



PROGRESS PLANNING

Frays Court, 71-73 Cowley Road, Uxbridge, UB8 2AE

Prior Approval Planning Statement

September 2020

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Introduction

This statement has been prepared to support a prior approval application for 11 x 1 bedroom residential units within 2 additional storeys under Class AA, Part 20, of Schedule 2, of the GPDO. An associated prior approval application under Class O, Part 3, of Schedule 2, of the GPDO has secured consent for 19 units. This application seeks to provide new dwellinghouses within 2 additional storeys to an existing office building.

Planning History

The existing building was constructed in the 1980s and was used as an office building until it was vacated in late 2019. It was approved under application ref: 130304/UB/1375. Prior Approval Application 13010/APP/2020/1006 secured consent for 19 residential units on the site in early 2020 (under Class O, Part 3, of Schedule 2 of the GPDO). Subsequently, Planning Permission ref: 13010/APP/2020/1790 was approved at Committee in July 2020. This secured planning permission for 1 additional storey containing 4 residential flats (see CGI below). However, since the new Part 20 permitted development rights were introduced it became obvious that this building would meet the criteria to benefit from 2 additional storeys under the GPDO. Therefore, this application seeks prior approval consent for 2 additional storeys containing 11 flats in a design reflective of what was consented under the 1 storey planning permission.



Planning Permission ref: 13010/APP/2020/1790 for 1 additional storey of dwellinghouses

The Development Proposal

We have been instructed by our client Westcombe Group, to submit the enclosed prior approval at 71-73 Frays Court, Uxbridge, UB8 2AE.

Specifically, Prior Approval is sought for the following development:

‘Construction of two additional storeys of new dwellinghouses to provide 11 residential units (Class AA ‘New dwellinghouses on detached buildings in commercial or mixed use’, Part 20, of Schedule 2 of the GPDO, Prior Approval Application)

The building has been used as an office (B1(a) use class) for nearly 30 years. The existing building’s lawful use remains as a B1a office (New Use Class E) and has been vacant for 6 months.

We trust the enclosed is sufficient to validate and register this prior approval application, however please contact us immediately if this is not the case. Alongside this proposal, it is anticipated that this development will be implemented with the consented 19 unit prior approval application for change of use of the existing building to residential. This application secured a £28,000 contribution towards offsite drainage improvements to the public highway. A detailed survey was carried out for this application which informed the accompanying Flood Risk Assessment and measures set out in it including the Evacuation plan that shows that future residents would have safe dry access to and from the site even in the case of flood.

We will be in contact with the relevant officer once the application is registered. In the meantime, if there is any further information we can provide to assist you with your consideration of this application, please do not hesitate to contact us. Please note that my client’s solicitor is Gareth Williams of Royds Withy King. His email address is gareth.williams@roydswithyking.com and his telephone number is 020 7583 2222.

Please find below consideration of the relevant criteria that demonstrates that the proposal meets the requirements for Class AA, part 20, of Schedule 2 of the General Permitted Development Order 2015 (as amended 2020).

Policy and Legislation Context

Class AA of Part 20, Schedule 2 of the General Permitted Development Order 2020 permits development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the topmost storey on a detached building which is used for the purpose of Class A1, Class A2, Class A3, or Class B1(a) (Offices) of the Schedule to the Use Class Order or in a mixed use combining any of the above or a use falling within Class C3 of the Schedule to the Use Class Order.

Development is not permitted by Class AA if:

(a) above ground level, the building is less than three storeys in height;

The building comprises a lower ground, an upper ground level, a first floor level and a second floor level. The building is not less than three storeys in height above ground level.

(b)the building was constructed before 1st July 1948 or after 5th March 2018;

The building was constructed in the 1980's under approved application ref: 130304/UB/1375.

(c)on 5th March 2018 the building was in a use other than—

(i)a use or mixed use within paragraph AA(2)(a) or (b); or

(ii)a use falling within Class C3 of the Schedule to the Use Classes Order;

The building on the 5th March 2018 was in use as an office (Class B1(a) which is a use within paragraph AA(2)(a).

(d)the additional storeys are constructed other than on the principal part of the building;

The proposed two additional storeys will be located on the principal part of the building (see accompanying drawings for more details).

(e)the floor to ceiling height of any additional storey, measured internally, would exceed the lower of—

(i)3 metres; or

(ii)the floor to ceiling height, measured internally, of any storey of the principal part of the existing building;

The proposed floor to ceiling heights of the additional storeys, measured internally would match those on the lower floors which are less than 3m.

(f)the new dwellinghouses are not flats;

The new dwellinghouses are to be 11 x 1 bedroom flats.

(g)the height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case);

The existing building measures 12.7m and the building after construction of the 2 additional storeys would measure 18.8m. This would increase the height of the building by 6.1m which is less than 7m.

(h)the height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres;

The building with the 2 additional storeys would measure 18.8m in height.

(i)development under Class AA(1)(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;

This will not be required. Please refer to accompanying drawings for clarity of how it would appear without any visible supporting structures.

(j)development under Class AA(1)(a) would consist of engineering operations other than works within the existing curtilage of the building to—

(i)strengthen existing walls;

(ii)strengthen existing foundations; or

(iii)install or replace water, drainage, electricity, gas or other services;

No other engineering operations will be required other than the above listed.

(k)in the case of Class AA(1)(b) development there is no existing plant on the building;

N/A

(l)in the case of Class AA(1)(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the extended building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;

N/A

(m)development under Class AA(1)(c) would extend beyond the curtilage of the existing building;

N/A

(n)development under Class AA(1)(d) would—

(i)extend beyond the curtilage of the existing building;

(ii)be situated on land forward of a wall forming the principal elevation of the existing building; or

(iii)be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building; or

Not required as there is existing arrangements and there is separate consent regularising this provision.

(o)the land or site on which the building is located, is or forms part of—

(i)article 2(3) land;

(ii)a site of special scientific interest;

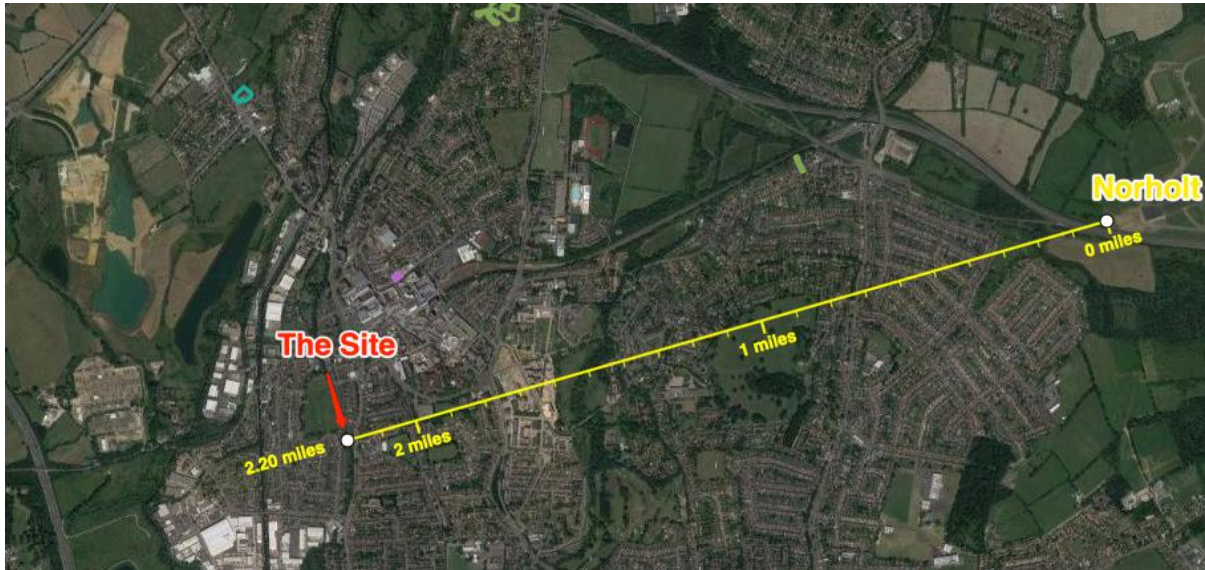
(iii)a listed building or land within its curtilage;

(iv)a scheduled monument or land within its curtilage;

(v)a safety hazard area;

- (vi) a military explosives storage area; or**
- (vii) land within 3 kilometres of the perimeter of an aerodrome.**

The site is not located within a conservation area; a site of special scientific interest; a listed building or land within its curtilage; a scheduled monument or land within its curtilage; a safety hazard area; a military explosives storage area; or land within 3km of the perimeter of an aerodrome (see below).



2.2 miles from RAF Northolt which equates to 3.5km separation distance

Class AA, Part 20, of the GPDO permits new dwellinghouses on detached buildings in commercial or mixed use subject to the following conditions that before beginning the development, the developer must apply to the Local Planning Authority for prior approval of the Authority as to:

- (a) transport and highways impacts of the development;**
- (b) air traffic and defence asset impacts of the development;**
- (c) contamination risks in relation to the building;**
- (d) flooding risks in relation to the building;**
- (e) the external appearance of the building, including—**
 - (i) the design and architectural features of—**
 - (aa) the principal elevation; and**
 - (bb) any side elevation that fronts a highway; and**
 - (ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;**

- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;**
- (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;**
- (h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;**
- (i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;**
- (j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(2) issued by the Secretary of State,**

For consideration of the above, please see the corresponding sections below.

(a) transport and highways impacts of the development;

The development is located within a Controlled Parking Zone and has a PTAL rating of 4 (See Image 1 below). The emerging London Plan states that a maximum level of 0.5 parking spaces should be provided for residential development in Outer London in areas with PTAL 4. This proposal would exceed this maximum level (based on a total of 30 units being delivered as part of the previous 19 consented prior approval scheme and additional 11 units hereby sought) but on balance is considered an appropriate level given the maximum standards set out in Hillingdon's Local Plan: Part 2 are higher. The lower ground floor level would accommodate 20 car parking spaces including 2 disabled parking bays.

Given the size and type of residential units sought (non-family sized comprising 1 bedroom units) and by virtue of the building's proximity to local amenities and Uxbridge town centre, with its good public transport links, this location is considered to be highly sustainable. The proposal would provide 20 off street car parking spaces inclusive of 2 parking bays that could be marked for disabled should the Council consider it necessary for these to be provided immediately. A condition could secure these and ensure that they were clearly marked out.



Undercroft car parking area

The Council's Local Plan: Part 2 states that office development should be provided with 1 space per 50-100 sqm of gross floorspace and 1/2 bedroom flats should have between 1-1.5 spaces per unit. Based on the current proposal (11 x 1 bedroom units) and given the existing office building measures 1077.8 sqm then the overall parking requirements would be a maximum of between 22-38 spaces. Given the high PTAL rating of the site and its proximity to the town centre / Uxbridge Tube Station, the scheme would exceed the requirements set out in the emerging London Plan and would be considered to have an appropriate level of parking. It is the client's ambition to deliver the already consented residential scheme (19 units) with these new 11 residential units which would deliver a total of 30 units. The Council's standards would suggest a maximum parking provision of 30 spaces for these small sized units whereas the emerging London Plan recommends a maximum parking provision of 15 spaces (0.5 parking ratio per flat). When both schemes are implemented, there would be 20 car parking spaces for 30 flats which would equate to a parking ratio of 0.67. This would be an appropriate level of parking given its highly sustainable location.

Nevertheless, should the Council consider it necessary to restrict access to parking permits for future occupiers, the applicant/owner would be satisfied with a condition requiring this to be secured prior to commencement of the development. Alternatively, a S106 could restrict car parking permits for future occupants thereby ensuring no overspill car parking.

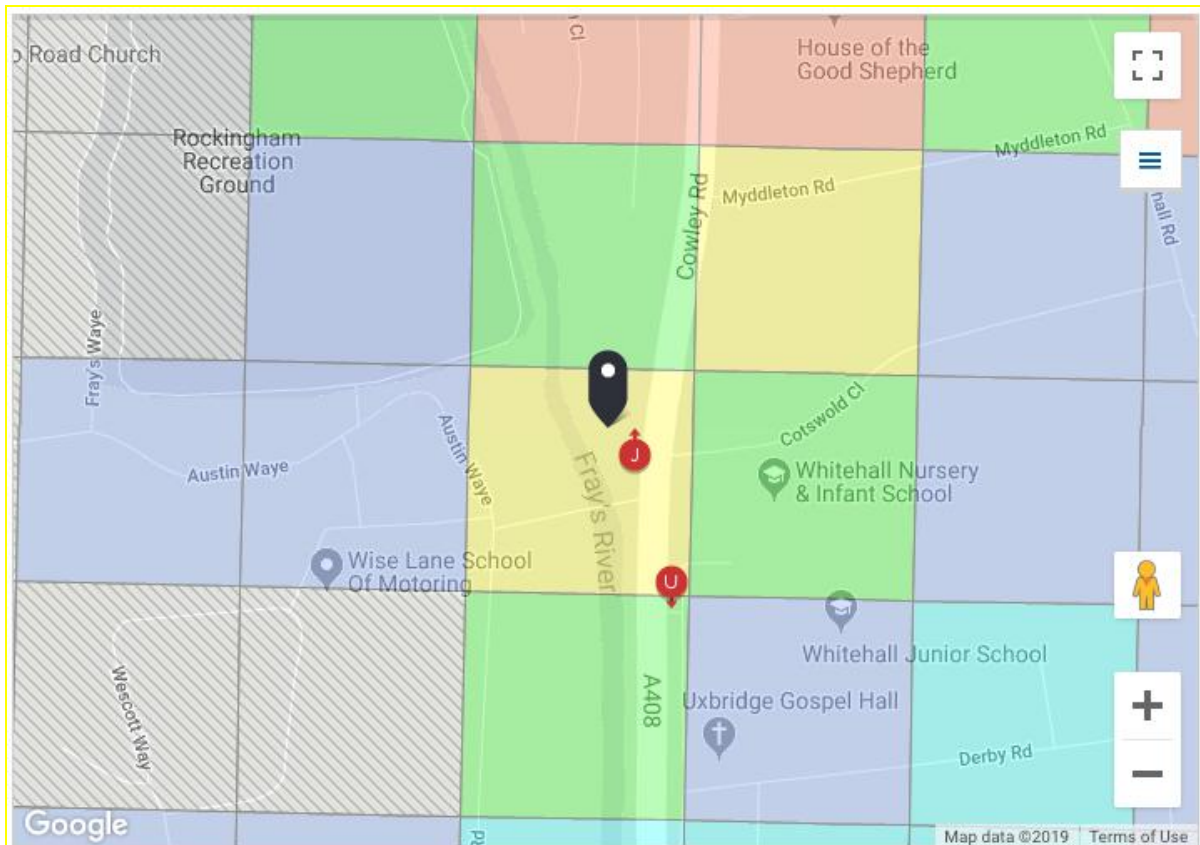
As adequate car parking is provided and future occupiers of the development would not have access to parking permits, the proposal would not be considered to increase parking demand on local streets. Similarly, there would be limited impact in terms of traffic generation or congestion on surrounding roads when compared with the existing use.

In terms of cycle parking, the existing lower ground floor plan that accompanies this application shows space for 30 secure, sheltered, and accessible cycle parking spaces to be located at this level which are accessible via the lift. Therefore, the proposal would comply with the Council's Local Plan standards in terms of cycle parking.

In terms of refuse servicing, the building would continue to be serviced from the front of the site. Refuse/recycling would be stored at lower ground level for the ease of future occupiers.

The refuse store would be accessible to residents and to collection vehicles as per the existing arrangements for the office and for the previously approved residential development.

Given that the general servicing arrangements for the site would remain similar to existing, it is considered that the proposal will not raise any transport or highway safety issues with regards to refuse/recycling. Nevertheless, should the Council consider it necessary, further details of the cycle and refuse/recycling storage could be provided and secured by condition.



You can click anywhere on the map to change the selected location.

