# **Appeal Decision**

Hearing (Virtual) held on 27 January 2022 Site visit made on 31 January 2022

# by John Dowsett MA DipURP DipUD MRTPI

an Inspector appointed by the Secretary of State

**Decision date: 23rd June 2022** 

# Appeal Ref: APP/R5510/W/21/3280015 Hayes Park North, Hayes Park, Hayes End Road, Hayes, UB4 8EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3(1) and Part 3, Class O of Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
- The appeal is made by Universities Superannuation Scheme Limited against the decision of the Council of the London Borough of Hillingdon.
- The application Ref: 12853/APP/2021/2202, dated 1 June 2021, was refused by notice dated 26 July 2021.
- The development proposed is described as: Change of use of offices on all three floors into a total of 64 residential units comprising 6 x studios, 33 x one-bedroom, 19 x two-bedroom and 6 x three-bedroom units.

# **Decision**

1. The appeal is allowed, and prior approval is granted under the provisions of Article 3(1) and Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of offices on all three floors into a total of 64 residential units comprising 6 x studios, 33 x one-bedroom, 19 x two-bedroom and 6 x three-bedroom units at Hayes Park North, Hayes Park, Hayes End Road, Hayes, UB4 8EE in accordance with the terms of the application Ref: 12853/APP/2021/2202, dated 1 June 2021, and the details submitted with it (including the drawing numbers set out below), and subject to the conditions in the attached schedule:

# Approved Drawings:

- 21-T066 01 Site Location Plan;
- 21-T066 02 Site Location Plan;
- 22519LH Existing Basement Plan;
- 22519LH Existing Ground Floor Plan;
- 22519LH Existing First Floor Plan;
- 22519LH Existing Second Floor Plan;
- 21-M011-D00-001 Proposed Basement Floor Plan;
- 21-M011-D00-002 Proposed Ground Floor Plan;
- 21-M011-D00-003 Proposed First Floor Plan;
- 21-M011-D00-004 Proposed Second Floor Plan;
- 21-M011-D00-010. -Typical Unit Plan;
- 22519LH 1 of 3 Existing and Proposed North Building Elevations;
- 22519LH 2 of 3 Existing and Proposed North Building Elevations; and

• 22519LH 3 of 3 - Existing and Proposed North Building Elevations.

# **Applications for costs**

2. An application for an award of costs was made by the Universities Superannuation Scheme Limited (USS) against the Council of the London Borough of Hillingdon. At the hearing the appellant confirmed that they did not wish to pursue the application for costs.

# **Preliminary Matters**

- 3. Between the determination of the prior approval application and the hearing the appeal site was sold to Shall Do Hayes Park Limited. Written confirmation was provided by USS that Shall Do Hayes Park Limited are authorised by them to purse the appeal on their behalf. The appeal, however, remains in the name of USS as the appellant.
- 4. Prior approval was refused on a second ground that the appellant had failed to secure financial and non-financial contributions to mitigate the highways impacts of development. A draft Unilateral Undertaking was provided before the hearing opened to address this. This was finalised and signed by the time of the site visit. The Council confirmed that it was no longer pursuing this reason for refusal and the second reason for refusal was effectively withdrawn.

## **Main Issue**

5. The main issue in this appeal is whether the proposal is permitted development having regard to the provisions of Schedule 2, Part 3, Class O of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), and in particular whether the building is within the curtilage of a listed building.

## Reasons

- 6. Class O of Part 3 of Schedule 2 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), hereinafter the GPDO, grants planning permission for the change of use of a building and any land within its curtilage from a use falling within Class B1(a) (offices) of the Schedule to the Town and Country Planning Use Classes Order 1987¹, to a use falling within Class C3 (dwellinghouses). It is not in dispute that the lawful use of the building was Use Class B1(a) on 29th May 2013, and that the appeal site is not within a safety hazard area or military explosives area, nor is the site a scheduled monument. There is, however, disagreement between the Council and the appellant as to whether the appeal building is within the curtilage of a listed building.
- 7. Planning permission granted by Part 3, Class of the GPDO is subject to a condition that, before beginning the development, an application is made to the local planning authority for a determination as to whether the prior approval of the authority will be required in respect of the transport and highways impacts of the development; contamination risks on the site; flooding risks on the site; the impacts of noise from commercial premises on the intended occupiers of the development; and the provision of adequate natural light in all habitable

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<sup>&</sup>lt;sup>1</sup> Although the former Use Class B1(a) is now incorporated into Use Class E following amendments to the Use Classes Order in September 2020, under the transitional arrangements, the prior approval application and appeal are to be considered with reference to the Use Classes as defined on 31 August 2020.

rooms of the dwellings. It is common ground between the main parties that there are no risks to the development from contamination, flooding, or noise from commercial premises, and the development would allow for the provision of adequate natural light to the proposed dwellings. From what I have read and from what I heard at the hearing and saw during the site visit, I have no reason to find otherwise in respect of these matters. Whilst the effect on highways was initially in dispute, the appellant and the Council sought to agree this matter and a unilateral undertaking was submitted. I shall return to this later.

- 8. The Council resolved that its prior approval was required, and this was subsequently refused on the grounds that the proposed development would not constitute permitted development as the Council considered that the appeal building is within the curtilage of the Heinz Administrative Headquarters and Former Research Laboratories, a Grade II\* listed building.
- 9. The appeal building, known as Hayes Park North, is a modern three storey, flat roofed, building with a partial basement. The building was constructed around 2000 following a grant of planning permission in 1998.
- 10. To the south of the appeal building are the two further office buildings constructed around 1965 as the administrative headquarters and research laboratories for the Heinz corporation. The two buildings were listed together in 1995 at Grade II\* [List entry:1242724]. These are now referred to as Hayes Park Central and Hayes Park South, although they are referred to in the list entry as the north and south buildings. As both buildings are included in the same list entry, in this decision, I have referred to them collectively as the listed building. To the west of these buildings, across an area of open space, are a former cottage and outbuildings and a separate group of plant buildings.
- 11. To the west of Hayes Park North is an area of car parking that includes a decked parking structure where additional parking is accommodated on an upper level above the ground level parking area. An access road runs from Park Lane to the east through the site, looping around to the north between the appeal building and Hayes Park Central and South before turning south to continue through an area of open space to join Mead House Lane and Hayes End Road. Several small areas of car parking are accessed from this access road
- 12. The Oxford English Dictionary defines curtilage as an area of land attached to a house and forming one enclosure within it, although curtilage is not defined in the planning legislation. It is also recognised that a building need not be a house to have a curtilage. It is common ground between the parties that the principal legal test to determine whether land or a building is within the curtilage of a building is the one derived from *Methuen-Campbell* <sup>2</sup> and effectively endorsed by the Court of Appeal in *Hampshire County Council v Blackbushe Airport Limited*<sup>3</sup>, namely that the land must be so intimately connected with the building as to lead to the conclusion that the former is in truth part and parcel of the latter. Although the *Blackbushe Airport* case concerned Common Land, the principals are equally applicable in determining whether land or buildings are within a curtilage of another building for the purposes of an application for prior approval under the GPDO. I have also

<sup>&</sup>lt;sup>2</sup> Methuen-Campbell v Walters [1979] 1 QB 525

<sup>&</sup>lt;sup>3</sup> R (oao) Hampshire CC v Blackbushe Airport Ltd [2021] EWCA Civ 398

- been particularly referred to the judgements in *Challenge Fencing*<sup>4</sup> and *Sumption v Greenwich*<sup>5</sup>.
- 13. The question whether the test is satisfied in any given case will depend on the facts and circumstances of that case. The judge in *Hampshire CC v Blackbushe* set out that the application of the relevant factors needs bear in mind the purposes of the governing statute. However, it was also noted that the concept of curtilage is not different in listed building cases.
- 14. The primary purpose of Part 3, Class O of Schedule 2 to the GPDO is to facilitate the provision of new dwellings by permitting a change of use without a formal application of planning permission. Nonetheless, in including the provision that development is not permitted where the building in question is a listed building, or within the curtilage of a listed building, it recognises that there are other considerations in respect of such buildings that warrant a formal planning application being made.
- 15. Neither party is arguing that Hayes Park North is to be considered a "curtilage listed" building in the terms contemplated by Section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990. Whilst the listing does not cover grounds or gardens or other land, and only relates to the building itself, this does not prevent land, or other buildings and structures, from being within the curtilage of a listed building.
- 16. It is also common ground that the factors set out in Challenge Fencing are relevant to determining whether an area of land is within the curtilage of a building. In particular, the physical layout, the past and present ownership, and the past and present use, or function, of the land or buildings.
- 17. It is not in dispute between the parties that the land on which the appeal building now stands and the listed building were within the same ownership at the time when the building was added to the statutory list, and indeed before that time. It is also not in dispute that, at the time that the application was made, the appeal building and the listed building were also within the same ownership.
- 18. In terms of physical layout, the appeal building is located approximately 62 metres to the north of the closest part of the listed building. Although there is no fence, wall, or other means of enclosure separating the appeal building from the listed building, it is located to the north of the access/service road that runs through the site and which incorporates a roundabout junction at this point interposed between the two buildings. This roundabout junction provides vehicular access to the ground level parking located to the west of the appeal building and the service yards to the rear of the building. There are also minor accesses from the roundabout to the principal entrances to the appeal building and to Hayes Park Central.
- 19. I saw that there is also a footway linking the appeal building to Hayes Park South via a pedestrian crossing marked on the carriageway. However, from the plan extract shown at Figure 4.3 in the appellant's Statement of Case it appears that at least part of this was a historic pedestrian link to a former car parking area. The section to the north of the access road was most likely

