

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received ☐
2. Application complies with all relevant planning policies and is acceptable on planning grounds ☐
3. There is no Committee resolution for the enforcement action ☐
4. There is no effect on listed buildings or their settings ☐
5. The site is not in the Green Belt (but see 11 below) ☐

REFUSAL RECOMMENDED: GENERAL

6. Application is contrary to relevant planning policies/standards ☐
7. No petition of 20 or more signatures has been received ☐
8. Application has not been supported independently by a person/s ☐
9. The site is not in Green Belt (but see 11 below) ☐

RESIDENTIAL DEVELOPMENT

10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha ☐
11. Householder application in the Green Belt ☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses ☐
13. Refusal of change of use from retail class A1 to any other use ☐
14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. ☐

CERTIFICATE OF LAWFULNESS

15. Certificate of Lawfulness (for proposed use or Development) ☐
16. Certificate of Lawfulness (for existing use or Development) ☐
17. Certificate of Appropriate Alternative Development ☐

CERTIFICATE OF LAWFULNESS

18. ADVERTISEMENT CONSENT (excluding Hoardings) ☐
19. PRIOR APPROVAL APPLICATION ☐
20. OUT-OF-BOROUGH OBSERVATIONS ☐
21. CIRCULAR 18/84 APPLICATION ☐
22. CORPSEWOOD COVENANT APPLICATION ☐
23. APPROVAL OF DETAILS ☐
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Building Control, Sport & Green Spaces**

Address 150 JOEL STREET NORTHWOOD

Development: Change of Use of first floor one bedroom flat to staff room and classroom in connection with use as a nursery and provision of an additional vehicular access and outdoor play-space

LBH Ref Nos: **698/APP/2017/3447**

Drawing Nos: Design and Access Statement (REF:16019 PA 02.00)
16019 PA 0201
16019 PA 0101
Statement from Ministeps Nursery
Transport Statement (Ref: 3606)

Date Plans received : 25/09/2017

Date(s) of Amendment(s):

Date Application Valid: 25/09/2017

1. SUMMARY

The application is for the change of use from Class C3 to Class D1 for a first floor residential flat within a nursery. The application proposes to change the existing staff flat to a staff room and classroom. Also proposed are changes to the hard and soft landscaping at the front of the property, including an additional vehicular access, a change to the outdoor amenity/play-space and removal of restrictions on the maximum number of children within the nursery plus the number able to use the external amenity areas.

The existing flat is part of the change of use of the property to a nursery that was granted under planning application reference 698/APP/2011/2951. The loss of the residential unit is contrary to local and London wide policy and the intensified use of the site is considered likely to result in an unacceptable impact on adjacent occupiers. For the reasons set out in this report the application is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal would result in the loss of residential accommodation which is suitable with or without adaptation for residential use and which makes a contribution to the boroughs' housing stock. Therefore, the proposal is contrary to Policies H2, H3, R12 and R13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 3.14 of the London Plan (March 2016).

2 NON2 Non Standard reason for refusal

The proposal, by reason of the increase in use of the property and rear amenity area would be detrimental to the amenities of adjoining residential occupiers by reason of increased noise and disturbance. Therefore, the proposal is contrary to Policies R12, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Noise.

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H2	Restrictions on changes of use of residential properties
H3	Loss and replacement of residential accommodation
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
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R13	Use of residential accommodation for educational and child care premises
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.14	(2016) Existing Housing
LPP 7.4	(2016) Local character

- LPP 7.6 (2016) Architecture
LPP 8.3 (2016) Community infrastructure levy

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service.

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site lies on the west side of Joel Street at its junction with Norwich Road and comprises a large detached property set within a spacious plot. The property is currently in use as a nursery with a one bed residential flat within the first floor that does not have independent access. To the rear of the property is the external play space for the nursery and at the far end of the external space is the garden area for the one bedroom flat. This residential garden/amenity space is accessed through the nursery's external play space. The property was previously a 4-bedroom dwelling house, with part of the ground floor used as a GP Surgery, although there are no planning records which show that planning permission was granted for the mixed use.

To the north of the application site is 148 Joel Street, a two-storey detached dwelling house, to the east (opposite) is a builders yard located within the Green Belt.

