

Report of the Head of Planning, Transportation and Regeneration

Address HIGHWAY FARM HARVIL ROAD HAREFIELD MIDDLESEX

Development: Installation of wire frame sculpture of a dog

LBH Ref Nos: 50235/APP/2019/3403

Drawing Nos: Revised Location Plan
Revised Block Plan
19-159-2/001
19-159-2/002

Date Plans Received: 16/10/2019 **Date(s) of Amendment(s):** 31/12/2019

Date Application Valid: 31/12/2019

1. SUMMARY

The current application seeks planning permission for the erection of a open wire metal sculpture of a dog within the grounds of the subject site.

2. RECOMMENDATION

APPROVAL subject to the following:

1 RES3 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 RES4 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, revised site location plan, revised block plan 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 1 (2012), Part 2 (2020) and the London Plan (2016).

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 Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

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 of 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 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.

3. CONSIDERATIONS

3.1 Site and Locality

The application site lies on the east side of Harvil Road and comprises a number of buildings on a site with an area of approximately 83.536m². The site is run by the Dogs Trust and the site includes a Grade II listed building known as the 'Barn and shelter shed to south-east of Highway Farmhouse, Harvil Road, Harefield.

The current use of the Listed Building is as a cafe to serve the visitors to the dog kennels. It is proposed to site the sculpture away from these listed buildings within the vicinity of the buildings housing the dog kennels near to the public car park.

The site is located within the 'developed area' as identified within the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) and also lies within the Green Belt.

3.2 Proposed Scheme

The current application seeks planning permission for the erection of a open wire metal sculpture of a dog within the grounds of the subject site.

3.3 Relevant Planning History

Comment on Relevant Planning History

There are numerous applications that relate to this site however they have no relevance to the current proposal.

4. Planning Policies and Standards

London Borough of Hillingdon Development Plan

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

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
West London Waste Plan (2015)
The London Plan - Consolidated With Alterations (2016)

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

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).

Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor has considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required. These are set out at Annex 1 of the response, however the letter does also state that if the Mayor can suggest alternative changes to policies that would address the concerns raised, these would also be considered.

More limited weight should be attached to draft London Plan policies where the Secretary of State has directed modifications or where they relate to concerns raised within the letter. Greater weight may be attached to policies that are not subject to modifications from the Secretary of State or that do not relate to issues raised in the letter.

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMEI 4 Development on the Green Belt or Metropolitan Open Land

DMHB 1 Heritage Assets

DMHB 11 Design of New Development

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 6 Vehicle Parking

LPP 7.4 (2016) Local character

LPP 7.5 (2016) Public realm

LPP 7.6 (2016) Architecture

LPP 7.8 (2016) Heritage assets and archaeology

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

2 statutory bodies were consulted and a site notice displayed which expired on 4/2/2020

The following comments have been received.

The Contaminated Land Specialists raised no objections

Harefield Tenants and residents association commented as follows: -

Highway Farm, Harvil Road - The Dogs Trust is set within the Green Belt and has a listed Barn in the grounds near to the proposed siting of the dog memorial sculpture. The proposed sculpture is very large and the open mesh wire framed dog is due to be set within the grounds adjacent to the other buildings which would have little impact on the Green Belt. However our members have concerns that once covered with memorial plaques it would change the whole situation and be very visual and have more of an impact on the Listed Barn and the area as a whole.

Officer Comment: The plans were revised to re-sit the sculpture to a less harmful location, as explained in more detail under the Conservation Officer comments.

Internal Consultees

There are no aspects of access & security that will be affected by the proposal.

The Conservation & Urban Design officer commented as follows: -

Summary of comments: Amendments required

Historic Environment Designation (s) - Within curtilage and setting of Grade II Listed Building - Barn and shelter shed to SE of Highway Farmhouse

Assessment - background/significance

Highway Farm is an early historic farmstead dating from the 16th century however it may have earlier origins.

The barn is a 5 and 2 bay timber framed structure with a Queen post roof trusses including purlins with wind braces. The northern elevation includes 2 porches and it is externally characterised by dark stain weatherboarding set of a red brick plinth. The roof is finished in a plain clay tile. There is a single storey shed at the western end of the barn extending to the north-west and is most likely a late 17th/ early 18th century in date and comprises of 4 bays. It too is weather boarded with a tiled roof. There is also a single storey brick built projection which appears to have originally been a cart shed-like structure finished with a pitch tiled roof.

The Grade II listed farmhouse is located within the north-western corner of the site and is thought to date from the 18th century. The original setting of the listed agricultural buildings and farmhouse were significantly open and rural in character. This has been maintained however the courtyard to the south has been formally landscaped and clutter of bollards and outdoor furniture which does detract from the agricultural character of the heritage assets.

Assessment - impact

The proposed location of the wire framed sculpture of a dog will be positioned within the small courtyard to the south of the Grade II listed barn. It would add to the existing clutter of outdoor furniture within the existing courtyard, exacerbating the harm caused to the setting of the listed building. Furthermore the additions of memory tags to the wire frame would overtime solidify its appearance resulting in further harm. The sculpture would become an over dominant feature within the southern courtyard. From a conservation perspective we would not be able to support the erection of the sculpture in the proposed location.

Whilst the principle of such sculpture could be deemed admissible it would need to be re-positioned away from the listed buildings to the south of the site. It is recommended it is positioned adjacent to the modern buildings to the south or within the car park area, allowing it to be fully appreciated in a less cluttered setting.

Conclusion: Amendments required

The proposed location for the sculpture would be considered harmful to the setting of the listed buildings. The sculpture would need to be re-positioned in a less sensitive location

Officer response - revised plans have been received on 27/3/2020 relocating the proposed sculpture to the east of the main access from Harvil Road and to the south of the main car park as recommended by the Conservation & Urban Design officer who commented as follows on 21/4/2020

Assessment - amended plans

The proposed location of the wire framed sculpture of a dog has been amended, with the sculpture being placed to the south of the designated heritage assets. Whilst the concept may result in the solidification to appearance of the wire frame sculpture, taking into account the relocation away from the listed building it is likely to result in limited harm to their setting. In this instance such harm can be defined as negligible. The revised location will allow the sculpture to be fully appreciated in a less cluttered setting and add interest across the site itself.

Conclusion: Negligible harm

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF (2018) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy DMEI 4: Development in the Green Belt or on Metropolitan Open Land A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances. B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
- ii) the proportion of the site that is already developed;
- iii) the footprint, distribution and character of the existing buildings on the site;
- iv) the relationship of the proposal with any development on the site that is to be retained; and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that: A) All development, including extensions, alterations and new buildings, will be required to be designed to the highest standards and, incorporate principles of good design including: i) harmonising with the local context; ii) ensuring the use of high quality building materials and finishes; iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and undesignated, and their settings; and v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

These policies considered the proposed open wire mesh sculpture would be of a scale and design that would be unobjectionable in principle

7.02 Density of the proposed development

Not relevant

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

Not relevant

7.04 Airport safeguarding

Not relevant

7.05 Impact on the green belt

The main issues for consideration in determining this application relate to the effect of the proposal on the character and appearance of the original buildings and the impact on the visual amenities of the surrounding area and parking provision.

The NPPF (2018) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy DMEI 4: Development in the Green Belt or on Metropolitan Open Land A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances. B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

- i) the height and bulk of the existing building on the site;
- ii) the proportion of the site that is already developed;
- iii) the footprint, distribution and character of the existing buildings on the site;
- iv) the relationship of the proposal with any development on the site that is to be retained; and
- v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

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The erection of the sculpture would not be visible in the street scene along Harvil Road but would be contained within the environs of the Dogs Trust site and only visible to staff and visitors to the site. It is considered in its revised proposed location to the south of the main car park the sculpture would have no detrimental affect on the openness, visual amenity and character of the Green Belt and would not affect the setting of the existing listed buildings on the site.

7.07 Impact on the character & appearance of the area

As discussed in the section 'Impact on green belt' above

7.08 Impact on neighbours

The main issues for consideration in determining this application relate to the impact on residential amenity of the neighbouring dwellings .

Policy DMHB 11 B) of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) states that development proposals should not adversely impact on the amenity of adjacent properties and open space.

No neighbouring properties will be affected by the proposal

7.09 Living conditions for future occupiers

Not relevant

7.10 Traffic impact, car/cycle parking, pedestrian safety

There will be no effect on either traffic or pedestrian safety within the site

7.11 Urban design, access and security

See section on Internal Consultees and comments from the Conservation & Urban Design officer

As stated Officer response - revised plans have been received on 27/3/2020 relocating the proposed sculpture to the east of the main access from Harvil Road and to the south of the main car park as recommended by the Conservation & Urban Design officer

7.12 Disabled access

Not relevant

7.13 Provision of affordable & special needs housing

Not relevant

7.14 Trees, Landscaping and Ecology

Not relevant

7.15 Sustainable waste management

Not relevant

7.16 Renewable energy / Sustainability

Not relevant

7.17 Flooding or Drainage Issues

Not relevant

7.18 Noise or Air Quality Issues

Not relevant

7.19 Comments on Public Consultations

As discussed above

7.20 Planning Obligations

Not relevant

7.21 Expediency of enforcement action

Not relevant

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

As the placement and location of the proposed sculpture would not be visible in the street scene along Harvil Road but contained within the environs of the Dogs Trust site and only visible to staff and visitors to the site.

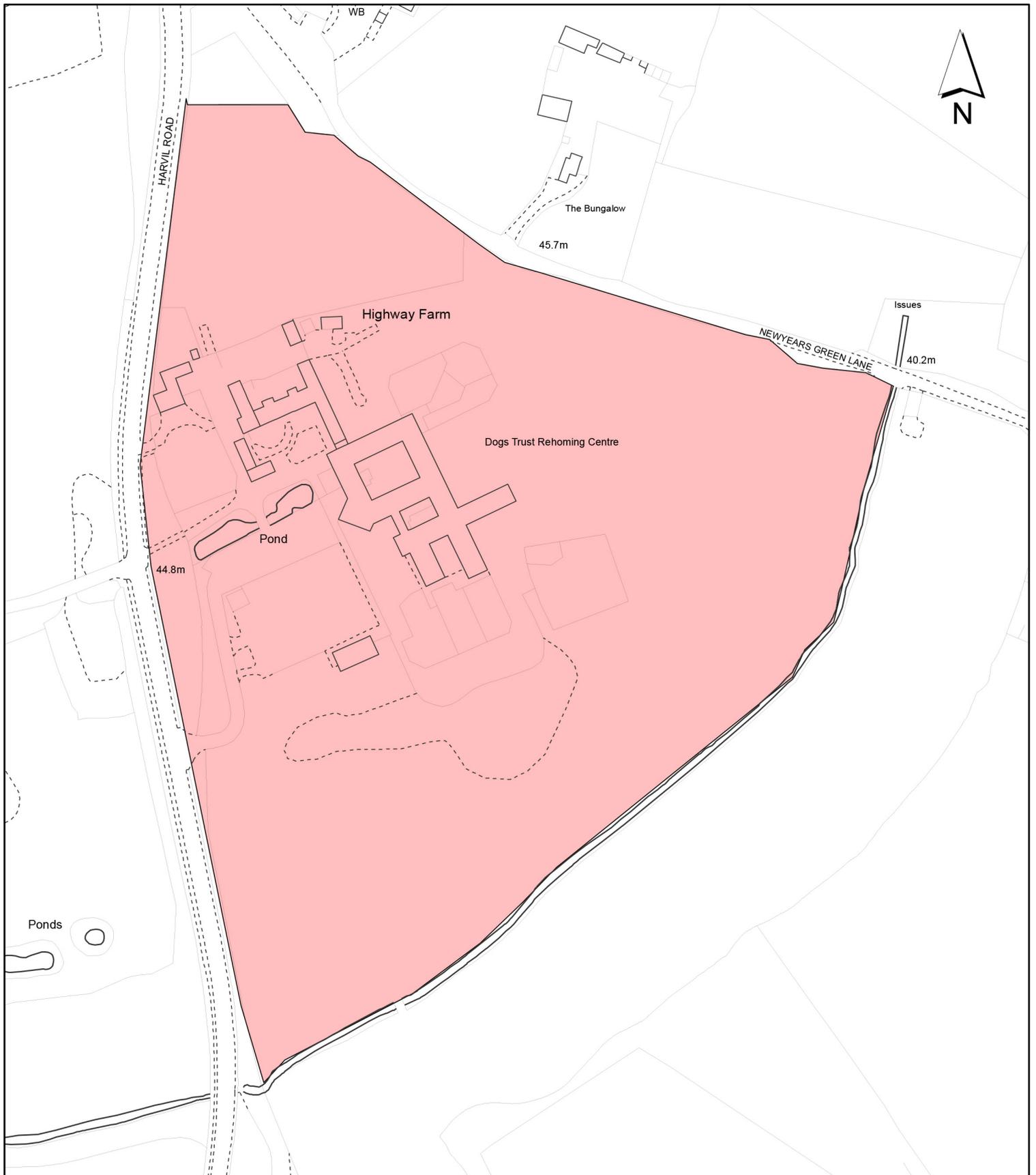
It is considered in its revised proposed location to the south of the main car park the sculpture would have no detrimental affect on the openness, visual amenity and character of the Green Belt and would not affect the setting of the existing listed buildings on the site.

11. Reference Documents

Hillingdon Local Plan Part 1: Strategic Policies (November 2012)
Hillingdon Local Plan Part 2: Development Management Policies (January 2020)
The London Plan (2016)
NPPF (2019)

Contact Officer: Diane Verona

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

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Site Address:

**Highway Farm
Harvil Road
Harefield**

**LONDON BOROUGH
OF HILLINGDON**
Residents Services
Planning Section

Civic Centre, Uxbridge, Middx. UB8 1UW
Telephone No.: Uxbridge 01895 250111

Planning Application Ref:

50235/APP/2019/3403

Scale:

1:2,250

Planning Committee:

North

Date:

May 2020



HILLINGDON
LONDON