

Report of the Head of Planning, Sport and Green Spaces

Address JOEL STREET FARM JOEL STREET NORTHWOOD

Development: Demolition of the existing Dutch barn and erection of a replacement building to be used as a Class D1 (nursery), demolition of existing detached stables, alterations to existing buildings and associated parking and landscaping (resubmission).

LBH Ref Nos: 8856/APP/2013/3802

Drawing Nos: Ecological Appraisal
Planning Report, incorporating Design and Access Statement
1:1250 Location Plan
JSF/003/1 Rev. B
JSF/003/2 Rev. A
JSF/003/3 Rev. A
JSF/003/4 Rev. C
JSF/003/5 Rev. A
Agent's covering email dated 24/1/14
JSF/003/9 Rev. D
Agent's covering email dated 28/4/14
JSF/003/11
JSF/003/8 Rev. E
JSF/003/7 Rev. E
JSF/003/6 Rev. E
JSF/003/10 Rev. E
Transport Statement (Amended)
Agent's email dated 20/1/14
Certificate of Serving Notice on Joel Street Farm

Date Plans Received:	20/12/2013	Date(s) of Amendment(s):	24/01/2014
Date Application Valid:	20/12/2013		20/12/2013
			28/04/2014
			20/01/2014

1. SUMMARY

This application seeks permission to replace a dilapidated Dutch barn which comprises part of a range of locally listed former farm buildings within the Green Belt with a single storey building to provide a Class D1 children's nursery. This scheme is a resubmission of a previous scheme which was refused permission on 10/8/12 (App. No. 8856/APP/2012/767).

The scheme is considered to be acceptable in terms of Green Belt policy and its openness. The proposals have also formed the subject of various discussion with officers which have resulted in revisions being made to the scheme is now supported by the Council's Conservation/Urban Design Officer.

The scheme would not result in the loss of residential amenity to surrounding occupiers and the Council's Highway Engineer advises that the proposed parking and access arrangements are acceptable.

The scheme is recommended for approval.

2. RECOMMENDATION

That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission, subject to the following:

A) That the Council enter into a legal agreement with the applicants under Section 106/Unilateral Undertaking of the Town and Country Planning Act 1990 (as amended) or other appropriate legislation to secure:

1. Highways: A S278/S38 Agreement will need to be secured for the widening of the northern access and a Travel Plan.

B) That in respect of the application for planning permission, the applicant meets the Council's reasonable costs in the preparation of the S106 Agreement and any abortive work as a result of the agreement not being completed.

C) That officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D) That if any of the heads of terms set out above have not been agreed and the S106 legal agreement has not been finalised before the 31st September 2014, or any other period deemed appropriate that delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse the application for the following reason:

'The applicant has failed to ensure that the necessary highway works would be undertaken to an appropriate standard and the scheme makes an appropriate commitment to reduce reliance on the private car through use of a Travel Plan. The scheme therefore conflicts with Policy AM2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).'

E) That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to the completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F) That if the application is approved, the following conditions be attached:-

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 JSF/003/9 Rev. D received 24/1/14 and JSF/003/6 Rev. E, JSF/003/7 Rev. E, JSF/003/8 Rev. E, JSF/003/10 Rev. E and JSF/003/11 received 28/4/14 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 COM7 Materials (Submission)

No development shall take place until details of all materials and external surfaces, to include metal rainwater goods and guttering, painted timber windows, external doors and conservation type roof lights, vents and flues have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

Prior to the commencement of works on site, a construction methodology plan to include details to that would safeguard the side boundary wall adjacent to the rear garden of No. 151 Joel Street, to include appropriate mitigation measures in the event of accidental damage to the wall shall be submitted to and approved in writing by the Local Planning Authority. The demolition and construction works shall be carried out in strict accordance with the approved details.

REASON

To ensure that locally listed buildings and walls are safeguarded on site, in accordance with Policy BE8 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

5 COM9 Landscaping (car parking & 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 Refuse Storage
 - 2.b Cycle Storage, to include covered and secure provision for 5 bicycles
 - 2.c Means of enclosure/boundary treatments
 - 2.d Hard Surfacing Materials
 - 2.e External Lighting
 - 2.f Other structures (such as play equipment and furniture)

3. Details of Landscape Maintenance
 - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.
 - 3.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority

becomes seriously damaged or diseased.

4. Schedule for Implementation

5. Other

5.a Existing and proposed functional services above and below ground

5.b Proposed finishing levels or contours

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 and provide adequate facilities in compliance with policies BE13, BE38 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 5.17 (refuse storage) of the London Plan (July 2011).

6 COM22 Operating Hours

The premises shall not be used except between:-

08:00 and 18:00, Mondays - Fridays

09:00 and 16:00, Saturdays

and at no time on Sundays, Public or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7 RES24 Secured by Design

The building shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

8 NONSC Non Standard Condition

The development hereby permitted shall not be commenced until a scheme of ecological enhancement of the site, based upon the recommendations of the submitted Ecological Appraisal have been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development enhances opportunities for wildlife as set out in the Ecological Appraisal in accordance with Policy 7.19 of the London Plan (July 2011).

9 COM28 Visibility Splays - Pedestrian

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

10 NONSC Sustainable Water Management

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
 - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
 - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
 - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
 - ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
 - iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.
- The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iii. incorporate water saving measures and equipment.
 - iv. provide details of water collection facilities to capture excess rainwater;
 - v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1 - Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

INFORMATIVES

1 152 Compulsory Informative (1)

The decision to GRANT 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 GRANT 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.

NPPF1	NPPF - Delivering sustainable development
NPPF7	NPPF - Requiring good design
NPPF9	NPPF - Protecting Green Belt land
NPPF10	NPPF - Meeting challenge of climate change flooding coastal
NPPF12	NPPF - Conserving & enhancing the historic environment
LPP 3.1	(2011) Ensuring equal life chances for all
LPP 3.18	(2011) Education Facilities
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.15	(2011) Water use and supplies
LPP 6.3	(2011) Assessing effects of development on transport capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
LPP 7.2	(2011) An inclusive environment
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.8	(2011) Heritage assets and archaeology
LPP 7.9	(2011) Heritage-led regeneration
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE8	Planning applications for alteration or extension of listed buildings
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
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

OE1	new planting and landscaping in development proposals. Protection of the character and amenities of surrounding properties and the local area
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
R12	Use of premises to provide child care facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

3 I2 Encroachment

You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.

4 I3 Building Regulations - Demolition and Building Works

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Residents Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

5 I6 Property Rights/Rights of Light

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

6 I13 Asbestos Removal

Demolition and removal of any material containing asbestos must be carried out in accordance with guidance from the Health and Safety Executive and the Council's Environmental Services. For advice and information contact: - Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 277401) or the

Health and Safety Executive, Rose Court, 2 Southwark Bridge Road, London, SE1 9HS (Tel. 020 7556 2100).

7 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

8 123 Works affecting the Public Highway - Vehicle Crossover

The development requires the formation of a vehicular crossover, which will be constructed by the Council. This work is also subject to the issuing of a separate licence to obstruct or open up the public highway. For further information and advice contact: - Highways Maintenance Operations, 4W/07, Civic Centre, Uxbridge, UB8 1UW.

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As regards Condition 5, point 2.d, the applicant is advised that the external material details already submitted are not considered to be acceptable and alternatives should be sought to discharge the condition. You are also strongly advised to use a landscape architect in order to discharge this condition.

3. CONSIDERATIONS

3.1 Site and Locality

The 0.21ha rectangular application site comprises former Victorian farm buildings located on the eastern side of Joel Street, some 71m to the north of its junction with Middleton Drive.

The main range of former two storey farm buildings are 'L'-shaped, with the gable end of the main wing abutting the road frontage and its spine sited perpendicular to the road, before returning towards its southern boundary, which creates two separate farmyard areas with separate accesses onto Joel Street. A single storey wing set back from the frontage is sited on its northern elevation and a Dutch barn with a corrugated iron barrel

vaulted roof has been added at the rear, running along the boundary with the adjacent former farmhouse, although the building is rather dilapidated now. A small detached modern flat roof stable building has also been added on the northern side of the main building, with a small paddock area immediately adjacent to the northern site boundary. The former farm buildings have been converted into a number of uses including a veterinary clinic, cattery and Class B2 offices. The former farmyards are used to provide informal parking, for up to 22 cars.

The application site is bounded to the north by open agricultural fields, to the east by open somewhat dilapidated barns, beyond which the open fields wrap around the site to the east and south/east, immediately to the south by the original farmhouse (No. 151 Joel Street) and more modern residential properties beyond and to the west on the opposite side of Joel Street by residential development fronting Joel Street behind which is Haydon School and its playing fields.

The farm buildings, together with the adjoining Joel Street Farmhouse are locally listed and with the adjacent open fields, form part of the Metropolitan Green Belt. The site has a PTAL score of 2.

3.2 Proposed Scheme

The proposal involves the demolition of the existing attached Dutch barn at the rear of the site and erection of a replacement 'T'-shaped attached building to be used as a Class D1 (nursery), demolition of existing detached stables, alterations to existing buildings and associated parking and landscaping.

Since a similar development proposal was refused permission on 10/8/12 (App. No. 8856/APP/2012/767 refers), a revised scheme has formed the subject of a pre-application enquiry resulting in the submission of the current proposal which has undergone various revisions following officer advice.

The proposed 'T'-shaped nursery building would occupy a similar footprint adjoining the side boundary with the former Joel Street Farmhouse (No. 151 Joel Street) to that of the to be demolished Dutch barn. The main building would be 15.6m long and 10.3m wide, with a gable roof with a ridge height of 4.3m. The side wing would be 12.9m long and 6.9m wide with a gable roof with a ridge height of 3.7m. Both elements of the building would have an eaves height of 2.5m, matching that of the existing Dutch barn and incorporate a total of 8 rooflights. The scheme has been revised and the main building would now be set back 500mm from the boundary with No. 151 Joel Street to enable the existing boundary wall to be retained. A nursery playground would be provided at the side of the nursery wing along the rear boundary of the site.

The existing stables on the northern side of the site, together with part of the length of a farmyard wall would be demolished to make way for the new site layout. A total of 28 car parking spaces would be provided on site, mainly within the existing concreted former farmyards and the proposal would essentially formalise existing informal arrangements. The only exception to this would be the spaces provided between the northern access and the paddock area which would utilise the footprint currently occupied by the stables building and involve the loss of the 2m wide southernmost strip from the paddock area. 18 of the 28 spaces would be provided within the northern part of the site, of which 13 would serve the proposed nursery to include the 10 spaces provided adjacent to the paddock area and 3 spaces, including 2 disabled spaces towards the rear of the site within an existing gravelled overflow car parking area. The rest of the proposed parking spaces would essentially remain as existing, with the 5 remaining spaces in the northern former

farmyard located against the main former farm building being visitor spaces for the veterinary use. The car parking within the southern former farmyard would be formalised to provide a total of 10 car parking spaces, one of which sited adjacent to the pedestrian access to the former farmhouse would be for the adjoining residential occupier, replicating the existing arrangement, with 3 spaces serving the graphics office, 2 spaces the cattery and the remaining 4 spaces for veterinary staff.

A bicycle stand for 4 bicycles is proposed at the rear of the single storey projecting wing from the main building and walkways across the courtyards would be marked by contrasting surface treatment.

The existing brick wall along the Joel Street frontage of the site would be partly demolished and partly extended to accommodate the re-positioned (some 1.1m to the north) and slightly widened (to 4.8m) entrance into the northern former farmyard to allow two-way movement. The wall would help to screen a bin store which would be sited behind the wall, immediately adjacent to the north of the northern access. A 2m high brick wall would be provided along the rear boundary of the site to enclose the nursery playground and a post and rail fencing with hedgerow planting would be provided along the northern side boundary.

The nursery would have a maximum roll of 45 children and would employ 10 members of staff. Opening hours would be from 8:00am - 6:00pm Monday to Friday, 9:00am - 4:00pm Saturday and not at all on Sundays and Bank Holidays.

The application is supported by the following documents:-

Planning Report, incorporating Design and Access Statement:

This provides an introduction and a brief summary. The site and its planning history is described and relevant planning policy is assessed. The proposed development, together with those factors that have influenced the design of the scheme are described and the details of previous discussions with officers and the advice given is listed. The proposals are then assessed against planning policy and the report concludes by stating that the proposal is acceptable in principle in this Green Belt location, and that its design and layout, together with access, parking and landscaping impacts comply with relevant policy.

Transport Statement:

This provides an introduction to the study and describes the site and the proposed development. Existing parking arrangements are described and a comparative site, Haydon Hall within the grounds of Eastcote Cricket Club is assessed. The report concludes that 13 spaces would be adequate to accommodate both staff and visitors associated with the nursery and any isolated peaks could easily be accommodated within the site without restricting access.

Ecological Appraisal:

This presents the results of an Extended Phase 1 Habitat Survey, including a site survey and a concurrent Bat Scoping Survey undertaken on the 16th September 2013. The report advises that the only habitats to be lost due to the redevelopment of the site are a small section of species-poor improved grassland forming the easternmost section of the paddocks along the northern site boundary and the stable block and Dutch barn. These

habitats are extremely poor in ecological terms and the buildings proposed for demolition have negligible potential to support roosting bats. The report concludes by recommending limited mitigation works and of possible ecological enhancements for the site such as a native hedgerow along the northern boundary and the use of bird and bat boxes/ bat bricks.

3.3 Relevant Planning History

Comment on Relevant Planning History

There have been various applications submitted for the change of use and extension/alteration of this group of former farm buildings over the years.

The most recent and relevant application to the current scheme is an application for a similar proposal which was refused on 10/8/12 (App. No. 8856/APP/2012/767) to change the use of the stables to a cattery (Sui Generis), involving the removal of existing roof, raising of existing walls and installation of new roof; a two storey extension to the rear of the existing building to be used as a nursery (Use Class D1), involving demolition of the existing barn and part change of use from cattery (Sui Generis), single storey side extension to existing building involving part demolition of cattle yard and covered area, alterations to parking, and installation of vehicular crossover to front. The reasons for refusal were due to:-

1. the transportation and parking impacts of the development were not considered to have been accurately assessed;
2. the parking facility, particularly adjacent to the cattery was not considered to be appropriate to enable safe and efficient public access to the site;
3. the proposal, particularly the replacement barn, due to its excessive height and bulk would not be subservient to the main building and together with the excessive amount of hardstanding would have resulted in overdevelopment of the site, detrimental to the area and locally listed building;
4. the proposal, by virtue of the excessive height and bulk of the proposed replacement barn and the excessive site coverage of hard surfaces (including a prominent waste storage area) would result in inappropriate development which compromised the openness of the Green Belt whereas no very special circumstances had been demonstrated and
5. it had not been demonstrated that the landscape mitigation measures for the replacement of the existing paddocks with hardstanding were either deliverable or sustainable, and therefore would be detrimental to the openness of the Green Belt.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- | | |
|---------|--|
| PT1.HE1 | (2012) Heritage |
| PT1.BE1 | (2012) Built Environment |
| PT1.EM1 | (2012) Climate Change Adaptation and Mitigation |
| PT1.EM2 | (2012) Green Belt, Metropolitan Open Land and Green Chains |

- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.CI1 (2012) Community Infrastructure Provision

Part 2 Policies:

- NPPF1 NPPF - Delivering sustainable development
- NPPF7 NPPF - Requiring good design
- NPPF9 NPPF - Protecting Green Belt land
- NPPF10 NPPF - Meeting challenge of climate change flooding costal
- NPPF12 NPPF - Conserving & enhancing the historic environment
- LPP 3.1 (2011) Ensuring equal life chances for all
- LPP 3.18 (2011) Education Facilities
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.7 (2011) Renewable energy
- LPP 5.12 (2011) Flood risk management
- LPP 5.13 (2011) Sustainable drainage
- LPP 5.15 (2011) Water use and supplies
- LPP 6.3 (2011) Assessing effects of development on transport capacity
- LPP 6.5 (2011) Funding Crossrail and other strategically important transport infrastructure
- LPP 6.9 (2011) Cycling
- LPP 6.13 (2011) Parking
- LPP 7.2 (2011) An inclusive environment
- LPP 7.3 (2011) Designing out crime
- LPP 7.4 (2011) Local character
- LPP 7.6 (2011) Architecture
- LPP 7.8 (2011) Heritage assets and archaeology
- LPP 7.9 (2011) Heritage-led regeneration
- LPP 7.16 (2011) Green Belt
- OL1 Green Belt - acceptable open land uses and restrictions on new development
- OL2 Green Belt -landscaping improvements
- OL4 Green Belt - replacement or extension of buildings
- BE8 Planning applications for alteration or extension of listed buildings
- BE13 New development must harmonise with the existing street scene.
- BE15 Alterations and extensions to existing buildings
- 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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
R12	Use of premises to provide child care facilities
R16	Accessibility for elderly people, people with disabilities, women and children
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
SPD-PO	Planning Obligations Supplementary Planning Document, adopted July 2008

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

12 neighbouring properties have been consulted on this application, a site notice has been displayed on site on 14/1/14. 3 individual responses have been received, together with a petition with 35 signatories objecting to the proposals.

The petition states:-

"We the undersigned wish to object to the planning application on the grounds of environmental issues."

The individuals' responses raise the following points:-

- (i) As with previous application we do not agree to the demolition of the existing party wall, which forms part of the original walled garden of the farmhouse which is locally listed.
- (ii) Object to more traffic on Joel Street which is already very busy and it can take a while to exit our driveway. With nursery, parking may take place outside my house and block the driveway when nursery parking becomes full, causing more congestion and take even longer to get out in the

mornings,

(iii) The noise levels outside would also be increased and as we live opposite this could affect us.

A ward councillor has also requested that this application be considered at committee.

NORTHWOOD HILLS RESIDENTS' ASSOCIATION:

Our comments refer mainly to the impact of the proposals on the immediate neighbourhood.
(References/quotations refer to the Design & Access Statement.)

On-site parking:

Current parking provision for the site is as follows:

Vets staff - 8

Vets customers - 6

Polar Graphics - 3

Cattery - 2

151 Joel Street - 1

Proposed parking provision:

Vets staff & customers combined - 9

Polar Graphics - 3

Cattery - 2

151 Joel Street - 1

Nursery staff & customers - 13

With a proposed nursery staff of 10, this leaves 3 parking places for the 45 parents bringing and collecting children. No provision has been made for any auxiliary workers or visitors (eg. prospective parents).

All of this, especially the loss of parking spaces for the staff and customers of the vets, will inevitably entail on-street parking at busy times, which does not at present happen.

There is also currently one office space advertised as unlet. There seems no provision for parking for this.

It should also be noted that 4 of the additional parking places are on an area that is marked as currently being a "gravelled overflow car park". This is, in fact, a grassed area similar to the two paddocks adjacent, although a small amount of gravel has been spread at the far end where the ground is lowest and muddy. This area should be retained as a green space in the same way as the two adjacent paddocks. (This can be seen in the photographs on page 4, where the area in question is clearly seen as grassed (photograph bottom left) while additional car parking is on the hard surfaced area which is proposed to become the nursery and associated walkway (photograph top right).

Traffic:

It was emphasised in the application that the proposed site is well served by public transport, being a short distance from Northwood Hills Metropolitan Line Station, and having a 282 bus stop outside. In practice, parents taking children to nursery school so rarely use public transport that this element must surely be discounted. The vast majority, if not all, will use car.

"It is predicted that drop off and pick up time will be the busiest time of the day." That is, around 8.00 in the morning and between 5.00 & 6.00 in the evening for weekdays; 9.00 and 4.00 on Saturday.

This anticipates that at those times, 45 parents will be bringing their children onto the site, parking

while they see the children safely into the building, or collect them - which always takes a little longer - then depart.

The vets opening hours are: weekdays 8.30 - 7.00 (actual surgery times being: 9.00-11.30, 3.00-4.00, 5.00-7.00) and Saturday 9.00 - 12.00

Additionally, during term time weekdays, Haydon and Northwood Schools have the bulk of their pupils and staff arriving between 8.00 - 9.00 and leaving 3.00 - 4.00

As Joel Street is a busy road at all times, and extremely busy during exactly those hours when it has been admitted that the proposed nursery will be at its busiest, why has no traffic survey been included in the proposal? Perhaps one should be done, in order to fully understand the impact of the extra traffic movement from 10 staff and 45 parents twice a day.

No mention has been made of any delivery vehicles, eg for food and other necessary supplies.

Other considerations:

The open barn to the rear of the site, which abuts directly on to the proposed play area, is used for the storage of hay for a neighbouring stables, which rent the adjacent fields. It has been the scene of two major fires in the past few years, in 2006 and 2013.

Para.7.1.9: The proposals "would provide employment in the area." This presumes the unlikely scenario of a pool of qualified, but unemployed nursery staff living in the local area; although there would presumably be cleaning, catering and other ancillary staff - unspecified in the application - which may come from the local area.

The nursery would also bring "social benefits to the local community in compliance with the NPPF and Local Plan Policy E2." As there are already several nursery schools in the immediate area, with another in Joel Street due to open before this proposal, perhaps evidence should have been provided of the likely need for nursery provision in Northwood Hills?

There is no indication of the proposed internal layout of the nursery, with regard to classroom space, office space, toilets, cooking, storage, etc. Presumably, this would need to be provided in detail in order to satisfy planning and health & safety regulations.

Conclusions:

Although it is recognised that the applicant has sought to address many of the criticisms made of the previous application, this is still an over-development of a comparatively small site and little thought or research have been taken over the impact on the immediate neighbourhood, especially regarding traffic. We feel that this application is on a scale that is untenable in terms of the numbers of children & staff involved and the amount of traffic & parking it would generate.

EASTCOTE VILLAGE CONSERVATION AREA ADVISORY PANEL, INCORPORATING NORTHWOOD HILLS

Joel Street Farm is a locally listed complex set within the Green Belt, Northwood Hills. This is second application for this development the previous 8856/APP/2012/767 was refused. Whilst it is apparent that discussions have taken place with Council Officers regarding the size, bulk and style of the proposed building, there are many other areas that have not been addressed.

Traffic.

· A traffic assessment has been included with this application. However there are many charts and tables none of which actually apply to this site. Joel Street is a local distributor road, yet there is no survey of the volume of traffic using this road. Commonsense should prevail here and if there are

45 children at the nursery, then there are going to 45 incoming trips and 45 outgoing trips twice a day. 11.25 parking spaces will not be sufficient at peak hours. The survey freely admits that walking, public transport and cycling will only account for a very small number of trips. 10 staff will add another 20 trips making 200 overall.

- This local distributor road carries a very high volume of traffic all day, greater at rush hours, just when the nursery is being used. Right turns into and out of the site will a) block the flow of traffic heading into the town centre from the direction of Eastcote and b) traffic will back up within the site thereby blocking the entrance. Should the LPA be minded to approve this application the right turns into and out of the site should be prohibited.

- Visibility will be curtailed with the installation of 5 large Euro bins adjacent to the entrance, causing a danger to pedestrians and motorists.

- Traffic assessment 8.1 states that there has been a particular pattern of collisions in the vicinity of the site. No further information is given. These occurrences should be investigated before determination is made.

- A survey of the total number of trips including the arrival of staff and visitors for the users of all businesses on the site should be submitted. The nursery cannot be taken in isolation.

- A survey of the number of deliveries for all users of the site has not been given, nor an allowance made for parking during such deliveries.

Parking.

- There is a discrepancy between the current and previous application concerning the present layout of the site. The previous application shows three grassed areas not two. This is corroborated by the Ecology report submitted with the current application.

- The area classed as a graveled over flow car park is in fact a grass area, with a small amount of gravel at one edge.

- These three paddocks form part of the green belt and should not be turned into a parking lot. This use as a car park does not comply with the very special circumstances required for the destruction of green belt.

- Previous application, Officers report, Landscape considerations and Highways Officer, it is stated that a road width of 6 meters is required to access parking bays. This requirement is not achieved in the area between the Polar Graphics building and the proposed car parking area.

- The current allocation of parking spaces is not given within the application. The veterinary practice will lose staff spaces, and 4 spaces is not enough for patients during surgery hours.

- Disabled parking bays have not been included. To include disabled parking bays will reduce the number of parking spaces available.

Landscaping.

- In the previous report the landscape officer was not convinced that the landscaping plan would work. There is nothing in this current application to change that view.

- The Ecology Report advises that any demolition of the buildings should not take place during March to August when the barn could be a nesting site for several species of birds. This should be conditioned should the LPA be minded to approve this application.

- Another recommendation is that bird boxes should be installed, also, bat bricks within the construction of the new build.

Floor Layout.

- The internal floor layout for the day nursery has not been submitted.

- The Health and Safety team had many reservations regarding the layout in the previous application [see officer's report].

- A full internal layout should be submitted before any determination is made.

- Suggestions were made during the pre application talks of lowering the floor in the day nursery to provide head room for a mezzanine level. This is not mentioned within the application. Is lowering of the floor part of this application or not?

- Details of the layout of the cattery are also omitted. The Health & Safety Team did not consider that the layout was satisfactory nor were there suitable facilities for the pursuance of this business

in the previous application. Details should be submitted.

Other matters.

- The siting of 5 large Euro bins for refuse collection directly on the highway adjacent to the entrance will be detrimental to the semi rural character of the area. These bins should be screened or collection of refuse take place within the grounds.
- Energy saving and efficiency has not been addressed within the application. What form of renewable energy will the day nursery employ?
- The proposed play area with a rubber matting base will cover part of the green belt grass area.
- Currently there is an office area vacant, no parking space allowance has been made for this office.

Although an attempt has been made to make this proposal suitable, many aspects have not been addressed. The size of the day nursery cannot be accommodated within the area allowed, without being detrimental to the Green belt and the character of the surrounding area. This proposal represents an over development of the site.

We ask that the application be refused.

OFFICER COMMENT:

The application site lies outside the Eastcote Village Conservation Area and indeed any other conservation area.

Internal Consultees

URBAN DESIGN/CONSERVATION OFFICER:

Background: The site includes a range of good quality Victorian Locally Listed farm buildings, with an "L" shaped footprint. They are positioned adjacent to the original farm house and include an enclosed cattle yard and a number of early boundary walls. Together these form a very attractive group. The buildings are clearly visible in views from the surrounding open Green Belt area and from Joel Street.

Comments: The submitted drawings have been subject to discussion with the Design Team, there are no objections to the proposals in principle, subject to:

- The rear boundary (garden) wall with the farm house being retained, building the rear wall of the new building behind this had been discussed previously
- The external flooring materials, whilst of an appropriate type are of varied colours, which they would make the forecourt area appear very busy. This will need to be simplified, it would be a good idea to condition this and the landscape proposals so that a detailed scheme can be drawn up by a landscape architect.
- Palisade fencing would have a very industrial appearance and would not be appropriate in this semi rural/GB location; again this could be conditioned for further consideration together with the boundary treatments to the play area and paddocks, plus new gates to Joel Street.
- Details of the bin enclosure will be required.
- We would need to see samples of the bricks and roofing materials for the new buildings.
- The new gutters should ideally be metal.
- Design detail of the windows, external doors and roof lights should be submitted, the latter should be of painted timber, the roof lights should be a conservation type.
- Details of additional vents and flues should also be subject to condition.

RECOMMENDATION: No objection subject to the above.

TREE AND LANDSCAPE OFFICER:

Landscape Context:

The site is occupied by a complex of barns, stables and related farm buildings within a setting of hard courtyards and small grass paddocks, all within designated Green Belt land to the east of Joel Street.

There are no trees or other landscape features of merit on the site and there are no TPO's on, or close to, the site - which might constrain development.

Proposal:

The proposal is to demolish the existing Dutch barn and erect a replacement building to be used as a Class 1 (Nursery) and to demolish the existing detached stables, including alterations to existing buildings and associated parking and landscaping. This is a re-submission further to an application in 2012 (2012/767).

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.

Saved policies OL1-OL5 seek to protect the visual amenity of the Green Belt, expect comprehensive landscape improvements and prevent conspicuous development which might harm the visual amenity of the Green Belt by reason of siting, materials or design.

- No trees or other landscape features of merit will be affected by the development.
- This proposal has been amended to retain the grass paddock in the north-east corner of the site, which form a sympathetic boundary with the open fields and designated Green Belt.
- Plans indicate that the northern boundary will be defined by palisade fencing. This product is visually inappropriate and should be avoided in this location.
- A line of birch trees at 2 metre centres has also been specified. This spacing is extremely close for tree planting. Furthermore the width of land available for tree planting will only be adequate if the tree roots can extend into available topsoil within the field to the north. A native field hedge with occasional hedgerow trees would be more suitable in this location. This view is supported by the recommendations found in the Ecological Appraisal (section 6.0) by Belos Ecology.
- Another very narrow strip of planting, annotated 'flower beds' is indicated between the car park and the paddock. This is unlikely to prove satisfactory and (if space permits?) another hedge would be more suitable and robust in this location.
- The main car park too extensive and should be visually enhanced with tree planting, which is likely to require the loss of at least one parking space.
- The waste storage (Eurobins) and collection point is in a prominent position, close to the highway and public view. They should be well screened / discreetly detailed to ensure that they do not become an eyesore in such a prominent position.
- Details of all storage, boundary treatments and surfacing treatments should be reviewed.
- Recommendations in the Ecological Appraisal (section 6.0), include the use of native hedgerow species (of local provenance), the installation of at least two bird nest boxes and bat boxes or bricks within the site.
- The site has been the subject of pre-application discussion regarding the building. However, further informed design and detailing needs to be applied to the external spaces and boundary treatments. The use of a landscape architect is recommended.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and appearance of the area.

Recommendations:

No objection in principle. However, the external works would benefit from the advice of, and detailing by, a landscape architect to satisfy conditions COM9 (parts 1,2,4,5 and 6).

HIGHWAY ENGINEER:

The development is for the demolition of an existing barn and detached stables and the construction of a new building that will be used as a nursery for up to 45 children and 10 members of staff. The proposed nursery will operate alongside an existing Cattery, Veterinary Clinic and Graphics Company, which are located within the site, but segregated from the proposed nursery.

As part of the proposals, 13 car parking spaces will be provided for the use of staff and for the dropping off/picking up of children associated with the nursery. The existing car parking provision serving the Cattery, Veterinary Clinic and Graphics Company will be retained.

Access to the proposed nursery and 5 car parking spaces associated with the Veterinary Clinic will be provided via an existing vehicle crossover located along Joel Street to the north of the site, which will be increased in width to 4.8m to allow for two-way traffic. Access to the remaining uses will be provided via an existing vehicle crossover to the south.

When undertaking assessment of the development it is noted that a Transport Statement (TS) has been submitted in support of the proposals. The TS considers the provision of car parking for the proposed nursery based on a parking accumulation survey undertaken at a similar site. This has demonstrated that the proposed car parking provision at the site is likely to accommodate the parking demand associated with the dropping off/picking up of pupils and for staff.

In terms of the likely trip generation, based on the traffic surveys provided within the TS, it is considered that this would not have a material impact along the adjacent highway network.

Therefore, provided that the details below are imposed under a suitably worded planning condition or S106 agreement, it is considered that the development would not be contrary to the Policies of the adopted Hillingdon Unitary Development Plan, 2012 (Part 2) and an objection is not raised in relation to the highway aspect of the proposals.

Conditions/S106

A Travel Plan is required to be submitted to and approved in writing by the LPA before occupation of the nursery and thereafter, maintained and retained for the lifetime of the development. The Travel Plan shall identify initiatives to encourage sustainable modes of travel to and from the site by pupils and staff, including by public transport, walking and car sharing. In addition, a car parking management strategy shall be included within the document.

5 No cycle parking spaces are required to be provided within the site, secured and under cover.

The vehicular access to the site shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays, which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

The applicant is advised to contact the Council's Highways Team in respect of widening the existing vehicle crossover adjacent to the site.

Additional comment:-

I have reviewed the amended TA and note that the only difference between this and the earlier version (received by email on the 21 July 2014) is the inclusion of accident data.

When considering the data, I note that this is not up to date or issued by an accepted provider. However, I have received additional data from TfL, which confirms that there is no established accident patterns along Joel Street adjacent to the site, which would raise concern in relation to the

development.

ACCESS OFFICER:

No objection, amended plans have been provided which demonstrate an acceptable level of accessibility.

SUSTAINABILITY OFFICER:

No objections.

FLOOD AND WATER MANAGEMENT OFFICER:

No objections, subject to the following condition:-

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
 - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
 - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, (safe access and egress must be demonstrated).
 - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

- iii. incorporate water saving measures and equipment.
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1 - Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and Planning Policy Statement 25. To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework (NPPF) at paragraph 2 states that "Planning law

requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise".

As regards Green Belts, the NPPF at paragraph 79 advises that they are of great importance and their fundamental aim is to "prevent urban sprawl by keeping land permanently open". Paragraph 87 advises that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 advises that "'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."

At paragraph 89, the NPPF goes on to define inappropriate development, advising that the construction of new buildings should be regarded as inappropriate, and then lists the various exceptions to this which include the "replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces".

At paragraph 90, the NPPF indicates that certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt. These include among others 'the re-use of buildings provided that the buildings are of permanent and substantial construction'.

London Plan policy 7.16 (July 2011) reaffirms that the "strongest protection" should be given to London's Green Belt, in accordance with national guidance, and emphasises that inappropriate development should be refused, except in very special circumstances.

Policies in the adopted Hillingdon Local Plan (November 2012) generally reflect national and regional guidance, in particular, policies OL1 and OL4 which assess new buildings in the Green Belt. Policy OL2 states that, where development proposals are acceptable within the Green Belt, in accordance with Policy OL1, the Local Planning Authority will seek comprehensive landscaping improvements to enhance the visual amenity of the Green Belt.

This scheme proposes a children's nursery within a replacement building. On the previous application (App. No. 8856/APP/2012/767), it was held that the proposed nursery use would not be harmful to the openness of the Green Belt or be prejudicial to the site's Green Belt status, but it was the proposed physical elements of the scheme, such as the significantly taller and bulkier replacement building for the Dutch barn and the hardstanding of the paddock areas that were considered detrimental to the openness of the Green Belt which justified a reason for refusal on Green Belt grounds.

As regards the current scheme, the internal floor area within the proposed nursery building would total 226sqm, which compares to the 160sqm internal floor area of the existing Dutch barn. Once the internal floor area of the stable building proposed for demolition is also taken into account (58sqm) the proposal would only result in a nominal 8sqm of additional floor space on site.

As regards the height and bulk of the replacement building, its eaves and ridge height would be very similar to the eaves and overall height of the existing Dutch barn. Furthermore, it would only be the projecting wing of the building which would be sited outside of the footprint of the Dutch barn within an enclosed former farmyard where the building would be screened by the main range of former farm buildings to the front and the barns abutting the site at the rear. This compares to the stables which would be

demolished and are in a more exposed position, located to the north of the main former farmyard buildings. This scheme also retains the vast majority of the paddock areas on the northern side of the site and a new hedgerow would be planted along the site's northern boundary.

Therefore, although the scheme technically represents inappropriate development if aspects of the NPPF are read in isolation, however have regard to the intentions of paragraphs 89 and 90 together it is considered that the development is appropriate, particularly as any harm to the Green Belt would be negligible. The applicant argues that if the LPA do consider that very special circumstances need to be demonstrated to justify this scheme, the removal of the dilapidated barn and the stables would improve the appearance of the site and together with employment generation and provision of a day nursery, would outweigh any harm. Given the very limited impact of the scheme, it is considered that in this instance, the scheme is acceptable in Green Belt terms.

It is therefore considered that this revised scheme overcomes reason 4 of the previous refused application (App. No. 8856/APP/2012/767 refers) and would be acceptable in terms of the NPPF, Policy 7.16 of the London Plan and Policies OL1, OL2 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Not applicable to non-residential development.

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

The proposals would not be likely to affect any archaeological remains and the application site is not located within or on the fringes of a conservation area or an area of special local character.

The application site comprises a range of good quality Victorian farm buildings, together with the adjoining original Joel Street Farmhouse which are locally listed. The site also contains a number of early boundary walls and together the buildings and walls form a very attractive group.

The existing Dutch barn is in a dilapidated condition and is mainly constructed from corrugated iron sheets, including its roof. The stable building is also a more modern addition and has a flat corrugated asbestos roof. These buildings have little architectural or historical merit and no objections are raised to their loss.

The proposed single storey nursery building would replace the existing attached Dutch barn at the rear of the main two storied former farmhouse buildings. The revised scheme has formed the subject of much discussion with officers which has led to various revisions being made. The nursery building has been set back by 500mm from the boundary wall adjoining the adjacent farmhouse, allowing the wall to be retained and not be used to form part of the side wall of the nursery building which may have threatened its stability. The building would be of an acceptable design, replicating that of the locally listed farm buildings and its scale, with a ridge height below that of the eaves of the main farmhouse buildings would ensure that the addition would appear sufficiently subordinate. As such, the Council's Conservation/Urban Design Officer raises no objections to the scheme, subject to conditions.

The revised scheme is considered to have overcome reason 3 of the previous refused application (App. No. 8856/APP/2012/767) and would be acceptable in terms of the NPPF, and Policies BE8 and 9 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

There are no airport safeguarding issues raised by this application.

7.05 Impact on the green belt

The impact upon the Green Belt has been considered in Section .

7.07 Impact on the character & appearance of the area

The proposed single storey nursery building would be screened from public views on Joel Street by the existing two storey former farm buildings on site. The building would also replace the existing dilapidated Dutch barn of a similar height. The proposed car parking would mainly utilise existing hardstanding of the former farmyards and the proposed bin store would be largely screened behind the existing/extended front boundary wall.

As such, the scheme would have no adverse impacts on the character and appearance of the area and would result in the tidying and enhancement of the site's appearance.

7.08 Impact on neighbours

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to protect the amenities of surrounding residential properties from new development in relation to loss of sunlight, dominance and loss of privacy respectively.

The nearest residential property to the proposals is the former Joel Street Farmhouse immediately to the south of the site. The proposed nursery building would be sited adjacent to the side boundary of its rear garden. As the building would replace an existing structure of similar height and bulk, there would be no additional impacts upon the amenities of this property. The proposed building would be set back some 500mm from the boundary which represents an improvement on the existing relationship. The proposed nursery building also does not contain any side windows in the flank elevation facing No. 151's rear garden other than skylight windows in the roof from which overlooking could not occur.

The proposed nursery building would be sited some 55m from, and screened by, existing buildings on site from the properties on the opposite side of Joel Street.

It is therefore considered that the scheme would not result in any significant adverse impact upon the amenities of existing and proposed surrounding residential occupiers, in accordance with Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Noise and traffic issues are considered in the relevant sections below.

7.09 Living conditions for future occupiers

Not applicable to this commercial development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

There are no adopted car parking standards for children's nurseries, each application is assessed on an individual basis using a transport assessment and travel plan.

The proposed children's nursery would operate alongside existing uses on site, namely a cattery, veterinary clinic and graphics company. The car parking arrangements for the existing uses on site would be unchanged, with 2 spaces serving the cattery, 3 spaces the offices and a total of 9 spaces serving the veterinary clinic, together with 1 retained space on site to serve the former adjoining farmhouse. Of these, it is only 5 of the spaces serving the veterinary clinic that would share the use of the northern access into the site, with the other spaces occupying the enclosed courtyard to the south with its own separate

access onto Joel Street.

As part of the proposals, 13 spaces would be provided to serve the nursery and the northern access would be re-positioned slightly and widened to 4.8m to allow two-way vehicular movement.

The Council's Highway Engineer advises that a Transport Statement (TS) has been submitted in support of the proposals based upon a parking accumulation survey undertaken at a similar site on Joel Street. This demonstrates that the proposed car parking provision at the site is likely to accommodate the parking demand associated with the dropping off/picking up of pupils and for staff.

The Highway Engineer also advises that in terms of the likely trip generation, based on the traffic surveys provided within the TS, it is considered that this would not have a material impact along the adjacent highway network.

As regards cycle parking, in order to comply with Council standards, 1 space per 2 members of staff would be needed and details of cycle parking has been conditioned.

Therefore, provided that a travel plan is submitted which would be subject to a S106 Agreement, the Highway Engineer raises no objections to the scheme, subject to the recommended conditions. Therefore, this revised scheme has overcome reasons 1 and 2 of the previously refused scheme and no objections are raised on highway grounds and complies with Policies AM7(ii), AM9 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

A Secure by Design condition is included in the officer's recommendation.

7.12 Disabled access

Policy 7.2 of the London Plan (July 2011) requires all new development to provide an inclusive environment that achieves the highest standards of accessibility and inclusive design. The Council's Supplementary Planning Document "Accessible Hillingdon" (May 2013) provides detailed design guidance on accessibility issues.

The Council's Access Officer advises that since the scheme has been revised to take into account his initial comments, the revised scheme is acceptable from an accessibility perspective.

The scheme complies with Policy 7.2 of the London Plan and the Council's Supplementary Planning Document "Accessible Hillingdon" (May 2013).

7.13 Provision of affordable & special needs housing

Not applicable to this application for commercial development.

7.14 Trees, Landscaping and Ecology

Saved policy BE38 of the Hillingdon Local Plan advises that new development should retain topographical and landscape features of merit and that new planting and landscaping should be provided wherever it is appropriate.

The Council's Tree/Landscaping Officer advises that there are no trees or other landscape features of merit on the site and there are no TPO's on, or close to, the site which might constrain its development.

The Council's Tree/Landscape Officer notes that since the previous refused scheme, the

paddock area has largely been retained which provides a sympathetic boundary with the open fields and designated Green Belt, although concerns were raised regarding the industrial appearance of the initially proposed palisade fencing, type of boundary planting and a narrow strip of planting within the site and suggested revisions to the layout. The scheme has now been revised to include many of the Tree/Landscape Officer's suggestions, including post and rail fencing and a native hedgerow along the northern boundary.

The Council's Tree/Landscape Officer advises that the scheme is acceptable, subject to a condition seeking the submission of a landscaping scheme. This forms part of the officer recommendation. As such, it is considered that reason 5 of the previous application has been overcome.

Ecology

An Ecological Appraisal has been submitted which demonstrates that the site has no significant ecological interest and importantly, that it is of negligible significance for roosting bats. The report does recommend various ecological enhancements for the site, including the use of bird/bat boxes and bat bricks which has been conditioned. The Council's Sustainability Officer raises no objections to the scheme.

7.15 Sustainable waste management

The scheme makes adequate provision, adjacent to the northern access to the site for waste and recycling.

7.16 Renewable energy / Sustainability

The Council's Sustainability Officer advises that there is no requirement for an energy condition as it would be too onerous.

7.17 Flooding or Drainage Issues

The Council's Flood and Water Management Officer raises no objections to the scheme, subject to the imposition of a recommended SUDS condition. This forms part of the officer recommendation.

7.18 Noise or Air Quality Issues

The playground for the proposed nursery would be provided to the north of the nursery building which would help screen the impact of its use upon the adjoining residential occupiers to the south. On the previous application, the Council's Environmental Protection Officer did not raise any objections to the proposal, but did recommend an opening hours condition and a condition to control the times of vehicular movements to and from the site. The former forms part of the officer recommendation on this application which would largely control vehicle movements to and from the site.

The application site is not located within an Air Quality Management Area. Traffic generated by the proposal would not have a material adverse impact on air quality.

7.19 Comments on Public Consultations

As regards the comments raised by individual objectors, as regards point (i), notice has been served on the occupiers of No. 151 Joel Street as regards the boundary wall. The scheme however has since been amended, setting the nursery building back by some 500mm from the boundary, so that the boundary wall should not be affected by the proposals. A condition has been added, requiring that a construction method plan is submitted to ensure the boundary wall is retained and any damage is made good. The other comments raised by the objectors and petitioners have been dealt within the officer's report.

7.20 Planning Obligations

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

A S106 Agreement would be needed to secure the following:-

1. Highways: A S278/S38 Agreement will need to be secured for the widening of the northern access and a Travel Plan.

7.21 Expediency of enforcement action

There are no enforcement issues raised by this application.

7.22 Other Issues

There are no other planning issues raised by this application.

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

10. CONCLUSION

This scheme is a resubmission of a previously refused proposal for a similar development. It is considered that the revisions made overcome the previous reasons for refusal and the scheme is recommended for approval.

11. Reference Documents

NPPF (March 2012)
Planning Practice Guidance (March 2014)
The London Plan (July 2011)
Hillingdon Local Plan (November 2012)
Consultation Responses

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