purpose.

# REASON

To ensure that the Local Planning Authority maintain control of the use of the premises in order to safeguard the openness of the Green Belt, in compliance with Policy OL4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### NONSC 23 **Non Standard Condition**

No showroom or retail floor space shall be provided on site.

To ensure that the operation of the site does not generate significant additional traffic from members of the public, in order to safeguard highway and pedestrian safety, in accordance with policy AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **INFORMATIVES**

#### 152 **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).

#### 153 2 **Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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
LE1	Proposals for industry, warehousing and business development
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
LPP	London Plan (2008)
CACPS	Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies, September 2007)
HDAS	Accessible Hillingdon
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity

#### 3 11 **Building to Approved Drawing**

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

#### 4 |2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

# 5 Building Regulations - Demolition and Building Works

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

# 6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

# 7 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

#### 8 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -

- A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.
- B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
- C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

# 9 I25 Consent for the Display of Adverts and Illuminated Signs

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

# 10 | 134 | Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- $\cdot$  The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- · BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- · The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- · Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- · Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.

· Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

# 11 I45 Discharge of Conditions

Your attention is drawn to condition(s) 2, 4, 5, 9, 10, 12, 15 and 16 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

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To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO2) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.

# 13 I47 Damage to Verge

You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

#### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application site is located on the east side of Joel Street opposite its junction with Norwich Road and comprises a builder's merchants yard. The site is approximately 0.13 hectares and is surrounded to the north, east and south by open fields. Adjoining the site to the west, on the opposite side of Joel Street, are residential properties. The application site slopes down from the road frontage by approximately 1.75m to the rear boundary of the site. The main sales/office building is located in the north east corner of the site, with open storege mainly on the north, rear and southern boundaries. There is a 15m high telecommunications mast within the centre of the site, sited towards the northern boundary. Storage racking has also been sited at the entrance of the site and the site lies within the Green Belt as identified in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 3.2 Proposed Scheme

Planning permission is sought for the erection of a single-storey building to replace the existing main building on the builder's yard. It would provide storage, offices, staff room/toilets and a customer service counter area.

The proposed building would be sited to the rear of the site, towards its north-east corner, at least 24m from the Joel Street road frontage and at its nearest point, 1m from the rear boundary (similar to the two previously refused schemes). It would be sited, on average, at 1.5m and 13.5m distances from the northern and southern boundaries respectively.

The proposed building would measure 25.4m by 9.3m, with a hipped roof. Due to the sloping ground levels, the eaves would be 2.9m to 3.2m high above ground level at the front of the building, increasing to 3.2 to 3.7m at the rear with a 6.3m to 6.7m high ridge height. This compares to the previously refused scheme (16194/APP/2009/580) where the building was 26m long, 13m wide with a maximum roof height of 7.5m. Parking provision is shown for 8 cars, including 1 disabled person space.

Amended plans have also been received which now omit the side dormers, to be replaced with 8 rooflights (4 on each side) to serve the internal storage area. The building is to be constructed in brick up to one metre high, with an internal steel frame and roof truss. The remaining wall would be covered in timber boarding and the building would have a sedum green roof.

The application is supported by a Design and Access Statement which describes the site and the proposal. In particular it advises that the existing buildings have far outlived their usefulness and are in a very poor state of repair. The proposed building footprint is 236m², which compares with the 225m² or 5% increase in the footprint of the existing buildings, including an element of external covered storage, which the proposed building would replace. It is also proposed to remove the existing telecommunications mast and the associated building structures from the site, upon the expiry of the current lease agreement in mid 2011. The external racking system, currently painted blue would be repainted silver/grey to blend with the sky and its height is to be reduced to 3m. All long lengths of piping will be laid horizontally to reduce storage height. Additional trees will be planted on the east/south boundary to screen the storage and parking areas.

# 3.3 Relevant Planning History

# Comment on Relevant Planning History

16194/APP/2008/401 - Erection of 2.1m and 3.0m high green palisade security railings and gate to front and part side boundary (retrospective application) - Approved 8th May 2008.

