

Report of the Head of Planning, Sport and Green Spaces

Address THE WILLIAM JOLLE PH, 53 THE BROADWAY JOEL STREET
NORTHWOOD

Development: Change of use of ground floor to Class A1 and installation of a replacement shopfront

LBH Ref Nos: 5564/APP/2016/3468

Drawing Nos: FLU.387.2.08 (Proposed Basement Floor Plan)
FLU.387.2.10 (Proposed First Floor Plan)
FLU.387.2.12 (Proposed Front Elevation)
FLU.387.2.09 (Proposed Ground Floor Plan)
FLU.387.2.13 (Proposed Rear Elevation)
FLU.387.2.11 (Proposed Second Floor Plan)
FLU.387.2.02 (Existing Basement Floor Plan)
FLU.387.2.04 (Existing First Floor Plan)
FLU.387.2.06 (Existing Front Elevation)
FLU.387.2.03 (Existing Ground Floor Plan)
FLU.387.2.07 (Existing Rear Elevation)
FLU.387.2.05 (Existing Second Floor Plan)
FLU.387.2.01 (Proposed Site Layouts and Location Plan)

Date Plans Received: 16/09/2016

Date(s) of Amendment(s):

Date Application Valid: 31/10/2016

1. SUMMARY

The proposal has been recommended for refusal for the following reasons:

The development proposal would result in the loss of a Public House which is an Asset of Community Value and important social, cultural, and recreational use in the Northwood Hills Town Centre, to the detriment of the town centre and local community, contrary to policy S06, paragraph 9.43, paragraph 9.44, and policy C11 of the Hillingdon Local Plan: Part 1 - Strategic Policies; policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 3.16 of the London Plan (2016); and the National Planning Policy Framework (2012).

Insufficient information has been submitted to demonstrate that the development would have adequate access, parking, servicing, and promotion of sustainable modes of transport for the proposed use at this location that would safeguard highway safety and ensure that the local transport network is not adversely impacted in terms of traffic congestion and parking stress, contrary to policies AM2, AM7, AM9, AM10, AM14, AM15, and AM16 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 6.3, 6.9, and 6.13 of the London Plan (2016), and chapter 4 of the NPPF (2012).

2. RECOMMENDATION

The planning application is recommended for refusal.

1 NON2 Loss of Asset of Community Value

The development proposal would result in the loss of a Public House which is an Asset of

Community Value and important social, cultural, and recreational use in the Northwood Hills Town Centre, to the detriment of the town centre and local community, contrary to policy S06, paragraph 9.43, paragraph 9.44, and policy CI1 of the Hillingdon Local Plan: Part 1 - Strategic Policies; policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 3.16 of the London Plan (2016); and the National Planning Policy Framework (2012).

2 NON2 Non Standard reason for refusal

Insufficient information has been submitted to demonstrate that the development would have adequate access, parking, servicing, and promotion of sustainable modes of transport for the proposed use at this location that would safeguard highway safety and ensure that the local transport network is not adversely impacted in terms of traffic congestion and parking stress, contrary to policies AM2, AM7, AM9, AM10, AM14, AM15, and AM16 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 6.3, 6.9, and 6.13 of the London Plan (2016), and chapter 4 of the NPPF (2012).

3. CONSIDERATIONS

3.1 Site and Locality

The application site measures approximately 0.13ha and is located on the east side of The Broadway, Joel Street, backing on to Ferndown, and immediately to the north of Northwood Hills Tube Station. The site consists of a late 1980's red brick three storey building with basement/lower ground level. The application property is located at upper and lower ground levels and is currently a Public House known as the William Jolle and is operated by the Wetherspoons Pub Chain. The William Jolle Public House is an Asset of Community Value.

There are significant differences in ground levels between the front and rear of the site with Ferndown approximately 3m lower than Joel Street. At lower ground level, there is undercroft parking with more parking to the rear of the main building with access for both from Ferndown. The existing building is neither listed nor located within a conservation area. The site has a Public Transport Accessibility Level (PTAL) of 3 (Moderate).

The site is located within the Northwood Hills Town Centre and is a designated Secondary Shopping Area. The Broadway is characterised by mainly three storey terrace properties with commercial/retail at ground floor level. Ferndown to the rear of the site is much more residential in nature and comprises mainly two storey semi detached and terrace residential properties. To the south, the Metropolitan line abuts the site and beyond, there are three and four storey mixed use buildings on Joel Street, but the streets that branch off either side of the main road are characterised by mainly two storey residential properties.

3.2 Proposed Scheme

The proposal consists of change of use of ground floor to Class A1 and installation of a replacement shopfront.

3.3 Relevant Planning History

5564/APP/2005/3059 The William Jolle P.H. 53 Joel Street Northwood

VARIATION OF CONDITION 6 OF PLANNING PERMISSION REF.5564S/96/1728 DATED 12/01/1998 TO ALLOW PREMISES TO OPEN SUNDAY TO THURSDAY: 8:00AM TO 1:00AM, FRIDAY TO SATURDAY: 8:00AM TO 1:30AM AND UNTIL 2:30AM ON 'SPECIAL DAYS' (REFE

TO SCHEDULE IN INFORMATIVES)

Decision: 16-12-2005 Approved

5564/APP/2015/3770 53-55 The Broadway Joel Street Northwood

Change of Use of first and second floor from offices (Use Class B1) to 6 x 1-bed and 4 x 2-bed flats (Prior Approval)

Decision: 03-12-2015 PRN

5564/APP/2016/3439 The William Jolle Ph, 53 The Broadway Joel Street Northwood

Change of use of ground floor to Class D1 (Doctor or Dentist Practice) and installation of a replacement shopfront

Decision:

5564/APP/2016/3469 53-55 The Broadway Joel Street Northwood

Change of use of 1st and 2nd Floors to Class D1 (dentist or doctors).

Decision:

5564/APP/2016/3908 53-55 The Broadway Joel Street Northwood

Change of use of 1st and 2nd Floors to Class D2 (gym).

Decision:

5564/J/86/1725 53 & 55 Joel Street Northwood

Erection of 3-storey bldg. to provide shops on ground floor and offices above.

Decision: 09-01-1987 Approved

5564/PRC/2016/36 53-55 The Broadway Joel Street Northwood

Erection of a five storey building (four storeys from Joel Street) comprising a retail unit (669.7sqm of floorspace) and 30 residential units (21 x 1 bed, 6 x 2 bed, and 3 x 3 bed flats), following demolition of existing mixed office/drinking establishment building

Decision: 02-06-2016 OBJ

5564/S/96/1728 53 Joel Street Northwood

Change of use from Class A1 (Retail) to traditional ale, wine and food house (Class A3)

Decision: 12-01-1998 Approved

Comment on Relevant Planning History

In 1987, planning permission ref. 5564/J/86/1725 dated 09/01/87 was given for the erection of a 3 storey building to provide shops on ground floor and offices above.

In 1996, planning permission ref. 5564/S/96/1728 dated 12/01/98 was given for change of use of the ground floor level from retail to traditional ale, wine and food house.

In 2015, prior approval application ref. 5564/APP/2015/3770 dated 03/12/15 was given for change of use of the first and second floors from offices to residential.

At present, there are 3 other planning applications pending (ref. 5564/APP/2016/3908 for 'Change of use of 1st and 2nd Floors to Class D2'; ref. 5564/APP/2016/3469 for 'Change of use of 1st and 2nd Floors to Class D1'; and ref. 5564/APP/2016/3439 for 'Change of use of ground floor to Class D1').

4. Planning Policies and Standards

Please see list of relevant planning policies below:

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI1 (2012) Community Infrastructure Provision
- PT1.E5 (2012) Town and Local Centres
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes
- AM9 Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
- AM10 Incorporation in new developments of additions to the proposed cycle network
- AM14 New development and car parking standards.
- AM15 Provision of reserved parking spaces for disabled persons
- AM16 Availability for public use of parking spaces in commercial developments in town centres and other areas
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings

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|----------|---|
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| R2 | Provision of recreation, entertainment and leisure facilities in Town Centres |
| R5 | Proposals that involve the loss of sports, leisure, community, religious, cultural or entertainment facilities |
| R10 | Proposals for new meeting halls and buildings for education, social, community and health services |
| R11 | Proposals that involve the loss of land or buildings used for education, social, community and health services |
| R16 | Accessibility for elderly people, people with disabilities, women and children |
| LPP 3.16 | (2016) Protection and enhancement of social infrastructure |
| LPP 4.7 | (2016) Retail and town centre development |
| LPP 4.8 | (2016) Supporting a Successful and Diverse Retail Sector and related facilities and services |
| LPP 5.12 | (2016) Flood risk management |
| LPP 5.17 | (2016) Waste capacity |
| LPP 5.21 | (2016) Contaminated land |
| LPP 6.3 | (2016) Assessing effects of development on transport capacity |
| LPP 6.9 | (2016) Cycling |
| LPP 6.13 | (2016) Parking |
| LPP 7.2 | (2016) An inclusive environment |
| LPP 7.4 | (2016) Local character |
| LPP 7.6 | (2016) Architecture |
| LPP 7.13 | (2016) Safety, security and resilience to emergency |
| LPP 7.14 | (2016) Improving air quality |
| LPP 7.15 | (2016) Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes. |
| NPPF4 | NPPF - Promoting sustainable transport |
| NPPF7 | NPPF - Requiring good design |
| NPPF8 | NPPF - Promoting healthy communities |
| OE1 | Protection of the character and amenities of surrounding properties and the local area |
| SPD-NO | Noise Supplementary Planning Document, adopted April 2006 |
| SPG-AQ | Air Quality Supplementary Planning Guidance, adopted May 2002 |

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date:- Not applicable
- 5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

19 neighbouring properties were consulted 18th November 2016 and a site notice erected 22nd November 2016. The statutory consultation period expired 20th December 2016. Thus far 2 petitions against with 63 and 23 signatures respectively and 106 responses (96 against) have raised the following summarised concerns:

- Loss of an important community asset that brings significant well being and social cohesion to the local community
- Loss of community facility/pub
- Shortage of Public Houses in the area and none other in the town centre
- Loss of a social hub
- Loss of a busy and thriving business
- Damage to existing retail businesses on the High Street from over provision of retail and loss of footfall from the Public House
- This pub was not just a place to drink, but a social centre point replacing much needed social care for those residents who live on their own
- Insufficient parking for retail use
- Will cause traffic disruption
- I believe the Council should make every effort to a) retain the site as a public house / bar and b) actively seek a new tenant to run such an establishment
- My understanding is that Weatherspoons withdrew due to an increased rent demand. I believe the Council should, if necessary give active and financial support to finding a new tenant to run a pub / bar.
- Such a facility is an integral part of the community and it will be tragic if Northwood Hills becomes the latest area to become 'publess'.

LONDON UNDERGROUND INFRASTRUCTURE PROTECTION TEAM

No comment

NORTHWOOD HILLS RESIDENTS ASSOCIATION

I am writing to object to the above planning application for change of use of the ground floor to Class A1 and installation of a replacement shop front.

These premises are subject to an Asset of the Community order and we are advised that the owners of the property are refusing to allow discussion/an offer for purchase of the lease from a reputable publican.

There have been multiple applications, not yet determined, relating to this building (as a whole) by this applicant which have been drip fed over the last few weeks and can only have served to confuse a member of the public.

There is no Design and Access Statement shown for this application. The proposed plan of the ground floor merely shows the existing layout of the pub which is not acceptable.

We request that the application be refused.

Also, under the terms of the current classification, I believe there is an agreement that all the current toilets inside the Namaste Lounge (opposite) have to be available for Public use during opening hours.

Obviously, if there is a reclassification of use we request that all the toilet areas remain as per current layout and continue to be available for public use during opening hours.

NAMASTE LOUNGE

Comments (summary):

I am emailing you in regards to William Jolle, which is one of the JDW pubs, located on Joel Street, Northwood Hills. I have been informed that this pub will be closing down soon and that the property will no longer be operating as a pub. This is devastating and heartfelt news for both the local residents and myself. I have watched this pub over the last 10 years, which was consistently filled with satisfied locals. I was able to do this, as I own a business called Namaste Lounge just across the road to the William Jolle. Over the last 10 years, I have very much been involved with the local community and we as a business have been proud supporters of the Christmas tree and street lighting for Joel Street every year.

During this period I have had the opportunity to speak to the local residents and local business owners about current affairs and this year the most spoken news was the closing down of the William Jolle, where they expressed this change will affect them immensely as they will no longer have a local pub in the area. The locals have mentioned that this pub has created a friendly social environment for everyone over the years of its existence. It is also seen as a valuable asset to Northwood Hills as the pub brings a large turnover of people into area, as a result increasing the trade for all other local businesses on the high street.

This is when I proposed the idea of taking over the property and running it as a pub. I am no stranger to the pub industry or to the local community. The local community has supported me in the success of my business Namaste Lounge over the last 10 years, the least I can do to show my appreciation is to provide them with a local pub.

In my pursuit of the idea of running a pub again at this property I have made numerous attempts to get in touch with the landlord. However, I was always turned down by their agents who consistently told me that the landlord no longer wishes the property to be operated as a pub. I would be so grateful if you could provide me with more information about this property especially in regards to the listing.

It would be absolutely delightful if we could be given the opportunity to operate this property as a traditional English pub for the locals of Northwood Hills. I will most definitely not disappoint in my operation.

Internal Consultees

ENVIRONMENTAL PROTECTION UNIT

No objection subject to condition in relation to plant noise and an informative regarding environmental nuisance.

HIGHWAYS

A proposal has been received for the change of use of nos. 51 - 55 Joel Street, Northwood. The current use is as a public house to the ground floor and office space to the first and second floors.

Under the proposals, the ground floor would be converted to Class A1, with the installation of a replacement shopfront.

The area has a PTAL of 3, which is considered moderate. However, it is considered that the

presence of Northwood Hills tube station immediately to the south of the site and of nearby bus stops along Joel Street, provides a good level of public transport accessibility.

On-street parking is available on Joel Street along the frontage. The parking is Pay & Display between 8am - 6:30pm Mon - Sat, no return 2hrs.

An undercroft parking area is accessible through an existing crossover along Ferndown at the rear of the property. The application site also includes a rear courtyard that could be potentially used for parking and / or deliveries.

The submitted plans do not show any specific proposals for the site vehicular access. In light of this, it is assumed that the existing access would be retained in its present configuration. However, the applicant fails to demonstrate whether the existing access would be suitable to the proposed use of the site.

No delivery area is specified on the drawings nor the type and frequency of deliveries is estimated. As a result, it is not possible to determine how deliveries would be carried out.

A plan should be submitted identifying the delivery areas and swept paths with a 300mm error margin should be included to ensure that there is sufficient internal manoeuvrability.

Current London Plan standards require that parking requirements for Use Class A1 development should be calculated, in areas with a PTAL rating of 3, as one parking space for 50 to 30 gross floorspace (GIA). There is no information in the submission to justify the proposed number of parking spaces. It is also considered that the proposed parking layout may be too constrained and insufficient to ensure manoeuvrability of vehicles for all the parking bays, especial those closer to the wall. Swept paths with 300mm error margin should be submitted for the most constrained parking bays in order to demonstrate vehicle manoeuvrability.

The London Plan requires for A1 land use the following bicycle parking provisions:

- Long stay: from a threshold of 100 sqm: 1 space per 175 sqm
- Short stay: from a threshold of 100 sqm, first 750 sqm: 1 space per 40 sqm; thereafter: 1 space per 300 sqm.

However, the proposed plans fail to show any provision for bicycle parking and a justification of the number of spaces provided.

The proposals fail to provide an estimate of future trips likely to be generated by the proposals and the impact of these on the local transport network.

The submitted plans show the proposed arrangements only for the ground floor of the existing building. There is no indication of how the upper floors would be used under the proposals. This creates uncertainty regarding the total transport impacts of the proposals; as an example, it is not possible to determine the exact floor area and thus the number of parking spaces that would be required to comply with the current standards.

It is concluded that the current proposal fails to demonstrate compliance with policies AM7 and AM14 of the adopted Hillingdon Local Plan, 2012, (Part 2), and with the provisions set out in Tables 6.2 and 6.3 of the London Plan.

In order to address these issues, the applicant should submit a transport statement detailing the following:

- Adequacy of access arrangements for the proposed use of the site;
- Justification of parking provisions and details if internal vehicle manoeuvrability;
- Estimate of expected trip generation and its impact on the local transport network;
- A delivery and servicing plan should be submitted, showing the type and frequency of delivery vehicles. Delivery areas should be identified and adequate internal manoeuvrability assessed in order to avoid negative impacts on road safety;
- Pedestrian and bicycle access routes should be identified and minimum secure bicycle storage as per requirements set out in Tables 6.2 and 6.3 of the London Plan should be included in the design.

On the basis of the submitted information, an objection is therefore raised with respect to the highway aspects of the proposal.

CORPORATE PLANNING POLICY

Comments (summary):

The William Jolle public house, 53 Joel Street, Northwood Hills HA6 1NZ, was listed by the Council as an Asset of Community Value in October 2015. The decision was taken because the Council determined that the public house met the definition of an ACV as prescribed by section 88 of the Localism Act and Schedule 1 of the Regulations.

The use of the building was judged to further the social wellbeing or social interests of the local community. The property was nominated as an ACV by a group of 25 local residents. The Government acted in 2015 to provide some further protection for public houses, by removing permitted development rights from public houses for changes of use or demolition for a period of 5 years after the local ACV listing.

It is not for me to comment on whether the status of Asset of Community Value afforded to the William Jolle public house should be a material consideration for the local planning authority. Indeed, the DCLG guidance states that it is for the authority to decide whether ACV listing is a material consideration for planning purposes. I am, however, aware that there continues to be strong local feeling from the community in and around Northwood Hills in favour of retaining the property as a public house.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposal seeks to replace the current vacant drinks establishment (Class A4) with retail (Class A1). The existing public house known as 'William Jolle' is a registered Asset of Community Value (ACV). The decision was taken because the Council determined that the public house met the definition of an ACV as prescribed by section 88 of the Localism Act and Schedule 1 of the Regulations.

The use of the building was judged to further the social wellbeing and social interests of the local community. The property was nominated as an ACV by a group of 25 local residents.

On the 6th April 2015 the Town and Country Planning (General Permitted Development) (Amendment) England Order 2015 ("GPDO") came into force which removes permitted development rights for some drinking establishments. The GPDO removed certain permitted development rights for "specified buildings." Specified buildings are buildings

used as a drinking establishment which have been listed as an Asset of Community Value ("ACV") or which have been nominated to be listed. The purpose behind the legislation is to protect pubs from development as they are seen to be an important part of a community.

The Localism Act (2011) introduced the right for Parish Councils, neighbouring Parish Councils, Community Groups (i.e. a group of more than 21 members that are on the electoral role and operating not for profit) and Neighbourhood Forums to make an application to the local authority to nominate land or buildings as an ACV. An ACV is a building or land which furthers, or has in the recent past furthered, social well being and/or the interests of the local community and it is realistic to think that this use could continue, or may continue within the next 5 years. Social interests include cultural, recreational or sporting interests. The most common types of building to be listed as ACVs have been pubs, which is why they have been afforded special protection against development. The consequence of a building or land being listed is that they cannot be disposed of without first being offered to the party who nominated the building or land as an ACV.

As mentioned, the William Jolle Public House is listed as an Asset of Community Value and the proposal would result in its loss. Therefore, the following adopted policies are relevant to the determination of this application.

Policy S06 of the Hillingdon Local Plan: Part 1 - Strategic Policies seeks to promote social inclusion through equality of opportunity and equality of access to social, educational, health, employment, recreational, green space and cultural facilities for all in the borough, particularly for residents living in areas of identified need.

Paragraph 9.43 of the Hillingdon Local Plan: Part 1 - Strategic Policies states that the quantity, quality and accessibility of social infrastructure such as libraries, health facilities, community and faith centres, cultural facilities, emergency services and educational services, make a direct contribution to the quality of life in Hillingdon.

Paragraph 9.44 of the Hillingdon Local Plan: Part 1 - Strategic Policies states that social infrastructure is essential in providing people with better life opportunities and creating a sustainable community and the Council will seek to resist the loss of such facilities.

Policy CI1 'Community Infrastructure Provision' of the Hillingdon Local Plan: Part 1 - Strategic Policies stipulates that the Council will ensure that community and social infrastructure is provided in Hillingdon to cater for the needs of the existing community and future populations by:

1. Resisting of the loss of community facilities, and where the loss of these facilities is justified it will seek to ensure that resulting development compensates these uses to ensure no net loss;
2. Supporting the retention and enhancement of existing community facilities;

Policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) states that the Local Planning Authority will not grant planning permission for proposals which involve the loss of land or buildings used (or where the last authorised use was for) a sports stadium, outdoor or indoor sports and leisure facilities, public or community meeting halls, or religious, cultural and entertainments activities, unless adequate, accessible, alternative facilities are available.

Policy 3.16 'Protection and enhancement of social infrastructure' of the London Plan (2016) states that proposals which would result in a loss of social infrastructure in areas of

defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted.

Paragraph 70 of the National Planning Policy Framework (2012) states that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services.

As mentioned, the proposal would result in the loss of an Asset of Community Value. The loss of this community use would be contrary to planning policy.

Opposite Northwood Hills Station, there is a building that was formally known as the Northwood Hills Public House. The current operator's website states that 'the pub has since been transformed into a modern Indian restaurant, cocktail bar and shisha lounge'. As such, it no longer operates as a traditional Public House and would be considered to be more akin to a restaurant with ancillary shisha and sales of drinks. Planning permission was not required for the change of use from Class A4 to Class A3 at this premises. Consent was given for ancillary use of the site as a shisha lounge in 2015.

The nearest other drinking establishment is the 'Olde Northwood Pub' on Rickmansworth Road, which is approximately 1km away. However, it is currently vacant and has been advertised for sale.

To the south, the closest Public House is 'Arens Bar and Grill' formerly known as 'The Woodman' on Joel Street, which is located approximately 1.5km away.

Given this context, the 'William Jolle' represents the last traditional Public House (albeit within a 1980's build) in Northwood Hills Town Centre or within a 1.5km radius of the site. Therefore, it is reasonable to consider that there is a need for this type of use within the town centre. As such, its loss would fail to promote social inclusion, contrary to policy S06 of the Hillingdon Local Plan: Part 1 - Strategic Policies.

The 'William Jolle' Public House was listed as an Asset of Community Value following support from the local community for its protection. It is clear that residents consider the existing Public House to represent an important social, cultural and recreational use that has furthered social well being and the interests of the local community as described by the Localism Act (2011). As mentioned above, paragraph 9.43 of the Hillingdon Local Plan: Part 1 - Strategic Policies states that the quantity, quality and accessibility of social infrastructure... make a direct contribution to the quality of life in Hillingdon. Similarly, paragraph 9.44 of the Hillingdon Local Plan: Part 1 - Strategic Policies is clear that social infrastructure is essential in providing people with better life opportunities and creating a sustainable community and the Council will seek to resist the loss of such facilities.

Also, as explained above, policy CI1 'Community Infrastructure Provision' of the Hillingdon Local Plan: Part 1 - Strategic Policies stipulates that the Council will ensure that community and social infrastructure is provided in Hillingdon to cater for the needs of the existing community and future populations by resisting the loss of community facilities...and supporting the retention and enhancement of existing community facilities.

Both policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012) and policy 3.16 'Protection and enhancement of social infrastructure' of the London Plan (2016) make clear that proposals which would result in a loss of social infrastructure in areas of

defined need for that type of social infrastructure without realistic proposals for re-provision should be resisted. This is reinforced at a national level within the National Planning Policy Framework (2012) which states in paragraph 70 that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should guard against the unnecessary loss of valued facilities and services.

Given the content of some of the public consultation responses which elude to significant interest in purchasing the property, there is considered to be a realistic chance of the premises being used as a Public House in the future. In the absence of any evidence to the contrary, a Public House at this premises is considered to be viable, particularly noting its popularity as is clear from the public consultation responses.

It is noted that there are other planning applications for this site that propose changes to Class D1 and Class D2 uses. However, neither of these proposed uses would compensate for the loss of this Asset of Community Value and its importance to the local community.

The development proposal would result in the loss of a Public House which is an Asset of Community Value and important social, cultural, and recreational use in the Northwood Hills Town Centre, to the detriment of the town centre and local community, contrary to policy S06, paragraph 9.43, paragraph 9.44, and policy CI1 of the Hillingdon Local Plan: Part 1 - Strategic Policies; policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 3.16 of the London Plan (2016); and the National Planning Policy Framework (2012).

7.02 Density of the proposed development

Not relevant to the determination of this application.

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

Not relevant to the determination of this application.

7.04 Airport safeguarding

Not relevant to the determination of this application.

7.05 Impact on the green belt

Not relevant to the determination of this application.

7.06 Environmental Impact

The environmental impact of this development is unlikely to be significant given the nature of the proposal.

7.07 Impact on the character & appearance of the area

The proposal includes a replacement shopfront on the front elevation at ground level. The changes are not particularly significant and are in keeping with the general architectural style of the building and character of the area. Therefore, in terms of impact on the visual amenity of the area, it would be limited.

7.08 Impact on neighbours

The sole changes to the external fabric of the building are to the shopfront which are unlikely to raise concern regarding impact on neighbouring properties. The proposed change of use is also not likely to raise any direct residential amenity concerns.

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, car/cycle parking, pedestrian safety

This application seeks planning permission for change of use of the ground floor level to Class A1 and installation of a replacement shopfront.

The area has a PTAL of 3, which is considered moderate. However, it is considered that the presence of Northwood Hills tube station immediately to the south of the site and of nearby bus stops along Joel Street, provides a good level of public transport accessibility.

On-street parking is available on Joel Street along the frontage. The parking is Pay & Display between 8am - 6:30pm Mon - Sat, no return 2hrs.

An undercroft parking area is accessible through an existing crossover along Ferndown at the rear of the property. The application site also includes a rear courtyard that could be potentially used for parking and / or deliveries.

The submitted plans do not show any specific proposals for the site vehicular access. In light of this, the Council's Highway Engineer has assumed that the existing access would be retained in its present configuration. However, the applicant fails to demonstrate whether the existing access would be suitable for the proposed use at the site.

No delivery area is specified on the drawings nor are the type and frequency of deliveries estimated. As a result, it is not possible to determine how deliveries would be carried out.

The Council's Highway Engineer has stated that a plan should be submitted identifying the delivery areas and swept paths with a 300mm error margin to ensure that there is sufficient internal manoeuvrability.

Current London Plan standards require that parking requirements for Use Class A1 development should be calculated, in areas with a PTAL rating of 3, as one parking space for 50 to 30 gross floorspace (GIA). There is no information in the submission to justify the proposed number of parking spaces. It is also considered that the proposed parking layout may be too constrained and insufficient to ensure manoeuvrability of vehicles for all the parking bays, especially those closer to the wall. The Council's Highway Engineer has stated that swept paths with 300mm error margin should be submitted for the most constrained parking bays in order to demonstrate vehicle manoeuvrability.

The London Plan requires for A1 land use the following bicycle parking provisions:

- Long stay: from a threshold of 100 sqm: 1 space per 175 sqm
- Short stay: from a threshold of 100 sqm, first 750 sqm: 1 space per 40 sqm; thereafter: 1 space per 300 sqm.

However, the proposed plans fail to show any provision for bicycle parking and a justification of the number of spaces provided.

The proposals fail to provide an estimate of future trips likely to be generated by the proposal and the impact of it on the local transport network.

The submitted plans show the proposed arrangements only for the ground floor of the existing building. There is no indication of how the upper floors would be used under the proposals despite there be various planning application submitted for these floors and a prior approval approved for their residential use. This creates uncertainty regarding the total transport impacts of the proposals; as an example, it is not possible to determine the exact floor area and thus the number of parking spaces that would be required to comply with the current standards.

The Council's Highway Engineer objects to the proposal and has stated that the current proposal fails to demonstrate compliance with policies AM7 and AM14 of the adopted Hillingdon Local Plan, 2012, (Part 2), and with the provisions set out in Tables 6.2 and 6.3 of the London Plan.

Insufficient information has been submitted to demonstrate that the development would have adequate access, parking, servicing, and promotion of sustainable modes of transport for the proposed use at this location that would safeguard highway safety and ensure that the local transport network is not adversely impacted in terms of traffic congestion and parking stress, contrary to policies AM2, AM7, AM9, AM10, AM14, AM15, and AM16 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 6.3, 6.9, and 6.13 of the London Plan (2016), and chapter 4 of the NPPF (2012).

7.11 Urban design, access and security

For consideration of 'Urban Design' please see 'Impact on the character & appearance of the area' section of this report.

The access and security arrangements to the premises would remain similar to existing. As such, the proposal is not considered to raise any access or security issues.

7.12 Disabled access

Please see 'Urban design, access and security' section of this report for consideration of 'disabled access'.

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, Landscaping and Ecology

The proposal would not affect trees, landscaping or ecology. Therefore, the proposal is acceptable in this regard.

7.15 Sustainable waste management

Insufficient details have been provided to demonstrate that acceptable refuse and recycling storage would be provided. However, given the existing use, the proposed use is unlikely to raise any significant concerns with regards to waste capacity.

For consideration of transport related matters associated with refuse collection, please see 'Traffic impact, car/cycle parking, pedestrian safety' section of this report.

7.16 Renewable energy / Sustainability

Not applicable.

7.17 Flooding or Drainage Issues

The proposal is not considered to raise any flooding or drainage issues.

7.18 Noise or Air Quality Issues

Given the scale and nature of the proposal, it is not considered likely to raise any noise or air quality concerns.

7.19 Comments on Public Consultations

Please see 'External Consultees' section of this report for consideration of comments on public consultation.

7.20 Planning Obligations

Not applicable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Not applicable.

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.

10. CONCLUSION

The proposal has been recommended for refusal for the following reasons:

The development proposal would result in the loss of a Public House which is an Asset of Community Value and important social, cultural, and recreational use in the Northwood Hills Town Centre, to the detriment of the town centre and local community, contrary to policy S06, paragraph 9.43, paragraph 9.44, and policy CI1 of the Hillingdon Local Plan: Part 1 - Strategic Policies; policy R5 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 3.16 of the London Plan (2016); and the National Planning Policy Framework (2012).

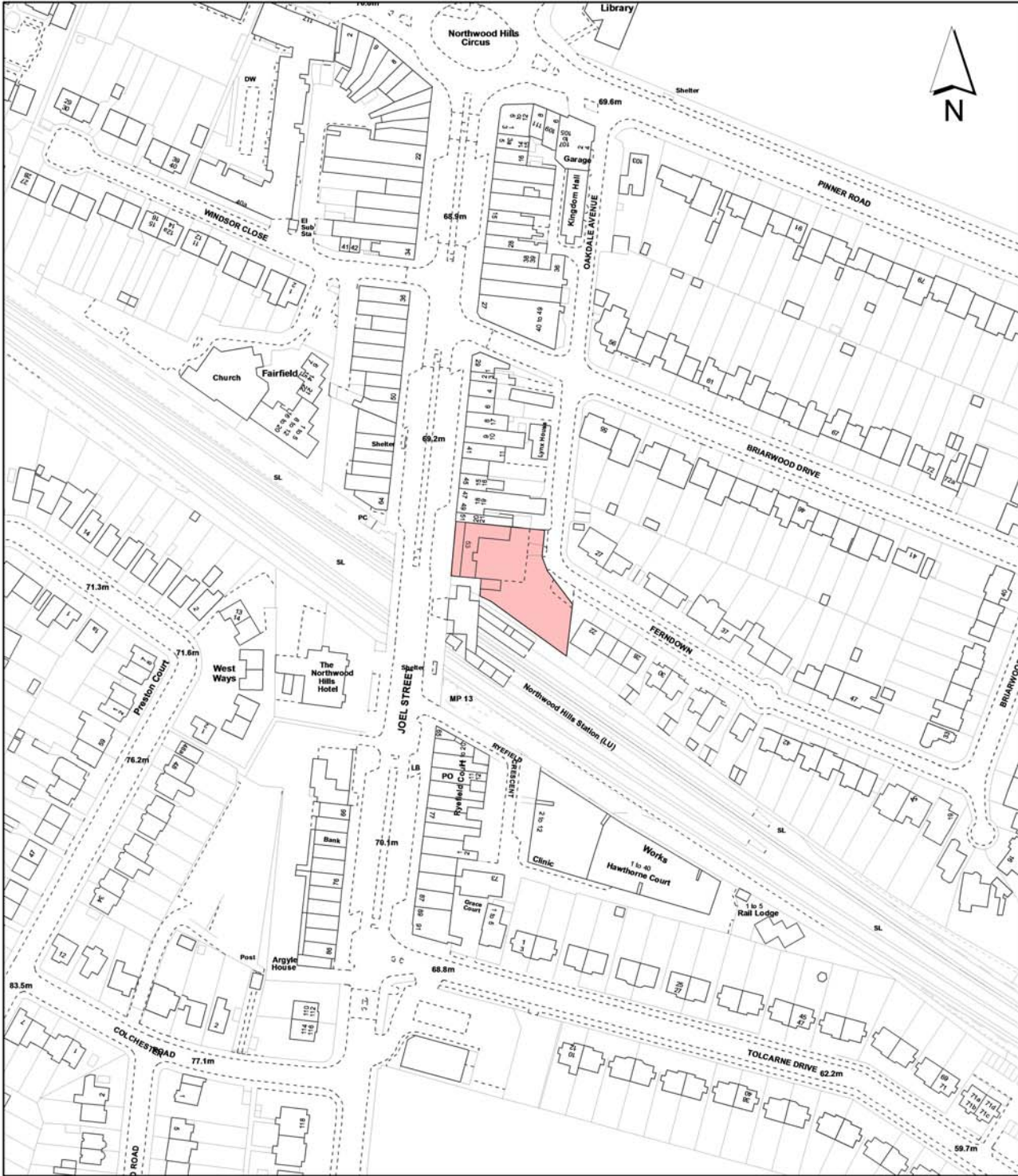
Insufficient information has been submitted to demonstrate that the development would have adequate access, parking, servicing, and promotion of sustainable modes of transport for the proposed use at this location that would safeguard highway safety and ensure that the local transport network is not adversely impacted in terms of traffic congestion and parking stress, contrary to policies AM2, AM7, AM9, AM10, AM14, AM15, and AM16 of the Hillingdon Local Plan: Part 2 Saved UDP Policies (Nov 2012); policy 6.3, 6.9, and 6.13 of the London Plan (2016), and chapter 4 of the NPPF (2012).

11. Reference Documents


The Hillingdon Local Plan: Part 1 - Strategic Policies (8th November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2016)
National Planning Policy Framework (2012)
Council's Supplementary Planning Guidance - Air Quality
Council's Supplementary Planning Guidance - Community Safety
Council's Supplementary Planning Document - Accessible Hillingdon
Council's Supplementary Planning Document - Noise
Council's Supplementary Planning Document - Planning Obligations

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Notes:

 Site boundary

For identification purposes only.

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|---------------------------------------|---------------------|
| Site Address: | |
| William Jolle Public House | |
| Planning Application Ref: | Scale: |
| 5564/APP/2016/3468 | 1:2,000 |
| Planning Committee: | Date: |
| North | January 2017 |

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