

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 an Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>

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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's 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 DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: UNIT 102, INTU UXBRIDGE, THE CHIMES SHOPPING CENTRE HIGH STREET UXBRIDGE

Development: Change of use of ground floor unit laser hair removal facility (Sui Generis) to a restaurant (Class E(b)), with the installation of flue extractors to the existing duct to rear and internal alterations (amended description)

LBH Ref Nos: **55969/APP/2025/3187**

Drawing Nos: 25/310/PL
 25/311/PL
 25/301/PL
 25/304/PL
 DESIGN AND ACCESS STATEMENT
 Singh Commercial Kitchen Solution Specification
 Plant Noise Impact Assessment reference AB/EC21546-3

Date Plans received: 29-12-25 **Date(s) of Amendments(s):**

Date Application valid 29-12-25

1. SUMMARY

Planning permission is sought for the Change of use of ground floor unit laser hair removal facility (Sui Generis) to a restaurant (Class E(b)), with the installation of flue extractors to the existing duct to rear and internal alterations

No neighbour objections were received. The Council's Noise and Odour specialist and other consultees, including Highways, Access, and Heritage, have raised no objections subject to conditions. The proposed use is appropriate within the Primary Shopping Area, supporting the vitality and viability of Uxbridge Town Centre and aligning with relevant Local Plan and London Plan policies. The development would not result in harm to residential amenity, highway safety, or the character of the Conservation Area.

The proposal is therefore considered acceptable, subject to the recommended conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1. HO1 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2. HO2 Accordance with approved

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

25/310/PL

25/311/PL

25/304/PL

Singh Commercial Kitchen Solution Specification

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020), and the London Plan (2021).

3. COM23 Hours of Use (Restaurant etc.)

The premises shall not be open for customers outside the following hours: -

09:00-21:00 Monday - Saturday

09:00-17:00 Sunday and Bank Holidays

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4. HO4 Materials

Unless stated on the proposed drawings, the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020)

5. NONSC Noise Condition

For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed: 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAr 1 hour for any one-hour period between 0700 and 2300, determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.

REASON

To ensure that occupants would not be exposed to noise caused by the permitted development that would be likely to cause an adverse effect on their health and quality of life with windows fully open for the purposes of ventilation and cooling.

INFORMATIVES

1. I99 Noise Informative

It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that is reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as detailed in BS4142 to determine the rating level.

2. I25 Consent for the Display of Adverts and Illuminated Signs

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 2007. . For further information and advice, contact - Residents Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

3. I52 Compulsory Informative (1)

The decision to GRANT 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).

4. 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 Local Plan Part 2 (2020), then London Plan Policies (2021). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

5. I70 LBH worked applicant in a positive & proactive (Granting)

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application unit is located on the ground floor of the Chimes shopping centre, located on the North East side of High Street, Uxbridge opposite Vine Street within the Old Uxbridge/Windsor Street Conservation Area. The application site lies within the Primary Shopping Area of the Uxbridge Town Centre and has a PTAL ranking of 5.

The site is located internally within The Chimes Shopping Centre and the surrounding area is a mix of retail of commercial uses.

3.2 Proposed Scheme

Planning permission is sought for the Change of use of ground floor unit laser hair removal facility (Sui Generis) to a restaurant (Class E(b)), with the installation of flue extractors to the existing duct to rear and internal alterations

3.3 Relevant Planning History

55969/APP/2017/3277 UNIT 102, INTU UXBRIDGE, THE CHIMES SHOPPING CENTRE HIGH STREET UXBRIDGE

Change of use from retail (Use Class A1) to use as a laser hair removal facility (sui generis)

Decision: 07-02-2018 Approval

Comment on Planning History

The planning history for the site is listed above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: **5th February 2026**

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

EXTERNAL CONSULTEES:

31 neighbouring properties were consulted on the application by letter dated 31-12-25. During the process of the application the description was amended and neighbours re-consulted. The consultation period expired 16-03-26. No representations have been received.

INTERNAL CONSULTEES:

Access Officer:

The detail of this planning application has been considered, with no accessibility issues raised. However, the following informative should be attached to any grant of planning permission: The Equality Act 2010 aims to safeguard individuals accessing goods, facilities, and services from discrimination based on a 'protected characteristic', including disability. In accordance with the Act, service providers must enhance access to and within their premises, especially when reasonable adjustments are feasible and straightforward to implement. The Act mandates that service providers proactively identify and eliminate barriers hindering disabled people.