16194/APP/2008/1279 - Erection of a two storey building for storage, offices, staffroom/toilets and customer service area, erection of 2.5m high metal railings to side/rear of site and retention of 4m high freestanding metal racking system (involving the demolition of all existing buildings on site) - Refused 9th October 2008.

16194/APP/2009/580 - Erection of a single storey building for storage, offices, staffroom/toilets and customer service area plus general store (involving demolition of all existing buildings on site including the Vodaphone plant and mast) - Refused 30th June 2009, for the following reasons:

- 1. The proposal represents inappropriate development within the Green Belt for which no case of very special circumstances has been made by the applicant to justify its approval. The proposal is therefore contrary to Policy OL1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Planning Policy Guidance 2 (PPG2) Green Belts.
- 2. The proposed building by reason of its height, scale, bulk, design, discordant and

unsympathetic materials and prominent location, would result in a disproportionate change to the bulk and character of the original building(s), which would be visually intrusive and detrimental to the open character and purpose of the Green Belt. The proposal is therefore contrary to Policy OL4 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Planning Policy Guidance 2 (PPG2) - Green Belts.

- 3. No visual or landscape impact analysis has been submitted and no landscape proposals made to mitigate the impact of the proposal on its surroundings. The proposal therefore fails to enhance the landscape quality of the site, and as such is detrimental to the character of the Green Belt contrary to Policies OL2 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Planning Policy Guidance 2 (PPG2) Green Belts.
- 4. The proposed development would result in an increase in scale and site coverage of structures and buildings, and as a result fails to indicate the provision of off-street parking or manoeuvring areas for large vehicles, staff and customers. The proposal would therefore be detrimental to highway and pedestrian safety and the free flow of traffic on the public highway, and as such is contrary to Policies AM2 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's Car Parking Standards (September 2007).

# 4. Planning Policies and Standards

# UDP / LDF Designation and London Plan

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

# Part 1 Policies:

PT1.1	To maintain the Green Belt for uses which preserve or enhance the open nature
	of the area.

- PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.

#### Part 2 Policies:

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
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

LE1 Proposals for industry, warehousing and business development AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

LPP London Plan (2008)

CACPS Council's Adopted Car Parking Standards (Annex 1, HUDP, Saved Policies,

September 2007)

HDAS Accessible Hillingdon

AM2 Development proposals - assessment of traffic generation, impact on congestion

and public transport availability and capacity

### 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 17th December 2009

**5.2** Site Notice Expiry Date:- Not applicable

# 6. Consultations

### **External Consultees**

**Original Plans** 

40 neighbouring properties were consulted and a site notice was displayed on site. A total of 9 responses received (5 responses from the same objectors, making additional points), raising the following concerns:-

- (i) Whilst the existing structure is far from attractive it is at least unobtrusive. The proposed industrial design and elevations of the building are not appropriate for a rural area, close to the edge of green belt farmland;
- (ii) Proposed building would cover almost 150% of the currently built up area and existing building almost twice the height of the current building in the Green Belt and includes 'rooms' above the office space;
- (iii) Proposed elevations do not allow impact upon the locality to be assessed;
- (iv) The planning application suggests that the existing storage racking units, erected without permission, will be reduced to 3m, re-painted to suit environment and moved to back of the site, but the plans show it in exactly the same position. Reducing height of units would still allow stacked pallets, lengths of timber to protrude above surrounding stock, which is highly unattractive;
- (v) Other stock piled on site to over 8ft;
- (vi) Existing lights, erected without permission, are intrusive. The planning application promises to replace them, but no details given;
- (vii) The development would allow for the enlargement of the business. Large articulated lorries exiting and entering the site already cause major disruption/stopping of traffic on adjoining roads, often having to reverse and pass on the wrong side of the central bollards to access the site due to complex and time consuming reversing manoeuvres involving Norwich Road. Traffic can queue back to the roundabout on Pinner Road, adding to problems at petrol filling station/Tesco Express at junction of Tolcarne Drive. Lorries often block drives while waiting to deliver, mount pavements causing damage. Increase to sales area would greatly exacerbate existing problems, which would prejudice safety of residents, pedestrians, including school children and road users at this bend in the road at the bottom of a hill:

