

Report of the Head of Planning & Enforcement Services

Address THE BREAKSPEAR ARMS BREAKSPEAR ROAD NORTH HAREFIELD

Development: Conservatory to side and provision of 'jumbrella' and outdoor seating areas to exterior of property

LBH Ref Nos: 10615/APP/2012/488

Drawing Nos: 11:120/01 Rev: A
11:120/02 Rev: A
11:120/04 Rev: A
11:120/05 Rev: A
11:120/06 Rev: A
Design and Access Statement
11:120/03 Rev: E

Date Plans Received: 01/03/2012 **Date(s) of Amendment(s):**

Date Application Valid: 08/03/2012

1. **SUMMARY**

The application seeks permission for a single storey conservatory to the existing Public House which would be situated along the northern flank. The proposal also includes some minor alterations to the garden area with the provision of a jumbrella and outdoor seating area.

The proposed extension would fail to integrate with the architectural style of the main building due its excessive height and depth. Given the positioning of the conservatory in proximity to a prominent junction, it would have a detrimental visual impact on the character and appearance of the existing building and the Green Belt setting.

It is therefore recommended for refusal.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed extension by reason of its siting, size, bulk, excessive depth, height and design, would fail to appear as a subordinate addition to the existing building and would thus be detrimental to the appearance of the original building and its Green Belt setting. It would therefore be detrimental to the visual amenities of the street scene, harmful to the character and appearance of the Green Belt and contrary to policies OL4, BE13, BE15, and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
R16	Accessibility for elderly people, people with disabilities, women and children
R7	Provision of facilities which support arts, cultural and entertainment activities
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 5.3	(2011) Sustainable design and construction
LPP 7.16	(2011) Green Belt
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

3. CONSIDERATIONS

3.1 Site and Locality

The application site comprises a two storey detached public house situated on the crossroad where Breakspear Road and New Years Green Lane intersect. The public house is situated on a large plot of land (3.6ha) with a car park and childrens play area to the north and seating areas in front of the entrance to the west. A lawn area separates the public house from the site boundary with several mature trees providing additional landscaping to the site. Directly north and south of the site are large open green fields. To the south west on the opposite side of Breakspear Road South lies the Crows Nest Farm Complex. The area is on the edge of the open countryside with a large residential area situated 80m west of the site on Breakspear Road. These properties are predominately two storey semi detached. The site falls within the Green Belt as designated in the Hillingdon Unitary Development Plan Saved Policies September 2007.

3.2 Proposed Scheme

Planning permission is sought for the erection of a single storey conservatory to be situated along the northern flank of the property facing onto the car park. The conservatory would be located adjacent to the entrance of the public house and would measure 7.2m deep by 8.4m wide. It would have a gable ended roof style which would follow a similar roof line pattern as the existing building and would have a maximum height of 7.4m. The materials used in the finish would be a mixture of glazing and brick work to match the existing.

The front of the property would also include a new patio area adjacent to the entrance which would provide additional outdoor seating for customers. This would be enclosed with a fence and a new gate providing access to the seating area.

A further outdoor seating area including a fixed jumbrella (providing protection against the elements) which would be situated along the southern flank adjacent to the smoking shelter

3.3 Relevant Planning History

Comment on Relevant Planning History

None relevant.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt - replacement or extension of buildings
OL5	Development proposals adjacent to the Green Belt
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
R16	Accessibility for elderly people, people with disabilities, women and children
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LPP 5.3	(2011) Sustainable design and construction

- LPP 7.16 (2011) Green Belt
LPP 7.4 (2011) Local character
LPP 7.6 (2011) Architecture

5. Advertisement and Site Notice

- 5.1** Advertisement Expiry Date:- Not applicable
5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

Two neighbouring properties as well as Ruislip Residents Association were also consulted on the 12th March 2012 and a site notice was displayed to the front of the property on the 12th March 2012. No representations have been received.

Internal Consultees

Access Officer

As the application is for a conservatory and outdoor area which appears to be accessible, no specific observations are offered.

However, as the proposed plan submitted demonstrates internal reconfiguration and redecoration, the following informative should be attached to any grant of planning permission:

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a protected characteristic, which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Conclusion: acceptable

Tree Officer:

LANDSCAPE CONTEXT: The site is occupied by a pub at the junction of Breakspear Road and Breakspear Road North, situated within the Green Belt. The pub is set within a space which includes a beer garden, children's play area and car park. There are a number of trees around the site which are not protected by TPO or Conservation Area designation.

PROPOSAL: The proposal is to remove the fixed play equipment from the rear of the building and build a conservatory on part of the existing grass area. To the front (Breakspear Road frontage) a paved seating area is proposed.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

· The submitted proposals do not provide details of existing trees or landscape features. However, according to the plan proposals, no trees or other landscape features of merit will be affected by the

development. Some loss of green/open space is inevitable to accommodate the conservatory and the new paved area.

- Although no landscape enhancement has been proposed, there is space and opportunity for new planting which should both complement the proposed development and enhance the Green Belt.
- A landscape management/maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

RECOMMENDATIONS: No objection, subject to the above considerations and conditions COM8, COM9 (excluding item 3) and COM10.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is achieved by resisting inappropriate development which by definition is harmful to the Green Belt.

There has been an existing Public House on this site for considerable period of time. This provides a community facility within the countryside for a many surrounding neighbours, in particular those situated along Breakspear Road. It contributes significantly to the vitality and viability of the local economy, while also contributing to the social and community infrastructure in the Green Belt. The extension of the building would therefore be acceptable in principle subject to complying with Policy OL4 and OL5 of the UDP.

Policy OL4 states that the replacement or extension of buildings within the Green Belt will only be acceptable where they do not result in a disproportionate change in the bulk and character of the original buildings, and the development would not injure the visual amenities of the Green Belt by reason of siting, design or activities generated.

The proposal would increase the size of the building area by 15.4% adding an additional 60sq.m in floor space. However, in the context of the site, the size, depth and in particular height of the proposal would impact on the character and appearance of the existing building. The proposed gable ended roof design would create an awkward visual relationship with the existing roof styles on the property. The conservatory would have a height and depth of over 7m which is considered excessive given its positioning. The site is situated on a prominent junction and the conservatory would have a bulky appearance that would fail to appear subordinate to the main public house.

Due to the positioning, height and depth of the proposal, it would fail to appear compatible with the existing building or the surrounding area. It would therefore have a detrimental impact upon the visual amenity of the locality, in particular the Green Belt area. As such, it would be contrary to Policies BE13, BE19 and OL4 of the UDP (Saved Policies September 2007).

7.02 Density of the proposed development

Not applicable to this application.

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

Not applicable to this application.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Discussed in Section 7.01.

7.07 Impact on the character & appearance of the area

Discussed in Section 7.01.

7.08 Impact on neighbours

Given the position of the site along the junction with open fields to the north and south, it would not cause an adverse impact on the neighbours' amenity. The nearest residential unit is on the opposite side of Breakspear Road South. While the large residential development on the main Breakspear Road is some 80m away. As such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion. In addition no objections have been received to the proposal from the adjoining occupiers.

As such, the application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.09 Living conditions for future occupiers

Not applicable to this application.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal involves improvements to the existing Public House and is considered not to be of such a scale that it would result in a significant increase in traffic. There is already a sizeable car park on site that is capable of accommodating a large number of vehicles. The proposed extension would not affect any parking and/or access to the site and therefore is considered to comply with policies AM7 and AM14 of the UDP (Saved Policies September 2007).

7.11 Urban design, access and security

Discussed in Section 7.01.

7.12 Disabled access

The design and access statement demonstrate that adequate provision has been made for access for people with a visual or mobility impairment. The Access Officer has been consulted on the scheme and has no objection or observations subject to complying with the Disability Act 2010.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Tree Officer has been consulted on the scheme and has commented that there would be no trees or other landscape features of merit affected by the development. Some loss of green/open space is inevitable to accommodate the conservatory and the new paved area. The Officer has commented that the opportunity for new planting to complement the proposed development and enhance the Green Belt should be considered. A condition could be attached to the decision requiring a landscape scheme to be submitted if the application is considered acceptable.

Therefore, subject to appropriate conditions the application is considered to comply with Policy BE38 of the UDP (Saved Policies September 2007).

7.15 Sustainable waste management

The proposal is for a conservatory and it would not lead to a significant alteration to the waste management of the business. As such, the existing waste management arrangements would not be altered.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The proposal is not within a flood risk zone and there would not be any flooding or drainage concerns.

7.18 Noise or Air Quality Issues

Policy OE1 of the UDP (Saved Policies September 2007) states permission will not be granted for uses which are likely to become detrimental to the character or amenities of surrounding properties and OE3 states buildings or uses which have the potential to cause noise annoyance will only be permitted if the impact can be mitigated. In this instance given the location of the site in the Green Belt, the proposed conservatory and external seating due to the distance from the neighbours would not result in any additional noise and disturbance, over and above the current site circumstances, thereby complying with policies OE1 and OE3 of the UDP (Saved Policies September 2007).

7.19 Comments on Public Consultations

None.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable to this application.

10. CONCLUSION

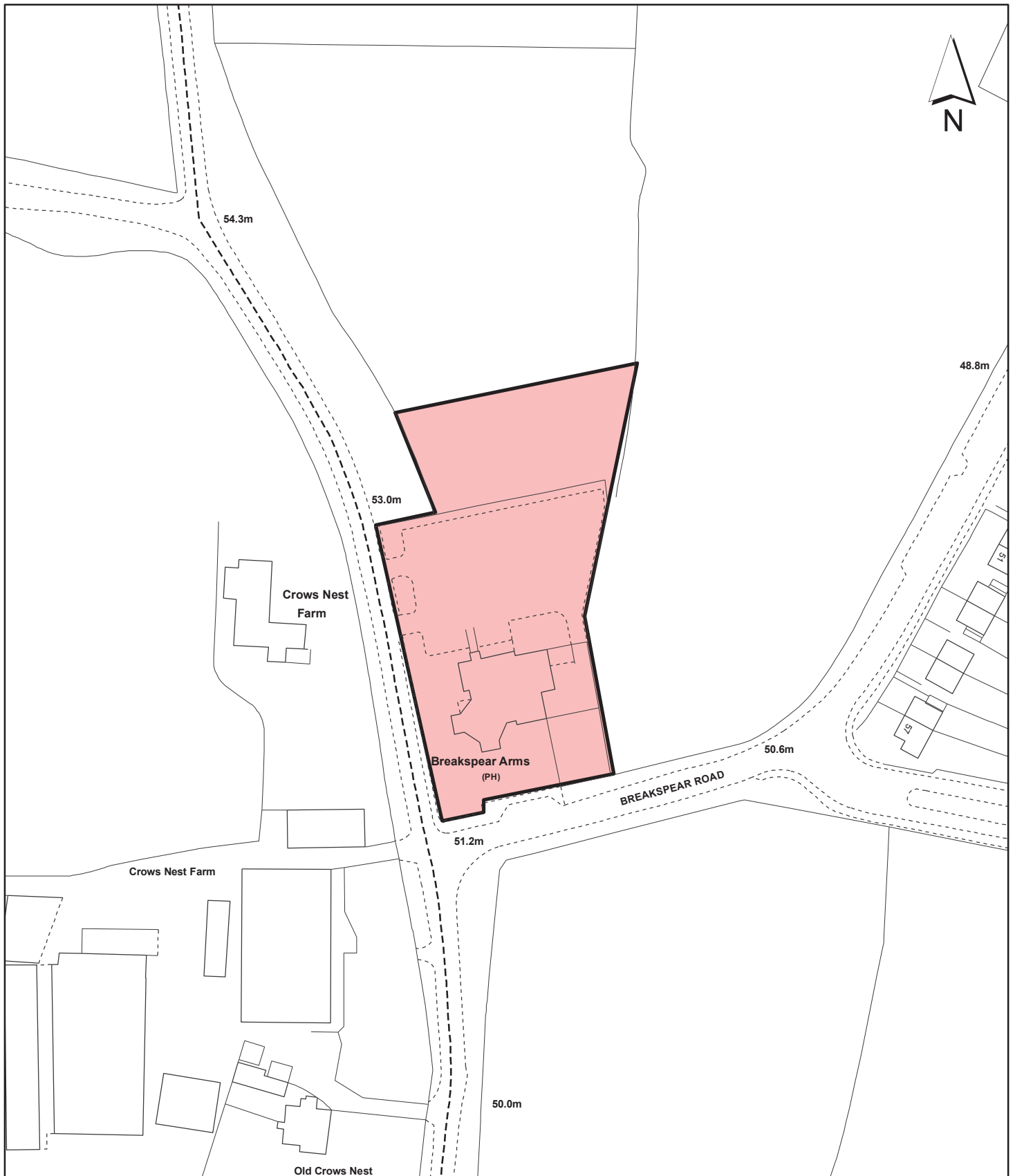
The proposed extension due to its overall size, scale, bulk, height and positioning would fail to integrate with the existing public house and the surrounding area. It would therefore have a detrimental impact on the openness, character and appearance of the Green Belt and would be contrary to Policies BE13, BE19 and OL4 of the UDP. It is therefore recommended for refusal.



11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
The London Plan (2011)
National Planning Policy Framework

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act). Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2012 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>The Breakspears Arms Breakspears Road North Harefield</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>
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	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>May 2012</p>	