Report of the Head of Development Management and Building Control

- Address: TUDOR LODGE HOTEL, 50 FIELD END ROAD EASTCOTE PINNER
- **Development:** Alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. (Application for Planning Permission)
- LBH Ref Nos: 4726/APP/2023/2216
- Drawing Nos: Location Plan (A001 P4)
 - A11 Rev. P3 A10 Rev. P3 A15 Rev. P3 A13 Rev. P3 A09 Rev. P3 A30 Rev. P3 A20 Rev. P3 A20 Rev. P3 A23 Rev. P3 A22 Rev. P3 A21 Rev. P3 A14 Rev. P3 A99 Rev. P2 A100 Rev. P2 A101 Rev. P2 A102 Rev. P2 A103 Rev. P2 A201 Rev. P2 A202 Rev. P2 A202 Rev. P2 A204 Rev. P2 A200 Rev. P2 A104 Rev. P2 A105 Rev. P2 A80 Rev. P2 A12 Rev. P3 Landscaping Details 1 Landscaping Details 1

	Design and Access State	ement		
	PEA and PRA Report			
	Transport Statement			
	Tudor Lodge Heritage Assessment			
	Arboricultural Impact Assessment Method Statement & Tree Protection Plan			
	Noise impact assessment			
Date Plans received:	25-07-2023	Date(s) of Amendments(s):	25-07-2023	

Date Plans received:	25-07-2023	Date(s) of Amendments(s):	25-07-2023
Data Application valid			26-07-2023
Date Application valid	26-07-2023		

1. SUMMARY

This application has been appealed to the Planning Inspectorate on non-determination grounds.

The application seeks planning permission for the alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. There is also a listed building application submitted (4726/APP/2023/2218) and subject to a further assessment on the impact the historic fabric.

In line with the scheme of delegation, this application is brought forward to Planning Committee given a Petition has been received with 64 signatories.

During the course of the assessment, the Applicant has submitted an appeal for non-determination on both the full and listed building applications. As such, a decision cannot be made by the Planning Committee however both applications have been brought forward to Committee to scrutinise and agree Officer's recommendation for the forthcoming planning appeal. This recommendation and report will form the bulk of the appeal statement. The application will be determined by the Planning Inspectorate in due course. A commencement date on the appeal process has yet to be established.

The proposed development would fail to preserve or enhance the setting of the Grade II Listed Building, or the character and appearance of the surrounding area. The harm arising from the proposed development is considered to be less than substantial. In line with paragraph 208 of the NPPF (2023), the public benefit of the proposal must be weighed against the harm. It has been concluded the scheme does not provide sufficient benefit to outweigh the harm to the setting of the listed building.

The current application has submitted a Noise Assessment which has concluded that the noise impact from the proposed additional external uses would be low and not cause harm to the nearby residents. This has been thoroughly reviewed by the Council's Acoustic Officer who has raised no objections to the data or results. To mitigate further impact on neighbouring properties, conditions can control the hours of use, operational management plan as well as restricting the number of covers. This would ensure that the level of noise and disturbance from the additional external dining uses is kept to a minimum during sensitive periods of the day when neighbours are likely to be resting. On balance, the additional noise assessment and the use of precise conditions would ensure the scheme would overcome the previous noise reason for refusal.

The parking arrangements have been reviewed the Highways Team. The development, by virtue of the lack of information submitted, has failed to demonstrate that the proposed car parking arrangements are appropriate for the intended end use. This would represent a further recommended reason for refusal within the appeal.

Additional concerns remain regarding the proposed impact on existing trees and the removal of trees which make a positive contribution to the site. The scheme involves removal of high quality category B trees and fails to secure the protection of retained trees along the site. This would lead to a net deterioration in the landscaping which contributes to the local character and the street scene. It therefore would fail to overcome the previous reason for refusal on landscape grounds.

Further information has been provided with a Preliminary Ecological Appraisal and Preliminary Roost Assessment demonstrating that the additional structures would have limited effects on ecology in the area. Based on the report and the use of appropriate conditioning requiring a full ecological enhancement plan, the scheme has provided sufficient information to overcome this previous ecology reason for refusal. Officers have also reviewed the locations of the hardstanding, structures and are satisfied that suitable conditioning would mitigate against any flood risk.

In weighing up the Planning Balance, Officers have recognised that there would be some modest economic and community benefits to the scheme. Given the lack of information on the uses, it is difficult to fully appreciate the level of economic benefit to local area. Notwithstanding this lack of information, the level of benefit would not be significantly large enough to overcome the harm caused to the setting of the listed building, the parking implications or the existing landscaping that would be compromised by the loss of trees.

As such, had the scheme not been appealed on grounds of non-determination, Officers would have recommended refusal on the issues highlighted above and as laid out within Section 7 of the report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the setting and views of the listed building

The proposed development by virtue of the large pergola together with the proposed landscaping cumulatively contributes to harm to the setting and views of the listed building. Furthermore, given the discrepancies within submitted information as well as the failure to provide an up to date Heritage Statement which clearly outlines the impact of the proposals on the setting of the designated building, the proposal has failed to provide concise justification or demonstrate clear public benefit that could outweigh the less than substantial harm to the listed building. As such, the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2023, Policies D8 and HC1 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan Part One 2012 and Policies DMHB 11, DMHB 12 and DMHB 1, DMHB 2, DMHB 4 and DME 5 of the Hillingdon Local Plan: Part Two 2020.

2. NON2 Lack of car parking details

There is insufficient information submitted in support of the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended use, contrary to Section 9 of the National Planning Policy Framework 2023, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020.

3. NON2 Loss of landscape character

The proposed tree protection measures outlined fail to satisfactory secure the protection of retained trees and with contradictory information in the submitted arboricultural documentation and wholesale and unjustified removal of a large number of mature and Category B trees, the proposal will result in a net deterioration in landscape character of the site, the streetscene and the adjacent Eastcote Park Estate Conservation Area, contrary to Sections 15 and 16 of the National Planning Policy Framework 2023, Policy G7 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan (Part 1) 2012 and Policy DMHB 14 of the Hillingdon Local Plan (Part 2) 2020.

INFORMATIVES

1. I71 Discussion

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

2. 152 Human Rights Act

The decision to REFUSE 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).

I53 Policies

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) 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
DME 5	Hotels and Visitor Accommodation
DME 6	Accessible Hotels and Visitor Accommodation
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions

Hillingdon Planning Committee - 8th May 2024

PART 1 - MEMBERS, PUBLIC & PRESS

DMHB 11Design of New DevelopmentDMHB 12Streets and Public RealmDMHB 14Trees and LandscapingDMHB 15Planning for Safer PlacesDMHB 2Listed BuildingsDMHB 4Conservation AreasDMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D12(2021) London's form, character and capacity for growthLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP G7(2021) Nistor infrastructureLPP G7(2021) Making the best use of landLPP G62(2021) Merving ai qualityLPP D13(2021) Supporting the night-time economyLPP LPG(2021) Supporting the night-time economyLPP S11(2021) Sustainable drainageLPP T5(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6.4(2021) Non-residential disabled persons parkingNPF11-23NPF11 23 - Achieving well-designed and beautiful placesNPPF15-23NPPF15 23 - Conserving and enhancing the nistoric environmentNPPF15-23NPPF16 23 - Conserving and enhancing the nistoric environmentNPPF15-23NPPF16 23 - Conserving and enhancing the nistoric environment	DMHB 1	Heritage Assets
DMHB 14Trees and LandscapingDMHB 15Planning for Safer PlacesDMHB 2Listed BuildingsDMHB 4Conservation AreasDMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D6(2021) Noise infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Growing a good economyLPP G7(2021) Growing air qualityLPP B11(2021) Supporting the night-time economyLPP S12(2021) Supporting the night-time economyLPP S13(2021) Supporting the rainageLPP S14(2021) Sustainable drainageLPP S15(2021) Sustainable drainageLPP S16(2021) Sustainable drainageLPP S16(2021) Non-residential disabled persons parkingLPP S16.(2021) Non-residential disabled persons parkingLPP S11-23NPFF12 23 - Achieving well-designed and beautiful placesNPFF15 -23NPFF16 23 - Conserving and enhancing the historic environment	DMHB 11	Design of New Development
DMHB 15Planning for Safer PlacesDMHB 2Listed BuildingsDMHB 4Conservation AreasDMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D6(2021) Nistor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G65(2021) Growing a good economyLPP HC1(2021) Maring the night-time economyLPP S11(2021) Improving air qualityLPP S11(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) Transport capacity, connectivity and safeguardingLPP T6.4(2021) Non-residential disabled persons parkingNPF11-23NPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPF16 23 - Conserving and enhancing the historic environment	DMHB 12	Streets and Public Realm
DMHB 2Listed BuildingsDMHB 4Conservation AreasDMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D6(2021) Nistor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G63(2021) Growing a good economyLPP HC1(2021) Supporting the night-time economyLPP HC3(2021) Supporting the night-time economyLPP S112(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) Transport capacity, connectivity and safeguardingLPP T6.4(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	DMHB 14	Trees and Landscaping
DMHB 4Conservation AreasDMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D1(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D6(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Growing a good economyLPP HC1(2021) Making the best use of landLPP B11(2021) Improving air qualityLPP S11(2021) Improving air qualityLPP S11(2021) Improving air qualityLPP S11(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6.4(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15-23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	DMHB 15	Planning for Safer Places
DMT 1Managing Transport ImpactsDMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D1(2021) Fire safetyLPP D14(2021) Optimising site capacity through the design-led approachLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Optimising site capacity through the design-led approachLPP D4(2021) Optimising good designLPP D5(2021) NoiseLPP D6(2021) Noise infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Growing a good economyLPP G65(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC2(2021) Supporting the night-time economyLPP S11(2021) Improving air qualityLPP S11(2021) Sustainable drainageLPP T5(2021) CyclingLPP T5(2021) CyclingLPP T6.4(2021) Aking effective use of landLPP T6.5(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPF11-23NPFF12.23NPFF15-23NPFF15.23NPFF15-23NPFF15.23NPFF15-23NPFF15.23NPFF16.23NPFF16.23NPFF16.23NPFF16.23NPFF16.23NPFF16.23	DMHB 2	Listed Buildings
DMT 2Highways ImpactsDMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D1(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D3(2021) Delivering good designLPP D4(2021) NoiseLPP D5(2021) Inclusive designLPP D7(2021) Visitor infrastructureLPP G7(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Growing a good economyLPP G65(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T5(2021) CyclingLPP T6.4(2021) Car parkingLPP T6.5(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15-23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	DMHB 4	Conservation Areas
DMT 5Pedestrians and CyclistsDMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D1(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D3(2021) Delivering good designLPP D4(2021) NoiseLPP D5(2021) Inclusive designLPP D6(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G65(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T6(2021) CyclingLPP T6(2021) CyclingLPP T6.4(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15-23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16-23NPPF16 23 - Conserving and enhancing the historic environment	DMT 1	Managing Transport Impacts
DMT 6Vehicle ParkingLPP D1(2021) London's form, character and capacity for growthLPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D7(2021) Visitor infrastructureLPP G7(2021) Noise and woodlandsLPP G62(2021) Making the best use of landLPP G55(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Sustainable drainageLPP T5(2021) CyclingLPP T6(2021) CyclingLPP T6(2021) CyclingLPP T6.4(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15-23NPPF16 23 - Conserving and enhancing the nistoric environmentNPPF16-23NPPF16 23 - Conserving and enhancing the historic environment	DMT 2	Highways Impacts
LPP D1(2021) London's form, character and capacity for growthLPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G65(2021) Growing a good economyLPP HC1(2021) Weritage conservation and growthLPP HC2(2021) Improving air qualityLPP SI1(2021) Improving air qualityLPP SI1(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T6(2021) CyclingLPP T6.(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF16 23 - Conserving and enhancing the historic environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	DMT 5	Pedestrians and Cyclists
LPP D12(2021) Fire safetyLPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D3(2021) Delivering good designLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G55(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI1(2021) Flood risk managementLPP SI13(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T64(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Making effective use of landNPPF12 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	DMT 6	Vehicle Parking
LPP D14(2021) NoiseLPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP D5(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G55(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T5(2021) CyclingLPP T64(2021) Car parkingLPP T64(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP D1	(2021) London's form, character and capacity for growth
LPP D3(2021) Optimising site capacity through the design-led approachLPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Flood risk managementLPP SI12(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) Car parkingLPP T64(2021) Non-residential disabled persons parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the historic environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP D12	(2021) Fire safety
LPP D4(2021) Delivering good designLPP D5(2021) Inclusive designLPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP T3(2021) Sustainable drainageLPP T5(2021) CyclingLPP T64(2021) Car parkingLPP T6.4(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP D14	(2021) Noise
LPP D5(2021) Inclusive designLPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP HC6(2021) Improving air qualityLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP D3	(2021) Optimising site capacity through the design-led approach
LPP E10(2021) Visitor infrastructureLPP G7(2021) Trees and woodlandsLPP G62(2021) Making the best use of landLPP G65(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP D4	(2021) Delivering good design
LPP G7(2021) Trees and woodlandsLPP GG2(2021) Making the best use of landLPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI1(2021) Flood risk managementLPP SI3(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11-23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF16 23 - Conserving and enhancing the natural environment	LPP D5	(2021) Inclusive design
LPP GG2(2021) Making the best use of landLPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11-23NPPF11 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP E10	(2021) Visitor infrastructure
LPP GG5(2021) Growing a good economyLPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP G7	(2021) Trees and woodlands
LPP HC1(2021) Heritage conservation and growthLPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP GG2	(2021) Making the best use of land
LPP HC6(2021) Supporting the night-time economyLPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF15 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF16 -23NPPF16 23 - Conserving and enhancing the natural environment	LPP GG5	(2021) Growing a good economy
LPP SI1(2021) Improving air qualityLPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP HC1	(2021) Heritage conservation and growth
LPP SI12(2021) Flood risk managementLPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP HC6	(2021) Supporting the night-time economy
LPP SI13(2021) Sustainable drainageLPP T3(2021) Transport capacity, connectivity and safeguardingLPP T3(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP SI1	(2021) Improving air quality
LPP T3(2021) Transport capacity, connectivity and safeguardingLPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP SI12	(2021) Flood risk management
LPP T5(2021) CyclingLPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP SI13	(2021) Sustainable drainage
LPP T6(2021) Car parkingLPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP T3	(2021) Transport capacity, connectivity and safeguarding
LPP T6.4(2021) Hotel and leisure use parkingLPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP T5	(2021) Cycling
LPP T6.5(2021) Non-residential disabled persons parkingNPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP T6	(2021) Car parking
NPPF11 -23NPPF11 23 - Making effective use of landNPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP T6.4	(2021) Hotel and leisure use parking
NPPF12 -23NPPF12 23 - Achieving well-designed and beautiful placesNPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	LPP T6.5	(2021) Non-residential disabled persons parking
NPPF15 -23NPPF15 23 - Conserving and enhancing the natural environmentNPPF16 -23NPPF16 23 - Conserving and enhancing the historic environment	NPPF11 -23	NPPF11 23 - Making effective use of land
NPPF16 -23 NPPF16 23 - Conserving and enhancing the historic environment	NPPF12 -23	NPPF12 23 - Achieving well-designed and beautiful places
5 5	NPPF15 -23	NPPF15 23 - Conserving and enhancing the natural environment
NPPF4 -23 NPPF4 23 - Decision making	NPPF16 -23	NPPF16 23 - Conserving and enhancing the historic environment
	NPPF4 -23	NPPF4 23 - Decision making
NPPF9 -23 NPPF9 23 - Promoting sustainable transport	NPPF9 -23	NPPF9 23 - Promoting sustainable transport

3. CONSIDERATIONS

3.1 Site and Locality

Hillingdon Planning Committee - 8th May 2024

PART 1 - MEMBERS, PUBLIC & PRESS

The site is located on the west side of Field End Road, south of its junction with Bridle Road and measures approximately 0.3 ha in area. It is occupied by Tudor Lodge Hotel, comprising three main, two storey C1 use buildings finished in white render with mock Tudor details and a part gable, part hipped, tiled roof.

Tudor Lodge is a grade II listed building of 16th century origin with later additions from the 17th century up to the 21st century, located close to the meeting point of Field End Road, Bridle Road and St Lawrence's Drive. It was once located out in the fields to the east of Eastcote Village and was part of a scattered hamlet to the west of a track and open fields known as "Field End". During the twentieth century suburban development has encircled it.

The site is not located in a conservation area but lies adjacent to Eastcote Park Estate Conservation Area to the north and can be seen within views looking out of the conservation area and as such makes a positive contribution to its setting. It is also in close proximity to Eastcote Village Conservation Area to the west.

The building was converted from a larger house into a hotel in the 1980s and since then two detached accommodation blocks have been added within the curtilage and the garages converted to offices.

The application site is also subject to a number of other planning constraints including a Tree Preservation Order on trees located along the south western corner of the site. There is potential contaminated land towards the southern boundary. The public transport level classification is level 2 and the site is situated within a flood risk zone 1.

3.2 Proposed Scheme

Planning permission is sought for the alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area.

During the course of the planning, amended plans were received however they did fail to address the identified concerns. Given the intricacies associated with the site, including the Grade II Listed Building, a pre-application consultation was advised for the application.

3.3 Relevant Planning History

4726/APP/2015/2713 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner Erection of conservatory to south facade
Decision: 21-09-2015 Refused

4726/APP/2022/3782 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner Erection of a single storey extension to create a spa centre

Decision: 11-04-2023 Approved

4726/APP/2022/3783 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Replacement of existing side conservatory to solid masonry construction. Erection of a single storey rear extension to kitchen and a single storey side extension to Tudor room

Decision: 23-03-2023 Approved

4726/APP/2022/3784 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Replacement of existing side conservatory to solid masonry construction, erection of a single storey rear extension to kitchen, single storey side extension and removal of internal wall to Tudor Room (Application for Listed Building Consent)

Decision: 24-03-2023 Approved

4726/APP/2023/1331 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Details pursuant to the discharge of Conditions 4 (Detailed drawings/ material samples) of planning permission ref. 4726/APP/2022/3784, dated 24-03-23 (Replacement of existing side conservatory to solid masonry construction, erection of a single storey rear extension to kitchen, single storey side extension and removal of internal wall to Tudor Room (Application for Listed Building Consent))

Decision: 29-06-2023 Approved

4726/APP/2023/1694 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Alterations to existing Tudor Lodge Hotel building including the extension of existing dormer window on front elevation, replacement of existing French door with windows to match existing and the replacement of existing roof tiles with new tiles to match existing.

Decision: 21-02-2024 Approved

4726/APP/2023/1695 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Alterations to existing Tudor Lodge Hotel building including the extension of existing dormer window on front elevation, replacement of existing French door with windows to match existing and the replacement of existing roof tiles with new tiles to match existing (Application for Listed Building Consent)

Decision: 21-02-2024 Approved

4726/APP/2023/2218 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. (Application for Listed Building Consent)

4726/APP/2023/248 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Erection of 6 no. timber pergolas, rearrangement of car park, 1 no.outdoor bar, 2 no. outbuildings, 7

no. outdoor igloos, new boundary fence and planting against Field End Road, various privacy planting, paving to external pergola sitting area

Decision: 23-03-2023 Refused

4726/PRC/2020/242 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Removal of existing unsympathetic extensions to Grade II listed building; refurbishment of listed building and erection of new extension to form 70-bed registered care home for the frail elderly (Class C2) with associated landscaping and parking. Existing/Last known Use(s): Hotel (Class C1).

Decision: 28-02-2022 No Further

Action(P)

4726/PRC/2022/176 Tudor Lodge Hotel, 50 Field End Road Eastcote Pinner

Erection of outdoor pergola, kitchen, pantry hub and glass igloos and provision of landscaping. Erection of 3m rear kitchen extension and replacement of existing conservatory to Hotel Building 1 and single storey spa centre extension to Hotel Building 2.

Decision: 25-11-2022 Objection

Comment on Relevant Planning History

This application is accompanied by a Listed Building Consent application - 4726/APP/2023/2218. Both applications have been appealed on non-determination grounds.

4726/APP/2023/248 - Erection of 6 no. timber pergolas, rearrangement of car park, 1 no.outdoor bar, 2 no. outbuildings, 7 no. outdoor igloos, new boundary fence and planting against Field End Road, various privacy planting, paving to external pergola sitting area - Refused 23-03-23

Reasons for Refusal:

1. The design, materials, height, number and siting of the external fixtures including the outbuildings, igloos, pergola and bar, cumulatively contributes to harm to the setting and views of the listed building. In the absence of any significant public benefit, the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2021, Policies D8 and HC1 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan Part One 2012 and Policies DMHB 11, DMHB 12 and DMHB 1, DMHB 2, DMHB 4 and DME 5 of the Hillingdon Local Plan: Part Two 2020.

2. In the absence of any noise assessment and mitigation, the proposed use of the external areas for outdoor dining and the collective capacity of the outdoor spaces has the real potential for excessive noise disturbance detrimental to the amenity of surrounding residential properties. This is contrary to Paragraphs 174 and 185 of the National Planning Policy Framework 2021, Policy D14 of the London Plan, Policies BE1 and DME 5 of the Hillingdon Local Plan (Part 1) 2012 and Policies DME 5, and DMHD 11 of the Hillingdon Local Plan (Part 2) 2020.

3. There is contradictory information submitted in support of the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended use, contrary to Section 9 of

the National Planning Policy Framework 2021, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020. :

4. With contradictory information in the submitted arboricultural documentation and wholesale and unjustified removal of a large number of mature and Category B trees, the proposal will result in a net deterioration in landscape character of the site, the streetscene and the adjacent Eastcote Park Estate Conservation Area, contrary to Sections 15 and 16 of the National Planning Policy Framework 2021, Policy G7 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan (Part 1) 2012 and Policy DMHB 14 of the Hillingdon Local Plan (Part 2) 2020.

5. In the absence of sufficient ecology information, it has not been demonstrated that the proposal would not have an adverse impact upon protected species and nature conservation or that there would be protection and enhancement of biodiversity. This is contrary to Section 15 of the National Planning Policy Framework 2021, Policies BE1, DMH 6, DMHB 14 and DMEI 7 of the Hillingdon Local Plan 2020 and Policy G6 of the London Plan 2021.

PLANNING OFFICER COMMENTS:

The current application has reduced the size and number external areas, notably omitting six timber pergolas, an outdoor bar, outbuilding, and seven outdoor igloos from the plans. Specifically, the proposal aims to replace the existing seven igloos with a large pergola, and omits the timber pergola to the north and replaces this with an "outdoor dining area". It is however acknowledged that the outdoor dining area lacks any details regarding its intended use. Any structural buildings or developments fixated to the ground potentially require permission. The plans do not indicate a structure would be installed in this area and Officers would have to take the information as submitted on the basis no structure is intended for this area. The overall use of this outdoor area could potentially be conditioned if the scheme were deemed acceptable. Furthermore, were permanent structures associated with the use installed, this would be subject to a further planning application.

Despite efforts to address concerns, it remains evident that the proposal, particularly with regard to the pergola, would negatively impact the setting and views of the Listed Building, as highlighted in Reason for Refusal 1. Further, concerns remain in terms of insufficient information to support the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended use. The proposal therefore fails to overcome Reason for Refusal 3. Additionally, concerns persist regarding Reason for Refusal 4, relating to the removal of trees and the protection of retained Category B trees.

Officers are satisfied following comments from the Acoustic Officer that the scheme could be controlled by relevant conditions to ensure the impact on the adjoining residents from noise and disturbance is minimised. Conditions could be attached related to the operating times of the outdoor spaces thereby ensuring disturbance at night time and early morning is restricted.

In terms of reason 5, an ecology report has now been submitted. This is addressed in the main section of the report under Trees, Landscaping and Ecology.

While adjustments have been made, the application still falls short of addressing these key reasons for refusal. Therefore, the application is unable to sufficiently overcome Reason for Refusal 1, 3 and 4. These issues are discussed fully in Section 7 of the report below.

4. Planning Policies and Standards

Development Plan

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012) The Local Plan: Part 2 - Development Management Policies (2020) The Local Plan: Part 2 - Site Allocations and Designations (2020) The West London Waste Plan (2015) The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2023) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.HE1 (2012) Heritage

Part 2 Policies:

- DME 5 Hotels and Visitor Accommodation
- DME 6 Accessible Hotels and Visitor Accommodation
- DMEI 10 Water Management, Efficiency and Quality
- DMEI 2 Reducing Carbon Emissions
- DMHB 1 Heritage Assets

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 14 Trees and Landscaping
- DMHB 15 Planning for Safer Places
- DMHB 2 Listed Buildings
- DMHB 4 Conservation Areas
- BE1 Development within archaeological priority areas
- DMT 1 Managing Transport Impacts
- DMT 2 Highways Impacts
- DMT 5 Pedestrians and Cyclists
- DMT 6 Vehicle Parking
- LPP D1 (2021) London's form, character and capacity for growth
- LPP D12 (2021) Fire safety
- LPP D14 (2021) Noise
- LPP D3 (2021) Optimising site capacity through the design-led approach
- LPP D4 (2021) Delivering good design
- LPP D5 (2021) Inclusive design
- LPP E10 (2021) Visitor infrastructure
- LPP G7 (2021) Trees and woodlands
- LPP GG2 (2021) Making the best use of land
- LPP GG5 (2021) Growing a good economy
- LPP HC1 (2021) Heritage conservation and growth
- LPP HC6 (2021) Supporting the night-time economy
- LPP SI1 (2021) Improving air quality
- LPP SI12 (2021) Flood risk management
- LPP SI13 (2021) Sustainable drainage
- LPP T3 (2021) Transport capacity, connectivity and safeguarding

LPP T5 (2021) Cycling LPP T6 (2021) Car parking LPP T6.4 (2021) Hotel and leisure use parking LPP T6.5 (2021) Non-residential disabled persons parking NPPF11 - NPPF11 23 - Making effective use of land 23 NPPF12 - NPPF12 23 - Achieving well-designed and beautiful places 23 NPPF15 - NPPF15 23 - Conserving and enhancing the natural environment 23 NPPF16 - NPPF16 23 - Conserving and enhancing the historic environment 23 NPPF4 - NPPF4 23 - Decision making 23 NPPF9 - NPPF9 23 - Promoting sustainable transport 23

5. Advertisement and Site Notice

- 5.1 Advertisement Expiry Date: 31st August 2023
- **5.2** Site Notice Expiry Date: Not applicable

6. Consultations

External Consultees

A site notice was displayed to the front of the site and letters were sent to neighbouring properties. All forms of consultation expired on 29th September 2023.

A petition was received in objection with 64 signatories on the 11th of October 2023.

The valid petition seeks to object to the planning applications due to concerns regarding: 1. The effect of the outside dining area on local residents, including noise, cooking smells, air pollution and

1. The effect of the outside dining area on local residents, including holse, cooking smells, air pollution an increased car parking needs;

2. The effect of the proposal on the setting of the Listed Building and local area;

3. Potential surface water flooding due to the removal of greenery and extra tarmac installed.

Officer Response:

1. The impact on the residential amenity is discussed in Section 7.08. It is likely that cooking odours could be managed through appropriate mechanical ventilation details by condition. The increased car parking needs, discussed in Section 7.10 is identified and forms part of Reason for Refusal 2.

2. The impact on the Grade II Listed Building and surrounding area is discussed in Section 7.07 of this report and the identified harm forms part of Reason for Refusal 1.

3. It is acknowledged that the previously refused planning application (Reference: 4726/APP/2023/248) did not raise surface water flooding as a Reason for Refusal. There are no in-principle drainage or flooding concerns and drainage details could be sought as a pre commencement requirement.

A total of 11 objections have been received during the course of this application. A summary of the objections received from neighbouring properties is summarised below:

1. Increased odour, noise and disturbance to neighbouring properties including concerns about music and increased capacity leading to louder chatter and laughter from patrons

2. Removal of trees;

3. Inadequate parking and impact on the highway network as well as local residential parking; concerns regarding the width of the road and its ability to handle additional traffic.

4. Increased risk of flooding; Concerns regarding the additional tarmac

5. Risk to security of nearby dwellings;

6. Discrepancies in the Transport Statement relating to the number of car parking spaces;

7. Discrepancies with Proposed Plans;

8. Pergola is obtrusive and out of keeping and the overall design implications on the listed building

9. Pressures on additional services including the Police and Fire Brigade

10. Members of the public raised an issue regarding the public consultation process and not receiving a letter

11. Ambiguities with the plans and the seating areas with the lack of detail

Officer Response:

1. The impact on the residential amenity is discussed in Section 7.08. It is likely that cooking odours could be managed through appropriate mechanical ventilation details by condition.

2. The impact on trees is discussed in Section 7.14, and the identified harm forms Reason for Refusal 3.

3. The impact on inadequate parking, as discussed in Section 7.10 is identified and forms part of Reason for Refusal 2

4. It is acknowledged that the previously refused planning application (Reference: 4726/APP/2023/248) did not raise surface water flooding as a Reason for Refusal. There are no in-principle drainage or flooding concerns and drainage details could be sought as a pre commencement requirement.

5. The matter of security of nearby dwellings is noted, however it is unlikely that the proposal would result in harm to neighbouring properties in this respect;

6. The discrepancies in the Transport Statement is noted. The impact on car parking is discussed in Section 7.10 and forms part of Reason for Refusal 2;

7. The discrepancies in the Proposed Plans is acknowledged that is discussed in further detail in the main body of this report; and

8. The impact of the pergola is discussed in Section 7.07 of this report and the identified harm forms part of Reason for Refusal 1.

9. This is addressed in Section 7.22 of the report.

10. Officers are satisfied that all adjoining residents have been consulted in line with the Local Planning Authority requirements. Furthermore, a Site and Press Notice was also displayed which ensured the wider public were aware of the planning applications.

11. It has been recognised in the report that there are ambiguities with some of the information received. This relates to both the plans and the lack of information on the "outdoor dining area" as well as the failure

Hillingdon Planning Committee - 8th May 2024

PART 1 - MEMBERS, PUBLIC & PRESS

to provide an up to date Heritage statement. Also works to the trees and the lack of clarity have been identified within the report. These ambiguities are addressed in the relevant design and tree sections of the report. It has also been added in the suggested reasoning for the refusal on reason 1 and 3. The Planning Officer comments under the relevant history (within Section 3 of the report) addresses the outdoor dining area and the lack of information.

Ruislip Northwood & Eastwood Local History Society

The RNELHS raised concerns regarding the ambiguities of the information. It was unclear what is been built from the plans. The Society considered these ambiguities affected their ability to fully assess the impact on the Grade II Listed Building.

Eastcote Residents Association and Eastcote Conservation Panel

The previous application (4726/APP/2023/248) relating to this purpose, and the associated works, was refused. The Officer Report made a number of references to lack of information/and or confusing and conflicting details which contributed to the reasons for refusal.

The current applications follow this same pattern - they do not offer sufficient information to allow a proper and detailed assessment of whether the previous reasons for refusal have been addressed and what the potential adverse implications there might be of these proposals. In addition to the lack of information, much of that provided is once again confusing and conflicting.

As with the previous refused application, the main concerns for residents are the acceptability, or not, of -

1. The effect of the outside dining areas in terms of:-

- Noise
- Cooking smells and air pollution
- Increase car parking needs creating overspill to on-street parking in surrounding roads
- Night time lighting
- 2. The effect of the various structures etc on the setting of the listed building
- 3. Surface water flooding mitigation strategies

Our comments on various specific aspects of the proposals are as follows:

- Noise Issues:

Conflicting information regarding the number of people proposed to utilise pergola and outdoor seating. The noise assessment fails to mention that the volume/loudness of sound is cumulative. The inclusion of a Sample Noise Complaint Log Sheet indicates that the owners are already anticipating receiving noise complaints. The removal of trees allows for the greater transference of noise to these residents.

- Licensing Hours for outdoor use

The Noise Assessment quotes he applicant as stating that hours for outdoor use will be between 1200 and 2200. This would need to be a condition of any approved application with the addition of a specific clearing up time, say 30 minutes. These times would need to be adhered to in the required Licensing application. Of concern though, is that the application form states hours of opening 'unknown'.

- Land purchased from 52 Field End Road & Grass area is front of Building 2

This newly purchased land is now shown on some of the drawings as a grass area with no indication as to what it might be used for, eg further customer seating. Any future approved application must have a condition that stops its use for this purpose because of the additional noise implications for those living in the Sigers.

- Cooking smells and air pollution

Block Plan drawing shows 'Timber Clad Kitchen/Pantry' - there is no mention of this in the description of development nor in the details shown in the application form. There is no mention of exactly what activities are to take place here. The previous refused application referred to an outdoor kitchen - is food actually still to be cooked in any of these outdoor spaces?

- Car Parking Issues

Drawings show 28 parking spaces which is an increase on what was existing. However, the application form, information conflicts with this stating:

'Existing number of spaces: 26

Total proposed (including spaces retained): 22

Difference in spaces: -4'

We remain concerned that even if the number of spaces is 28, this is still not sufficient to accommodate the occupants of 46 rooms, an albeit unknown number of diners and visitors to the previously approved spa, all with the attendant increased in staff numbers required. There is great potential for overspill to on-street parking in nearby roads which are not equipped to accommodate this increased activity.

- Night time lighting

Low impact lighting is recommended in the Ecology report but whilst various vague references and a couple of photos are included, so far as we can see, there is no detailed plan and specification of the lighting to be providing, to be able to judge whether this will have an adverse impact or not.

- Setting of the Listed Building

On what the application refers to as 'the Front SW elevation' an 11 x 11 metre pergola, that it is stated has a 'total height of 2.8 metres', together with the surrounding fence, all in very close proximity to the building, will take away completely the openness of the existing setting on this side of the building and will be overly dominant. The Officer's report for the previously refused application states that '...the principal listed building still dominates the site and its setting is enhanced within a spacious plot with mature verdant trees and planting'. This current application continues to take up large sections of spacious plots, some of the trees have already been lost with further apparently scheduled for removal.

- Surface Water Flooding

We refer to the submission by the Chair of EFlag made against the last refused application ending 248. The facts have not been altered. We would add that the two flood officers, at the time of the report referred to, were to enact various mitigation strategies. However, it is understood that these actions have not been followed through since the Officers left LBH. The new tarmac, already laid, and its increased coverage will exacerbate any surface water flooding. These applications once again offer no mitigation strategy for surface water flooding.

- Ecology Report

This states it is based on a 'new paved dining terrace with pergola structure'. It refers to the drawing in its Appendix 1 which is actually the 'igloo' drawing from the previously refused applications for this area. it does not refer to any of the rest of the proposals in these current applications. It includes the newly acquired garden from No. 52 Field End Road, but shows it in is uncultivated state with overgrown vegetation and trees, providing readymade habitats. It is also based on the site before the latest tarmac was laid, additional car parking spaces were created, and, we suspect, some trees and vegetation have now been removed. Thus, again, another confusing and inaccurate report.

The Tudor Lodge Hotel has been a welcome part of our community for so many years and would be a loss if it is not allowed to thrive. However, once again, we ask that an application is submitted that is completely

clear on what is to be provided and which shows a sensitivity to the local issues and concerns, such that approval can be supported.

OFFICER COMMENTS: The above comments concerning residential amenity, harm to the listed building, landscape, parking and flooding will be discussed in further detail below.

Internal Consultees

ACOUSTIC OFFICER:

The Acoustic Officer raised no objection to the detail within the Noise Assessment. The Officer acknowledges that there is potential for social activity noise to cause local disturbance. This however can be mitigated through conditions on the operating hours which would ensure that outdoor social activity is restricted within acceptable timeframes.

The Applicant has had a suitable assessment carried out and appears to have taken reasonable measures in the proposed design to mitigate the risk. If allegations are made of noise nuisance then the Council would be able to investigate and take enforcement action as necessary under EPA 1990.

ACCESS OFFICER:

The existing hotel is a 15th century Grade II listed building with limited ground floor wheelchair access. From the plans submitted, no internal alterations are proposed as part of this application. This proposal seeks to construct a new outbuilding for WC and store, installation of a pagola and sunken paving, in addition to a staff cycle shelter and alterations to the existing car park layout. The intended development has been assessed against the requirements of London Plan policy D5 and E10.

In view of the above, no accessibility concerns are raised subject to the following Condition and Informative attached to any approval:

The WC and store building hereby approved shall provide a minimum of one toilet facility suitable for use by wheelchair users in accordance with BS 8300:2018. The cubicle shall achieve internal dimensions of no less than 2.2 m x 1.7 m to allow ease of use by older and disabled people. REASON: to ensure an inclusively designed environment in accordance with London Plan policy D5.

INFORMATIVE The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

HIGHWAYS OFFICER:

There is insufficient information submitted in support of the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended end use, contrary to Section 9 of the National Planning Policy Framework 2023, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020.

URBAN DESIGN AND CONSERVATION OFFICER

The site contains the grade II listed Tudor Lodge and a Tree Preservation Area (TPO).

The current proposals are likely to reduce the visibility of the Grade II listed Tudor Lodge, as seen from Field End Road, as well as from the Hotel parking areas. This is considered to harm the setting of the listed building and is not supported. This harm is not considered to be outweighed by significant public benefits.

There is insufficient information regarding the trees proposed to be removed and those recently removed, but without it the current proposals are not considered acceptable.

TREES AND LANDSCAPING:

There are concerns in relation to T25 and T26 is relation to their proximity to the proposed new structures. There is confusion regarding which trees will be removed as part of the development. The Tree Protection Measures fail to satisfactorily protect the retained trees. Objection.

PLANNING OFFICER RESPONSE

These comments are noted and are discussed in further detail below.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy DME5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will support a range of visitor accommodation, conference and related uses in accessible sustainable locations, as defined in the Site Allocations and Designations document, subject to: i) A high standard of building and site design, including landscaping and placement of signage that makes a positive contribution to local amenity and the streetscape; iii)No adverse impact on nearby land uses or on the amenity of either adjoining occupants or proposed occupants by virtue of noise, lighting, emissions, privacy, overlooking, any other potential nuisance, parking or traffic congestion.

The existing use is an established Hotel (Use Class C1) and as such there is no change of use proposed. Officers are satisfied that there is scope for some additional facilities associated with the hotel, however this must be carefully considered in line with the requirements with the policy above. The character and appearance of the structures is reviewed in detail below and considered against the statutory listed building. As discussed below, the design of the structures do not overcome the previous reason for refusal and as such remain contrary to the policy requirements set out in Policy DME5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

Whilst the comments received from the public regarding noise and disturbance are noted, the scheme have been reviewed carefully by the Council Acoustic Officer. The nature of the use is likely to attract patrons for social events. A noise report has been provided which gives more detail on the numbers proposed. Careful use of conditioning could ensure that the impact on the wider neighbourhood is mitigated and reduced.

Ancillary Use

The proposal would introduce a number of external spaces which would be associated with the servicing function of the hotel and as such would therefore be considered ancillary to the primary use as a Class C1 Hotel. Whilst Officers acknowledge that the introduction of outdoor dining area facility

could potentially facilitate a large number of external patrons not staying on site, this would be no different to any hotel which attract both customers to stay overnight and also use facilities for other social events without staying. As discussed above conditions can also ensure that the use is controlled including operating hours/restricting on number of covers per outdoor dining space and control of outdoor music,

Officers are satisfied that the works facilitate a use that is ancillary to the existing hotel use, both in terms of capacity, floorspace and likely impacts. On this basis, there is no material change of use of the land (to a public house for example).

The development seeks to enhance the commercial offering of the existing Hotel, which in principle is acceptable and supported by strategic policies that seek to foster economic growth and sustainability. As discussed throughout the report, there are concerns with harm to the heritage assets and the surrounding area, parking and trees and landscaping.

7.02 Density of the proposed development

Not relevant to the consideration of this application.

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

Please refer to Section 7.07 below.

7.04 Airport safeguarding

Not relevant to the consideration of this application.

7.05 Impact on the green belt

Not relevant to the consideration of this application.

7.07 Impact on the character & appearance of the area

IMPACT UPON LISTED BUILDING AND CONSERVATION AREA

POLICY CONTEXT:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities must pay "special attention to the desirability of preserving or enhancing the character or appearance of the conservation area."

Paragraph 139 (Chapter 12) of the NPPF (2023) states, inter alia, that "development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design...conversely, significant weight should be given to:...(b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Paragraph 205 (Chapter 16) of the NPPF (2023) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should

be).

Paragraph 208 (Chapter 16) of the National Planning Policy Framework (2023) states that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy D3 of the London Plan (2021) requires that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy HC1 of The London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that both enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character.

Policy HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings and wider historic landscape. This is reinforced by Policies DMHB 1 and DMHB 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), which states that the Council will expect development proposals to avoid harm to the historic environment, and that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

Policy DMHB 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that applications for Listed Building Consent and planning permission to alter, extend, or change the use of a statutorily Listed Building will only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship. It clarifies that planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building.

Policy DMHB 4 of the Hillingdon Local Plan : Part 2 - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

ASSESSMENT:

Site Context

The building dates from the 16th century but has been altered and extended throughout its history with significant additions in the 17th, 19th and early and late 20th centuries. The building is grade II listed and is situated on a prominent corner site where Field End Road meets Bridle Road and St. Lawrence Drive. Policy DMHB 2 states that works to listed buildings will only be permitted if they are considered to retain its significance and value and are appropriate in terms of the fabric, historic integrity, spatial quality and layout of the building. Any additions or alterations to a Listed Building should be sympathetic in terms of scale, proportion, detailed design, materials and workmanship.

The site is not within a conservation area but is adjacent to Eastcote Park Estate Conservation Area to the north and can be seen within views looking out of the conservation area and as such makes a positive contribution to its setting. It is also in close proximity to Eastcote Village Conservation Area to the west. Policy DMHB 4 of the Local Plan states that new development on the fringes of a conservation area will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness.

There are three other buildings on site including a separate guest house, former garages now converted to offices to the south-west and a detached two-storey guest block to the north-west. Despite these later additions the principal listed building still dominates the site and its setting is enhanced within a spacious plot with mature verdant trees and planting.

The vast majority of buildings that surround the site are twentieth century residential properties that date from the early part of the 20th century to the early 21st century. The most attractive of these houses, seen in close proximity of the hotel, are those located on the Eastcote Park Estate to the north.

Currently the listed building is surrounded by large areas of hard standing for car parking and a small area of lawn on the south side and an outdoor decked area on the north side.

Proposed works

The structure that forms the central part of the outdoor external alterations involves the installation of a pergola along the front elevation of the main hotel building. This aims to cater for outdoor dining and social activities linked to the hotel function. The proposed pergola, positioned on the western facade of the hotel, is described to be sizable, measuring 11m wide and 11m deep. It is intended to be recessed into the pavement by 500mm and reach a maximum height of 3m, featuring a living meadow on the roof. However, it deviates from the conventional notion of a pergola, presenting more as a substantial structure with a solid green roof, which would create a shaded area beneath and obstruct important views of the listed building. This effect is compounded by the proposed close planting and 2m tall ivy fences, which collectively diminish visibility of the adjacent listed building and alter the current open character of the setting. When viewed from the north western and eastern elevations, the treatment around this pergola would appear discordant, confusing with a mismatch of materials whilst adding significant bulk and scale to the front of the listed building. The main structure when viewed from the front elevation visually competes with the listed building thereby having a detrimental impact on its overall setting. The proposed pergola by virtue of its siting, scale, height and design would be highly conspicuous from the nearby Field End Road and would not be visually contained within the site resulting in a harmful impact to the Listed Building and the surrounding area. The submitted Heritage Assessment produced by Border Archaeology is based on the previous

application: 4726/APP/2023/248. The assessment and conclusion reached is therefore irrelevant with respect to the pergola. The application therefore fails to comply with Policy DMHB 2 which requires Heritage Statement to demonstrate a clear understanding of the importance of the building and the impact of the proposals on its significance.

In terms of the non-determination appeal, the proposal would form apart of the LPA's first reason for reason.

Regarding the replacement of two sheds with a detached outbuilding for prep/WC/storage on the western side of the site, the proposed location and design are deemed acceptable, set against the backdrop of existing garages. The outbuilding is stated to have a depth of 3.25m, a length of 9m, and a hipped roof with a maximum height of 3.2m. The Conservation Officer is satisfied that the overall size, design and positioning appears proportionate and subservient to the site and the adjacent listed building. Its overall positioning and design would allow it to visually blend in with its surroundings without competing with the historic fabric of the designated building. Notwithstanding this, were the non-determination appeal to be allowed, the LPA would seek a condition requiring details such as materials and colour and further specifications to be secured by a condition.

Concerning landscaping and boundary treatment, conflicting information arises regarding the proposed fencing along Field End Road. While the existing boundary treatment offers good visibility to the Listed Building with a 1.2m height, the proposed plan suggests a 2m high white picket fence, which could obscure views. Additionally, discrepancies between the landscaping and block plans contribute to uncertainty regarding the proposal's impact. The lack of clarity extends to landscaping specifics, including plant placement, colour schemes, and building and fence designs, exacerbated by the absence of a map in the landscape report.

Furthermore, discrepancies persist between various maps, proposals, and key items, such as references to "POD," a gravel area, and parasols, which are not reflected in detailed plans or descriptions. Additionally, planting codes on maps are cross-referenced to the landscape report without corresponding identification which further complicates the assessment process creating ambiguity on the overall proposal. Given the ambiguities on the plans and without a up to date Heritage Statement, the applicant has failed to provide clear concise justification for the proposed developments. As such, Officers are unclear on certain parts of the scheme and its potential impact on the designated building. Without concise details within the information submitted, it has been difficult to fully assess the level of harm. However as the fabric of the building would be unaffected and the works are more to do with the setting of the building, the Conservation Officer has concluded the level of harm would be less substantial harm.

Summary

While it is recognised that there is scope for enhancement to the current setting of the listed building, the proposal is cumulatively visually distracting in such close proximity to the listed building and the scheme as a whole, would benefit from simplification and clarity in terms of the surrounding landscaping.

In light of the above, it is considered that the proposed development would fail to preserve or enhance the setting of the Grade II Listed Building, or the character and appearance of the surrounding area. The harm arising from the proposed development is considered to be less than substantial. In line with paragraph 208 of the NPPF (2023), the public benefit of the proposal must be weighed against the harm. This is discussed in the planning balance within the other issues section of the report.

Overall the design and scale is considered to conflict with Policies HE1 and BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB 1, DMHB 2, DMHB 4, and DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies D3 and HC1 of the London Plan (2021), and Chapters 12 and 16 of the National Planning Policy Framework (2023).

7.08 Impact on neighbours

London Plan (2021) Policy D3 seeks to optimise design capacity through a design-led approach. Among other considerations, this also requires new development to 'achieve safe, secure and inclusive environments' and 'help prevent or mitigate the impacts of noise and poor air quality'.

London Plan (2021) Policy D14, in part, requires development proposals to mitigate and minimise 'the existing and potential adverse impacts of noise on, from, within, as a result of, or in the vicinity of new development without placing unreasonable restrictions on existing noise-generating uses'.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development should not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMTC 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals for drinking establishments will only be supported provided that they would not cause unacceptable disturbance or loss of amenity to nearby properties.

The proposed works would all be single storey ground level additions which are positioned sufficient distance away from adjoining neighbouring properties to impact the levels of outlook, sense of enclosure, loss of light or overlooking concerns. It is also noted that a level of screening would be maintained to reduce the prominence of the additions to the neighbouring properties.

Noise

The main impact of the development on neighbouring amenity is noise and disturbance from people using the outdoor pergola and outdoor dining area. The additions to the site would clearly encourage a greater level of use - in numbers of people using the garden, the duration throughout the day and duration throughout the year.

The previous application (ref 47216/APP/2023/248) was refused on noise concerns given the absence of a noise assessment which enabled Officers to fully assess the implications of the outdoor activities. Under the current application, a Noise Survey has been undertaken by Venta Acoustics (July 2023) which has been thoroughly examined by the Council's Acoustic Officer.

The assessment has been based on 50 customers using the pergola and 50 using the outdoor dining area. The submitted calculations demonstrate a low impact on nearby noise sensitive receivers. The Council's Acoustic Officer has assessed the scheme and raised no objections to the calculations or data within the assessment which concludes that the level of impact would be low to the adjoining residents.

The Acoustic Officer also noted the comments received from the consultation process which highlighted that social activity noise can have more of a impact on amenity than noises such as passing traffic. Whilst noise from a social activities might be perceived from the human ear as more

audible than a passing car, based on the data, it would not lead to a greater level of noise over and above the standards.

There is no dispute that outdoor dining can have the potential for social activity noise to cause local disturbance if unregulated. However, mitigation factors can be implemented to control the level of noise during certain periods of the day thereby reducing this risk of disturbance. Officers are satisfied that the use of the outdoor space could be controlled by an operating times condition. This would ensure that the dining activity and patrons using both outdoor spaces have to vacate the areas after certain time. This would ensure that the noise is restricted late at night and early in the day when most adjoining neighbours might be resting. A restriction on the number of seating at both spaces is also reasonable in order to restrict the number of patrons in line with the noise assessment. An Operation Management Plan could also be secured by condition which provide further details on how the Hotel would managed both facilities and ensure that anti-social behaviour is kept to a minimum.

Based on the information provided within the noise assessment and mitigation measures that could be achieved through precise conditions, the outdoor activities within the pergola would not cause sufficient harm to adjoining residents in this instance. The Applicant has had a suitable assessment carried out and appears to have taken reasonable measures in the proposed design to mitigate the risk. If allegations are made of noise nuisance then the Council would be able to investigate and take enforcement action as necessary under EPA 1990.

The proposed outbuilding on the northern elevation would be located approximately 20m from the nearest residential property to the south of the site at 50 The Sigars, and approximately 43m from the nearest residential properties at 22-28 The Sigars to the west of the site. By virtue of the single storey nature of the outbuilding, it is considered that the sufficient separation distance exists to protect the amenity of neighbouring properties.

Concerns have also been raised in terms of the Outdoor Dining Area to the south-east. Other than the key identifying this as outdoor seating, no information has been submitted for the proposed use of this area. This space has however accounted for within the noise survey to accommodate 50 persons. The Acoustic Officer has reviewed the concerns submitted in relation to the cumulative use of both outdoor seating areas and has recommended a control of opening hours to control the level of noise.

Odour

Representations received also raised concerns regarding odour transfer from the outdoor dining space. Whilst Officers acknowledge that outdoor dining could potentially lead to some odour transfer, there is a significant distance from the pergola dining area and adjoining residents. This would therefore not cause sufficient harm to these adjoining or nearby residents given the positioning of the dining facilities.

Amenity Conclusion

The concerns raised within the consultation process regarding noise have been noted. The noise assessment provided under the current application highlights that the level of noise generated from the outdoor uses would be low in compared with background noise levels. The Acoustic Officer has raised no objection to the detail and data within this noise assessment. Had this application been recommended for approval, a condition would of been secured for the submission of a Operation Management Plan and a control of operating hours for the outdoor dining areas. A further condition

would have been recommended restricting the number of patrons using both outdoor spaces. These suggested conditions can be submitted as part of the appeal statement against the appeal for non-determination to be considered if the Inspectorate is of mind to allow the appeal.

Having regard to the above, it is considered that the proposal would not cause undue harm to the living conditions of neighbouring occupiers in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMTC 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D14 of the London Plan (2021) and the National Planning Policy Framework (2023).

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Policies DMT 1 and DMT 2 of the Local Plan require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The site consists of a Hotel (C1 use class) located on the edge of Eastcote district town centre. The surrounding area is predominantly residential in character and the locality including Field End Road (FER) is encompassed within a controlled parking zone (CPZ) operating from Monday to Saturday - 8am to 6.30pm. The address exhibits a public transport accessibility level (PTAL) of 2 which is considered below average and therefore raises dependency on the use of private motor transport to and from the address.

It is proposed to increase the outdoor seating area together with enhancement of some elements of the existing car parking facilities by way of reconfiguration and increasing provision from 19 to 28 formal spaces inclusive of two disabled compliant bays. Secure & covered cycle parking for 4 cycles & 3 motor-cycle spaces is also proposed. A new boundary 'picket' fence has been installed on highway boundary with Field End Road with the established pedestrian and vehicular access remaining unchanged.

Car Parking Provision and Vehicular Trip Generation

There are no prescriptive local or regional parking standards that can be applied to this proposal and therefore it is assessed on its own merits.

The applicant has interrogated the official Land use database (TRICS) which has produced some data relating to a comparable scale of hotel use and the likely level of anticipated activity. It should be noted that interrogation of this database is an accepted practice for estimating proposal impacts but with an acknowledgement of output being considered, more so, as an informative guidance tool given that there are 'built in' inaccuracies with the process as no two sites or demographic use profiles are exactly comparable.

In essence, the level of predicted peak demand by car-borne patrons of this establishment has been compared with the available on-plot provision thereby giving an insight into how the proposal may impact the public domain. The data suggests that a peak (worst-case) hourly space occupancy (demand) in the region of 19 vehicles between the hours of 6-8pm could be expected which is well within the available increased parking capacity. However, what is missing is the representation of likely level of activity generated by 'external' to established hotel activities such as conferences etc

which can fluctuate considerably from place to place.

An application (4726/APP/2023/248) for a marginal extension of Hotel operations by the provision of an outdoor bar/ store and dining area catering for both Hotel guests and external custom necessitating 7 new staff together with an uplift to 22 on-plot parking spaces was refused last year for several reasons including one relating to the possible inadequacy of car parking arrangements due to lack of a detailed appraisal.

Given the proposed expansion of the outdoor facility, it is clear that the aim is to attract additional patronage to the establishment but without detailed quantification. In this regard, it is not considered that the proposal has overcome the previous concerns and reason for refusal. There are significant concerns that the level of car parking may not be appropriate for the intended use, contrary to Section 9 of the National Planning Policy Framework 2023, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020.

Electric Vehicle Charing Points

In accord with Hillingdon's Local Plan: Part 2 DMT6 policy and parking standard there is a requirement for electric vehicle charging points (EVCPs) which would equate to a minimum facility of 5% of the total parking quantum for 'active' provision with a further 5% acting as 'passive' provision for future activation. A total of 4 EVCP's are indicated on plan which is in full conformity to the standard.

Cycle Parking

There are no dedicated cycle spaces on-site at present, and as the hotel is not being expanded, there is no firm requirement to provide new facilities. However, the applicant has indicated willingness to install 4 secure & accessible cycle spaces to serve both long & short-stay users such as guests, staff & visitors which is welcomed.

Motor-Cycle (M/C) Parking

The Local Plan: Part 2 DMT 6 policy and parking standard requires new developments to provide one motorcycle/scooter parking space per 20 car parking spaces. The applicant has dedicated an area adjacent to car parking bay (No.19) which is considered a satisfactory arrangement that can accommodate 3 M/C spaces.

Conclusion

There is insufficient information submitted in support of the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended end use, contrary to Section 9 of the National Planning Policy Framework 2023, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020.

7.11 Urban design, access and security

This is discussed in section 7.03 of this report

7.12 Disabled access

The proposal would need to comply fully the Equality Act 2010 and ensuring access for all. London Plan Policy E5 states that development proposal should achieve the highest standards of accessible and inclusive design. Policy E10 of the London Plan deals specifically with visitor infrastructure. It

focuses on the requirements of accessible rooms and inclusive access.

It is recognised that the existing hotel is a 15th Century Grade II Listed Building which can limit the level of ground floor wheelchair access. There are no internal changes proposed to the interior of the building. The Access Officer has assessed the external changes against the requirements of both E5 and E10 of the London Plan. It is noted that the external alterations provide an accessible ramps for both outdoor areas which is welcomed. The Access Officer has raised no objections to the scheme however recommended that a condition related to the store building proposed and the need to provide one toilet facility suitable for use by wheelchair users in accordance with BS 8300:2018. This can be recommended as part of any suggested conditions as part of the appeal submission to the Planning Inspectorate were they of mind to approve the application.

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, landscaping and Ecology

Trees and Landscaping

Policy DMHB 14 of the Local Plan requires the retention and enhancement of existing landscaping, trees, biodiversity or other natural features, landscaping that supports and enhances biodiversity and amenity and replanting of new trees.

An Arboricultural Report (Cantia Arboricultural Services, amended July 2023) was submitted as part of the application. Overall, there are 14 individual trees and 4 groups of trees proposed for removal, including one category B tree. It is acknowledged that a number of trees have been removed already.

The Proposed Development Plan indicates that majority of the trees along the western elevation with Field End Road will be removed, with only three trees retained along the southern boundary near the entrance. The arboricultural report refers to the trees being unremarkable species that have been poorly managed or with sparse foliage. However, one of the trees is listed as a Category B Horse Chestnut to a height of 17m. Their removal is not necessary to accommodate the proposed works. There is a degree of appropriateness to some tree removal to allow a more managed landscape approach for the site. However, the wholesale approach to the tree removal without proper consideration is of concern particularly when the trees on Field End Road provide a positive landscaped setting to the boundary.

The proposed location of the outbuilding and the pergola with the sunken paving area would conflict significantly with the root protection area of T 25 and T 26. The aforementioned trees; Sycamore and Ash are category B1,2 trees with a height of approximately 20m. There are concerns that the proposed tree protection measures do not demonstrate that the proposal would ensure the protection and longevity of the proposed trees. There are discrepancies with the Proposed Development Plan accompanying the Arboricultural Report and the submitted Landscaping Plan. The Landscape Plan identifies T20, T18 and T19 for removal, and the Arboricultural Report states that the trees would be retained.

Overall, there is a lack of clarity with the arboricultural information and the wholesale and unnecessary removal of a large number of trees. These trees provide good landscape coverage to the site and contribute to the setting of the listed building as well as the wider street scene. The discrepancies between the plans in relation to the trees is particularly concerning.

Taking to the above into consideration, it is considered that the proposed tree protection measures are insufficient to ensure the protection of the retained T 25 and T 26 tree. With contradictory information in the submitted arboricultural documentation and wholesale and unjustified removal of a large number of mature and Category B trees, the proposal will result in a net deterioration in landscape character of the site, the streetscene and the adjacent Eastcote Park Estate Conservation Area, contrary to Sections 15 and 16 of the National Planning Policy Framework 2023, Policy G7 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan (Part 1) 2012 and Policy DMHB 14 of the Hillingdon Local Plan (Part 2) 2020.

Ecology

Section 15 of the NPPF and Policy DMEI 7 of the Local Plan aim for the retention of existing features of biodiversity or geological value within the site and enhancement and net gain of biodiversity within a proposed development. Policy DMEI 7 requires appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects.

A Preliminary Ecological Appraisal and Preliminary Roost Assessment has been submitted by Arbtech. The report demonstrates that there are scattered trees around the site which could be used by local bat populations for foraging and commuting. The identified trees could also be used by bats dispersing from nearby roosts outside of the site, however the trees are generally isolated from eachother and the wider landscape which makes them sub-optimal commuting resource. The proposed development includes the use of lighting which could spill onto bat roosting, foraging or commuting habitat and deter bats from using the area. The report references that a low impact lighting strategy will be adopted for the site during and post-development. The proposed lighting would be situated along the site boundary close to the highway where passing traffic and street lighting already exists. Whilst the level of detail on the lighting is limited within the application, Officers are satisfied an appropriate condition could be attached requiring details to be submitted and controlling the level of illuminance thereby providing a level of protection to bats or other habitat within the area.

The report also highlights the areas of hardstanding and bare ground are not suitable for hedgehogs. The vegetated garden to the southeast corner of the site may provide some foraging and sheltering opportunities for hedgehogs. There are no anticipated to hedgehogs as a result of the proposed development. The report does recommend precautionary working methods during construction.

Had this application been recommended for approval, the full details of an ecological enhancement plan would be secured by planning condition. Subject to such a condition, the proposed development would accord with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020), Policy G6 of the London Plan (2021) and Paragraph 174 of the NPPF (2021).

7.15 Sustainable waste management

Refuse Storage

Policy DMHB 11, part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours. Policy EM11 of the Local Plan refers to the minimisation of waste.

A bin store is located to the north-east of the main building. It is sufficiently sized for the likely waste generation and suitably located on character and odour transfer grounds. Access is provided to Field End Road which is supported. Such an arrangement is considered satisfactory and final details would need to be submitted by condition.

7.16 Renewable energy / Sustainability

Policies BE1 and DMEI 2 of the Local Plan seeks to achieve reductions in carbon dioxide emissions through energy efficient design and effective use of low and zero carbon technologies, including the use of SUDS, water efficiency, lifetime homes and sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill.

Given the site constraints and the designated listed building, there are limited opportunities to improve energy efficiency of the building through provision photovoltaic panels (and other newer carbon neutral forms of technologies) on existing buildings without compromising the design. On balance, the lack of sustainability measures is considered acceptable given the historic fabric of the site. The proposed works are outdoor elements mostly involving pre fabricated or lightweight elements. In terms of representing sustainable construction, there are no immediate objections.

7.17 Flooding or Drainage Issues

Flooding and Drainage

Policy SI12 of the London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

The application site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means that the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions to development, including vulnerable uses such as residential accommodation, in the location, in terms of fluvial and tidal flood risk

Officers are satisfied that there is no change to the classification of the use such that there is no flood risk within the site or impacts elsewhere. However, the outdoor dining to the north of the main building will be partly within an area identified for surface water flooding. Neighbour submissions have also referred to anecdotal surface flooding issues.

Given the proposal partly encroaches within the area identified as being susceptible to surface flooding and as it correlates with Field End Road itself and because of the relatively modest and/or lightweight nature of the fixtures and buildings, there are no in-principle drainage objections though this would be subject to sustainable drainage details by condition in the event of an approval. This is important given it appears that there is a net increase in hard surfacing across the site.

7.18 Noise or Air Quality Issues

This is discussed in section 7.08 of this report.

7.19 Comments on Public Consultations

Please see Section 6 of this report.

Hillingdon Planning Committee - 8th May 2024

PART 1 - MEMBERS, PUBLIC & PRESS

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020) states:

A) To ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

B) Planning obligations will be sought on a scheme-by-scheme basis:

i) to secure the provision of affordable housing in relation to residential development schemes;

ii) where a development has infrastructure needs that are not addressed through CIL; and

iii) to ensure that development proposals provide or fund improvements to mitigate site specific impacts made necessary by the proposal.

C) Applications that fail to secure an appropriate Planning Obligation to make the proposal acceptable will be refused.

The Community Infrastructure Levy Regulation 2010 (Regulations issued Pursuant to the 2008 Act) and the NPPF have put three tests on the use of planning obligations into law. It is unlawful (since 6th April 2010) to request planning obligations that do not meet the following tests:

i.necessary to make the development acceptable in planning terms

ii.directly related to the development, and

iii.fairly and reasonable related in scale and kind to the development

The effect of the Regulations is that the Council must apply the tests much more strictly and is only to ask for planning obligations that are genuinely necessary and directly related to a development. Should planning obligations be requested that do not meet the policy tests the Council would have acted unlawfully and could be subject to a High Court challenge.

On the basis of the NPPF and the Community Infrastructure Levy Regulation 2010, no planning obligations are to be secured via a Section 106 legal agreement.

COMMUNITY INFRASTRUCTURE LEVY

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per square metre.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Revised Location Plan

During the course of assessing the application, it became clear that the Site Location Plan had included an area of land that was not within the ownership of the applicant. This area towards the northern end of the site was omitted and a revised location plan A1 Rev P4 accurately reflects the applicants ownership.

Pressures on additional services

A representation received raised concerns regards pressures on the Police and Fire Brigade Services due to the intensification of the use. It has been highlighted within the amenity section of the report that conditions can help mitigate against noise disturbance as well as controlling anti-social behaviour associated with the external uses. An Operational Management Plan could be conditioned to ensure that the Hotel provides further details on how the outdoor spaces would be supervised, as well as policies to mitigate against anti-social behaviour. Having such condition would help alleviate any potential pressures on Police Services.

Policy D12 of the London Plan requires all development proposal achieve the highest standards of fire safety. The proposal involves a number of outdoor facilities which would not be fully enclosed. Officers are satisfied that a condition could be attached requiring a fire statement to demonstrate how the external dining space would achieve suitable fire safety standards. This would ensure that the pressures on Fire Brigade Services are kept to a minimum.

Planning Balance

Policy E10 of the London Plan states that London's visitor economy and associated employment should be strengthened. Policy DME 5 of the Local Plan recognises the need to support a range of visitor accommodation. Paragraph 81 of the NPPF states that decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The proposal would facilitate limited economic activity both through the construction phase and because it allows for a more attractive destination for hotel guests and other customers. There are two other applications on the site which are an indication of the desire to invest in improving the accommodation and the overall experience at the Tudor Lodge Hotel. The economic benefits would provide little to moderate benefit in terms of weight.

There is a small degree of social benefit associated with the provision of these facilities in a community sense. However it is difficult to fully appreciate this level of benefit given the ambiguities with the plans. Officers do believe this community benefit would be limited. It is also counterbalanced by the tree loss. The environmental benefits could be considered as negligible.

The harm to the listed building turns on public benefit grounds. Paragraph 205 of the NPPF states that great weight should be given to the asset's conservation irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 208 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The building currently operates as a hotel and it would appear that it is not imperative that the proposed works are necessary to allow continued upkeep. The public benefits associated with the provision of the community aspects are noted but are significantly restricted by the loss of trees, impact on the listed building and traffic/parking impacts and the benefits would therefore not outweigh the harm.

In terms of planning balance, the scheme would therefore remain unacceptable given the design concerns to the designated building, parking implications which may effect the wider area and the

tree concerns which impact the local community.

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

For the reasons set out in this report, it is considered that the development conflicts with national, regional and local planning policies and guidance. No material considerations exist which would outweigh the identified harm.

Accordingly, had an appeal not been lodged, the application would have been recommended for refusal.

11. Reference Documents

National Planning Policy Framework (December 2023) The Local Plan: Part 1 - Strategic Policies (2012) The Local Plan: Part 2 - Development Management Policies (2020) The Local Plan: Part 2 - Site Allocations and Designations (2020) The West London Waste Plan (2015) The London Plan (2021)

Contact Officer:	Niamh McMenamin	Telephone No:	01895 250230