Noise Specialist:

Sufficient information has been provided by the Applicant to make a recommendation on noise. It is recommended that no objection is made on noise grounds subject to the inclusion of suitable conditions which should be met based on the design information provided and considering measurement and prediction uncertainty. With regard to the noise impact of the proposed development on the existing environment: 'For the lifetime of the development hereby permitted the rating level (LAr) of noise caused by its operation shall not exceed: 40 dB LAr 15 min for any fifteen-minute period between 2300 and 0700, and 50 dB LAr 1 hour for any one-hour period between 0700 and 2300, determined one metre free field external to any window or door of any permanent residential, or equivalently noise sensitive premises, in accordance with 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' Reason To ensure that occupants would not be exposed to noise caused by the permitted development that would be likely to cause an adverse effect on their health and quality of life with windows fully open for the purposes of ventilation and cooling. Informative It is considered that a condition based on fixed noise levels is consistent with noise and planning policy by relating external noise levels to the point at which adverse effects on health and quality of life start to be observed. The limit values are intended to be consistent with the evidence base that is reflected in guidance: 'Guidance on Sound Insulation and Noise Reduction for Buildings' BS8233 2014. This is combined with the assessment principles and procedures detailed in guidance: 'Methods for rating and assessing industrial and commercial sound' British Standards Institution BS4142 2014.' This is used to set reference time periods for the assessment and adjust measured or calculated LAeq values for character as detailed in BS4142 to determine the rating level.

Conservation Officer:

As the proposals are internal we have no objection to the scheme.

Highways Authority:

There are no specific concerns with this CoU due to the existing retail/commercial mix of the shopping centre which is therefore likely to contribute to a degree of linked trips to the venue given these established use attractions. This would also inherently reduce the potential for any new vehicular activity generated by this application and given the excellent public transport connectivity, the established local parking provisions would therefore be considered sufficient to cater for any potential nominal demand.

In-line with the above reasoning, there is no issue or objection raised.

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
DMTC 4	Amenity and Town Centre Uses
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D5	(2021) Inclusive design
LPP HC1	(2021) Heritage conservation and growth
LPP SD6	(2021) Town centres and high streets
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF16 -24	NPPF16 2024 - Conserving and enhancing the historic environment

In addition: Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

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

London Plan (2021) policy D3 seeks to optimise design capacity through a design-led approach. Among other considerations, this also requires new development to 'achieve safe, secure and inclusive environments' and 'help prevent or mitigate the impacts of noise and poor air quality'.

London Plan (2021) policy D14, in part, requires development proposals to mitigate and minimise 'the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses'.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. This policy also requires development proposals to make sufficient provision for well designed internal and external storage for waste provision, with suitable access for collection.

Policy DMEI 14 of the same plan requires, inter alia, that as a minimum, development proposals should 'include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new'.

Policy DMTC 4 also seeks to, inter alia, prevent unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion. This policy is discussed with respect to the principle of the development.

The proposed development involves the change of use from a laser hair removal facility (Sui Generis) to a Restaurant (Class Eb) with the installation of flue extractors to the existing duct to rear and internal alterations. The existing unit is located within the Chimes Shopping Centre and previous to the existing laser hair removal facility the unit was used as a Class A1 retail unit.

The development would involve the installation of a new extract flue at the rear of the unit to connect to the existing extract system on the site. The applicant has provided specifications of the proposed equipment along with a plant noise impact assessment. The Councils Noise and Odour specialist has been consulted on the application and has confirmed that sufficient information has been provided by the applicant and that no objection is made on noise grounds subject to a condition regarding the level of noise created by the equipment which has been added to the decision.

The unit is located within a retail and dining setting and it is not considered there would be any harm to the amenities of residential neighbouring properties as a result of the change of use, opening hours or new extraction system given its location, subject to conditions.

OPENING HOURS

Regarding the level of activity, to assist in preserving residential amenity, a condition would restrict opening hours which will be consistent with other units in the immediate surrounding area. The servicing would remain as existing with a service yard accessed from the rear of the unit. The applicant has confirmed the opening hours will be 9am-9pm Monday - Saturday and 9am-5pm on Sundays and Bank Holidays which is broadly in line with other premises.