- (viii) Staff currently park on Joel Street, as site too congested;
- (ix) Applicants have already failed to apply for planning permission for fencing and racking, so not difficult to imagine they will stretch the legality or extent of any permission;
- (x) Proposal would undermine the residential nature of the local area:
- (xi) Proposal could result in need to fell trees and bushes. Tree survey should be undertaken to safeguard trees bordering the site, particularly during construction;
- (xii) Result in increase in carbon footprint;
- (xiii) The proposal would be likely to make the site and adjoining areas, including route of a public footpath susceptible to flooding;
- (xiv) Activities on site, together with a general lack of any segregation presents a health and safety risk;
- (xv) Loss of privacy to properties on opposite side of Joel Street;
- (xvi) Building may be extended in the future;
- (xvii) Increased activity will increase noise (existing large delivery lorries often sound horn on arrival), vibration, fumes and pollution;
- (xviii) Proposal would result in overshadowing;
- (xix) Loss of ecological habitats;
- (xx) Residents need to be consulted on any amended plans;
- (xxi) Signs have been erected on site.

Northwood Hills Residents' Association: No response received.

Ickenham Residents' Association: No response received.

Burial Society Federation of Synagogues: No response received.

Ruislip and Northwood Co-operative Small Holding & Allotment Society Ltd: No response received.

# **Amended Plans**

42 neighbouring properties consulted on the amended plans. 4 responses have been received, making the following points:-

(xxii) The changes to the building have no impact upon residents in Norwich Road;

(xxiii) Since change in ownership of yard, have had huge lorries delivering to the site, causing the problems such as parking on the bus stop, parking on yellow lines at junction of Norwich Road, blocking drives and pavement, lorries passing on wrong side of the keep left bollards. This is causing problems for traffic which comes to a halt when deliveries are made. If new plans do not include adequate on-site and off-road delivery waiting and parking areas then problems are only going to get worse as yard develops, including threat to school children who cross Joel Street here, (xxiv) Proposal not suitable for this residential area and company should move to industrial area to expand their business.

(xxv) Proposed building will be almost twice the height of the existing building. The plans describe it as single storey but there is space above the offices. Some changes have been made to make building a little less of an eyesore but these do not camouflage its overall size in the Green Belt.

(xxvi) There is not space for larger vehicles to turn around now. Increase in size of building will reduce the possibility of small lorries and vans being able to turn.

(xxvii) Activity at the builders yard has been increasing with additional noise.

Lorries blow horns on arriving, causing disturbance.

(xxviii) Application suggests that lack of parking will be solved by moving stock. Is there any guarantee that stock will be moved? Realistically, additional customers will have to park on surrounding roads and this is a dangerous bend in Joel Street. Increase in activity will only increase accidents and the road has been closed by the police at least twice in recent years,

(xxix) Some stock exceeds height of racking. Even if racking reduced I height, stacked pallets and

lengths of timber would still protrude above other piles of stock,

(xxx) Lighting has been erected without planning permission. New lighting not detailed on the plans,

(xxxi) There are serious health and safety issues with the operation of this site.

(xxxii) Proposal will ruin green view from house

(xxxiii) Impact upon wildlife

Northwood Hills Residents' Association: No response received.

Ickenham Residents' Association: No response received.

Burial Society Federation of Synagogues: No response received.

Ruislip and Northwood Co-operative Small Holding & Allotment Society Ltd: No response received.

#### Internal Consultees

TREES AND LANDSCAPE OFFICER:

**Original Comments:** 

### THE SITE

There are no trees or other significant landscape features within the site and no Tree Preservation Orders or Conservation Area designations which might constrain development. However, the site lies within the area of designated Green Belt to the east of Joel Street.

#### THE PROPOSAL

The proposal follows previous planning refusals for the development of a new sales and storage building. The current proposal is to demolish the existing buildings within the builders yard and erect a new single-storey building for use as an office sales desk, showroom and storage facility, with external racking and associated parking. The Design & Access Statement confirms that there is no proposal for landscape enhancement 'due to the nature of the business,' except for the extension of the existing fencing down the west side of the site to replace some of the existing buildings which have provided boundary security at this location.

