
Statement of Case for Appeal

Site: The Great Western, Dawley Road Hayes UB3 1NF

Application number: 42682/APP/2023/3243

Proposal: Retrospective application for single storey side roofed structure with 12 timber poles to support the roofed structure. Also proposed curfew times of Sunday to Thursday 11am - 9pm and Friday&Saturday 11am - 10pm.

May we address the reason for refusal:

- 1. Due to its size, design and proximity to No.2A Shepiston Lane, the canopy would result in increased noise, activity and disturbance from customers, including late into the evening, to the detriment of the amenities of the occupiers of the property. The proposed development is therefore considered to be contrary to Policy DMHB 11 of the London Borough of Hillingdon Local Plan - Part 2, paragraph 135 (f) of the NPPF(2023) and Policies D3 and D14 of the London Plan (2021).**

Prior to submitting our application, a previous application had been submitted by another agent on behalf of the tenant (42682/APP/2023/2128) to seek retrospective consent for a shelter erected which was required during Covid times. The application sought continuance of the shelter. This application implied that the outside area would be operated to the same licensing hours as the pub. It was refused.

Our application was a resubmission of the retrospective application (this time on behalf of the owner) but additionally clarifying that there would be a self-imposed curfew Sunday to Thursday 11am - 9pm and Friday & Saturday 11am - 10pm. Also following the refusal reasoning we clarified that there will be no amplified music below the canopy after 8pm on any day.

During the application process, the Enforcement Officer informed us that he agreed with our proposal and requested that these self-imposed conditions be adhered to. We confirmed agreement to this, shown in the email accompanying the appeal documents '*Copy email from Enforcement Officer*'.

The application additionally pointed out that the neighbouring fence line and extension is trespassing upon the appellant's demise and being dealt with as a separate civil matter (see supporting documents within the appeal submission '*The Great Western-Boundary dispute*'). Therefore asserting that the canopy is not over hanging the neighbouring site.

The reasoning provided for the refusal of the resubmitted scheme was a simple cut and paste of the former reasoning which ignored the self-imposed curfew and confirmation that there would be no amplified music after 8pm.

Therefore, we respectfully request that the decision is overturned.