



Mr Owen Argent
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Penally
Tenby
SA70 7PU

Application Ref:
21404/APP/2020/3281

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)
REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Installation of rooftop plant equipment to serve ground floor restaurant unit (Retrospective)

Location of development: 105 Field End Road Eastcote Pinner

Date of application: 13 October 2020

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning, Transportation and Regeneration

Date: 8 December 2020

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

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SCHEDULE OF REASONS

- 1 . It has not been demonstrated that the design of the rooftop plant equipment to serve the ground floor restaurant unit satisfactorily mitigates noise and odour emissions and that it is not harmful to the residential amenities of neighbours. As such the development is contrary to Policies DMTC 4 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy 7.15 of the London Plan (2016) and the National Planning Policy Framework.
- 2 . The plant equipment, by reason of its siting including its location in front of a first floor residential window, size, scale and design results in an incongruous design feature, which is detrimental to the amenities of adjoining residential occupiers and the wider area, by reason of loss of outlook. As such the development is contrary to Policies DMTC 4 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

INFORMATIVES:

- 1 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

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SCHEDULE OF PLANS

TPS01-P1 - received 13 Oct 2020

TPS02-P2 - received 13 Oct 2020

TPS03-P2 - received 13 Oct 2020

TPS04-P2 - received 13 Oct 2020

TPS05-P1 - received 13 Oct 2020

Noise and Odour Risk Assessment - Oct 2020 - received 13 Oct 2020

Noise Assessment - received 13 Oct 2020

Kitchen Odour Risk Assessment - received 23 Nov 2020

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal.

Further details are available at www.gov.uk/government/collections/casework-dealt-with-by-inquiries

As this is a decision to refuse planning permission for a Commercial Appeals Service application if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.

Appeals must be made using a form which you can get from the Planning Inspectorate at the Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.co.uk/info/200207/appeals

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.