Drawing No. 01 Rev C provides sections and levels which indicate that the building will be sited in the north-east corner of the site at a low point in the site (spot height approximately 61.76) with a finished floor level of 62.21 metres. The site slopes down from the entrance at Joel Street (approximately 63.4 metres). The sloping roof is specified as an extensive green (Sedum) roof which will help the building to sit more comfortably within the landscape, albeit the roof line is punctuated by shallow dormer windows. This detail is inconsistent with drawing 04 Rev C, and the DAS (cl.1.5) which specifies the use of a Cedar shingle roof.

Drawing No. 04 Rev C shows thin strips of grass which, at < 500mm in width (on the southern boundary), will be difficult to establish and maintain.

The site is currently dependent on the existing off-site woodland to the north, which effectively screens the site from the north. To the south, east and (part of) the west boundary, there are off-site hedges < 3.0 metres in height which provide low level screening. However, these hedges are not within the ownership/control of the applicant and do not screen views into the site from the surrounding higher land.

### KEY LANDSCAPE ISSUES

No visual, or landscape impact analysis has been submitted and no landscape enhancement is

proposed to mitigate the visual impact of the proposal, contrary to saved policy BE38. I note that regardless of the impact of the proposed building, the external storage and existing high storage racks within the yard (south-west corner) already create a cluttered and detrimental visual impact on the Green Belt setting.

#### RECOMMENDATION

I object to this proposal which fails to enhance the landscape quality of the site in accordance with saved policy BE38.

#### **Revised Comments:**

# AMENDED PROPOSALS

Further to the receipt of the revised D&AS Rev D (dated 9 June 2010) and drawing Nos. 1728/PL/01 Rev G and 04 Rev G, the submission now incorporates the 8 No. semi-mature trees along the south and east boundaries, together with the hedging along the Joel Street frontage.

RECOMMENDATION: No objection subject to conditions TL5, TL6 and TL7.

#### **HIGHWAY OFFICER:**

Joel Street is a Classified Road (B472) and is designated as a Local Distributor Road in the Council¿s Unitary Development Plan. The site is located opposite the junction of Joel Street and Norwich Road, both of which are on bus routes, and in addition, the site is also on a school route. Lorry movements in/out of the site have been observed to be dangerous due to awkward manoeuvring on this busy road and at/close to the junction. However, given the proposals are not considered to result in a significant increase (if any) in lorry movements in/out of the site, the proposals are not considered to merit refusal on this ground.

The existing gates, railings and hedges at the front of the site are proposed to be retained. Suitable conditions should be attached for the gates not to open on to the highway and shall remain open all times during the site is opening hours. Pedestrian visibility splays of 2.4mx2.4m should be provided on both sides of the access.

The existing site has no dedicated/marked parking area. Random parking takes place on site due to the random storage areas on site. The proposed reorganisation of the site would provide improved parking and vehicle manoeuvrability on site. The proposed plans show 4 customer car parking spaces (including a disabled car parking bay) and 4 staff car parking spaces. In addition there will be space for some staff tandem parking. A suitable condition should be attached requiring the parking to be completed, available for car parking all times and maintained thereafter.

Subject to no showroom being proposed and the above issues being covered through suitable planning conditions there are no objections on the highways aspect of the development.

# **ENVIRONMENTAL PROTECTION UNIT:**

No objections are raised to this proposal, but recommend conditions to control hours of use, delivery times and any air conditioning units to be installed.

# 7. MAIN PLANNING ISSUES

# 7.01 The principle of the development

The site is a non-conforming use in the Green Belt and thus for a building to be acceptable on the site the applicant needs to demonstrate that there are very special circumstances. This issue is considered in Section 7.05.

# 7.02 Density of the proposed development

Not applicable to this development.

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

Not applicable to this development.

# 7.04 Airport safeguarding

Not applicable to this development.

# 7.05 Impact on the green belt

Planning Policy Guidance Note 2: Green Belts (PPG2) states that the most important attribute of the Green Belt is its openness. Therefore, the construction of new buildings in the Green Belt is inappropriate unless it is for a limited range of uses including agriculture, forestry, recreation, cemeteries, limited alteration/re-building of existing dwellings, and limited infilling of villages and major developed sites as identified in adopted plans.

PPG2 also makes clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. The guidance adds that such circumstances will not exist unless the harm is clearly outweighed by other considerations and that it is for the applicant to show why permission should be granted. Policy OL4 of the saved UDP relates to replacement buildings and advises that proposals should not result in the disproportionate change in the bulk and character of the building, the proposal would not significantly increase the built up appearance of the site and the visual amenities of the Green Belt would not be injured by reason of siting, materials, design, traffic or activities generated.

Although the existing use does not form part of those acceptable uses within the Green Belt, the application site is an established builder's merchant yard with associated buildings and open storage within the Green Belt. The applicant has advised that the proposed building is to replace "a collection of older structures on the site which have reached the end of their useful life and are generally unsightly." The applicant goes on to advise that the existing original buildings on site have a floor area of  $163m^2$ , which includes a number of covered storage areas. This figure does not include all of the covered storage areas on site, but as the proposed building would have a footprint of  $236m^2$ , the net increase in the footprint would be less than 50%, which is generally taken to be the rule of thumb floor area figure taken to be indicative of disproportionate development.

The builder's merchant is generally well screened from the north by woodland, but the yard with open and covered storage is out of character with the rural appearance of the open fields when viewed from the west and south of Joel Street and other vantage points. This site appears to have originated from a small group/yard area of agricultural buildings and has slowly evolved, making a definitive assessment of the original floor space difficult. However, a 1981 aerial photograph of the site suggests that the sales building, together with a side extension and outbuildings at the rear of this building, and the storage buildings at the rear of the site were present at this time, which would equate to a maximum building floor area of 118m². Also as part of this proposal, an authorised telecommunications mast would be removed, together with its built-up compound which has a floor area of 19m. Including the removal of the mast, the proposal represents an overall 72% increase in the building footprint as compared to the situation on site in 1981. However, the concept of materiality is not to be determined merely by a mechanical calculation and it is necessary to consider the development scheme as a whole, in terms of its impact upon the Green Belt.

The proposed building would have a similar siting as the existing buildings, in the north eastern corner of the site and would not generally extend beyond the footprint of these buildings, the additional floor area mainly being attributable to the building upon the yard areas between the existing buildings. Although the proposal is single storey with a hipped roof, the overall eaves and ridge heights of the building would be taller than the height of the existing main sales/staff building on site and the bulk of the building would be increased. However, it is considered that the proposed green sedum roof would significantly reduce the visual impact of the building and assist with its assimilation with the surrounding open farmland and adjoining woodland. As the proposed building is sited away from the road and at a low point within the plot, the roof would appear at eye level from the road, enhancing the impact of the green roof. Furthermore, the use of timber boarding above a height of 1 metre on the walls, with brickwork below would also assist, giving the building a rural character and appearance.

As mentioned above, this scheme involves the removal of the 15m high telecommunications mast, which does have an impact upon the Green Belt and its removal weighs in favour of the proposal. Furthermore, as part of this scheme, a total of 8 semi-mature trees will be planted on the southern and eastern boundaries of the site which will supplement the existing 2.5m - 3.0m high hedging in the adjoining field and in the longer term, will provide structural screening for the site and the open yard area.

It terms of the use of the site, the proposed building would mainly replace existing facilities on site, with the rear part of the building providing internal storage, to replace some of the existing external storage. The open storage of bricks, tiles and paviours on the northern site boundary at the front of site would remain, as would the storage of sand, gravel, cement and loose material on the southern part of the rear boundary. However, with the exception of an 18m long length towards the lower rear part of the site, much of the material storage along the 52m long southern, more exposed boundary would be removed. The existing racking set back 5.6m from this boundary would be retained, although it would be repainted silver/grey and storage height would be reduced to 3m. Conditions are recommended to ensure that no external storage takes place outside of the areas shown on Drw. No. 1728/PL/04 Rev. G and external storage does not exceed 3m in height. The front of the building would provide improved office and staff facilities, with a small public counter being provided, with no showroom/traditional retail floor area for customers. As such, the proposal would not increase the range of services to the public.

