

## **Report of the Head of Planning, Transportation and Regeneration**

**Address** DUCKS HILL FARM DUCKS HILL ROAD NORTHWOOD

**Development:** Erection of a building for use as a shop and storage involving demolition of existing sheds

**LBH Ref Nos:** 5907/APP/2019/872

**Drawing Nos:** Location Plan  
Block Plan  
Existing Site Plan  
Proposed Site Plan  
New Site Layout  
North Elevation  
North Elevation Proposed  
West elevation proposed  
Proposed South Elevation  
South Elevation  
West Elevation

**Date Plans Received:** 12/03/2019

**Date(s) of Amendment(s):**

**Date Application Valid:** 03/04/2019

### **1. SUMMARY**

The application seeks planning permission for the demolition of the existing stables and the erection of a building to be used as a shop and storage. The proposal is for the replacement of 2 existing buildings with one building of the same use.

The building is considered to represent an appropriate form of development within the Green Belt, and would not detract from the rural character and appearance of the area. Furthermore it would not result in the loss of residential amenity.

For the reasons outlined above, and given that the development complies with the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012), this 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

Proposed Site Plan  
New Site Layout  
North Elevation  
North Elevation Proposed  
West elevation proposed  
Proposed South Elevation  
South Elevation  
West Elevation

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 (2016).

### **3 COM7 Materials (Submission)**

Prior to the commencement of the superstructure works details of all materials and external surfaces shall 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 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

### **4 COM22 Operating Hours**

The premises shall not be used except between:-  
[0900 and 1700], Mondays - Fridays  
[0900 to 1700] Saturdays  
[1000 to 1600] 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)

### **5 E2 Use Within Same Use Class A1**

The premises shall be limited to selling equestrian saddlery, tack, pet food and pet equipment only and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987).

#### REASON

To safeguard the openness of the Green Belt in accordance with policy OL4 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

## **INFORMATIVES**

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

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies

appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's 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.

## **2            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).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

## **3            I15            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](http://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.

## **4**

The Council is aware of the presence of land with the potential to exude gas within 250 metres of the site but the risk of gas migration is considered minimal due to the age, nature and/or location of the fill. It is recommended that the building is designed and constructed to prevent/minimise the possible entry of any migrating landfill gas.

## **5**

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

## **6            170            LBH worked applicant in a positive & proactive (Granting)**

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

### **3.        CONSIDERATIONS**

#### **3.1      Site and Locality**

Ducks Hill Farm is a registered agricultural holding comprising of agricultural buildings, dwellings and fields situated on land to the West side of Ducks Hill Road (A4180) in Northwood. This is a 154 acre holding held within the applicant's ownership, the majority of which is used for grazing and hay production. The site is an area of approximately 440sqm, situated within the main farm complex, with a large barn to the east and the farm house to the north. Access is gained from an existing track leading from Ducks Hill Road.

The application site lies within Green Belt as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

#### **3.2      Proposed Scheme**

The proposal is for the demolition of the existing stables and the erection of a building to be used as a shop and storage. The demolished buildings equate to 300sq metres. The proposed building is 345sq metres, which is approximately a 15% increase in floor area.

#### **3.3      Relevant Planning History**

5907/APP/2006/2193        Windy Ridge Ducks Hill Road Northwood

ERECTION OF STABLE BUILDING TO THE SOUTH OF WINDY RIDGE AND CHANGE OF USE OF THE LAND FROM AGRICULTURAL LAND TO RECREATIONAL USE (INVOLVING THE DEMOLITION AND RE-LOCATION OF EXISTING STABLE BUILDING)

**Decision:** 03-04-2007    Approved

5907/APP/2006/3311 Ducks Hill Farm Ducks Hill Road Northwood

REDEVELOPMENT OF SITE TO PROVIDE 12 DWELLINGHOUSES IN FIVE BLOCKS WITH ASSOCIATED PARKING AND LANDSCAPING (INVOLVING DEMOLITION OF EXISTING BUNGALOW AND OUTBUILDING)

**Decision:** 08-03-2007 Refused **Appeal:** 31-01-2008 Dismissed

5907/APP/2006/3396 Ducks Hill Farm Ducks Hill Road Northwood

ALTERATIONS TO LISTED STABLE BUILDING TO PROVIDE REFUSE/CYCLE STORE AND CAR PARKING (APPLICATION FOR LISTED BUILDING CONSENT).

**Decision:** 31-05-2007 Refused **Appeal:** 31-01-2008 Allowed

5907/APP/2011/1882 Ducks Hill Farm Ducks Hill Road Northwood

Erection of 1 x five-bedroom and 2 x four-bedroom detached houses, alterations to Listed stable block to facilitate conversion into storage and garaging (works involve demolition of existing stable and storage buildings and removal of unauthorised caravans and external storage)

**Decision:** 22-12-2011 Refused **Appeal:** 24-12-2012 Dismissed

5907/APP/2011/1883 Ducks Hill Farm Ducks Hill Road Northwood

Alterations to listed stable block to facilitate conversion into residential storage and garaging (Application for Listed Building Consent)

**Decision:** 22-12-2011 Approved

5907/APP/2013/3200 Ducks Hill Farm Ducks Hill Road Northwood

Application for determination as to whether the prior approval of the authority will be required to the siting, design and external appearance of a proposed agricultural building (Application made under the Town and Country Planning General Permitted Development Order 1995 Schedule 2, Parts 6 and 7).

**Decision:** 25-11-2013 Refused

5907/APP/2014/277 Ducks Hill Farm Ducks Hill Road Northwood

Erection of a general purpose agricultural building

**Decision:** 07-05-2014 Approved

5907/APP/2014/3290 Ducks Hill Farm Ducks Hill Road Northwood

Change of Agricultural buildings to 3 dwellings (Prior Approval)

**Decision:** 07-11-2014 PRN

5907/APP/2015/1681 Ducks Hill Farm Ducks Hill Road Northwood

Details pursuant to discharge condition 3 (Materials) of planning permission Ref:  
5907/APP/2014/277 dated 08/05/2014 (Erection of a general purpose agricultural building)

**Decision:** 25-06-2015    Approved

5907/APP/2015/2131        Ducks Hill Farm Ducks Hill Road Northwood

Change of Agricultural buildings to 3 dwellings and associated building works (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 07-08-2015    Refused

5907/APP/2015/500        Ducks Hill Farm Ducks Hill Road Northwood

Change of Agricultural buildings to 3 dwellings and associated building works (Prior Approval)

**Decision:** 28-04-2015    Refused

5907/APP/2016/23        Unit 5, Ducks Hill Road Ducks Hill Road Northwood

Residential use of a static mobile home (Application for a Certificate of Lawful Development for : Existing Development)

**Decision:** 15-03-2016    Approved

5907/APP/2016/2370        Ducks Hill Farm Ducks Hill Road Northwood

Demolition of existing barns and storage buildings, alterations to existing stables and the erection of 9 dwellings

**Decision:** 19-04-2017    Refused

5907/APP/2016/2371        Ducks Hill Farm Ducks Hill Road Northwood

Demolition of existing barns and storage buildings, alterations to existing listed stables and the erection of 9 dwellings (Application for Listed Building Consent).

**Decision:** 19-04-2017    Approved

5907/APP/2018/1439        Ducks Hill Farm Ducks Hill Road Northwood

General Purpose Agricultural Building (Prior notification agricultural)

**Decision:** 02-07-2018    Approved

5907/APP/2018/4177        Ducks Hill Farm Ducks Hill Road Northwood

Change of use of land to B8 (Storage) and the siting of 36 shipping containers

**Decision:** 07-06-2019    Refused

### **Comment on Relevant Planning History**

There is an extensive history of proposed development of the holding, including residential. Of relevance to this part of the site is the prior approval application in 2015 for the change of use of agricultural buildings to form 3 dwellings. This was refused when it was established that there was an equestrian retail use there and as such did not qualify as agricultural buildings.

### **4. Planning Policies and Standards**

The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and are published for public consultation from 27 March to 8 May 2019.

Regarding the weight which should be attributed to the emerging LPP2, paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

With regard to (a) above, the preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

With regard to (b) above, those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

With regard to (c) it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 Saved UDP Policies 2012.

### **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.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains

Part 2 Policies:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

BE13 New development must harmonise with the existing street scene.

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.

DME 7 Farm Diversification

DMEI 4 Development on the Green Belt or Metropolitan Open Land

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

OL1 Green Belt - acceptable open land uses and restrictions on new development

OL4 Green Belt - replacement or extension of buildings

LPP 7.16 (2016) Green Belt

NPPF- 13 NPPF-13 2018 - Protecting Green Belt land

NPPF- 6 NPPF-6 2018 - Building a strong, competitive economy

### **5. Advertisement and Site Notice**

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

### **6. Consultations**

#### **External Consultees**

Five neighbours were consulted for a period of 21 days expiring on the 28 April 2019 and a site notice was erected on the lamp post to the front expiring on 10 May 2019. One response was received advising:

- The old horse house is a local business in Northwood and continues to operate as the old horse house from another venue. To say that they want to build a new shop for the old horse house is inaccurate

- The old horse house is continuing to operate and does not need a premises in ducks hill farm. We



vacated the premises on the 31st March 2019 as we could no longer continue to operate in the substandard accommodation

- The old horse house operated from this timber shed from 1st December 2012 to 31st March 2019
- A business called the horse house operated from the barn at the front of the farm for a few years but the previous business went bust
- This application should either be withdrawn or refused as the contents simply are not correct. .

Officer Comment: The points raised appear to relate to either competition or property related issues that are not material planning considerations.

Northwood Residents Association - No response.

### **Internal Consultees**

Access Officer - I have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal. However, the following informative should be attached to any grant of planning permission: The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Contaminated Land Officer - Please incorporate the following: Gas Informative: Building techniques - It is recommended that the building is designed and constructed to prevent/minimise the possible entry of any migrating landfill gas.

Highways - The vehicular access/egress taken from Ducks Hill Road is established and proposed to remain unaltered. The site is remote from public transport connections hence dependency on private motor transport to and from the site vehicle by customers and staff is expected to be dominant which is amplified by the 'car borne' nature of the proposal use-type.

The applicant infers that owing to the existing business operation of the site, the level of traffic movement is unlikely to vary to a measurable degree once the new build is fully functioning. It is accepted that in the case of 'self-storage' uses of this small scale, there is little imposition of a traffic burden on the highway network owing to typically infrequent levels of customer attendance and the dispersed i.e. spread out nature of the use profile which helps to avoid peak attendance at any one time. The same would broadly apply to the replacement 'farm shop' retail aspect of the proposal.

It is therefore concluded that the proposal would have a negligible increase in traffic above former levels generated from the site and is highly unlikely to impart an adverse impact on the highway network.

In terms of parking provision, the Council's Saved UDP parking standard requires up to 3 on-plot spaces per unit to be provided for the floor areas proposed in order to comply with the adopted parking standard. 4 formal spaces are indicated which conforms to and exceeds the standard. It is therefore anticipated that any staff associated with the proposed operation and limited customer numbers would frequent the formal provision of 4 spaces or, within reason, park informally elsewhere within the site envelope. On this basis, it is considered that the proposed formal parking arrangement is to an acceptable level.

### **Conclusion**

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not exacerbate congestion or parking stress to any measurable degree, and would not raise any highway safety concerns, in accordance with adopted policies.

## **7. MAIN PLANNING ISSUES**

### **7.01 The principle of the development**

The National Planning Policy Framework states that the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Para. 145 advises exception to this are the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

Para 83 of the NPPF also advises that policies and decisions should enable the development and diversification of agricultural and other land based rural businesses.

Policy OL1 of adopted Hillingdon Local Plan (November 2012) also advises that within the Green Belt the Local Planning Authority will not grant planning permissions for new buildings or changes of use other than for purposes essential for and associated with predominantly open land use such as agriculture and open air recreation facilities.

Policy OL4 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) advises that replacement buildings within the Green Belt will only be permitted if the development would not result in any disproportionate change in the bulk and character of the original building; the development would not significantly increase the built up appearance of the site or having regard to the character of the surrounding area would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

Policy DME1 7 of the emerging local plan supports proposals for farm diversification, which includes renewable energy. This would therefore not preclude other forms of diversification, provided that they minimise visual, traffic and environmental impact.

The proposal is for the replacement of 2 buildings with a single building within the same use. The proposal therefore relates to this exception use and the principle of development is therefore considered acceptable, subject to compliance with all other policies.

### **7.02 Density of the proposed development**

Not relevant to this proposal

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

Not relevant to this proposal

### **7.04 Airport safeguarding**

Not relevant to this proposal

### **7.05 Impact on the green belt**

The application site is located within the green belt and as such the development must be considered against relevant policy and guidance contained within the NPPF.

Policy OL4 of the Hillingdon Local Plan: Part Two advises that replacement buildings within the Green Belt will only be permitted if the development would not result in any disproportionate change in the bulk and character of the original building; the development would not significantly increase the built up appearance of the site or having regard to the character of the surrounding area would not injure the visual amenities of the green belt by reason of siting, materials, design, traffic or activities generated.

The proposed building is set back approximately 75m from Ducks Hill Road accessed by a trackway, leading to the farm buildings. It would replace two existing buildings on a similar

footprint, infilling the area between them. The proposed increase in footprint is approximately 45 sqm equating to an increase of approximately 15%. The proposed building is of a similar height to the existing buildings and is set adjacent to an existing larger barn and against the back drop of the existing farm complex, including residential buildings, stabling and agricultural storage. The proposed building is designed to reflect the agricultural nature of the site. To the west of the proposed building is a menage with stables to the south west an Windy Ridge Beyond. Given the position of the proposed building it is not considered that it would significantly increase the built up appearance of the site as a whole.

An open ended A1 retail use would not be acceptable in the Green Belt given the impact the comings and goings, both of patrons but also of delivery vehicles would have on the openness of the Green Belt. To this end a condition is proposed restricted the level of A1 use.

Although slightly larger than the existing buildings it is considered that the proposed building would appear appropriate in its rural Green Belt setting and would not detract from the agricultural character of the immediate surrounding area, in accordance with Policies OL1, OL4, BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

As detailed above.

#### **7.08 Impact on neighbours**

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that uses that become detrimental to the amenity of the adjoining occupiers or surrounding area will not be approved. Policy OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that new development or uses which have the potential to cause noise annoyance will only be permitted if measures can be undertaken to alleviate the potential disturbance where a development is acceptable in principle.

Policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to safeguard neighbouring residential amenity from inappropriate development. The proposal building is of a similar size and use to the existing buildings. Given the nature of the development and the degree of separation it is not considered that the proposal would significantly impact on the amenity of the neighbouring properties in accordance with the requirements of Policies BE20, BE21 and BE24.

#### **7.09 Living conditions for future occupiers**

Not relevant to this proposal

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards.

The Council's Highway Officer has advised that It is therefore concluded that the proposal would have a negligible increase in traffic above former levels generated from the site and is highly unlikely to impart an adverse impact on the highway network.

In terms of parking provision, the Council's Saved UDP parking standard requires up to 3 on-plot spaces per unit to be provided for the floor areas proposed in order to comply with the adopted parking standard. 4 formal spaces are indicated which conforms to and exceeds the standard. It is therefore anticipated that any staff associated with the proposed operation and limited customer numbers would frequent the formal provision of 4 spaces or, within reason, park informally elsewhere within the site envelope. On this basis, it is considered that the proposed formal parking arrangement is to an acceptable level. The proposal is therefore considered to comply with the requirements of Policies AM7 and AM14 of the Hillingdon Local Plan - Saved UDP Policies (November 2012).

#### **7.11 Urban design, access and security**

Not relevant to this proposal

#### **7.12 Disabled access**

The Access Officer has advised they have considered the detail of this planning application and deem there to be no accessibility issues raised by the proposal.

#### **7.13 Provision of affordable & special needs housing**

Not relevant to this proposal

#### **7.14 Trees, Landscaping and Ecology**

Not relevant to this proposal

#### **7.15 Sustainable waste management**

Not relevant to this proposal

#### **7.16 Renewable energy / Sustainability**

Not relevant to this proposal

#### **7.17 Flooding or Drainage Issues**

Not relevant to this proposal

#### **7.18 Noise or Air Quality Issues**

Not relevant to this proposal

#### **7.19 Comments on Public Consultations**

It is noted that the owners of the Old Horse House have raised an objection, advising that contrary to the details within the submitted Planning Statement, they have vacated the premises and relocated to another venue and with no intention of returning. However their comments would also support the need to update the facilities with a replacement building.

#### **7.20 Planning Obligations**

Not relevant to this proposal

#### **7.21 Expediency of enforcement action**

Not relevant to this proposal

#### **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**

The building is considered to represent an appropriate form of development within the Green Belt, would not detract from the rural character and appearance of the area and would not result in the loss of residential amenity. As such the application is recommended

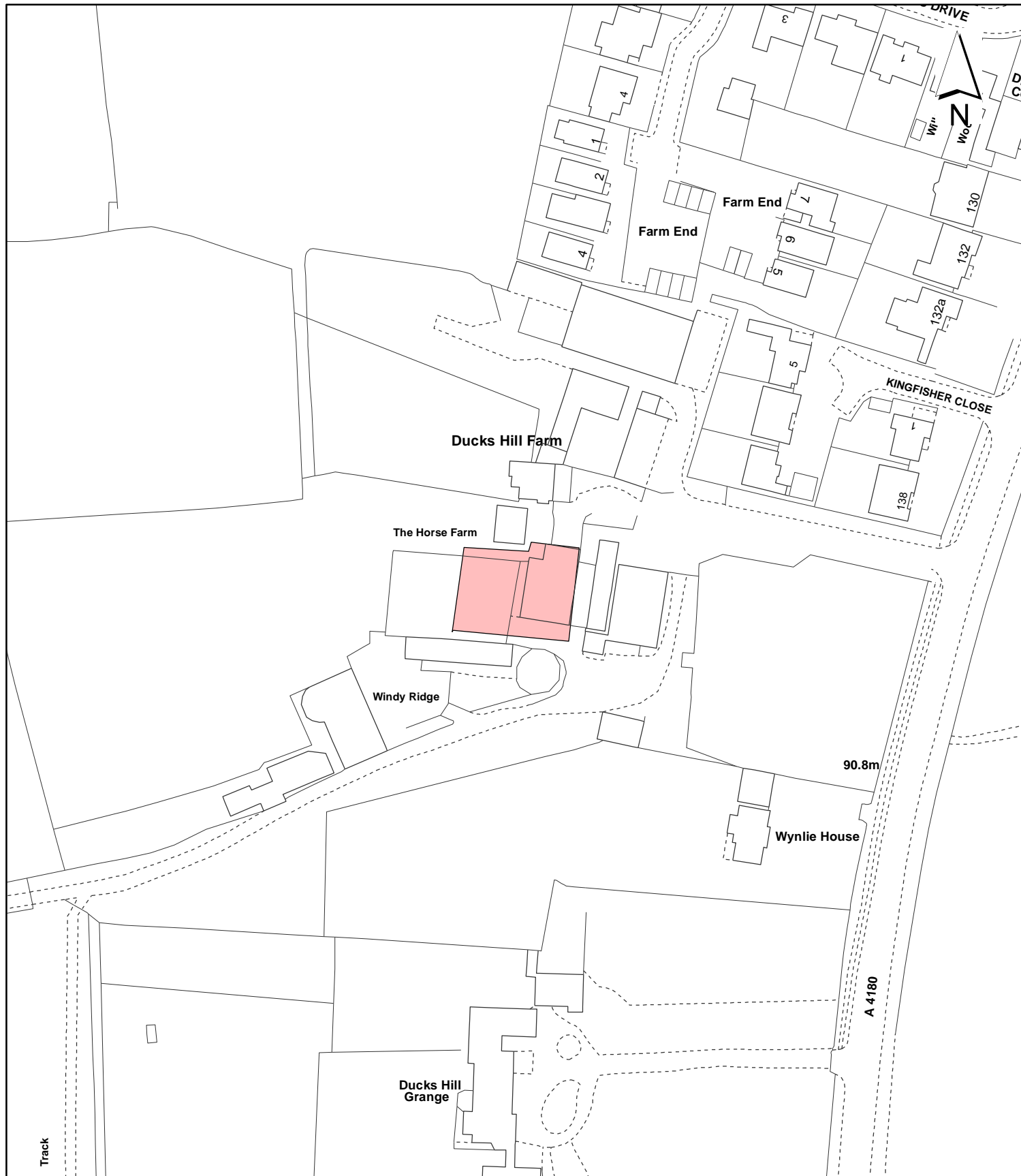
for approval.

## **11. Reference Documents**

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)  
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)  
Hillingdon Local Plan: Part Two - Emerging development Management Policies 2015  
Proposed Modifications 2019  
The London Plan (2016)  
National Planning Policy Framework (NPPF)  
National Planning Practice Guidance (NPPG)

**Contact Officer:** Liz Arnold

**Telephone No:** 01895 250230



#### Notes:

 Site boundary

For identification purposes only.

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Site Address:

**Duck Hill Farm**

Planning Application Ref:

**5907/APP/2019/872**

Planning Committee:

**North**

Scale:

**1:1,250**

Date:

**June 2019**

**LONDON BOROUGH  
OF HILLINGDON**

**Residents Services  
Planning Section**

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



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