PTAL output for Base Year

4

TFL PTAL MAP

(b) air traffic and defence asset impacts of the development;

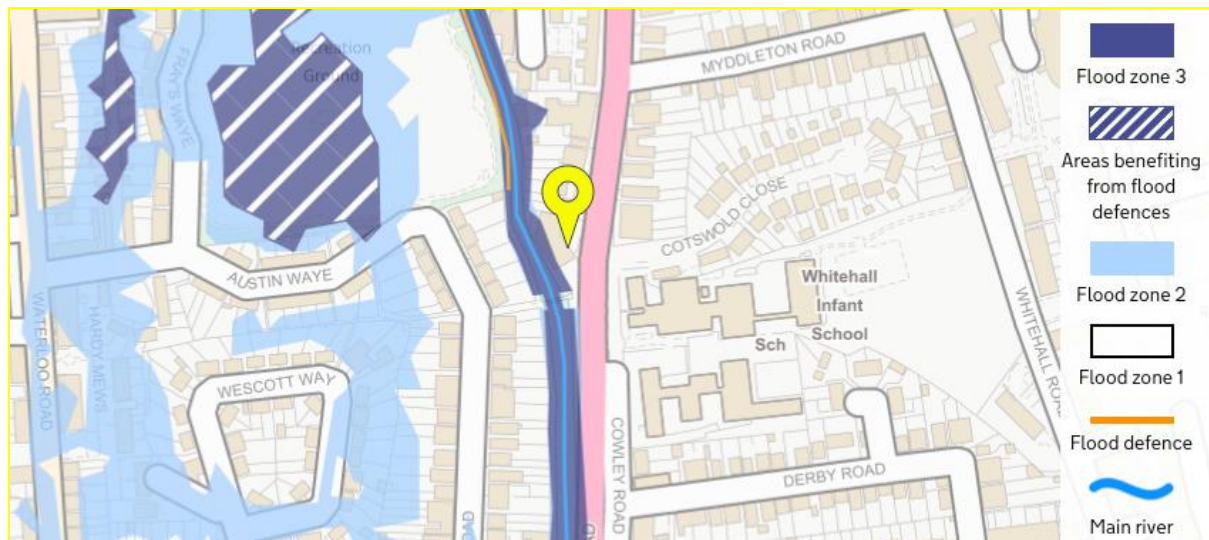
The existing site is located in excess of 3km from RAF Northolt. The additional 2 storeys would not have any impact on air traffic or defence assets given the separation and still modest overall height which is less than buildings nearby in Uxbridge town centre and the surroundings.

(c) contamination risks in relation to the building;

There are no known contamination risks on the site and the previous uses and adjacent uses are not considered to give rise to any such risks. Given the nature of the development (extensions to the roof of an existing office as per previous applications) there is considered to be limited risk of contamination to future occupiers. In addition, the proposal would not involve any ground works. Therefore, it is not anticipated that further details would be necessary to gain prior approval. Nevertheless, should the Council consider it necessary, a condition in relation to contamination could be imposed by the Council.

(d) flooding risks in relation to the building;

The majority of the site is located within Flood Zone 1. However, the bank along the Fray's River is located in Flood Zone 3 (See Environment Agency Map below). There are also parts of Cowley Road that suffers from surface water flooding.



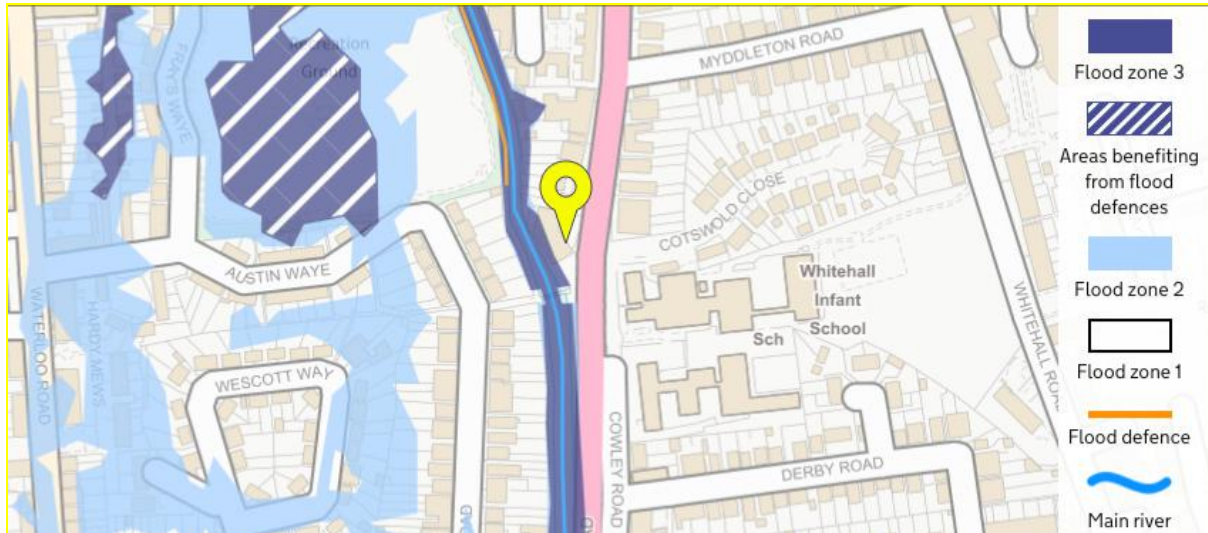
ENVIRONMENT AGENCY'S FLOOD MAP

A formal pre-application was lodged with Hillingdon Council to address concerns regarding flooding. At the meeting, the Local Flood Officer requested a detailed topographical survey of the road in order to better understand the issues. The TOPO found that the entrance to the site on Cowley Road is 31.93 AOD. Cowley Road falls from North to South towards Derby Road before rising gently towards Walford Road.

The lowest point on Cowley Road is approximately 190m South of the site and has an elevation of 31.38m AOD. This is 550mm lower than the entrance to the application site. The grass verge rises up from Cowley Road by 150mm to 400mm. The lowest point on the embankment of the river is 31.70m AOD, this is 230mm lower than the site access. Which means in the case of surface water flooding on the road, water would flow over into the river before reaching the access to the building. For further details, the Topographical Survey is included in Appendix A of the submitted FRA. The survey makes clear that any surface water flooding on Cowley Road would flow over the top of the grass embankment between the road and the river before it reaches the development site. Therefore, the risk from surface water flooding is very low.

Also, the Flood Risk Assessment demonstrates that a safe, dry access will be available to and from the site at all times during a flood event and a flood management and evacuation plan will be issued to all residents to inform them of procedures to be followed during a flooding incident.

The FRA has assessed the impact of climate change on flood levels and it has proved that even when the highest climate change allowance is factored in the site would still be free from flooding.



The Flood Risk Assessment by Lanmor Consulting concludes that the proposed site is suitable for development, as there will be no negative impact on the flood plain, flow paths or flood storage volumes, the development will be safe from flooding and a dry access can be provided to and from the property at all times.

Nevertheless, during the discussions in relation to the original 19 unit prior approval consent, it was recognised that farther to the South, Cowley Road does suffer from surface water issues. In order to alleviate this, this previous application secured a financial contribution of £28,000 towards provision of rain gardens or associated improvements to this section of the road to the South, to improve surface water flooding more widely beyond the application site. This was secured via a S106 and when this building comes forward for residential purposes these improvements will also be delivered, to the wider public benefit of the local community, in accordance with local, regional, and national planning policy.

(e) the external appearance of the building, including—

(i) the design and architectural features of—

(aa) the principal elevation; and

(bb) any side elevation that fronts a highway; and

(ii) the impact of any works under sub-paragraph (1)(c) or (d) of Class AA;

Chapter 7 of the London Plan sets out a series of overarching design principles for development in London and policy 7.6 seeks to promote world class, high quality design and design led change in key locations.

The application property is neither listed nor located within a conservation area. The proposal only seeks to add two additional storeys on part of the building situated away from neighbouring properties. The additional storeys would be integrated sympathetically into the existing design of the building (See accompanying CGIs) and it would be given a roof matching its style and character. It will also match the style and appearance of the additional storey

consented under planning application ref: 13010/APP/202/1790 which the Council considered acceptable in terms of design and appearance. The additional storey above what has been consented (2 storeys above existing) is not considered to significantly change the character of this detached building. It would not appear bulky or dominant and would be an attractive building at this gateway entrance to Uxbridge town centre.

It is worth mentioning that Progress Planning secured consent for a similar development (an extra residential floor to an office block) in Uxbridge recently and this has been completed at Lovell House, immediately next door to the Council's Civic Centre, and located within a conservation area. Feedback on this development was that you would never have known that an additional storey had been added because it had been blended in so successfully. This proposal would seek to accomplish the same sympathetic appearance that blends in with the architectural style of the existing building.

This other office development was in a Conservation Area and next to a Listed Building which was a more sensitive location. Nonetheless, the positioning of the application property affords the opportunity to add some modest height without appearing excessive in the streetscene. The resulting height of the building would not appear out of keeping with the streetscene given its corner like positioning at the southern end of the row of properties leading up to the entrance of the metropolitan town centre.

Similar to the proposal at Lovell House, the material palette and its design will reflect the surrounding context; the proposed matching brick will aid in softening the height, and be similar to that on the original building and neighbouring properties, integrating the development into its setting.

Overall, it is considered that the scheme will introduce a built form that is appropriate to its setting and in keeping with the townscape character of the area, in accordance with policy BE1 of the Local Plan: Part 1, policies 7.4, 7.6, 7.8, and 7.9 of the London Plan; and the National Planning Policy Framework.

(f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;

The proposal is for 11 x 1 bedroom units. All habitable rooms (both living spaces and bedrooms) have access to adequate outlook and daylight (see accompanying plans), so all habitable spaces benefit from direct sunlight for at least part of each day, in accordance with the Mayor of London's Housing SPG standard. Given the above, the proposed residential units, particularly given their elevated position on the building are considered to provide future occupiers with good quality accommodation with regards to adequate natural light.

(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light;

As mentioned earlier in the report, an application for an additional storey has already been accepted by the Council. One additional storey at this position would not affect neighbouring properties in terms of loss of light, particularly as the closest neighbouring property flanks

onto the site and has no primary habitable room windows facing the building. The building is located on an arterial route leading into Uxbridge Metropolitan Town Centre. The proposal would not extend the building nearer to any neighbouring properties and it is separated from the nearest residential neighbour. The window positionings proposed are located on the same elevations as previously consented under planning permission, therefore, openings at these locations are not considered to raise privacy concerns. There are no neighbouring residential properties that would be impacted by the proposal. Therefore, the amenity of occupiers within neighbouring properties is considered to be safeguarded.

(h) impacts of noise from any commercial premises on the intended occupiers of the new dwellinghouses;

The building is located on Cowley Road, which is a main road leading into Uxbridge town centre. However, the area is characterised by residential development and there are no commercial premises immediately adjacent to the building. Therefore, noise from commercial premises should not represent an issue for the proposed development.

In addition, it should be noted that the development would need to comply with Approved Document E 'Resistance to the passage of sound' of Building Regulations (2015 Edition) which would safeguard future occupiers from adverse levels of noise.

Notwithstanding, if considered necessary by the Council's Environmental Health Team, a condition to ensure that the residential accommodation met an acceptable noise criterion could be imposed.

(i) impacts of the introduction of, or an increase in, a residential use of premises in the area on the carrying on of any trade, business or other use of land in the area;

The existing building is vacant and has prior approval consent for residential conversion. There are no trade, business or other use of land in the area that would be impacted by the increase of residential use at this site.

(j) whether, because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15th March 2012(2) issued by the Secretary of State,

The development will not impact any protected views identified in the Directions Relating to Protected Vistas dated 15th March 2012 issued by the Secretary of State.

Conclusion

The proposal accords with the criteria set out under Class AA, Part 20, Schedule 2, of the GPDO, and it is considered to be acceptable with regards to the considerations under prior approval. Therefore, and in the spirit of the new changes introduced in 2020 to the GPDO (Build, Build, Build), there is considered to be no reason not to grant Prior Approval for these 11 proposed units.