The proposal would result in a building with a larger floor area than the existing, somewhat dilapidated buildings on site, with an increased height and bulk. However, the siting and design of the building, incorporating a green roof, would reduce the visual impact of the building, and together with the overall improvements to the site, including reduced open storage, removal of a 15m high telecommunications mast and provision of semi-mature structural tree planting, it is considered that on balance, the scheme represents an overall improvement in terms of the existing impact of the site upon the openness of the Green Belt and the applicant has been able to demonstrate very special circumstances to justify the proposal, in accordance with PPG2 and Policy OL4 of the adopted Unitary Development Plan Saved Policies (September 2007).

# 7.06 Environmental Impact

Not applicable to this development.

# 7.07 Impact on the character & appearance of the area

See Section 7.5 above.

#### 7.08 Impact on neighbours

There are residential properties on the west side of Joel Street that face the application property. However, given the nature of the development and the distance to the nearest residential property, which would be over 50m away from the nearest part of the proposed building, the residential amenities of the surrounding properties, in terms of loss of light, overshadowing or loss of privacy, would not be adversely affected by the proposal in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

# 7.09 Living conditions for future occupiers

Not applicable to this development.

# 7.10 Traffic impact, car/cycle parking, pedestrian safety

The servicing and access arrangements at the site are clearly not ideal, but this is an existing situation. The proposed building would not provide any additional facilities on site, with much of the floor space being used to provide internal storage to replace existing external storage. As a consequence of the reorganisation of the overall site, servicing arrangements will be rationalised and off-street parking will be formalised with the provision of 8 marked parking bays, 4 for staff and 4 for customers, to include a disabled space.

The Council's Highway Engineer advises that providing there is no significant increase in the storage floor space and no showroom is proposed, which would otherwise result in increased vehicular and pedestrian activity, there are no objections on the highways aspect of the development. The proposal should improve parking and vehicle manoeuvrability on site.

The proposal is therefore considered to comply with Policies AM2 and AM14 of the Hillingdon UDP Saved Policies (September 2007).

# 7.11 Urban design, access and security

#### 7.12 Disabled access

The plans show a ramped access to the customer counter and a disabled person parking space close to the ramp. A condition has been attached to ensure that these facilities are provided.

# 7.13 Provision of affordable & special needs housing

Not applicable to this development.

# 7.14 Trees, Landscaping and Ecology

There are no trees or other significant landscape features within the site. Furthermore, the Council's Tree Officer does not raise any concerns regarding the impact of the proposed works on surrounding trees. Revised plans have now been submitted which include a 2m high hawthorn hedge along the front boundary of the site and a total of 8 semi-mature trees along the southern and eastern site boundaries. It is considered that these trees would supplement the existing hedging within the adjoining field along these boundaries, and in the longer term, will provide the structural planting that will greatly enhance the screening of the site within the Green Belt from the more exposed eastern and southern boundaries and reduce the visual impact of the use from adjoining residential properties. The Council's Tree Officer raises no objection to the scheme in terms of policy BE38 of the Saved UDP.

# 7.15 Sustainable waste management

A condition requires appropriate provision to be made within the site for the secure and screened storage of waste and recycling.

# 7.16 Renewable energy / Sustainability

This scheme would need to satisfy the minimum energy performance requirements of Part L of the Building Regulations.

# 7.17 Flooding or Drainage Issues

Almost the entire site is currently hardsurfaced. The Design and Access Statement advises that it is proposed to lift 70% of the existing concrete surfacing and replace the ground cover with a more permeable finish of interlocking block-work and permeable tarmac. The green roof will also help to regulate surface water runoff from the site. A condition is recommended to ensure that a sustainable drainage system is submitted and approved, in accordance with Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Policies 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

# 7.18 Noise or Air Quality Issues

Not applicable to this development.

#### 7.19 Comments on Public Consultations

As regards the comments on the original plans, the plans are to scale and do allow an assessment of the proposal to be made (point iii). In terms of point (ix), this viewpoint is noted, but all applications have to be treated on their individual merits. In terms of point (xiv), health and safety is not a planning consideration and the proposal should help to formalise activities on site. As regards point (xvii), permitted development rights to extend the building have been removed so that any extension would need permission and would be assessed at such a time. As regards point (xix), this is an existing builders yard which is almost completely hardsurfaced. There would be no loss of ecological habitat. As regards point (xxi), neighbours have been re-consulted on the amended plans. Point (xxi) regarding signs that have been erected, this is being investigated. All the other points have been dealt with in the main report.

As regards the comments on the revised plans, points (xxii) and (xxiii) are noted. Points (xxiii) and (xxv) (xxvi) (xxxii) (xxxi) (xxxii) have been dealt with in the main report. As regards Point (xxvii), EPU raise no objections to the proposal, subject to various conditions controlling hours of use and the behaviour of lorry drivers is not something that can be controlled under planning legislation.

# 7.20 Planning Obligations

Given the nature of the proposal, a specific requirement for a S106 contribution does not arise, in accordance with Policy R17 of the saved UDP.

# 7.21 Expediency of enforcement action

Not applicable to this development.

#### 7.22 Other Issues

None

# 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

Not applicable to this development.

# 10. CONCLUSION

It is considered that the scheme would assist with the tidying of the site. The present somewhat dilapidated buildings and covered storage sheds/areas would be replaced with a purpose built building that would have brick and timber boarded walls and a sedum green roof to assist with its assimilation within this rural setting within the Green Belt. The rear of the building would allow materials to be stored internally and the height of open storage on site would be restricted to the specified areas and to no more than 3m in height. Furthermore, the open storage of materials would be reduced by the new building, existing open storage would be reduced in height and the proposal also results in the removal of an unsightly telecommunications mast. Overall, therefore the proposal is not considered to be detrimental to the open character of the Green Belt and visual amenities of the street scene and the application is therefore recommended for approval.

#### 11. Reference Documents

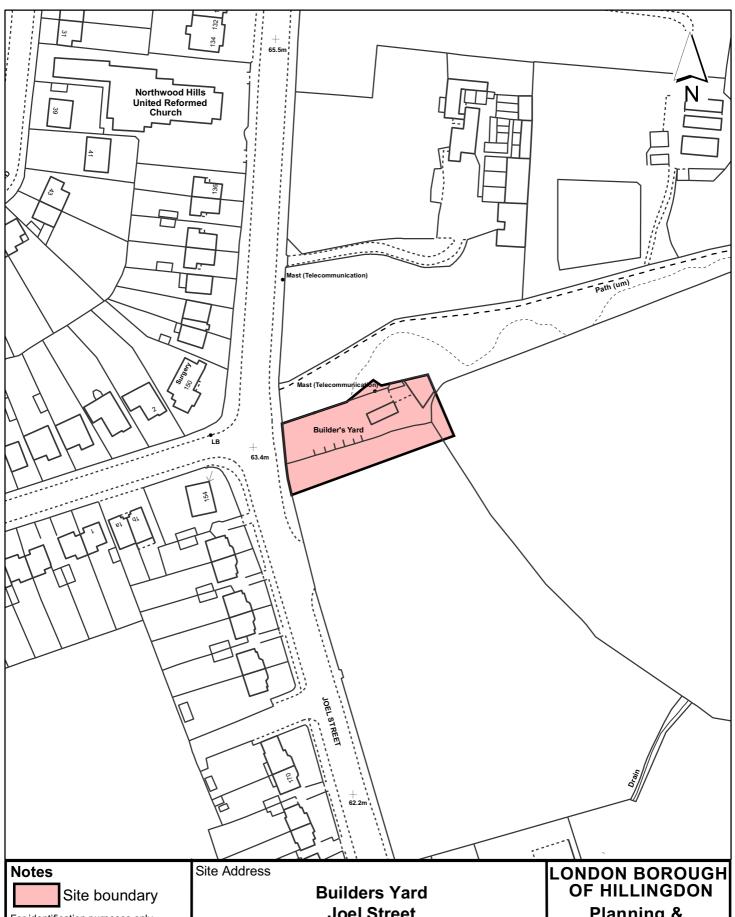
PPG2: Green Belts

London Plan (February 2008)

Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

HDAS: Accessible Hillingdon Consultation responses

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**Joel Street Northwood** 

Planning Application Ref: 16194/APP/2009/2214 Scale

1:1,250

Planning Committee

North

Date

**July 2010** 

# Planning & **Community Services**

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