

DELEGATED DECISION

Prior Approval Application under Part 4, Class J of Part 4 of The Town and Country (General Permitted Development) (England) Order 2013

Class J

Development consisting of a change of use of a building and any land within its curtilage to use a falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order from a use falling within Class B1(a) (offices) 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 DARRELL CHARLES COURT, COAXDEN DAY CENTRE OFFICES PARK ROAD UXBRIDGE

Development: Change of use from offices (Use Class B1(a)) to residential (Use Class C3) comprising 3 x 1-bedroom flats (Application for prior approval under The Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 3, Class O).

LBH Ref Nos: 11836/APP/2016/192

Drawing Nos: 2015/D/170/P/01 (Site Location Plan)
2015/D/170/02 (Existing Site Plan)
2015/D/170/03 (Proposed Floor Plan)

Date Plans Received: 19/01/2016

Date(s) of Amendment(s):

Date Application Valid: 27/01/2016

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL NOT REQUIRED

2.0 Planning Considerations

Site description:

Darrell Charles Court occupies an approximately 0.5 hectare broadly square shaped plot located on the east side of Park Road in Uxbridge. It comprises a three-storey 37 unit sheltered housing complex with associated grounds and parking.

The site is bounded to the north and east by Uxbridge College; to the south by a railway line, beyond which are allotment gardens; and to the west by Park Road, beyond which are residential properties. It falls within the developed area as designated in the Hillingdon Local Plan. Trees on site are protected by way of a Tree Preservation Order and the southern part of site, comprising part of the grounds and car park, falls within a Nature Conservation Site of Metropolitan or Borough Grade I Importance.

Proposal:

This application seeks prior approval for the change of use of a part of the site from offices (Use Class B1) to residential (Use Class C3), comprising three one-bedroom flats, Under Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Development would appear to already be underway.

Existing use:

Planning permission was granted for the redevelopment of the site to provide a three-storey building containing 37 one-bedroom sheltered housing flats, a single-storey day centre, a detached three-bedroom wardens house, associated car parking and formation of a new vehicular access, in 1990 (ref: 11836/L/89/2216). Aside from applications relating to works to protected trees, there are no more recent planning applications relating to the site.

There were no conditions attached to that consent which would restrict permitted development rights.

The floor plans indicate that the part of the site the subject of this application comprises offices and associated facilities. Officers have no reason to question the applicant's assertion that this part of the site falls within Class B1 of the Use Classes Order and, as such, this is accepted.

Legislation requirements and officer comments:

Class O of the Order states that development is not permitted if:

(a) the building is on article 2(5) land;

(b) the building was not used for a use falling within Class B1(a) (offices) of the Schedule to the Use Classes Order

(i) on 29th May 2013, or

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use;

(c) the use of the building falling within Class C3 (dwellinghouses) of that Schedule was begun after 30th May 2016;

(d) the site is, or forms part of, a safety hazard area;

(e) the site is, or forms part of, a military explosives storage area;

(f) the building is a listed building or is within the curtilage of a listed building; or

(g) the site is, or contains, a scheduled monument.

Officer comment: These criteria do not apply in this instance. As discussed above, on the balance of probabilities officers have no reason to question the use of the site. The site does not fall within a conservation area, it does not comprise a listed building and it does not accommodate any scheduled monuments. Furthermore, it does not fall within a military explosives area or a safety hazard area.

The Order goes on to set out conditions which must be met for a development to be regarded as permitted development. The Order requires that before beginning the development, the developer must apply to the Local Planning Authority for a determination as to whether the prior approval of the local planning authority will be required as to:

(i) transport and highways impacts of the development;

(ii) contamination risks on the site; and

(iii) flooding risks on the site.

Officer comment: It is not considered that the development would give rise to a significant increase in traffic to/from the site or parking demand which could be prejudicial to highway or pedestrian safety.

The Council's Contaminated Land Officer has raised no objections to the application and the Council's Flood and Water Management Officer has confirmed that the development would not result in any increased flood risk.

These matters are discussed in further detail below.

Conclusion:

It is not considered that the development would give rise to any unacceptable transport and highway impacts, contamination risks or flood risks. Accordingly, prior approval is not required.

3.0 CONSULTATIONS

Traffic Impacts

The Council's Housing Officer has verbally confirmed that Darrell Charles Court will remain in sheltered housing use and that the proposed new units will add to the existing sheltered housing accommodation.

This is not a use which typically gives rise to high levels of car use and, as such, it is not considered that the proposed units would give rise to a significant increase in traffic to/from the site or parking demand. Although very limited details have been provided with the application, the site appears to benefit from generous parking provision and it was noted that there was ample parking capacity at the time site visits were carried out. It was also noted that parking restrictions exist on Park Road to prevent on-street parking at all times. Limited on-street parking is available within the wider surrounding area but this is subject to restrictions at certain times of day. As such, the development could not lead to a significant increase in on-street parking demand within the surrounding area.

Given the limited number of units proposed, the nature of the proposed use and the character of the surrounding area, it is not considered that the development would give rise to increased traffic or parking demand which would be so significant as to have a detrimental impact on the local highway network. Accordingly, no objections are raised on highway grounds.

Contamination

The application site comprises a part of an existing residential development and no ground works are proposed. Records do not indicate that the site is likely to suffer from contamination. Notably, no objections have been raised by officers in the Council's Environmental Protection Unit in this regard.

Flooding

The site falls within flood zone 1. It does not fall within an area where any issued of flooding or surface water pooling have been identified. Furthermore, it comprises a part of a wider residential development. Accordingly, it is not considered that the development would give rise to any increased flood risk. Notably, the Council's Flood and Water Management Officer has raised no objections on flood risk grounds.

Consultee Comments

Schedule 2, Part 3, Class W of The Town and Country Planning (General Permitted Development) (England) Order 2015 sets out the procedure for applications for prior approval under Part 3 of that Order.

Paragraph 8 confirms that the Local Planning Authority must give notice of the proposed development by display of a site notice for a minimum period of 21 days or by serving a notice on any adjoining owner or occupier.

In excess of these minimum requirements consultation letters were sent to 45 local owner/occupiers and the North Uxbridge Residents' Association. A site notice was also posted. The statutory consultation period expired on 24/02/16. No responses have been received.

ENVIRONMENTAL PROTECTION UNIT

No objection subject to imposition of the standard information which provides guidance on control of nuisance from construction work.

FLOOD AND WATER MANAGEMENT OFFICER

The change of use is in Flood Zone 1 and so there are no flood risk comments on the application.

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