

Report of the Head of Planning, Sport and Green Spaces

Address CITY FLOWER TRADERS, PACKET BOAT MARINA PACKET BOAT LANE
COWLEY

Development: Change of use from Use Class B1 (Business) to Class D2 (Assembly and Leisure).

LBH Ref Nos: 53216/APP/2017/1744

Drawing Nos: Plan 1
Location Plan (1:2500)
63065-E-007

Date Plans Received: 12/05/2017 **Date(s) of Amendment(s):**

Date Application Valid: 09/06/2017

1. **SUMMARY**

The application is for the change of use of part of an existing building to provide a venue for social gatherings for marina visitors and residents. It would be consistent with adopted planning policies.

It is therefore recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 HO1 **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 HO2 **Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number Plan 1.

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 COM12 **Use Within Same Use Class**

The premises shall be used for only for the purpose of social gatherings for visiting leisure customers or customers that reside at the marina and for no other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

REASON

To ensure that the amenity of the occupiers of nearby boats is not adversely affected in accordance with the Policies of the Hillingdon Local Plan: Part Two Saved UDP Policies

(November 2012).

4 COM23 Hours of Use (Restaurant etc.)

The premises shall not operate other than between the hours of 0800 to 2300 and between 0800 to 2400 on 6 occasions in any one calendar year. A register shall be kept of the dates of the (up to) 6 events allowed to 2400 hours and shall be provided to the Local Planning Authority on request.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 B27 Social Clubs

No persons other than staff shall be permitted to be on the premises between the hours of 23.00 hours and 08.00 hours. .

REASON

To ensure that the amenity of the occupiers of nearby boats is not adversely affected in accordance with the Policies of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

BE31	Facilities for the recreational use of the canal
BE32	Development proposals adjacent to or affecting the Grand Union Canal
OL1	Green Belt - acceptable open land uses and restrictions on new development
AM14	New development and car parking standards.
AM18	Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
LPP 7.16	(2016) Green Belt
LPP 7.27	(2016) Blue Ribbon Network: supporting infrastructure and recreational use
LPP 7.30	(2016) London's canals and other rivers and waterspaces

3 I40 Entertainment Uses

The use of premises for public entertainment (eg. music, dancing, plays, indoor sports) or films requires a licence. You should make an application to the Entertainment Licencing Officer, Entertainments Licencing Section, 4W/01, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277418).

3. CONSIDERATIONS

3.1 Site and Locality

The application site forms part of the Packet Boat Marina, which has been developed at the junction of the Grand Union Canal and the Slough Arm in Uxbridge. The marina has moorings for 157 boats, associated parking and operational buildings.

The building that is the subject of the application is located close to the marina basin and is partly used as office accommodation. The other half of the building has been most recently used to house a flower trading business, but this has now ceased to operate.

The building is on a single level, but the height is equivalent to a building with two storeys and has an overall floor area of some 66 sq.m, although the actual public meeting area (minus toilets and kitchen) would be less than 50sq.m.

The walls are finished in painted render with some timber cladding, and there are some large windows facing the marina basin. It has a mono-pitch roof.

3.2 Proposed Scheme

The application is for a the change of use from Use Class B1 (Business) to Class D2 (Assembly and Leisure). It relates to the part of the building at the West end. Further clarification was sought from the agent and it was confirmed that the proposed use would be for social gatherings for people who visit the marina as leisure customers or reside on the marina. This would be similar to spaces at other marinas, which have proved popular with customers. As customers have limited space on their boats, there is demand for somewhere to hold social events that bring the marina together as a community.

It is not proposed that there would be any change to the exterior of the building or the associated car parking areas.

3.3 Relevant Planning History

53216/98/1499

Rear Of Turning Point Ph Packet Boat Lane Cowley Uxbridge

Construction of a 93-berth marina with associated residential moorings, visitor centre and retail area, sanitary station and car parking facilities. Upgrade of the existing boat repair buildings and yard including the construction of a dry dock. Rationalisation and improvement of the garden area and car parking of the existing public house/ restaurant. Development of an urban farm and associated parking. Retention and reprofiling of a reduced lake area. (Application involves removal of an existing horticultural nursery and demolition of glasshouses)

Decision: 03-03-1999 Approved

53216/APP/2000/2653

Land At Junction Of Grand Union Canal And Slough Arm Packet Boat

CREATION OF AN AREA OF PUBLIC OPEN SPACE AND A PUBLIC WALKWAY ON AN AREA OF DERELICT/VACANT LAND, LINKED TO THE EXISTING TOWING PATH, VIA THE

DEPOSITION OF SURPLUS SOIL ARISING FROM THE DEVELOPMENT OF THE MARINA,
URBAN FARM AND PUBLIC OPEN SPACE TO THE NORTH OF THE SLOUGH ARM

Decision: 23-11-2004 Approved

53216/APP/2009/672 Packet Boat Marina Packet Boat Lane Cowley

Change of use from Class A3 Cafe to Class B1 Office.

Decision: 10-06-2009 Refused **Appeal:** 22-01-2010 Allowed

53216/APP/2012/1956 Packet Boat Marina Packet Boat Lane Cowley

Installation of pontoon and 6 additional residential moorings and landscaping scheme.

Decision: 06-11-2012 Refused

53216/APP/2012/604 Packet Boat Marina Packet Boat Lane Cowley

The installation of eight railway sleeper walled gardens with gravel floors and a viewing platform

Decision: 25-07-2012 Approved

53216/APP/2014/2300 Packet Boat Marina Packet Boat Lane Cowley

Change of use of ten (10) existing leisure moorings to residential moorings

Decision: 17-09-2014 Approved

53216/APP/2016/230 Packet Boat Marina Packet Boat Lane Cowley

Change of use for a portion of the existing car park to provide storage for caravans and/or small motorhomes, with a proposed capacity of around 20 units.

Decision:

53216/APP/2017/1711 Packet Boat Marina Packet Boat Lane Cowley

Construction of new fixed pontoon to provide 7 leisure moorings with associated engineering and landscape works

Decision: 05-09-2017 Approved

53216/PRC/2015/67 Packet Boat Marina Packet Boat Lane Cowley

The construction of 22 new moorings at Packet Boat Marina

Decision: 21-08-2015 NFA

Comment on Relevant Planning History

There have been a number of applications relating to the marina since the original

application in 1998 for its development. These have gradually increased the facilities available at the site.

The building that is subject to the application was part of the original application and was then described as a Visitor Centre.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.CI2 (2012) Leisure and Recreation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM3 (2012) Blue Ribbon Network

Part 2 Policies:

- BE31 Facilities for the recreational use of the canal
- BE32 Development proposals adjacent to or affecting the Grand Union Canal
- OL1 Green Belt - acceptable open land uses and restrictions on new development
- AM14 New development and car parking standards.
- AM18 Developments adjoining the Grand Union Canal - securing facilities for canal borne freight
- LPP 7.16 (2016) Green Belt
- LPP 7.27 (2016) Blue Ribbon Network: supporting infrastructure and recreational use
- LPP 7.30 (2016) London's canals and other rivers and waterspaces

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A site notice was placed on site on 20 June 2017 with a closing dates for comments of 14 August 2017. One comment was received that queried the future use and the opening hours.

Internal Consultees

None.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The building was clearly originally developed as a focal point for the marina and as a facility for visitors. The nature of the building, with its high roof and glass frontage, lends itself to use as a social facility for the established marina community. The building is in a quite isolated location, which, in itself limits any harm that might arise through noise disturbance.

The use of the building for this type of use is therefore considered to be acceptable and is appropriate to its location.

7.02 Density of the proposed development

Not applicable to this application.

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

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

As the application is for change of use and there are no external works proposed, it is not considered that the proposal would have any implications on the openness of the Green Belt in this location.

7.07 Impact on the character & appearance of the area

There would be little change to the exterior of the building or the open space and parking that surrounds it. The character and appearance of the area would therefore be unchanged.

7.08 Impact on neighbours

The application building is an isolated building located within a large area of open space and car parking. The other half of the building is used for operational purposes by the BWML who operate the Marina.

There are a number of boats moored in the Marina Basin, which is close to the site. These will be occupied from time to time and may include some residential use. The use of the building for social events is unlikely to have any significant impacts in terms of overlooking or loss of amenity. There may be some increased noise when an event is on, but these are likely to be infrequent and the hours of operation are to be controlled by condition.

The impact on neighbours is therefore considered to be acceptable.

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The proposed use is aimed at existing users of the Marina, so there would be little change to the number of users.

The site already has a substantial car park and this will continue to be used on a charging or permit basis. No changes are proposed to the layout or the number of spaces.

7.11 Urban design, access and security

Not applicable to this application.

7.12 Disabled access

Access to the building would be unchanged. There are already several doors with level thresholds to enable easy access.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, landscaping and Ecology

It is not proposed that there would be any changes to the landscaping to the exterior of the building.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

No comments.

7.20 Planning obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

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 to this application.

10. CONCLUSION

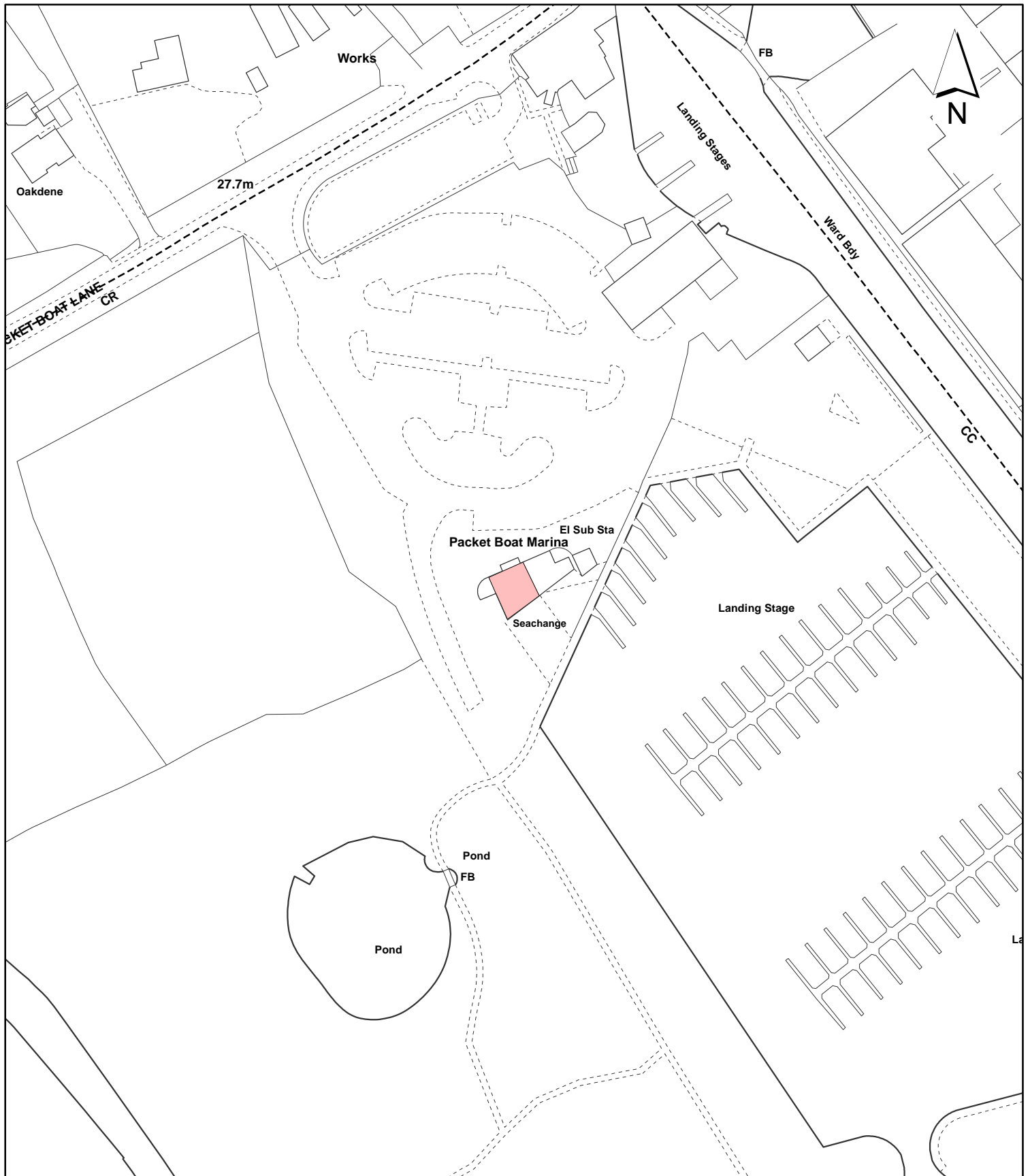
It is considered that the proposed development would not have any significant impacts on the character and appearance of the area, the openness of the Green Belt or the living conditions of marina users. It would provide a valuable facility for the local community and is therefore recommended for approval.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
The London Plan (2016)
National Planning Policy Framework (2012)

Contact Officer: Colin Blundel

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Notes:

 Site boundary

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Site Address:

**City Flower Traders,
 Packet Boat Marina,
 Packet Boat Lane**

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

Planning Application Ref:

53216/APP/2017/1744

Scale:

1:1,250

Planning Committee:

Central & South

Date:

September 2017



HILLINGDON
 LONDON