

Planning Committee: 20/07/2022

Briefing Notes

ITEM 01- Gold's Gym, 54-62 Uxbridge Road, Hanwell, London, W7 3SU (215983FUL)

Amendment to Site Map

The Site Map submitted with the Committee Report is inaccurate due to administrative error. The correct outline of the application site is provided at the end of the briefing note.

Additional Objection Received

An additional objection was received, which called into question the validity of the consented scheme on the neighbouring site (ref: 172913FUL - 64-66 And 70-88 Uxbridge Road). The objection notes that the scheme on the neighbouring site will expire on 23/07/2022, without discharging any of the prior commencement conditions. The objection notes that as no pre-commencement conditions were discharged, the Committee Report should be reviewed, as to the precedent of the neighbouring development and the weight attributed to the neighbouring scheme in the assessment of this proposal.

Officer Response

Whilst it is considered that this matter has been addressed within the Committee Report, further comment on this matter is provided within this Briefing Note:

The applicant submitted a discharge of condition application for condition 3(i) of the consent on the neighbouring property, which related to a Demolition Method Statement for the consented scheme. The application to discharge this condition was submitted and validated on 28/02/2022, with a statutory determination date of 24/04/2022. Following this deadline being passed, the applicant on this application on 06/05/2022 sent a Deemed Discharge Notice, submitted under Article 27 of the Town and Country Planning (Development Management Procedure) Order. This meant that Council had until 20/05/2022 to discharge this condition (14 days), which elapsed without a formal decision of Council. The reason for the delay in determining the application was a delay in receiving an internal consultee response.

Article 28 states that "Deemed discharge takes effect on the date specified in the notice given under article 29 or on such later date as may be agreed by the applicant and the authority in writing, unless the authority has given notice to the applicant of their decision on the application under article 27 before that date".

As this didn't occur, the condition with relation to the Demolition Management Plan was considered to be discharged by deemed consent on 20/05/2022, which is within the three-year currency period of this adjoining application.

Subsequent to this, the applicant on this adjoining site submitted their CIL Liability information, which included the date of commencement of the development. This date was 27/06/2022, also within the 3 year period. Committee Members should have noticed during the site visit that the demolition of the adjacent building has commenced, which is defined as a 'material operation' under s56(4) of the Town and Country Planning Act, which states that "development is taken to be begun on the earliest date on which a material operation is carried out".

Nevertheless, an image of the demolition occurring on the adjacent site is provided below:

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It therefore the Council Officer's view that the scheme on the adjoining site has been lawfully implemented/begun as material operation has been carried out on the site. The adjoining site therefore remains a material consideration as outlined within the Committee Report.

Additional Objection Received

Another objection was received by Council on 19/07/2022, via the Ealing planning portal, which is from a representative of the Diocese of Westminster Property Services Office. The points raised by the objection are detailed below:

- The parish church next door is a locally listed site of interest. it is also the main aspect leading into the town centre and very prominent.
- The owners surveyors did not return to complete a full light survey so this is disputed.
- The parish priest lives in the upper parts so it is domestic. His office is downstairs and has little light currently.
- The outrigger is of concern as it is not the usual, but it does lie close to the parish site and in terms of noise nuisance if people are directly above the parish hall there are security concerns.
- The outrigger needs to be away from our boundary as maintenance will be an issue and they will constantly need access to our land to maintain this structure. This is an overdevelopment so close to the parish and too dominant and should be rejected.

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Officer Response:

The Committee Report contains a full assessment of the impact of the proposal on the adjacent church. Focus is given within report to the local heritage status of the church as well as the impact of the proposal on the church, with respect to light and the security concerns raised.

With respect to maintenance, it is not clear on what type of maintenance of the proposed building that the objector refers to, however, if access is required, this will be by agreement between the Church operators and the Management Company of the proposed development.

AMENDMENT TO THE JUSTIFICATION

The report incorrectly states that the scheme on the adjoining site is a part 4-, part 5-, part 9-storey development. It is noted that the application description on this adjoining site (172913FUL) is shown on Council systems as such, however during the course of the application, the scheme was amended for the five-storey element of the proposal on the adjoining site to be reduced to 4-storey. Therefore, the report shows an older indication of the front elevation of the adjacent consented scheme (the incorrect elevation is shown at Figure 4).

The image of the front elevation of the consented scheme should therefore be shown as such:



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However, it should be noted that the scheme proposed as part of this application also proposes a 4-storey podium in accordance with the approved scheme on the neighbouring site and therefore, this does not alter the Officer's assessment of the proposal.

The applicant correctly indicates on the proposed elevation drawings the scheme as it has been approved on the adjacent site.

FURTHER INFORMATION:

Some members did raise some concern during the site visit on the setbacks of the proposed development particularly the adjacent church. The proposed development would be located wholly within the site boundary and there would be no overhang into the church property. The image below gives some measurements from the site boundary to the roof lights of the church, as well as the setback of the taller element of the development from the street frontage.

The height of the outrigger along the shared boundary would be approximately 13 metres.

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