

Report of the Head of Planning, Sport and Green Spaces

Address THE INDUSTRY 171 YEADING LANE HAYES

Development: Single storey side/rear extension and installation of canopy to side

LBH Ref Nos: 69267/APP/2013/1647

Drawing Nos: 1262-ex-01 Rev.A
1262-pl-03 Rev.A
1262-os-01
1262-pl-02
1262-pl-01
Supporting Statement to accompany and inform the planning application for rear/side extension

Date Plans Received: 18/06/2013 **Date(s) of Amendment(s):** 18/06/0013

Date Application Valid: 25/06/2013

1. SUMMARY

The application seeks to erect single storey side/rear extension structure and canopy to the vacant public house to accommodate a restaurant extension and toilets. The proposal would result in the demolition of existing single storey rear additions and outbuildings. It is considered that the proposal would not have any significant impact on the openness of the Green Belt and the amenities of nearby occupiers would remain unaffected. The proposal is also considered acceptable in all other regards.

Accordingly, the application is recommended for approval subject to conditions.

2. RECOMMENDATION

APPROVAL subject to the following:

1 T8 Time Limit - full planning application 3 years

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved plan references: -1262-os-01; 1262-pl-01; 1262-pl-02; 1262-pl-03 Rev.A; and 1262-ex-01 Rev.A unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Local Plan Saved UDP Policies (November 2012).

3 M2 External surfaces to match existing building

The materials to be used in the construction of the external surfaces of the development

hereby permitted shall match those used in the existing building.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan Saved UDP Policies (November 2012).

4 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the accommodation on the first floor shall be used only as staff accommodation ancillary to the main use of the public house (Use Class A4 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended)) and shall not be sub-divided to provide a separate residential units.

REASON

To ensure the residential accommodation remains as ancillary to the existing public house in accordance with Policy H8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 NONSC Non Standard Condition

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and administrative measures and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Local Plan Saved UDP Policies (November 2012).

6 NONSC Non Standard Condition

No air extraction system, plant or other machinery shall be used on the premises until a scheme for the control of noise, vibrations and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Local Plan Saved UDP Policies (November 2012).

7 COM9 Landscaping (car parking & refuse storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping
 - 1.a Planting plans (at not less than a scale of 1:100),
 - 1.b Written specification of planting and cultivation works to be undertaken,
 - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities

where appropriate

2. Details of Hard Landscaping

- 2.a Refuse Storage
- 2.b Means of enclosure/boundary treatments
- 2.c Car Parking Layouts
- 2.d Hard Surfacing Materials

3. Details of Landscape Maintenance

- 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
- 3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

- 5.a Existing and proposed functional services above and below ground
- 5.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

- AM14 New development and car parking standards.
- AM7 Consideration of traffic generated by proposed developments.
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE24 Requires new development to ensure adequate levels of privacy to

	neighbours.
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 5.3	(2011) Sustainable design and construction
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt

3 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

4

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday
- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

(iii) No bonfires on the site shall be allowed to take place at any time

5 147 Damage to Verge

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

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For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

6

You are advised that the development hereby approved represents chargeable development under the Mayor's Community Infrastructure Levy. At this time the Community Infrastructure Levy is estimated to be £6,898.92 which is due on commencement of this development. The actual Community Infrastructure Levy will be calculated at the time your development is first permitted and a separate liability notice will be issued by the Local Planning Authority. Should you require further information please refer to the Council's Website www.hillingdon.gov.uk/index.jsp?articleid=24738

3. CONSIDERATIONS

3.1 Site and Locality

The application property comprises of a vacant public house building located on the western side of Yeading Lane between a recent housing development at Warren Close and an area of public open space. The public house building is a rendered two storey building under a plain tiled roof with a single storey side element which has a hipped roof. To the rear of the building are a number of single storey later additions and outbuildings. An overgrown pub garden is located to the rear of the building with areas of hardstanding forming the parking areas to both sides. The application site lies within the and Green Belt as identified within the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

The application seeks full planning permission for the erection of a single storey side/ rear extension and installation of canopy to side. The proposal would involve the refurbishment of the vacant public house along with the removal of the collection of single storey rear extensions and attached outbuildings at the rear of the main building and their replacement with a single storey extension to provide a restaurant seating area, bar area and toilet facilities. The proposed rear extension would project 7.35m to the rear at a width of 20m, projecting 4.9m beyond the flank wall of the existing main building. The rear extension would be finished with a flat roof measuring 3.6m in height with the side projection, having a hipped roof measuring 5.7m in height. The kitchen is proposed to be provided within the existing building to the southern side and the flue extract would be located within the existing chimney stack. The proposal includes the retention of car parking to the side and rear which would be resurfaced to provide 13 car parking spaces. Additionally 2 designated disabled parking spaces are proposed to be located on the frontage. Vehicular access and egress would be managed by a one way system with vehicles entering via the southern access and exiting to the north. A refuse and recycling storage area would be located to the south of the kitchen.

3.3 Relevant Planning History

Comment on Relevant Planning History

There is no planning history of relevance to this application. However it is noted that the application follows pre-application discussions with Council officers under PE/00032/2013.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

LPP 5.3 (2011) Sustainable design and construction

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OL4 Green Belt - replacement or extension of buildings

OL5 Development proposals adjacent to the Green Belt

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

12 neighbouring properties were consulted by letter dated 27.6.13 and a site notice was also displayed Which expired on 29.7.13.

5 letters of objection were raised from occupiers of neighbouring properties raising concerns about:-

1. The location of the kitchen closest to residential properties causing noise, disturbance and odours,
2. Noise and disturbance resulting from the public house

3. Insufficient car parking.

Internal Consultees

Highways Officer -

No objections subject to a condition restricting the 1st floor to being ancillary to the pub use, ie for staff use, no objections would be raised on highway grounds.

Landscape Officer -

LANDSCAPE CHARACTER / CONTEXT:

The site is occupied by a vacant public house set back from Yeading Lane, within a generous size plot. A tarmac surfaced car park wraps around the northern elevation, beyond which is a tree-lined boundary with the open space of the River Pinn corridor.

To the rear (west) of the building is the remains of a pub garden which is also bounded by trees. Outbuildings and hard-standing lie to the south of the building, to the south of which lie the flats of Warren Close.

While the mature trees around these boundaries create an attractive setting for the building, they are all set some way apart from the building. There are no Tree Preservation Orders or Conservation Area designations on, or close to, the site which might constrain development.

The wooded part of the site (west) is a designated Countryside Conservation Area and the site lies within the southern edge of designated Green Belt.

PROPOSAL:

The proposal is to build a single-storey side / rear extension and install a canopy to the side.

LANDSCAPE CONSIDERATIONS:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features of merit will be affected by the proposal. The boundary trees will remain unaffected by any proposed alteration to the site.
- The Design & Access Statement confirms (3.6) that the existing car park facilities, to the sides of the building will be retained to provide 13No. spaces. A further two spaces designated for disabled drivers will be set out to the front of the building, close to the entrance to the pub.
- The intended use of the building as a pub / restaurant will also undergo internal alterations which will not affect the site layout or trees. - However, the construction of the two-storey side extension will reduce the gap between the neighbouring houses, which will create a new sense of enclosure and block views of the protected trees in the background.
- The D&AS (3.11) confirms that the proposed bar/restaurant would occupy 'essentially the same part of the land as did the former pub and its beer garden', with the Countryside Conservation Area land remaining 'fenced off, unused and undisturbed'.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

RECOMMENDATIONS:

No objection subject to the above observations and conditions COM9 (parts 1,2,4,5 and 6).

EPU -

As the premises is a former pub, I presume that they will be carrying out a full refit of the premises as there is no mention of the kitchen extracts, noise attenuation or any noise assessment.

Therefore please could the following conditions be added:

Condition 1

The development shall not begin until a scheme which specifies the provisions to be made for the control of noise emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of physical and administrative measures and other measures as may be approved by the Local Planning Authority. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Condition 2

No air extraction system, plant or other machinery shall be used on the premises until a scheme for the control of noise and odour emanating from the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

Reason: To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Construction Site Informative:

Pursuant to the Control of Pollution Act 1974, the Clean Air Act 1993, the Environmental Protection Act 1990 and any other relevant legislation, you are advised as follows:

(i) Demolition and construction works which are audible at the site boundary should only be carried out between the hours of;

- 0800 and 1800 on Monday to Friday

- 0800 and 1300 on Saturday.

No such work must be carried out on Sundays and Bank Holidays. All noise generated during such works must be controlled in compliance with British Standard 5228;

(ii) Measures must be taken to eliminate the release of dust caused by the works that may create a statutory nuisance (a useful reference is the Best Practice Guidance - The control of dust and emissions from construction and demolition, Greater London Authority, November 2006);

(iii) No bonfires on the site shall be allowed to take place at any time.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site lies within the Metropolitan Green Belt. Accordingly, the proposal for additions to the building is subject to the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Overall, it is considered that the proposal would not significantly impact on the bulk or character of the existing building. The vacant public house is a sizeable building with a number of single storey rear additions and outbuildings which are proposed to be replaced

by the extension. The proposal would result in an addition 198m² of accommodation at the building. The extensions would be subordinate in size and scale to the parent building and would result in the loss of a number of single storey additions and outbuildings to the rear. The extensions would be sympathetic in design in terms in that the extensions would have a functional appearance, related to the public house use of the parent building. Given the location of the building on which the extensions are proposed, the development would not impact on the openness or significantly increase the built up appearance of the site, nor would it have any detrimental impact on the character of the surrounding area.

The proposal is considered to fully comply with the provisions of Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), by not impacting on the openness of the Green Belt and no objection is raised to the principle of the development.

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

The proposal is considered not to have a detrimental impact on the Green Belt or surrounding area as discussed within the 'Principle of development' and 'Impact on the character & appearance of the area' sections of this report.

7.07 Impact on the character & appearance of the area

The application site lies within the Metropolitan Green Belt. The vacant public house is a sizeable building with a number of single storey rear additions and outbuildings which are proposed to be replaced by the extension. The proposal would result in an addition 198m² of accommodation at the building. Although additional internal floorspace is proposed, the design and scale of the proposed extensions would be sympathetic and considered subordinate to the overall building and, having regard to the immediate context, it is considered that the proposal would not harm the openness or amenity of the Green Belt. There is no policy objection to the proposal, which would accord with Policies OL1, OL4 and OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

It is considered that the proposal would not harm the overall character or appearance of the site and surrounding area. Accordingly, the proposal would accord with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

The nearest residential properties to the public house building are those in Warren Close to the south. Given that the proposed extensions would not close the gap between the existing house and these residential properties it is considered that the occupants would not suffer an unacceptable loss of outlook, light or privacy.

A number of letters have been received raising concerns about the noise and disturbance resulting from the relocation of the kitchen to the southern side of the buildings and the resultant noise of the public house as extended creating additional noise and disturbance. The Council's Environmental protection unit have raised no objections to the proposal with regards to noise, subject to the details of the air extraction system being conditioned and an informative being added with regard to control of noise and nuisance from construction work.

It should be noted that the application must be considered against the baseline situation, which is that the lawful use of the site is as a public house with no conditions restricting use or activity. It is not considered that any aspect of the proposal would result in any significant increase in noise or disturbance as a result of the use. It should also be noted that The Licensing Act provides sufficient control over operational activity at such premises (including hours of use etc.)

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The Design & Access Statement confirms (3.6) that the existing car park facilities, to the sides of the building will be retained to provide 13No. spaces. A further two spaces designated for disabled drivers will be set out to the front of the building, close to the entrance to the pub. The Council's Highways Engineer has not raised any objection to the scheme, subject to the first floor bedsit accommodation being retained as ancillary accommodation to the public house. The proposal would not give rise to any negative concerns regarding parking, traffic generation, highway safety or pedestrian safety owing to the scale and location of the development.

7.11 Urban design, access and security

It is considered that the proposal would not harm the overall character or appearance of the site and surrounding area. Accordingly, the proposal would accord with Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.12 Disabled access

The proposal is not considered to raise any concerns in relation to disabled access.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

The site is occupied by a vacant public house set back from Yeading Lane, within a generous size plot. A tarmac surfaced car park wraps around the northern elevation, beyond which is a tree-lined boundary with the open space of the River Pinn corridor.

While the mature trees around the boundaries of the site create an attractive setting for the building, they are all set some way apart from the building. There are no Tree Preservation Orders or Conservation Area designations on, or close to, the site which might constrain development. The wooded part of the site (west) is a designated Countryside Conservation Area.

No trees or other landscape features of merit will be affected by the proposal. The boundary trees will remain unaffected by any proposed alteration to the site. The Council's Tree and Landscape Officer is satisfied that the proposals would comply with policy BE38 of the Hillingdon Local plan (November 2012) subject to landscape conditions being imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

7.15 Sustainable waste management

The proposal is considered not to give rise to implications with regard to waste management.

7.16 Renewable energy / Sustainability

The proposed development is of a scale/floor area that would not be required to make contributions towards the generation of renewable energy at the application site.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

The Council's Environmental Protection Unit have raised no objections to the proposal subject to the details of the air extraction system being conditioned and an informative being added with regard to control of noise and nuisance from construction work.

7.19 Comments on Public Consultations

The concerns raised by the occupants of neighbouring properties are addressed within the main body of this report.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

The development would attract of CIL Liability of £6,898.92

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

None received.

10. CONCLUSION

The application seeks to erect single storey side/rear extension structure and canopy to the vacant public house to accommodate a restaurant extension and toilets. The proposal

would result in the demolition of existing single storey rear additions and outbuildings. It is considered that the proposal would not have any significant impact on the openness of the Green Belt and the amenities of nearby occupiers would remain unaffected. The proposal is also considered acceptable in all other regards.

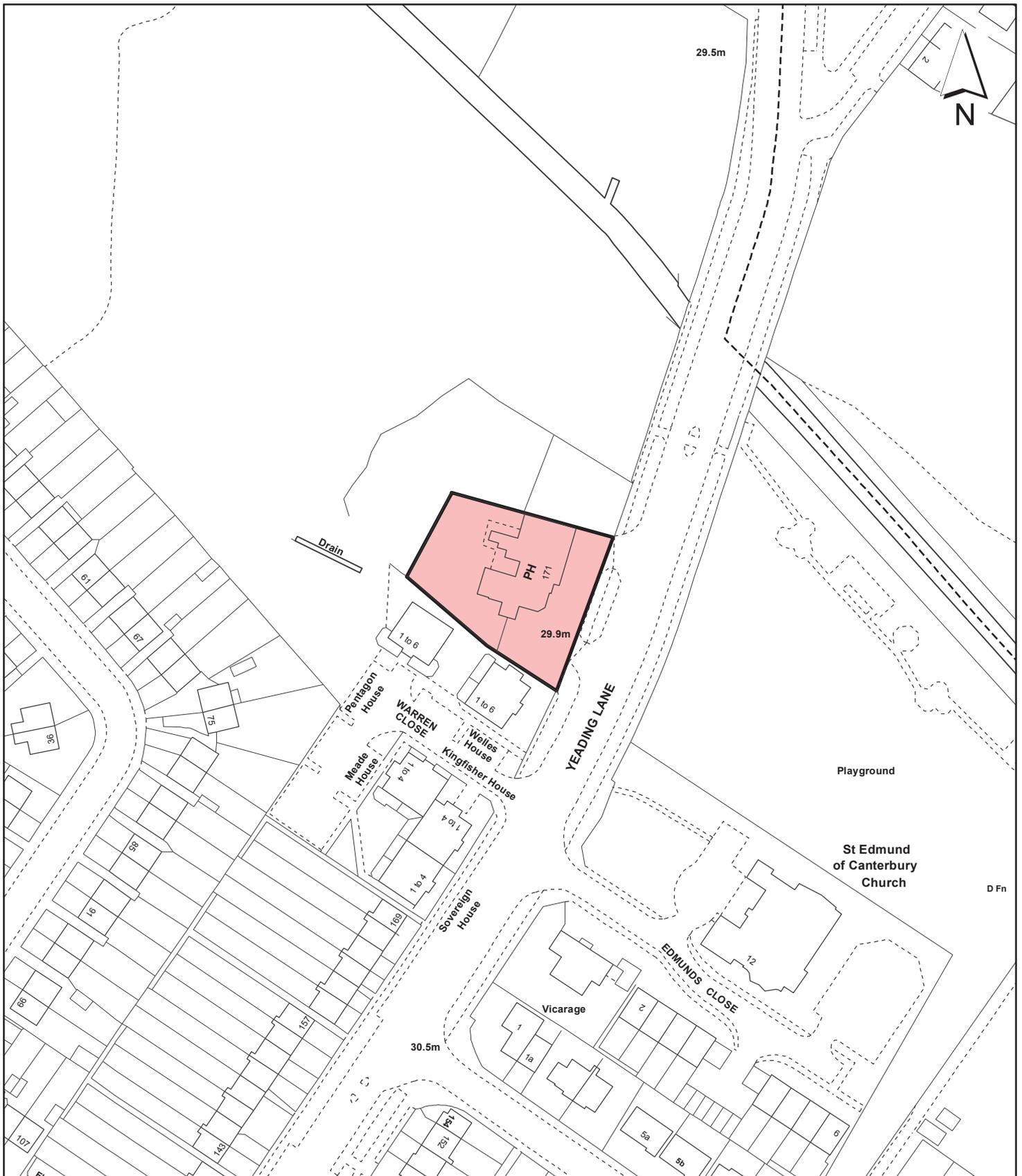
Accordingly, the application is recommended for approval subject to conditions.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (July 2011).
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework.

Contact Officer: Nicola Taplin

Telephone No: 01895 250230



Notes

 Site boundary

For identification purposes only.

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Site Address

**The Industry
Yeading Lane
Hayes**

**LONDON BOROUGH
OF HILLINGDON
Residents Services**

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 250111

Planning Application Ref:

69267/APP/2013/1647

Scale

1:1,250

Planning Committee

Central & South

Date

**November
2013**



HILLINGDON
LONDON