<sup>&</sup>lt;sup>4</sup> Challenge Fencing v Secretary of State for Housing Communities and Local Government [2019] EWHC 533 (Admin)

<sup>&</sup>lt;sup>5</sup> Sumption v Greenwich LBC [2007] EWHC 2776 (Admin)

included to provide access to the footway that runs adjacent to the access road on the opposite side and to facilitate pedestrian access to and from the ground level parking area, which the evidence indicates is a shared facility for all of the buildings.

- 20. The ground level parking in this parking area is accessed via the roundabout junction and then by travelling parallel to the west elevation of the appeal building. The upper deck of the parking area is accessed from a separate point further west on the access road.
- 21. All three buildings are accessed from a common service road that loops through the site from Park Lane to Mead House Lane and Hayes End Road. They are located within a wider landscaped/parkland setting that extends to the east and south of the buildings. The parkland areas are separated from the more managed landscape closer to the buildings by a sinuous ha ha to the east, that was constructed at the same time as the listed building, and by a fence to the south.
- 22. Although I have noted that prior to 1960 the wider site was part of a large estate belonging to a country house which had an associated farmstead and a roughly parallelogram shaped walled garden to the north of the main house, I do not consider that this assists in determining the curtilage of the listed building as the situation on the ground changed significantly in the 1960's following the grant of planning permission and the subsequent construction of the current buildings.
- 23. Whilst it is necessary to determine what the curtilage of the listed building was at the time of the prior approval application, it is also necessary to consider what has occurred previously in order to establish the current situation.
- 24. Figure 4.3 of the appellant's statement of case, which shows the original layout of the site, is useful in this respect. The Council do not challenge the accuracy of this drawing extract. This shows that, as originally laid out, the entrance road from Park Lane and the service road from Hayes End Road both led to a car parking area accommodated within the area of the former walled garden. This indicates that there was a clear functional connection between this area, which would later become the site of the appeal building, and the original office buildings. At that time, it could reasonably be concluded that the car park would have formed part and parcel of the office use and would thus have been part of the curtilage. This would also have been the case when the office buildings were listed in 1995. In 1971 permission was granted for the construction of an additional office building Field House, which was subsequently demolished to accommodate the new decked parking area when Hayes Park North was constructed. Because Field House would have had a direct functional link to the operations and occupation by Heinz of the site, this building would also most likely be considered as part of the curtilage historically.
- 25. It is, however, apparent from the evidence that the physical layout of the wider site has altered over time, and this is linked to the past and present functions of the buildings and the site.
- 26. In 1998 planning permission was granted for Hayes Park North itself and the building was constructed around 2000 or 2001. Although the drawings associated with this permission have not been provided, it would appear from

the various Ordnance Survey map extracts in the evidence that as part of the development of Hayes Park North, in addition to the demolition of much of the wall around the former walled garden, the access/service road was reconfigured to effectively create a through route across the site and the roundabout junction, with the latter first appearing on the 2003 map extract. In 2001 permission was also granted for a new access road and junction on Hayes End Road.

- 27. The Committee report for the Hayes Park North planning application sets out that the general design approach was to have a building of similar height and mass to, and similar separation from, the existing buildings, enabling the buildings to read as a group within a traditional parkland setting. It also sets out in the section on landscape and visual impact that the proposal would maintain the overall concept for the site while creating a fully independent building with its own arrival point.
- 28. Although this Committee states that it was intended that Heinz would occupy the new building whilst the listed buildings were being refurbished, it was confirmed at the hearing that Heinz did not in fact occupy Hayes Park North, which was subsequently occupied by United Biscuits from the time it was completed until the active office use of the building ceased. It is also mentioned in the report that the level of parking proposed at that time was necessary to attract suitable end users, which indicates that long term use by Heinz in conjunction with the other buildings was not intended. The report also states that, at the time of the application, Heinz were reducing their presence on the site and the other evidence indicates that by the time Hayes Park North was completed, Heinz had disposed of their interest in the site, although it subsequently leased back one of the original buildings, whilst the other was occupied by Fujitsu.
- 29. It is clear from the evidence that, in addition to the alterations to the physical layout of the site which occurred at the time Hayes Park North was constructed, the use of the site was also evolving, from a site used by a single occupier to something more akin to a business park occupied by several diverse companies.
- 30. The Council suggest that the former walled garden is within the curtilage of listed building because it was used as a car park for the offices. At hearing appellant accepted that this would have been so at the time the listed building was originally constructed. However, the question is whether this was still the case at the time that the prior approval application was submitted.
- 31. It is clear from Figure 4.3 in the appellants Statement of Case that when the site was originally laid out in the 1960's, the access road from Park Lane and the service road accessed from Hayes End Road both lead to the car park within the former walled garden area. Ordnance Survey maps in the evidence that are of a later date indicate that this car parking area was subsequently extended to an additional area to the west beyond the walled garden.
- 32. The List entry, which was updated in 2013, notes that car parking for the offices was accommodated within the former walled garden. However, it also sets out that when Hayes Park North was constructed, around two thirds of the garden wall was demolished and notes that this severed its relationship with the original buildings.

- 33. The Council contend that because listed building consent was sought for alterations and repairs to the remains of the garden wall at various times after the construction of Hayes Park North, this indicates the building is within the curtilage of the listed building. Whilst it is common ground that a number of listed building consent applications were made, from the agreed planning history, these all pre-date the amendment of the List entry in 2013. I have no evidence before me in respect of the reasons why these applications were either requested by the Council, or proffered by the then applicants, nor do I have a copy of the previous list entry. Nevertheless, the current List entry does not make mention of the garden walls in the reasons for designation or the details of the building. As set out above, the current List entry in its coverage of the history of the building it sets out that the relationship of the walls with the listed building was severed at the time approximately two thirds were demolished to facilitate the construction of the appeal building. Consequently, I do not find the existence of these earlier listed building consents persuasive evidence that Hayes Park North was within the curtilage of the listed building at the time of the prior approval application.
- 34. It is generally accepted that the extent of a curtilage is not fixed and can change over time depending on events and actions. In the late 1990's and early 2000's several changes occurred. The physical layout of the site was altered with the demolition of Field House, the loss of the original car park, reconfiguration of the access and service roads, the demolition of a large proportion of the former garden wall, and the construction of the appeal building and the decked parking area to the west. At the same time, the use of the wider site was changing from a site occupied by a single company to a site where the buildings were occupied by separate and unrelated businesses, albeit sharing common parking facilities.
- 35. It is not in dispute that all three buildings had a lawful office use both historically and at the time of the prior approval application. The buildings were all in same use, in so far as they were all used as offices, however, from time of construction of Hayes Park North, the occupation was not by the same company for the sole purpose of its business.
- 36. The three buildings are effectively within one enclosure and are visually connected. Nonetheless, having regard to the *Blackbushe Airport* judgement, the perimeter or curtilage of the business park should not be conflated with the curtilage of the listed building.
- 37. Drawing all of these factors together, from the evidence before me, and from what I saw when I visited the site I find that whilst historically the land on which the appeal building now stands was part of the curtilage of the listed buildings, events that occurred in the late 1990's and early 2000's were such that physical and functional links between that area of land and the listed building were altered to such an extent that by the time of the prior application the appeal building could not be said to form part and parcel of the listed building. Consequently, I conclude that the appeal building is not within the curtilage of the Grade II\* listed building. The proposed change of use would, therefore, fall within the scope of Part 3, Class O.

# **Other Matters**

38. The proposed development would provide 76 car parking spaces to serve the proposed 64 flats. This would comply with the Council's car parking standards.

Whilst the proposal would provide parking for 70 cycles in the basement area of the appeal building, this falls slightly short of the 89 spaces that the London Plan 2021 indicates would be required for a development of this size. The proposal makes no provision for motorcycle parking whereas the Highway Authority indicate that 4 spaces would be required. This notwithstanding, from the submitted drawings there would be adequate space within the basement of the building to accommodate storage for an additional 19 cycles, and I saw when I visited the site that there would be sufficient space around the building to accommodate the required number of motorcycle parking spaces. These are matters that could be addressed through a condition attached to any grant of prior approval as they would be related to the prior approval matters.

- 39. Whilst the site has a Public Transport Accessibility Level (PTAL) of zero, I observed when I visited the site and surrounding area that there are bus stops on Kingshill Avenue and Adelphi Way to the east and Uxbridge Road to the South. Although these bus stops are further away from the site than the distances used to calculate the PTAL score, I saw that these are, nevertheless, within a reasonable walking distance of the site. There are also local shops on Uxbridge Road and Kingshill Avenue. The appellant's Transport Note indicates that a large area is also covered by a potential 20 minute cycle journey. In this context occupiers of the site would not necessarily be wholly dependent on use of private cars to meet their day to day transport needs.
- 40. That said, it is however recognised that car use would be the predominant transport mode for trips generated from the site. The Transport Note sets out that using data derived from the TRICS database, which is a widely used and accepted form of predicting trip generation from proposed developments, the proposed development would give rise to approximately 20 vehicles movements in the morning peak hour (between 08:00 and 09:00) and 16 in the evening peak hour (between 17:00 and 18:00). The Transport Note also estimates the possible vehicle trip generation from the current lawful office use which concludes that the current office use would generate approximately 47 trips in morning peak hour and in the evening peak hour, approximately 50.
- 41. This latter calculation uses a more limited range of data and consequently may not be as reliable a figure as that calculated for the residential use. Nonetheless, the Highway Authority consider that, this notwithstanding, the proposed use would generate fewer vehicle trips overall than the current office use. I would concur with this view and the opinion of the Highway Authority that the impact of the proposed development on the surrounding road and public transport network would be insignificant.
- 42. The Highways Authority has not objected to the scheme. However, it has noted that in order to mitigate the highways and transport effects of the development and to reduce reliance on private cars and encourage the use of other modes of transport in line with the policy in the London Plan 2021, that it is necessary to provide a shared use pedestrian/cycle footway linking the application site to both Hayes End Road and Park Lane. It is also necessary to enhance the facilities for pedestrians and cyclists using Hayes End Road between the internal driveway and the A4020 Uxbridge Road. To further help encourage and enable cycling between the application site and Uxbridge Road a contribution is required for investment in the Santander Cycle Hire Scheme to include the provision of bicycles and docking stations at both the application site and Uxbridge Road.

- 43. The appellant has submitted a competed Unilateral Undertaking that makes provision for the above with the necessary highways works to be completed before the development is occupied and the financial contribution towards the cycle hire scheme to be paid prior to the commencement of the development. The Council does not have any objections to the content of the UU.
- 44. The Planning Practice Guidance advises that, since permitted development should, by nature, generally be acceptable in planning terms, planning obligations would ordinarily not be necessary. It goes on to advise that any entered into should concern matters requiring prior approval. In this instance the UU relates to the highways and transport effects of the proposal.
- 45. Paragraph 57 of the National Planning Policy Framework (the Framework) sets out that planning obligations should only be sought where they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development.
- 46. From the evidence before me and from my observations at the site visit, I am satisfied that the obligations in the submitted UU would be necessary to mitigate the highways and transport impacts of the proposal and make the scheme acceptable. They would also be directly related to the development and fairly and reasonably related in scale and kind to the development. Consequently, the UU would meet the tests set out in the Framework.
- 47. I therefore find that the proposal would be acceptable with regard to the effect on transport and highways.
- 48. It is common ground that the appeal proposal is acceptable in terms of the other prior approval matters. From the evidence before me and from what I saw when I visited the site, I have no reason to find otherwise.
- 49. I have also had regard to the representations made by interested parties in respect of the proposal. In so far as these relate to matters that can be considered as part of an application for prior approval, none of the points that have been raised would lead me to a different overall conclusion.

#### **Conditions**

- 50. Development permitted under Class O is subject to a condition that the development must be completed within a period of 3 years starting with the prior approval date.
- 51. The GPDO does allow for prior approval to be granted either unconditionally, or subject to conditions reasonably related to the subject matter of the prior approval.
- 52. The Council has suggested a number of conditions would be necessary.
- 53. As details of car, cycle, and motorcycle parking at the site, the provision of electric vehicle charging points, and the management/maintenance of car parking and refuse storage and collection are related to the transport effects of the proposal, and details of these were not fully provided with the application it is necessary to impose a condition requiring that these be submitted for approval.

- 54. Similarly, due to the location of the site within a residential area and the fact that construction traffic would pass through it to access the site, it is necessary to include a condition requiring the submission of a construction management plan for the development. In order to make the condition more precise I have amended the wording to specify the hours during which works and deliveries can take place.
- 55. The Council has suggested a condition requiring details of noise mitigation to be submitted. Whilst the effect of noise from commercial premises on the intended occupiers of the development is a prior approval matter, the wording of the council's suggested condition relates to noise control and sound insulation in respect of noise generated within the building. As such, the condition is not related to a prior approval matter and this condition cannot be applied.
- 56. A condition has been suggested in respect of contamination. Notwithstanding that the effect of contamination on the proposed development is a prior approval matter and the Council have not refused prior approval on this ground, the Phase 1 Environmental Report submitted with the application does not identify any specific contamination risks at the site. The condition suggested by the Council would be appropriate if the site were being redeveloped. However, the proposal is for the conversion of an existing building with no significant groundworks. The requirements of the suggested condition would be disproportionate to the low risk identified in the Phase 1 Environmental Report. This condition would not be reasonable or necessary, and consequently, I have not included it.
- 57. A condition was also suggested requiring the submission of a 'Delivery and Servicing Plan'. It is unclear what this actually means or relates to, and it did not become any clearer at the hearing. Consequently, the condition would not meet the test of being precise. At the hearing it was agreed that, in practice, such a document may not cover any matters that would not be covered by the construction management plan. I have therefore not included this condition.
- 58. The final suggested condition required the submission of room layouts and further sunlight and daylight assessments. It was agreed at the hearing that it was a matter of common ground between the parties that the Daylight and Sunlight Assessment submitted with the application demonstrates than the proposal would be acceptable in terms of the provision of natural light in all habitable rooms of the development. This condition is therefore not necessary.

## **Conclusion**

59. For the above reasons, I conclude that the appeal should be allowed.

John Dowsett

**INSPECTOR** 

#### Schedule of conditions

- 1. Prior to the occupation of the development, details of the following shall be submitted to, and approved in writing by, the Local Planning Authority:
  - 1) The layout of a cycle parking area able to accommodate 89no. bicycles;

- 2) The layout of a motorcycle parking area able to accommodate 4no. motorcycles;
- 3) Active electric vehicle charging points at 20% of all parking spaces with all the remainder having passive provision;
- 4) A car parking management plan including the requirement that all car parking spaces are leased and not sold; and
- 5) Details of a refuse and recycling management scheme, including details of storage facilities which should be located within/close to the building entrances and also a collection day storage area close to the site access, together with appropriate management arrangements in order to aid collection.

Thereafter, these shall be implemented as approved and permanently retained and used for no other purpose.

- 2. Prior to development commencing, the applicant shall submit a Construction Management Plan to the Local Planning Authority for its written approval. The plan shall detail:
  - (i) That no construction works, or deliveries to the construction site, shall occur outside the hours of 07:00 19:00 Monday to Friday; 08:00 Noon on Saturday and at no time on Sunday or public holidays.
  - (ii) How the storage of construction materials will be managed on site during the conversion works.

The approved details shall be implemented and maintained throughout the duration of the conversion process.

## **APPEARANCES**

## FOR THE APPELLANT:

Mr R. Ground QC – Counsel for the appellant

Mr L. Handcock - Iceni Projects

## FOR THE LOCAL PLANNING AUTHORITY:

Mr E. Jones - Counsel for the London Borough of Hillingdon

Ms M. Malhotra - Strategic & Major Applications Manager, LBH

Ms A. Lad - Conservation Officer, LBH

Mr M. Butler - Conservation & Design Manager, LBH

Mr N. Soneye-Thomas - Principal Planning Officer, LBH

Ms V. Agbakoba - Planning Lawyer, LBH

## INTERESTED PARTIES/OBSERVERS:

Mr M. Schwimmer – landowner

Mr B. Reifer - Landowner

Mr A. Gale - Iceni Projects

Mr N. Grant - Iceni Projects

Ms A. Cook – Iceni Projects