Although The Chimes Shopping Centre advertises standard operating hours of 09:00-18:00 Monday-Saturday and 11:00-17:00 on Sundays, certain units within the centre (such as McDonald's

which is adjacent to the site) operate beyond these hours. If the application site seeks operating hours beyond the centre's published times, access will need to be agreed with the Chimes Shopping Centre management.

The proposal would not unduly impact neighbouring amenity given its location and its position adjacent to similar uses. Levels of noise, disturbance and odour to surrounding residential occupiers would be appropriately mitigated. The proposed development would therefore meet the overarching aims of Policies DMTC 4, DMHB 11 and DMEI 14 of the Hillingdon Local Plan - Part Two (2020) and Policy D14 of the London plan (2021).

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings and wider historic landscape.

Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy D3 of the London Plan (2021) requires that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy DMHB 4 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development should be well integrated with the surrounding area.

The application site is located within the Old Uxbridge / Windsor Street Conservation Area, however it is located inside of The Chimes Shopping Centre. The Councils Heritage Officer has been consulted on the application and have stated that given the proposals are internal, there are no objections to the scheme. There would be no harm to the designated heritage asset.

There are no changes proposed to the design of the building itself, the existing entrance door will remain in place with central access. Only internal alterations are proposed which are considered acceptable. The proposed ducting would connect to the existing extract system to the rear of the property and within the service yard which would be screened from the street scene.

Overall, the proposed development will have no impact on the character and appearance of the Conservation Area or wider area.

7.3 Traffic Impact/Pedestrian Safety

See Below Section

7.4 Carparking & Layout

Policies DMT 2 and DMT 5 of the Hillingdon Local Plan: Part 2 (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians.

The Highway Authority have confirmed that there are no specific concerns with this Change of use due to the existing retail/commercial mix of the shopping centre which is therefore likely to contribute to a degree of linked trips to the venue given these established use attractions. This would also inherently reduce the potential for any new vehicular activity generated by this application and given the excellent public transport connectivity (PTAL ranking of 5), the established local parking provisions would therefore be considered sufficient to cater for any potential nominal demand.

In-line with the above reasoning, there is no issue or objection raised.

7.5 Urban Design, Access and Security Considerations

ACCESS:

Policy D5 of the London Plan (2021) states that:

Development proposal should achieve the highest standards of accessible and inclusive design.

They should:

- 1) be designed taking into account London's diverse population
- 2) provide high quality people focused spaces that are designed to facilitate social interaction and inclusion
- 3) be convenient and welcoming with no disabling barriers, providing independent access without additional undue effort, separation or special treatment
- 4) be able to be entered, used and exited safely, easily and with dignity for all
- 5) be designed to incorporate safe and dignified emergency evacuation for all building users. In all developments where lifts are installed, as a minimum at least one lift per core (or more subject to capacity assessments) should be a suitably sized fire evacuation lift suitable to be used to evacuate people who require level access from the building.

The Council's Access officer has been consulted on the application and has confirmed that there are no accessibility issues raised, however an informative note reminding the applicant about The Equality Act 2010 has been added to the decision.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Policy DMTC 1 of the Hillingdon Local Plan (2020) states that:

A) The Council will support 'main town centre uses' where the development proposal is consistent with the scale and function of the centre. Town centre development will need to demonstrate that:

- i) adequate width and depth of floorspace has been provided for the town centre uses; and
- ii) appropriate servicing arrangements have been provided.

B) Residential use of ground floor premises in primary and secondary shopping areas and in designated parades will not be supported.

C) Proposals for 'main town centre uses' in out of centre locations will only be permitted where there is no harm to residential amenity.

D) The Council will:

- i) expect proposals for 'main town centre uses' to demonstrate that there are no available or suitable sites in a town centre where an edge of centre or out of centre location is proposed, using a sequential approach; and
- ii) consider the effect of the proposal, either individually or cumulatively on the vitality and viability of

existing town centres. Development proposals in out of centre and edge of centre locations, which exceed 200 sqm of gross retail floorspace, or 1,000 sqm of combined main town centres uses, will require an impact assessment.

Policy DMTC 2 of the Hillingdon Local Plan (2020) states that:

A) In primary shopping areas, the Council will support the ground floor use of premises for retail, financial and professional activities and restaurants, cafes, pubs and bars provided that:

- i) a minimum of 70% of the frontage is retained in Use Class A1;
- ii) Use Class A5 hot food takeaways are limited to a maximum of 15% of the frontage;
- iii) the proposed use will not result a separation of more than 12 metres between A1 retail uses; and
- iv) the proposed use does not result in a concentration of non retail uses which could be considered to cause harm to the vitality and viability of the town centre.

Policy DMTC 4 of the Hillingdon Local Plan (2020) states that:

Proposals for restaurants and hot food takeaways, drinking establishments, betting shops, night clubs, casinos, amusement centres, minicab offices and other similar uses will only be supported provided that they:

- i) would not result in adverse cumulative impacts due to an unacceptable concentration of such uses in one area;
- ii) would not cause unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion; and
- iii) would not detrimentally affect the character or function of an area by virtue of the proposed use or visual impact.

The proposal seeks the change of use from a Sui Generis laser hair removal salon to a Class E(b) restaurant within Uxbridge Town Centre and the designated Primary Shopping Area. Restaurants fall within the definition of 'main town centre uses' and are supported in principle in such locations under Policy DMTC 1, subject to ensuring adequate floorspace, servicing and compatibility with the role and function of the centre. The unit is already in active commercial use and is of a scale and layout appropriate for a town centre restaurant, with servicing arrangements remaining unchanged. Policy DMTC 2 supports the use of ground floor premises in primary shopping areas for restaurants.

The proposed change of use would not materially alter the existing frontage, would not create an over concentration of non retail units, and would continue to contribute to the vitality and viability of the centre. In line with Policy DMTC 4, the introduction of a restaurant at this location would not give rise to adverse cumulative impacts and, subject to appropriate controls on noise, odour The proposed change of use would not materially alter the existing frontage, would not create an over concentration of non retail units, and would continue to contribute to the vitality and viability of the centre. In line with Policy DMTC 4, the introduction of a restaurant at this location would not give rise to adverse cumulative impacts and, subject to appropriate controls on noise, odour would not result in harm to neighbouring amenity or the character of the area. As such, the principle of the development is considered acceptable.

BIODIVERSITY NET GAIN:

In England, Biodiversity Net Gain (BNG) is mandatory under Schedule 7A of the Town and Country Planning Act 1990 (as inserted by Schedule 14 of the Environment Act 2021). It became mandatory for major developments on 12 February 2024 and small sites on 2 April 2024. Developers must deliver a BNG of at least 10%. This means a development will result in more or better-quality natural habitat than there was before development. The land owner is legally responsible for creating or enhancing the habitat and managing that habitat for at least 30 years to achieve the

target condition.

Policy 15 of the National Planning Policy Framework (2023) states that planning decisions should contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity.

Paragraph 8.6.6 of Policy G6 of The London Plan (2021) states that biodiversity net gain is an approach to development that leaves biodiversity in a better state than before. Losses should be avoided, and biodiversity offsetting is the option of last resort.

Policy EM7 of Hillingdon Council's Local Plan Part One Strategic Policies (2012) states that Hillingdon's biodiversity and geological conservation will be preserved and enhanced, with particular attention given to improving biodiversity from all development.

Paragraph 6.28 of Policy DMEI 7 (Biodiversity Protection and Enhancement) of Hillingdon Council's Local Plan Part Two Development Management Policies (2020) states it is important that planning decisions are appropriately informed by the right level of survey and information on ecology features. The Council will apply Natural England's standing advice at the validation stage. Applications will only be validated if they have the appropriate information. Where initial assessments recommend further surveys, these will be expected to be provided as part of a planning submission. All ecological reports or information submitted should adhere to nationally accepted best practice survey standards and be consistent with the British Standard BS 42020: 2013 Biodiversity - Code of Practice for Planning and Development or an updated variation. Where appropriate, the Council will require the use of the approved DEFRA biodiversity impact calculator (as updated) to inform decisions on no net loss and net gain.

The proposed development would fall under the de-minimis exemption, and as such, no further information regarding BNG is required.

CONCLUSION:

The application is recommended for approval, subject to conditions.

8. Reference Documents

National Planning Policy Framework (2024)

London Plan (2021)

Hillingdon Local Plan: Part One - Strategic Policies (2012)

Hillingdon Local Plan: Part Two - Development Management Policies (2020)

Contact Officer:

Rhian Thomas

Telephone No: