

Delegated Decision - Report of the Head of Development Management and Building Control

Case Officer: **Christos Chrysanthou**

3638/APP/2025/2108

Date Application Valid:	11-09-25	Statutory / Agreed Determination Deadline:	20-03-26
-------------------------	-----------------	--	-----------------

Applicant: **Frough Ltd c/o Sphere25**
Site Address: **Former Regal Cinema 233 High Street Uxbridge**
Proposal: **Change of use of existing nightclub (Sui Generis) to a banqueting suite (Sui Generis) and development of a hotel (Use Class C1) including the change of use of existing gymnasium (Use Class E) and associated landscaping, car and cycle spaces (Part retrospective).**
Summary of Recommendation: **REFUSE planning permission**



1 Summary of Recommendation:

- 1.1 REFUSE planning permission for the reasons specified in Appendix 1.

2 The Site and Locality

- 2.1 233 High Street is a Grade II* listed cinema building which closed in 1977 and has in more recent years been used as a night club. The former Regal Cinema is a fine example of a 1930s super-cinema. Built between 1930-31 to the design of significant cinema architect, E. Norman Bailey, it is considered the finest surviving example of his work. It is essentially in two parts, there is a long entrance building at number 233, with an Egyptianising faience facade under a flat roof set behind a parapet. This leads to the auditorium to the rear, which is a barn like building with a pitched roof and an exceptional interior described as "one of the most highly developed exercises in Art Deco attempted in any cinema".
- 2.2 Despite unsympathetic alterations following its closure as a cinema in 1977, many of its historic features remain. It is listed at Grade II*, reflecting its more than special historic and architectural interest. Following a period of vacancy and unauthorised works, the building has been on Historic England's Heritage at Risk Register since 2024.
- 2.3 The application site is located at the south-eastern end of Uxbridge Town Centre, within both the defined Town Centre boundary and a designated Hotel and Office Growth Location. The application site lies outside (but adjacent to) the designated Primary Shopping Area and the Old Uxbridge / Windsor Street Conservation Area. The front portion of the site (consisting of the entrance building as referred to above, which fronts High Street) is located within a terraced row of buildings, consisting of commercial uses at the ground floor, with residential uses above (designated a secondary shopping area). The site lies within the Hillingdon Air Quality Management Area, Uxbridge Air Quality Focus Area and it has a Public Transport Accessibility Level (PTAL) of 5. On the opposite side of the High Street lies the Hillingdon Council Civic Centre (grade II listed). To the northwest (separated by Chippendale Alley) is a locally listed building (223 High Street). To the north of the application site lie residential buildings on Cumbrian Way, and to the southeast is a carpark serving offices at 1 Park Road.

3 Proposal

- 3.1 Planning permission is sought for the change of use of existing nightclub (Sui Generis) to a banqueting suite (Sui Generis) and development of a hotel (Use Class C1), including the change of use of existing gymnasium (Use Class E) and

associated landscaping, car and cycle spaces. The application is part retrospective, with the banqueting suite element having opened for operation and events having been witnessed. There is an associated application for listed building consent under LPA ref: 3638/APP/2025/2109.

3.2 In addition, it should be noted that there is a separate application for listed building consent submitted under LPA ref: 3638/APP/2026/185. That application (which is part retrospective) is currently under separate consideration and seeks consent for the following works:

- Repairs to plaster work and cinema organ.
- Details of installed entrance lobby door/screens, as-built layouts and main entrance lobby stair guarding.
- Provision of interpretation.

4 Relevant Planning History

4.1 A list of the relevant planning history related to the property can be found in Appendix 2.

Summary of Most Relevant Application Submissions

4.2 Listed Building Consent LPA ref: 3638/APP/2025/511 granted in April 2025 approved the following works:

'New level floor to the cinema and hall; New replacement upper mezzanine floor with two tiers; New feature staircase and access ramp, stairs; Repairing of the damaged plaster works, skirting and features; New metal guarding and railing/handrails; New hall side entrance area steps and landings; BOH upper rooms to the cinema rear refurbished and made good with new doors, finishes; Removal of the stair wall and curved dividing walls in the main lobby; New replacement slimline heritage windows to the rear elevations.'

4.3 The above works have not been carried out in accordance with the approved plans and approval of the as-built layout is sought through listed building consent LPA ref: 3638/APP/2026/185, which is currently under consideration.

4.4 Advertisement Consent LPA ref. 3638/ADV/2025/47 and Listed Building Consent LPA ref: 3638/APP/2025/2676 granted in January 2026 approved the installation of 3 no. illuminated fascia signs and retention of installed steel beam and chandeliers in the entrance lobby, stairs and main hall.

Summary of Planning Enforcement History

4.5 The site has been under an active Planning Enforcement investigation since November 2023 due to unauthorised works to a Grade II* Listed Building. As a result of the extensive harmful unauthorised works to the Listed Building, on 15 November 2023 a Temporary Stop Notice was issued requiring all works to stop. This was followed by a Temporary Injunction granted by the High Court on 11 December 2023. A Full Injunctive Order was later granted on 26 November

2024. In December 2025, the Council received a report that the site was being used without permission as a reception venue. This unauthorised use was witnessed in December 2025 and again in January 2026. The change of use caused significant harm to highway safety. As no planning permission had been granted for the change of use of the premises, a Temporary Stop Notice was served on 9 February 2026. This notice required the immediate cessation of:

- (a) Use of the premises as a banqueting suite; and
- (b) Any related or ancillary activities, including advertising, bookings, and events.

This Temporary Stop Notice ceased to have effect on 6 April 2026 and the Council is considering other formal enforcement options in light of continued evidence that the premises is being used as a banqueting suite without the benefit of planning permission.

5 Planning Policy

- 5.1 A list of planning policies relevant to the consideration of the application can be found in Appendix 3.
- 5.2 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.
- 5.3 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); and
 - The London Plan (2021).
- 5.4 The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

6 Consultations and Representations

- 6.1 74 neighbouring properties were consulted on 16-10-25 and reconsulted on 02-02-26 following the receipt of additional information and revised plans. A site notice and a newspaper advert were placed on 30-10-25.
- 6.2 Representations received in response to public consultation are summarised in Table 1 (below). Consultee responses received are summarised in Table 2 (below).

Table 1: Summary of Representations Received

Representations	Summary of Issues Raised	Planning Officer Response
36 individual letters of objection have been received (the matters raised that are not material planning considerations have not been listed)	I. Parking, traffic and congestion, emergency access, highway and pedestrian safety.	These matters are discussed in paragraphs 7.46 - 7.71 in the main body of the report.
	II. Planning history, injunction and non-compliance with previous consents.	Noted, however the planning enforcement history / previous non-compliance does not constitute grounds for refusal of planning permission.
	III. Objections to the proposed uses. No need for hotel.	These matters are discussed in paragraphs 7.1 - 7.7 in the main body of the report.
	IV. Scale of development. Impact on the character of the area.	These matters are discussed in paragraphs 7.8 - 7.12 in the main body of the report.
	V. Pressure on local services.	Infrastructure requirements are predominantly addressed through the Council's Community Infrastructure Levy (CIL). Both uses are CIL liable.
	VI. Crime and anti-social behaviour in the area.	The site was previously in use as a nightclub. The proposal is unlikely to result in an increase in crime and anti-social behaviour. Any criminal activity or anti-social behaviour would be dealt with by relevant Authorities including the Metropolitan Police. In the event of an approval a Secure by Design condition would have been recommended,

		which would be subject to consultation with the Metropolitan Police.
	VII. Overlooking, noise and disruption to neighbouring properties.	These matters are discussed in paragraphs 7.28 - 7.38 in the main body of the report.
	VIII. Boundary disputes.	Neighbouring landowners have queried the red line site boundary/raised matters of encroachment. The LPA has duly made enquiries with the agent and is satisfied that the red line has been drawn correctly for the purposes of assessing the planning application. It is the Applicant's responsibility to ensure the appropriate certificate of ownership has been submitted with a planning application and that any necessary notices were served as required. Information provided on the application form/application submission is accepted in good faith. It is also highlighted that any planning permission (albeit this application is recommended for refusal) would not override land ownership rights.
	IX. Trees have been removed which impact on BNG exemption. Landscaping inadequate.	These matters are discussed in paragraphs 7.73 – 7.74 in the main body of the report.
	X. Ecology report should be carried out prior to determination.	These matters are discussed in paragraph 7.75 in the main body of the report.

	XI. Staff numbers unrealistic.	Noted.
	XII. Highway safety and adequate servicing and deliveries has not been demonstrated.	These matters are discussed in paragraphs 7.46 - 7.71 in the main body of the report.

Table 2: Summary of Consultee Responses

Consultee and Summary of Comments	Planning Officer Comments
LBH CONSULTEES	
<p>Access No objection subject to conditions to secure step-free access, a minimum of 1no accessible guestroom and 1no fire evacuation lift.</p>	Noted.
<p>Air quality No objection subject to an Air quality mitigation contribution and a condition to secure a scheme to control dust and emissions from construction and demolition.</p>	Noted.
<p>Conservation and Design The proposal would involve the demolition of presumably the former boiler room. This is a fairly unremarkable structure and its loss would not particularly harm the listed building.</p> <p>We would highlight that there would be concerns about the digging of the foundations. These could have an impact on both the historic cinema building and the adjacent timber framed building to the west. There is a potential that this could cause harm to these assets.</p> <p>The elevation impacted on the listed building is of nominal interest with no decoration. We would not object to construction on this site. In general the scale and mass are acceptable as is the design. We would also not object to the use as a wedding venue as it retains the volume in the space, avoids sub division and allows many people to appreciate the fine interior. We do note that there are traffic issues but these would need to be resolved by the applicant/ highways team.</p>	<p>Heritage considerations are discussed in detail in the main body of the report.</p> <p>Details regarding basement impact have not been provided. This matter is discussed in the main body of the report and forms a recommended reason for refusal.</p>

<p>In relation to the hotel we believe that our design concerns have now been addressed. The building sits comfortably in the streetscape and will infill what is currently and has been for a considerable period of time a gap site/ left over area of ground. The car park access is now to the rear via a car lift. This is modest and provided that the garage door element is painted we believe that this would be acceptable. The design reflects and responds to the historic character of the building and through the use of appropriate materials would add to the visual interest of Uxbridge High Street. Therefore we would not object to this element of the scheme.</p> <p>As previously noted there is some impact on the character of the listed building where connections will knock through. Given this is a bland service elevation not designed to be seen and with minimal finance spent on the original construction we would not object to this. Similarly to the north and south elevations variations to the windows in the end bay of the cinema block do not harm the overall character of the building due to their secondary nature, standard design type and lack of decoration. New window heads should match or reuse the existing. The interiors of the former gym do not have any surviving features apart from the two music rooms connected to the organ. These should be protected during works and have glass panels installed with appropriate signage once the hotel works are completed to ensure some heritage gain.</p>	
<p>Highways Objection on the following (summarised) grounds:</p> <p><u>Car parking</u> The proposed basement car parking would take access from Cumbrian Way. However, the red line on the location plan does not connect with the adopted highway, therefore a situation could arise whereby the land between the site and adopted highway ceases to be available making the site inaccessible which would result in parking displacement as well as other transport issues.</p> <p>Notwithstanding the above, the Highway Authority has concerns regarding the practicality of basement parking. It is noted that a car waiting to enter the lift would need to wait in front of parking spaces, this would either block in a car already parked or deny other drivers access to a vacant space. As with any mechanical device, the lift</p>	<p>Noted. Highways matters are considered in depth within the main body of this report and form a recommended reason for refusal.</p>

may develop a fault and stop working. In the event of which drivers would arrive only to find themselves unable to park, they would need to turn around and find parking elsewhere. It is noted that that the plans submitted fail to show the location of the 2no. electric vehicle charge points, this information is needed to remove ambiguity if the completed site is inspected.

The document "Contract Parking Terms", 5th March 2026 appears to be a contractual arrangement between the applicant and The Chimes which allows visitors to the site to park for six hours free of charge, any additional time must be paid for by the end user themselves. The Chimes offers 1,550no. car parking spaces across 6no. levels, levels no.2 to no.6 are closed 1am to 6am, only level no.1 is open 24 hours a day. No information has been provided regarding when the banqueting suite would close, it is considered likely that some events may end later than 1am. If this is the case then for some guests parking in the Chimes car park is not a genuine option, as a result they chose to be dropped-off/picked-up outside the venue instead. Furthermore, it has not been demonstrated that there is sufficient parking capacity within the Chimes to meet demand.

Trip generation and mode share

Trip generation and mode share within the revised Transport Statement are disputed and considered to lack evidence.

Drop off/pick up

It is foreseen that there would be a steady flow of taxis and private cars stopping to drop-off/pick-up passengers as and when large numbers of guests arrive and leave at the same time. In the absence of a designated drop-off and pick up area and a Travel Plan that addresses this issue, they would hold up traffic behind with queues possibly building back as far as St Andrews roundabout. It would also create a road safety risk, passengers would step out into a live carriageway putting themselves at risk of being hit by another vehicle, there would be an increased risk of rear-end collisions as following drivers may not anticipate a stationary vehicle and cyclists overtaking parked cars would be forced into the path of on-coming traffic. Cars dropping-off/picking-up in an errant manner would also block sightlines creating a further road safety risk for pedestrians trying to cross. Highway Authority officers have already observed traffic behaviour when events are taking place at the venue,

taxis were seen parking on the double yellow lines provided on the approach to the mini-roundabout, as a result, buses were unable to pull aside to allow on coming vehicles to pass, resulting in vehicular conflict and gridlock.

The applicant has failed to provide detail regarding the type of events that the banqueting suite would host. Assuming a worst-case scenario, there could be times when all those attending an event all leave at the same time, this could number up to 250no. people. If this were to take place, then the footway outside the venue would become blocked with people perhaps overspilling onto the High Street placing themselves vulnerable to being hit by a passing vehicle. People gathering would block others using the footway who may choose to step onto the High Street so that they can pass, in doing so they would also be exposing themselves to greater road safety risk.

Servicing and deliveries

The applicant reports in their Transport Statement, RKS Associates, January 2026 “that servicing and waste collection are proposed to continue via the existing service road located to the west and rear of 233 High Street”. However, swept path drawings have not been provided to demonstrate this is possible with vehicles keeping within the red line boundary. The Highway Authority is raising this matter as a situation could arise whereby the land needed to manoeuvre servicing and delivery vehicles ceases to be available making the site inaccessible which could result in servicing and deliveries taking place on-street resulting in a heightened road safety risk, obstructing the smooth flow of traffic and parking stress.

Construction and logistics

Concern regarding whether the basement parking would be provided (i.e. if found that the removal of concrete is problematic and prohibitively expensive). The absence of car parking on-plot would result in parking displacement or even more people being dropped-off/picked-up outside the venue on the High Street.

Traffic associated with the construction of the basement would use Cumbrian Way, Cumbrian Way is a narrow road meaning 6no. car parking bays that form part of the parking management scheme U3 would have to be suspended. The applicant has not considered where these people would park when the development is being

<p>built. The suspension of these car parking bay would require a Traffic Order; it is considered probable that the residents that use these bays would formally object to the loss of car parking spaces.</p>	
<p>Land Contamination No objection subject to a condition to secure a scheme to deal with contamination.</p>	Noted.
<p>Lead Local Flood Authority This application has not sufficiently demonstrated the use of the London Plan's drainage hierarchy.</p> <p>We recommend that the following information is provided before approval of the application. To address this, the applicant should submit information which:</p> <ul style="list-style-type: none"> - Justifies why green infrastructure has not been incorporated into the drainage strategy which is required as part of the London Plan drainage hierarchy. - Includes the rainwater harvesting tanks with their connections on the Detailed SuDS & Surface Water Layout plan. - Supplies the greenfield runoff rates for the altered site area of 413m² with supporting calculations which should demonstrate that the proposed runoff rate does not exceed greenfield runoff rates. - Provides proposed calculations which use the latest rainfall data (FEH22), and the full altered site area (413m²). <p>The following items can be addressed at Discharge of Condition stage:</p> <ul style="list-style-type: none"> - The applicant should provide detailed groundwater monitoring results to confirm the depth of groundwater at the site, in relation to the proposed basement. - The greenfield runoff volume should be provided for the 1 in 100 year 6 hour storm event. - Incorporation of any other hardstanding areas into the proposed drainage strategy if they are to be relayed. - Maintenance tasks and frequencies for the rainwater harvesting tanks and pumps are to be provided. - The proposed drainage design and/or discharge of excess water from the basement carpark should be demonstrated which should consider potential contamination. 	<p>These matters are discussed in paragraphs 7.76 – 7.81 in the main body of the report and form a recommended reason for refusal.</p>
<p>Noise specialist No objection subject to conditions.</p>	Noted.

Planning Policy No objection to the principle of development.	Noted.
EXTERNAL CONSULTEES	Planning Officer Comments
Greater London Archaeology Advisory Service No comment.	Noted.
Health and Safety Executive (HSE) None received.	Not applicable.
Historic England Comments received regarding implications of basement and excavation work on the structural integrity of the listed building. Recommend securing appropriate details to safeguard significance.	Noted.
London Fire Brigade None received.	Not applicable.
20th Century Cinema Society No objection subject to restoration of the Compton organ.	The organ restoration is being secured by LBC ref: 3638/APP/2026/185 which is under separate consideration.
Thames Water No objection.	Noted.
Theatres Trust No objection subject to restoration of the Compton organ.	Noted.

7 Planning Assessment

Principle of Development

- 7.1 Policy E4 of the Hillingdon Local Plan Part 1 states that *"The Council will strengthen the status of Uxbridge Town Centre as a Metropolitan Centre by delivering growth...and promoting Uxbridge as a suitable location for retail, offices, hotels, recreation and leisure, entertainment and culture, evening and night-time economy, education, community services, and mixed-use development."*

- 7.2 Policy HC6 of the London Plan states that planning decisions should promote the night-time economy, where appropriate, particularly in town centres where public transport such as the Night Tube and Night Buses are available. Policy HC6 also states that planning decisions should protect and support evening and night-time cultural venues such as nightclubs.
- 7.3 The application site is the Former Regal Cinema which is located within Uxbridge Town Centre and the gym attached to the rear of the building. The application scheme consists of two elements, the first being the change of use of the former nightclub to a banqueting suite and the second, the erection of a hotel and the change of use of the gym to hotel use.
- 7.4 The Hillingdon Local Plan Part Two (2020) specifies locations for which hotel development should be focused. These include Town Centres and designated locations for hotel growth. The site is located within Uxbridge Town Centre and a designated Hotel and Office Growth Location.
- 7.5 Whilst the existing uses (nightclub and gym) being lost are deemed appropriate in Uxbridge Town Centre and protected via Development Plan policies, the proposed uses (hotel and banqueting hall) would also be supported in principle in this location by the Development Plan. Accordingly, it is considered that a refusal reason related to the loss of the nightclub and gym uses could not reasonably be substantiated, given the introduction of alternative (in principle acceptable) town centre uses. It is also noted that the nightclub and gym have not been in operation in recent years and the loss of these vacant uses is not considered to adversely impact upon the vitality of the town centre.
- 7.6 In addition, it is acknowledged that the development would support the bringing back into use of the Grade II* Listed Building which is listed in Historic England's Heritage at Risk Register. This is an important consideration which weighs in favour of the scheme in principle, subject to detailed consideration of Heritage impact (discussed later in the report).
- 7.7 Therefore, the principle of development is considered to be acceptable, subject to compliance with relevant Development Plan policies and having regard to all other material planning considerations.

Design / Impact on the Character and Appearance of the Area

- 7.8 The proposed hotel would be erected adjacent to the west facing elevation of the gym building that is attached to the listed building. It would be four storeys with a height of 11.85m and set under a flat green roof. The hotel would be set back behind the row of terraces at Nos. 224-229 High Street. The overall scale and proportions of the hotel would correspond to the existing building and town centre location.
- 7.9 The hotel exterior would comprise a hanging tile above a stone and terrazzo plinth with brick and stone detailing and metal framed glazing. New replacement windows are proposed that are deemed to be appropriate. Subject to details of

the exterior materials and finishes, the appearance of the hotel is considered to be acceptable.

7.10 On the ground floor, the plans show 4no. guest rooms, a reception, a lounge/lobby area and a kitchen, however there is no restaurant or bar area. A basement/ sub ground floor is also proposed providing 9no. parking spaces and a gym and sauna. The three upper floors each comprise 9no. guestrooms. A total of 31no. guest rooms are proposed. The gym floor area would be converted into ancillary servicing space for the hotel and a space connecting the hotel and the adjoining banqueting hall.

7.11 The council's Conservation and Design Team have provided the following comments regarding the hotel development:

'In relation to the hotel, we believe that our design concerns have now been addressed. The building sits comfortably in the streetscape and will infill what is currently and has been for a considerable period of time a gap site/ left over area of ground. The car park access is now to the rear via a car lift. This is modest and provided that the garage door element is painted we believe that this would be acceptable. The design reflects and responds to the historic character of the building and through the use of appropriate materials would add to the visual interest of Uxbridge High Street. Therefore, we would not object to this element of the scheme. There is the possibility the construction of the foundation of the hotel could cause damage to the listed cinema and the adjacent timber framed building depending on the method used and depth required.'

7.12 Having regard to the above, the proposed hotel scheme is acceptable with regards to character and appearance considerations. The matters relating to the potential impacts of the basement, including on the significance of the Grade II* listed building are discussed in section 7.82 – 7.85 of this report.

Heritage Impacts

7.13 As previously noted, the application building is a grade II* listed building, which is located within close proximity of the Old Uxbridge / Windsor Street Conservation Area. On the opposite side of the High Street lies the Hillingdon Council Civic Centre (grade II listed) and to the northwest (separated by Chippendale Alley) is a locally listed building (223 High Street).

7.14 S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires 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.

7.15 Chapter 16 of the NPPF provides guidance on assessing proposals which affect heritage assets. Of particular relevance are the following paragraphs:

- 7.16 *Paragraph 209*
Where there is evidence of deliberate neglect of, or damage to, a heritage asset, the deteriorated state of the heritage asset should not be taken into account in any decision.
- 7.17 *Paragraph 210*
In determining applications, local planning authorities should take account of:
a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.
- 7.18 *Paragraph 212*
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). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 7.19 *Paragraph 213*
Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*
- 7.20 *Paragraph 215*
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.
- 7.21 *Paragraph 221*
Local planning authorities should assess whether the benefits of a proposal for enabling development, which would otherwise conflict with planning policies but which would secure the future conservation of a heritage asset, outweigh the disbenefits of departing from those policies.
- 7.22 At the local level, policies DMHB 1, and DMHB 2 of the Hillingdon Local Plan: Part 2 (2020), and policy HC1 of the London Plan also seek to protect and enhance heritage assets. Policies DMHB 3 (Locally Listed Buildings) and DMHB

4 (Conservation Areas) are also of relevance, given the proximity to the designated Conservation Area and locally listed building.

7.23 Internal and external works to the Grade II* listed building have been carried out to facilitate the proposed banqueting hall use following the granting of listed building consent (LBC) ref: 3638/APP/2025/511. It is acknowledged that some works were not completed in accordance with the approved plans of that LBC approval. There is currently under determination, a separate LBC under ref: 3638/APP/2026/185 which seeks approval for the as-built layout. The council's Conservation Officer and the applicant have been liaising on various matters relating to the works and the restoration of the organ. The current planning application seeks the change of use from a nightclub to a banqueting hall and erection of a hotel. There are associated works arising from the change of use of the gym to provide servicing for both the banqueting hall and hotel.

7.24 The council's Conservation and Design Team have provided the following comments regarding the proposed works and alteration to the listed building:

'The proposal would involve the demolition of presumably the former boiler room. This is a fairly unremarkable structure and its loss would not particularly harm the listed building...The elevation impacted on the listed building is of nominal interest with no decoration. We would not object to construction on this site. In general the scale and mass are acceptable as is the design. We would also not object to the use as a wedding venue as it retains the volume in the space, avoids sub division and allows many people to appreciate the fine interior. We do note that there are traffic issues but these would need to be resolved by the applicant/ highways team....As previously noted there is some impact on the character of the listed building where connections will knock through. Given this is a bland service elevation not designed to be seen and with minimal finance spent on the original construction we would not object to this. Similarly to the north and south elevations, variations to the windows in the end bay of the cinema block do not harm the overall character of the building due to their secondary nature, standard design type and lack of decoration. New window heads should match or reuse the existing. The interiors of the former gym do not have any surviving features apart from the two music rooms connected to the organ. These should be protected during works and have glass panels installed with appropriate signage once the hotel works are completed to ensure some heritage gain.'

7.25 The listed building has been subject to alterations without the benefit of planning permission or listed building consent, which have resulted in the council securing an injunction at the High Court with a view to preserving the integrity of this heritage asset. The restoration of the organ along with other remedial works to the listed building are being secured separately under application for listed building consent reference 3638/APP/2026/185. In the event of listed building consent being granted, the organ would be restored within an agreed timeframe.

7.26 Overall and having regard to the comments provided by the council's Conservation and Design Team, with regards to the proposed internal works to

the listed building and the principle of a hotel development, no harm is identified to the heritage asset and it is considered that the proposal would preserve and enhance the character and appearance of the Grade II* listed building. The development would also bring back into use the heritage asset, which is considered to be a benefit arising from the scheme. Notwithstanding the above, there are concerns raised regarding the impact of the proposed basement on the heritage asset (and on the adjacent locally listed building) which are discussed further in Paragraphs 7.82 – 7.85 of this report. As basement impact has not been suitably addressed through the planning application submission, the level of potential heritage harm that may arise from this element of the proposal is unquantified and accordingly it cannot be determined that it would be outweighed by the public benefits of the scheme. Consequently, the matter is considered to warrant a reason for refusal, as it has not been demonstrated that the significance of the Grade II* listed building would be preserved.

- 7.27 Setting aside the concerns about potential impact on the structural stability of the nearby locally listed building, it is considered that the development proposal would not adversely affect the setting of this building, nor that of the nearby designated Conservation Area.

Residential Amenity

- 7.28 The application is supported by a Daylight & Sunlight Assessment that assesses the likely effects on daylight and sunlight provision to neighbouring residential buildings in terms of Vertical Sky Component (VSC), Daylight Distribution (NSL) (often referred to as No-Sky Line) and Annual Probable Sunlight Hours (APSH). The report demonstrates that satisfactory daylight and sunlight provision would be retained to neighbouring properties following the implementation of the proposed development.
- 7.29 The separation distance between the proposed hotel building and the dwellings to the north at Nos. 21 and 23 Cumbrian Way measures approx. 17.5m, which falls short of the 21-metre minimum separation standard guidance set out in Policy DMHB 11 of the Local Plan Part 2 (2020). It is noted that the south facing flank elevation of these neighbouring properties contains windows that serve bathrooms, open-plan kitchen/dining rooms and open-plan lounge/dining rooms. Bathrooms are categorised as non-habitable rooms and therefore are not protected. It is further noted that the east facing main windows to the neighbours' open-plan kitchen/dining/living rooms would be unaffected. These are the windows that are considered to provide the main outlook and daylight/sunlight to these rooms, as the flank windows affected are high level, secondary windows. There is also separation by the road (Cumbrian Way) and parking area (which is considered to further limit any impact). Accordingly, the neighbouring occupiers would not experience any undue loss of privacy, unacceptable overbearing impact or harmful overlooking as a result of the proposed development. Given the town centre location and built-up site context, the level of impact upon neighbouring properties on Cumbrian Way would not be considered to warrant a recommendation for refusal of planning permission.

- 7.30 The separation distance between the hotel and the flats above the retail units at Nos. 224 - 229 High Street to the south is between 16m and 17.5m, which again falls short of the 21metre minimum separation standard. Following concerns raised by the LPA regarding overlooking and intervisibility between the hotel development and residential occupiers on the neighbouring upper floor flats on High Street, revised plans have been submitted with oriel windows proposed on the front elevation of the hotel building. Subject to a planning condition (which would have been proposed had the application otherwise been recommended for approval) to agree acceptable final details of the oriel windows design/materials, it is considered that this arrangement would have served to mitigate the overlooking and loss of privacy that may have otherwise been experienced by neighbouring occupiers.
- 7.31 The new replacement windows in the front elevation of the gym building would also serve guest rooms and whilst there is a lack of policy compliant separation between the hotel development and the rear elevations of Nos. 224-229 High Street, which comprises primary windows, taking into consideration the town centre site context and suggested use of frosted/obscure glazing, these neighbouring occupiers would not experience any undue loss of outlook, loss of privacy or overlooking as a consequence of the proposed hotel development.
- 7.32 The side elevation of the hotel building would be built along the western boundary of the application site, which abuts Chippendale Alley, a footpath that runs from High Street to Cumbrian Way and separates the application site from the Piazza which is part of the Chimes shopping centre. Directly parallel to the west of the hotel building, opposite the footpath at a distance of 6m is No.223 High Street, a locally listed, two storey retail building which is currently operated as a restaurant and bar. The proximity of the hotel to the neighbouring retail unit would be to the detriment of the level of outlook and daylight and sunlight provision to the hotel and vice versa and would therefore adversely impact on the quality of accommodation being provided to a degree. However, this would not constitute a sustainable reason for refusal, as town centre uses are inevitably more close-knit than in other site contexts. With regards to potential intervisibility, the LPA has discussed this issue with the planning agent, who would be agreeable to a condition to require frosted/obscure glazing in the event of an approval. Had the application otherwise have been recommended for approval, a condition would have been recommended requiring detailed plans to be submitted showing the relationship between the relevant proposed and the neighbouring existing windows, with mitigation included in the form of obscure glazing where appropriate to prevent intervisibility.
- 7.33 Taking account of the above factors, whilst the proposed hotel development would have some impact upon the amenity of neighbouring buildings in respect of the relationship between respective buildings, the level of impact would be considered acceptable in this town centre location and it would not justify a refusal of planning permission on those grounds. Notwithstanding the above, there are significant concerns about noise impact arising from the proposed development and the detrimental effect this would cause to the residential amenity of neighbouring properties. This is discussed separately in the section of this report titled Noise (below).

Noise

- 7.34 The NPPF at paragraph 187 (e) seeks to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 198 continues:

'Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should:

a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development – and avoid noise giving rise to significant adverse impacts on health and the quality of life;...'

- 7.35 Turning to the Development Plan, The London Plan (2021) includes policies D13 'Agent of Change' and D14 'Noise', with the latter seeking to protect existing neighbouring uses/occupiers from unacceptable noise impacts from development. At the local level, policies BE1 'Built Environment' and EM8 'Land, Water, Air, Noise' of the Local Plan Part 1 (2012) seek to protect the amenity of surrounding land and buildings. Additionally, policy DMTC 4 'Amenity and Town Centre Uses' of the Local Plan Part 2 (2020) requires that relevant developments do not *'cause unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion.'*

- 7.36 In considering noise, it is necessary to consider both whether a suitable noise environment can be achieved for the future hotel residents, and moreover, whether the proposed development would have unacceptable noise impacts on existing neighbouring occupiers. The application is supported by a Noise Impact Assessment and Noise Technical Note. Other than air source heat pumps shown on the roof of the hotel building, there is no other plant indicated on the plans that would be installed on the listed building. The Acoustic Technical Note provides recommendations in line with BS guidance on sound insulation and noise reduction to improve sound insulation for the hotel building. The measures include sound insulated walls and limiting noise levels. Had the application otherwise been recommended for approval, conditions would have been attached to secure the sound insulation scheme detailed in the Technical Note.

- 7.37 Turning to consider the impact of the proposed banqueting suite on neighbouring occupiers, it is acknowledged that the application is supported by a Noise Impact Assessment, however this appears to omit the residential properties in front of the hotel at Nos. 224-229 High Street. This is of particular significance since the report concludes in respect of 'Venue Management' that: *'it is unlikely that there will be noise complaints arising from normal use, assuming that the access and egress points are restricted to the southern elevations of the buildings [i.e. in proximity of the residential occupiers at 224-229 High St.]'* No specific noise

mitigation measures are proposed and therefore no changes are identified to the Grade II* Listed Building, however the noise assessment identifies a need for the preparation of a site specific noise management plan to safeguard amenity of adjacent occupiers (which has not been included with the planning application submission). In considering the noise impacts of the development, due consideration is given to the previous use of the premises as a night club, which would undoubtedly have generated night time noise. The Council's Noise Specialist has been consulted on the proposals and has not raised an objection, subject to the imposition of a suitably worded condition to restrict noise levels associated with the proposed development in the interests of preserving the amenity of the area, however it is unclear whether such conditions would necessitate any physical mitigation measures (which may require separate listed building consent). Notwithstanding, the local planning authority has been informed that a Noise Abatement Notice has been served by the council's Noise Team having regard to noise disturbance that was witnessed by council officers on 4 April 2026 (following complaints received by local residents). In the absence of a noise management plan having been submitted, this casts doubt on whether operational measures could satisfactorily control and mitigate noise to acceptable levels.

- 7.38 Having regard to the noise disturbance that has been witnessed by council officers, coupled with the absence of a Noise Impact Assessment that fully considers the impact of the development on all sensitive noise receptors in the immediate vicinity of the site, officers do not have sufficient information to demonstrate that planning conditions would serve to mitigate the impact to local residents. Accordingly, it is concluded that the scheme would have a detrimental impact on the residential amenity of adjacent occupiers and it is concluded that the development is contrary to Policy D14 of the London Plan (2021), Policy DMTC 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies BE1 and EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and paragraphs 187(e) and 198 of the National Planning Policy Framework (2024). Reason for refusal 6 has been included in respect of this matter

Odour

- 7.39 NPPF and Hillingdon Local Plan policies (BE1, EM8 and DMTC 4) quoted above at paragraphs 7.34 and 7.35 are also relevant to consideration of odour pollution. Additionally, at the regional level, London Plan Policy SI1 'Improving Air Quality' requires that development proposals should not:
- a) Lead to further deterioration of existing poor air quality;
 - b) Create any new areas that exceed air quality limits, or delay the date at which compliance will be achieved in areas that are currently in exceedance of legal limits; and/or
 - c) Create unacceptable risk of high levels of exposure to poor air quality.
- 7.40 The application proposes to include a kitchen within the former gym building. Odour emissions related to the use of the kitchen for the proposed hotel and

banqueting uses have the potential to affect nearby sensitive receptors (e.g. neighbouring residential occupiers).

- 7.41 The planning application is accompanied by an Odour Assessment (Create Consulting Engineers (Create) Limited – August 2025). This document highlights in its conclusion: *‘Based on the assumed parameters, a high level of odour control is required to prevent potential nuisance.’* Notwithstanding this conclusion, there is a lack of clear information within the planning application submission regarding the proposed control of odour. The Odour Assessment states:

‘3.7 Emissions will be extracted from the kitchen via a stainless-steel canopy fitted with grease baffle filters. At the time of writing this report the type of canopy is not decided, and it is unknown whether emissions will be discharged to the atmosphere horizontally or vertically, and the location of dedicated louvre. For the assessment assumptions were made.

3.8 It is assumed that the louvre will be installed on the eastern elevation of the building. The louvre is assumed to terminate approximately 0.5m above the eaves of the property.’

- 7.42 The proposed plans do not appear to include any louvre, external flue or ducting, therefore it is unclear on the precise details of any proposed odour mitigation, or where it would be located on the building. Accordingly, it is not possible to determine the impact of any necessary plant/equipment on the fabric or significance of the grade II* listed building, or indeed on the character and appearance of the local area. Any such plant/equipment is considered likely to require planning permission and listed building consent in its own right and has not been included within the application description or plans (as previously stated). In these circumstances, it would not be appropriate to deal with the matter of securing odour mitigation by way of planning condition, because there is no certainty that what may be necessary from an odour mitigation perspective will be acceptable in other respects (and indeed it may require separate listed building consent). Without the ability to attach appropriate and necessary conditions, the scheme would have a detrimental impact on the residential amenity of adjacent occupiers and it is concluded that the development is contrary to Policy SI1 of the London Plan (2021), Policy DMTC 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy BE1 and EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and paragraphs 187(e) and 198 of the National Planning Policy Framework (2024). Reason for refusal 5 has been included in respect of this matter.

Air Quality

- 7.43 The application site is located within the LBH Air Quality Management Area and within the Uxbridge Focus Area, and the proposed development would be bringing additional traffic emissions that would contribute to a detriment in local air quality. As per the London Plan, developments need to be air quality neutral as a minimum and LBH requires development proposals located in Focus Areas (or that are likely to affect such sensitive areas) to apply a more stringent air

quality neutral approach and be air quality positive (LBH Air Quality Local Action Plan 2019-2024), contributing to the reduction of emissions in these sensitive areas.

7.44 The proposed development is neither air quality neutral nor air quality positive and therefore appropriate mitigation is required. A section 106 agreement with an air quality mitigation contribution of £49,726 (which includes a flat rate deduction of 10% for the travel plan) would need to be secured to enable Hillingdon to deliver its Air Quality Local Action Plan and/or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and/or reduce human exposure to pollution levels, in association with the operation of the proposed development.

7.45 The applicant has confirmed in writing that they would be agreeable to the air quality mitigation contribution, should the application be approved. Nevertheless, in the absence of a satisfactory S106 agreement, as the application is being refused, this matter has been included within refusal reason no. 4.

Highways

7.46 With regards to Highway considerations, the NPPF at paragraph 116, states: *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network, following mitigation, would be severe, taking into account all reasonable future scenarios.'*

7.47 At the regional level, Policies T2, T4 and T7 of the London Plan (2021) are all of relevance. Policy T2 requires (inter alia) that:

'D Development proposals should:

- 1) demonstrate how they will deliver improvements that support the ten Healthy Streets Indicators in line with Transport for London guidance*
- 2) reduce the dominance of vehicles on London's streets whether stationary or moving*
- 3) be permeable by foot and cycle and connect to local walking and cycling networks as well as public transport.'*

7.48 Policy T4 includes the following relevant requirements:

'E. The cumulative impacts of development on public transport and the road network capacity including walking and cycling, as well as associated effects on public health, should be taken into account and mitigated.

F. Development proposals should not increase road danger.'

7.49 Policy T7 deals with delivery and servicing requirements and includes the following:

'G. Development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries

should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.

K. During the construction phase of development, inclusive and safe access for people walking or cycling should be prioritised and maintained at all times.'

7.50 Policy DMTC 4 of the Hillingdon Local Plan Part 2 relating to amenity and town centre uses is relevant to highway considerations, requiring that proposals do not: cause unacceptable disturbance or loss of amenity to nearby properties by reason of noise, odour, emissions, safety and security, refuse, parking or traffic congestion [emphasis added].

7.51 In addition, the Hillingdon Local Plan Part 2 contains a number of dedicated transport focussed policies which set out detailed requirements which are relevant to the proposal, including:
Policy DMT 1: Managing Transport Impacts
Policy DMT 2: Highways Impacts
Policy DMT 4: Public Transport
Policy DMT 5: Pedestrians and Cyclists
Policy DMT 6: Vehicle Parking

7.52 The proposal seeks to provide a 31no. bedroom hotel and banqueting suite with capacity for 250no. guests. The proposal is to provide 9no. basement car parking spaces, inclusive of 2no. disabled persons spaces and 2no. spaces with electric vehicle charge points. Vehicle access is proposed to be taken via Cumbrian Way and a car lift. The entrance to the banqueting suite would be from the High Street, however there would not be a drop-off/pick-up facility for people arriving by taxi or being chauffeured to the venue by family or friends. As per the existing arrangement, servicing, deliveries and refuse collection would be from the rear of the proposal. During the course of the application, the applicant submitted a document "Contract Parking Terms", 5th March 2026 which appears to be a contractual arrangement between the applicant and The Chimes which allows visitors to the proposal to park for six hours free of charge, any additional time must be paid for by the end user themselves. The adequacy of these proposals and associated Highway implications are assessed in the following sections of this report.

Trip Generation and Mode Share

7.53 The council's Highways Officer disputes the trip assumptions made in the submitted Transport Statement, which suggest that only half of the patrons of the banqueting hall would travel by private car and the other half by taxi, public transport and other modes. The position taken by the council's Highways Officer is considered to be reasonable, given that patrons would likely be smartly dressed and unlikely to want to walk or ride a bicycle to the venue or take public transport. The trip rate assumptions made in the Transport Statement are not substantiated by evidence.

7.54 The submitted Travel Plan states that its aims are focused on employees and hotel guests. Notably, it is devoid of detail applicable to the banqueting hall use which is the part of the proposal that would generate the highest level of associated movements to and from the site. The Travel Plan provides targets of 100% hotel staff travelling by non-car sustainable modes, 83% of hotel guests travelling by non-car sustainable modes and no more than 10% of hotel guests travelling by taxis on a daily basis. However, it is considered that the Travel Plan fails in providing a robust, detailed and workable scheme that supports sustainable modes of transport as being the primary mode of transport.

Drop Off/Pick Up and Associated Highway Safety Issues

7.55 Taxis and other vehicles dropping-off and picking-up patrons would unlikely use the Chimes car park as it would be more convenient for drivers and patrons to be dropped-off and picked-up closer to the banqueting hall entrance. There is very limited on-street parking outside the application site and this would inevitably lead to injudicious parking on High Street and raises the possibility of using parking spaces that are for local residential occupiers or double parking. The Transport Statement is devoid of any detail on how taxis and pick-up/drop-off trips would be managed. There is no dedicated space within the site that can accommodate these movements, which would form a significant proportion of trips to the banqueting hall. The applicant has not presented a pick-up/drop-off scheme for consideration, one that (if acceptable) might have been conditioned or subject to a legal agreement (subject to the relevant tests).

7.56 Due to the constraints of the site, the formal basement parking in the proposed hotel and the area in front of the hotel (which is partly outside of the applicants control) would not be able to readily accommodate the vehicle movements associated with the dropping-off and picking-up of patrons of the banqueting hall, which would be of a significant number in a concentrated period of time. Given the result would demonstrably be injudicious parking and severe traffic congestion on the High Street and the local highway network (see photographic evidence below of recent unauthorised events held at the former Regal Cinema, it is considered that this matter is fundamental to the acceptability or otherwise of the proposed development and thus not a matter that could be resolved through imposition of a planning condition. The applicant was made aware of concerns around pick-up and drop-offs, however no information has been submitted. A condition to secure a pick-up/drop-off scheme would fail the relevant tests, given it would be in response to a fundamental planning issue (as noted above). Further, the LPA is not convinced that a suitable pick-up/drop-off scheme can be achieved given the site constraints and the high number of pick-up/drop-off movements envisaged.



Image 1 – Congestion on High Street during a banqueting hall event (December 2025)

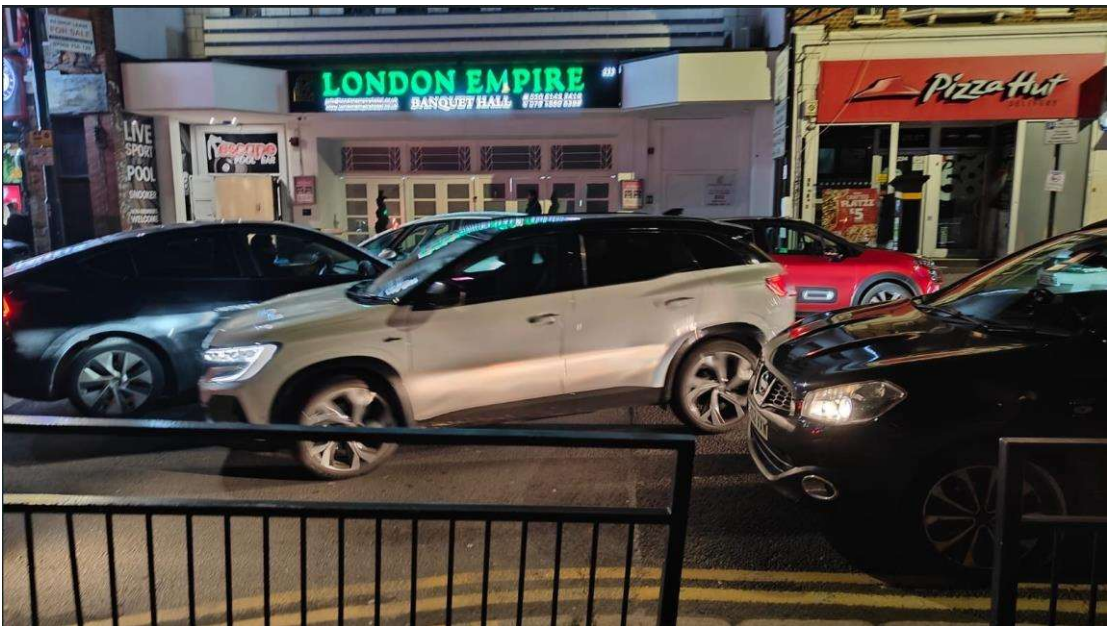


Image 2 – Congestion/grid-lock on High Street during a banqueting hall event (December 2025)



Image 3 – Vehicles backing up onto High Street/roundabout during a banqueting hall event (January 2026)



Image 4 – Congestion on High Street during a banqueting hall event (January 2026)

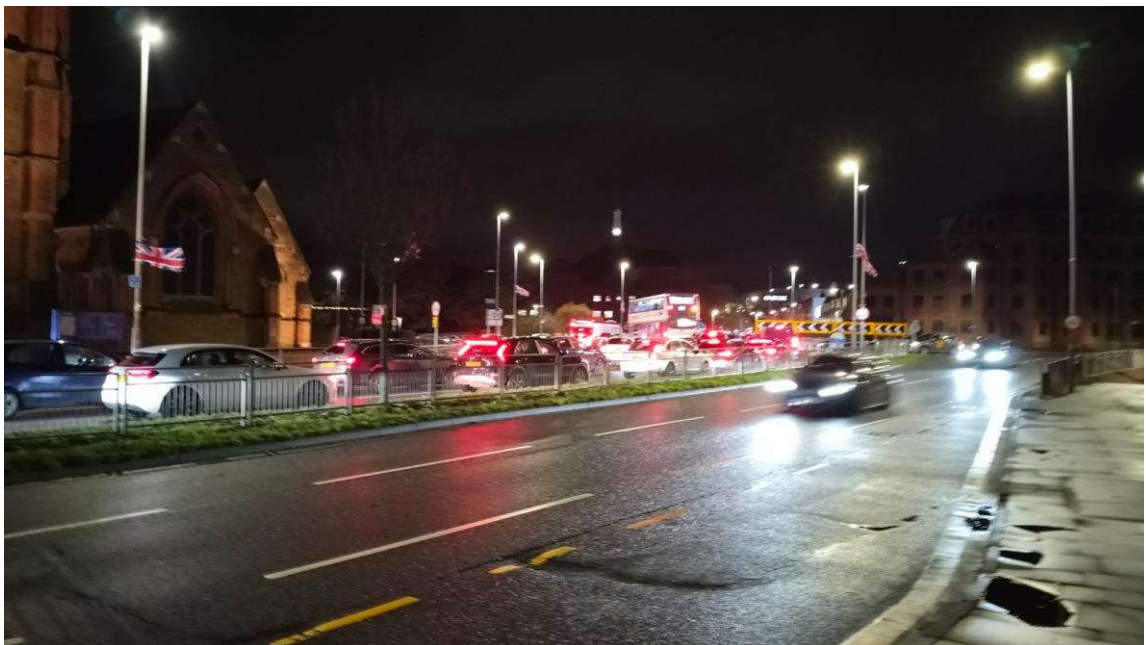


Image 5 – Queuing traffic on Hillingdon Road during a banqueting hall event (January 2026)

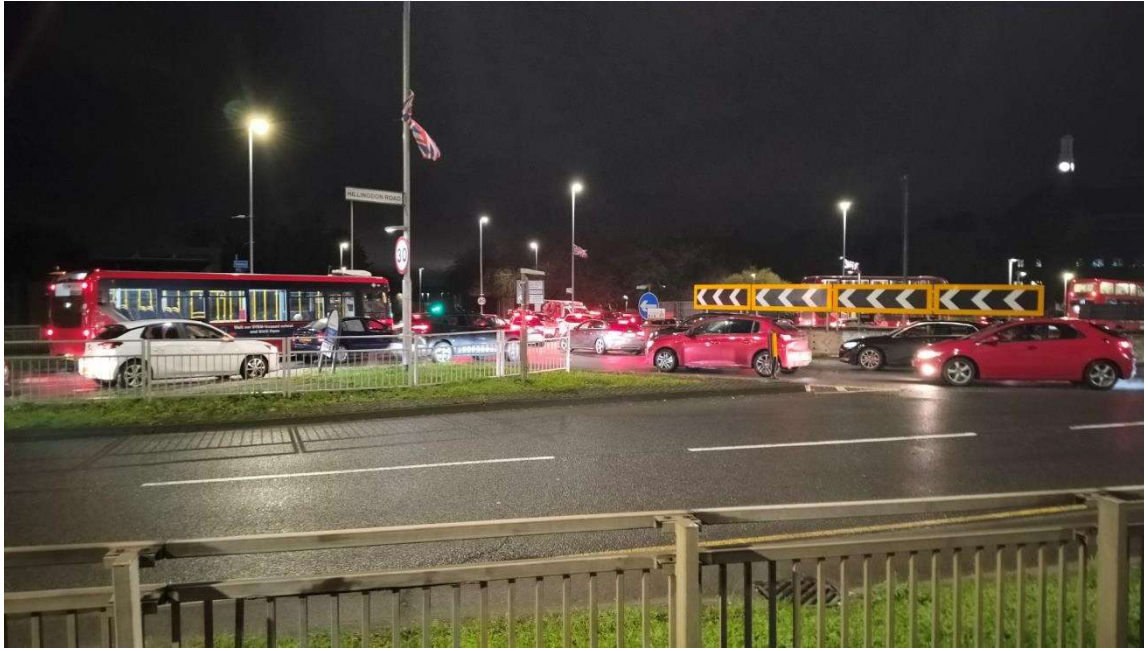


Image 6 – Traffic queuing on/onto St Andrews Roundabout during a banqueting hall event (January 2026)



Image 7 – Cars parked on pavement during a banqueting hall event (April 2026)

7.57 The Highway Officer has raised pedestrian and highway safety concerns around the possibility of significant numbers of patrons congregating outside the venue or leaving at the same time (for example at the end of an event). These types of occurrences would result in the overspilling of patrons onto the High Street and

increase the risk of collisions and accidents (refer to Highway Officer detailed comments in Table 2 (above)). No information has been submitted by the applicant to explain or clarify how the banqueting hall would be managed by the operator to avoid such occurrences.

- 7.58 Despite concerns being raised and additional information being requested, there is a lack of key information demonstrating that the development would not prejudice highway and pedestrian safety. The uplift in traffic volume and congestion associated with unmanaged pick-up and drop-off activity would increase the potential for highway conflict and raises significant concerns on highway safety grounds.

Parking

- 7.59 The existing parking bays along the western boundary would be removed to accommodate the proposed hotel building and provide a paved footway that leads from the High Street to the hotel entrance.
- 7.60 As previously noted, the revised plans show the provision of 9no. car parking spaces (including 2no. accessible bays) within the basement. The Transport Statement specifies that 2no. spaces would be used by hotel employees, 2no. spaces used by hotel guests and 5no. spaces used by patrons of the banqueting hall. The Travel Plan suggests that the 2no. accessible bays would only be used by blue badge holders. It is unclear how the 2no. accessible parking bays would be kept available for disabled persons. The allocation of 2no. car parking spaces for hotel staff space directly conflicts with the Travel Plan aim of 100% staff travel by sustainable modes. It is also unclear how the spaces for banqueting hall patrons would be managed, giving rise to concerns about the potential for vehicles stacking up on Cumbrian Way, as has been witnessed during the recent, unauthorised banqueting events held at the site.
- 7.61 The proposed on-site parking provision would be served by a vehicle lift that would be accessed from the rear of the site at Cumbrian Way. It is noted from the location plan that the application site boundary does not appear to connect to the adopted Highway on Cumbrian Way – a matter raised by the Highway Officer. This is significant, because a situation could arise whereby the land between the site and adopted highway ceases to be available, making the site inaccessible. The parking provision therefore cannot be relied upon or secured through a planning permission, exacerbating the concerns highlighted in this report regarding detrimental impacts on congestion, injudicious parking and harm to highway safety.
- 7.62 Parking spaces on Cumbrian Way are shown on the submitted plans, however these are allocated residential parking bays that are outside of the applicant's control and would not serve the development. There are highways concerns regarding the vehicle lift and the impact of cars waiting to enter and exit the site. The vehicle lift can only accommodate 1no. vehicle at a time and queuing would be occurring on Cumbrian Way, which is outside of the application boundary. There is limited space on Cumbrian Way on the approach to the vehicle lift and the Transport Statement does not provide any details on how the lift would be

operated, how entry and exit would be controlled and whether there would be any signalling system installed. In addition, no details have been provided regarding how the lifts would be maintained at all times to ensure that the parking proposed can be accessed. In the absence of satisfactory information to the contrary, it is concluded that the proposal would give rise to congestion on Cumbrian Way, with the blocking of residential car parking spaces and conflicting movements from cars trying to enter and exit the lift at the same time, all of which would be to the detriment of Highway safety.

- 7.63 During the application process, the applicant has advised that they have entered into an agreement with the Chimes shopping centre where off-site parking would be provided. The agreement is valid for a period of 1 year, however it does not provide details of a fixed number of parking spaces that would be kept available for patrons. Whilst it is acknowledged that the Chimes car park would be a convenient location for patron car parking, it cannot be relied upon to provide ongoing parking provision to serve the development for several reasons as set out below.
- 7.64 The agreement with Chimes shopping centre provides patrons with 6 hours of parking. It is however noted that only one floor (level 1) of the Chimes car park is open 24 hours with the remaining levels being closed between 1am-6am. As the banqueting hall is proposed to be open until 3am, there would be a very limited number of parking spaces within the Chimes car park that would be available for patrons to use, given that there are similar night-time uses in the town centre that would be competing for spaces, including Hollywood bowl which is located within the Chimes shopping centre. Any renewal of the agreement would be dependent on the operator and the Chimes agreeing to terms and a commitment from the operator to renew the agreement on a yearly basis. The Chimes shopping centre could also change policy or revoke any agreement with the operator in the future. There is also uncertainty regarding the quantum of spaces that would be available for use by patrons within the Chimes car park and there is no guarantee that the Chimes car park would be available for the lifetime of the development. The proposed use of the Chimes car park as a long-term parking solution is therefore not considered to be viable and there is no mechanism suggested by the applicant that could secure the off-site parking in perpetuity.
- 7.65 The effectiveness of the proposed off-site parking solution in taking cars away from the vicinity of the site, would also rely heavily upon patrons not parking indiscriminately on High Street or in front of the hotel development or in parking bays used by neighbouring residents and that are outside of the application site. Other than providing a copy of an agreement with Chimes shopping centre, no details have been provided to demonstrate how the operator would ensure that patrons would be parking solely in the Chimes shopping centre and not elsewhere in the locality or on the High Street, which has been observed as occurring during banqueting hall events that have taken place at the site to date. The submission is lacking detail and contains inconsistencies within the supporting documents relating to the potential parking demand. For the reasons explained, it is considered that the application submission fails to adequately

address the parking demands associated with the development, leading to congestion, injudicious parking and dangerous highway conditions.

Cycle Parking and EVCP

- 7.66 Notwithstanding the significant highway concerns discussed in this report, had the application otherwise have been recommended for approval, planning conditions would have been included to secure details of cycle parking and the proposed electric vehicle charging infrastructure.

Servicing, Deliveries and Waste Management

- 7.67 Servicing, deliveries and refuse collection is proposed to be carried out from the rear of the site, which is the existing arrangement. Given the reduction in servicing space to accommodate the proposed hotel development, further details would be required at this assessment stage to ensure that both uses can be served by adequate servicing and delivery and waste management facilities. Information such as vehicle tracking has not been provided with the revised plans. There is very limited space to the rear of the building for servicing to take place and there is a significant concern that servicing vehicles would be unable to manoeuvre within the boundary of the site, safely in order to enter and exit the site in a forward gear. Given the fundamental nature of this matter, it cannot be addressed by way of planning condition, as there is uncertainty regarding any potential solution, due to the extent of development being proposed.
- 7.68 In the event of an approvable scheme, further details of when deliveries and servicing would take place and how the area in front the hotel might be used by vehicles would have been requested, as night-time vehicle movements would generate light pollution and noise and disturbance from comings and goings that would be detrimental to the amenity of neighbouring residential occupiers and would therefore need to be controlled.

Construction Logistics

- 7.69 As the hotel building would be situated in close proximity to Chippendale Alley and residential parking bays that would be affected by scaffolding, the storage of materials and the parking of and access by construction vehicles, construction access would need to be facilitated through separate agreement with the Council and other landowners, which might not be forthcoming. Related to this, the Highway Officer has advised: Traffic associated with the construction of the basement would use Cumbrian Way, Cumbrian Way is a narrow road meaning 6no. car parking bays that form part of the parking management scheme U3 would have to be suspended. The applicant has not considered where these people would park when the development is being built. The suspension of these car parking bay would require a Traffic Order; it is considered probable that the residents that use these bays would formally object to the loss of car parking spaces.
- 7.70 It is acknowledged that a degree of disruption is to be expected with any development, and in many cases the detailed construction management and

logistics arrangements related to a scheme can be satisfactorily resolved through a planning condition. However, in this case, the site is highly constrained (as explained) and there has been no information provided to demonstrate how the construction phase could potentially be managed safely, and with acceptable levels of disruption to residents and the local highway network. Given the particular constraints affecting this development, it is considered that there is insufficient information contained within the planning submission to satisfactorily demonstrate that the proposed scale of development (including extensive basement excavation) on this site can be practically constructed without unacceptable Highway safety implications.

Conclusion – Highway Matters

- 7.71 In conclusion the application submission fails to satisfactorily demonstrate that the proposal would not give rise to unacceptable adverse impacts upon the highway network, as a result of traffic congestion, parking stress and harm to highway safety. As such, the development is contrary to Policies DMT 1, DMT 2 and DMTC 4 of the Hillingdon Local Plan: Part 2 (2020), Policies T2, T4 and T7 of the London Plan (2021) and paragraph 116 of the National Planning Policy Framework (2024). The application is recommended for refusal in relation to these issues.

Accessibility

- 7.72 Concerns were previously raised by the Council's Access Officer as the plans did not demonstrate compliance with relevant accessibility policies and standards. The revised plans have addressed the concerns raised and the proposal would be considered satisfactory, subject to conditions imposed to secure step free access, an accessible guestroom and one fire evacuation lift per block. Conditions would have been attached in the event of an approval to secure these facilities.

Trees and Landscaping

- 7.73 The proposal includes new hard landscaping to improve pedestrian facilities and enhance legibility from the High Street. Soft landscaping is also proposed to improve the visual amenity of the site. The revised proposed site plan shows all 7 trees, which would have allowed the imposition of a condition to ensure their retention/protection (as suggested in the planning statement submitted in support of the application). However, despite the revised plans, it has been observed during the officer's site visit that trees have been removed from the site and that only one tree adjacent to the gym building has been retained. Had the application been recommended for approval, full details of the landscaping scheme including maintenance and replacement tree planting to offset the loss of the removed trees, would have been secured by an appropriately worded condition.

Biodiversity Net Gain (BNG)

- 7.74 The application is supported by a Biodiversity Net Gain Report which at appendix 3, identifies 7 trees within the site. It is noted that the BNG report is written on the basis that all trees are retained on site and the development would therefore be BNG exempt. For the de-minimis exemption to apply, all 7 trees need to be retained. As detailed previously, it is noted that most of the trees shown on the proposed plans have been removed. As a result, the development would not fall under the de-minimis threshold as habitat units have been lost. The proposal would therefore not achieve a BNG but rather a net loss of biodiversity. Notwithstanding, the standard BNG condition could be attached in the event of an approval, which could potentially secure off-site BNG, as the baseline habitat units are detailed in the BNG report and from there the required units to achieve the BNG requirement can be calculated.

Ecology

- 7.75 The application is supported by a Preliminary Ecological Appraisal (PEA) (dated January 2025) which identifies a moderate potential of bats roosting in the building, based on observation of gaps that bats could access such as cracks in the brickwork and missing concrete. The PEA recommends at least two Bat Emergence Surveys to be carried out between May and September and also recommends bat and bird boxes and tree planting as ecological enhancements. The Bat Emergence Surveys were requested by the LPA however due to timing constraints (as the surveys would need to be carried out during the active bat season), these have not been provided by the Applicant. Paragraph 99 of the 'Biodiversity and Geological Conservation: Circular 06/2005' makes clear that "developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development". The PEA does not detail any evidence of bats roosting within the buildings and it is highlighted that works relating to the proposed banqueting hall use have largely been undertaken. The Bat Emergence Surveys along with relevant ecological compensation and mitigation measures could therefore be secured by a pre-commencement condition which would ensure that no further works are carried out before the outstanding bat surveys have been approved by the LPA. In the event that bats are found within any part of the buildings, the Applicant would also need to obtain a licence from Natural England. In light of the above, it is considered that the development is unlikely to cause harm to protected species in accordance with Policy DMEI 7 of the Hillingdon Local Plan: Part 2 (2020) and with the imposition of the aforementioned condition, would be acceptable in this regard.

Flooding and Drainage

- 7.76 NPPF paragraph 181 sets out relevant requirements in respect of flood risk, stating:

'When determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment.'

Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that:

a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location;

b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment;

c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate;

d) any residual risk can be safely managed; and

e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'

7.77 Paragraph 182 continues in relation to drainage, stating:

'Applications which could affect drainage on or around the site should incorporate sustainable drainage systems to control flow rates and reduce volumes of runoff, and which are proportionate to the nature and scale of the proposal. These should provide multifunctional benefits wherever possible, through facilitating improvements in water quality and biodiversity, as well as benefits for amenity. Sustainable drainage systems provided as part of proposals for major development should:

a) take account of advice from the Lead Local Flood Authority;

b) have appropriate proposed minimum operational standards; and

c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development.

7.78 The London Plan (2021) includes Policies SI12 'Flood Risk Management' and SI13 'Sustainable Drainage', which, in summary seek to ensure appropriate provision of sustainable drainage and the minimisation and mitigation of flood risk. At the local level, Hillingdon Local Plan Part 2 (2020) includes Policies DMEI 9 'Management and Flood Risk' and DMEI 10 'Water Management, Efficiency and Quality' which set out similar requirements.

7.79 The application site lies within Flood Zone 1 (low risk of flooding), however it is located within an area of high groundwater flood risk. The site also has a small area of land at low risk of surface water flooding up to 0.3m. The application is supported by a Flood Risk Assessment and SuDS Report. The Local Lead Flood Authority (LLFA) have reviewed the report and consider the submission contains insufficient information and fails to address flood risks associated with the

development and does not demonstrate that the proposed drainage strategy is in compliance with the London Plan drainage hierarchy. In particular, the LLFA advise that the following information is required to be submitted in advance of any approval of planning permission:

Information which:

- Justifies why green infrastructure has not been incorporated into the drainage strategy which is required as part of the London Plan drainage hierarchy.
- Includes the rainwater harvesting tanks with their connections on the Detailed SuDS & Surface Water Layout plan.
- Supplies the greenfield runoff rates for the altered site area of 413m² with supporting calculations which should demonstrate that the proposed runoff rate does not exceed greenfield runoff rates.
- Provides proposed calculations which use the latest rainfall data (FEH22), and the full altered site area (413m²).

7.80 It is highlighted that the FRA/SuDS report was not updated following the submission of revised plans which makes adjustments to the footprint and basement of the proposal. This matter is covered further in the 'basement impact' section below.

7.81 Having regard to the advice of the LLFA, it is concluded that the application submission fails to demonstrate that satisfactory provision has been made for the management of surface water drainage on the site, which both accords with the London Plan drainage hierarchy and would ensure no unacceptable flood risk/drainage impacts. As such, the development is contrary to Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020), Policies SI 12 and SI 13 of the London Plan (2021) and paragraphs 181 and 182 of the National Planning Policy Framework (2024). This forms recommended reason for refusal no. 2 (see Appendix 1).

Basement Impact

7.82 When determining proposals for basement and other underground development, in accordance with Policy DMHD 3 of the Local Plan Part 2, the LPA requires a basement impact assessment of the scheme's impact on drainage, flooding, groundwater conditions, where appropriate. The LPA will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding. The LPA will require developers to demonstrate by methodologies appropriate to the site that their proposals:

- a) Maintain the structural stability of the building and neighbouring properties;
- b) Avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) Avoid cumulative impacts upon the water environment in the local area.

7.83 As detailed in the Flooding and Drainage section of this report, the site is in an area of high groundwater flood risk, and further, the site contains a small area of

land at low risk of surface water flooding up to 0.3m. The basement being created in the hotel development extends the full width of the site, infilling the area between the gym building and the west boundary, which limits the space available for groundwater to move around the site without increasing risk to the surrounding properties including the Grade II* listed application building. The council's Conservation and Design Team have expressed concerns regarding the potential impact of the basement development on the significance of the host building and the nearby locally listed building.

'We would highlight that there would be concerns about the digging of the foundations. These could have an impact on both the historic cinema building and the adjacent timber framed building to the west. There is a potential that this could cause harm to these assets'.

- 7.84 The application submission does not include a detailed Basement Impact Assessment that addresses issues around flooding/drainage and potential heritage impacts. A structural survey hasn't been undertaken to determine if the basement can be built out as proposed. The existing surface where the hotel would be erected appears to be solid concrete, which puts the feasibility of a basement at this location into question. This also raises uncertainty as to whether the proposed basement can be relied upon to deliver the proposed on-site parking. These matters are considered fundamental to the scheme, and accordingly it would not be appropriate to reserve this information for submission via a planning condition.
- 7.85 Given the constraints of this site and having regard to the scale of excavation and construction works required to implement the proposed basement, it is concluded that the submission fails to satisfactorily demonstrate that the basement proposal would maintain the structural stability of the Grade II* listed building and neighbouring properties; avoid adversely affecting drainage, groundwater flood risk and surface water run-off or cause other unacceptable damage to the water environment in the local area. As such, the development is contrary to Policies DMEI 9, DMEI 10, DMHB 1, DMHB 2 and DMHD 3 of the Hillingdon Local Plan: Part 2 (2020), Policies HC1, SI 12 and SI 13 of the London Plan (2021) and Chapters 14 and 16 of the National Planning Policy Framework (2024). This matter forms recommended reason for refusal number 3 (refer to Appendix 1).

Energy and Sustainability

- 7.86 In accordance with Policy SI2 of the London Plan, Major development should be net zero carbon. A minimum on-site reduction of at least 35 per cent beyond Building Regulations is required for major development. Where it is clearly demonstrated that the zero-carbon target cannot be fully achieved on-site, any shortfall should be provided, in agreement with the borough, through a cash in-lieu contribution to the borough's carbon offset fund.
- 7.87 An Energy & Sustainability Statement has been submitted in support of the application. The statement details measures to reduce carbon including the installation of renewable technologies and concludes that following the

implementation of the three-step Energy Hierarchy, the development will achieve a 47.84% overall regulated CO₂ reduction against 2021 (Part L compliant baseline).

- 7.88 The Energy & Sustainability Statement identifies the development would not meet the zero-carbon target due to a shortfall of 15.2 tonnes CO₂/yr. A Carbon Offset Contribution has been calculated at a sum of £43,242 which would be paid into the Borough's Carbon Offset Fund and is recommended to be secured as part of a legal agreement. The applicant has confirmed in writing their agreement to the contribution should the application be approved, however a legal agreement has not been provided or executed to secure the contribution and accordingly this matter is included in recommended reason for refusal number 4.

Overheating

- 7.89 In accordance with Policy SI 4 of the London Part B, Major development proposals should demonstrate through an Energy Strategy how they will reduce the potential for internal overheating and reliance on air conditioning systems in accordance with the following cooling hierarchy:

- 1) reduce the amount of heat entering a building through orientation, shading, high albedo materials, fenestration, insulation and the provision of green infrastructure
- 2) minimise internal heat generation through energy efficient design
- 3) manage the heat within the building through exposed internal thermal mass and high ceilings
- 4) provide passive ventilation
- 5) provide mechanical ventilation
- 6) provide active cooling systems.

- 7.90 Had the application been recommended for approval, a condition would have been recommended to secure an Overheating Assessment to be undertaken in line with the cooling hierarchy. The assessment should consider both natural and mechanical ventilation measures to address the potential for unacceptable levels of overheating.

Fire Safety

- 7.91 A Fire Safety Statement has been submitted in support of the application. An updated Fire Safety Statement would have been required as the revised plans make changes to the available turning area in front of the hotel and the design and footprint of the development. This would have been secured by condition in the event of an approval and would be subject to consultation with London Fire Brigade.

Water Efficiency

- 7.92 A Water Efficiency Calculation Report has been submitted in support of the application. The report refers to the methodology for residential dwellings which

is not applicable to the proposal. In accordance with Policy SI 5 Part C 2) of the London Plan, to ensure the development would minimise the use of mains water, a compliance planning condition would have been recommended in the event of an approval to achieve at least the BREEAM excellent standard for the 'Wat 01' water category or equivalent (commercial development), and incorporate measures such as smart metering, water saving, and recycling measures, including retrofitting.

Land Contamination

- 7.93 A Land Contamination Assessment report has been submitted in support of the application. The council's Land Contamination Officer has reviewed and does not raise an objection to the proposal subject to a condition to secure a scheme to deal with contamination, which would have been attached in the event of an approval.

Security

- 7.94 In accordance with Policy DMHB 15 of the Local Plan Part 2, Development will be required to comprise good design and create inclusive environments whilst improving safety and security by incorporating the following specific measures:

- i) providing entrances in visible, safe and accessible locations;
- ii) maximising natural surveillance;
- iii) ensuring adequate defensible space is provided;
- iv) providing clear delineations between public and private spaces; and
- v) providing appropriate lighting and CCTV.

- 7.95 Any grant of planning permission would be subject to a Secure by Design condition to achieve Metropolitan Police's Secure by Design accreditation.

Planning Obligations

- 7.96 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 6 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.

- 7.97 The draft Section 106 Heads of Terms are as follows:

- i. Air Quality Mitigation contribution of £49,726
- ii. Carbon offset contribution of £43,242
- iii. A Project Management and Monitoring Fee, equalling 5% of the total financial contributions to be paid under this agreement

- 7.98 The Applicant has expressed agreement to the above contributions. However, as the application is being recommended for refusal, a legal agreement has not

been progressed. The applicant has not provided a draft legal agreement and therefore the mechanism to secure the planning contributions has not been secured. This matter therefore forms reason for refusal number 4.

8 Other Matters

Human Rights

- 8.1 The development has been assessed against the provisions of the Human Rights Act, and in particular Article 1 of the First Protocol and Article 8 of the Act itself. This Act gives further effect to the rights included in the European Convention on Human Rights. In arriving at this recommendation, due regard has been given to the applicant's reasonable development rights and expectations which have been balanced and weighed against the wider community interests, as expressed through third party interests / the Development Plan and Central Government Guidance.

Equality

- 8.2 Due consideration has been given to Section 149 of the Equality Act with regard to the Public Sector Equality Duty in the assessment of this planning application. No adverse equality impacts are considered to arise from the proposal.

Community Infrastructure Levy (CIL)

- 8.3 Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (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).
- 8.4 The development would be CIL liable. A relevant informative would be attached pointing to these obligations

9 Conclusion / Planning Balance

- 9.1 The proposed uses are considered consistent with the town centre location in principle and it is acknowledged that the proposed development would support the bringing back into use of this heritage asset, which weighs in favour of the scheme. The design of the proposed building alterations and extension are also considered acceptable in visual/character impact terms. Nevertheless, there are significant concerns regarding the adverse impact that the proposal would have in respect of traffic congestion, parking stress and highway safety.

- 9.2 Additionally, there is insufficient information contained within the planning application submission to demonstrate that the proposal is satisfactory in respect of odour mitigation, noise mitigation and surface water drainage management. The planning application submission also fails to satisfactorily demonstrate that the proposal would not give rise to unacceptable impacts, as a result of the proposed basement construction. Finally, in the absence of a completed legal agreement, there is no mechanism to secure the air quality and carbon offset contributions which are required to mitigate those effects of the development.
- 9.2 Taking all matters into account, the proposal is not considered to be in accordance with the Development Plan and no material considerations indicate that a contrary decision should be taken. Consequently, the application is recommended for refusal for the reasons set out in Appendix 1 (below).

Appendix 1 – Reasons for refusal

The application is recommended for refusal on the following grounds:

- 1 The application submission fails to satisfactorily demonstrate that the proposal would not give rise to unacceptable adverse impacts upon the highway network, as a result of traffic congestion, parking stress and harm to highway safety. As such, the development is contrary to Policies DMT 1, DMT 2 and DMTC 4 of the Hillingdon Local Plan: Part 2 (2020), Policies T2, T4 and T7 of the London Plan (2021) and paragraph 116 of the National Planning Policy Framework (2024).
- 2 The application submission fails to demonstrate that satisfactory provision has been made for the management of surface water drainage on the site, which both accords with the London Plan drainage hierarchy and would ensure no unacceptable flood risk/drainage impacts. As such, the development is contrary to Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 (2020), Policies SI 12 and SI 13 of the London Plan (2021) and paragraphs 181 and 182 of the National Planning Policy Framework (2024).
- 3 The application submission fails to satisfactorily demonstrate that the basement proposal would maintain the structural stability of the Grade II* listed building and neighbouring properties (including locally listed building); avoid adversely affecting drainage, groundwater flood risk and surface water run-off or cause other unacceptable damage to the water environment in the local area. As such, the development is contrary to Policies DMEI 9, DMEI 10, DMHB 1, DMHB 2 and DMHD 3 of the Hillingdon Local Plan: Part 2 (2020), Policies HC1, SI 12 and SI 13 of the London Plan (2021) and Chapters 14 and 16 of the National Planning Policy Framework (2024).
- 4 The applicant has failed to secure Section 106 planning obligations required to mitigate the harm and demands created by the proposed development (in respect of carbon offset, air quality, and project management and monitoring). As such, the development is contrary to Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020), the adopted Planning Obligations Supplementary Planning

Document (2014), Policy DF1 of the London Plan (2021) and paragraphs 56 and 58 of the National Planning Policy Framework (2024).

- 5 Insufficient detail has been provided to demonstrate that the required mitigation measures to protect neighbouring amenity in terms of odour pollution would not have a detrimental impact on the Grade II* Listed Building, or to determine that they do not require separate Listed Building Consent. As such, the required conditions to protect amenity cannot be attached to a grant of planning consent and the development is contrary to Policy SI1 of the London Plan (2021), Policy DMTC 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies BE1 and EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and paragraphs 187(e) and 198 of the National Planning Policy Framework (2024).
- 6 The application submission fails to satisfactorily demonstrate that the proposed development would not give rise to an unacceptable detrimental impact upon the amenity of neighbouring occupiers, as a result of noise from its operation. Accordingly, the development is contrary to Policy D14 of the London Plan (2021), Policy DMTC 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies BE1 and EM8 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and paragraphs 187(e) and 198 of the National Planning Policy Framework (2024).

INFORMATIVES

- 1 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).
- 2 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), including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.
- 3 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.

- 4 This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.
For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil