#### Report of the Head of Planning, Sport and Green Spaces

Address BREAKSPEAR ARMS BREAKSPEAR ROAD SOUTH HAREFIELD

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

LBH Ref Nos: 10615/APP/2013/47

Drawing Nos: 13:04/03 Rev. B Design and Access Statement 13:04/01 13:04/02 11:120/05 Rev. C 11:120/04 Rev. E

Date Plans Received:	09/01/2013	Date(s) of Amendment(s):	23/01/2013
Date Application Valid:	23/01/2013		21/04/2013

#### 1. SUMMARY

The application seeks permission for a single storey conservatory to the existing Public House which would be situated along the northern flank wall of the building. 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 integrate with the architectural style of the main building and would not have a detrimental visual impact on the character and appearance of the existing building and the Green Belt setting. It is therefore recommended for approval.

#### 2. **RECOMMENDATION**

#### **APPROVAL** subject to the following:

#### 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

#### REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

## 2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 13:04/03 Rev. B, Design & Access Statement, 13:04/01, 13:04/02, 11:120/05 Rev. C, 11:120/04 Rev. E and shall thereafter be retained/maintained for as long as the development remains in existence.

#### REASON

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

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

#### REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 4 COM8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.

2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details. The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

2.a There shall be no changes in ground levels;

2.b No materials or plant shall be stored;

2.c No buildings or temporary buildings shall be erected or stationed.

2.d No materials or waste shall be burnt; and.

2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

#### REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### 5 COM9 Landscaping (including refuse/cycle storage)

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

## 1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100),

1.b Written specification of planting and cultivation works to be undertaken,

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

- 2. Details of Hard Landscaping
- 2.a Hard Surfacing Materials

## 2.b External Lighting

## 3. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### 6 COM10 Tree to be retained

Trees, hedges and shrubs shown to be retained on the approved plan shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during construction, or is found to be seriously diseased or dying another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs'

Remedial work should be carried out to BS BS 3998:2010 'Tree work -Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

## REASON

To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy BE38 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and to comply with Section 197 of the Town and Country Planning Act 1990.

## 7 A20 Access to Buildings for People with Disabilities

Development shall not commence until details of access to building entrances (to include ramped/level approaches, signposting, types and dimensions of door width and lobby openings) to meet the needs of people with disabilities have been submitted to and approved by the Local Planning Authority. The facilities should comply with BS 5810: 1979 and be approved prior to the occupation of the development.

## REASON

To ensure that people with disabilities have adequate access to the development.

#### **INFORMATIVES**

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## I52 **Compulsory Informative (1)**

The decision to APPROVE 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 APPROVE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 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.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the
BEIO	area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to
	neighbours.
BE38	Retention of topographical and landscape features and provision of
	new planting and landscaping in development proposals.
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
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
R7	Provision of facilities which support arts, cultural and entertainment
	activities
R17	Use of planning obligations to supplement the provision of
	recreation, leisure and community facilities
LPP 5.3	(2011) Sustainable design and construction
LPP 7.4	(2011) Local character
LPP 7.16	(2011) Green Belt
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## **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), 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 a two storey detached public house situated on the crossroads 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 open 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 houses. The site falls within the Green Belt as designated in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 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. The conservatory would measure 5m deep x 10.60m wide. It would have a flat roof with a maximum height of 3.3m. There would be a roof lantern above measuring 4.5m x 2m. The materials used in the finish would be a mixture of composite slate 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.

This application differs to the previously withdrawn application by reducing the height of the roof from a gable ended roof to a flat roof with a roof lantern and reducing the depth and increasing the width of the extension.

#### 3.3 Relevant Planning History

10615/APP/2012/488 The Breakspear Arms Breakspear Road North Harefield

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

Decision: 07-06-2012 Withdrawn

10615/F/82/1656 The Breakspear Arms P.H. Breakspear Road North Harefield Public car park (P)

Decision: 29-04-1983 Approved

10615/G/84/1757 The Breakspear Arms P.H. Breakspear Road North Harefield Alterations to elevation (P)

#### Decision: 22-01-1985 Approved

10615/H/84/3153 The Breakspear Arms P.H. Breakspear Road North Harefield Advertisement (P)

Decision: 22-01-1985 Approved

10615/M/92/1720 The Breakspear Arms P.H. Breakspear Road North Harefield Erection of single storey extensions to existing public house

Decision: 11-12-1992 Approved

10615/P/93/3021The Breakspear Arms P.H. Breakspear Road North HarefieldInstallation of externally illuminated advertisements (retrospective application)

Decision: 26-08-1993 Approved

#### Comment on Relevant Planning History

10615/APP/2012/488 - Conservatory to side and provision of 'jumbrella' and outdoor seating areas to exterior of property. The application was withdrawn.

#### 4. Planning Policies and Standards

On the 8th November 2012 the adoption of the Council's Local Plan: Part 1 - Strategic Policies was agreed at the Full Council Meeting. Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) is relevant to this application and in particular the following parts of that Policy:

BE1 - The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should:

1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;

2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;

3. Be designed to include Lifetime Homes principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people's lives;

7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local

character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife (7.20), encourage physical activity and where appropriate introduce public art;

8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals.

9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas.

10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within

the Hillingdon Local Plan: Part 2 - Development Management Policies LDD. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the

amount disposed to landfill. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill.

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and development management policies Hillingdon Local Plan: Part 2 -Development Management Policies.

#### UDP / LDF Designation and London Plan

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

Part 1 Policies:

## PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting

and landscaping in development proposals.

- 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
- 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
- R7 Provision of facilities which support arts, cultural and entertainment activities
- R17 Use of planning obligations to supplement the provision of recreation, leisure and community facilities
- LPP 5.3 (2011) Sustainable design and construction
- LPP 7.4 (2011) Local character
- LPP 7.16 (2011) Green Belt

#### 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 consulted on 25th January 2013 and a site notice was displayed. One letter of representation has been received with the following objections:

1. There is already enough noise from the current outdoor seating and children's area. The noise that will ensue from this further submission will be unacceptable, and intrude on the quiet enjoyment of our own property and outside areas;

2. Objections raised to the marquee area that is advertised on their website. The parties are extremely noisy and can be heard from Crows Nest Farm until 1am and the area is littered.

A Ward Councillor has requested this application be determined by the Planning Committee.

#### **Internal Consultees**

Trees and Landscape:

 $\cdot$  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.

 $\cdot$  Landscape conditions are necessary to preserve and enhance the visual amenities of the locality and to ensure that adequate facilities are provided in association with the proposal to create a new paved area for the Jumbrella and the loss of garden area to the rear.

• A landscape management/maintenance plan should be submitted to ensure that the landscape is established and maintained in accordance with good practice.

No objection, subject to the above considerations and conditions COM8, COM9 (parts 1,2,4 and 5) 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 a considerable period of time. This provides a community facility within the countryside for many surrounding neighbours, in particular those situated along Breakspear Road. It contributes to the vitality and viability of the local economy, whilst also contributing to the social and community infrastructure. Policy OL4 states that extensions to existing buildings may be permitted subject to size, scale and visual impact. The extension of the building would therefore be acceptable in principle subject to complying with Policy OL4 and OL5 of the Hillingdon Local Plan.

## 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

The NPPF states that provided that the extension does not result in a disproportionate addition over and above the size of the original building, the extension or alteration of a dwelling is not inappropriate in the Green Belt.

Furthermore, 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.

There has been a pub on this site for a considerable period of time and the current building was constructed in the 1970's when permission was granted for the demolition of the previous building and the erection of a new pub (Ref: 10615/B/73/1952). The existing building has been extended previously in 1992 (Ref. 10615/M/92/1720) by 36sq.metres (Approximately 9% of the original floor area of 383 sq.m). The proposal would increase the size of the building area by a further 53sq.m in floor space (14% additional). This would accumulate to 89sq metres resulting in an additional 23% of floor space above the original building. Given this scale of development, the single storey nature of the extension, its siting some 16m from the boundary of the site with the highway and the existence of a number of trees on and around the site, which would reatrict views of the extension it is considered that the proposal would not result in a disproportionate change to the bulk and character of the building or would not significantly increase the built up appearance of the site. It would therefore have an acceptable impact upon the visual amenity of the locality and the Green Belt. As such, it would be in compliance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE19 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 7.07 Impact on the character & appearance of the area

Any proposal would need to accord with the design policies set out within the Built Environment section of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and relevant design standards contained within the Supplementary Planning Document (SPD) HDAS: Residential Layouts. In particular Policy BE13 requires that the layout and appearance of developments harmonise with the existing street scene and other features of the area.

The proposal, by reason of its reduced depth, would not impact on the character and appearance of the existing building. The conservatory would have a depth of 5m which is considered acceptable. The site is situated on a prominent junction. The proposed extension would be set some 16m from the highway, would be 3.3m high and the conservatory when viewed from the west would appear subordinate to the main public house.

Taking into consideration the positioning and the overall height and depth of the proposal, it would appear compatible with the existing building and the surrounding area. It would therefore not have a detrimental impact upon the visual amenity of the locality, in particular the Green Belt area. As such, it would be in compliance to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE19 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## 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. Taking into consideration the existing outdoor areas, the proposal would not result in an unacceptable level of noise to justify the refusal of permission.

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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## 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 accomodating a large number of vehicles. The proposed extension would not affect any parking and/or access fo the site and therefore is considered to comply with policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 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 impairement. The scheme therefore would be acceptable 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

# North Planning Committee - 8th May 2013

PART 1 - MEMBERS, PUBLIC & PRESS

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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 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 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 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 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

## 7.19 Comments on Public Consultations

With regard to Point 1, the objectors property is some 200m from the location of the extension and outdoor area. At this distance it is not considered that the proposal would result in unacceptable levels of noise and disturbance.

With regard to Point 2 a marquee is not the subject of the application under consideration

## 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 and positioning would integrate with the existing public house and the surrounding area. It would therefore not detract from the openness, character and appearance of the Green Belt and would be in compliance with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and London Plan Policies.

#### **11. Reference Documents**

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) The London Plan (2011) National Planning Policy Framework

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