

Report of the Head of Development Management and Building Control

Address: PREZZO HIGH STREET RUISLIP MIDDLESEX

Development: Demolition of UPVC conservatory, erection of replacement conservatory, replacement signage, external painting, creation of external terrace area and internal refurbishment (part retrospective)

LBH Ref Nos: 16897/APP/2023/411

Drawing Nos: 04-01 C
39422 C
06-01 D
07-01 C
10-02 B
Cover Letter
Exterior visual Page 16 - colour scheme only drawings not accurate
Heritage Statement
Amended Design and Access Statement
01-01 C
02-01 C
09-01 A
09-02 D
10-01 A
10-03 A
05-01 D

Date Plans received: 14-02-2023 **Date(s) of Amendments(s):** 14-02-2023
04-05-2023

Date Application valid 14-02-2023

1. SUMMARY

The application seeks to regularise the demolition of the conservatory that was previously on site, and to erect a replacement conservatory with associated external works, in preparation for a new restaurant in the building. There is no objection, in principle, to the replacement of the conservatory.

Following revisions to reduce the scale and impact of the proposal, it is considered that the proposed development would not harm the character and appearance of the area and would sustain the significance of the designated heritage assets, in respect to the Grade II listed building and Ruislip Village Conservation Area. The proposed development would not impact on the living conditions of any neighbouring residential occupiers.

It is therefore recommended that planning permission is granted, subject to the imposition of relevant

planning conditions.

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 numbered:

Existing Plan with Demolitions 01-01 C
Proposed Plan 02-01 C
Reflected Ceiling Plan 04-01 C
Proposed Finishes Plan 05-01 D
Proposed Small Power & Setting Out 06-01 D
Proposed Licensing Plan 07-01 C
Existing Exterior 09-01 A
Proposed Exterior 09-02 D
Proposed Bar Design 10-01 A
Proposed Fixed Seating Details 10-02 B
Proposed W/Ss 01 & 02 10-03 A
Amended Design and Access Statement (received 20-04-23)
Heritage Statement (received 04-05-23)

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 Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2021).

3. NONSC Materials

No development shall take place until details of all materials and external surfaces, 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.

The colour scheme of the conservatory and shopfront shall be 'sage green' as shown on the indicative drawing, titled 'Exterior Visual, Page 16'.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policies DMHB 2, DMHB 4 and DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4. TL5 Landscaping Scheme

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

1.a Planting plans (at not less than a scale of 1:100)

1.b Written specification of planting and cultivation works to be undertaken

1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

2.a Hard Surfacing Materials

3. Details of Landscape Maintenance

3.a Landscape Maintenance Schedule for a minimum period of 5 years

3.b Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased

4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 2, DMHB 4, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

5. COM26 Ecology

Notwithstanding the approved drawings, prior to the installation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority that demonstrate that the proposed external lighting would not have any adverse impact on the ecological interests of the site. The external lighting shall only be installed in accordance with the approved details, and thereafter shall be retained as such for the lifetime of the development.

REASON

In order to encourage a wide diversity of wildlife on the existing semi-natural habitat of the site in accordance with policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020) and London Plan (2021) Policies G5 and G6.

6. NONSC Inclusive Access

The development hereby approved shall ensure the conservatory meets the minimum standards of accessibility for wheelchair users in accordance with BS 8300-1:2018.

REASON

To ensure inclusive access is achieved and maintained in accordance with Policy D5 of the London Plan (2021).

7. RES8 Tree Protection

No site clearance or construction work shall take place until the details have been submitted to, and approved in writing by, the Local Planning Authority with respect to:

1. A method statement outlining the sequence of development on the site including demolition, building works and tree protection measures.
2. Detailed drawings showing the position and type of fencing to protect the entire root areas/crown spread of trees, hedges and other vegetation to be retained shall be submitted to the Local Planning Authority for approval. No site clearance works or development shall be commenced until these drawings have been approved and the fencing has been erected in accordance with the details approved. Unless otherwise agreed in writing by the Local Planning Authority. Such fencing should be a minimum height of 1.5 metres.

Thereafter, the development shall be implemented in accordance with the approved details.

The fencing shall be retained in position until development is completed.

The area within the approved protective fencing shall remain undisturbed during the course of the works and in particular in these areas:

- 2.a There shall be no changes in ground levels;
- 2.b No materials or plant shall be stored;
- 2.c No buildings or temporary buildings shall be erected or stationed;
- 2.d No materials or waste shall be burnt; and
- 2.e No drain runs or other trenches shall be dug or otherwise created, without the prior written consent of the Local Planning Authority.

3. Where the arboricultural method statement recommends that the tree protection measures for a site will be monitored and supervised by an arboricultural consultant at key stages of the development, records of the site inspections / meetings shall be submitted to the Local Planning Authority.

REASON

To ensure that trees and other vegetation can and will be retained on site and not damaged during construction work and to ensure that the development conforms with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020).

INFORMATIVES

1. I70 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 Local Plan Part 1, Local Plan Part 2, 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.

2. I52 Compulsory Informative (1)

The decision to GRANT planning consent 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).

I53 Compulsory Informative (2)

The decision to GRANT planning consent has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 13	Shopfronts
DMHB 2	Listed Buildings
DMHB 4	Conservation Areas
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D8	(2021) Public realm
LPP HC1	(2021) Heritage conservation and growth
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment

3. CONSIDERATIONS

3.1 Site and Locality

The application property, known as The Duck House is a grade II listed building prominently situated in the heart of the historic village of Ruislip at the junction of the High Street, Eastcote Road and Bury Street. The site is within the Ruislip Village Conservation Area and is adjacent to a number of other listed buildings located on the junction. To the rear is the Manor Farm group of listed buildings and scheduled monument.

The building dates from the seventeenth century and was previously two houses. Its timber frame has been refronted in brick. It has four bays, the outer two project slightly under hipped tiled roofs. On the left is a small canted bay shop window while to the right is a much larger elegant 19th century shop

front. The building was formerly two shops and is listed under "Haileys Shop, The Village Sweet Shop". In the latter half of the 20th century, a modern single storey, flat roof extension was added to the rear of the site and a conservatory added to the west. The conservatory has since been demolished.

The application site is located within the Ruislip Motte and Bailey Archaeological Priority Area and within the designated Ruislip town centre / secondary shopping area.

3.2 Proposed Scheme

The current application seeks planning permission for the demolition of the modern conservatory (retrospective) and to erect a replacement conservatory with associated external landscaping works.

This planning application is accompanied by an application for advertisement consent for proposed signage (ref. 16897/ADV/2023/9) and an application for listed building consent for the proposed internal works to the Grade II listed building (ref.16897/APP/2023/412). The listed building consent and advertisement consent applications are for separate consideration under delegated powers (in line with the Council's scheme of delegation). As noted above, these applications would facilitate a new restaurant in the building.

Whilst the application before the Committee is for planning permission, for completeness the works involved for the new restaurant are as follows.

The proposed external alterations subject to this application for planning permission include:

- Replacement of the conservatory in the same place as the former. The conservatory will be constructed of brushed aluminium and of a sage green colour palette taking reference from its pondside and wooded surroundings;
- Introduction of a decking area to the rear of the building;
- Retention of the existing dwarf wall along the west roadside boundary of the Duck House and construction of Harris Hurdle fencing and additional planting along this boundary.

The works subject to the application for advertisement consent involve:

- Replacement of signage in like for like location.

The proposed internal alterations subject to listed building consent include the following:

- Reopening of a former doorway;
- Interior decoration throughout with applied t&g panelling to some worn brick walls in places;
- New level timber floor throughout;
- Installation of new wall lights;
- Insertion of new fire places;
- The proposed conservatory is also subject to listed building consent.

This application before the Borough Planning Committee is for planning permission, in line with the scheme of delegation (as the application site is Council freehold). Nevertheless, it should be noted that the proposal as a whole (all the applications) have been assessed together, in consultation with

the Council's Heritage Officer. Accordingly, there may be overlap with the proposed drawings, and assessment within this report, between the applications. However, the proposal as a whole is considered acceptable, subject to the recommended conditions (which would be applied as relevant to each application). Once again, this application is for planning permission.

3.3 Relevant Planning History

16897/ADV/2008/100 Blubeckers Restaurant High Street Ruislip

Installation of wall sign to street elevation.

Decision: 14-10-2008 Refused

16897/ADV/2015/74 The Duck House 2 High Street Ruislip

Installation of one set of externally illuminated text on board to front elevation, one set of sign written text to front elevation externally illuminated via a trough light, the retention of a wall mounted menu, one set of externally illuminated text on board on east side elevation and one non-illuminated text on board on west side elevation, involving removal of existing signs (Advertisement Consent)

Decision: 22-01-2016 Approved

16897/ADV/2016/19 The Duck House High Street Ruislip

Installation of one externally illuminated panel sign to rear elevation

Decision: 20-04-2016 Approved

16897/ADV/2023/9 Prezzo High Street Ruislip

Installation of 4 no. externally illuminated fascia signs

16897/APP/2008/1187 Blubeckers Restaurant High Street Ruislip

CONSTRUCTION OF EXTERNAL SEATING DECKED AREA OVER LAND ADJACENT TO THE DUCK POND INCORPORATING EXTERNAL RECESSED FLUSH FLOOR AMENITY LIGHTING, REMOVAL OF HEDGE/FENCE TO BURY STREET FRONTAGE (RETAINING EXISTING BRICK WALL), AND REPLACE WITH LOW LEVEL SHRUB PLANTING AND METAL RAILINGS TO MATCH EXISTING METAL RAILINGS ADJOINING THE DUCK POND.

Decision: 24-07-2008 Withdrawn

16897/APP/2008/1907 Blubeckers Restaurant High Street Ruislip

Construction of external seating decked area over land adjacent to the duck pond incorporating external recessed flush floor amenity lighting, removal of hedge/fence to Bury Street frontage (retaining existing brick wall), and replace with low level shrub planting and metal railings to match existing metal railings adjoining the duck pond, and pruning of wisteria to front elevation of the building (Application for Listed Building Consent).

Decision: 24-07-2008 Withdrawn

16897/APP/2008/2557 Blubeckers Restaurant High Street Ruislip
Installation of wall sign to street elevation.

Decision: 14-10-2008 Refused

16897/APP/2009/2179 Blubeckers Restaurant High Street Ruislip
Internal alterations including a new plate glass inner lobby, demolition of some minor walls/partitions, new plate glass lobby to kitchen area, construction of new lightweight timber fixed seating and new external lighting and sandblast clean the existing stained/painted internal timber members. External alterations comprising the installation of a new entrance door with lantern above and erection of new boundary fencing along the Bury Street elevation. (Application for Listed Building Consent.)

Decision: 11-12-2009 Approved

16897/APP/2009/2194 Blubeckers Restaurant High Street Ruislip
Installation of new entrance door with lantern light above and erection of new boundary fencing on the Bury Street elevation.

Decision: 11-12-2009 Approved

16897/APP/2012/1679 The Duck House High Street Ruislip
Erection of external deck for seating on land adjacent to duck pond with external lighting.

Decision: 05-09-2012 Refused

16897/APP/2012/1681 The Duck House High Street Ruislip
Erection of external deck for seating on land adjacent to duck pond with external lighting (Application for Listed Building Consent)

Decision: 05-09-2012 Refused

16897/APP/2015/3587 The Duck House 2 High Street Ruislip
Installation of one set of externally illuminated text on board to front elevation, one set of sign written text to front elevation externally illuminated via a trough light, the retention of a wall mounted menu, one set of externally illuminated text on board on east side elevation and one non-illuminated text on board on west side elevation, involving removal of existing signs (Listed Building Consent)

Decision: 22-01-2016 Approved

16897/APP/2015/3667 The Duck House High Street Ruislip
Minor cosmetic changes to the interior of The Duck House (Listed Building Consent)

Decision: 29-01-2016 Approved

16897/APP/2016/782 The Duck House High Street Ruislip

Installation of one externally illuminated panel sign to rear wall (Listed Building Consent)

Decision: 20-04-2016 Approved

16897/APP/2023/412 Prezzo High Street Ruislip Middlesex

Demolition of UPVC conservatory, erection of replacement conservatory, replacement signage, external painting, creation of external terrace area and internal refurbishment (part retrospective) (Application for Listed Building Consent)

16897/B/83/1265 The Duck House Restaurant,2a/2b High Street Ruislip

Extension/Alterations to Retail premises (P) of 17 sq.m.

Decision: 07-11-1983 Approve Limited
Time

16897/C/83/1266 The Duck House Restaurant,2a/2b High Street Ruislip

Listed building consent to dev/alter (P)

Decision: 07-11-1983 Approve Limited
Time

16897/G/97/0173 The Duck House Restaurant,2a/2b High Street Ruislip

Erection of a single storey rear kitchen and store extension and single storey rear dining area conservatory involving demolition of existing rear extensions, conversion of two first floor rooms for use as customers toilets and retrospective change of use of No.2B High Street to a restaurant use (Class A3)(Application for Listed Building Consent)

Decision: 19-11-1997 Approved

16897/H/97/0188 The Duck House Restaurant,2a/2b High Street Ruislip

Erection of a single storey rear kitchen and store extension and single storey rear dining conservatory involving demolition of existing rear extensions, conversion of two first floor rooms for use as customers toilets and retrospective change of use of No.2B High Street to a restaurant use (Class A3)

Decision: 19-11-1997 Approved

Comment on Relevant Planning History

The relevant planning history attached to this site is reference above.

ENF/558/22 - relates to the demolition of the modern conservatory to the rear, which forms part of this application.

4. Planning Policies and Standards

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)
The West London Waste Plan (2015)
The London Plan (2021)

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan 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:

DMHB 1 Heritage Assets

DMHB 2 Listed Buildings

DMHB 12 Streets and Public Realm

DMHB 11 Design of New Development

DMHB 4 Conservation Areas

DMHB 13 Shopfronts

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D8 (2021) Public realm

LPP HC1 (2021) Heritage conservation and growth

DMT 2 Highways Impacts

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DMT 5 Pedestrians and Cyclists

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF16 NPPF 2021 - Conserving & enhancing the historic environment

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date: Not Applicable

5.2 Site Notice Expiry Date: **22nd March 2023**

6. Consultations

External Consultees

Eight neighbouring properties, Ruislip Residents Association and The Ruislip, Northwood and Eastcote Local History Society (RNELHS) were consulted by letters dated 16th of February 2023. A site notice was also displayed on 21st February 2023 and the application was published in the Gazette on 1st March 2023.

One representation was received from Ruislip Residents Association (RRA) and one representation was received from The RNELHS. Their comments are summarised as follows:

RUISLIP RESIDENTS ASSOCIATION:

1. The address for the site is inconsistent for the three applications. It is Prezzo for the applications for planning permission and listed building consent, and Duck House for the application for advertisement consent.
2. Concerns regarding the scale of the proposed conservatory as the footprint would be larger than the demolished extension. It would be more dominant in respect to the listed building.
3. The proposed extended terrace area would not address the reasons for the refusal of a similar plan (ref. 16897/APP/2012/1679). This was refused due to the impact on the conservation area, and detriment to the recognised ecological value of the area.

RNELHS:

1. The replacement conservatory would occupy a larger footprint than the demolished one and will be more dominant than the main listed building.
2. The installation of decking to extend the terrace area will not be sympathetic to the 17th century timber framed building.
3. Additional outdoor tables would create a cluttered appearance which would detract from the setting of an important building at the historic centre of Ruislip.
4. Over development of this important historic site.

PLANNING OFFICER RESPONSE:

Revisions have been sought to significantly reduce the scale and impact of the proposed conservatory.

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The revised drawings have been assessed by the Council's Conservation Officer who considers them acceptable, subject to appropriate conditions. The impact on the listed building and conservation area is discussed within the main body of this report. It is also noted that the proposal has been amended so that the terrace is a combination of York stone paving and real wood decking.

The inconsistent site address is noted. The site address for the application for advertisement consent has been amended to 'Prezzo' to align with the site address for the other two associated applications.

With regard to the previously refused application for a terrace, it is important to note that this application does not propose decking and paving in the same area. The previously refused application proposed a new terrace to the north-eastern side of the larger Duck House building, with some of the raised terrace above marshland. This application proposes a mix of decking and York stone paving to the south-western side of the building. It should also be noted that the application site already has an outdoor terraced area that is paved with York stone. The proposed installation of real wood decking and York stone paving would minimally increase the outdoor area. Therefore, and as assessed within the main body of this report, the works to the terrace are not considered harmful to the conservation area.

It is however noted that external lighting is proposed, which may have an impact on the ecological values of the duck pond. Therefore, notwithstanding the submitted drawings, a condition has been included requiring the submission of an external lighting strategy/details to demonstrate that there would not be any harmful ecological impacts.

WARD COUNCILLOR:

A query was received from a ward Councillor who asked if officers could comment if they feel disabled access is being met. This is because concerns have been received that there would not be the same level of disabled access.

PLANNING OFFICE RESPONSE:

The Council's Accessibility Officer has assessed the proposal and considers it acceptable. A condition is recommended that requires the conservatory to meet minimum standards of accessibility for wheelchair users in accordance with BS 8300-1:2018. This condition has been included in this recommendation. In general, the same level of accessibility would be retained. Accessibility is discussed further in Section 7.12 of this report.

HISTORIC ENGLAND (Greater London Archaeology Advisory Service - GLAAS):

No comments received to date. Any comments received will be reported to the Committee via an addendum report.

Internal Consultees

COUNCIL'S CONSERVATION OFFICER:

27-03-23 - Initial Comments

The modern conservatory has already been demolished, permission is therefore retrospective and there is no objection to its demolition and replacement subject to a suitable design.

The replacement conservatory is a similar width but several metres longer with a prominent lantern. The

justification given for the increase is the number of tables needed which will strengthen the business and the likelihood that it succeeds in this location. However, as proposed in this location there are concerns that the conservatory is disproportionately large in relation to the listed building, particularly when viewed from the road in front and to a lesser degree in views from across the pond to the rear where it is partly screened by trees from some views. The conservatory needs to be reduced in size closer to the previous footprint, the height and size of the lantern should also be reduced.

The design and materials are more considered than the demolished white UPVc conservatory and the green colour way should ensure that it doesn't stand out as much. A further way of mitigating its impact would be to increase the planting along the road and possibly install a fence internally with planting on the garden side as well to soften its impact from across the pond. Suburban fencing should be avoided, something such as hazel hurdles would be softer.

A new gate is proposed but the plans seem to show the old opening as well. The access should be limited to one gateway in order to preserve the effectiveness of the screening.

On site I was informed that the terrace would be laid with York stone as existing but there would be a decked area adjacent to the pond. The Heritage Statement also mentions the introduction of a decked area. The plans simply state "Rear terraced area" without specific information on materials. A combination of York stone with a small cantilevered area of decking where the land slopes away might be possible but the plans should be clearer on what exactly is proposed, would there be a balustrade for instance? A completely decked garden area would not be considered appropriate in this context.

Recommendation: Broadly acceptable in principle but some amendments needed, in particular to the scale of the conservatory in order to preserve the setting of the listed building and the character and appearance of the conservation area. Some clarification/more information also needed.

PLANNING OFFICER RESPONSE:

Revisions were sought and revised comments received from the Conservation Officer.

COUNCIL'S CONSERVATION OFFICER:

24-04-23

There are still some concerns with the external proposals. Although the length of the orangery extension has been reduced it has not been reduced to the 6 metres in length requested. The six metres identified appears to be from the chimney stack on the west elevation rather than the main wall. This needs to be amended.

The height of the orangery to the ridge of the lantern has been reduced but the width has been increased almost threefold so any gains in reduction in scale have been lost. The lantern needs to be reduced in size, as proposed it is too prominent.

There is an existing small dwarf wall with a hedge which has now become rather sparse but both need to be retained and the hedge will need additional planting so that ultimately this boundary remains a green boundary, albeit with a fence behind to increase screening and reduce sound from the road. There will also need to be planting to soften its impact on the garden side. The fence would be in addition to the hedge. The plans need to reflect the existence and preservation of the dwarf wall and hedge. As previously advised the fencing should be something rustic not a hard suburban fence and there are no details regarding this. All aspects of the hard and soft landscaping will need to be conditioned in order to preserve

the conservation area and the setting of the listed building.

The material for the decking and balustrade needs to be timber not composite - the plans need to reflect this.

Just to reiterate if the application is to be approved there should be conditions for:

- Hard and soft landscaping
- External paint colours

PLANNING OFFICER RESPONSE:

Following the detailed Conservation comments, a final set of revisions were drafted and found to be acceptable.

HIGHWAYS OFFICER:

There are no envisaged highway related implications associated with the proposal hence there is no objection put forward.

COUNCIL'S ACCESS OFFICER:

Final comments (following receipt of amended plans) 21-04-23:

The detail provided in the updated DAS is proportionate to the proposed development and is now acceptable. I am minded to still recommend the attachment of a condition that requires the conservatory to meet minimum standards of accessibility for wheelchair users in accordance with BS 8300-1:2018.

PLANNING OFFICER RESPONSE

Initial concerns were raised regarding the Design and Access Statement, however, following two sets of revisions, it was found to be acceptable, subject to the relevant condition as noted above (and included in the recommendation at Section 2 of this report).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The proposed extension to a commercial property would increase the number of covers to strengthen the viability of the business and its likelihood of succeeding within this town centre location. This is acceptable in principle and is supported by strategic policies that seek to foster economic growth and sustainability. However, while the principle of the proposal is acceptable, this is subject to other planning considerations that are discussed throughout this report.

7.02 Density of the proposed development

Not applicable.

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

The impacts on the listed building, the conservation area and the appearance of the area are

addressed in section 7.07 of this report.

In respect of potential archaeological interests, GLAAS has been consulted. As noted in section 6 of this report, no comments or objections have been received to date. Any comments received will be reported to the Committee via an addendum report.

7.04 Airport safeguarding

Not applicable.

7.05 Impact on the green belt

Not applicable.

7.06 Environmental Impact

Covered in other sections of this report.

7.07 Impact on the character & appearance of the area

This section of the report considers the street scene and character impact of the development, including the impact on heritage assets.

POLICY CONTEXT:

Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a Listed Building or its setting, the local planning authority "shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that Local Planning Authorities must pay "special attention to the desirability of preserving or enhancing the character or appearance of the conservation area."

Paragraph 134 (Chapter 12) of the NPPF (2021) states, inter alia, that "development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design...conversely, significant weight should be given to...(b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings."

Paragraph 199 (Chapter 16) of the NPPF (2021) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

Paragraph 202 (Chapter 16) of the National Planning Policy Framework (2021) states that where a development proposal will lead to 'less than substantial harm' to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Policy D3 of the London Plan (2021) requires that development proposals should enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy HC1 of The London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings. The cumulative impacts of incremental change from development on heritage assets and their settings should also be actively managed. Development proposals should avoid harm and identify enhancement opportunities.

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that both enhances and contributes to the area in terms of form, scale and materials, is appropriate to the identity and context of the townscape and would improve the quality of the public realm and respect local character.

Policy HE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks to conserve and enhance Hillingdon's distinct and varied environment, its settings and wider historic landscape.

Policy DMHB 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that the Council will expect development proposals to avoid harm to the historic environment.

Policy DMHB 2, Part D of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that "planning permission will not be granted for proposals which are considered detrimental to the setting of a Listed Building."

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design including: i) harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.

Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires development proposals to be well integrated with the surrounding area and accessible.

ASSESSMENT:

The application proposes the construction of a new conservatory to the west of Duck House, in replacement of the, now demolished, white uPVC structure. The permission for the demolition of this element is therefore retrospective and there is no objection to its demolition and replacement subject to a suitable design.

It is noted that following consultation, several amendments were sought to revise the scheme. The revisions included reducing the proposed conservatory by 2.3m in width, to ensure the replacement conservatory is of a similar width and footprint to the previous conservatory. Whilst the proposed conservatory does feature a more prominent lantern than the previous, the maximum height has been reduced, from 4.24m with the previous conservatory to 3.6m with the proposed.

The proposed conservatory has been designed to a higher quality, with the design and materials being more carefully considered than the previous. The proposed green colour, although modern,

ensures that it would not stand out in the setting of the historic building. Moreover, it is noted that the green colour palette would also match the external signage further helping the conservatory blend into the setting of Duck House.

Additional revisions were sought to further mitigate any impact of the proposal by introducing hazel hurdle fencing and increased planting along the road on both sides of the proposed fencing including repurposing an existing metal gate as the new access. It is important to note that the plans show the retention of the existing dwarf wall and low fencing and the proposed hazel fencing does not attach to the listed building.

The application proposes changes to the materials used for the outdoor terrace. Following comments from the Conservation Officer, additional information was sought to ensure the materials would complement the listed building. The materials include a real wood decking area and York stone paving to the rear, and York stone paving to the front terraced areas, which is found to be acceptable and would not cause harm to the setting of the listed building or the conservation area.

Having regard to the above, it is considered that the proposal would not cause harm to the setting, character and appearance of the Grade II listed building, and would preserve the character, appearance and visual amenity of the surrounding Conservation Area. It would therefore accord with Policies HE1 and BE1 of the Hillingdon Local Plan Part 1 (November 2012) and Policies DMHB 1, DMHB 2, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policies D3 and HC1 of the London Plan, and Chapters 12 and 16 of the National Planning Policy Framework (2021).

7.08 Impact on neighbours

Hillingdon Local Plan Part 2: Development Management Policies (2020) Policy DMHB 11 seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. This includes such impacts as overlooking, loss of privacy and harm to outlook.

Given the site context, there are no residential properties adjoining or within a close proximity to the application site. The residential properties to the south, east and west would not be impacted upon by the proposal, in terms of daylight/sunlight, outlook and overbearing effect.

It is noted that the proposal relates to outdoor dining/seating, however given that an existing terrace area exists and having regard to the separation from residential properties, it is considered that the proposal would not give rise to any undue noise and disturbance impacts.

Overall, it is considered that the proposed development would not adversely impact upon the residential amenities of neighbouring occupiers, in accordance with Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

7.09 Living conditions for future occupiers

Not applicable.

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Not applicable.

7.11 Urban design, access and security

Addressed elsewhere in this report.

7.12 Disabled access

The approach to the site will remain unaltered with no level changes being proposed. The access gate to the rear external dining terrace will be replaced at a suitable width for wheelchair access and access from the street will remain level.

The proposed conservatory would have a small step up to the existing listed building, as was the case with the demolished conservatory. There would be no material change for access between the previous conservatory and the proposed conservatory. Where there are internal steps at the site, the staff will be trained to assist all customers as required. This includes those with young families, those who are less able and those who are wheelchair bound. The staff will have an access ramp on site available to use and be fully trained to install as required.

There is an existing disabled WC positioned on the ground floor of the space which will be retained and refurbished to a higher level of finish.

The first floor will be redecorated and retained as an additional dining space or private dining area. As access is only via stairs, if required, the ground floor can also be reconfigured in a similar way allowing an accessible private dining space for those who are unable to use the stairs.

The internal works are subject to listed building consent, and not part of this application.

The Council's Access Officer considers the proposal acceptable, and has recommend a compliance condition which has been included in this report.

Taking into account the Grade II listing of this building and the need to minimise any harm to its historic fabric, the existing/pre-existing development of the site, as well as designing a conservatory that would preserve and enhance the value of this historic asset, it is considered that the proposed accessibility arrangements are acceptable.

7.13 Provision of affordable & special needs housing

Not applicable.

7.14 Trees, landscaping and Ecology

There are trees on and adjacent to the site. The terraced area is existing but would be updated with a mix of replacement York stone and real wood decking. Similarly, the proposed conservatory would be situated on the footprint of the demolished conservatory. Consequently, the proposed works are unlikely to harm existing trees. Nevertheless, a condition requiring the submission of a tree protection plan for approval and implementation has been included in this recommendation to ensure this outcome.

7.15 Sustainable waste management

Not applicable.

7.16 Renewable energy / Sustainability

Not applicable.

7.17 Flooding or Drainage Issues

Not applicable.

7.18 Noise or Air Quality Issues

Not applicable.

7.19 Comments on Public Consultations

Comments received in response to the public consultation have been summarised in Section 6 of this report and addressed within the relevant sections of the report.

7.20 Planning obligations

Not applicable.

7.21 Expediency of enforcement action

Not applicable.

7.22 Other Issues

Not applicable.

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

For the reasons set out in this report, it is considered that the proposed development would comply with national, regional and local planning policies and guidance. Therefore, it is recommended that the application be approved.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (2021)

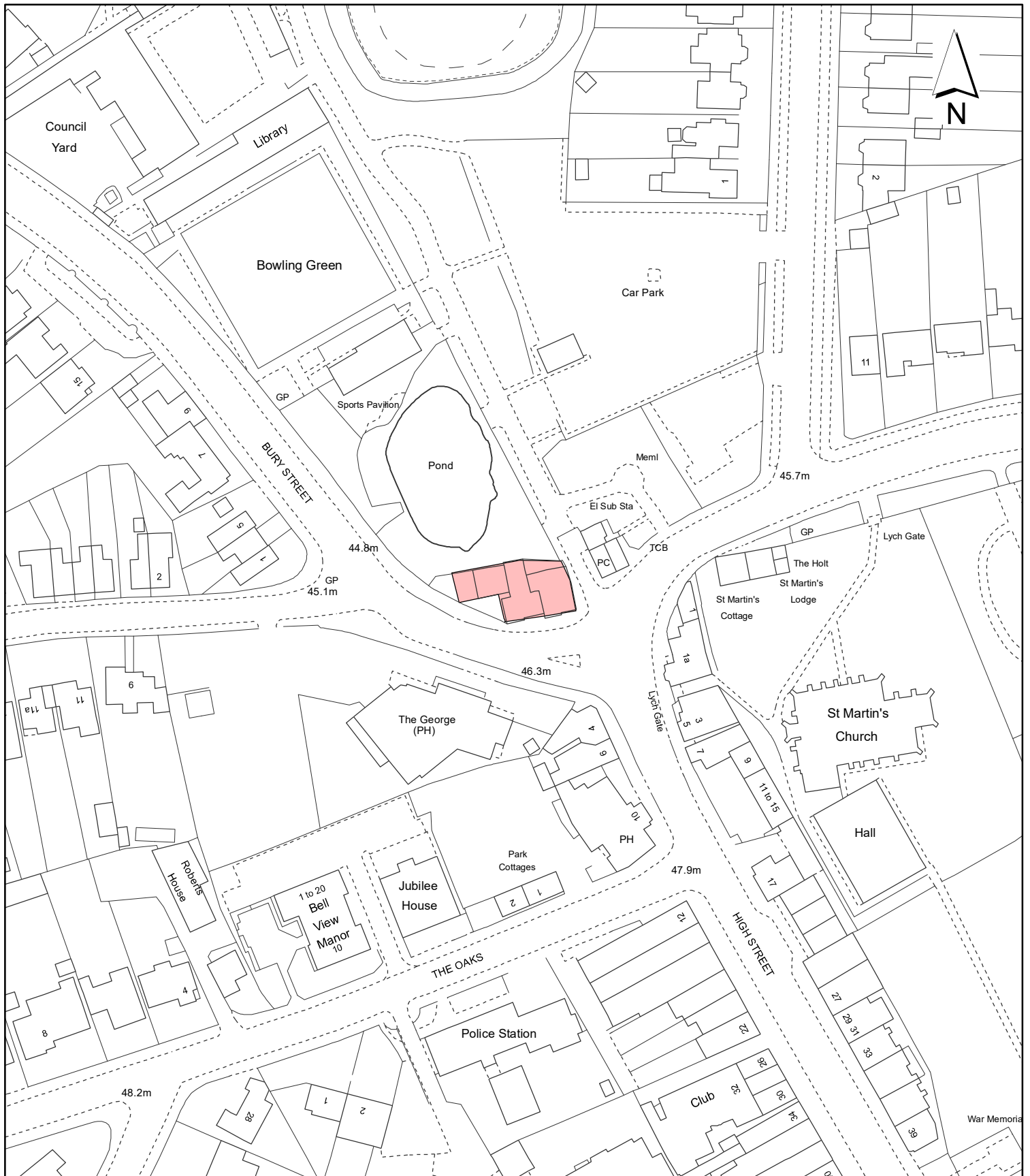
National Planning Policy Framework (2021)

Contact Officer:

Emilie Bateman

Telephone No:

01895 250230



Notes:

 Site boundary

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Site Address:

**Prezzo
 High Street
 Ruislip**

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

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

Planning Application Ref:

16897/APP/2023/411

Scale:

1:1,250

Planning Committee:

Borough

Date:

June 2023



HILLINGDON
 LONDON