

Report of the Head of Planning, Sport and Green Spaces

Address THE WATERS EDGE RESTAURANT & BAR, 4 CANAL COTTAGES
PACKET BOAT LANE COWLEY

Development: Change of use from drinking establishment (Use Class A4) to mixed use of drinking establishment/restaurant and hotel (Use Classes A3/A4/C1) with associated internal works to convert existing staff accommodation to guest accommodation, conversion of outbuildings from staff accommodation to guest accommodation and re-building of store to provide guest accommodation (Retrospective)

LBH Ref Nos: 13654/APP/2015/2569

Drawing Nos: 0615-3-06-PE
0615-3-01 Rev. A
0615-3-01-PE
0615-3-02 Rev. A
0615-3-06
0615-3-02-PE
0615-3-03 Rev. A
0615-3-03-PE
0615-3-04
Location Plan (1:1250)
0615-3-04-PE
0615-3-05 Rev. A
Design and Access Statement

Date Plans Received: 08/07/2015

Date(s) of Amendment(s):

Date Application Valid: 22/07/2015

1. SUMMARY

The site lies within the Cowley Lock Conservation Area and the Colne Valley Archaeological Priority Area. It is also within the Green Belt where leisure uses are considered appropriate. New development in Conservation Areas is also required to preserve or enhance those features that contribute to their special architectural or visual character.

The application seeks planning permission for the change of use from A4 (drinking establishment) to C1 (hotel). There are several modest outbuildings within the site that were previously used as staff accommodation and storage and have now been refurbished and used for guest accommodation. A further new building has been constructed on the footprint of an old storage building and is also used for guest accommodation.

The application is retrospective as the works have been carried out.

The scheme as proposed would not result in a detrimental impact on the visual amenity of the local area. It would preserve the character and appearance of the conservation area and not detrimentally impact on the visual amenity of the Green Belt. The proposed development complies with Policies BE4, BE13, BE15, OL1, OL2 and OL5 of the

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the National Planning Policy Framework (March 2012).

The recommendation is to approve.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 0615-3-06, 0615-3-01a, 0615-3-02a, 0615-3-03a, 0615-3-04 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

2 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) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the outbuildings shall be used only for purposes as ancillary accommodation in conjunction with the main C1 (hotel) use and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON

In accordance with the Policies of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

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 (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE34	Proposals for development adjacent to or having a visual effect on rivers

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
LPP 7.16	(2015) Green Belt
LPP 7.8	(2015) Heritage assets and archaeology
LPP 5.3	(2015) Sustainable design and construction
LPP 7.30	(2015) London's canals and other rivers and waterspaces

3 159 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

3. CONSIDERATIONS

3.1 Site and Locality

The building can be dated to the late 19th/early 20th Century and has existed as a drinking establishment/restaurant and was previously known as The Turning Point. The site is well associated to the history and use of the canal.

3.2 Proposed Scheme

The application seeks retrospective permission of the change of use of the A4 premises as a bar/restaurant to a hotel (with restaurant/bar facilities). There are several modest outbuildings within the site that were previously used as staff accommodation and are now used for guest accommodation. A further new building has been constructed on the footprint of an old storage building and also used for guest accommodation.

3.3 Relevant Planning History

13654/83/1454 The Turning Point Restaurant Packet Boat Lane Cowley Uxbridge
Retention of existing use of premises as wine bar.

Decision: 16-04-1984 Approved

13654/AC/96/0924 The Turning Point Restaurant Packet Boat Lane Cowley Uxbridge
Use of existing function suite for ancillary marriage ceremonies

Decision: 22-08-1996 Approved

13654/W/91/1456

The Turning Point Restaurant Packet Boat Lane Cowley Uxbridge

Erection of a single storey extension for restaurant use, disabled persons toilet and additional car parking

Decision: 14-05-1996 Approved

Comment on Relevant Planning History

There is a lot of history attached to the site but not all of which is relevant. The site has a long established use as a public house/wine bar/restaurant and is also licensed to carry out marriage ceremonies.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

Part 2 Policies:

The following UDP Policies are considered relevant to the application:-
AM7 Consideration of traffic generated by proposed developments.

Part 1 Policies:

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

BE13 EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains.
New development must harmonise with the existing street scene.

PE15 HE1 (2012) Heritage
Alterations and extensions to existing buildings

BE34 Proposals for development adjacent to or having a visual effect on rivers

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

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

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

OL5 Development proposals adjacent to the Green Belt

LPP 7.16 (2015) Green Belt

LPP 7.8 (2015) Heritage assets and archaeology

LPP 5.3 (2015) Sustainable design and construction

LPP 7.30 (2015) London's canals and other rivers and waterspaces

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th August 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The public consultation period ran between 27th July and 14th August 2015. A site notice was attached to the gates and expired on 28th August 2015.

There has been one third party representations supporting the proposals.

GLAAS:
No objections.

The Canals and River Trust:
No objections.

Internal Consultees

Conservation and Urban Design Officer:

The site lies within the Cowley Lock Conservation Area and the Colne Valley Archaeological Priority Area. The building can be dated to the late 19th/early 20th Century and has existed as a drinking establishment/restaurant, it was previously known as The Turning Point Restaurant. The site is well associated to the history and use of the canal. Taking into account the small amount of accommodation proposed there are in principle no objections to the change of use.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The change of use of the existing buildings from staff accommodation/storage to guest accommodation is acceptable in principle as is the change of use of the public house/restaurant to a mixed use of hotel/bar/restaurant. Green Belt policies allows for recreation uses and as the use of the site is long established as a public house it is considered an appropriate use.

7.02 Density of the proposed development

Not applicable to this application.

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

Policy BE4 relates to development within or on the fringes of conservation areas. Policy HE1 of the Hillingdon Local plan, Part One, Strategic Policies (November 2012) relates to the heritage of the borough including the wider historic landscape, including the grand union canal and its features.

Cowley Lock Conservation Area has no Conservation Area Appraisal but is characterised by its lakes and river side and canal side walks and both open and woodland views. As the built development already exists on site and it is only the change of use that is being considered and the change of use from bar/restaurant to hotel/bar/restaurant would have no undue impact on the visual amenity of the surrounding area and would preserve the character and appearance of the Conservation Area.

GLAAS have been consulted on the archaeological aspect of the proposal and confirmation received that there would be no impact and therefore there is no objection to the proposal.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Policy OL5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) does not allow developments adjacent to or conspicuous from the Green Belt that would injure the visual amenities of the Green Belt.

The application site is identified as being within the Green Belt. The National Planning Policy Framework (paragraph 67) and the London Plan (policy 7.16) set out that only development associated with agriculture, forestry, outdoor sport and recreation is appropriate in the Green Belt. In this case, the application site has an established recreational use which is an acceptable use within the Green Belt. As the outbuildings already existed on site and were in use as ancillary to the long established use of the site as a public house, there are no alterations or changes to the amount of built form within the

site which would cause increased harm or detriment to the Green Belt designation and therefore the scheme complies with the relevant policies.

7.07 Impact on the character & appearance of the area

Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires developments to harmonise with the existing street scene or other features in the area. As there are no physical changes to the built form there is no further impact on the sites appearance within its location.

7.08 Impact on neighbours

Directly opposite the site are commercial buildings and as there are no nearby residential neighbours and in this case there would be no impact on residential amenity.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The site has a large car park attached for use by customers and the hotel guests. The change of use from a public house to a hotel is not likely to cause a significant increase in traffic movement using the premises and in this regard the scheme complies with policies AM7 and AM14 of the Local plan.

7.11 Urban design, access and security

The change of use of the main building would have very little impact on the day to day running and service provision of the facility. It would still function as a public house/restaurant with the provision of guest accommodation, some of which would be in the main building but with 3 other guest suites now provided within the existing outbuildings, one of which has been re-built on the same footprint and with a similar appearance to the building it replaced.

On a design point of view there is no change in appearance and thus the proposal is acceptable. Access to any public building is considered under the Building Regulations.

7.12 Disabled access

Access to any public building is considered under the Building Regulations.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

None.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

There are no other issues identified.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the

circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

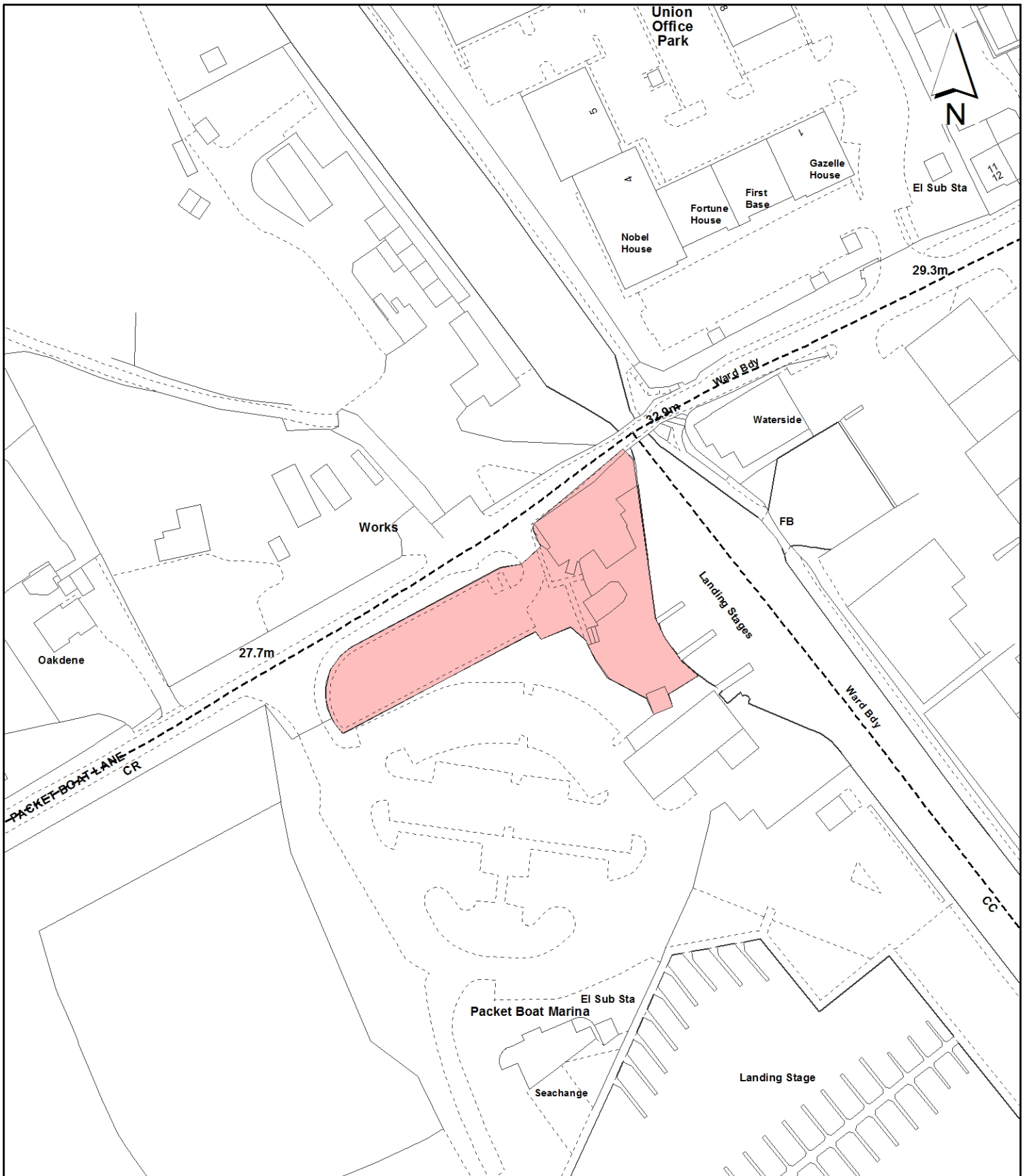
In conclusion the change of use as proposed from bar/restaurant to Hotel/Bar/Restaurant and the refurbishment of the existing outbuildings and change of use of the outbuildings from staff accommodation to guest accommodation is acceptable and the application is recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (March 2015)
National Planning Policy Framework

Contact Officer: Carol Grant

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Notes:

 Site boundary

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Site Address:

**The Waters Edge Restaurant & Bar
 4 Canal Cottages
 Packet Boat Lane
 Cowley**

**LONDON BOROUGH
 OF HILLINGDON**
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
13654/APP/2015/2569

Scale:
1:1,250

Planning Committee:
Central and South

Date:
November 2015

