

Report of the Head of Planning, Sport and Green Spaces

Address THE OLD ORCHARD PARK LANE HAREFIELD

Development: Single storey detached outbuilding to be used to serve food and beverages (Revised and Resubmission)

LBH Ref Nos: 3499/APP/2015/4269

Drawing Nos: 70/15/33
267/12/02 Rev A
70/15/30 Rev D
70/15/31 Rev E
70/15/32 Rev E

Date Plans Received: 19/11/2015 **Date(s) of Amendment(s):** 19/11/2015

Date Application Valid: 20/11/2015

1. SUMMARY

This application is being referred to the Planning Committee for determination as it constitutes a minor development in the Green Belt.

The application seeks planning permission for the erection of a single storey detached barbeque outbuilding in the rear garden of the application site for the purposes of serving hot/cold food and beverages.

The application is a resubmission of a previous application (reference 3499/APP/2015/2212), which was refused permission on 01/09/2015 for a similar scheme (erection of a single storey detached barbeque outbuilding in the rear garden for the purposes of serving hot/cold food and beverages).

It is considered that the proposed detached outbuilding, by reason of proportionate and subordinate scale, bulk and sympathetic design, would visually relate well with the high-quality design of the existing public house on the site. The proposed development would therefore preserve the setting, character and appearance of the building and the Harefield Village Conservation Area. It has also been considered that the proposed outbuilding would not have any adverse impact on the maintenance of the openness and visual amenity of the Green Belt.

The proposed development would accord with the objectives of Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15, BE19 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Accordingly, the application is 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 70/15/30 Rev D, 70/15/31 Rev E and 70/15/32 Rev E (revised and received on 22/03/2016), and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and The London Plan (2015).

3 RES7 Materials (Submission)

No development shall take place until details and samples of all materials and external surfaces, including details of flues, vents, external pipework, sleeper walls, paving and planting 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 and preserves the character and appearance of the Harefield Village Conservation Area in accordance with Policies BE4 and BE13 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

4 NONSC Non Standard Condition

The barbecue and outdoor food preparation area in the single storey detached outbuilding hereby permitted shall only be used between the hours of 1000 and 2200 Mondays to Fridays, and between the hours of 1000 and 2300 Saturdays. The use in the outbuilding shall not be carried out on Sundays and / or Bank Holidays.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies BE24, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

5 NONSC Non Standard Condition

No music or amplified speech, recorded or otherwise, shall be played in the single storey detached outbuilding hereby permitted.

REASON

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policies BE24, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

INFORMATIVES

1 I52 **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 (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
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.
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
OL4	Green Belt - replacement or extension of buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.16	(2015) Green Belt

3 I59 **Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), the London Plan Policies (2015). 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.

4 I47 **Damage to Verge - For Council Roads:**

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this

development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5

As the London Borough of Hillingdon is in a Smoke Control Area, no fuels are to be burnt, which are not smokeless fuels such as charcoal or anthracite. A full list of approved fuels can be found on the defra website: <http://smokecontrol.defra.gov.uk/fuels>

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the southern side of Park Lane and is accessed from Jacks Lane, which runs in a south-westerly direction.

The application site comprises an attractive building that has jettied wings. The building is currently in use as a public house/ restaurant with an open seating area in an expansive garden to the rear. A temporary white marquee structure is presently sited in the garden. The public house building is positioned on an elevated site overlooking the lake and river valley on the outskirts of Harefield Village.

To the north and northwest of the application site lie the residential curtilages of Old Orchard Lodge and Old Orchard Cottage. The Old Orchard Cottage, a detached bungalow style dwelling, fronts onto Jack's Lane.

The area in general comprises open countryside and is rural in character. The site lies within the Green Belt, the Colne Valley Regional Park and Harefield Village Conservation Area, as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

3.2 Proposed Scheme

This application seeks permission for the erection of a single storey detached barbecue outbuilding in the rear garden for the purposes of serving hot/cold food and beverages.

Revised plans have been submitted to show a hipped roof with crown section for the proposed outbuilding to a height of 3.7m, and which would be 6m wide and 4m deep. The outbuilding would have hung doors with top opening flaps in the two side elevations (north and south), and the rear elevation (east) of the outbuilding would be enclosed by a 0.7m high retaining wall. The front (west) elevation would comprise a timber framed door and two top hung opening flaps.

The outbuilding would be sited within a new 11m wide and 7m deep paved terrace in the garden and it would be built with half-round plain clay tiles supported on timber trusses and square oak posts, red-brick infill plinth and timber clad finish. Soft landscaping has been proposed to enclose the terrace.

The application is a resubmission of a previous application (reference

3499/APP/2015/2212), which was refused permission on 01/09/2015 for the erection of a flat-roof 2.5m high, 7m wide and 4m deep single storey detached barbeque outbuilding in the rear garden for the purposes of serving hot/cold food and beverages.

3.3 Relevant Planning History

- 3499/AA/95/0611 The Old Orchard Hotel Park Lane Harefield
Change of use of existing hotel to nursing home and erection of three storey side and rear extensions to provide a 53-bedroom facility for 60 patients and associated servicing, car parking and landscaping
Decision: 02-10-1996 Refused
- 3499/APP/2003/1219 Edwinns Restaurant, The Old Orchard Hotel Park Lane Harefield
ERECTION OF A FRONT PORCH (INVOLVING DEMOLITION OF EXISTING PORCH)
Decision: 16-02-2004 Approved
- 3499/APP/2004/497 Edwinns Restaurant, The Old Orchard Hotel Park Lane Harefield
ERECTION OF A SINGLE STOREY REAR INFILL EXTENSION AND FRONT PORCH (INVOLVING REMOVAL OF A COVERED STORAGE AREA AND EXISTING PORCH)
Decision: 05-08-2004 Approved
- 3499/APP/2005/494 Edwinns Brasserie, The Old Orchard Park Lane Harefield
ERECTION OF A SINGLE STOREY EXTENSION TO FORM TERRACE ROOM ON SITE OF EXISTING TERRACE
Decision: 07-04-2005 Approved
- 3499/APP/2009/2729 Edwinns, The Old Orchard Park Lane Harefield
Single storey side extension, provision of delivery access road to side, paved terrace area with covered shelter to side to include new wall, new log store shelter and shed, repositioning of gas tank, alterations to banking, new fencing area, enlargement and alteration to car parking area/new fencing and alterations to front entrance, to include demolition of existing bay window to side.
Decision: 11-05-2010 Approved
- 3499/APP/2009/2730 Edwinns, The Old Orchard Park Lane Harefield
Demolition of existing bay window to side (Application for Conservation Area Consent.)
Decision: 30-03-2010 Withdrawn
- 3499/APP/2010/1533 Edwinns Restaurant, The Old Orchard Hotel Park Lane Harefield
Details in compliance with conditions 5 (cycle storage), 7 (tree survey), 9 (tree protection) and 1 (landfill gas) of planning permission ref: 3499/APP/ 2009/2729 dated 02/02/2010: Single storey side extension, provision of delivery access road to side, paved terrace area with covered shelter to side to include new wall, new log store shelter and shed, repositioning of gas tank, alterations

to banking, new fencing area, enlargement and alteration to car parking area/new fencing and alterations to front entrance, to include demolition of existing bay window to side.

Decision: 04-01-2011 Approved

3499/APP/2010/7 The Old Orchard Park Lane Harefield

Erection of side single storey extension, new side delivery access road, new paved terrace area with covered shelter. Relocation of gas tank, log storage shelter and new shed. Cutting back of banking for the installation of gabion walling to extend parking area. Car park re-surfacing, new fencing and alterations to existing terrace area.

Decision: 20-01-2010 NFA

3499/APP/2010/8 The Old Orchard Park Lane Harefield

Erection of side single storey extension, new side delivery access road, new paved terrace area with covered shelter. Relocation of gas tank, log storage shelter & new shed. Cutting back of banking for the installation of gabion walling to extend parking area. Car park re-surfacing, new fencing and alterations to existing terrace area (Application for Conservation Area Consent.)

Decision: 29-01-2010 NFA

3499/APP/2012/1924 The Old Orchard Park Lane Harefield

INSTALLATION OF NEW EXTRACTION PLANT TO REPLACE EXISTING PLANT AND THE ERECTION OF A NEW CLOSE BOARDED FENCE TO MASK THE PLANT

Decision: 19-09-2012 NFA

3499/APP/2012/2773 The Old Orchard Park Lane Harefield

Installation of replacement extraction plant and close boarded fence (Retrospective)

Decision: 26-03-2013 Refused

3499/APP/2015/2212 The Old Orchard Park Lane Harefield

Single storey detached outbuilding to be used to serve food and beverages

Decision: 01-09-2015 Refused

3499/APP/2015/4600 The Old Orchard Park Lane Harefield

Single storey side extension to provide a disabled toilet (Revised)

Decision:

3499/L/78/1637 The Old Orchard Hotel Park Lane Harefield

Res.dev - Hostel/Boarding/Guest house (Full) (P)

Decision: 15-12-1978 Approved

3499/M/79/0339 The Old Orchard Hotel Park Lane Harefield
Extension/Alterations to Hostel/Guest house (P) of 109 sq.m.

Decision: 26-06-1979 Approved

3499/N/82/1034 The Old Orchard Hotel Park Lane Harefield
Section 53 certificate (P)

Decision: 28-09-1982 GPD

3499/Q/84/0651 The Old Orchard Hotel Park Lane Harefield
Front ground floor porch extension.

Decision: 30-05-1984 Approved

3499/R/84/1548 The Old Orchard Hotel Park Lane Harefield
Residential development - Hotel (Outline)(P)

Decision: 18-12-1984 Refused

3499/S/87/1183 The Old Orchard Hotel Park Lane Harefield
Extns to hotel (outline)

Decision: 08-01-1988 Approved

3499/T/88/2288 The Old Orchard Hotel Park Lane Harefield
Dem of ancil bldgs, erect of extns + new lower grd floor + basement to form 53 bed hotel+assoc
facils

Decision: 12-10-1989 Refused **Appeal:** 06-10-1990 Withdrawn

3499/X/90/0763 The Old Orchard Hotel Park Lane Harefield
Erection of three-storey side extension and two- storey rear extension including demolition of
ancillary buildings at rear, to provide 42 bedrooms, dining area, meeting rooms and ancillary
areas, and associated landscaping

Decision: 29-06-1990 Approved

3499/Y/94/1242 The Old Orchard Hotel Park Lane Harefield
Change of use of existing hotel to nursing home, erection of a three storey side and rear
extension to provide 53-bedroom facility for 60 patients, plus associated servicing facilities, car

parking and landscaping

Decision: 13-12-1994 Withdrawn

3499/Z/95/0321 The Old Orchard Hotel Park Lane Harefield

Renewal of planning permission ref. 3499X/90/763 dated 29/06/90; Erection of three storey side extension and two storey rear extension, including demolition of ancillary buildings at rear to provide 42 bedrooms, dining area, meeting rooms and ancillary areas and associated landscapi

Decision: 15-11-1995 Refused **Appeal:** 28-06-1996 Dismissed

4772/B/84/0652 The Old Orchard Hotel Park Lane Harefield

Householder development - residential extension(P)

Decision: 17-05-1984 Approved

Comment on Relevant Planning History

3499/APP/2015/2212 - Single storey detached outbuilding to be used to serve food and beverages

Decision: Refused on 01/09/2015.

Reason for refusal:

The proposed single storey detached outbuilding, by virtue of unsympathetic design would not visually relate well with the high-quality design of the existing public house building on the site, and it would not preserve or enhance the setting, character and appearance of the building or the Harefield Village Conservation Area. The proposed development would therefore be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

PT1.EM8 (2012) Land, Water, Air and Noise

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4	New development within or on the fringes of conservation areas
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.
EM2	(2012) Green Belt, Metropolitan Open Land and Green Chains
OL4	Green Belt - replacement or extension of buildings
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
LPP 7.8	(2015) Heritage assets and archaeology
LPP 7.16	(2015) Green Belt

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **23rd December 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

2 neighbouring occupiers (Old Orchard Cottage and Old Orchard Lodge) and the Harefield Village Conservation Area Panel were consulted by letter on 24/11/2015 and a site notice was displayed in the area on 03/12/2015.

An objection has been received from a neighbouring resident, the grounds of which are outlined below:

- Situated within Green belt land and part of the Harefield Village Conservation area.
- Detrimental impact in terms of additional noise from visitors utilising the proposed building
- Additional traffic and parking problems

Harefield Village Conservation Area Panel: No objection to the proposal.

Internal Consultees

Conservation Officer initial comments:

The site is located within the Harefield Village Conservation Area and on designated Green Belt land. The existing restaurant/ public house building is most attractive in the Arts and Crafts, Mediaeval manor house tradition. It is designed in an 'H' shape with jettied wings. The building's context comprises of open seating areas around the building and on the adjacent lawn. The site is situated in a high position, providing views overlooking the lake and river valley towards Buckinghamshire.

Whilst there are no objections to the principle of such a building, as proposed the single storey detached barbecue outbuilding would be considered in principle unacceptable. The proposed building would not enhance or relate well to the existing buildings and structures on the site.

As the proposed building would be a permanent fixture and its proposed prominent positioning on the site, it is recommended that the proposed building's location, scale and overall design are revised. The design of the proposed building/ structure as a permanent feature should relate to the design and style of the existing building, highlighting important features. This would in turn enhance the character of the building, site and surrounding Conservation Area.

The proposed building/ terrace is in close proximity to the existing smoking shelter/ terrace, creating a cramped/ crowded character to the beer garden, which would deter from the rural character of the surrounding area. Therefore it would be considered in principle unacceptable.

Case Officer comments:

Following a joint visit to the site by the Case and Conservation Officers, the receipt of revised plans from the applicants and re-consultation, the Conservation Officer provided additional/revised comments.

Conservation Officer revised comments:

This is now acceptable. Please condition the external materials and finishes - samples to be provided for agreement; also please require by condition details of any flues, vents and external pipework, as well as details of the sleeper walls, paving and planting.

Environmental Protection Unit (EPU) Officer:

No objection. The comments made in the previous application (reference 3499/APP/2015/2212) in respect of conditioning hours of operation are applicable to this application.

The EPU Officer's comments for the previous application are discussed in the 'Impact on Neighbours' section of this report below.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

In terms of the principle of the development, the application seeks permission for the erection of a detached outbuilding in conjunction with the existing public house/restaurant use. The public house/restaurant is the established historic use and the associated proposed outbuilding would therefore be considered acceptable in principle.

7.02 Density of the proposed development

Not applicable as it does not constitute a residential development.

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

The site lies within the Colne Valley Regional Park and Harefield Village Conservation Area. The site does not comprise any statutory or locally listed buildings and it is not located in an Area of Special Local Character (ASLC).

The proposed outbuilding, by reason of proportionate and subordinate scale, bulk and sympathetic design, would not be obtrusive, and would visually relate well with the high-quality design of the existing public house building on the site. The proposed outbuilding would therefore overcome the previous reason for refusal and would preserve the setting, character and appearance of the public house building and the Harefield Village Conservation Area, and accord with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

The objection from the objector in respect of the Green Belt positioning is noted.

In terms of the impact of the outbuilding on the Green Belt, the outbuilding would be single storey and its footprint would constitute approximately 6% of the footprint of the existing public house building. The original public house building has been extended with a number of ad-hoc extensions to the sides and rear. However, the cumulative floor area of the ad-hoc extensions and proposed outbuilding would not exceed 50% of the floor area and footprint of the original building.

It is therefore considered that the scale of the outbuilding is such that it would not increase the built up appearance of the site or adversely impact the maintenance of the openness and visual amenity of the Green Belt, in accordance with Saved Policy OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that new development within Conservation Areas will be expected to preserve or enhance those features, which contribute to their special architectural and visual qualities.

Policy BE13 of the Local Plan will not be permitted if the layout and appearance fail to harmonise with the existing streetscene or other features of the area, which the Local Planning Authority considers it desirable to retain or enhance.

The application site is located within Harefield Village Conservation Area. It is noted that the proposed revised hipped roof of the outbuilding would not replicate the gable end roof of the main building on the site. However, the Conservation Officer has raised no objection to the proposed hipped roof, as the degrees of the pitch slopes are such that they would significantly reduce the bulk, massing and footprint of the outbuilding, thereby making it less prominent as a permanent structure in an open semi-rural location. The proposed use of timber material for mainly the external facades and brickwork for the base and plinths are such that the proposed outbuilding would constitute a light-weight structure. The Conservation Officer has advised that a light-weight appearance is such that it would not represent a significant departure from the high-quality design of the public building, which incorporates attractive and distinctive features such as the jettied wings. As a result, the design of the outbuilding is such that it would not be obtrusive and it would integrate well visually with the existing public house building, as well as preserve the character, appearance and setting of the Harefield Village Conservation Area.

Given the above considerations, the proposed outbuilding, by reason of proportionate and subordinate scale, bulk and sympathetic design, would not be obtrusive, and would visually relate well with the high-quality design of the existing public house building on the site. The proposed outbuilding would therefore overcome the previous reason for refusal and would preserve the setting, character and appearance of the public house building and the Harefield Village Conservation Area, and accord with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.08 Impact on neighbours

In terms of impact on neighbouring residential amenity, the objection received in respect of

additional noise generation/disturbance and increased parking pressure is noted.

The proposed outbuilding would be sited approximately more than 60m away from the nearest residential properties to the north and north-west (Old Orchard Lodge and Old Orchard Cottage) and it would be screened off from those properties by the public house building on the site. The outbuilding would therefore not result in an unacceptable impact on the neighbouring residential amenities by reason of over-dominance, overshadowing, visual intrusion, loss of light and outlook.

The applicant has submitted that the proposed outbuilding would form an associated food/drink serving facility for customers who utilise the open seating area in the rear garden. The applicant has also submitted on the application forms that the opening hours of the public house are unknown. It is noted that the use of the open seating area in the garden has an existing element of noise generation from the comings and goings of customers to the site. It is also noted that the Council's Environmental Protection Unit (EPU) Officers were consulted for the previous related application (reference 3499/APP/2015/2212) and this current application. The EPU Officers advised then, and have confirmed with this application, that if the application is considered acceptable in all aspects, the imposition of opening hours between 1000 and 2200, Mondays to Fridays, and between 1000 and 2300 on Saturdays for food preparation in the outbuilding should be conditioned. It is considered that the recommendation is applicable in the instance of this current application, and that restricting the proposed opening hours to a later hour of 2300 is acceptable, as it would ensure that there is no disturbance to the night rest and sleeping periods of neighbouring residents, typically between 2300 and 0700 hours. This would also help address the concerns of the objector in terms of noise nuisance. The recommendation of the EPU Officer in the previous application, which restricts the playing of music or amplified speech (recorded or otherwise) in the outdoor food preparation area is also considered an appropriate measure.

In terms of the concerns related to additional car parking pressures on the highway, the siting of the proposed outbuilding would not displace any of the existing car parking spaces on the site. The outbuilding is proposed as an associated food preparation area, so it would not result in any material change of the existing use on the site and the parking availability/trip generation it currently generates.

It is therefore considered that the proposal would not harm the residential amenities of the neighbouring occupiers from increased overshadowing, loss of sunlight, visual intrusion, over-dominance, noise nuisance and traffic impacts. As such, the proposal is in compliance with Policies BE20, BE21, BE24, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not applicable as it does not constitute a residential development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

As discussed in the 'Impact on Neighbours' section above, the proposal would have no adverse implications in terms of highway / pedestrian safety, parking availability and traffic / trip generations in and out of the wider area.

7.11 Urban design, access and security

The proposed development would incorporate an acceptable level of design, which would be in keeping with that of the main building on the site. The development would also be sited in a secure location and would incorporate inclusive and level access into the building.

7.12 Disabled access

As mentioned above, the proposed development would incorporate inclusive and level access into the building.

7.13 Provision of affordable & special needs housing

Not applicable as it does not constitute a residential development.

7.14 Trees, Landscaping and Ecology

The proposed outbuilding would not be sited in close proximity of any trees with high amenity value adjacent or near to the site. Additional and complementary soft landscaping would be planted around the terrace enclosing the proposed outbuilding, which is considered would visually soften the appearance of the building.

7.15 Sustainable waste management

The proposal would incorporate existing adequate and secure recycling and refuse storage provision on the site.

7.16 Renewable energy / Sustainability

Not applicable.

7.17 Flooding or Drainage Issues

The application site is not situated within any Flood Zone, and the scale and use of the proposed development are such that it would not result in the generation of any localised flooding on the site.

7.18 Noise or Air Quality Issues

The EPU Officers had advised in the previous related application, and confirmed with this application, that the installation of a permanent barbecue feature in the proposed outbuilding and lack of an extractor to draw grease of a fryer could have a detrimental effect in terms of emission of smoke through the rest of the serving area and towards neighbouring residential properties. The EPU Officer has advised of the addition of an informative to ensure that fuels which are not smokeless (such as charcoal or anthracite) are not to be burnt. It was also advised that the barbecue in the outbuilding should be sited away from windows and under some form of roof shelter with little or no enclosure surrounding it.

It is considered that the imposition of the suggested informative would ensure that the proposal accords with the control of emission of dark smoke, grit, dust and fumes in line with the Clean Air Act 1993.

7.19 Comments on Public Consultations

The representation (objection) from an adjacent residential occupier in respect of the Green Belt/Conservation Area location of the site, generation of noise and nuisance, and additional traffic/parking pressures has been discussed in the main section of this report above.

7.20 Planning Obligations

Not applicable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

None.

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

Not applicable.

10. CONCLUSION

It has been considered that the proposed detached outbuilding, by reason of proportionate and subordinate scale, bulk and sympathetic design, would visually relate well with the high-quality design of the existing public house on the site. The proposed development would therefore preserve the setting, character and appearance of the building and the Harefield Village Conservation Area. It has also been considered that the proposed outbuilding would not have any adverse impact on the maintenance of the openness and visual amenity of the Green Belt.

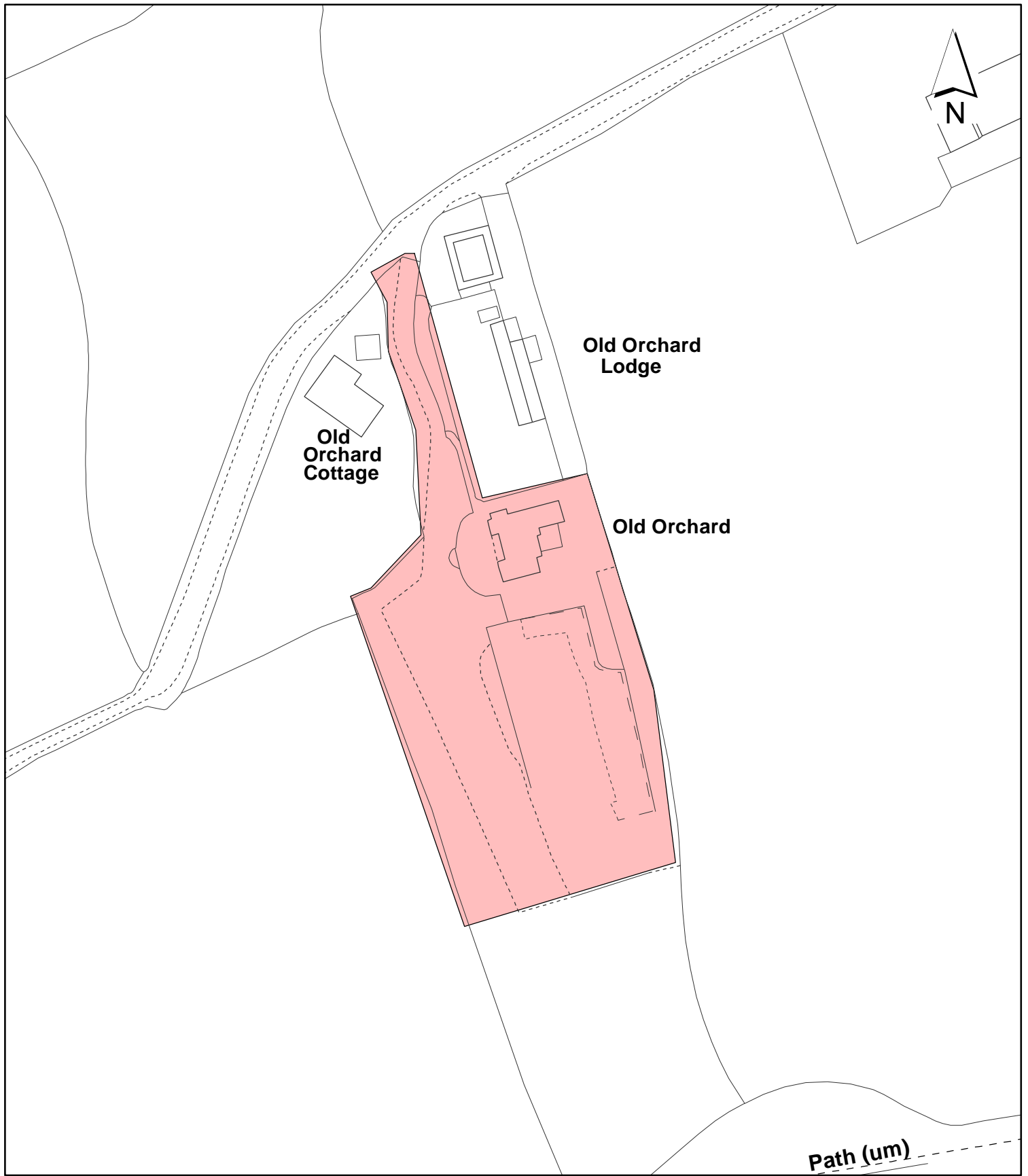
The proposed development would therefore accord with the objectives of Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15, BE19 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

11. Reference Documents

The London Plan (March 2015)
Hillingdon Local Plan: Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
National Planning Policy Framework (March 2012)

Contact Officer: Victor Unuigbo

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Notes:

 Site boundary

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Site Address:

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 Park Lane
 Harefield**

**LONDON BOROUGH
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 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:

3499/APP/2015/4269

Scale:

1:1,250

Planning Committee:

North

Date:

April 2016



HILLINGDON
 LONDON