

DESIGN AND ACCESS STATEMENT

5-7 HERCIES ROAD, UXBRIDGE, UB10 9LS

PROPOSAL: CHANGE OF USE FROM USE CLASS E TO MIXED USE OF CLASS E AND SUI GENERIS (MASSAGE AND BEAUTY SHOP) AND MERGING SHOP NOS. 5-7 & 9-11 INTO ONE SINGLE UNIT.

APPLICANT: MR PAUL ANASTASI



Date: Feb 2024 (Rev.1.0A)
OPS Chartered Surveyors
17 Garvin Avenue, Beaconsfield, Buckinghamshire, HP9 1RD
M: 07881 457903 | E: info@ops-surveyors.co.uk



INTRODUCTION

OPS Chartered Surveyors has been engaged by Mr. Paul Anastasi, hereafter referred to as the 'applicant,' to create this Design & Access Statement in support of the planning application seeking approval for the "Change of use from Use Class E to mixed use of Class E and Sui Generis (Massage and Beauty Shop), and amalgamation of shop units 5-7 & 9-11 into a singular unit" located at 5-7 Hercies Road, Uxbridge, UB10 9LS, henceforth denoted as 'the site.'

The following documents are submitted with the statement for the council's consideration:

- 1) Application Drawings
- 2) CIL form
- 3) Decision Notice for 74068/APP/2018/3376
- 4) Officer Report for 74068/APP/2018/3376
- 5) Newspaper article related to approval 74068/APP/2018/3376
- 6) Supporting letter related to approval 74068/APP/2018/3376

The application primarily centres on obtaining planning permission for the change of use of the premises, with no proposed external alterations to the front and rear facades of the building. This comprehensive statement aims to underscore the positive aspects of the proposed development, emphasising community benefits, while also demonstrating the effective and sustainable utilisation of the existing land. Importantly, the proposal is crafted to ensure that it does not exert any adverse impact on the character and amenities of the surrounding area and neighbourhood.

The applicant also owns shop 9-11 Hercies Road, Hillingdon and planning permission was granted on 11 Jan 2019 under approval 74068/APP/2018/3376 for:

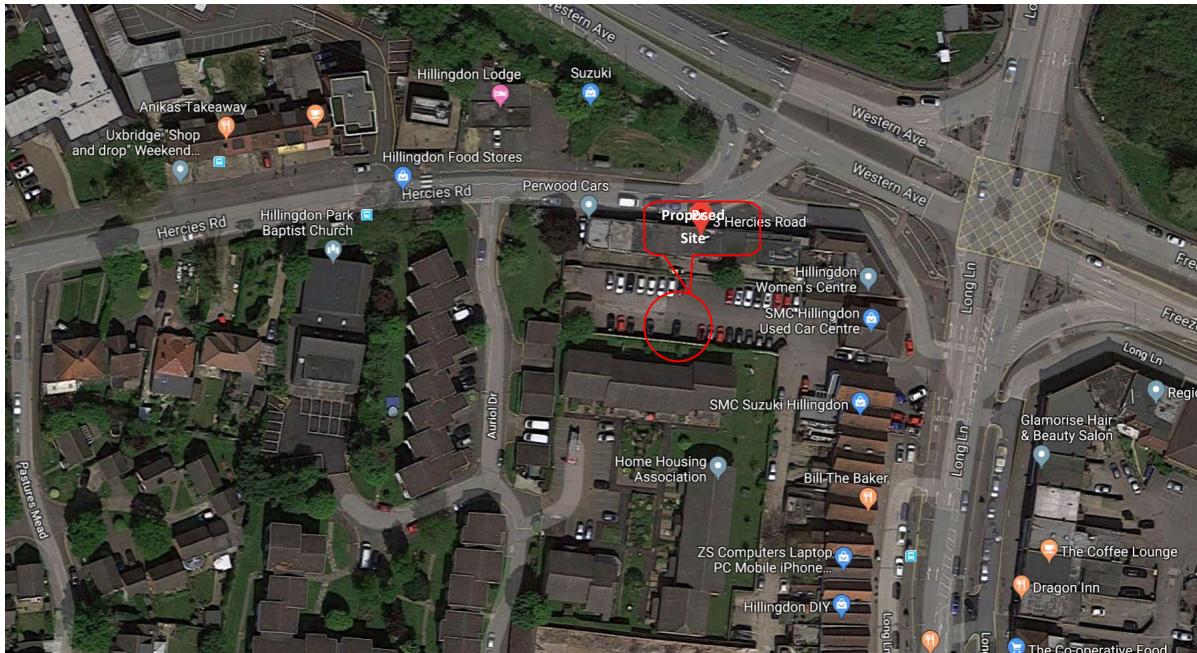
Change of use from retail (Use Class A1) to a mixed-use comprising retail and massage/beauty parlour (Use Class A1/Sui Generis) and merging of the two units into one single unit.

The above application was determined and recommended for approval with the following comments and conclusion:

It is considered that the Change of Use of the property from A1 (Shops) to A1/Sui Generis for use as a massage and beauty salon would not have a detrimental impact on the parade of commercial units as sufficient A1 units would be retained. It is considered that it would not result in an increased demand for parking and traffic generation. In addition, it would not have an impact on the street scene.

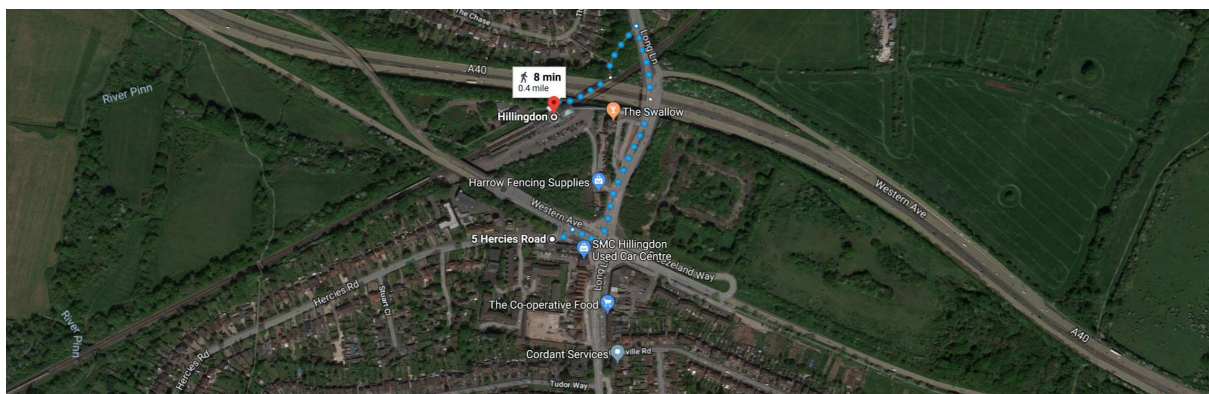
SITE LOCATION & DESCRIPTION

The site constitutes a segment of the Hercies Road local parade, encompassing two commercial units (no. 5 & 7) facing Hercies Road, with a service road situated at the rear. In proximity, residential flats are located near the junction of Western Avenue, Hercies Road, and Long Lane. However, it is noteworthy that there are no residential units situated above the parade shops numbered 1-13.



At the rear of the site, there are two designated parking spaces. The proposed site falls within the Parking Control Zone (CPZ), with abundant pay and display spaces available at the front. The parking configuration is clearly illustrated on the application drawings.

Additionally, the locality benefits from excellent transport links, with the nearest Hillingdon tube station situated at a distance of 0.4 miles, equivalent to an approximate 8-minute walk. This convenient accessibility contributes to the overall suitability of the proposed development in terms of transportation infrastructure.



WebCAT

Address or co-ordinates

eg. NW1 6XE or 530273, 179613

Go

Access level (PTAL)

Time mapping (TIM)

PTAL: a measure which rates locations by distance from frequent public transport services.

Map key - PTAL



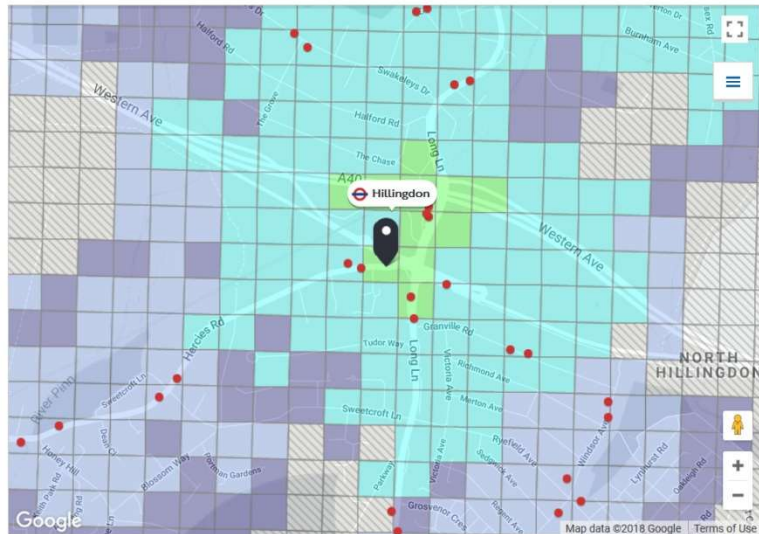
Map layers

PTAL (cell size: 100m)

Scenario

Base Year

☐ Highlight locations where PTALs have changed from Base Year



You can click anywhere on the map to change the selected location.

PTAL output for Base Year
3

11 Hercies Rd, Uxbridge UB10 9LS, UK
Easting: 507559, Northing: 184829

All public transport modes in London currently available:
National Rail, London Overground, Tube, DLR, Tram, Buses

The proposed site boasts a PTAL (Public Transport Accessibility Level) rating of 3, complemented by the presence of four bus stops within a 0.1-mile radius. This rating and the proximity of bus stops are deemed reasonable and fitting for this area, especially in consideration of the size of the premises. The robust public transport accessibility further enhances the suitability of the proposed development within the local context.

PLANNING POLICIES

The following policies are considered to be relevant to this application:

National Planning Policy Framework (NPPF)

National Planning Policy Guidance (NPPG)

Hillingdon Local Plan Part 2: Development Management Policies

Supplementary Planning Documents (SPDs)

The Town and Country Planning Act 1990

The Planning and Compulsory Purchase Act 2004

Planning Act 2008

The Localism Act 2011.

NATIONAL PLANNING POLICY FRAMEWORK (NPPF) (2023)

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this application.

Presumption in Favour of Sustainable Development

The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how they should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.

Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

For decision making this means

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole.

Decision-making

Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way.

Achieving well-designed places

Section 12 of the NPPF refers to design, with paragraph 126 describing how the Government attaches great importance to the design of the built environment, stating that “Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”

Paragraph 130 states that planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

PRINCIPLE OF DEVELOPMENT

The proposed Thai Massage facility (Class Sui Generis) in conjunction with Class E Use encompasses various amenities, including seating and shop display areas as integral components of the Use Class E. Additionally, the layout incorporates six treatment rooms, a designated shower cubicle, and a separate WC. Notably, a new communal opening at Shop 9-11 Hercies Road is envisioned to facilitate seamless access between the units.

The thoughtful design of the proposal aims to provide flexibility for potential future changes of use within the specified classes. This strategic approach acknowledges the limited nature of the Sui Generis Thai Massage use when considered in isolation. The primary focus of the establishment is envisioned as a Thai massage and well-being clinic.

Aligning with one of the Core Planning Principles outlined in The National Planning Policy Framework, the proposal actively encourages the effective use of land by repurposing previously developed (brownfield) land. Furthermore, the site's integration into a local parade underscores its contribution to the Borough's shopping hierarchy, emphasizing the promotion of diverse shopping options within walking distance of residences and workplaces. This approach not only aligns with environmental sustainability goals by encouraging reduced CO2 emissions through accessible facilities but also supports the council's objective of retaining the retail function in shopping areas to cater to local needs. The proposed variety of service uses is envisioned to enhance the vitality and retail attractiveness of the shopping area without undue dominance in any particular row of shops.

Policy DM2.3: Sui Generis Uses: This policy sets out the council's approach to sui generis uses, which are uses that do not fall into any of the other use classes. The policy states that the council will consider sui generis uses on a case-by-case basis, and will take into account a number of factors, including the impact of the use on the surrounding area and the character of the locality.

The policy states that the council will consider sui generis uses on a case-by-case basis, and will take into account a number of factors, including the following:

- *The impact of the use on the surrounding area and the character of the locality.*
- *The need for the use in the area.*
- *The design and quality of the proposed development.*
- *The impact of the use on traffic, parking, and noise levels.*
- *The impact of the use on the amenity of neighbouring residents.*

The council will also consider the following factors when considering a sui generis use:

- Whether the use is compatible with the surrounding land uses.
- Whether the use is likely to generate significant traffic or noise levels.

- Whether the use is likely to have a negative impact on the amenity of neighbouring residents.
- Whether the use is likely to harm the character of the locality.

The Applicant's Case

Impact on the surrounding area and the character of the locality:

A Thai massage well-being clinic is a complementary and alternative medicine (CAM) facility that offers a variety of therapeutic massage treatments.

The proposal site on Hercies Road would be compatible with the surrounding land uses, which include a mix of commercial and residential properties. The unit would not have a negative impact on the character of the locality.

Need for the use in the area:

The proposal takes into account the escalating demand for Complementary and Alternative Medicine (CAM) therapies in the UK. As per a 2017 survey conducted by the National Institute of Health and Care Excellence (NICE), 10% of the UK population have actively sought CAM therapies in the preceding year.

Furthermore, within Hillingdon, there exists a scarcity of Thai massage and well-being clinics. The introduction of a new facility on Hercies Road is strategically positioned to address this gap and cater to the requirements of local residents who express a specific interest in this type of therapeutic offering. The establishment of such a clinic not only aligns with the observed trend in CAM therapy usage but also responds to the identified local need, contributing positively to the well-being and healthcare choices available to the community.

