

PLANNING STATEMENT

June 2022 // Haydon House, 296 Joel Street, HA5 2PY



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Client: Westgold Holdings Ltd

Our Ref: JLD//9511

Prepared by	Checked by	Date	Signature
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1.0 INTRODUCTION

- 1.1 This Statement supports a prior notification application at Haydon House, 296 Joel Street, Pinner, HA5 2PY, and is made on behalf of Westgold Holdings Ltd. It concerns a proposal to change the use of the building from use from offices into 6no. residential flats, under Class MA of The Town & Country (General Permitted Development England) Order 2015.
- 1.2 Haydon House is a two-storey commercial building situated in Pinner. The Applicant has confirmed that the building has been vacant since December 2021 (approximately 6 months as of the date of the preparation of this application).

Planning History

- 1.3 Haydon House is situated within the London Borough of Hillingdon. There is no available planning history on the Council's website.

2.0 Application Site

The Application Site

- 2.1 The building is located on the western side of Joel Street, in close proximity to the intersections with Deerlings Drive, Kaduna Close and High Road Eastcote. The main access and principal elevation front onto Joel Street with vehicle parking to the rear. The site is bounded on the three remaining sides by residential properties; 290 Joel Street to the north, 31 Deerlings Drive to the south and 26 Deerlings Drive to the west.

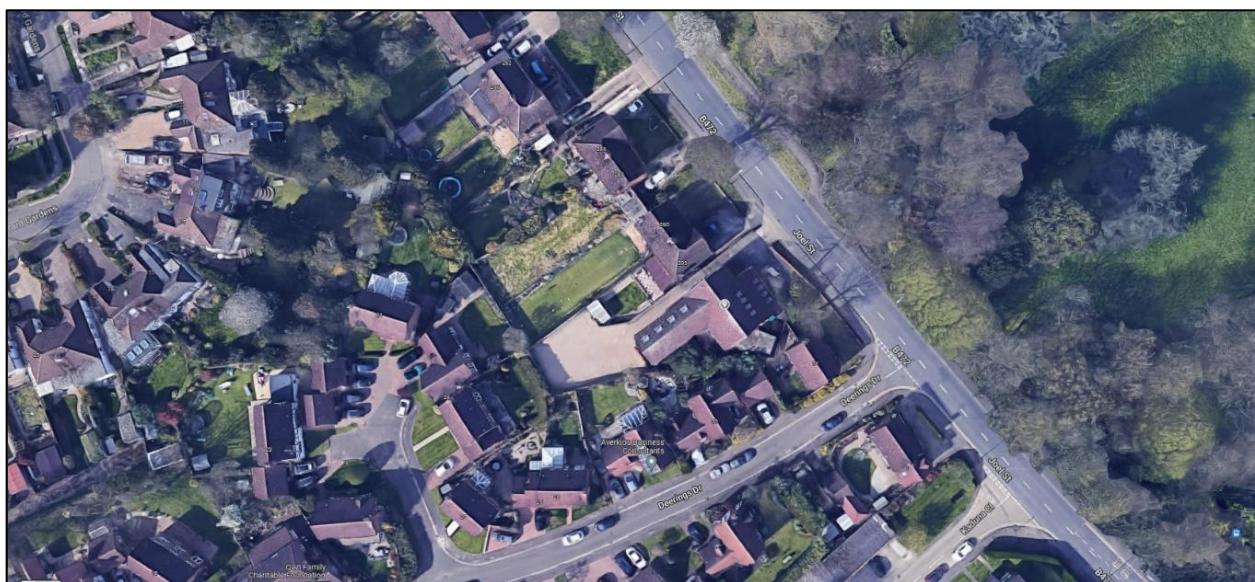


Figure 1: Aerial image of Haydon House, 296 Joel Street.

- 2.2 The site is in a sustainable and predominantly residential location, with good public transport links, including a bus stop less than 100m walk, and with good access to services and facilities.

Heritage Assets

- 2.3 The site is not a listed building and there are no statutorily listed buildings in close proximity. The nearest is the Woodman Inn, a grade II listed public house, approximately 220m from the site.

The Proposal

- 2.4 The Applicant is seeking prior approval for the Change of Use of an existing office building (Haydon House) into 6no. residential flats (Use Class C3) Under Class MA of The Town & Country (General Permitted Development England) Order 2015.
- 2.5 Parking is proposed to the front and to the rear as shown on Figure 2 (adjacent), utilising the existing on-site car park.
- 2.6 The building has been divided up into 6 no. residential flats with accommodation spread across three floors (ground, first and the roof space).
- 2.7 A boiler room and refuse storage are proposed at ground floor level.

3.0 PLANNING CONSIDERATIONS

Class MA permits:

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 a use falling within Class C3 (dwellinghouse) of Schedule 1 to that Order.

- 3.1 Clause **MA.1.** provides that, ***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;***
- 3.2 The Applicant has confirmed that the building has been vacant since December 2021 (or approximately 6 months as of the date of the preparation of this application).
 - (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;***
- 3.3 Subparagraph (2) sets out each of the uses that constitute a commercial, business or service use, both before and after the changes to the Use Classes Order that were made in September 2020.



Figure 2: Ground Floor Plan of the proposal

(2) The classes mentioned in sub-paragraph (1)(b) are the following classes of the Use Classes Order—

(a) the following classes of the Schedule as it had effect before 1st September 2020—

- (i) Class A1 (shops);
- (ii) Class A2 (financial and professional services);
- (iii) Class A3 (food and drink);
- (iv) Class B1 (business);
- (v) Class D1(a) (non-residential institutions – medical or health services);
- (vi) Class D1(b) (non-residential institutions – crèche, day nursery or day centre);
- (vii) Class D2(e) (assembly and leisure – indoor and outdoor sports), other than use as an indoor swimming pool or skating rink;

(b) on or after 1st September 2020, Class E (commercial, business and service) of Schedule 2.

3.4 Haydon House is a purpose-built office block and was previously classified as Class B1 use, but now falls into Class E. The proposal is compliant with this requirement.

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

3.5 The building comprises 240 sqm at ground floor level and 216 sqm on the first floor, with 114 sqm of loft space, resulting in a total floor space of 570 sqm (GEA). This is well below the permitted threshold of 1500sqm. The proposal, therefore, accords with this requirement.

(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;

(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;

3.6 None of the above designations are applicable.

(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

3.7 There is no agricultural tenancy at the site, and, therefore the above is not applicable in this instance.

(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.

3.8 The is no Article 4 direction.

3.9 Clause MA.2. provides that ***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;

(b) contamination risks in relation to the building;

(c) flooding risks in relation to the building;

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

(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;

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

(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

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

(i) a registered nursery,

(ii) or 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; and

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

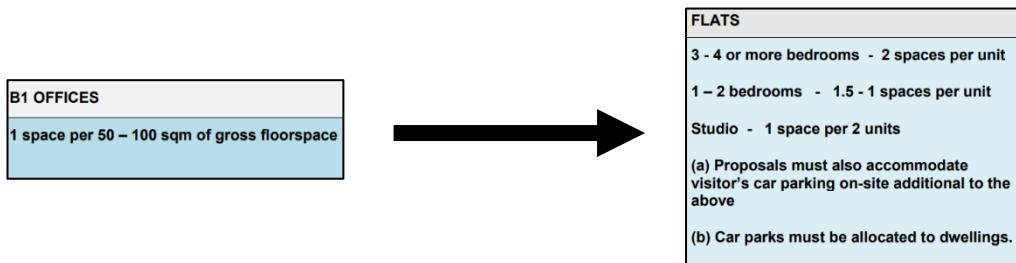
3.10 Conditions, (e), (g) and (h) are not applicable to this proposal. Whilst condition (i) is not relevant, a Fire Safety statement has been provided.

3.11 The remaining conditions are dealt with chronologically.

(a) Transport and Highway Impact of the Development

3.12 The building is situated in a well-established and sustainable residential area. The development will utilise existing vehicle and pedestrian entrances and onsite parking. Given the current business use made of the site, the proposed change of use would have little impact, if any, on the frequency or number of journeys to and from the site each day. However, the distribution of journeys made throughout the day may change, with fewer movements during peak hours.

3.13 Policy DMT6 of the Hillingdon Local Plan Part 2 sets out guidance for vehicle parking. The Policy states that '*proposals must comply with the parking standards outlined in Appendix C Table 1*'. Part B of table 1 then sets out maximum development parking requirements.



3.14 The proposal includes nine parking spaces, two of which will be fitted with Electric Vehicle charging points and one of which is allocated as a disabled bay. The guidance presented in Table 1 states that 5% of spaces must include electric charging points and 10% must be suitable for wheelchair use. The proposed mix accords with these requirements.

3.15 The proposal is for the creation of 6 flats, of varying sizes, the breakdown of which is set out in the table below.

Type	Flat Number(s)	Quantity	Parking Requirement	Number of Parking Spaces Required
Studio	1 and 4	2	0.5 spaces per flat	1 space
1 Bed / 2 Person	2 and 5	2	1 to 1.5 space per flat	2 to 3 spaces
2 Bed / 3 Person	3 and 6	2	1 to 1.5 space per flat	2 to 3 spaces
Total Requirement				5 to 7 spaces

3.16 Table 1 section B) also requires that proposals accommodate visitor parking on site, and that the spaces must be allocated to dwellings/visitor parking as part of the development.

3.17 One parking space will be allocated to each of the six flats, leaving three parking spaces (including the disabled space) for visitor parking. Secure cycle storage has also been provided. As such, the proposal is in accordance with Policy DMT6, and the requirements set out in Table 1 of the Hillingdon Local Plan Part 2.

(b) Contamination risks

3.18 A phase 1 Contaminated land Assessment has been completed by EAME, Earth & Marine Environmental Consultants. The report concludes that there are no potentially significant pollutant linkages. The development will occur within the footprint of the current building so minimal (if any) groundworks will be necessary.

(c) Flood risk

3.19 As part of these submissions, a Flood Risk Assessment has been prepared by Herrington Consulting Limited. The report concludes that, in accordance with NPPF guidance, developments of this kind do not need to be subject to the sequential test, nor the exception Test. However, the NPPF does require that all developments situated within Flood Zones 2 and 3 be subject to an FRA to assess the opportunities to reduce the risk of flooding.

3.20 The FRA identifies this building as being at low risk of flooding from all sources but, that the site could be subject to flooding from the River Pinn during the design flood event. Accordingly, the FRA recommends the following:

- **Flood resistance and resilience measures should be retrofitted where possible.** Whilst the floor level of the building is above the flood level, it is recommended that flood resistance and resilience measures be retrofitted as a precautionary measure to manage the impact on floodwater on the structure below the flood level.
- **The residents should sign up to receive the EA's Flood Warnings.** The EA's flood warnings will provide forewarning of extreme weather conditions which may result in flooding occurring. Forewarning will enable the residents to evacuate to an area located outside the predicted extent of flooding. If it is not possible to evacuate before floodwater reaches the site, safe refuge will be available within the building, which is located above the design flood level.

3.21 The FRA concludes that subject to the above mitigation measures being incorporated into the design, the proposal will meet the requirements of the NPPF.

(d) Noise impacts

3.22 A Noise Impact Assessment Report has been completed by Hyde Park Construction Ltd. The report sets out the minimum octave band sound reduction index (SRI) values required for all glazed elements in table 5.1, pictured below.

Elevation	Octave band centre frequency SRI, dB						$R_w(C;C_{tr})$, dB
	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	
All elevations	22	20	26	36	39	31	31 (-1, -4)

Table 5.1 Required glazing performance

3.23 The report states that subject to the above recommendations, the properties will meet the recommended internal noise levels and protect the proposed habitable spaces from external noise intrusion.

(f) Provision of Natural Light

3.24 Herrington Consulting Limited has undertaken an Assessment for the Provision of Daylight and Sunlight within the proposed development. The report concludes that '*in line with the assessment criteria prescribed by the BRE Guidelines, it has been shown that for all rooms, the provision of natural daylight will meet or exceed the minimum required threshold set out in both the BRE guidelines or the Mayor of London SPG Good Quality Homes for Londoners*'.

3.25 Indeed, the report states that, '*it has also been possible to demonstrate that in each of the proposed units, the main living area will receive well in excess of the 'all year' and 'winter' target levels of direct sunlight*' and that '*the amenity space will benefit from direct sunlight, particularly during the summer months when the space is most likely to be used*'.

(i) Fire Safety

3.26 Under the heading Interpretation of Class MA it states the following:

MA.3 - Development meets the fire risk condition referred to in paragraph MA.2(2)(i) if the development relates to a building which will—

(a) **contain two or more dwellinghouses; and**

(b) **satisfy the height condition in paragraph (3), read with paragraph (7), of article 9A (fire statements) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

3.27 Section 9A of the Town and Country Planning (Development Management Procedure and Section 62A Applications) (England) (Amendment) Order 2021, requires that a fire statement be prepared for developments affecting all relevant buildings. A relevant building is defined as a building that:

Relevant buildings

- contain two or more dwellings or educational accommodation and
- meet the height condition of 18m or more in height, or 7 or more storeys

3.28 Though the proposal does provide more than two dwellings, it does not meet the height condition of 18m or 7 or more storeys (the top occupied storey of the building is 5.50m above ground level). Nevertheless, the Applicant has commissioned a fire safety strategy.

3.29 The Statement was prepared by Creative Ideas and Architecture Office (CIAO) and explains that emergency lighting and fire extinguishers are to be provided throughout the development (designed, installed and commissioned in accordance with building regulations).

3.30 In addition, each of the dwellings will have an internal 30-minute fire-resistant hallway as well as a fire detection and alarm system of a minimum Grade D2 Category LD3 standard (in accordance with the relevant recommendations).

3.31 Lastly, the Statement confirms that all new materials used within the external walls will be Class A1 (euro class) (i.e. non-combustible). The materials will restrict the spread of flame via the facade and so provide an enhanced level of life safety.

3.32 Given the above it is considered that the building is fully compliant with the fire safety regulations, despite not being defined as a relevant building.

4.00 CONCLUSIONS

- 4.1 Haydon house sits comfortably within an established residential area and is bounded on three sides by existing residential properties. The building, though purpose-built office space, lends itself to residential use and can easily accommodate the six proposed residential units.
- 4.2 For the reasons set out above, this proposal benefits from the permitted development right set out under Regulation 3, Schedule 2, Part 3, Class MA of the Town and Country Planning (General Permitted Development) (England) Order 2015.