

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

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

Item No. **Report of the Head of Planning, Building Control, Sport & Green Spaces**

Address LIDI STORE, 482 UXBRIDGE ROAD HAYES

Development: Single storey extension and alterations to elevations

LBH Ref Nos: **26168/APP/2014/2028**

Drawing Nos: Design and Access Statement
 Location Plan (1:1250)
 3230/5_01 Rev. B
 3230/5_04
 3230/103 Rev. A
 3230/5_02 Rev. B
 3230/5_03 Rev. B
 3230/102
 3230/101

Date Plans received : 13/06/2014

Date(s) of Amendment(s):

Date Application Valid: 13/06/2014

1. **SUMMARY**

The application seeks planning permission for the erection of a single storey extension and alterations. The extension would measure 52M (W) by 5.5m(D) and results in an increased width of 25m over that which was recently allowed at appeal.

Given the previous appeal decision, the proposed development is considered to have an acceptable impact upon the visual amenities of the site and surroundings. Furthermore, the development would be located a significant distance from the neighbouring properties so would not lead to a loss of amenity of the neighbouring properties.

However, the proposal would result in the loss of 20 additional parking spaces from the site following the construction of the extension allowed at appeal. The applicant has failed to demonstrate that the loss of these parking spaces would not result in an increased demand for off site parking which could be prejudicial to highway safety.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development fails to demonstrate that the extended building with the resultant loss of 20 parking spaces on the site would provide sufficient off street parking provision which meets the Council's approved parking standards. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted car parking standards.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all

relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is commercial property located on Uxbridge Road in Hayes. The site is located on the junction of The Warren and Uxbridge Road. The site is surrounded by commercial, leisure and residential uses. The site itself is currently occupied by a large retail store with an L-shaped car park which wraps around the unit. The access to the site is from The Warren.

3.2 Proposed Scheme

The application seeks planning permission for the erection of a single storey extension and alterations. The extension would measure 52M (W) by 5.5m(D) and results in an increased width of 25m over that which was allowed at appeal and has been constructed. The extension would accommodate a bakery, freezer and fresh storage area. The

external alterations involve new shop front glazing and a remodelled entrance.

The proposed extension and revisions to the existing car park layout would result in the loss of 20 car parking spaces from the site (from 123 to 103 in total). The previously allowed scheme, now constructed, resulted in the loss of 14 car parking spaces.

3.3 Relevant Planning History

26168/ADV/2008/121 482 Uxbridge Road Hayes

Installation of a non-illuminated billboard hoarding

Decision: 12-03-2009 Refused **Appeal:** 24-07-2009 Dismissed

26168/ADV/2009/50 Lidl Store, 482 Uxbridge Road Hayes

Installation of 3 non-illuminated billboard signs

Decision: 14-09-2009 Approved

26168/APP/2013/509 Lidl Store, 482 Uxbridge Road Hayes

Single storey extension

Decision: 15-05-2013 Refused **Appeal:** 01-11-2013 Allowed

Comment on Planning History

Planning application reference 26168/APP/2013/509 for the erection of a single storey extension measuring 151.25m² was refused for the following reason:-

1. The proposed development, by reason of its position, size, scale and design, would represent an incongruous and visually intrusive form of development which would be detrimental to the character and appearance of the existing building, the street scene and the surrounding area, contrary to policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Unitary Development Plan Saved Policies (November 2012).

The application was further allowed at appeal. The Inspector concluded:-

Given the mixed uses in this area I do not consider that the extension would appear out of character with the store itself or its wider setting. The proposal would add floorspace to the store whilst not resulting in any harm to the occupiers of residential properties in this area. I consider that the extension would be a simple functional addition to the building and would not conflict with policies BE13 or BE19.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consultation

33 neighbouring properties were consulted by letter dated 17.6.14 and a site notice was displayed which expired on 17.7.14. One letter of comment has been received from The Warren requesting that the access to the Warren is maintained at all times during construction.

Landscape Officer -

LANDSCAPE CHARACTER / CONTEXT:

The site is occupied by a Lidl supermarket and associated car park, on the north side of Uxbridge Road, accessed via a service road known as The Warren.

This is on the edge of a shopping retail parade within a highly urban area, albeit with residential suburbs to the north and west.

The only soft landscape is the vegetation around the edges of the car park to the rear of the store.

PROPOSAL:

The proposal is to construct a single-storey side extension and alter the elevations.

LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features of merit will be affected by the proposal.
- The extension affects a narrow strip of external space along the north-west facade of the building and will result in minor amendments to the car park layout between the supermarket and The Warren.
- If the application is recommended for approval, landscape conditions are not required to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

RECOMMENDATIONS:

No objection and, in this case, no need for landscape conditions.

Highways Officer -

The additional information submitted by the applicant does not provide the actual car parking demand at the existing retail store in subject.

It is important to note that the London Plan car parking standards are not explicitly based on RFA, and therefore in many cases, GFA is applied to ensure the estimated parking provision for new retail stores is robust. I am not aware of any restrictions on the retail store to be for Lidl only and therefore estimated parking demand should not be restrictive to Lidl alone. The store is built on a former Waitrose site, which goes some way to show that there can be a change in retailers over time.

Notwithstanding the above, the car parking accumulation based on trip generation from other Lidl stores cannot be confirmed to be representative. There are no details provided to demonstrate the characteristics of the sample sites are representative of the application site from the highways viewpoint, parking controls and the differences in the parking dwell times between the sample sites and the application site.

It should be noted that in the past when the retail store was granted planning permission, it was considered that the original car parking provision was required. A subsequent extension to the store resulted in a loss of some 14 car parking spaces. A further 20 spaces would be lost as a result of this proposed scheme.

Parking standards have changed since the store was originally built. The latest car parking standards do not strictly apply in this case, as the existing store would have an established parking demand.

Given the application relates to an existing store, the applicant was requested to provide survey information to demonstrate the actual parking demand. Such information is

normally accompanied with applications where parking is being reduced as result of proposed changes. In the absence of information and considering the school holiday period has commenced, the survey information can only be provided once the schools have reopened in September.

6. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

In addition:

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The development proposed is located within an existing car parking area associated with the store. The store car park is separated from commercial and residential properties by a road and a small landscaping area. The proposed facility is to be located adjacent to the existing store within the established parking area at some distance from neighbouring properties. The hours of operation would be exactly the same as the existing store. It is therefore considered that the proposed extension would not detract from the residential amenities of occupants of neighbouring properties in terms of either noise and disturbance or outlook. As such the proposal is considered to comply with Policies BE20, BE21 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites.

7.3 Traffic Impact / Pedestrian Safety

See below

7.4 Carparking & Layout

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) 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 AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Highways Officer has raised an objection in respect of the application. He has advised that in the past when the retail store was granted planning permission, it was considered that the original car parking provision was required. A subsequent extension to the store resulted in a loss of some 14 car parking spaces. A total of 20 spaces from the existing site layout would be lost as a result of this proposed scheme.

The applicants have failed to provide information on the actual parking demand and a survey is required to demonstrate this demand to demonstrate that the net loss of 20 parking spaces would not lead to an increased demand for off-site parking which could be prejudicial to highway safety.

The proposal is therefore considered contrary to Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.5 Urban Design, Access and Security Considerations

7.6 Other Issues

NO additional issues raised.

8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2.

The London Plan (July 2011).

Supplementary Planning Document HDAS: Accessible Hillingdon.

National Planning Policy Framework.

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