

Report of the Head of Planning, Transportation and Regeneration

Address 54C HIGH STREET NORTHWOOD

Development: Change of use of offices (Use Class E) to a one-bedroom dwelling (Prior Notification under Class MA of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended).

LBH Ref Nos: 70476/APP/2022/706

Drawing Nos: 3443/1L
Planning Statement (dated 2nd March 2022)
Valuation Office Agency Letter Notice of Alteration to an Existing 2017 Rating List Entry (dated 27th September 2017)
Gov.uk website Business rate valuation for Ground Floor 54C, High Street, Northwood

Date Plans Received: 08/03/2022

Date(s) of Amendment(s):

Date Application Valid: 09/03/2022

1. RECOMMENDATIONS

1.1 Recommendations

PRIOR APPROVAL REFUSED

REASONS FOR REFUSAL

The proposed development would involve external changes to the property, including alterations to the door on the front elevation of the building. The proposed external changes would fall outside of the remit of Class MA, Part 3, Schedule 2 of the Town and Country 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: A letter from the Valuation Office Agency (dated 27th

September 2017) states that the rateable value of the property is £0 and the previous list entry was £7,900. Also, the site photographs shows that the ground floor level of the building is currently unoccupied. Based on the evidence available, it is considered 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: According to the planning history attached to this site, 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).

EXTERNAL CHANGES TO THE BUILDING:

Class MA of the GPDO extends to change of use only and does not permit any external changes to the building for which planning permission is required. In this case, the submitted drawings clearly shows external alterations to the building, involving the partial replacement of the front double doors with a new door with what appears to have open glazing in its upper section. It is therefore considered that the proposed development would not comply with Class MA of the GPDO.

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;

With regards to Condition MA.2.(2)(a), the proposal is for the office conversion to 1x1 bedroom flat which would be devoid of on-plot parking provision.

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 1-2 bedrooms flats to have 1 to 1.5 spaces per unit. Whilst the proposal would not comply with the Council's maximum adopted car parking standards, the following considerations must be taken into account.

The Council's Highways Officer has provided the following comments:

"There is some anecdotal evidence of local on-street parking stress during the working day and evening time which the development may have the potential to exacerbate. Paradoxically higher on-street parking stress levels can, in some circumstances, be self-regulating in that a lower or non-existent on-street parking availability can act as a deterrent to multiple car ownership for a prospective occupier of a new property.

This is especially true when potential occupiers view a property prior to rental or purchase and observe that the surrounding roads are unable to provide readily available/convenient parking in proximity of the address. This is one factor that is very likely to be high on the

list of considerations prior to occupation which allows for an informed decision to be made on whether the address suits the life demands of the potential occupier.

Given the relatively small scale of proposal and the existence of some parking controls in the area with localised restrictions at neighbouring road junctions, it is not anticipated that any measurable undue parking displacement would result due to the absence of provision hence there is no objection raised."

In respect to vehicular trip generation, the Council's Highway Officer has stated that: "Given the scale of proposal and compared with the previous established office use, there are no immediate concerns raised in regard to any generated vehicular activity which is likely to be imperceptible on the local network."

The application site is accessed from High Street via an existing undercroft at No. 54. There is no dedicated pedestrian footway leading from the application property to High Street. However, it is unlikely that vehicles would be driving at high speeds through the undercroft. Also, it is noted that there are already residential developments to the rear of the site and no known records of accidents within the vicinity of the site.

Having regard to the above, it is considered that the proposal would be acceptable, in terms of transport impacts and particularly safe site access.

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 1 cycle space per one-bedroom 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.

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, details of the bin store facilities could have been secured by way of a condition, had this application been recommended for approval.

(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 risk in relation to the building

Planning Officer Comment: The site falls within Flood Zone 1. As such, there is low risk of

tidal and fluvial flooding. T

It is noted that the site is designated within a Critical Drainage Area and a Surface Water Flood Zone. In the event of an approval, a condition would have been secured requiring a surface water flooding evacuation plan to be submitted to the Council for consideration. Subject to such a condition, it is considered that the proposal would not pose any markedly unacceptable surface water flood risk for future occupiers of the proposed flat.

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

Planning Officer Comment: The building is located to the rear of the shopping frontage on High Street. Due to the separation distance from the properties fronting High Street, and the detached nature of the application building, it is considered that the intended occupiers of the development would not be adversely impacted by noise from commercial premises.

Office floor space would be retained at ground floor level as part of this proposal. If this application had been recommended for approval, a condition would have been secured requiring details of noise mitigation measures for the proposed flat to be submitted to the Council for approval. This condition is considered to be necessary to ensure that the retained office space would not prejudice the living environment for the future occupants of the proposed flat.

(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 not located within a 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), all habitable rooms would benefit from a window. It is therefore considered that all habitable rooms have adequate access to natural light. This is notwithstanding the proposed alterations to the double doors which falls outside of the scope of this prior approval application.

(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.

3.0 CONSULTATIONS

Traffic Impacts

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

Contamination

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

Flooding

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

Consultee Comments

EXTERNAL CONSULTEES:

13 neighbouring properties, Northwood Hills Residents' Association and Northwood Residents' Association were consulted on 21st March 2022. A site notice was displayed on 22nd March 2022. No representations had been received by the end of the consultation period.

INTERNAL CONSULTEES:

Flood and Water Management Department: The area to the rear of 54c is indicated to be at significant risk of surface water and has historically be known to flood. No FRA submitted and should not have been validated.

RESPONSE: The site is located in Flood Zone 1. As such, there is no requirement for a Flood Risk Assessment to be submitted. It is noted that the site is designated within a Critical Drainage Area and a Surface Water Flood Zone. In the event of an approval, a condition would have been secured requiring a surface water flooding evacuation plan to be submitted to the Council for consideration. Subject to such a condition, it is considered that the proposal would not pose any markedly unacceptable surface water flood risk for future occupiers of the proposed flat.

Conservation Department: As there are no external alterations proposed in this instance, we have no comments to make in relation to the proposed change of use.

RESPONSE: The proposal is seeking alterations to the front elevation of the building that falls outside of the remit of this prior approval application. Refer to section 2.0 of this report for further details.

Access Department: This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the Change of Use of this existing office accommodation. Conclusion: no objections raised from an accessibility perspective.

Contamination Department: No objection.

Highways Department:

Site Characteristics & Background:

This Prior Approval application is proposed under the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class MA - Part 3 of Schedule 2) (as amended (2021)).

The application site currently accommodates a commercial unit at ground floor level with residential above and is located on the eastern side of the High Street. The address exhibits a public transport accessibility level (PTAL) rating of 1b which is considered as very poor.

The application seeks planning approval for a change of office use to create a 1x1 bedroom flat. The address benefits from an earlier 2015 permission (70476/APP/2015/739) for the office conversion to 2x1 bedroom flats.

Parking Provision:

Local Plan: Part 2 Policy DMT 6 requires 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.

The proposal is for the office conversion to 1x1 bedroom flat which would be devoid of on-plot parking provision.

There is some anecdotal evidence of local on-street parking stress during the working day and evening time which the development may have the potential to exacerbate.

Paradoxically higher on-street parking stress levels can, in some circumstances, be self-regulating in that a lower or non-existent on-street parking availability can act as a deterrent to multiple car ownership for a prospective occupier of a new property. This is especially true when potential occupiers view a property prior to rental or purchase and observe that the surrounding roads are unable to provide readily available/convenient parking in proximity of the address. This is one factor that is very likely to be high on the list of considerations prior to occupation which allows for an informed decision to be made on whether the address suits the life demands of the potential occupier.

Given the relatively small scale of proposal and the existence of some parking controls in the area with localised restrictions at neighbouring road junctions, it is not anticipated that any measurable undue parking displacement would result due to the absence of provision hence there is no objection raised.

Cycle Parking:

There should be a provision of 1 secure and accessible space for the flatted unit in order to conform to the adopted borough cycle parking standard which has not been acknowledged. From the 'highways' perspective, as it is considered that Prior Approval is not required (see conclusion), this requirement is rendered void.

Vehicular Trip Generation:

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the council to consider 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.

Given the scale of proposal and compared with the previous established office use, there are

no immediate concerns raised in regard to any generated vehicular activity which is likely to be imperceptible on the local network.

Conclusion:

In accord with the Town and Country Planning General Permitted Development (GPD) (Amendment) Order 2015 (Class MA - Part 3 of schedule 2) (as amended) there is broadly no objection to the conversion from use class E(g)(i) to a C3 residential use in transport and highways impact terms. To expand - the office conversion to 1 flat is highly unlikely to discernibly affect overall traffic generation to and from the site as compared to the prior demands of the 'baseline' E(g)(i) use or indeed parking demand given the extensive surrounding on-street parking restraint mechanisms.

Hence, on balance, in 'highway & transport' terms the proposal does not demand a requirement for Prior Approval under condition MA.2. (1) (a) (transport and highway impacts of the development) of the Class MA GPD (Amendment) Order 2015 (as amended (2021)).

N.B. If under other matters relevant to the GDPO, the proposal is deemed to require Prior Approval, the recommended planning condition related to cycle parking provision (see above) should be exercised.

70476/APP/2014/4258 54c High Street Northwood

Change of use from offices (Use Class B1) to 2 x 1-bed flats (Use Class C3) (Prior Approval)

Decision Date: 05-02-2015 Refused

70476/APP/2015/739 54c High Street Northwood

Change of use from offices (Use Class B1) to 2 x 1-bed flats (Use Class C3) (Prior Approval)

Decision Date: 01-05-2015 PRN

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