

# Report of the Head of Development Management and Building Control Committee Report Part 2 – Application Report

Case Officer: **Haydon Richardson**

**36999/APP/2023/3455**

Date Application Valid:	<b>18.01.24</b>	Statutory / Agreed Determination Deadline:	<b>11.06.24</b>
Application Type:	<b>Full</b>	Ward:	<b>Yeading</b>

Applicant: **Mr Ben Train**

Site Address: **Tesco Stores Ltd, Glencoe Road**

Proposal: **Variation of Condition 3 (Deliveries) of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of Condition 12 (Opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes.**

Summary of Recommendation: **GRANT planning permission subject to conditions**

Reason Reported to Committee: **Required under Part 3 of the Planning Scheme of Delegation (Petition received)**



## **Summary of Recommendation:**

GRANT planning permission subject to the conditions set out in Appendix 1.

### **1 Executive Summary**

- 1.1 The application seeks planning permission to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995 for the removal of Condition 12 (Opening Hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes.
- 1.2 At present Condition 3 of the permission states: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries.'
- 1.3 In order to better facilitate the supply and sale of fresh goods at the store, as well as to reduce the number of staff working to midnight on Saturday, Tesco seek permission to change the wording of Condition 3 to: 'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'
- 1.4 The single service delivery would take place via HGV and would be dropped off to the front of the store prior to the store opening. Goods would then be lowered via tail lift and wheeled into the store by staff.
- 1.5 The delivery drop-off point is in the middle of the site which is a considerable distance from all neighbouring properties. In this location the developments noise and activity related impacts would cause no significant harm to the amenities of neighbours, especially as the site is already subject to high levels of noise and activity, as discussed in Section 7 of this report.
- 1.6 The proposed drop-off time would limit the likelihood of conflict between customers visiting the store and servicing activities.
- 1.7 Adequate space and internal roads exist within the site for the HGV to enter and exit in a forward gear. The HGV would park along disabled parking bays at the front of the site. In this location it would not disrupt the flow of traffic around the site. Furthermore, due to the significant level of parking at the site, as well as the fact that the delivery would take place prior to trading hours, there would be more

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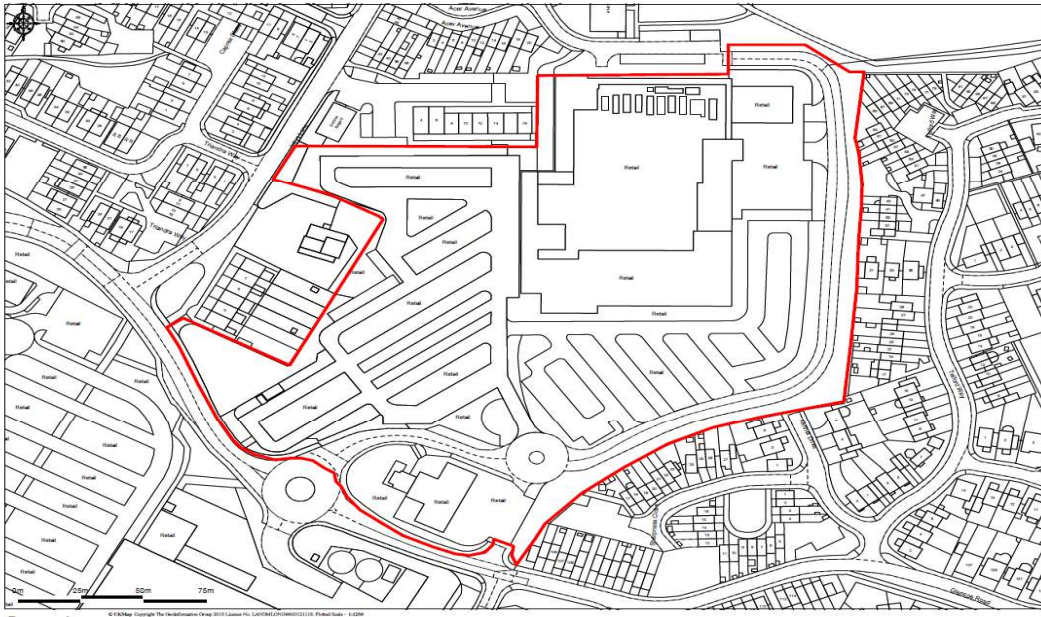
than adequate space for customers to park during deliveries. The development is therefore considered to have no adverse highways related impacts.

- 1.8 The proposal would add 1 additional delivery to the stores existing arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be negligible.
- 1.9 Due regard has been given to local residents' objections, including the petition against the application. However it is concluded that the proposal complies with the Development Plan and no material considerations indicate that a contrary decision should be taken.
- 1.10 The planning application is therefore recommended for approval subject to the conditions set out in Appendix 1.

## **2 The Site and Locality**

- 2.1 The application site is located on the northern side of Glencoe Road, Yeading, and falls within the Willow Tree Lane Local Centre as designated by the Hillingdon Local Plan - Saved UDP Policies (November 2012). The site is occupied by a part one, part two storey Tesco superstore located in the North-East portion of the site, and a petrol filling station, which is located in the Southern corner of the site. An internal service road runs along the Eastern and Southern boundaries of the site. The remainder of the site is occupied by a 543-space car park for customer use.
- 2.2 The surrounding area is predominantly residential, characterised by terraced houses. There are 8 retail units with flats above (4-34 Jollys Lane) located immediately to the North of the application site. A number of gardens also directly abut the site boundaries.

***Figure 1: Location Plan (application site edged red)***



**Figure 2: Street View Image of the Application Property**



### **3 Proposal**

3.1 Planning permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May

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1995 for the removal of Condition 12 (Opening hours) of planning permission ref. 36999E/89/1214 and dated 1 May 1990.

- 3.2 The wording of Condition 3 would be changed from: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries' to 'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'

#### **4 Relevant Planning History**

- 4.1 A list of the relevant planning history related to the property can be found in Appendix 2. Notwithstanding this point, the following should be noted:
- 4.2 Outline Planning Permission was granted in 1990 for the erection of a District Shopping Centre incorporating a retail store of 6228sqm gross floorspace with 725 car parking spaces, 12 small shop units with residential accommodation over, a covered mall, a doctor's surgery, a public house, a restaurant, changing facilities, a meeting hall, public convenience, a petrol filling station, a children's play area, an associated car parking area, a service yard and landscaping on land at Willow Tree Lane/Glencoe Road/Jolly's Lane, Hayes (application reference 36999E/89/1214).
- 4.3 A variation of condition application was submitted in 1994 to change the trading hours of the approved superstore (application reference No.36999/T/93/0878). This was refused but was allowed at appeal (application reference No.94/236865).
- 4.4 Relevant to this application is Condition 3 (Service Deliveries) of the allowed appeal which states: 'On Sundays and bank holidays there shall be no service deliveries to the superstore save for newspaper deliveries.'
- 4.5 It should also be noted that Condition 1 (Hours of Opening) of the allowed appeal (application reference No.94/236865) states: 'The food superstore shall not open for the sale of goods on Christmas Day, before 0800 hours and after 2100 hours on Mondays to Saturdays, and before 1000 hours and after 1600 hours on Sundays and bank holidays.'
- 4.7 Tesco is currently operating under these restrictions, as noted in the submitted covering letter.
- 4.8 Numerous applications have been submitted, refused, and dismissed at appeal for alterations to the stores operating hours. Those applications are referenced in Appendix 2 of this report. This application solely seeks to alter the stores delivery arrangements and therefore those applications are not considered to be relevant to its determination.

#### **5 Planning Policy**

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5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.

## 6 Consultations and Representations

6.1 65 neighbouring properties and the Brag Committee Residents Association were directly notified of the proposed development on 18/01/24. 3 site notices were also placed at the site on 15/02/2024.

6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below). Full copies of the responses have also separately been made available to Members.

**Table 1: Summary of Representations Received**

<b>Representations</b>	<b>Summary of Issues Raised</b>	<b>Planning Officer Response</b>
A petition with 40 signatures was received on 12/02/24 objecting to the proposed development.	1. The proposed development would adversely impact on neighbouring amenities due to increases in noise and pollution caused by additional delivery lorries on a Sunday. Sunday is the only day that residents get a rest from air and noise pollution.	Discussed at paragraphs 7.5 - 7.17 of this report.
	2. There is not 1 item that has a shelf life of a day, as such the proposed development is unnecessary.	Noted, however this is not a material planning consideration.
	3. The development is for profit.	Noted, however this is not a material planning consideration.
16 individual objections have been received	1. Approval of this application will lead to applications for more deliveries on a Sunday.	Noted, however each application must be determined on its individual merits and at present no such

		applications have been submitted.
	II. Operation of the site and particularly lorries sitting idle on the rear service yard for long periods of time, night, and day, 6 x a week, causes noise pollution and air pollution to the detriment of resident's amenities. This would be exacerbated by the proposed development.	Discussed at paragraph 7.10 to 7.17 of this report.
	III. Visitors to the store would be endangered during Sunday morning deliveries	Discussed at paragraph 7.18 to 7.26 of this report.
	IV. There is not 1 item that has a shelf life of a day, as such the proposed development is unnecessary.	Noted, however this is not a material planning consideration.
	V. Tesco do not close their service yard barrier doors on Saturday night as per the requirements of their condition.	Noted, however this is not a material planning consideration in the determination of this application.
	VI. Tesco's waste and recycling is not well managed. Charity bins overflow and litter the car park. The site is also used for fly tipping adding further unmanaged mess to the site.	Noted, however this is not a material planning consideration in the determination of this application.
	VII. Tesco have no regard for the living quality of nearby residents. Complaints raised are often never responded to.	Noted, however Tesco's complaint management service is not a material planning consideration in the determination of this application.

	III. Proposed building works would have an adverse visual and noise impact.	No building works are proposed as part of the proposed development.
	IX. We operate a hot food take away business on Jollys Lane. The proposal would lead to additional restaurants, which would lead to additional competition, the closing of the business and me losing my job.	No additional businesses or restaurants are proposed as part of the proposed development.
	X. I understand Tesco have not renewed their lease and are proposing a small shop where prices are considerably higher. This would impact negatively on customers and local residents.	Permission is sought to vary the delivery condition only, as set out within this report.
	XI. We operate a carpet selling business on Jollys Lane. Additional traffic at the site will destroy our business.	The highways and traffic related impacts are discussed in paragraphs 7.18 to 7.26 of this report.
1 letter of query was received	XII. Can I please see proposed plans for the development. I am concerned about the visual impact of the development, overlooking and its highways impacts.	Permission is sought for an additional delivery on a Sunday morning. No physical operations are proposed and therefore there are no proposed plans. The highways impact is discussed at paragraphs 7.18 to 7.26 of this report. It's impact on neighbouring amenities has



		been discussed at paragraph 7.5 to 7.17 of this report.
1 letter of support was received for the proposed development	XIII. More deliveries are welcome as empty shelves have been witnessed at Tesco in the evenings.	Noted.

**Table 2: Summary of Consultee Responses**

<b>Consultee and Summary of Comments</b>	<b>Planning Officer Response</b>
<p><b>NOISE OFFICER</b></p> <p>The Applicant is seeking the variation of Condition 3 to allow a single delivery to be taken to the front door of the store between 0900-1000 hours on Sundays. Information has been provided with the application in the form of a noise assessment specific to the variation applied for which shows that the predicted noise levels are consistent with the Council's normal planning conditions on operational noise and its supplementary planning guidance. Hence, I see no reason to object to the application on noise grounds.</p>	Discussed at paragraph 7.10 to 7.11 of this report.
<p><b>HIGHWAYS OFFICER</b></p> <p>The applicant proposes that Condition 3 is reworded to read: "On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000". The proposal is unlikely to discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns. The Highway Authority would therefore offer no objection to the application.</p>	Discussed in paragraphs 7.18 to 7.26 of this report.

## 7 Planning Assessment

### Principle of Development

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- 7.1 Planning permission was granted for the Tesco superstore and associated development in 1990. Operation of the store commenced shortly after and has continued for over 20 years.
- 7.2 Permission is sought to vary the wording of Condition 3 to allow for an additional delivery to take place on a Sunday morning. Subject to compliance with the relevant policies and material considerations cited within this report the proposed development is considered to be acceptable in principle.

#### Design and Impact on the character and appearance of the area

- 7.3 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) so that a single service delivery can be made to the front of the site on a Sunday morning between 9am and 10am.
- 7.4 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harm to the character and appearance of the area.

#### Residential amenity

- 7.5 Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.6 Paragraph 135 of the NPPF (2023) states 'Planning policies and decisions should ensure that developments: f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'
- 7.7 Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

#### Light, outlook, and privacy

- 7.8 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865) so that a single service delivery may be made to the front of the site on a Sunday morning between 9am and 10am.
- 7.9 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harmful loss of outlook or light to neighbouring properties. Nor would it result in any additional loss of privacy or overlooking to neighbouring properties

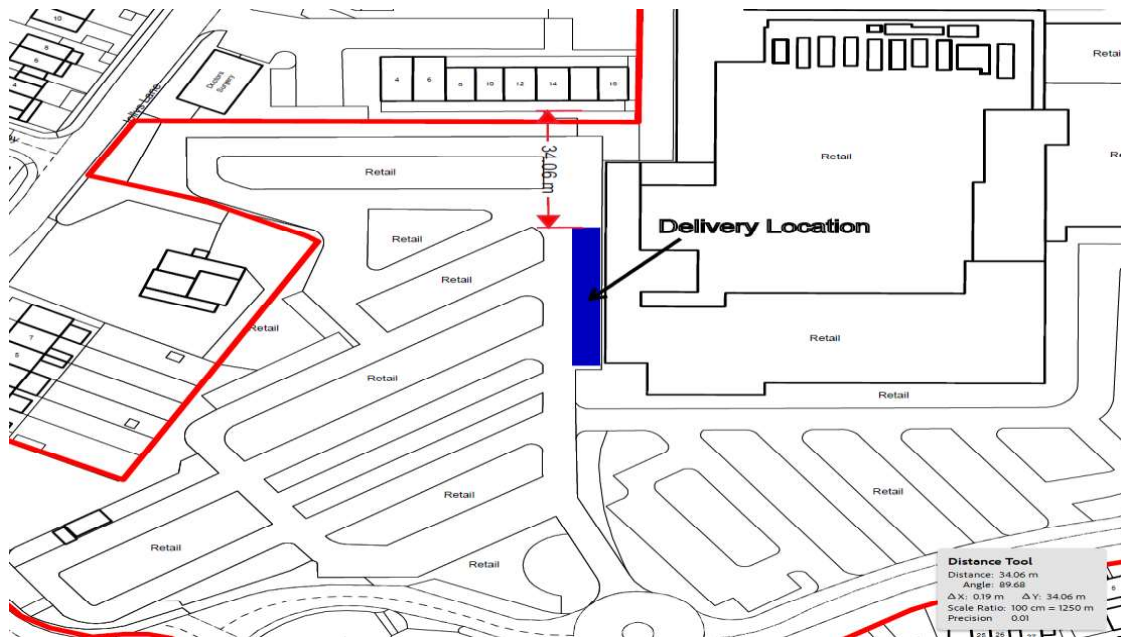
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## Noise

- 7.10 The proposal is for a single servicing delivery between the hours of 9am -10am on Sunday mornings. 1 additional service delivery above and beyond the sites existing level of deliveries is unlikely to generate noise levels which would be detrimental to neighbouring amenities.
- 7.11 The proposed drop off point would be at the store's front entrance. The entrance is approximately 34m or more from any neighbouring property (the nearest being flats above Jolly's Lane shopping parade – see Figure 3). Properties on Acer Avenue, Telford Way, Sharpness Close, Kennet Drive and Clayton Terrace would be 75m to 130m away from the drop off point. The separation distance between the drop off point and neighbouring properties would aid in ensuring that the development has no significant adverse noise impact on neighbouring occupiers.

**Figure 3: Distance between Jolly's Lane Flats and the Store's front entrance/proposed drop off point**



- 7.12 Furthermore, the front entrance of the store is bordered by its car park. The car park is prone to a considerable level of noise and activity, due to cars entering and exiting the site, taxi's parking and remaining idle, the unloading of shopping and movement of shopping trolleys, customer discussion, and at times the servicing of the shops on Jolly's Lane (north of the site). This being the case, 1 additional delivery on a Sunday morning is not considered to harmfully exacerbate noise or activity levels at the site to the extent that the amenities of neighbours would be harmed. It should also be noted that permission exists for newspaper deliveries to be made to the Store on a Sunday, as such some Sunday servicing already exists.

- 7.13 Several shops exist on Jolly's Lane to the north of the site. The shops are accessible via the Tesco site and some of them open at 9am.
- 7.14 The proposed drop off point is off-road and would therefore allow for the free flow of traffic in and around the site during the Sunday delivery. A significant level of parking exists to the front of the mentioned shops as well as around the wider site, therefore their customers would have adequate parking. Several footpaths exist around the site and from neighbouring residential roads, rendering the shops accessible via foot. The shared vehicular access route for users of the site and the Jolly's Lane shops runs along the site's western boundary (which is away from the drop off point). Additionally, as the site's largest contributor of activity and occupier of parking spaces (Tesco) would not be open during servicing, the site would be relatively empty, allowing for people or cars to get around a service vehicle in a worst-case scenario.
- 7.15 Noting the above, the development is not considered to cause any significant nuisance or disturbance to nearby businesses, nor is considered to reduce their ability to function.
- 7.16 The Borough's Noise officer was consulted on the proposed development and has raised no objection to the proposal.
- 7.17 Taking the above into consideration, the proposed development is not considered to have an adverse impact on neighbouring amenities.

#### Highways and Parking

- 7.18 Policy DMT 2 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states that development proposals must ensure that safe vehicular access to the highway network is provided and that they do not contribute to the deterioration of air quality, noise, local amenity or safety. Impacts on local amenity and congestion should be minimised.
- 7.19 Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020) states that development proposals must comply with the parking standards and address issues relating to congestion and amenity.
- 7.20 The development site is located within PTAL 1.
- 7.21 The proposal seeks permission for an additional service delivery on Sunday mornings between the hours of 9am and 10am.
- 7.22 Tesco opens at 10am and therefore the delivery will arrive and depart from the store before it opens for trading. This will limit the likelihood of any conflict with visitor traffic entering the site. It will also limit the chances of conflict with pedestrians visiting the store.
- 7.23 The delivery will be undertaken by a HGV, which will park immediately outside the stores entrance, across existing disabled parking bays (see figure 2 and 3 of

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this report). In this off-road location, the delivery vehicle would be able to unload safely without obstructing traffic movements in and around the site. Further, traffic movements would be limited during the delivery as the store would not be open.

- 7.24 Tesco has a two-way internal road system, so the HGV could easily join an exit route without having to turn. Furthermore, due to the size of the site and the fact that the store would not be open, thus limiting occupancy of its car park, adequate manoeuvring space would exist for the HGV to turn if necessary and then exit the site safely in a forward gear.
- 7.25 Additionally, as the sites car park is significant, more than sufficient space would exist, away from the drop off point, for customers who visit prior to the store opening at 10am. The additional delivery is therefore not considered to result in any harmful loss of parking to the stores users, especially as it would be leaving the site at opening time.
- 7.26 Taking into consideration the above, the proposed development is considered to have no adverse highways or parking related impacts.

#### Air Quality

- 7.27 Local Plan Policy DMEI 14 states that development proposals should demonstrate appropriate reductions in emissions to sustain compliance with and contribute towards meeting EU limit values and national air quality objectives for pollutants.
- 7.28 The development site is located within an Air Quality Management Area, as such the development should be air quality neutral.
- 7.29 The proposal would add 1 additional delivery to the stores existing delivery arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be de minimis.

### **8 Other Matters**

#### Major development related planning considerations

- 8.1 The impact of the proposed development with regards to external appearance, layout, means of access, landscaping, design and (where relevant) ecology, parking provision, energy, sustainability, fire safety, contamination, airport safeguarding, waste management, overheating, security, accessibility, flooding, drainage, density, housing provision, housing quality, housing mix, housing accessibility, health, town centre uses, and planning obligations were considered and approved as part of the original outline planning consent and subsequent applications at the site. Those matters are therefore not considered to be relevant to the consideration of the current application.

#### Human Rights

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- 8.2 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

### Equality

- 8.3 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

### Local Finance Considerations and CIL

- 8.4 The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per sq metre. The proposed development is not CIL liable.

## **9 Conclusion / Planning Balance**

- 9.1 Permission is sought to vary Condition 3 of planning permission ref. 36999/T/93/0878 (allowed at appeal under ref. 94/236865), so that a single service delivery can be made to the front of the site, on a Sunday morning, between 9am and 10am.
- 9.2 The single delivery would take place via HGV and would be dropped off to the front of the store which located in the middle of the site prior to the store opening.
- 9.3 The delivery drop-off point is in the middle of the site (a considerable distance from all neighbouring properties). In this location the developments noise and activity related impacts would cause no significant harm to the amenities of neighbours, especially as the site is already subject to high levels of noise and activity.
- 9.4 The proposed drop-off time would limit the likelihood of conflict between customers visiting the store and servicing activities. The proposed drop off location would ensure that the free flow of traffic around the site is not disrupted. Further, a vast array of parking would remain on site for customers that attend the shop prior to its opening hours.
- 9.5 The proposal includes no physical changes or alterations to the site's buildings or landscaping and therefore the development would cause no harm to the character and appearance of the area. The development is therefore considered to have no adverse highways related impacts. The proposal would add 1 additional delivery

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to the stores existing arrangements. Due to the minor increase in deliveries, the developments pollution related impacts are considered to be negligible.

- 9.6 Notwithstanding the additional Sunday morning delivery, the site would continue to operate as approved under the original reserved matters application and all other subsequent applications.
- 9.7 Taking into consideration the above, it is recommended that planning permission be granted subject to conditions set out in Appendix 1 of this report.

## **10 Background Papers**

- 10.1 Relevant published policies and documents taken into account in respect of this application are set out in the report. Documents associated with the application (except exempt or confidential information) are available on the [Council's website here](#), by entering the planning application number at the top of this report and using the search facility. Planning applications are also available to inspect electronically at the Civic Centre, High Street, Uxbridge, UB8 1UW upon appointment, by contacting Planning Services at [planning@hillingdon.gov.uk](mailto:planning@hillingdon.gov.uk).

# **APPENDICES**

## **Planning Application**

**36999/APP/2023/3455**



## Appendix 1: Recommended Conditions and Informatives

### Conditions

#### 1. NONSC **Non Standard Condition**

Condition 3 of planning permission ref.36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995, shall be reworded to read as follows:

'On Sundays there shall only be a single service delivery (save for newspaper deliveries) to the front door of the superstore between the hours of 0900-1000.'

#### REASON

To safeguard the amenity of the occupants of the surrounding properties in accordance with Policy EM8 of the Hillingdon Local Plan: Part 1 (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020), Policy D14 of the London Plan (2021) and paragraph 135 (f) of the NPPF (2023).

#### 2. NONSC **Non Standard Condition**

Notwithstanding Condition 3, the development shall otherwise be carried out, retained, and maintained in compliance with all other approved details and conditions of planning permission ref.36999/T/93/0878 (allowed at appeal under ref. 94/236865) and dated 10 May 1995.

### 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.

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.

## 153 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 (2021) and NPPF (2023).

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP E9	(2021) Retail, markets and hot food takeaways
LPP H1	(2021) Increasing housing supply
LPP SD7	(2021) Town centres: development principles and Development Plan Documents
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling

LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport

## Appendix 2: Relevant Planning History

36999/APP/2012/2449 Tesco Store Glencoe Road Hayes

Change of use of nine car parking spaces to a hand car wash, including installation of a portakabin and installation of a canopy (Retrospective)

**Decision:** 04-01-2013 Approved

36999/APP/2013/1204 Tesco Stores Ltd Glencoe Road Hayes

Installation of customer collection pod with canopy

**Decision:** 15-07-2013 Approved

36999/APP/2013/552 Tesco Stores Ltd Glencoe Road Hayes

Installation of Customer Collection Pod with canopy

**Decision:** 29-04-2013 Refused

36999/APP/2013/774 Tesco Stores Ltd Glencoe Road Hayes

Installation of canopy and 2.45m high pallisade fence and gates.

**Decision:** 21-05-2013 Approved

36999/APP/2014/1717 Tesco Stores Ltd Glencoe Road Hayes

Installation of cabin for use as car rental with associated designated parking

**Decision:** 09-09-2014 Refused **Appeal:** 13-01-2015 Allowed

36999/APP/2017/662 Tesco Stores Ltd Glencoe Road Hayes

Installation of new centre pod

**Decision:** 22-05-2017 Approved

36999/APP/2018/3016 Tesco Stores Ltd Glencoe Road Hayes

Variation of Condition 2 (Security Barriers) and Condition 3 (Service Deliveries) of allowed appeal decision ref. 94/236865 (dated 10.01.95) relating to refused application ref 36999/T/93/0878 (dated 08.03.94) for the Variation of Condition 12 (Trading Hours) of planning permission ref. 36999E/89/1214 (dated 01.05.90). This current application seeks to enable service deliveries between the hours of 1000 and 2100 on Sundays and bank holidays.

**Decision:** 14-11-2018 Refused **Appeal:** 25-10-2019 Dismissed

36999/E/89/1214 Willow Tree Ln/ Glencoe Rd Jollys Lane Hayes

Erection of retail store, 12 shop units, with residential accommodation over, surgery, public house/restaurant, public conveniences, petrol filling station, community facilities, car parking and landscaping

**Decision:** 01-05-1990 Approved

36999/T/93/0878 Tesco Superstore & Petrol Station Glencoe Road Hayes

Variation of condition 12 of planning permission ref. 36999E/89/1214 dated 1.5.90 to allow trading on Sundays between 1000 and 1800 hours

**Decision:** 08-03-1994 Refused **Appeal:** 10-01-1995 Allowed

### **Appendix 3: List of Relevant Planning Policies**

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

#### Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

#### Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

DMH 2 Housing Mix

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 15 Planning for Safer Places

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP E9 (2021) Retail, markets and hot food takeaways

LPP SD7	(2021) Town centres: development principles and Development Plan Documents
NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
NPPF2 -23	NPPF2 2023 - Achieving sustainable development
NPPF4 -23	NPPF4 23 - Decision making
NPPF5 -23	NPPF5 23 - Delivering a sufficient supply of homes
NPPF6 -23	NPPF6 23 - Building a strong, competitive economy
NPPF9 -23	NPPF9 23 - Promoting sustainable transport
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP H1	(2021) Increasing housing supply
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking