



**PLANNING BY DESIGN**  
FROM CONCEPT TO COMPLETION

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**Proposed Change of use from vacant betting office (Sui Generis) to Hot Food Takeaway (Sui Generis) with the installation of extraction equipment + New front window**

**at:**

**23 Windsor Street, Uxbridge, UB8 1AB**

**Design and Access Statement**

# Written and prepared by Planning By Design on Behalf of Mr. Tariq Hanif

## **1. Application**

Planning By Design (**The agent**) has been instructed to act on behalf of Tariq Hanif (**the applicant**) to submit a planning application to London Borough of Hillingdon (**the Planning Authority**) for a Proposed Change of use from vacant betting office (Sui Generis) to Hot Food Takeaway (Sui Generis) at: 23 Windsor Street, Uxbridge, UB8 1AB (**the Site**). In support of this application, the following Planning Statement has been constructed to demonstrate the suitability of this site for this proposal and evaluate its accordance with National and Local planning policies.

## **2. Site Location**

The application site comprises two-storey terrace house at the corner of Windsor Street at the junction with Cross Street, located within the Uxbridge Town Centre. The site location is not associated with any listed status however there are several listed buildings along Windsor Street, such as no.10, 12, 13, 14, 46 and 48 Windsor St., which are all grade II listed buildings. The site itself is located within the Old Uxbridge/Windsor Street Conservation Area.

The surrounding area is located within the town centre of Uxbridge and is typically commercial mixed-use in character and includes a range of retail and commercial leisure/commercial food and drink-led businesses. The local area is therefore vibrant and active throughout the day and night.

## **3. The Proposal Development**

The application proposal is sought for a material change of use from the existing and currently closed and vacant Betting Office (Sui Generis) into a Hot Food Takeaway (Sui Generis) use.

The application proposes changes in terms of new windows and doors which will match existing ones. A new extractor system is also proposed to be installed at the side elevation (south facing) details of which can be confirmed by the applicant on request.

## **4. Planning History**

According to the LPA's on-line planning records, there is no planning history for the application site. However, there are some recent planning history for the sites in Windsor Street.

- 23187/APP/2019/3131 - METROPOLITAN TAVERN, 8-9 WINDSOR STREET UXBRIDGE UB8 1AB - Installation of replacement signage, internal televisions and external and internal refurbishment – Approved
- 4383/APP/2018/2597 - 43-44 WINDSOR STREET UXBRIDGE UB8 1AB - Installation of collapsible gate shutters (Application for Listed Building Consent) – Approved

## 5. Design and Acess

The proposal is for modest scheme involving proposed external and internal refurbishment works to refresh and enhance former vacant betting office. Proposed external works will include minor changes and replacement of windows and doors with new ones which will match existing in terms of materials. External works will also include installation of extractor systems which will be installed at the south (side) elevation of the property (Fig.1)

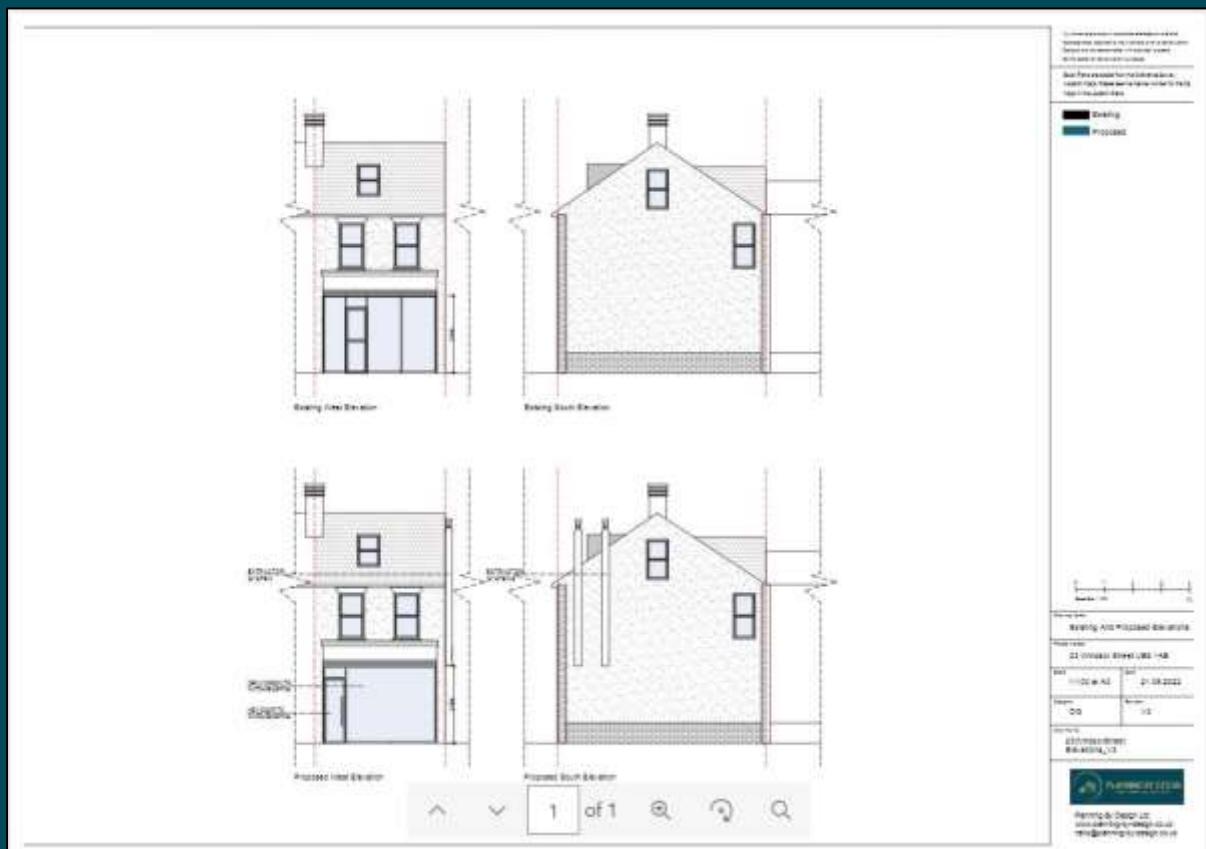


Figure 1: Existing and proposed elevations (not to scale, see planning drawings)

Internal works will include changes in respect of installation of a kitchen and toilet area, and other associated works required for hot food takeaway such as counter, frying range, cold display, etc. (Fig.2).



Figure 2: Proposed internal layout (not to scale, see planning drawings)

The external appearance of the site would only be modestly affected by the proposed installation of the extractors and the proposed external redecoration/refurbishment works. These proposals are not considered to give rise to any material, detrimental changes to the appearance of the host buildings. In effect, the proposals are generally a simple refurbishment exercise to refresh the external appearance of this site. The implications of the proposals upon the building itself are considered to be sympathetic and appropriate in nature.

Access arrangements into and past the building would not be altered as a result of these proposals.

## 6. Heritage Impact

The implications of the proposed external and internal redecoration/refurbishment works, on the historic and architectural fabric and character of the conversartion area and nearby listed buildings are considered to be acceptable, appropriate and sympathetic. The proposed works of redecoration/refurbishment scheme is not considered to result in any significant, material or detrimental implications for historic or architectural interest, character and fabric of listed buildings.

The application proposals are therefore considered to be sympathetic to the historic and architectural character of the conversation area and are not considered to genuinely conflict with any of the wider aspirations of the local planning policy context for this site.

## 7. Assessment

The following policy and guidance documents are recognized as primary considerations for the decision of the associated application at the site location

- National Planning Policy Framework;
- National Planning Practice Guidance;
- London Plan (2021)
- Hillingdon Local Plan Part 1 Strategic Policies (Adopted Novemeber 2012)
- London Borough of Hillingdon Local Plan Part 2 Development Management Policies (Adopted January 2020)
- Other Documents, Guidance and Legislation

### 7.1. National Planning Policy Framework (NPPF)

**Achieving sustainable development, paragraph 7 of the NPPF**, highlights the importance of “by fostering well-designed, beautiful and safe places” as a social objective for achieving sustainable design.

**Analysis:** *The proposal will contribute positively to the three development objectives outlined in the National Planning Policy Framework. From a social and economic perspective, the proposal will provide an employment use and will provide jobs and supplement the local economy by bringing a disused unit back into use. The proposed development will have no adverse impacts on surrounding communities or on the existing landscape.*

**Paragraph 8 of the NPPF** explains that achieving sustainable development means that the planning system has overarching objectives, which are interdependent and need to be

pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

- i) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- ii) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- iii) an environmental objective – to protect and enhance our natural, built and historic environment, including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

**Analysis:** *The proposal will promote all three primary objectives of the NPPF, by facilitating significant economic benefits within the area while creating the provision of a much needed social element. The proposal will not cause any environmental disruption by way of visual impact or residential amenity as the no heavy operations will commence within the units and furthermore, the site is utilising an existing vacant betting office unit.*

#### **Paragraph 81: Building a strong, competitive economy**

81. Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future. This is particularly important where Britain can be a global leader in driving innovation<sup>42</sup>, and in areas with high levels of productivity, which should be able to capitalise on their performance and potential.

82. Planning policies should: a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration; b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period; c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

83. Planning policies and decisions should recognise and address the specific locational requirements of different sectors. This includes making provision for clusters or networks of knowledge and data-driven, creative or high technology industries; and for storage and distribution operations at a variety of scales and in suitably accessible locations. Supporting a prosperous rural economy

84. Planning policies and decisions should enable: a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; b) the development and diversification of agricultural and other land-based rural businesses;

*Analysis: The site is currently a disused unit with its most recent use class being Sui Generis. The Change of Use to Sui Generis (Hot Food Takeaway) would not alter the wider uses of this shopping frontage as the units would still provide mixed uses in its current location. The proposal would benefit from bringing a vacant unit back into use.*

**Paragraph 11 of the NPPF** describes the presumption in favor of sustainable development. Additionally, paragraph 11 specifically states that for decision-making this means (amongst other things):

- approving development proposals that accord with an up-to-date development plan without delay; or:
- 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

*In line with the National Planning Policy Framework, Planning by Design kindly request for a timely decision to be made on the proposal. Additionally, Planning by Design welcomes the opportunity to engage in any relevant discussion with the appointed case officer on behalf of the applicant to address any concerns or further queries.*

**Paragraph 206 of the NPPF** states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

*Analysis: The proposed development will not have detrimental affect to the conservation area and it will preserve heritage elements. Furthermore, it will make positive contribution to the conservation area through reusage of vacant office. For the reasons stated above, we are of professional opinion that proposed development should be treated favourably.*

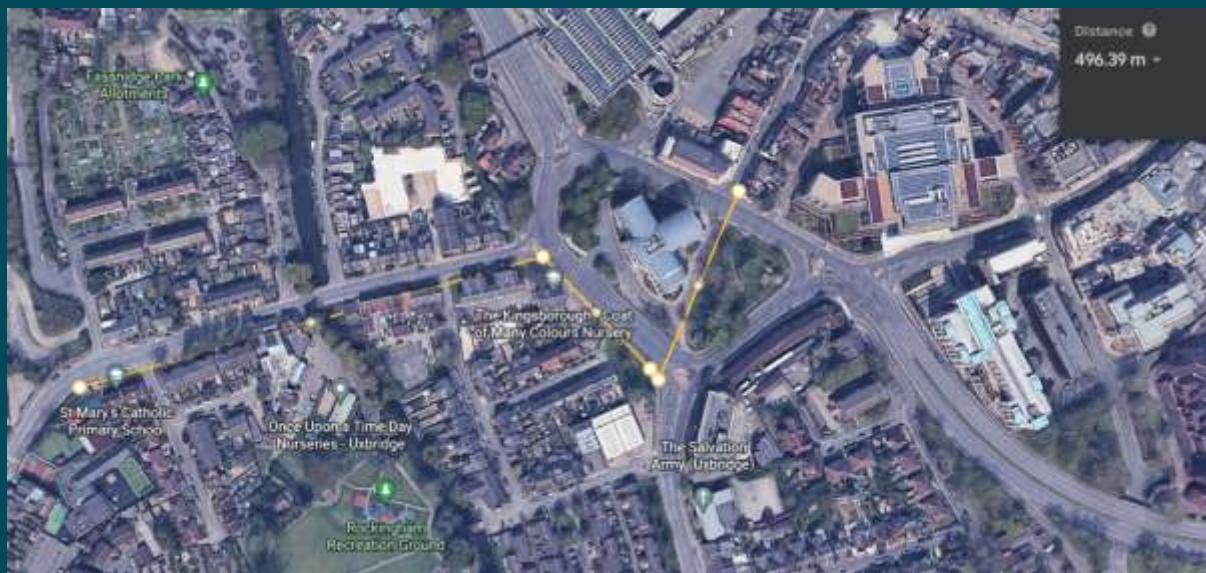
## 7.2. London Plan (2021)

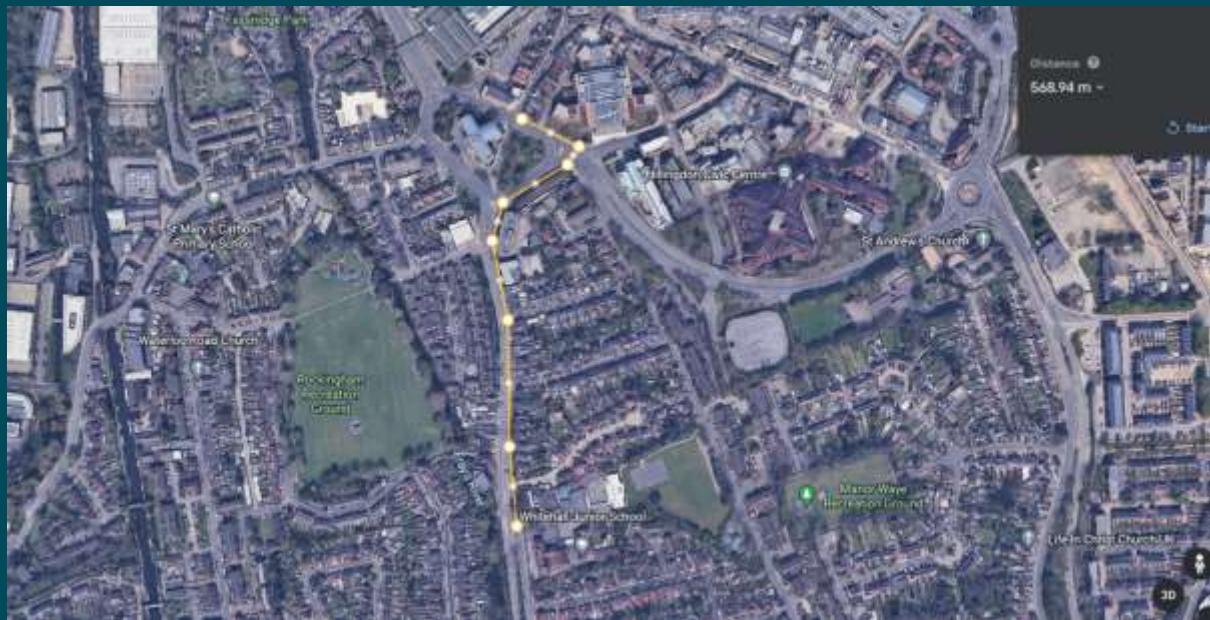
### **Policy E9 - Retail, markets and hot food takeaways**

Point D of Policy E9 states that Development proposals containing A5 hot food takeaway uses should not be permitted where these are within 400 metres walking distance from the entrances and exits of an existing or proposed primary or secondary school. Boroughs should also carefully manage the over-concentration of A5 hot food takeaway uses within town centres and other areas through the use of locally-defined thresholds in Development Plans.

While Point E states that where development proposals involving A5 hot food takeaway uses are permitted, boroughs should encourage operators to comply with the Healthier Catering Commitment standards. Where justified, boroughs should ensure compliance with the Healthier Catering Commitment through use of a condition.

*Analysis: The proposed development will not be located within 400 metres od the primary or secondary school and it will not cause over-concencration of A5 hot food takeaways since there is not many takeaways located in the vicinity of the proposal. Therefore, it is considered that development will be compliant with Policy E9 of the London Plan.*





Figures 3 & 4: Distance from nearest schools

#### **Policy HC1 Heritage conservation and growth**

Policy HC1 highlights importance of protecting/conserving heritage assets in development proposals affecting these assets. Development proposals should be sensitive and conserve heritage significance, by being sympathetic to the assets' significance and appreciation within their surroundings. Development proposals should avoid harm and identify enhancement opportunities by integrating heritage considerations early on in the design process.

*Analysis: Proposal will be sensitive to the heritage assets and conservation area and it will be in keeping with its surroundings. Proposal will not have detrimental impact on heritage assets and it is therefore compliant with the above policy of London Plan.*

### **7.3. Hillingdon Local Plan Part 1 Strategic Policies (Adopted November 2012)**

The following policies are most relevant:

- PT1.BE1 (2012) Built Environment
- PT1.HE1 (2012) Heritage

#### **Policy BE1 – Built Environment**

Policy BE1 of the Local Plan: Part 1 Strategic Policies concerns the built environment. This policy states that the Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. The policy also seeks to achieve a high quality of design in all building alterations.

### **Policy HE1 Heritage**

Policy HE1 of the Local Plan: Part 1 Strategic Policies addresses heritage. This states that the Council will conserve and enhance Hillingdon's distinct and varied environment, its settings and wider historic landscape, including statutorily listed buildings and conservation areas. Policy HE1 also actively encourages the regeneration of heritage assets and encourages the reuse and modification of heritage assets, where appropriate.

*Analysis: It is considered that no material detriment results to any of the historic fabric of listed buildings and conservation area as a consequence of the application proposals. The proposed change of use and redecoration/refurbishment scheme is not considered to result in any significant, material or detrimental implications for historic or architectural interest, character of conservation area. The application proposals are therefore considered to be sympathetic to the historic and architectural character of conservation area and are not considered to genuinely conflict with any of the wider aspirations of the local planning policy context for this site. The proposed development is therefore considered to be compliant with the aims and aspirations of the above Local Plan Policy HE1 and BE1.*

### **7.4. London Borough of Hillingdon Local Plan Part 2 Development Management Policies (Adopted January 2020)**

Relevant policies:

- Policy DMTC 1 -Town Centre Developments
- Policy DMTC 3: Maintaining the Viability of Local Centres and Local Parades
- Policy DMTC 4: Amenity and Town Centre Uses
- Policy DMHB 4 : Conservation Areas

#### **Policy DMTC 1 -Town Centre Developments**

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.

Hot food takeaways (Class A5) have specific issues in terms of parking and impact on the vitality of a shopping area. In order to prevent problems caused by parking on the street or on the pavement outside the premises, adequate off street parking for customers and delivery vehicles will be required. In order to prevent unacceptable effects on local amenity, shopping frontages and the daytime vitality of shopping parades, Use Class A5 hot food

takeaways will be limited to 15% of the total number of units present in a centre or a local parade.

*Analysis: The proposed hot food takeaway will be of adequate scale and will function well within town centre. Delivery vehicles will not present an issue to the town centre vitality as the off street parking would be available at the rear of the property, where designated loading/delivery spaces would be available. Proposed development is not over 15% of the total number of units present in a centre and therefore it would be compliant with the policy DMTC of the Local Plan.*

#### **Policy DMTC 3: Maintaining the Viability of Local Centres and Local Parades**

The Council will protect and enhance the function of local centres and local shopping parades by retaining uses that support their continued viability and attractiveness to the locality they serve. In considering applications for changes of use of shops the Council will ensure that:

- i) the local centre or shopping parade retains sufficient essential shop uses to provide a range and choice of shops appropriate to the size of the parade, and its function in the Borough shopping hierarchy;
- ii) at least of 50% of the local centre or shopping parade is retained as Use Class A1 shops; and
- iii) the surrounding residential area is not deficient in essential shop uses

*Analysis: Proposed development will not have a detrimental impact on local amenity in terms of noise, litter, parking, saturating the area, etc. Proposed development will use adequate extractor systems which will ensure that there is no adverse impact on visual amenity. Proposed extractor system will be installed appropriately and in a sensitive manner respecting conversation area and amenity. In that way it will not have a negative impact on streetscape, amenity and any adjoining residential area. Given the above, it is considered that proposal will be in accordance with the Policy DMTC 3 of the Local Plan.*

#### **Policy DMTC 4: Amenity and Town Centre Uses**

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.

*Analysis: Proposed hot food takeaway would be only purely takeaway in this part of Windsor Street and it will sit well and contribute to mix of uses of the Town Centre. Proposed development will not cause any disturbance and pollution to amenity and local character as it will provide adequate solutions to odour and emissions via suitable extractor systems and also provide availability for delivery parking at the rear of the site. Proposed development will have minor external refurbishments which will not cause detrimental impact to character and function of an local area. The proposed development would be in accordance with the Policy DMTC4 of the Local Plan.*

#### **Policy DMHB 4 -Conservation Areas**

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. In order to achieve this, the Council will:

- A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area.
- B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.
- C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans

*Analysis: The proposed works which will contribute to change of use of vacant betting office to hot food takeaway will respect heritage assets of conservation area and it will make a positive contribution to the charather and appearance of the Conservation Area. Proposed development will have minor external changes which will be sensitive and in keeping with its charahter and local town centres conservation area. Therefore, development will enhance and refresh former vacant office and bring new adequate use to the centre.*

#### **7.5. Other Documents, Guidance and Legislation**

The National Model Design Code (July 2021) provides guidance to promote successful design and expands on the ten characteristics of good design set out in the National Design Guide.

The National Design Guide (January 2021) recognises the importance of good design and identifies the ten characteristics that make up good design to achieve high quality places and buildings. The guide articulates that a well-designed place is made up of its character, its

contribution to a sense of community and its ability to address the environmental issues affecting climate.

The Environment Act 2021 makes provision for all planning permissions to be conditional on the provision of biodiversity net gain. Whilst there is, as yet, no requirement set out in statute, the Government's clear intention is a material planning consideration. The Council will therefore seek to secure biodiversity net gains where practicable in advance of this becoming a statutory requirement.

## **8. Conclusion**

In considering this application, it is hoped that the Planning Authority recognise that the development has been designed and scaled appropriately, in line with the areas and sites existing context.

The proposed change of use from a vacant betting office (Sui Generis) unit into a Sui Generis Hot Food Takeaway represents a suitable use which will not lead to any adverse impact to the surrounding area. The proposal will turn this currently underutilised unit into a much needed new employment opportunities would be created and the business would primarily serve locals due to its location.

No opening hours have been proposed at this stage and we welcome consultation with the Councils Environmental Health and Planning Teams to work to a suitable hours of operation that will work with our applicant, local residents, neighbours and consultees that will ensure the success of this premises and safeguard the residential amenity of all neighbours.

Should the Planning Department have any issues with proposed operating hours, the applicant is open to revising these if deemed to be necessary.

Should the Planning Authority have any queries or concerns relating to any element of this proposal, Planning By Design welcome the opportunity to correspond to any issues prior to the release of any formal decision. We kindly request for the council to view upon this application favourably and issue a timely decision in line with the National Planning Policy Framework.