

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received ☐
2. Application complies with all relevant planning policies and is acceptable on planning grounds ☐
3. There is no Committee resolution for the enforcement action ☐
4. There is no effect on listed buildings or their settings ☐
5. The site is not in the Green Belt (but see 11 below) ☐

REFUSAL RECOMMENDED: GENERAL

6. Application is contrary to relevant planning policies/standards ☐
7. No petition of 20 or more signatures has been received ☐
8. Application has not been supported independently by a person/s ☐
9. The site is not in Green Belt (but see 11 below) ☐

RESIDENTIAL DEVELOPMENT

10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha ☐
11. Householder application in the Green Belt ☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses ☐
13. Refusal of change of use from retail class A1 to any other use ☐
14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. ☐

CERTIFICATE OF LAWFULNESS

15. Certificate of Lawfulness (for proposed use or Development) ☐
16. Certificate of Lawfulness (for existing use or Development) ☐
17. Certificate of Appropriate Alternative Development ☐

CERTIFICATE OF LAWFULNESS

18. ADVERTISEMENT CONSENT (excluding Hoardings) ☐
19. PRIOR APPROVAL APPLICATION ☐
20. OUT-OF-BOROUGH OBSERVATIONS ☐
21. CIRCULAR 18/84 APPLICATION ☐
22. CORPSEWOOD COVENANT APPLICATION ☐
23. APPROVAL OF DETAILS ☐
24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval ☐
25. WORKS TO TREES ☐
26. OTHER (please specify) ☐

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Building Control, Sport & Green Spaces**

Address 66 JOEL STREET NORTHWOOD

Development: Installation of outdoor smoking lounge (Retrospective)

LBH Ref Nos: **23334/APP/2015/471**

Drawing Nos: 01
 02
 Location Plan (1:1250)

Date Plans received : 09/02/2015

Date(s) of Amendment(s):

Date Application Valid: 09/02/2015

1. SUMMARY

The application is for a smoking lounge located to the side of the existing public house/restaurant. The structure occupies a floor space of 100 square metre and remains open on two sides to comply with health and safety legislation. Given its location the scheme raises no streetscene, highway or amenity issues to neighbours and is considered falls within operation development as defined by the GPDO and as such is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 NONSC Non Standard Condition

There shall be no music or amplified sound emanating from the the area occupied by the extension hereby approved at any time.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers o1 and 02 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 COM17 Control of site noise rating level

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

REASON

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

4 NONSC Non Standard Condition

The area occupied by the extension hereby approved shall not be used except between 0800 and 22:00 hours Sunday-Thursdays and between 0800 and 23:00 hours Friday and Saturday.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 I52 Compulsory Informative (1)

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

3 I53 Compulsory Informative (2)

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

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

3. CONSIDERATIONS

3.1 Site and Locality

The application relates an existing public house/restaurant located on the western side of Joel Street. To the front of the property is a parking area with Northwood Hills station on the opposite side of the road to the northeast and railway lines immediately to the north of the site. The surrounding area mainly comprises shops with residential to the rear.

The application site lies within the 'Developed Area' and the Northwood Hills Town Centre as designated by the policies of the Hillingdon Local Plan (2012).

3.2 Proposed Scheme

The application seeks retrospective consent for the installation of an outdoor smoking lounge.

3.3 Relevant Planning History

Comment on Planning History

23334/ADV/2014/29 - 1 Internally illuminated free standing sign

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

The following neighbours were consulted for a period of 21 days expiring on the 5 March 2015 as follows: -

- Argyle House
- 67 Ryefield Parade
- 53 Ryefield Parade
- 6 Westways
- 8 Westways
- 7 Westways
- 10 Westways
- 9 Westways
- 11 Westways
- 12 Westways
- 14 Westways
- 13 Westways

One response was received from the adjoining neighbours:

- The installation of the outdoor smoking lounge will increase the noise for local residents of the flats at Westways as well as the unwelcome smell of constant smoke especially when resident have their windows open. I am directly behind this building/proposed site and think this will cause noise pollution and pose a potential health issue due to secondary smoke.

Northwood Hills Residents Association - No response

Environmental Protection - The application is for the retrospective installation of an outdoor smoking lounge.

Should this application be permitted, please could the following conditions be added:

1) There shall be no music or amplified sound emanating from the smoking area at any time.

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan

2) The smoking area shall not be used between 22:00 - 0800 hours Sunday - Thursday and between 23:00 - 08:00 hours on Friday and Saturday.

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

6. UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
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LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

In addition: None

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

The proposal is for the retention of the smoking shelter to the north of the existing public house. The building is located to the side (north) of the existing building and is set behind a 2m high fence separating it from the car park to the front. It is situated 11.6m from the rear boundary of the site which has a well established hedgerow screening it from the occupiers of the flats on Westways. The building is open on two sides facing the front car park and the railway lines to the north. Prior to the construction of the building the area was used as an open air smoking area by the patrons of the public house with covered outside seating. The building with a wall and roof further separating the smoking area from the nearby residents, would appear to be able reduce the impact from noise and smell on the neighbouring residential properties. However Environmental Health have raised concerns that no information has been submitted to show how the premises will be preventing smoke nuisance from affecting nearby properties. Should the application be acceptable in all other aspects they have requested conditions for the restriction on hours

of use and prohibiting the playing playing of music or amplified sound.

7.2 Impact on Street Scene

The building measures 7.15m in depth by 13.1m in length and has a flat roof construction measuring 2.85m high. It is screened from the properties to the rear by a well established hedgerow and from the street by a 2m high fence with just a section of the flat roof visible. It is not considered that the building appears out of scale or character with the area and as such proposed development is considered to be in accordance with policy BE13 of the Hillingdon Local Plan (November 2012).

7.3 Traffic Impact/Pedestrian Safety

Not applicable

7.4 Carparking & Layout

Not applicable

7.5 Urban Design, Access and Security Considerations

The scheme would provide level threshold access and as such the scheme is considered to raise no disability access issues.

7.6 Other Issues

None

8. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2.

The London Plan (July 2011).

Supplementary Planning Document 'Accessible Hillingdon'.

National Planning Policy Framework.

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