Impact of the use on traffic, parking, and noise levels:

The proposed establishment is anticipated to be a low-traffic generating use, ensuring that it does not exert a substantial impact on traffic levels along Hercies Road. Adequate parking facilities have been incorporated into the business plan to cater to both customer's and staff requirements.

Operational considerations are aligned with maintaining a harmonious coexistence with the surrounding area. The business is scheduled to operate within normal business hours, mitigating the likelihood of generating excessive noise levels. This conscientious approach to traffic management, parking provision, and noise control reflects a commitment to minimising any potential disruptions and reinforces the proposal's compatibility with the existing environment on Hercies Road.

Impact of the use on the amenity of neighbouring residents:

The operation of the proposed business is committed to maintaining a respectful and considerate approach, ensuring that it does not cause any nuisance to neighbouring residents. To uphold this commitment, the unit will implement soundproofing measures designed to minimise noise levels. These proactive measures underscore the business's dedication to harmonious coexistence within the local community, affirming its commitment to being a responsible and considerate neighbour.

In conclusion, the proposed change of use from a shop unit to a Thai massage and well-being clinic on Hercies Road will benefit the local community by providing a valuable service and promoting health and well-being. It will be designed to be sympathetic to the surrounding area and will have a minimal impact on traffic, parking, noise levels, and shopping facilities.

PARKING/ACCESS/HIGHWAY IMPLICATIONS:

Given the historical context of the shopping parade, where off-street parking was not originally designated for the use of shops and their customers, the proposal takes advantage of the ample on-street parking and common land parking available in the surrounding area. Consequently, it is reasonable to conclude that the proposal would not have any material impact on traffic or highway safety.

The proposal would be a car-free development. The premises, hosting 6 treatment rooms and employing 2 full-time staff and 4 part-time staff, have been subject to assessment by the Highway Department during a previous application for the adjoining shop at 9-11. The department's evaluation indicated that the proposed development would likely generate a parking demand similar to its previous A1 use.

In light of the identical setup and staff numbers at the proposed site (No. 5-7 Hercies Road), it is reasonable to anticipate that the impact on parking, access, and the highway would be comparable to the previously approved development.

Considering the existing one-hour parking restriction within the CPZ, it is unlikely that staff would exceed this limit when using on-street parking, thereby mitigating any potential impact on the current parking situation. Moreover, the availability of sufficient car parking facilities at Hillingdon Station, which is currently underused, presents an opportunity for both visitors and staff of the proposed clinic to utilize this resource.

In light of these considerations, there should be no objection to the proposal on parking grounds, as it demonstrates a comprehensive understanding of the local parking dynamics and presents viable solutions to potential concerns.

RESIDENTIAL AMENITY

The National Planning Policy Framework (NPPF) emphasises the importance of planning decisions that prevent noise from causing significant adverse impacts on health and quality of life due to new developments. Additionally, it underscores the need to mitigate and minimize other adverse impacts on health and quality of life through conditions.

In adherence to these principles, the proposed services on-site will be confined within the existing envelope of the building, with no external activities. Notably, there are no residential units either above or immediately adjacent to the proposed site, indicating a minimal or near non-existent impact on the area in terms of noise or other disturbances.

Given these considerations, and in the absence of residential units in close proximity, the generation of noise or other disturbances is anticipated to be very low. Therefore, it is deemed unnecessary for the applicants to implement additional physical measures to mitigate noise outbreaks from the site. Instead, the imposition of appropriate planning conditions, particularly those controlling the hours of use, is considered a sufficient and effective means to address and prevent potential noise issues.

In summary, the proposed development aligns with the policy requirements of the NPPF and the Local Plan regarding noise issues. The imposition of suitable planning conditions, such as those regulating operating hours, is seen as a practical and proportional measure to ensure compliance with these policies.

CONCLUSIONS

The applicant considers that there should be no policy objections to the principle of the proposed change of use to mixed Class E and Sui Generis uses, which comply with national and local plan policies. The uses are also considered to be appropriate for this site due to its location because the site is easily accessible by different means of transportation and will contribute towards local needs for meeting the Council's policies.

The proposed change of use will safeguard and contribute to the vitality and viability of the local parade where there are sufficient on-site and off-site parking that will help to reduce parking impact and road safety of the area.

A similar scheme was approved by the Council (reference: 73287/APP/2017/3974)

The case officer concluded *"The physical alterations to the building are considered to relate satisfactorily to the architectural integrity of the host building and locality. Subject to hours of use condition, the proposals will have little or no noise impacts, compared to the existing uses and would not detract from highway safety."*

Adopting the view of the Council when granting the above planning permission, it is considered that there would be no substantial harm arising from the proposed development, which would outweigh the benefits which it would deliver. The scheme is therefore considered to be acceptable in principle, in compliance with relevant policies in the NPPF, the London Plan 2021 and the Hillingdon Development Management Policy.