

Our ref: JBB8455.C8283

London Borough of Hillingdon
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Date: 2nd March 2023

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Dear Sir/Madam,

Wellington House, 4-10 Cowley Road, Uxbridge, UB8 2XW

Prior Approval Application (Part 20, Class AA) - Erection of two additional storeys to accommodate 6no. studio apartments, 9no. one-bedroom apartments and 1no. two-bedroom apartment

On behalf of our client, Dunmoore Group (the Applicant), we hereby enclose a formal application for determination as to whether the prior approval of the London Borough of Hillingdon (LB Hillingdon) is required for the following development proposal:

'Construction of two additional storeys measuring 5.725m in height (19.6m above ground level) to provide no.16 residential units (Application for Prior Approval under Schedule 2, Part 20, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)'

This application is submitted in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015, (as amended 2016) and in particularly Schedule 2, Part 20, Class AA of this Order.

The application is submitted to LB Hillingdon for consideration within the 56-day notice period.

This letter, in conjunction with the enclosed working drawings, technical reports and the requisite application fee of £5,376.20 (including VAT and Service Charge) comprise the application.

The suite of application documents comprises:

- Application Form
- This Covering Letter (prepared by RPS)
- Design & Access Statement (prepared by Weston Allison Wright (WAW))
- Fire Safety Statement (prepared by RPS)
- Transport Statement (prepared by RPS)
- Envirorisk Report (prepared by Waterman)
- Pre-Acquisition Survey Report (prepared by Paragon)
- Daylight Sunlight Amenity Report (prepared by Hollis)
- Noise Assessment (prepared by RPS)
- Architectural plans as follows (all prepared by WAW)
 - Site Location Plan -001
 - Site Block Plan – 002
 - Existing & Proposed Ground Floor Plan – 003
 - Existing & Proposed First Floor Plans – 004
 - Existing & Proposed Second Floor Plans – 005
 - Existing & Proposed Third Floor Plans – 006

- Existing Roof Plan – 007
- Existing Sections – 008
- Existing Elevations 1 & 2 – 009
- Existing Elevations 3 & 4 – 010
- Proposed Plans Fourth & Fifth Floor – 011
- Proposed Roof Plan – 012
- Proposed Elevations 1 & 2 – 013
- Proposed Elevations 3 & 4 – 014
- Proposed Section CC – 015
- Proposed Site Plan - 016
- Ground Floor Construction Plan – 016
- 4th & 5th Floor FR Construction - 011

Site and Surroundings

The application site is 0.2ha in size and located approximately two miles from Junction 1 of the M40 and within close proximity albeit just outside of the defined boundary of Uxbridge town centre. The site is located to the east of Cowley Road and has a prominent frontage onto the junction of the A4020 and the A408.

Within the site is located Wellington House, a four-storey building of approximately 25,000 sq ft / 2,285sq m. Vehicular access is located off Cowley Road and currently serves 46 car parking spaces. The north-east and south-east boundaries of the site are delineated by brick walls of varying height adjoining a two-storey ex-services club situated to the rear of the Wellington House.

The neighbouring uses surrounding the site comprise of residential properties to the north and east; the Salvation Army building to the south and commercial properties to the west on the opposite side of Cowley Road, including business such as Kwik Fit. Uxbridge Memorial is also located further to the north. The site is located within the London Borough of Hillingdon. An aerial view of the site is shown below.



Existing Use

Wellington House was constructed in c.1988 for office use comprising of commercial floorspace (Use Class E). The building is a rectangular building covering around 35-40% of the site area.

The building is internally fitted for office use across all four floors of which three storeys are currently vacant, and one storey remains in use for office purposes (Use Class E(g)(i)). The building was constructed for and has only ever been used for office purposes.

Planning History

Wellington House has been the subject of a number of planning applications previously. In July 2017, application ref: 21755/APP/2017/1651 was approved for the creation of additional floor for use as office space, canopy to front and alterations to elevations and parking. In December 2017, prior approval was granted for the change of use from office accommodation (Use Class B1a) to 43 residential units (Use Class C3). While neither of these consents were ever implemented, the principle of residential use on the site and the upwards extension of Wellington House has previously been supported by the Council.

Proposed Development

The application proposes to construct two additional storeys to the existing Wellington House building to provide 16no. residential units. The accompanying drawings demonstrate how 16no. residential units can be accommodated. The development will comprise a mix of 6no. studio apartments, 9no. one-bedroom apartments and 1no. two-bedroom apartment.

The Proposed Site Plan indicates 37 car parking spaces will be provided on site, of which 12 will be allocated to the proposed residential units. Parking provision also includes 3 electric vehicles spaces and 1 disabled space. A total of 12 covered bicycle stands for 24 bicycles will be provided. Vehicular and cycle parking provision is provided in support of the proposed use and in accordance with London Plan standards. Further details are contained within the accompanying Transport Note.

Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)

On 31 August 2020, a series of amendments were made to the General Permitted Development Order (GPDO) including the addition of Schedule 2, Part 20, Class AA – *new dwellinghouses on detached buildings in commercial or mixed use*.

Schedule 2, Part 20, Class AA of the Order considers the following as ‘permitted development’

AA. (1) *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 to which sub-paragraph (2) applies, together with any or all –*

- (a) *engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;*
- (b) *works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;*
- (c) *works for the construction of appropriate and safe access to and egress from the new dwellinghouses and existing premises in the building, including means of escape from fire, via additional external doors or external staircases;*
- (d) *works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.*

(2) *This sub-paragraph applies to a building which is—*

(a) used for any purpose within Class A1 (shops), Class A2 (financial and professional services), Class A3 (restaurants and cafes) or Class B1(a) (offices) of the Schedule to [the 1987 Order], or as a betting office, pay day loan shop or launderette;

(b) in a mixed use combining—

- i. two or more uses within paragraph (a); or*

- ii. a use falling within Class C3 (dwellinghouses) of the Schedule to [the 1987 Order], together with one or more uses within paragraph (a).

(3) In relation to Class AA, “the 1987 Order” means the Use Classes Order as in force on 5th March 2018.

Class AA.1 states that Development is not permitted by Class AA if:

(za) the permission to use the building as a dwellinghouse has been granted only by virtue of Class MA of Part 3 of this Schedule;

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

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

(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;

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

(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;

(f) the new dwellinghouses are not 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);

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

(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;

(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;

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

(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;

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

(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

- (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.*

Class AA Restrictions to Permitted Development

AA.2 (1) states that where any development under Class AA is proposed, development is permitted subject to the condition 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 issued by the Secretary of State;*
- (k) where the existing building is 18 metres or more in height, the fire safety of the external wall construction of the existing building; and*
- (l) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.*

and the provisions of paragraph B (prior approval) of this Part apply in relation to that application.

Class AA.2 (2) states that in sub-paragraph (1)(h), “commercial premises” means any premises in the building or the surrounding area which are normally used for the purpose of carrying on any trade or business, and includes any premises licensed under the Licensing Act 2003 or any other place of public entertainment.

Class AA.2 (3) states that any development under Class AA is permitted subject to the condition that it must be completed within a period of 3 years starting with the date prior approval is granted.

Class AA.2 (4) states that any development under Class AA is permitted subject to the condition that before beginning the development, the developer must provide the local planning authority with a report for the management of the construction of the development, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

Class AA.2 (5) states that the developer must notify the local planning authority of the completion of the development as soon as reasonably practicable after completion.

Class AA.2 (6) states that the notification referred to in sub-paragraph (5) must be in writing and must include—

- (a) *the name of the developer;*
- (b) *the address or location of the development; and*
- (c) *the date of completion.*

Class AA.2 (7) states that following the development, every dwellinghouse in the building must remain in use as a dwellinghouse within the meaning of Class C3 of the Schedule to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the primary use as a dwellinghouse.

Class AA Restrictions to Permitted Development

Class AA.1 (a-o)

- (a) The building is four storeys in height.
- (b) The building was constructed in c.1988.
- (c) On 5th March 2018 the building was in office use (Use Class E(g)(i)).
- (d) The additional storeys are to be constructed on the principal part of the building.
- (e) The floor to ceiling height of the additional storeys do not exceed 3 metres.
- (f) The residential units proposed are flats.
- (g) The highest part of the additional storeys does not exceed the highest part of the existing building by more than 7 metres.
- (h) The highest part of the additional storeys does not exceed 30 metres above ground level.
- (i) No visible support structures on or attached to the exterior of the building would be required upon completion of the development.
- (j) The development would not consist of engineering operations other than works within the existing curtilage of the building to strengthen existing walls, strengthen existing foundations; or install or replace utilities.
- (k) There is an existing plant on the building and is therefore considered Class AA(1)(b) development
- (l) The height of the proposed metal louvred plant screen would not exceed the height of the existing plant as measured from the lowest part of the existing building.
- (m) The development would not extend beyond the curtilage of the existing building.
- (n) Development is not being sought under Class AA(1)(d).
- (o) The site is not located, or forms part of either article 2(3) land; a SSSI; a listed building or land within its curtilage; a scheduled monument or land within its curtilage; a safety hazard area; a military explosives area; or land within 3km of an aerodrome.

The development therefore satisfies Class AA.1 (a-o).

Class AA Conditions of Permitted Development

Pursuant to Class AA.2 (Conditions), the following sets out information on the areas that LB Hillingdon will consider in order to determine whether prior approval is required.

Highways and Transport

RPS Transport was appointed by the applicant to prepare a Transport Note addressing the highways and transport implications of the proposed extension to provide two additional storeys for residential use.

The site is well served by pedestrian and cycling infrastructure within the vicinity of the site. Frequent bus services operate within 200 metres from the development site, provide access to destinations within the Uxbridge area, and further afield to Slough, Hounslow, and Hedgerley. The nearest underground station to the site is Uxbridge Underground Station which is located approximately 450m north of the site in Uxbridge town centre. The Metropolitan and Piccadilly lines operate from this station, providing frequent links into the centre of London.

The development site will benefit from 12 parking spaces provided at the existing car park to the rear of Wellington House, similarly 24 cycle parking will be provided in accordance with standards detailed within the London Plan. The trip generation and parking accumulation assessment presented in the Transport Statement shows that the proposed development will have minimal traffic impact to the site's surrounding highway network. The highways note concludes that there are no highway reasons why the development proposals should require prior approval.

Air Traffic and Defence Asset Impacts

The site is not located within 3 kilometres of the perimeter of an aerodrome. RAF Station Northolt aerodrome is located 3.34km to the east of the site and Heathrow Airport is located approximately 6.8km to the south of the site. It is not considered that the proposed development would be significantly affected by aircraft noise and is compliant with Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies.

Contamination

Paragon Building Consultancy Ltd were appointed to prepare an Environmental Audit Report which considered contamination risks on site. The report forms Appendix 5 of the enclosed Survey Report.

The report does not identify any significant issues of environmental concern. It states that with respect to above ground receptors coming into contact with underlying contamination (if present) the risk is considered to be low given the extensive coverage of hardstanding at the site. In the case of a change of use, the risks are further diminished. Asbestos containing materials are present within the building in places however these can be adequately managed in situ at this time.

Overall, there are no contamination risks on site and therefore it is not considered there presents any contamination risk associated with the development and accords with Policy DMEI 12 of the Hillingdon Local Plan: Part 2 -Development Management Policies (January 2020).

Flood Risk

The Environment Agency's (EA) online flood mapping resource was used to classify the site location as Flood Zone 1. The site is therefore considered to be at minimal risk of flooding from fluvial or maritime sources. The site area is 0.2ha and therefore is well below the site area threshold of 1ha that would require a Flood Risk Assessment.

Furthermore, the Council have undertaken an Addendum to their Strategic Flood Risk Assessment as part of the evidence base for their Local Plan Part 2. From our review of this Assessment, there is no suggestion that the site would be at risk of flooding.

Accordingly, there is no flooding risk associated with the proposed development on site. As such the proposal is considered compliant with the requirements of Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020). We therefore respectfully suggest that there is no requirement for prior approval on matters of potential flood risk.

External Appearance

The two-storey addition has been designed to resemble and complement the existing building. The proposed windows have been positioned to match the existing window bays below. Any areas where no windows are required due to the internal layouts, blanked windows with dark grey etched glass are proposed to continue the symmetry of the windows on the floors below. The new addition will be clad in a wide plank metal cladding laid vertically with the colour to match the existing building. To help reduce the impact of the new extension, it has been set back from the existing façade and the existing parapet has been raised by 310mm. The new parapet will be decorated to tie in with the existing building.

