

## Report of the Head of Planning & Enforcement

**Address** WHITE HEATH FARM HILL END ROAD HAREFIELD

**Development:** Erection of a detached cattle shed.

**LBH Ref Nos:** 21558/APP/2009/1949

**Drawing Nos:** Design & Access Statement Received 18th June 2010

**Date Plans Received:** 08/09/2009      **Date(s) of Amendment(s):** 18/06/2010

**Date Application Valid:** 13/09/2009

### 1. SUMMARY

Planning permission is sought for the erection of a cattle shed. The proposed shed in terms of its overall size, siting, design and appearance, would not unduly impact on the visual amenities of the Green Belt and would not harm the setting of the listed farmhouse building.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 T8 Time Limit - full planning application 3 years

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 OM1 Development in accordance with Approved Plans

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

REASON

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 3 M1 Details/Samples to be Submitted

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### 4 TL5 Landscaping Scheme - (full apps where details are reserved)

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Hard surfacing materials proposed,
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **5 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period.

The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

#### REASON

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **6 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved

schedule.

#### REASON

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

#### **7 AR3 Sites of Archaeological Interest - scheme of investigation**

No development shall take place until the applicant, their agent or successor in title has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Thereafter development shall only take place in accordance with the approved scheme. The archaeological works shall be carried out by a suitably qualified body acceptable to the Local Planning Authority.

#### REASON

The site is of archaeological interest and it is considered that all evidence of the remains should be recorded in accordance with Policy BE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

### 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

OL4	Green Belt - replacement or extension of buildings
BE9	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
OL1	Green Belt - acceptable open land uses and restrictions on new development
BE3	Investigation of sites of archaeological interest and protection of archaeological remains

#### **3 I1 Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

#### **4 I3 Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building

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

## **5            115                    Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

## **6            143                    Keeping Highways and Pavements free from mud etc**

You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.

### **3.            CONSIDERATIONS**

#### **3.1           Site and Locality**

The application site comprises White Heath Farm, a dairy farm comprising a series of detached buildings surrounding an open yard. The Farm is some 200m north of Hill End Road, accessed by a driveway. The Farmhouse is a Grade II listed building and the application site is surrounded by open green meadows and lies within the Green Belt, as designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### **3.2           Proposed Scheme**

At present, the dairy herd is fed in the open yard and the existing building No.2, located to the east of the yard is far too small to house the herd. It is therefore proposed to erect a steel portal frame building for use as a cattle shed.

The proposed building would be located to the east of the existing yard and would measure 27.5m wide by 55m deep and finished with a gable end ridged roof, 4.25m high at eaves level and 7.9m high at ridge level. The proposed building would comprise 2m high concrete panels on the elevations with boarding above and a fibre cement clad roof with rooflights. The ends would have steel sheet gates and internally, the building would provide 154 cow cubicles, feed barriers and water troughs on either side of the tractor driveway.

A new hedge screen is proposed along the southern and western sides of the building.

### **3.3 Relevant Planning History**

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

None

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

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

OL4	Green Belt - replacement or extension of buildings
BE9	Proposals detrimental to the setting of a listed building
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
OL1	Green Belt - acceptable open land uses and restrictions on new development
BE3	Investigation of sites of archaeological interest and protection of archaeological remains

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

**5.1** Advertisement Expiry Date:- Not applicable

**5.2** Site Notice Expiry Date:- **11th November 2009**

### **6. Consultations**

#### **External Consultees**

17 adjoining owner/occupiers and the Ickenham Residents' Association have been consulted. The application has been advertised as a development that affects the special architectural or historic interest of a listed building known as White Heath Farm. No comments have been received.

English Heritage: This application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation officer.

Environment Agency: We have assessed this application as having a low environmental risk within our remit. Therefore we will not be providing comments on this application.

### **Internal Consultees**

Urban Design/Conservation (Comments on original submission):

This is a Grade II listed farmhouse in Harefield, and along with the existing ancillary buildings, is still used for agricultural purposes.

The proposed structure is very large in size and standard in its design and appearance. Given its close location to the listed building, the shed would have a detrimental impact on the setting of the listed building. From a listed building point of view, the structure should be relocated away from the listed building and should be reduced in size.

In terms of design, it is felt that the materials should be traditional, so that it appears more sympathetic to the character of the listed building. We would like to see a brick base rather than concrete with a darker coloured roof.

**CONCLUSION:** Unacceptable at present.

Revised Comments:

This scheme has been revised following previous discussions and site visits. It is noted, that sections of the wall, curtilage to the listed building, have not been annotated on the drawings. The drawings should be amended accordingly.

The new location is considered to be an improvement and as such would be further away from the listed building and would be acceptable in principle. Given its height and bulky appearance, the structure would have a considerable visual impact on the setting of the listed building. It is, therefore, vital that appropriate landscaping is introduced to mitigate the same. The bunding and associated landscaping should be much less formal and more extensive, aiming to create a gentle swath of semi-woodland with varied tree and shrub planting to screen the new building. Please refer to comments made by the Principal Landscape Officer re the same.

To screen the immediate setting of the listed building, landscaping should also be introduced along the existing hedge boundary to the rear/side garden area of the building (east of the listed building).

In terms of materials, the proposed Yorkshire boarding is acceptable; the stain colour should be dark and should be conditioned. The proposed roof in fibre cement, whilst not ideal, would be acceptable in this instance. This, however, should be darker in colour, and sample colour should be conditioned for further consideration.

It is suggested that GLAAS should be notified of the scheme as the site may be of archaeological interest.

**CONCLUSION:** Amended drawings required. Conditions re materials as above.

Trees/Landscape (Comments on original submission):

White Heath Farm is a dairy farm situated to the north of Hill End Road and east of Plough Lane. The proposed siting of the new barn is to the north of the farmhouse and to the west of the existing farm yard, which is used for feeding and sheltering the herd. The farm lies within the Green Belt and some of the fields are defined by trees and hedgerows. There are no TPO's or Conservation Area designations affecting the farmland.

The proposal is to erect a new barn for use as a cubicle feed building / covered yard. The Design & Access Statement confirms that the side walls will be clad in hit and miss timber boarding. The shallow pitched roof will be constructed of fibre cement cladding with profiled roof lights. Section 5 refers to the need to remove some scrub / hedgerow in order to accommodate the new structure. No significant trees or other landscape features will be affected. The Design & Access Statement also proposes to replace the sacrificed vegetation with a new native hedgerow using an appropriate mix of species. It is not clear, at this stage where this hedgerow will be planted but any new hedgerow - possibly including some native trees - planted to the west of the barn will help to reduce the visual impact of the new structure when viewed from the footpath and residential properties in Plough Lane. Tree/hedgerow planting will also provide additional shelter and encourage biodiversity.

If minded to approve this application, no objections are raised subject to conditions TL5, TL6 and TL7.

Revised Comments:

The new location has the benefit of being slightly further away from the houses to the west/south-west of the field. The visual impact of the height (and mass) of the barn will be further reduced by its lowered floor level, compared with the level of the adjoining field, and the use of the excavated material to form a bund running parallel to the west elevation. I confirm that:

. The southern end of the bund should stop short of the remnant hedgerow/trees and be well outside their root protection area;

. The bund, as indicated on plan, appears to be very artificial (resembling a disused railway embankment). The east-facing slope (next to the building) may be as steep as shown on plan (slope ratio 1:3. However, the west-facing slopes should be feathered out into the adjacent land form (generally flat), preferably no steeper than 1:6;

. A hedge is currently proposed along the top of the bund. This will be difficult to manage/maintain and will only part-screen the new barn. A wider shelter belt of young woodland is recommended. This will have the advantages of both screening the new barn, providing a windbreak and camouflaging the artificial slopes. The woodland planting should be a matrix of suitable native trees and shrubs;

. Finally, if there are other off-site visual receptors, the opportunity should be taken to plant more trees/small copses to mitigate the visual impacts.

Officer Comments: In relation to the revised comments of the Conservation Officer and the Landscape Officer revised drawings have been submitted which have taken account of their recommendations.

## **7. MAIN PLANNING ISSUES**

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

National policy guidance in relation to development within Green Belts is set out in PPG2 - Green Belts. Advice contained in this document states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. This is to be achieved by resisting inappropriate development which by definition is harmful to the Green Belt.

Planning Policy Statement 7 (PPS7) sets out the Government's planning policies for rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. The section relating to agricultural development states

"The Government recognises the important and varied roles of agriculture, including in the

maintenance and management of the countryside and most of our valued landscapes, and Local Authority Policies should recognise these roles and support development proposals that will enable farming and farmers to:

- (i) Become more competitive, sustainable and environmentally friendly;
- (ii) Adapt to new and changing markets;
- (iii) Comply with changing legislation and associated guidance;
- (iv) Diversify into new agricultural opportunities (e.g. renewable energy crops); or
- (v) Broaden their operations to add value to their primary produce.

Policy 3D.9 (Green Belts) of the London Plan (2008), comments that the Mayor will and boroughs should maintain the protection of London's green belt. There is a general presumption against inappropriate development in the green belt, and such development should not be approved except in very special circumstances, and Policy 3D.18 (Agriculture in London), states the Mayor will and boroughs should seek to encourage and support a thriving agricultural sector in London.

Policy OL1 of the UDP (Saved Policies September 2007) states that within the Green Belt, certain open land uses will be considered acceptable, and Policy OL2 states where uses are considered acceptable the Local Planning Authority will seek comprehensive Landscape Improvements to achieve enhanced visual amenity and other open land objectives.

It is clear from the above policies and documents that the principle of the development of buildings within the Green Belt for agricultural purposes is acceptable, subject to their impact on the openness of the Green Belt and adjoining occupiers.

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

This is not applicable to this application.

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

This is addressed at section 07.07.

#### **7.04 Airport safeguarding**

This is not applicable to this application.

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

The application site comprises 6 detached farm related buildings along the eastern side of the yard with the Grade II listed farmhouse building located to the south. The proposed building would result in a considerable increase on the existing built footprint. However, this is a working farm and the proposed buildings are to facilitate the continued use and improvement for the rearing of cattle and in this context and also given the proposed improvements to the landscaping around the site, it is considered that the size and height of the proposed building would not result in a disproportionate change in the bulk and character of the existing buildings. The proposal would therefore comply with Policies OL1 and OL4 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

#### **7.06 Environmental Impact**

This is not applicable to this application.

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

The proposed building would be located some 50m from the listed Farmhouse building. This distance is considered to be sufficient to prevent the development from harming the setting of the listed building. The proposed materials are also considered to relate satisfactorily with the appearance of the listed building. It should be noted that the Conservation Officer does not object to the siting of the building or, subject to submission



of samples for approval, the materials.

Overall, the proposal would not be detrimental to the setting of the listed building and the character and appearance of the surrounding area generally and would comply with policies BE9, BE13 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

**7.08 Impact on neighbours**

There are no residential properties nearby that would be adversely affected by the proposed development.

**7.09 Living conditions for future occupiers**

This is not applicable to this application.

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

This is not applicable to this application.

**7.11 Urban design, access and security**

This is not applicable to this application.

**7.12 Disabled access**

This is not applicable to this application.

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

This is not applicable to this application.

**7.14 Trees, Landscaping and Ecology**

The proposal would incorporate landscaping to the requirements of the Council's Landscape Officer. This is considered to provide sufficient screening and would go some way to enhance the appearance of the site. This element of the scheme would comply with policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

**7.15 Sustainable waste management**

This is not applicable to this application.

**7.16 Renewable energy / Sustainability**

This is not applicable to this application.

**7.17 Flooding or Drainage Issues**

This is not applicable to this application.

**7.18 Noise or Air Quality Issues**

This is not applicable to this application.

**7.19 Comments on Public Consultations**

There are no third party comments.

**7.20 Planning Obligations**

This is not applicable to this application.

**7.21 Expediency of enforcement action**

This is not applicable to this application.

**7.22 Other Issues**

There are no other relevant issues.

**8. Observations of the Borough Solicitor**

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

#### **9. Observations of the Director of Finance**

This is not applicable to this application.

#### **10. CONCLUSION**

The proposed development would not have a detrimental impact on the setting of the listed building, would not injure the visual amenities of the Green Belt and would not detract from the surrounding area generally. Therefore, this application is recommended for approval.

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

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

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