Norwich Road separates the application site from 154 Joel Street on the southern side. On the southwest side is 2 Norwich Road, a detached residential building. Norwich Road and this stretch of Joel Street is residential in character and appearance comprising predominantly semi-detached and detached houses of varying designs and the application site lies within the developed area as identified in the adopted Hillingdon Local Plan (November 2012).

3.2 Proposed Scheme

The application proposes a number of changes to the existing property and its operations:

1. Replace the existing first floor staff flat with a staff room and additional classroom.
2. Replace the residential garden amenity area at the far end of the external amenity

space with further play area for the nursery.

3. Changes to the hard and soft landscaping at the front of the dwelling to remove the pedestrian access gate on to Joel Street and reinstate a crossover to allow for a secondary vehicle access.

4. Amend the opening hours of the nursery from 08.00hrs to 07.30hrs to allow for a 'breakfast club'.

5. Remove the restriction on accommodating only a maximum of 38 children within the nursery to allow an additional 16 under 5-year-olds, resulting in a total of 54 children.

6. Remove the restriction of only a maximum of 19 children using the external amenity areas at any one time between 10.00hrs and 16.00hrs.

3.3 Relevant Planning History

698/APP/2008/2114 150 Joel Street Northwood

CHANGE OF USE OF DWELLING HOUSE TO A NURSERY SCHOOL (CLASS D1), SINGLE STOREY REAR EXTENSION, ALTERATIONS TO FRONT ELEVATION AND RELOCATION OF PEDESTRIAN AND VEHICLE ACCESS.

Decision: 14-11-2008 Refused

698/APP/2010/1947 150 Joel Street Northwood

Change of use from Class C3 (residential) to Class D1 (Non-residential institutions) for use as a nursery school, involving 1 one-bedroom flat, two storey front extension, single storey rear extension, alterations to existing elevations and alteration to existing crossover to front with associated parking and demolition of existing attached garage to side.

Decision: 02-11-2010 Refused

Appeal: 02-09-2011 Dismissed

698/APP/2011/2951 150 Joel Street Northwood

Change of use of dwellinghouse to a Nursery School (D1), including single storey side and rear extensions, two storey front extension, canopy to front, side and rear, alterations to the elevations and relocation of pedestrian and vehicular accesses, retention of a one bed staff flat at first floor level, involving demolition works.

Decision: 05-04-2012 Approved

Comment on Planning History

The principle of the replacement of the existing residential flat is connected to the planning history of the property.

The site was previously in use as a residential property and had two planning applications refused for the change of use of the property to a nursery (Use Class D1). The most recent refused application (ref. 698/APP/2010/1947) was refused on 3 grounds:

1. The proposal would result in the loss of residential accommodation comprising a 4-bedroom house, which makes a contribution to the boroughs' housing stock. No suitable replacement that would meet the Council's standards has been provided and therefore, the proposal is contrary to Policies H2 and H3 of the Hillingdon Unitary Development Plan Saved Policies September 2007.

2. The proposed front extension, by reason of its siting forward of the existing front wing, and roof form, introducing a flat roof design that would be substantially different from that of the main roof, would be detrimental to the character and appearance of the original house and visual amenities of the locality. The proposal is therefore contrary to policies BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

3. The proposal is likely to result in indiscriminate car parking and dangerous manoeuvres at/close to a road junction contrary to the interests of highway and pedestrian safety and the free flow of traffic. The proposal would therefore be contrary to Policies R13(iii) and (iv) and AM7(ii) of the Hillingdon Unitary Development Plan Saved Policies September 2007.

This decision was the subject of an appeal and whilst the appeal was dismissed, reasons 1 and 3 were not supported by the Planning Inspectorate. The Inspectorate decision was a material consideration in the determination of a following application in 2011 (application reference 698/APP/2011/2951) for 'Change of use of dwellinghouse to a Nursery School (D1), including single storey side and rear extensions, two storey front extension, canopy to front, side and rear, alterations to the elevations and relocation of pedestrian and vehicular accesses, retention of a one bed staff flat at first floor level, involving demolition works' that was approved on the 11th of April 2012.

Policy R13 of the Hillingdon Local Plan (November 2012) advises that where the proposal is for education and/or child care facilities, residential loss may be acceptable provided that only part of a property is involved and the remainder is capable of providing suitable living accommodation. This policy also establishes other criteria which would need to be addressed, namely that the proposal should not result in an over concentration of similar facilities, the amenities of an area and neighbouring properties should be safeguarded, the premises are accessible by public transport and the site can operate safely in terms of the dropping off and collection of children.

Policy H3 of the Hillingdon Local Plan (November 2012) states that 'the loss of residential accommodation will only be permitted if it is replaced within the boundary of the site'. Only in very exceptional circumstances will the loss of residential accommodation be permitted.

In determining whether the principle of the change of use was acceptable in application reference 698/APP/2010/1947, the appeal decision was taken into consideration. In this decision, the Inspector commented on Policies H3 and R13:

"Policies H3 and R13 do not state that replacement or remaining residential accommodation must be self contained. The underlying aim is to avoid diminution of the housing stock and the flat would contribute towards this by providing accommodation for a manager who would otherwise have to be housed elsewhere."

The Inspectorate highlighted the Local Plan's recognition of the need for additional day care facilities for pre-school children and also referred to the emerging Core Strategy.

"The emerging Core Strategy indicates that high and rising birth rates are leading to a pressing need for additional primary school places. Locally, there are considerably more pre-school age children than there are available nursery school places."

In this instance the Inspector concluded that the principle was acceptable. The Inspectorate noted that although "the proposed development would harm the provision of residential accommodation and conflict with the aims of Policies H2 and H3, this was outweighed by the need for nursery school places and would accord with Policy R13 in principle and with its criterion."

In light of the appeal decision it was concluded that the principle of the change of use was acceptable and as a form of residential accommodation would remain the proposal would comply with Policies R10, R13, H2 and H3 of the Hillingdon Local Plan (November 2012).

Consent for the change of use was therefore granted under application reference 698/APP/2011/2951. However Condition 8 of this consent stated:

'The residential unit shown on Drawing No. 1129:2.01 Rev A shall be used for no purpose other than as a use falling within Use Class C3 Dwellinghouse.

Reason: To safeguard the amenity of surrounding areas and maintain a adequate supply of residential units in the area in accordance with Policies H3 and OE3 of the Hillingdon Unitary Development Plan.'

In addition Condition 6 states:

'No more than 38 children shall be accommodated at the site at any one time.

Reason: To safeguard the amenity of surrounding areas and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.'

The current application proposes to remove the restrictions of these conditions.

The application to change the use of the first floor residential unit is supported by details from local estate agents which indicate that in their view the unit would not be a suitable property for the private rental market with it's current access arrangements. In addition a letter is provided by Mini Steps Nursery that also raises issues about the suitability of the unit for lease to external residents. The majority of the difficulties raised relate to the security and safety of the children within the nursery. Ofsted requirements are also listed that demonstrate the unsuitability of the unit for private let to someone who is independent of the nursery use.

The application also refers to Paragraph 7.8 of the Hillingdon Local Plan (November 2012) which as stated above sets out the exceptional circumstances where the loss of a residential unit might be deemed acceptable. These exceptional circumstances include where there are access issues relating to residential accommodation located over retail or other commercial premises, where the dwelling is unfit for habitation and where the existing dwelling is located adjacent to established uses that cause nuisance and disturbance.

However these arguments relate to the occupation of the residential unit by persons unrelated to the building's nursery use. The approved plans for the unit under application reference 698/APP/2011/2951 clearly state it is intended as the 'Resident Manager's Flat' (approved plan reference 1129: 2.01 Rev A) and the approved Design and Access Statement includes the following:

'The first floor will accommodate ages 0-2 years and associated facilities (e.g. baby change and milk prep area). It will also accommodate the staff residential unit.'

In addition, the Description of Development for the application included the following text 'retention of a one bed staff flat at first floor level'. There is no separate access to the first floor and without a separate access, the one bedroom unit is considered ancillary to the main Class D1 use.

The evidence provided regarding the unsuitability of the unit for open market residential use is not therefore deemed sufficient justification given that the unit was approved as ancillary to the main use of the building and clearly proposed for staff accommodation and

not open to market rental.

In addition to Policies R13 and H3, Policy R12 states that the Local Planning Authority will permit proposals for the use of premises to provide either full or sessional day care for preschool children provided the proposal does not result in the loss of any units of residential accommodation, does not have an unacceptable highways impact, meets parking standards and does not adversely affect the amenities of nearby residential properties.

Taking the above into consideration, the loss of the residential unit is not deemed to be in accordance with the relevant policies. The Inspector made it clear in their decision that the retention of a residential element on the site was a significant consideration in the determination of whether the principle of the change of use was acceptable.

Therefore the loss of all residential use on the site is deemed to be contrary to policy and the principle of the proposal is not supported.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 20th November 2017

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

34 Consultation Letters were sent to adjacent owners and occupiers on the 27/10/17. Site notices were posted around the site which expired on the 20th of November 2017. Three letters of objection were received that can be summarised as follows:

- Impact on pedestrian movement and safety
- Increased traffic/congestion
- Impact on road safety
- Loss of parking
- Noise and dust pollution

NORTH HILLS RESIDENTS ASSOCIATION

The property is at a very busy Junction and parking and pedestrian access is already difficult. We object to the loss of the residential unit.

INTERNAL CONSULTEES

HIGHWAYS

The application consists of :

- Change of use of the existing residential unit at first floor level into a nursery school (D1), also including the existing part of the garden allocated for residential use;
- Construction of a new crossover to replace the existing pedestrian access along Joel Street. The proposal would reinstate an existing crossover that was removed to accommodate the pedestrian access. The existing crossover on Norwich Road would be retained and used for entry only; the new crossover on Joel Street would be used for exit only.

The site of the existing building is on the corner of Joel Street, a classified road (B472), and Norwich Road, a local road. Both roads have a speed limit of 30mph. On-street parking is available on both roads.

The site has on-site car parking for staff only.

The existing building is a nursery for 38 children operating on Monday to Friday (0800 to 1800). There is an existing residential unit at first floor.

There is on-street parking stress generated by the existing nursery along with adjacent uses.

The PTAL rating is 2 (poor). Local bus services are accessible near the site, while Northwood Hills underground station (Metropolitan Line) is located approximately 450m to the north of the nursery.

The applicant has submitted a Transport Statement by ADL in support of the application.

The proposals would increase the maximum number of pupils from 38 to 54, (42% increase) along with 4 additional full and part-time staff over the existing 18 full and part-time staff on site.

The TS suggested that 54% of parents use a private car as mode of transport which would mean 29 parents dropping off in the morning and 29 picking up in the afternoon.

The TS suggests that there would be a maximum of 8 additional car trips in the morning peak hour (0800-0900).

It is anticipated that these additional trips would not have a severe impact on local traffic operations given the traffic levels that already pass through the junction.

The applicant carried out parking stress surveys within 100m of the site in both morning and afternoon periods and that demonstrated there was sufficient on-street additional capacity to cope with the additional demand for car parking even if all cars parked on the highway.

The TS also summarised the accidents in the area and showed that there were very few recorded accidents in the vicinity of the site.

The new crossover on Joel Street would be acceptable in terms of visibility splays and road safety.

Any approval should condition the pedestrian visibility splay requirements of 2.4mx2.4m in both directions from the back of the footway with no obstruction above 0.6m in height in areas where there are considerable children movements.

As part of the application, the applicant will need to supply details of proposed boundary treatment to demonstrate that the visibility requirements are met but this can be conditioned.

In order to accommodate the new crossover, the applicant intend to remove the existing pedestrian access. A new pedestrian access is shown on the proposed layout drawings.

The path should be able to accommodate parents with prams.

The proposals to create a drop off/pick up area still allow 2 staff car parking spaces to be provided.

On the basis of the above comments there will always be short periods of congestion outside nurseries and pre-school premises but in this case the increase is only 16 more pupils which I do not believe results in significant highway impact on the local highway system.

