

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

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

Address THE DE BURGH ARMS AND O J'S NIGHT CLUB STATION APPROACH
YIEWSLEY

Development: Use of car park as a hand car wash

LBH Ref Nos: **8053/APP/2014/909**

Drawing Nos: CW-PH01
CW-SL01

Date Plans received : 23/04/2014

Date(s) of Amendment(s):

Date Application Valid: 23/04/2014

1. SUMMARY

The application seeks planning permission for the use of the car park as a hand car wash. The car wash forms part of the curtilage of the De Burgh Arms which is a Grade II listed building. The proposal is considered to detract from the setting of the listed building. Furthermore, concerns are raised in terms of the proposed access to the site which would cause obstruction to the bus stops adjacent to the site and the free flow of Traffic to station approach. Therefore, the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal would result in the loss of off-street parking for the existing use and has not demonstrated that sufficient off street parking/manoeuvring would be provided for the existing and proposed use. Therefore the development is considered to result in substandard car parking provision to the Council's approved car parking standard, leading to on-street parking/queuing to the detriment of public and highway safety, contrary to policy AM14 of the of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and to the Adopted Parking Standards (Hillingdon UDP, Saved Policies, September 2007).

2 NON2 Non Standard reason for refusal

The proposed use and associated traffic and vehicle movements, by virtue of the width of Station Approach and location of the adjacent bus stops, would result in conflict of traffic movement to the detriment of the free flow of traffic along the adjacent highway and highway and pedestrian safety, contrary to policy AM7 of the Hillingdon Local Plan: Part Two - Saved UDP Polices (November 2012).

3 NON2 Non Standard reason for refusal

The proposed use in conjunction with the its associated equipment and other associated paraphernalia would be detrimental to the setting of the Grade II listed building (The De Burgh Arms P.H.), contrary to Policy HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy BE10 of the Hillingdon Local Plan: Part Two - Saved UDP Polices (November 2012), Policy 7.8 of the London Plan (2011) and the National Planning Policy Framework.

INFORMATIVES

1 I52 Compulsory Informative (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 I53 Compulsory Informative (2)

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 7.8	(2011) Heritage assets and archaeology

3 I59 Councils Local Plan : Part 1 - Strategic Policies

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises of the car park serving the De Burgh Arms Public House and OJ's nightclub which is located on the corner of Station Approach and Station Road. The building is a Grade II listed building. The car park area is enclosed by walls and railings and has two vehicular access points onto Station Approach which are enclosed by sliding automatic gates. The area is commercial in character and lies within the Yiewsley/West Drayton Town Centre.

3.2 Proposed Scheme

The development is for part change of use of a car park that currently serves an existing public house and adjacent nightclub, to provide a hand car wash facility within the site. Under the proposals, 4 No. car parking spaces will be retained for the use of the public house and nightclub. Access to the proposed car wash facility and the retained car parking spaces will be provided via the existing points of vehicle access, which will be

operated as a one way system, providing separate access and egress.

3.3 Relevant Planning History

8053/ADV/2002/38 The De Burgh Arms And O J'S Night Club Station Approach Yiewsley
INSTALLATION OF ENTRANCE AND INFORMATION SIGNS, EXTERNALLY ILLUMINATED
APPLIED LETTER SIGNS AND NON-ILLUMINATED INFORMATION SIGNS

Decision: 19-06-2002 Approved

8053/ADV/2004/111 De Burgh Arms Ph Station Approach Yiewsley
INSTALLATION OF VARIOUS EXTERNALLY ILLUMINATED VARIOUS SIGNS

Decision: 17-02-2012 NFA

8053/APP/2002/571 The De Burgh Arms And O J'S Night Club Station Approach Yiewsley
INSTALLATION OF ENTRANCE AND INFORMATION SIGNS, EXTERNALLY ILLUMINATED
APPLIED LETTER SIGNS AND NON-ILLUMINATED INFORMATION SIGNS (APPLICATION
FOR LISTED BUILDING CONSENT)

Decision: 19-06-2002 Approved

8053/APP/2004/3133 De Burgh Arms Ph Station Approach Yiewsley
INSTALLATION OF VARIOUS SIGNS (APPLICATION FOR LISTED BUILDING CONSENT)

Decision: 17-02-2012 NFA

8053/E/86/1332 De Burgh Arms Ph. High Street Yiewsley
Change of use to Retail use 45sq.m.(P)

Decision: 03-10-1986 Approved

8053/F/86/1333 De Burgh Arms Ph. High Street Yiewsley
Listed building consent to dev/alter (P)

Decision: 03-10-1986 Approved

8053/G/87/1479 De Burgh Arms Ph. High Street Yiewsley
C.O.U. of exist vehicle body repair/spraying to letting hall (App for L.B.C.)

Decision: 14-08-1987 WD

8053/H/87/1480 De Burgh Arms Ph. High Street Yiewsley
Change of use of existing body vehicle repair/ spraying to use for letting hall in conjunction with
De Burgh Arms Public House. Erection of 2 single storey extensions to hall and alterations to
extrenal appearance.

Decision: 06-06-1989 Approved

8053/J/89/1730 De Burgh Arms Ph. High Street Yiewsley
Change of use of existing vehicle body repairs/ spraying unit to use for letting hall; Variation of
Condition 5 of planning permission ref.8053H/89/ 1480 dated 6/6/89 to extend opening hours
from 08.00 to 01.00 on Wednesday and Thursday and from 08.00 to 02.00 on Fridays and
Saturdays.

Decision: 19-12-1989 Refused

8053/K/94/3059

De Burgh Arms Ph. High Street Yiewsley

Installation of fascia sign illuminated by 5 cowl lights, 1 wall sign to north elevation, two amenity sign boards and 5 brass lanterns to replace existing signage

Decision: 25-07-1994 Approved

8053/L/94/0834

De Burgh Arms Ph. High Street Yiewsley

Demolition of lean-to conservatory and internal alterations incorporating removal of walls; erection of new partitions; enlargement of rear door; installation of new door and window in rear elevation; installation of new signage (Application for Listed Building Consent)

Decision: 25-07-1994 Approved

8053/N/94/1623

De Burgh Arms Ph Station Approach Yiewsley

Installation of an externally illuminated fascia sign, three signage boards, two entrance wall plaques and two wall signs (retrospective application)(Application for Listed Building Consent)

Decision: 30-06-1999 Approved

8053/P/95/3074

De Burgh Arms Ph Station Approach Yiewsley

Installation of various attached and freestanding externally illuminated signs together with lamps to front and side elevations (retrospective application)

Decision: 25-03-1996 Approved

Comment on Planning History

There is no recent planning history of relevance to this application.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consultation

EXTERNAL:

2 letters of objection have been received from business owners located in Station Approach raising concerns about the number of existing car wash facilities within the locality, the attraction of criminals to such areas, the obstruction of the adjacent bus stops and the obstruction of the Station Approach.

TFL:

The planning application should be opposed as the site proposed use will have a detrimental effect on bus operations within Station Approach.

· The current junction of Station Approach with Station Road is not wide enough to allow vehicles to enter and exit at the same time and an informal give way operation is in use which causes queuing and delays, the Pub and car park entrance is very near to the junction and it will be inevitable that vehicles will have to queue at times to use the car wash and prevent normal traffic from entering and exiting Station Approach.

· Station Approach forms part of West Drayton Station and is part of the Crossrail upgrade scheme, once Crossrail is completed there will be an increase in commuter traffic along

with a new hotel proposed on the site.

- The entrance and exit to the pub site is either side of a bus stop, this stop is one of the busiest in Station Approach and there will be safety concerns that increased use of the site by vehicles could compromise pedestrian and passenger safety as the footway is already very narrow at this location. I am also concerned that general water spray along with the potential for ice in cold weather operations will be a major issue.

- The bus stop may have to be withdrawn and as there is no other suitable location within the site, this would result in a huge disadvantage to passengers and the train/bus interchange.

INTERNAL:

Highways Officer:

The development is for part change of use of a car park that currently serves an existing public house and adjacent nightclub, to provide a hand car wash facility within the site. Under the proposals, 4 No. car parking spaces will be retained for the use of the public house and nightclub. Access to the proposed car wash facility and the retained car parking spaces will be provided via the existing points of vehicle access, which will be operated as a one way system, providing separate access and egress.

It is noted that the road adjacent to the site (Station Approach) is not adopted and would appear to be under the control of Network Rail. In addition, Station Approach provides vehicle and pedestrian access to West Drayton rail station and bus terminus, the rear of buildings located along High Street and a number of small retail units. Furthermore, it should be noted that West Drayton station forms part of the Crossrail project, which is due to be operational in 2018. From assessment of the development, it is noted that there will be a reduction of approximately 5 car parking spaces that currently serve the existing public house and adjacent nightclub. However, no information has been submitted in relation to the current parking demand to justify the loss of car parking.

When considering the means of access to the site, it is noted that there is no visibility along the adjacent footway and only limited visibility along the adjacent carriageway. In addition, there are a number of bus stops located directly outside of the site, which when occupied, block visibility along the adjacent carriageway and vehicle access/egress to/from the site. Furthermore, the proposals will generate additional car parking demand and intensify the use of a substandard access in a location, which will be even more busier when the Crossrail project is in operation. In addition, vehicles will be required to queue along the adjacent highway to gain access to the site, when buses are dropping off/picking up passengers, which would be detrimental to road safety and the free flow of traffic.

As a result, there is an objection in principle in relation to the highway and transportation aspect of the development. However, as the road is under the jurisdiction of Network Rail and Transport for London are the bus operator, their comments should be sought in order to form a view on this application.

EPU:

The applicant will need to confirm whether pressure washers are going to be used or not:

Please see the highlighted infomative from the Environment Agency.

4. Good practice for different washing and cleaning methods

4.1 High pressure washers (jet washers) and steam cleaning

High pressure washers (including jet washers) and steam cleaners are effective at removing dirt, grease and coatings from vehicles, machinery and surfaces. But they use large volumes of water (500 - 7,200 litres an hour), often at high temperatures and containing cleaning chemicals. If you are cleaning vehicles and plant with a high pressure washer (jet wash) or steam cleaner, you must use a designated washing bay.

If you use a pressure washer to clean roads, yard surfaces, and other equipment or in areas where the drainage isn't collected or connected to the foul sewer, you must stop run-off from entering surface water drains. See section 3 for good practice advice for dealing with this runoff. Never allow run-off containing cleaning chemicals, detergents or emulsifiers to enter surface water drains as this will cause pollution and prevent oil separators from working properly: see reference 9 for more information.

4.2 Washing and valeting by hand

If you wash, clean or valet vehicles by hand, or are responsible for a site where this service is offered, you must Have good site management procedures and practices in place to avoid pollution. You should use designated wash bays as detailed in section 3, or make sure that you have other satisfactory arrangements in place. However, it may be acceptable to clean or valet private cars by hand in areas such as car parks, without designated wash bays (roving activities), if:

- Only clean water is used and no detergents or cleaning chemicals
- Or your working method doesn't produce any runoff from the vehicle
- Or the runoff from the vehicle is contained, collected or treated in some way and dealt with or disposed of legally
- And you can show us that the proposed activity will not adversely affect separators and SUDS, or damage the environment at any time.

Conservation Officer:

The De Burgh Arms is grade II listed, its core dates from 16th century, although its external appearance reflects its remodelling in the 1840s.

The proposed hand car wash would fall within the curtilage of the structure, and take up much of the current car park, which is hard surfaced, cramped in appearance and detracts from the setting of the listed building. A hand car wash would not enhance the situation and with the addition of the equipment and ad hoc advertising etc associated with these uses, would be likely to make the situation even worse.

Objection on the grounds of detrimental impact on the setting of this listed building.

6. **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14	New development and car parking standards.
BE10	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 7.8	(2011) Heritage assets and archaeology

In addition:

7. MAIN PLANNING ISSUES

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

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and policy OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated.

The application site is not located in close proximity to residential properties. Given the town centre location, if the proposal was considered acceptable in all other respects, it would be considered appropriate to condition the hours of operation and best practice guide referred to by EPU and agreed in principle by the applicant throughout the course of the application.

7.2 Impact on Street Scene

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Furthermore policies BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) resist any development which would fail to harmonise with the existing street scene or would fail to safeguard the design of existing and adjoining sites. Policy BE9 states applications will only be permitted if no damage is caused to the historic structures and any additions should be in keeping with other parts of the building and Policy BE10 states consent will not be granted for proposals which are considered detrimental to the setting of a listed building.

The De Burgh Arms is a Grade II listed building and the car park, where the proposed hand car wash is proposed, forms part of the curtilage. The Conservation Officer has advised that the hand car wash would take up much of the current car park, which is hard surfaced, cramped in appearance and detracts from the setting of the listed building. A hand car wash would not enhance the situation and with the addition of the equipment and ad hoc advertising etc associated with these uses, would be likely to make the situation even worse. As such the proposal is considered to detract from the setting of the listed building in conflict with Policy BE10 of the Hillingdon Local Plan - Saved Policies (November 2012).

7.3 Traffic Impact / Pedestrian Safety

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The Highways officer has advised that when considering the means of access to the site, it is noted that there is no visibility along the adjacent footway and only limited visibility along the adjacent carriageway. In addition, there are a number of bus stops located directly outside of the site, which when occupied, block visibility along the adjacent carriageway and vehicle access/egress to/from the site. Furthermore, the proposals will generate additional car parking demand and intensify the use of a substandard access in a location, which will be even more busier when the Crossrail project is in operation. In addition, vehicles will be required to queue along the adjacent highway to gain access to the site, when buses are dropping off/picking up passengers, which would be detrimental to road safety and the free flow of traffic.

As a result, there is an objection in principle in relation to the highway and transportation aspect of the development.

TFL have also raised an objection to the proposal on the grounds that the proposed use will have a detrimental effect on bus operations within Station Approach.

As such the proposal is considered to be contrary to Policy AM7 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

7.4 Carparking & Layout

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The development is for part change of use of a car park that currently serves an existing public house and adjacent nightclub, to provide a hand car wash facility within the site. Under the proposals, 4 No. car parking spaces will be retained for the use of the public house and nightclub. Access to the proposed car wash facility and the retained car parking spaces will be provided via the existing points of vehicle access, which will be operated as a one way system, providing separate access and egress. There will be a reduction of approximately 5 car parking spaces that currently serve the existing public house and adjacent nightclub. However, no information has been submitted in relation to the current parking demand to justify the loss of car parking. As such, the proposal would result in the loss of 5 parking spaces currently used by the night club/pubic house use of the site and would therefore fail to provide sufficient off street parking provision which meets the council's approved parking standards to service the approved uses. The development would therefore lead to additional on street parking to the detriment of public and highway safety and is therefore contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted car parking standards.

7.5 Urban Design, Access and Security Considerations

The issues relating to urban design are considered in the above section.

7.6 Other Issues

No other issues raised.

8. Reference Documents

Hillingdon Local Plan (November 2012);
The London Plan (July 2011);
National Planning Policy Framework;

Contact Officer: Nicola Taplin

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