

Planning Statement

to accompany the Planning Application
for the development at

1328 Uxbridge Road UB4 8JG

PROPOSAL:

Conversion (change of use) of the first floor commercial into 2 self-contained
residential flats

APPLICANT:

Mr Chitra

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Revision (A)

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1.0 INTRODUCTION

- 1.1 We have been commissioned to prepare a planning statement in support of the conversion (change of use) of a first floor commercial unit into 2no. residential flats in accordance with Permitted Development rights as outlined in Class MA (commercial to dwellinghouses) of The Town and Country Planning (General Permitted Development) (England) Order 2021. This Prior Approval application is submitted in regard to the provisions set out in Schedule 2, Part 3, and Class MA of the General Permitted Development Order (2015) (amended 2021). The planning statement is to accompany a Permitted Development rights Prior Approval application to the Local Planning Authority which is London Borough of Hillingdon.

2.0. SITE

2.1. Site Location

Site Address: 1328 Uxbridge Road UB4 8JG
Current Use: Commercial
Local Planning Authority: London Borough of Hillingdon

The figure 1 shows a site location aerial image:



Figure 1

2.2. Site Description

This site is occupied by a three-storey building on the north side of Uxbridge Road which lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012). The building is not a listed building nor is the application site located in the conservation area. The site is located along a service road off the A4020 (Uxbridge Road) with access gained towards the rear of the site off Hayes End Drive, an unclassified residential road which links to the A4020.

The ground floor has been used as a retail shop called The Discount Store, which is a ground floor double fronted shop unit with stairs and storage area at the rear. It is forming part of a parade of shops, a secondary shopping area. At first floor which is the subject of this application, there is a large storage area, offices and staff facilities serving the ground floor commercial unit. On the second floor, there is a four bedroom flat, accessed by an external staircases with roof terrace areas on first and second floors. Access to the flat and parking is available from the service road to the rear. The first floor storage area is connected to the ground floor through an internal staircase and escalator at the back of the building. The first floor is currently unoccupied and it has been vacant for the last few months.

The area around the development site is mixed use, with various smaller size commercial/retail premises principally at ground floor fronting New Broadway / A4020 Uxbridge Road, some community use premises, and with multiple existing residential dwellings all around including flats above commercial/retail premises plus houses along New Broadway / A4020 Uxbridge Road, and other streets beyond. Specifically regarding commercial premises; the nearest commercial/retail premises to the development site are at ground floor level within the building block.

3.0. PROPOSED DEVELOPMENT

Prior Approval is sought for: Change of use from Class E(g)(iii) to 2 x self-contained flats [Residential Use (Class C3)].

A site location plan and proposed layout plan drawing for the development are submitted with the application.

4.0. POLICY REQUIREMENTS

"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.

5.0. ASSESSMENT

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;

The building has been vacant for a period of longer than 3 months. Previous applications also confirm the site was vacant. A site visit would also confirm it is currently vacant, as do the submitted photos.

(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;

The building has been in use as commercial use for over 10 years.

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

The cumulative floor space of the building changing use is less than 1,500 sq.m.

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

(i) is or forms part of a site of special scientific interest;

The site does not form part of a site of special scientific interest.

(ii) is or forms part of a listed building or land within its curtilage;

The site does not form part of a listed building or land within its curtilage.

(iii) is or forms part of a scheduled monument or land within its curtilage;

The site does not form part of a scheduled monument or land within its curtilage.

(iv) is or forms part of a safety hazard area; or

The site does not form part of a safety hazard area.

(v) is or forms part of a military explosives storage area;

The site does not form part of a military explosives storage area

(e) if the building is within—

(i) an area of outstanding natural beauty;

The building is not in 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(3);

The building is not in 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;

The building is not in the Broads.

(iv) a National Park; or

The building is not in a National Park.

(v) a World Heritage Site;

The building is not 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

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

The proposed development is not of a description falling within Class O of this Part as that Class had effect immediately before 1st August 2021.

(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.

The above would not apply in this case.

(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.

The first floor has been used as storage, office and staff facilities connected to the ground floor shop known as The Discount Store.

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;

PTAL rating is submitted as part of the application. A suitable planning condition can address transport impact via the provision of adequate cycle storage or unilateral undertaking to make sure the development is parking permit free.

(b) contamination risks in relation to the building;

The proposed development is on the first floor and there is no contamination risk identified.

(c) flooding risks in relation to the building;

The Environment Agency website shows the site is in Flood Risk Zone 1 - an area with a low probability of flooding. The PDF of that document has been downloaded from the Environment Agency website and submitted as part of the application. The proposed development is on the first floor which means the flood risk will be very low.

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

The surrounding area is mainly residential except for the ground floor shop so there would be limited noise from commercial premises. A noise assessment is submitted.

(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;

The building is not located within a conservation area

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

A comprehensive daylight assessment has been submitted with this application which concludes that all habitable rooms benefit from levels of daylight and sunlight which exceed the relevant BRE standards thus providing future occupiers with a good standard of living.

(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; and

This would not apply in this instance.

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

(i) a registered nursery, or

There would be no loss of a registered nursery.

(ii) a health centre maintained under section 2 or 3 of the National Health Service Act 2006(4), the impact on the local provision of the type of services lost.

There would be no loss of a healthcare centre.

(3) An application for prior approval for development under Class MA may not be made before 1 August 2021.

The application is made after that date.

(4) The provisions of paragraph W (prior approval) of this Part apply in relation to an application under this paragraph as if in the introductory words in sub-paragraph (5), for "and highways impacts of the development" there were substituted "impacts of the development, particularly to ensure safe site access".

(5) Development must be completed within a period of 3 years starting with the prior approval date.

(6) Any building permitted to be used as a dwellinghouse by virtue of Class MA is to remain in use as a dwellinghouse within the meaning of Class C3 of Schedule 1 to the Use Classes Order and for no other purpose, except to the extent that the other purpose is ancillary to the use as a dwellinghouse."

6.0. CONCLUSION

The proposed development is in compliance with the requirements and conditions of the provisions set out in Schedule 2, Part 3, and Class MA of the General Permitted Development Order (2015) (amended 2021).

Refer to Appendix A:

(Design & Access Statement submitted for a previous planning application on this site)