The height difference between the existing parapet and the new roof line is 5835mm. The existing building has a series of taller substantial masonry protrusions from the flat roof on the north and east facades. The height difference from these to the new roof level is 2549mm.

Based on this the height difference on the north and east facades of the building are small. The proposed mechanical plant area on the roof will be surrounded by a metal louvred plant screen. This plant screen will be 1500mm tall however 200mm of it will be obscured by the new roof parapet meaning only 1300mm will be visible. The small area of lift overrun will be decorated to match the existing building.

As both areas are set back their visual impact within the streetscene would be minimal. Access to the roof will be via a hatch from the fifth floor. The scale of the extension has been kept as small as possible whilst still following the "Technical housing standards - nationally described space standard." The appearance of proposed extension would be in-keeping with the scale of the existing building and the surroundings especially given the nature of the large-scale buildings to the north of the site. It is considered the proposed development would accord with Policies DMHB 10 and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies

Amenity

The proposed rooftop extension will be set back from the elevations of the existing building, meaning outlook from the new office will offer no greater penetration towards nearby buildings than the current building. Accordingly, there would be no greater impact on the amenity of surrounding residential occupiers to the east and southeast than already exists. The position of Wellington House in relation to the residential properties at Kendal Mews is such that there would be no adverse overlooking caused to these properties. New Windsor Court is located approximately 29m to the east of Wellington House and therefore complies with the minimum 21 metres separation distance between windows of habitable rooms as outlined in Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

Daylight Sunlight Amenity Report

Hollis were appointed by the applicant to prepare an Assessment to assess whether adequate natural light would be provided in all habitable rooms of the proposed residential units. All rooms and the 90 windows proposed have been modelled and the report concludes that all units meet or exceed the recommended levels for both daylight and sunlight tests. It is therefore considered that the development would be in accordance with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that all housing development should provide an appropriate living environment.

Noise impacts from commercial premises on intended occupiers

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RPS Acoustics were appointed by the applicant to prepare a Noise Assessment to review the potential for adverse noise effects on new residential occupiers at Wellington House from surrounding commercial premises, as is indicated to be the test within Class AA.

The Noise Assessment states that the main potential commercial noise source located close to the site is the Kwik Fit car garage across Cowley Road. However, due to the high levels of road traffic noise at the site commercial sound from Kwik Fit is not audible at the proposed development site. Whilst on site it was also noted that that Kwik Fit opening hours 08:00 to 18:00 hrs on weekdays (with reduced hours during the weekend). Therefore, the business will not operate in the evening or night-time when the level of traffic noise at the site could be reduced (although as this is a town centre location it is unlikely traffic noise levels will be significantly reduced outside normal working hours).

Inspection of the other land uses in close proximity of the site (residential buildings and Salvation Army office) also found no evidence of plant / activities likely to generate significant commercial noise. Therefore, it is considered the site is not affected by noise from commercial premises.

Impact on Trade and Business

It is not anticipated that any trade, business or other use of land in the area would be adversely impacted. Only one floor of the building is in office use, the rest of the building is vacant. Furthermore, the proposed development would not have a detrimental impact on the local highway network which could have otherwise prejudiced trade and business in the area. Earlier applications / prior approvals have established the principle of residential use and upwards extensions on the site.

Impact on Protected View

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.

Fire Risk

RPS Structural and Fire Engineering were appointed by the applicant to prepare a Fire Safety Statement. The statement considered that the fire safety of the proposed development satisfies the requirements of the London Plan Policy D12A. Furthermore, where the proposed building will be provided with lifts, fire evacuation lifts will be provided in compliance with the London Plan Policy D5 (B5).

Summary

I trust you have sufficient information to consider this application request to construct two additional storeys to Wellington House, Cowley Road, Uxbridge to provide no.16 residential units (Use Class C3)

We believe that sufficient information is enclosed with this application submission to enable the Local Planning Authority to determine that prior approval would not be required for the additional storeys.

We look forward to receiving written advice from the Council in due course. Please do not hesitate to contact me should you require any further information.

Yours sincerely,
for RPS Consulting Services Ltd

Tom Ayres

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Our ref: JBB8455

cc: Alex Marshall, Dunmoore Group