

DELEGATED DECISION

Town and Country Planning, England

The Town and Country Planning (General Permitted Development) (Amendment and Consequential Provisions)(England) Order 2014 - Class IA

Permitted development

IA. Development consisting of -

(a) a change of use of a building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from

(i) a use falling with Class A1 (shops) or A2 (financial and professional services) of that Schedule; or

(ii) a mixed use combining use as a dwellinghouse with a use falling within either Class A1 (shops) or Class A2 (financial and professional services) of that Schedule (whether that use was granted permission under Class F of this Part or otherwise); and

(b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.

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

Report of the Head of Planning, Sport and Green Spaces

Address 78 HIGH STREET NORTHWOOD

Development: Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

LBH Ref Nos: 32265/APP/2021/710

Drawing Nos: FLU.1441.02
FLU.1441.03
FLU.1441.04
FLU.1441.05
FLU.1441.01
CIL Form

Date Plans Received: 23/02/2021

Date(s) of Amendment(s):

Date Application Valid: 04/03/2021

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Having regard to the proximity of No.78 High Street to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.

The proposed development, by reason of its siting within the Northwood High Street

Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

2.0 Planning Considerations

Site and Locality

The existing building is a two storey building located with the Northwood Local Parade. The existing use of the building is classified as a retail unit (Use Class E).

Proposed Scheme

The applicant is proposing the conversion of the existing retail unit into 2 x 2 bedroom residential units at ground and first floor level.

Legislation

The development has been assessed having regard to the provisions of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). It has been determined that the proposed development fails to comply with a number of statutory requirements set out within that legislative framework:

1. The applicant has demonstrated in Q.13 of the submitted application form that the gross internal floor area of the existing retail unit is 174 square metres. It is considered that the application submission constitutes development not permitted as the cumulative floorspace of the existing building changing use under Class M exceeds 150 square metres contrary to the provisions of Schedule 2, Part 3, Class M.1 (c) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. The applicant has demonstrated in Q.12 and Q.13 of the submitted application form that the gross internal floor area for the proposed residential units would be 174 square metres. It is considered that the application submission constitutes development not permitted as the development would result in more than 150 square metres of floor space in the building having changed use under Class M contrary to the provisions of Schedule 2, Part 3, Class M.1 (d) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. Having regard to the proximity of No.78 to the adjoining Kate Fassnidge Community Hall, it is considered that insufficient information has been submitted in order to enable the Local Planning Authority to establish whether the development complies with Condition M.2-(1)(f) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) in respect of the provision of adequate natural light in the Bedroom Areas at Ground Floor Level and the Kitchen and Sitting Room Areas towards the rear of the property at Ground Floor Level.
4. The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and

prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Other Considerations

Impact on the Design or external appearance of the building

Under Part M of the GPDO an assessment of the impact upon the external appearance of the property can also be made. The plans demonstrate that there would not be significant alterations to the exterior of the building as a result of the development. As such there are no objections to this aspect of the proposal.

Retail Impacts

The Council's Planning Policy Team have assessed the application and consider that the proposal is unacceptable in principle and have commented as follows:-

The site is located within the Northwood High Street Local Parade, which is designated in Table 3.2 of the Local Plan: Part 2 (2020). The building is therefore located in a key shopping area and the loss of a shop and its frontage in this location is likely to be harmful to the sustainability of this local parade. No information has been provided by the applicant which addresses the potential harm to the parade.

The proposed development, by reason of its siting within the Northwood High Street Local Parade, would result in the loss of an essential retail unit that would be harmful to the sustainability of this Local Shopping Parade contrary to the provisions of Policy DMTC 3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and prior approval is refused having regard to the provisions of Condition M.2-(1)(d)(ii) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Traffic Impacts

Policy DMT 2 of the Local Plan Part 2 considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy DMT 6 of the Hillingdon Local Plan: Part 2 seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

The Council's Highways Officer has commented as follows:-

'Site Characteristics & Background

This Prior Approval application is proposed under the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class M - Part 3 of Schedule 2) (as amended).

The application site forms retail at ground floor and residential above (1x2 bedroom flatted unit) located on the eastern side of the High Street in Northwood. It is proposed to convert the existing ground floor E(a) 'Retail' use class premises (formally class A1) to a 2x2 bedroom flats with 2 on-plot parking provisions located to the rear.

Most of the surrounding roadways exhibit stringent parking restrictions with Pay & Display facilities. The site is within walking distance of Northwood & Northwood Hills LU Stations but exhibits a relatively low public transport accessibility level (PTAL) rating of 1b however this

is not fully reflective of the good 'real world' public transport connectivity which is exemplified by the proximity of the LU stations and a plethora of available local bus routes. Sustainable travel choice to and from the address is therefore probable.

Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

The applicant proposes two 2-bedroom flatted residential units. In accord with the Council's parking standard, the proposal would demand 2 to 3 on-plot spaces. The proposal is presented with 2 on-plot parking provisions hence there is conformity to the standard. A parking allocation plan should be secured by way of planning condition in order to secure the appropriate single space per dwelling.

The only parking requirement in this case is related to providing 1 secure and accessible cycle space per unit in order to conform to the Council's adopted cycle parking standard. The applicant has not indicated such provision hence this requirement should be secured via planning condition.

Electric Vehicle Charging Points (EVCP's)

In line with the London Plan (2021), within any final parking quantum there is a requirement for a minimum 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions which in this case equates to 1 'active' and 1 'passive' space. This together with the parking allocation plan should be secured via planning condition in order to secure the appropriate level of EVCP and parking provision for each flat.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Given the current established E(a) 'Retail' use, the proposal is not anticipated to impose a discernible variation in traffic activity (in fact, a reduction in movements is anticipated) hence any related movement can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Operational Refuse & Servicing Requirements

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste storage is positioned at a point within this set distance. No detail is shown hence this aspect should be secured via planning condition.

Conclusion

In accord with the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class M - Part 3 of schedule 2) (as amended) there is broadly no objection to the conversion from use class E(a) to C3 residential use in transport and highways impact terms. To expand - the relatively minor scale of conversion to 2x2 bedroom residential units is highly unlikely to discernibly affect overall traffic generation to and from the site as compared to the prior demands of the 'baseline' E(a) use or indeed parking demand given the extensive surrounding on-street parking restraint mechanisms and on-plot provision.

Hence, on balance, in 'highway & transport' terms the proposal does not demand a

requirement for Prior Approval under Condition M.2 (1) (a) (transport and highway impacts of the development) of the Class M GPD (Amendment) Order 2015 (as amended).

As such there are no highways issues arising from the proposed development.

Flooding

The application site is not located within any Flood Zone and no flooding risks have been determined in relation to this building.

Consultation

Internal consultee comments as per the above.

10 letters of objection were received and a petition with 27 signatures, commenting as follows:-

- The development would lead to the unacceptable loss of an essential shop which has served the community for a number of years.
- The appearance of the proposed would not be suitable for a residential use.
- The development would cause harm to the character and appearance of the property.

Local representations have been noted, however there is a requirement to assess the merits of this proposal against the respective legislation and this application has been determined having regard to the provisions of Schedule 2, Part 3, Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Relevant Planning History

32265/A/84/1825 78 High Street Northwood
Change of use to Retail use 56sq.m.(P)

Decision Date: 15-02-1985 Refused

32265/B/86/1495 78 High Street Northwood
Alterations to elevation (P)

Decision Date: 26-09-1986 Approved

Contact Officer: Kelly Sweeney

Telephone No: 01895 250230

DRAFT DECISION NOTICE

Elaine Kimber
Fluent A D S Ltd.
69-71 Windmill Road
Sunbury On Thames
TW16 7DT

32265/APP/2021/710

The Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2014 No. 564).

The Council of the London Borough of Hillingdon as the Local Planning Authority hereby confirm that their **PRIOR APPROVAL IS REFUSED** for the proposed development at the address shown below, as described by the description shown below, and in accordance with the information that the developer provided to the local planning authority.

Address of the proposed development:

78 High Street Northwood

Description of proposed development:

Conversion of existing Retail Unit to create 2 x 2-bed apartments (Class C3) under Class M of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

Date of application:

04 March 2021

Plan Numbers:

FLU.1441.02 - received 23 Feb 0021
FLU.1441.03 - received 23 Feb 0021
FLU.1441.04 - received 23 Feb 0021
FLU.1441.05 - received 23 Feb 0021
FLU.1441.01 - received 23 Feb 0021
CIL Form - received 23 Feb 2021

Reason for Refusal:

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INFORMATIVES:

It is important that you read and understand all the following informatives

1. This written notice indicates that the proposed development will not comply with condition A.4 of Schedule 2 Part 1 Class A of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by SI 2008 No 2362 and SI 2013 No 1101). It is important to note that this written notice doesn't indicate whether or not the proposed development would comply with any of the other limitations or conditions of Schedule e Part 1 Class A.
2. Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

END OF SCHEDULE


James Rodger

Head of Planning, Transportation and Regeneration

Date Event DND Completed date will be entered here

Address:
Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk