

Report of the Head of Planning and Enforcement

Address 2 & 4 NORTHWOOD ROAD HAREFIELD

Development: Change of use from retail (Class E) to Residential (Class C3) (Application under Class MA, Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended)).

LBH Ref Nos: 24375/APP/2022/428

Drawing Nos: 6066OS 01p2
6066 / 02p2
6066 / 03p1
6066 / 05p1
6066 / 06p1
6066 / 07p3
Planning Statement
Energy Performance Certificate recommendation report

Date Plans Received: 11/02/2022

Date(s) of Amendment(s):

Date Application Valid: 22/02/2022

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

Insufficient information has been submitted to enable the Local Planning Authority to establish whether the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval. The proposal therefore fails to comply with provision MA.1.(1)(a) of Class MA, Part 3, Schedule 2 of the Town and County Planning (General Permitted Development) (England) Order 2015 (as amended).

2.0 Planning Considerations

Class MA - commercial, business and service uses to dwellinghouses

Permitted development

MA. Development consisting of a change of use of a building and any land within its curtilage from a use falling within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order to a use falling within Class C3 (dwellinghouses) of Schedule 1 to that Order.

Development not permitted

MA.1.-(1)Development is not permitted by Class MA-

(a) unless the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval;

Planning Officer Comment: Notwithstanding the submitted Planning Statement, no evidence has been submitted to demonstrate that the building has been vacant for a continuous period of at least 3 months immediately prior to the date of the application for prior approval.

(b) unless the use of the building fell within one or more of the classes specified in subparagraph (2) for a continuous period of at least 2 years prior to the date of the application for prior approval;

Planning Officer Comment: Based on the information available, it is considered that the ground floor level of the building falls within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order for a continuous period of at least 2 years prior to the date of the application for prior approval.

(c) if the cumulative floor space of the existing building changing use under Class MA exceeds 1,500 square metres;

Planning Officer Comment: The cumulative floor space of the existing building changing use under Class MA does not exceeds 1,500 square metres.

(d) if land covered by, or within the curtilage of, the building-

- (i) is or forms part of a site of special scientific interest;
- (ii) is or forms part of a listed building or land within its curtilage;
- (iii) is or forms part of a scheduled monument or land within its curtilage;
- (iv) is or forms part of a safety hazard area; or
- (v) is or forms part of a military explosives storage area;

Planning Officer comment: The land/curtilage of the building does not form part of 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; or a military explosives storage area.

(e) if the building is within-

- (i) an area of outstanding natural beauty;
- (ii) an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981,
- (iii) the Broads;
- (iv) a National Park; or
- (v) a World Heritage Site;

Planning Officer comment: The building is not within an area of outstanding natural beauty; an area specified by the Secretary of State for the purposes of section 41(3) of the Wildlife and Countryside Act 1981; the Broads; a National Park; nor a World Heritage Site.

(f) if the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained; or

Planning Officer Comment: The site is not occupied under an agricultural tenancy.

(g) before 1 August 2022, if-

- (i) the proposed development is of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021; and
- (ii) the development would not have been permitted under Class O immediately before 1st

August 2021 by virtue of the operation of a direction under article 4(1) of this Order which has not since been cancelled in accordance with the provisions of Schedule 3.

Planning Officer Comment: The site is not covered by an Article 4 Direction which removes permitted development rights to change the use of offices to dwellinghouses (Class O of the GPDO).

Conditions

MA.2.-(1) Development under Class MA is permitted subject to the following conditions. (2) Before beginning development under Class MA, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

(a) transport impacts of the development, particularly to ensure safe site access;

Planning Officer Comment: With regards to Condition MA.2.(2)(a), the site would provide three on-site car parking spaces for the existing and proposed flats.

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway, junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states 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.

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 3 bedrooms flats to have a maximum of 2 on-site car parking spaces. The submitted site plan shows that two on-site car parking spaces would be allocated to the proposed flat and one car parking space would be allocated to the existing first floor flat. The proposed on-site car parking provision would comply with the Council's adopted car parking standards. It is therefore considered that the proposal would not unacceptably exacerbate the demand for street parking.

Had this application been recommended for approval, a condition would have been secured requiring 1 'active' and 1 'passive' electric charging points to be secured by condition. A parking allocation plan would have also been secured by condition.

Bicycle provision:

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site. Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires 2 cycle spaces per 3 bed flat.

No cycle store details are shown on the submitted drawings. However, full details (including the location, dimensions and design of the cycle store) could have been secured by way of a condition, had this application been recommended for approval. It is recommended that any resubmission includes these details.

Waste collection:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

No refuse/recycling details for the proposed flat have been shown on the submitted drawings. However, full details (including the location, dimensions and bin store screening) could have been secured by way of a condition, had this application been recommended for approval. It is recommended that any resubmission includes these details.

(b) contamination risks in relation to the building;

Planning Officer Comment: With regard to Condition MA.2.(2)(b), the site does not fall within a Potentially Contaminated Land zone (based on the Council's GIS Map).

(c) flooding risks in relation to the building;

Planning Officer Comment: With regard to Condition MA.2.(2) (d), the site falls within Flood Zone 1 and the proposed development is not proposing an enlargement to the existing building. It is therefore considered that the development would not result in any markedly unacceptable flood risk impacts.

(d) impacts of noise from commercial premises on the intended occupiers of the development;

Planning Officer Comment: With regards to Condition MA.2.(d), the proposed flat would be situated in a predominately residential street. It is considered that the immediately adjoining buildings are in residential use. It is considered that the intended occupiers of the development would not be adversely impacted by noise from commercial premises.

(e) where-

(i) the building is located in a conservation area, and

(ii) the development involves a change of use of the whole or part of the ground floor, the impact of that change of use on the character or sustainability of the conservation area;

Planning Officer Comment: With regard to Condition MA.2.(e), the building is located within the Harefield Village Conservation Area and the development involves a change of use of the whole of the ground floor of the building. No external alterations are being proposed to the building, and the character of the street is residential in nature. As such, it is considered that the proposed change of use would not have a harmful impact on the character or sustainability of the conservation area.

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

Planning Officer Comment: With regard to Condition MA.2.(f), the proposed flat would be dual aspect and all habitable rooms would benefit from a window. It is therefore considered that all habitable rooms have adequate access to natural light.

(g) the impact on intended occupiers of the development of the introduction of residential use in an area the authority considers to be important for general or heavy industry, waste

management, storage and distribution, or a mix of such uses;

Planning Officer Comment: With regard to Condition MA.2.(g), the authority does not consider the area in which the site is located in as important for general or heavy industry, waste management, storage and distribution, or a mix of such uses.

(h) where the development involves the loss of services provided by-

(i) a registered nursery, or

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006, the impact on the local provision of the type of services lost;

Planning Officer Comment: With regard to Condition MA.2.(h), the development would not result in the loss of services provided by a registered nursery, or a health centre maintained under section 2 or 3 of the National Health Service Act 2006.

(i) where the development meets the fire risk condition, the fire safety impacts on the intended occupants of the building.

Planning Officer Comment: With regard to Condition MA.2.(i), the development does not meet the fire risk condition set out in paragraph MA.3.

Internal Space Standards:

Paragraph 3(9A) of the GPDO states that Schedule 2 does not grant permission for, or authorise any development of, any new dwellinghouse-

(a) where the gross internal floor area is less than 37 square metres in size; or

(b) that does not comply with the nationally described space standard issued by the Department for Communities and Local Government on 27th March 2015.

(9B) The reference in paragraph (9A) to the nationally described space standard is to that standard read together with the notes dated 19th May 2016 which apply to it.

The nationally described space standard (2015) requires 3 bedrooms 4 person flats to have a minimum gross internal floor area of 74 square metres. The proposed flat would exceed this requirement.

Noise and Odour Impacts

Refer to section 2.0 of this report for the relevant planning assessment.

Waste Handling and Storage Impacts

Refer to section 2.0 of this report for the relevant planning assessment.

Traffic Impacts

Refer to section 2.0 of this report for the relevant planning assessment.

External Appearance / Opening Hours

Refer to section 2.0 of this report for the relevant planning assessment.

Retail Impacts

Refer to section 2.0 of this report for the relevant planning assessment.

Consultation

Eight neighbouring properties were consulted on 24th February 2022. A site notice was displayed on 1st March 2022. The consultation period expired on 22nd March 2022. One representation was received, and their comments are summarised as follows:

-Even though housing is needed this application will take another valuable retail opportunity away from Harefield residents.

Planning Officer Response: Class MA of the GPDO only allows the loss of serviced provided by a registered nursery or a health centre maintained under section 2 or 3 of the National Health Service Act 2006 to be considered. Given that the existing retail unit does not fall within these categories, the impact of its loss cannot be considered as part of this Prior Approval application.

Denham Aerodrome: "We would like to draw attention to the fact that the site is within the Denham Aerodrome Traffic Zone. Denham is a long established Civil Aviation Authority Licenced Aerodrome providing facilities for business aviation and flying training for both fixed and rotary wing aircraft, and may be available for use at any time. It is inevitable that any occupants in this location will both hear and see aircraft operating including aircraft and it is important that all concerned are aware of the juxtaposition of the sites."

Planning Officer Response: An informative would have been secured to the decision notice advising the applicant of this matter, had this application been recommended for approval.

Relevant Planning History

Comment on Planning History

There is no relevant planning history attached to this site.

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