ACCESS OFFICER

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

Conclusion: acceptable

LANDSCAPE ARCHITECT

This site is occupied by a former house which has been converted into a day nursery for

children, with associated external play facilities, and access arrangements. The site is located at the junction of Joel street and Norwich Road. There are no tree, or landscape planning, constraints on the site, aside from those conditioned when the property was converted - see planning ref. 2013/3079.

The D&AS states that there will be no tree removal to accommodate the proposal. - In fact a mature tree which was due to be retained in the front garden was removed and replaced with a young birch. The current proposal will result in the loss of the birch and a significant reduction of soft landscape in the front. The residual green spaces are too small (and awkward) to plant and maintain. It is likely that the layout could be slightly adjusted to provide better soft landscape - without jeopardising the proposed car parking and vehicular access. If the proposal is acceptable the front garden and rear garden proposals should be subject to conditions.

No objection subject to conditions RES9 (parts 1, 2, 4 and 5).

6. **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H2	Restrictions on changes of use of residential properties
H3	Loss and replacement of residential accommodation
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
R10	Proposals for new meeting halls and buildings for education, social, community and health services
R13	Use of residential accommodation for educational and child care premises
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LPP 3.14	(2016) Existing Housing

- LPP 7.4 (2016) Local character
- LPP 7.6 (2016) Architecture
- LPP 8.3 (2016) Community infrastructure levy

In addition: The proposed development would be assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2016, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The approved scheme (application reference 698/APP/2011/2951) included a condition to limit the maximum number of children within the nursery to 38 in total and a condition to limit the number allowed in the external amenity area between the hours of 10.00hrs and 16.00hrs to 19 children. These conditions were attached in order to protect the amenity of adjacent occupiers. The current application seeks to remove these restrictions to allow an additional 16 under 5-year-olds to use the property and therefore allow a total of 54 children. The application also proposes to allow an additional 16 children to use the external amenity space.

The applicant has provided the following statement within the Design and Access Statement as justification to support why these restrictions are no longer required:

'This will have no detrimental impact on the noise to the surrounding area as there is a substantial number of trees and hedges around the site boundary and a new proposed 2m timber fence, creating an efficient buffer and will safeguard the amenity of the surrounding properties in accordance with Policy OE3 of the Unitary Development Plan.'

However the existing landscaping and a proposed replacement fence are not deemed sufficient to mitigate against the detrimental impact of increased noise and disturbance to adjacent occupiers. Therefore the concerns raised in relation to the consented change of use remain and the changes proposed are therefore deemed to have an unacceptable impact on the amenity of adjacent occupiers, contrary to Policies R12, OE1 and OE3 of the Hillingdon Local Plan Part 2 - Saved Policies (November 2012).

7.2 Impact on Street Scene

The Council's Landscape Architect has commented that the proposed landscaping arrangement is not at present acceptable and therefore the scheme as submitted would have a detrimental impact on the street scene. However as they have recommended that these issues be resolved through the imposition of conditions on any grant of planning consent this would not warrant a recommendation of refusal of the application.

7.3 Traffic Impact/Pedestrian Safety

The Council's Highways Engineer has reviewed the submitted details and, whilst acknowledging the highway/traffic issues that the intensification of the use might create at peak times, they have raised no objections to the application.

As no objections to the application have been received then the proposal is not deemed to have a significantly detrimental impact on the traffic and pedestrian safety such as to warrant a recommendation for refusal.

7.4 Carparking & Layout

The Council's Highways Engineer has reviewed the submitted details and have raised no

objections to the application.

7.5 Urban Design, Access and Security Considerations

The Council's Access Officer has considered the details of the planning application and concluded that there are no accessibility issues raised by the proposal. They have however asked for an informative to be added to any grant of planning consent.

7.6 Other Issues

The Council's Landscape Architect has commented that the proposed landscaping arrangement is not at present acceptable and therefore the scheme as submitted would have a detrimental impact on the street scene. However as these issues are recommended to be resolved through the imposition of conditions on any grant of planning consent this would not warrant a recommendation of refusal of the application.

8. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
London Plan (March 2016)
National Planning Policy Framework
Hillingdon Supplementary Planning Document - Noise

Contact Officer: Ed Laughton

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