

Report of the Head of Planning, Sport and Green Spaces

Address THE CASE IS ALTERED PH HIGH ROAD EASTCOTE

Development: Minor alterations to existing elevations and minor reconfiguration of car park (Amended Plans received which include omission of previously proposed single-storey extension).

LBH Ref Nos: 38037/APP/2016/2912

Drawing Nos: Unnumbered Location Plan
2993/03 (Existing Elevations)
2993.20.OP2 (Proposed South & West Elevations)
2993.02 (Existing First Floor)
2993.04 (Existing Site Plan)
2993.01 (Existing Ground Floor)
2993.10.OP2 Rev.B (Proposed Ground Floor)
2993.11.OP2 Rev.B (Proposed First Floor)
2993.12.OP2 Rev.B (Proposed Roof Plan)
2993.13.OP2 Rev.A (Proposed Site Plan)
2993.21.OP2 Rev.B (Proposed North & East Elevations)
Historic Building Assessment, prepared by Cotswold Archaeology, dated May 2016

Date Plans Received: 27/07/2016 **Date(s) of Amendment(s):** 27/07/2016

Date Application Valid: 29/07/2016

1. SUMMARY

This application seeks full planning permission for minor external alterations to The Case is Altered Public House in Eastcote. These are primarily related to internal reconfiguration works associated with the desire to improve accessibility and provide increased capacity within the building.

It should be noted that a single-storey extension to the rear of the building was originally proposed as part of this application but that this has now been omitted from the scheme, primarily due to cost reasons.

An application for Listed Building Consent has been submitted in parallel with this application and appears on this same agenda. That application solely deals with the acceptability of the proposed internal and external works in terms of their impact on the historic fabric of the listed building. This current application for planning permission relates to the proposed external works.

No objections are raised to the principle of the development in this location. The application follows pre-application discussions with the Council and, whilst the scheme now under consideration is quite different to that originally proposed, relevant comments made at that stage have been taken fully on board. Negotiations have also taken place with the applicant throughout the application process to ensure that issues associated with visual impact and accessibility are further addressed such that, following the receipt of amended plans, no objections are raised in respect of these matters.

Residents raised significant concern over the impact of the proposals on the surrounding highway network and many are very strongly opposed to the scheme due to concerns regarding parking and highway and pedestrian safety. Notwithstanding the receipt of amended plans, which omit an originally proposed extension, those concerns remain. Nevertheless, the Council's Highway Engineer has raised no objections and, given the minor nature of the alterations now proposed, it is not considered that refusal could be justified on this basis.

Some residents are also vehemently opposed to the scheme due to concerns regarding disabled access. However, the applicant has fully taken on board the advice of the Council's Access Officer in this regard and officers are satisfied that, given the constraints posed by the Grade II listing of the building, the proposed arrangements offer an acceptable solution in this instance.

The proposal is considered to comply with relevant Local Plan, London Plan and national planning policies and, accordingly, approval is recommended.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 Time Limit

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 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 2993.10.OP2 Rev.B, 2993.11.OP2 Rev.B, 2993.12.OP2 Rev.B, 2993.13.OP2 Rev.A, 2993.20.OP2 & 2993.21.OP2 Rev.B, and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including but not limited to the following, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such:

- i) details of any kitchen, WC or other flues and/or vents or other extraction systems;
- ii) detailed design and construction of the new windows and doors, to include details of materials and finish and cross-sections of the frames and glazing bars for the windows at an appropriate scale (ideally 1:1);
- iii) details of all external infill walls (nb. these should be painted brick rather than blockwork);
- iv) details of roof tiles;
- v) details of materials to be used for markings, kerbs, bollards and any new surfaces within the car park;
- vi) details of the cold store and associated covered structure/canopy at the rear of the building, as indicated on drawing no. 2993.12.OP2.

All new works must match the existing in terms of materials, colour, finishes, etc. and details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies BE4, BE8, BE9, BE10, BE13 and BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed.
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or

groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

6 COM17 Control of site noise rating level

The rating level of the noise emitted from plant and/or machinery at the site shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the boundary of the nearest noise sensitive premises. The measurements and assessment shall be made in accordance to the latest British Standard 4142, 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON

To safeguard the amenity of the surrounding area in accordance with policies OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 NONSC Access

The hereby approved 'Unisex Toilet', as shown on drawing no. 2993.10.OP2 Rev.B, shall be designed and fitted as a second accessible toilet in accordance with figure 5.1 as set out in BS 8300:2009.

REASON

In the interests of enhancing the building's accessibility for all in accordance with policy 7.2 of the London Plan 2016.

8 NONSC Pipework & guttering

All gutters, down pipes and external pipework shall be in painted case iron to match the existing.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies BE4, BE8, BE9, BE10, BE13 and BE15 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).

2 153 **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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
BE9	Listed building consent applications for alterations or extensions
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
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.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R16	Accessibility for elderly people, people with disabilities, women and children
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework

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 (2016). 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.

4 I1 Building to Approved Drawing

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

5 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

6 I11 The Construction (Design and Management) Regulations 1994

The development hereby approved may be subject to the Construction (Design and Management) Regulations 1994, which govern health and safety through all stages of a construction project. The regulations require clients (ie. those, including developers, who commission construction projects) to appoint a planning supervisor and principal contractor who are competent and adequately resourced to carry out their health and safety responsibilities. Further information is available from the Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (telephone 020 7556 2100).

7 I12 Notification to Building Contractors

The applicant/developer should ensure that the site constructor receives copies of all drawings approved and conditions/informatives attached to this planning permission. During building construction the name, address and telephone number of the contractor (including an emergency telephone number) should be clearly displayed on a hoarding visible from outside the site.

8 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best

Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

9 134 Building Regulations 'Access to and use of buildings'

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from www.opsi.gov.uk
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from www.drc-gb.org.
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from www.drc-gb.org.
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from www.drc-gb.org.

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

10 144A Prevention of Litter

You should ensure that your premises do not generate litter in the streets and nearby areas. Sections 93 and 94 of the Environmental Protection Act 1990 give local authorities the power to serve 'Street Litter Control Notices' requiring businesses to clear up the litter and implement measures to prevent the land from becoming littered again. By imposing a 'Street Litter Control Notice', the local authority has the power to force businesses to clean up the area in the vicinity of their premises, provide and empty bins and do anything else which may be necessary to remove litter. Amendments made to the 1990 Act by the Clean Neighbourhoods and Environment Act 2005 have made it immediately an offence to fail to comply with the requirements of a Street Litter Control Notice, and fixed penalties may be issued as an alternative to prosecution.

Should you have any queries on the above, please contact the Environmental Protection Unit on 01895 250230 at the London Borough of Hillingdon.

11

With regard to condition 10, you are advised that the the Council's Access Officer has recommended that the 'Unisex Toilet' facility does not need to be signed as a 'disabled toilet', but amending the layout would mean that everyone, including a wheelchair user, could access the same facility without needing to leave the restaurant. The provision could still accommodate a 'baby change' , and it would be entirely appropriate for the cubicle door to feature both the 'male' , 'female' and 'baby change' symbols, along with the words 'accessible unisex'. Should you have any further queries regarding the requirements of the condition please contact the Council's Access Officer at akashmiri@hillingdon.gov.uk.

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises The Case is Altered Public House (PH), which occupies an approximately 0.26 hectare irregularly shaped plot located on the north corner of High Road and Southill Lane in Eastcote.

The PH comprises a predominantly 19th century two-storey building with an earlier attached timber framed barn to the west and more modern extensions to its east and to the rear. A pub garden, comprising a patio and grassed area, and car park is located to the front of the premises. A private garden is located to the rear.

Tree screening around the rear garden in addition to specimen planting to the front of the building and within the car park, and a well maintained hedge along its boundaries with High Road and Southill Lane, provides an attractive setting for the building.

The site falls within a predominantly residential area and it is bounded by residential properties to the north, east and west. Public open space along the River Pinn corridor is located on the opposite side of High Road to the south. Eastcote Cricket Club lies beyond Southill Lane and residential properties to the west.

The Public House is Grade II Listed. The entire site falls within the Eastcote Village Conservation Area as designated in the Hillingdon Local Plan.

3.2 Proposed Scheme

This application seeks full planning permission for minor alterations to the external facades of the building and limited reconfiguration of the car park.

External works include alterations to existing and formation of new openings to install new windows or doors, associated with proposed internal reconfiguration works. This includes the blocking of an existing alley/undercroft area, which currently provides access from the front to the rear of the premises, in addition to staff access between the main bar area and the cellar.

Whilst internal reconfiguration works do not strictly require planning permission it should be noted that these predominantly include relocation of the male and disabled WCs, provision of an additional unisex WC and relocation of the kitchen. These works would enable the premises to cater for a greater number of patrons.

Minor alterations are proposed to the existing car park, which include the formal marking out of spaces, minor kerb alignment and provision of a disability standard parking bay. This would create two additional parking bays.

3.3 Relevant Planning History

38037/ADV/2004/71 The Case Is Altered Ph High Road Eastcote
RETENTION OF TWO DOUBLE-SIDED SIGN POST SIGNS

Decision: 14-12-2004 Approved

38037/APP/2007/1333 The Case Is Altered Ph High Road Eastcote
ERECTION OF A WOODEN CANOPY FOR USE AS A SMOKING SHELTER.

Decision: 12-07-2007 Refused

38037/APP/2008/2631 The Case Is Altered Ph High Road Eastcote
New door to front elevation and minor internal alterations.

Decision: 12-12-2008 Approved

38037/APP/2008/2632 The Case Is Altered Ph High Road Eastcote
New door to front elevation and minor internal alterations (Application for Listed Building Conser

Decision: 12-12-2008 Approved

38037/APP/2011/964 The Case Is Altered Ph High Road Eastcote
Installation of covered structure with part fence panelling and oak posts to rear measuring 7.08n
by 3.89m by 2.6m (Retrospective)

Decision: 22-06-2011 Refused

38037/APP/2011/966 The Case Is Altered Ph High Road Eastcote
Installation of covered structure with part fence panelling and oak posts to rear measuring 7.08n
by 3.89m by 2.6m (Retrospective application for Listed Building Consent).

Decision: 22-06-2011 Refused

38037/C/87/1622 The Case Is Altered Ph High Road Eastcote

Dem of storage bldg & alts & extns with assoc parking

Decision: 12-02-1988 Refused **Appeal:** 07-06-1989 Dismissed

38037/D/87/1633 The Case Is Altered Ph High Road Eastcote

Dem of storage bldgs & alts & extns & assoc parking (App for L.B.C. & C.A.C.)

Decision: 08-02-1989 Refused

38037/F/88/2323 The Case Is Altered Ph High Road Eastcote

Dem of storage building & garage/store. Alteration & extensions & addit. car parking (App for L.B.C.)

Decision: 08-02-1989 Refused **Appeal:** 01-08-1989 Dismissed

38037/J/90/1878 The Case Is Altered Ph High Road Eastcote

Refurbishment and change of use to dining area of existing barn, erection of side extension to create a lobby and creation of a new car parking area

Decision: 09-08-1991 Approved

38037/K/90/1881 The Case Is Altered Ph High Road Eastcote

Refurbishment and change of use to dining area of existing barn and erection of a side extension to create a lobby (Application for Listed Building Consent)

Decision: 09-08-1991 Approved

38037/L/91/0108 The Case Is Altered Ph High Road Eastcote

Rebuilding of existing concrete and flat roof stores, including provision of a pitched roof to the kitchen

Decision: 04-04-1991 Approved

38037/M/91/0109 The Case Is Altered Ph High Road Eastcote

Rebuilding of existing concrete and flat roof stores, including provision of a pitched roof to the kitchen (Application for Listed Building Consent)

Decision: 04-04-1991 Approved

38037/P/93/0531 The Case Is Altered Ph High Road Eastcote

Erection of a single-storey extension for toilet facilities

Decision: 12-07-1993 Approved

38037/R/93/0535 The Case Is Altered Ph High Road Eastcote

Erection of a single-storey extension for toilet facilities (Application for Listed Building Consent)

Decision: 12-07-1993 Approved

Comment on Relevant Planning History

The site has an extensive planning history and residents have notably referred to applications dating from the 1980s. Those applications raised by residents in addition to relevant more recent planning history is summarised above and discussed in more detail below.

Residents have drawn comparisons between the proposed scheme and applications which were refused planning permission during the 1980s. Planning permission (ref: 38037/C/87/1622) for the demolition of a flat roofed single-storey storage building and concrete panelled garage, alterations and extensions to the public house to create 87m² of additional floorspace, and provision of additional parking was refused on 12/02/88 for the following reasons:

1. The proposed doubling of the floorspace would be likely to significantly increase the patronage of the Public House and cause further extraneous parking which would be to the detriment of the visual amenity of the Conservation Area and could lead to the obstruction of the free flow of traffic in surrounding roads.
2. The location of the proposed barbecue, in close proximity to neighbouring residential properties, would be likely to cause a loss of amenity to occupiers of those properties by reason of noise and general disturbance.
3. The scale of the extension is out of keeping with and would be over-dominant in relation to the Grade II listed building.

An appeal against that decision was subsequently dismissed.

The appeal Inspector confirmed that the concern at that time related to the proposed increase in the size of the bar and the consequent impacts of the increased custom this would enable. Concern was particularly raised over the inability at that time to provide on site car parking in accordance with the Council's parking standards and the subsequent increase in parking demand this would create along local roads. The Inspector also considered that a prolonged increase in on-street parking would impact on the visual amenities of the Conservation Area. In addition to these concerns the Inspector raised concerns over the impact of the extensions proposed at that time on the historic fabric and visual amenities of the listed building. He also considered that the proposed location of a BBQ and pergola would be unneighbourly.

Applications for Listed Building Consent (refs: 38037/D/87/1633 and 38037/F/88/2323) were also refused on 08/02/89 for the following reasons:

1. The scale of the extension is out of keeping with and would be over-dominant in relation to the existing Grade II Listed Building.
2. The proposal would be detrimental to the historic character of the Listed Building by virtue of the alteration to the internal spaces.
3. The proposal would be detrimental to the Listed Building because of the removal of parts of the original fabric.

An appeal against the latter application was subsequently dismissed.

Notwithstanding the above, subsequent applications for planning permission and listed building consent, made throughout the 1990s and 2000s, as summarised above, have been approved. Most notably, planning permission ref: 38037/J/90/1878 and listed building consent ref: 38037/K/90/1881 for the extension of the building and change of use of an ancillary barn (now the western most wing of the PH) to a restaurant were approved on 09/08/91, despite the earlier appeal decision.

Given the significant changes to planning policy which will have occurred since 1988, including the adoption of the Local Plan, London Plan and NPPF, the approval of subsequent consents which allowed the expansion of the premises during the 1990s and the very limited external works now proposed, the 1988 appeal decisions are considered to be of limited relevance to this current scheme.

4. Planning Policies and Standards

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
 Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
 London Plan (2015)
 National Planning Policy Framework
 Hillingdon Supplementary Planning Document: Accessible Hillingdon

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.HE1 (2012) Heritage
- PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

- BE1 Development within archaeological priority areas
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE4 New development within or on the fringes of conservation areas
- BE8 Planning applications for alteration or extension of listed buildings
- BE9 Listed building consent applications for alterations or extensions
- BE10 Proposals detrimental to the setting of a listed building

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
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.
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
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
R16	Accessibility for elderly people, people with disabilities, women and children
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
LPP 4.8	(2016) Supporting a Successful and Diverse Retail Sector and related facilities and services
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.4	(2016) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

First Consultation:

Consultation letters were sent to seven local owner/occupiers, the Northwood Hills Residents' Association, the Eastcote Residents' Association and the Eastcote Village Conservation Panel. 13 letters of objection and a 56 signature petition were received from residents, which raised the following concerns:

- i) No changes should be made which increase the pub's capacity.
- ii) Parking from the pub is already dangerous - it often makes Southill Road near impossible to use and also causes problems along Pikes End, Quintin Close and the High Road.
- iii) Inconsiderate and dangerous parking obstructs surrounding footways.
- iv) The traffic and parking problems cause problems for the emergency services.

- v) Noise and disturbance to surrounding residential areas from customers, traffic and parking is already a problem and will be made worse.
- vi) Serving should stop at 11pm and customers should be vacated by 11.30pm but this does not happen - the proposals will mean noise will continue even longer into the night.
- vii) Use of the pub overflows onto the cricket club where litter and glasses are often found.
- viii) Vehicles from the pub and nearby businesses are often parked overnight in surrounding streets, which adds to parking problems.
- ix) The stone slab floor in the bar/servery area should be fully protected as it is one of the oldest and most original features of the building.
- x) The relocation of the toilets is undesirable as this increases their distance from the barn/restaurant area.
- xi) Reduced cellar storage will either cause more frequent deliveries or stock shortages in busy and Christmas/New Year periods.
- xii) Harm to the old building.
- xiii) This is a quaint little village pub in a picturesque, peaceful and quiet conservation area. It is in keeping and well-balanced with the surrounding area and should remain exactly as it is.
- xiv) This is an old pub with historic value - the character will be lost by major planned changes to the building.
- xv) The visual amenity would be harmed and the environment of the surrounding area diminished.
- xvi) Any changes to a listed building should be done in keeping with the regulations and the Conservation Area requirements.
- xvii) Increased pollution.
- xviii) The internal seating capacity will be increased by 60% which will significantly increase trade and its associated problems of traffic, parking, noise and disturbance - this is directly at odds with the objectives of a residential conservation area.

EASTCOTE RESIDENTS' ASSOCIATION

We ask that these applications in their current form be refused.

We can understand that the new owners, The City Pub Company, wish to optimise on the commercial return that the Pub can provide. However, the substantial increase in internal space for customer use is not reflected in any increase in car parking spaces and does not appear to take account of the wider area in which the Pub is located.

The narrow residential roads adjacent to the Pub, Southill Lane and Pikes End particularly, already suffer from parking overflow from the Pub, with the attendant H&S dangers to both pedestrians and other vehicles.

In addition, I understand that the current numbers of customers also already overspill from the Pub grounds, leaving glasses and other debris in the nearby cricket ground.

The disabled toilet has been relocated to the rear of the restaurant in what appears to be a singularly inaccessible spot, requiring as it does, wheelchair users to navigate several twists and turns and busy bar areas to reach it, via the restaurant. This seems unacceptable.

Regarding the alterations relating to the listed building status of the Pub, I defer to other's greater knowledge of what is required to preserve the history of the building. That it must be established that this history will definitely be preserved, in all the relevant, individual details, is imperative, if the alterations do go ahead.

NORTHWOOD HILLS RESIDENTS' ASSOCIATION

As Chairman of Northwood Hills Residents Association I am writing to object to the above Planning Applications.

The reasons for objection are as follows;

The Case Is Altered is a very popular Public House/Restaurant, which has significantly increased in size since it was built whilst the surrounding roads have remained relative unchanged. High Road Eastcote is often referred to as a Country Lane.

There is insufficient car parking for the current clientele, which is already having an adverse impact in residential Roads such as Pikes End and Southill Lane particularly at weekends and long hot summer evenings. At times it is virtually impossible to drive safely along Southill Lane due to poorly parked cars in the close vicinity of the Public House.

In the Planning Statement section 5.1 of the application it states that 'the purpose of expanding the premises to increase footfall'. It is our view that if approved there will be a further detrimental impact on both parking and local residents living within the immediate catchment area, which is not acceptable. The Hillingdon Local Plan (Development Management Policies) section 8.12 states, "The Council will not support development which will unacceptably contribute to traffic movements, deleteriously impact on the highways network or road user safety (including to pedestrian), or affect residential amenity including by noise, congestion or inadequate parking provision". This application fails this test and should therefore be declined.

Expansion of the clientele will undoubtedly lead to more children using the amenity facility (garden). There are no plans to proportionally increase the size of the amenity facility to accommodate an increase in the number of children/clients. In any event increasing the amenity site would further reduce the size of the car park, which is not acceptable.

We have very strong concerns that by moving the disabled toilet to the proposed position it will become more difficult for the disabled to gain access to the toilet. We believe this to be discriminatory.

We request that this application be refused.

EASTCOTE CONSERVATION PANEL

The Case is Altered PH is a Grade II listed building standing within the Eastcote Village Conservation Area.

This proposal causes great concern.

1. The disabled toilet has been moved from the front of the building to the rear. Meaning that any wheelchair user has to negotiate the bar than make several turns through the restaurant area to access the toilet. In my opinion the toilet is not accessible. This must be shown to the Accessibility Officer for comment.
2. The proposal will increase the seating by 50%, yet there is no increase in car parking spaces. There is also a proposal for a 'garden bar' with, I presume the intention of increasing customer numbers still further. Although no extra seating outside appears to be supplied. There is already a parking problem in Southill Lane and Pikes End with customers of the pub parking in these very narrow residential roads.
3. There is another problem caused by customers of pub, unable to find a seat outside use the Cricket Ground on Haydon Hall, leaving behind their glasses and bottles. The staff do not clear these away they become broken and a danger to the public.
4. The number of new doors and windows to the front elevation are numerous. The shuttered access to the 'garden bar' is ugly and out of keeping with the building.
5. Some information regarding re-use of features is contained within the drawings. However, customers have been told that the stone floor will be lifted during the works then replaced. It is considered that this will damage the floor. It is far better to cover the floor with boards during the works. Extensive works were carried out at the Stables Eastcote House Gardens [another Grade II

listed building] the wood block floor was covered with boards throughout the work, the floor was not damaged in any way. More information must be sought regarding working practises to make sure that the features of this building are not lost. Conditions should be added to safe guard the features and fabric of the building

6. The size of the cellar has been greatly reduced, yet the customer capacity increased. This would point to a change of use from a Public House to a restaurant.

The owners City Pubs do not understand that this PH is a village pub not an inner city swanky bar. These alterations are not acceptable and we ask that the application be refused.

EASTCOTE VILLAGE CONSERVATION AREA ADVISORY PANEL

This application is of a real concern to the Eastcote Village Conservation Area Advisory Panel in that this "country" style pub, which is a Grade 2 Listed building, sits in the middle of the Conservation Area. The proposed changes not only affect the bulk of the building but also change the character of the building. The site is suitable for the building in its current format and the changes proposed could alter the need for parking which is currently critical and affect neighbouring houses which are very close. The internal layout has probably been produced by someone who does not understand how pubs work and the location of all the toilets in one end of building location will affect accessibility to them. The two "cottages" forming the pub are still very clear and it would be disastrous if this was lost.

About 15 years ago the Council supported by the Conservation Panel fought an appealed application at a Planning Enquiry to undertake some similar changes. One thing that was stressed at that Enquiry and which is equally relevant today is the stone floor in the lower and original bar. It is believed that this floor has lain untouched for a very long time and we would wish to see this floor remaining untouched. If works to the lower bar are required we would urge the Council to demand that this floor is covered during works and not lifted.

I must stress that we are not against some changes and updating to this pub as it is necessary. Indeed as a regular user of the pub I am only too well aware of the need to provide better Gents toilets and bar/servery space. However, both I and the Conservation Panel wish to see the historic nature of the pub in its sensitive location retained.

WARD COUNCILLOR

One of the ward councillors has requested Committee determination of the application.

2nd consultation:

Following receipt of amended plans, which sought to address design and accessibility issues, a new 14 day consultation was carried out with residents, expiring 16/11/16. Six additional letters of objection, including one from Eastcote Residents' Association, one from Northwood Residents' Association and one from Eastcote Village Conservation Area Advisory Panel, were received. No new issues were raised.

3rd consultation:

A further set of amended plans were received, which omitted the originally proposed extension, showed a revised internal layout and proposed minor alterations to the car park to maximise parking provision. A new 14 day consultation was carried out with residents, expiring 25/01/16. To date three letters of response has been received . Any further comments received prior to Committee will be reported via an addendum. The following concerns have been raised thus far:

a) No objections are raised to the pub upgrading its facilities but if the rear garden is to be reopened

then its use needs to be monitored to ensure it is cleared by an appropriate time. Existing conditions relating to the use of the beer garden are not adhered to and should be enforced.

- b) It is alien to the Hillingdon Local Plan (Development Management Policies).
- c) Deliveries cause considerable congestion on both the High Road and Southill Lane, neither of which were meant to take large vehicles.
- d) This is a Grade II listed building with character which should be retained.
- e) The site falls within a conservation area.
- f) The amendments fail to address previous concerns regarding residential impact and parking.
- g) A serious traffic accident happened here recently. This will increase the risk of accidents.
- h) The disabled toilet is too small.
- i) The disabled parking space is inconveniently located.

EASTCOTE CONSERVATION PANEL:

"The new ground floor layout is still not acceptable. Both the mens' and womens' toilets have been moved to the rear of the building.

However, whilst the male facilities have been increased the female facilities have been decreased from the original application. This is not satisfactory.

Although the number of inside covers has been reduced from 119 to 96, this is still a 50% increase therefore there should be a 50% increase in female facilities. There is an addition of nappy changing facilities.

The disabled toilet has been moved back to the front of the building with entrances from both inside and outside. For a wheelchair user to access this facility from the inside will be difficult with the amount of tables and chairs en route with a very small space between them. The layout makes the toilet inaccessible for wheelchair users.

Currently the establishment has an outside serving area, which adds another 15-20 covers, this is not shown on the current drawings, will this service still be offered? If so the number of outside covers should be shown to give a clearer picture of exactly how many people will be using the premises at any one time. The outside bar service will also add to the congestion in this area.

The car park layout is now shown, giving only 28 parking bays. Which is not enough for the increase of footfall expected.

Please note the one disabled parking bay is as far from the entrance as possible. This bay also obstructs the lockable bollards for deliveries. Therefore should the bay be in use then no deliveries can take place.

The proposed increase in the size of this business, with a marked change from a public house serving food to a restaurant with a small bar area, is an overdevelopment of the site, reasons given in previous communications

We ask that the application be refused."

EASTCOTE VILLAGE CONSERVATION AREA ADVISORY PANEL

I have had a good look at the latest drawings for the Case is Altered and believe that the ground floor layout is much better although I have some doubts as to whether there are sufficient ladies loos. I am delighted to see that the existing floor in the lower and original bar is clearly marked for protection. As in my previous submissions to you I do hope that it is clearly stated that this floor must be protected and not in any way lifted. If the latter has to happen for any reason a representative of the MOL must be present. Additionally it is important to recognise that the lower bar is listed on the National CAMRA Inventory.

My main - and probably only - concern is that the bar is much smaller than existing and simply will not be long enough to serve the needs of the pub. This will lead to large queues and lead to unsustainable usage as busy times.

NORTHWOOD HILLS RESIDENTS' ASSOCIATION

We note that the applicant has again recently changed the drawings relating to this planning application. The new drawings do not in anyway address our concerns that, if approved, the proposed expansion will have a further detrimental impact on both parking and local residents within the immediate catchment area, which is not acceptable and again refer to the;

Hillingdon Local Plan (Development Management Policies) section 8.12 which states, "The Council will not support development which will unacceptably contribute to traffic movements, deleteriously impact on the highways network or road user safety (including to pedestrian), or affect residential amenity including by noise, congestion or inadequate parking provision". This application fails this test and should therefore be declined.

With regard to the latest drawings we also note the following;

- 1) We note a disabled space has been allocated in the car park. However, we believe this to be discriminatory as it is the furthest away from the car park.
- 2) The proposed disabled toilet inside the building looks too small to properly accommodate a wheel chair. We request officers to review measurements of this to ensure compliance with laid down minimum standards.

We would also point out that this application was supposed to have been determined by September 2016.

Officer comment:

It should be noted that a fourth and final set of amended plans have been provided. These show the removal of a partition from the unisex WC and the removal of a chimney and reflect recommendations made by the Access Officer and Urban Design and Conservation Officer. These changes are very minor and it is not considered that they would have any bearing on local feeling towards the scheme. Therefore, residents have not been reconsulted on these minor changes.

GREATER LONDON ARCHAEOLOGICAL ADVISORY SERVICE (GLAAS)

Recommend No Archaeological Requirement.

GLAAS have previously recommended a watching brief condition for the planning application (Historic England 30.8.16). The original designs submitted as part of the planning application have since been superseded with the planning application no longer to include an extension to the public house.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. No further assessment or conditions are therefore necessary.

Internal Consultees

URBAN DESIGN AND CONSERVATION OFFICER

The revisions are acceptable in listed building terms, but no kitchen flues/vents are shown, or indeed any vents for the internal WCs. These will need to be conditioned. The timber and polycarbonate covered structure at the rear is also not ideal its design and materials should be conditioned. Details of the cold store enclosure should also be conditioned so that these look more like a garden pergola and fence rather than a temporary structure. Conditions should also cover the materials, detailed design and construction of the new windows and doors; the bar and back bar design; and details of

works to protect the stone floor and timber framing (walls and ceiling structure) in the front bar during the works. A condition that ensures that work is halted if any additional timber framing is found in the areas where existing historic fabric is to be removed should also be applied. The bar areas within the earlier part of the building, which are to be altered, should be photographed prior to the start of work. All new works to match existing in terms of finish etc -this should cover internal finishes and also the small areas where there are new external infill walls, which should be painted brick rather than block work and the roof tiles for the new pitched roof at the rear. All new gutters and down pipes should be in painted cast metal.

Conditions should also cover the works in the car park, including the new "T"s , kerbs and bollards and new surfaces.

HIGHWAY ENGINEER

The site is at the junction of High Road and Southill Lane. High Road is a classified road on the Council's road network. It is understood that the building is Grade II listed and there was a pre-app on this site for a similar style of development and Highways issues did not raise any concern.

On the basis that this application is for minor alterations it is unlikely to create significant changes in the number of customers. The existing PH already generates large numbers of visitors in the summer months. There is an existing car park but because of the proximity of the entrance to Southill Lane there is parking stress in Southill Lane. It is difficult to see how a relatively small change will create significant changes in traffic flows to the site or change the existing parking stress. Consequently no significant concerns are raised.

TREES/LANDSCAPING OFFICER

This site is within Eastcote Village Conservation Area; however, no trees, protected or otherwise, will be affected.

Recommendations: None.

Conclusion (in terms of Saved Policy BE38): Acceptable.

EPU

Detailed plans showing the location, size and type of any extraction systems to be used for the proposed new kitchen together with noise mitigation measures should be provided.

ACCESS OFFICER

These latest plans show a Unisex WC leading from the restaurant. At its narrowest point, the cubicle measures 1.5 m wide by 2.2 m long, and it is therefore strongly recommended that it is designed and fitted as a second accessible toilet in accordance with figure 5.1 as set out in BS 8300:2009.

The facility does not need to be signed as a 'disabled toilet', but amending the layout would mean that everyone, including a wheelchair user, could access the same facility without needing to leave the restaurant. The provision could still accommodate a 'baby change,' and it would be entirely appropriate for the cubicle door to feature both the 'male,' 'female' and 'baby change' symbols, along with the words 'accessible unisex'.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The impact of the development on the existing use, the Ruislip Village Conservation Area and the setting of the Grade II Listed Building are key considerations in assessing the principle of the development in this location.

Local Plan: Part 1 policy CI1 seeks to support community and social infrastructure provision. As residents have pointed out, this is a popular and attractive pub. Accordingly, notwithstanding the local objection to this particular scheme, it is considered likely that it serves an important role locally and is an overall asset to the community. It must be recognised that the proposal supports the viability and vitality of that business.

London Plan policy 4.8 seeks to support a successful and diverse retail sector and related facilities and services, confirming that "the loss of retail and related facilities that provide essential convenience and specialist shopping or valued local community assets, including public houses" should be resisted without strong evidence based justification. The supporting text to this policy confirms that public houses are important in securing 'lifetime neighbourhoods' going on to state at paragraph 4.48A that:

"The Mayor recognises the important role that London's public houses can play in the social fabric of communities (see also Policy 3.1B) and recent research highlights the rapid rate of closures over the past decade and the factors behind these. To address these concerns, where there is sufficient evidence of need, community asset value and viability in pub use, boroughs are encouraged to bring forward policies to retain, manage and enhance public houses."

NPPF policy confirms that there should be a presumption in favour of sustainable development and that, amongst other criteria, Local Planning Authorities should be seeking to support business where possible to do so.

Local Plan: Part 2 policy BE4 seeks to preserve and enhance features of conservation areas which add to their visual amenity. It confirms that development should avoid the demolition or loss of such features and that there will be a presumption in favour of retaining buildings which make a positive contribution towards the character and appearance of the conservation area.

Local Plan: Part 2 policy BE10 confirms that planning permission will not normally be granted for proposals which are considered detrimental to the setting of a listed building.

Matters relating to the visual amenity and design will be discussed later in this report. However, it is worth noting at this stage that no objections have been raised to the proposed development by the Council's Urban Design and Conservation Officer who has confirmed that further to receipt of amended plans the proposed scheme is now considered to be visually acceptable in this location. Accordingly, it is not considered that any harm would be caused to the visual amenities of the Conservation Area or the setting of the listed building.

It should be noted that residents have drawn comparisons between the proposed scheme and applications dismissed at appeal during the 1980s. There have been significant changes to planning policy since the time of those appeals, including the adoption of the Local Plan, London Plan and NPPF. Accordingly, this application must be assessed on its own merits against current planning policy objectives.

The proposed development is considered to comply with relevant planning policies which

seek to support the retention of valuable community facilities, such as public houses. Furthermore, it complies with relevant policies which seek to safeguard the visual amenity of heritage assets. Accordingly, no objections are raised to the principle of the development in this location subject to the proposal meeting site specific criteria.

7.02 Density of the proposed development

Residential density standards are not applicable to this type of development.

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

The application site and surrounding area falls within an Archaeological Priority Area. It also falls within the Eastcote Village Conservation Area and the building itself is Grade II Listed. An Historic Building Assessment has accordingly been submitted in support of the application.

Local Plan: Part 2 policies BE1 and BE3 seek to safeguard remains of archaeological importance. London Plan policy 7.8 similarly seeks to conserve archaeological resources. This general policy ethos is reiterated in paragraph 128 of the NPPF.

The Greater London Archaeological Advisory Service (GLAAS) have been consulted on the application and they have raised no objections and confirmed that, further to the omission of the originally proposed extension, no conditions relating to archaeology are necessary.

Policy BE4 of the Local Plan: Part 2 requires development to preserve or enhance those features which contribute to the character and appearance of a conservation area. Policies BE13, BE15 and BE19 more generally seek to ensure that development complements or improves the character and amenity of the area. These policy objectives are reiterated in London Plan policies 7.4 and 7.8.

In this instance the proposed alterations are considered to be relatively minor. The limited external alterations which would take place would be sympathetic to the character and appearance of the building and it is not considered that they would have any significant detrimental impact on the visual amenities of the Conservation Area or surrounding area. Notably, the Council's Urban Design and Conservation Officer has raised no objections in this respect, subject to appropriate conditions.

Local Plan: Part 2 policies BE8, BE9 and BE10 seek to safeguard the historic features of listed buildings and their settings. London Plan policy 7.8 similarly seeks to safeguard heritage assets.

Only minor external alterations are now proposed following the submission of amended plans which show the omission of an originally proposed rear extension. Negotiation with the Council's Urban Design and Conservation Officer has taken place throughout the application process and comments made have been taken fully on board by the applicant. It is considered that the proposed alterations would harmonise with the character and appearance of the building and its surrounds such that they would be of no significant detriment to the visual amenities of the listed building. The Council's Urban Design and Conservation Officer has raised no objections subject to conditions.

It should be noted that an application for Listed Building Consent has been submitted in parallel with this application. Matters relating to the proposed internal works would be considered as part of that application. Therefore, only those conditions relevant to the proposed external alterations could be attached to this application, should approval be granted.

7.04 Airport safeguarding

Not applicable. There is no requirement to consult the aerodrome safeguarding authorities on this application.

7.05 Impact on the green belt

Not applicable. There is no green belt land within the vicinity of the application site.

7.07 Impact on the character & appearance of the area

This matter is addressed in part 7.03 of the report.

7.08 Impact on neighbours

Policies BE19, BE20, BE21 and BE24 of the Hillingdon Local Plan: Part 2 seek to protect residential amenity. The Council's Supplementary Planning Document (SPD) on Residential Layouts provides detailed guidance to ensure that these policy objectives can be met.

The public house is bounded by residential properties to the north west and north east. However, given the minor nature of the proposed changes, which affect the ground floor facades of the building and the car park only, it is not considered that the development would have any significant detrimental impact on residential amenity in terms of loss of privacy, overshadowing or over domination.

7.09 Living conditions for future occupiers

Not applicable to this type of development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Local Plan: Part 2 policies AM2 and AM7 seek to safeguard highway and pedestrian safety and ensure that developments do not have an adverse impact on the surrounding highway network. Policies AM14 and AM15 seek to ensure appropriate levels of car parking are provided.

The application seeks minor alterations to the external facades of the building and minor changes to the car park layout only. Internal reconfiguration works could be carried out without the need for planning permission and, accordingly, whilst it is acknowledged that they would enable an increase in the pub's capacity, very limited weight can be given to this in terms of its impact on the local highway network.

The biggest change, internally, relates to the relocation of the WCs and kitchen to the existing cellar area. This allows an enlarged seating area to be provided. Whilst it is acknowledged that the filling in of the existing covered passageway between the existing bar area and cellar facilitates this to some extent, it is not considered that the internal reconfiguration works are reliant on this. Indeed, the passageway is covered and doorways already exist such that it would not be such an inconvenience to staff or patrons to walk through this area, should the proposed infill not be allowed, that the internal works would be rendered non-viable.

The omission of the originally proposed extension has reduced the number of covers the pub could cater for by 23, albeit that this would still represent an increase over the existing numbers. Following the high level of resident objection relating to traffic and parking matters the applicant has also provided amended plans which show the formal marking of parking spaces within the car park and an increase of two spaces. The applicant verbally advised that at present the car park is not always used as efficiently as it could be because of the lack of line markings. It is agreed that this would encourage the more efficient use of the car park by patrons and, accordingly, this is supported. The minor reconfiguration to accommodate two additional spaces is also supported. A higher increase in parking spaces would however require the unacceptable loss of tree planting and landscaping

which would be detrimental to the setting of the listed building and the character and appearance of the conservation area and could not be supported.

The Eastcote Conservation Panel and some residents have objected to the location of the proposed disability standard parking space on the basis that it would block access for deliveries and would be located too far from the entrance to the building. Deliveries are notably unlikely to take place when demand for parking spaces is at its highest and it is considered that this matter could be managed by the pub operator. This location allows easy level access to the new regraded entrance into the building. A closer location would result in the loss of a parking space. Accordingly, the location of this space is considered an acceptable compromise. Notably, no objections have been raised by the Highway Engineer or Access Officer in this regard.

The very strong objections raised by residents and resident groups to the application on traffic and parking grounds are noted and the existing issues caused by parking along Southill Lane, Quintin Close and Pike's End in particular are acknowledged. Many of the objections raised appear to stem from concerns over inconsiderate, dangerous and illegal parking and it should be noted that such matters could be investigated by the Council's Traffic and Parking Enforcement Team. However, in light of the very minor alterations proposed as part of this application which would require planning permission, it is not considered that refusal could be justified on these grounds in this instance. Notably, the Council's Highway Engineer has raised no objections on grounds of traffic, parking or highway and pedestrian safety.

7.11 Urban design, access and security

- Urban Design

Matters pertaining to urban design have been addressed in part 7.03 of the report.

- Security

Given the minor nature of the scheme and the fact that the existing premises will already be operating its own security measures a secure by design condition is not considered to be justified in this case.

7.12 Disabled access

The layout of the existing building is such that disabled access is currently poor. Due to changes in levels throughout the building and narrow doorways wheelchair access is only possible in a very small part of the pub and the disabled WC must be accessed externally.

The proposed works seek to improve access for those with disabilities as much as is possible within the constraints of the building. Negotiation has taken place with the Council's Access and Urban Design and Conservation Officers throughout the application process to ensure that the best possible compromise can be reached between making the building more accessible and safeguarding its historic fabric.

The amended internal layout would enable wheelchair access to a portion of the restaurant and bar area in addition to direct internal access to the disabled WC from this space. It would also allow access from the external front garden area to be retained. In addition, a unisex WC capable of being used by the ambulant disabled and other patrons would also be provided.

Whilst resident concerns regarding the location and number of WCs are noted, the proposed layout is considered to offer an improvement over the existing and, notably, the Council's Access Officer has raised no objections subject to a condition to ensure the Unisex facility is appropriately designed to be as accessible as possible and signposted to

confirm it can be used by all patrons. Matters relating to numbers of WCs per number of customers would be covered by Building Regulations. Accordingly, it is not considered that refusal could be justified on these grounds.

7.13 Provision of affordable & special needs housing

Not applicable to this type of application.

7.14 Trees, Landscaping and Ecology

Local Plan: Part 2 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 of landscape features of merit would be affected by the proposed works and the Council's Trees/Landscape Officer has notably raised no objections. A condition would be attached, should approval be granted, to ensure existing tree planting within the car park is protected.

7.15 Sustainable waste management

No alterations are proposed to the existing waste management facilities. Notably, the public house ultimately has discretion over which waste management methods are used on site.

7.16 Renewable energy / Sustainability

Given the relatively minor nature of the scheme there is no planning requirement for the development to incorporate the use of renewable energy or sustainable building measures beyond those required by Building Regulations.

7.17 Flooding or Drainage Issues

The site does not fall within a flood zone or critical drainage area and no specific drainage issues have been identified. No new additional floorspace or hardstanding is proposed as part of the development and, accordingly, there is no requirement for the provision of a detailed drainage strategy.

7.18 Noise or Air Quality Issues

Residents have raised significant concern over a potential increase in noise and disturbance from the premises due to a perceived increase in capacity. It must be noted that this is an existing and established use with no known planning restrictions over its hours of use or capacity. Indeed such matters would be addressed by other legislation such as licencing, environmental health and building regulations.

Furthermore, the previously proposed extension has now been omitted from these proposals and the only increase in capacity which could occur would therefore be associated with internal reconfiguration works not requiring planning permission. It is not considered therefore that refusal could be justified on grounds of increased noise and disturbance and nor, given the existing consented use, it is considered that it would be reasonable to seek to control this through conditions in this instance. As mentioned above, licencing requirements relating to hours of use, etc, would however need to be complied with.

Residents have verbally also raised specific concern over potential use of the rear garden by patrons of the facility. It is understood that the rear garden currently provides amenity space for occupants of the first floor flat and is, on occasion, also used by staff during their breaks. However, patrons do not currently have access. There is no indication in the submitted information that the applicant intends to widen the use of the space and the ground floor layout is such that it does not easily lend itself to provision of rear access for guests. The only access available from the building would be via a door adjacent to the kitchen via the back of house areas. This is unlikely to be operationally desirable.

Externally, the only access would be via the delivery area which is again unlikely to be operationally desirable. It should also be noted that use of this space could be controlled by licencing and environmental health legislation.

Notably, officers in the Council's Environmental Protection Unit have raised no objections subject to conditions to require further details of any extraction systems to be used for the proposed new kitchen together with noise mitigation measures.

7.19 Comments on Public Consultations

Points (i) to (vi), point (viii) and points (ix) to (xviii), which reflect concerns raised by residents in the first round of consultation have been addressed in the report and/or through the recommended conditions, as have those raised by later consultation responses.

Point (vii) raises concerns regarding litter. An informative would be attached to encourage the site operators to clear litter associated with the pub.

Northwood Hills Residents' Association question why the application has not be determined sooner. NPPF policy requires that Local Planning Authorities work proactively with applicants to secure appropriate development. The applicant has actively engaged with officers throughout the application process and fully taken on board comments raised. Therefore, it is not considered unreasonable to have allowed the applicant time to address issues raised.

The comments raised by the various resident groups have been addressed in the report.

7.20 Planning Obligations

Not relevant to this application.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

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

No objections are raised to the principle of the development in this instance. It is not considered that the proposal would cause unacceptable harm to the historic fabric of the listed building or to the character or appearance of the conservation area. Furthermore, it is not considered that it would have an unacceptable impact on residential amenity.

Whilst residents' strong objections to the proposals on traffic and parking grounds are acknowledged, given the minor nature of the proposals it is not considered that refusal could be justified on these grounds. Concerns regarding accessibility are also noted. However, it is considered that the works would improve disabled access to the building and, notably, no objections have been raised in this regard by the Council's Access Officer.

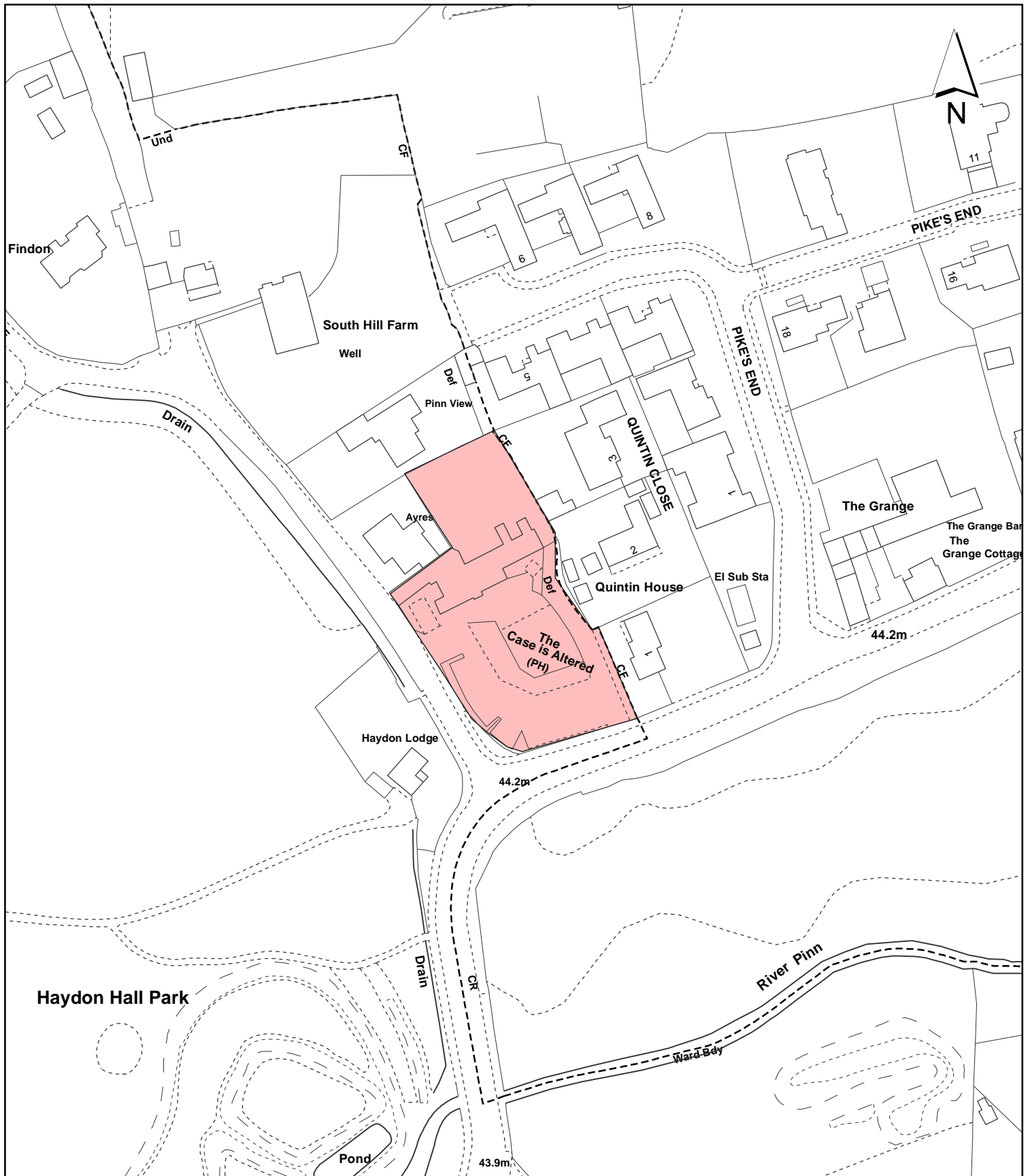
The development is considered to comply with relevant Local, London Plan and national planning policies and, accordingly, approval is recommended.

11. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)
Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012)
London Plan (2015)
National Planning Policy Framework
Hillingdon Supplementary Planning Document: Accessible Hillingdon

Contact Officer: Johanna Hart

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2016 Ordnance Survey 100019283

Site Address:

**The Case Is Altered
 Public House**

Planning Application Ref:

38037/APP/2016/2912

Planning Committee:

North

Scale:

1:1,250

Date:

February 2017

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services
 Planning Section**

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



HILLINGDON
 LONDON