

Report of the Head of Planning, Sport and Green Spaces

Address LAND AT CROWS NEST FARM BREAKSPEAR ROAD SOUTH
HAREFIELD

Development: Installation of compost storage unit with solar panels and mobile bio-bed unit, involving demolition of existing compost storage sheds.

LBH Ref Nos: 1113/APP/2013/1065

Drawing Nos: CNF 04E
CNF 05E
CNF 06E
Design and Access Statement Addendum, 30th July 2013
Preliminary Risk Assessment
Agent's covering e-mail dated 15-09-13
CNF 02C
CNF 03B
CNF 01B
Design and Access Statement

Date Plans Received:	26/04/2013	Date(s) of Amendment(s):	09/05/2013
Date Application Valid:	13/05/2013		23/07/2013
			31/07/2013
			15/09/2013
			26/04/2013

1. SUMMARY

The application relates to the erection of a replacement building to be used in connection with an existing waste facility in the former farmyard of Crows Nest Farm which is within the Green Belt. This building would be used for the composting of green waste and involve the use of a mobile bio-bed. As the site is located in the Green Belt and waste facilities are not one of the essential uses of land and buildings which are specified as being acceptable, this building and its intended use is considered inappropriate development within the Green Belt. However, although the replacement building is larger than that which could be reasonably considered to not be materially larger than its replacement, it is considered that 'very special circumstances' have been demonstrated to outweigh any harm to the Green Belt.

The Environment Agency originally objected to the proposal, but following further clarification from the agent that no changes are proposed to existing operations or site drainage, they have withdrawn their objection, subject to the imposition of recommended conditions.

Surrounding residential properties are sufficiently distant from the site so that their residential amenities would not be adversely affected and by making most of the composting operations internal within the proposed buildings, odour generation would be reduced.

Furthermore, no additional traffic is proposed and a landscaping condition is recommended to further enhance the setting of the site.

Wood chipping and soil processing operations and associated storage of materials and machinery has also been taking place on part of the adjoining land to the west of the application site. Following advice from officers, whilst the applicant has been able to demonstrate that the nearest part of this site has been used for these purposes for the last ten year period and the use is therefore lawful with the submission and subsequent approval of a certificate of lawfulness (App. No. 1113/APP/2013/3392 refers), more recently, these activities have encroached onto adjoining land which appears to be unlawful. A condition is therefore recommended to ensure that the unlawful use of the land ceases after 3 months of the building being brought into use and the land be re-instated.

The application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

2 COM4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers CNF 04E, CNF 05E and CNF 06E and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

3 COM6 Levels

No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 COM7 Materials (Submission)

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.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

5 COM9 Landscaping (car parking & refuse/cycle storage)

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 Means of enclosure/boundary treatments

2.b Hard Surfacing Materials

2.f External Lighting

2.g Other structures

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 surfacing/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 BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

6 NONSC Non Standard Condition

The composting centre shall not process more than 25,000 tonnes of waste per annum or exceed 13,000 tonnes of output per annum in the form of topsoil, compost and/or wood chip.

REASON

In order to accord with the terms of the application and to ensure that the operation of the site is not detrimental to the surrounding area and highway safety, in accordance with Policies OL4, BE13 and AM7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

7 NONSC Non Standard Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the Local Planning Authority. The

remediation strategy shall be implemented as approved.

REASON

To protect groundwater in accordance with Policies 5.13 and 5.14 of the London Plan (July 2011) and the NPPF (January 2012).

8 NONSC Non Standard Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

REASON

To protect groundwater from the leachate and contaminated surface water runoff from the site's activities in accordance with Policies 5.13 and 5.14 of the London Plan (July 2011) and the NPPF (January 2012).

9 NONSC Non Standard Condition

Within three months of the building hereby approved being brought into use, wood chipping and soil processing operations and the associated open storage of materials and machinery on the adjoining field to the west of the application site that does not form the subject of the Certificate of Lawfulness granted on 28/11/13 (App. No. 1113/APP/2013/3392 refers) shall cease and the land restored to its original condition.

REASON

To ensure that the proposed development is carried out in accordance with the terms of the application in order to safeguard the openness and amenity of the Green Belt, in accordance with the NPPF (January 2012), Policy 7.16 of the London Plan and Policies OL1 and OL4 of the Hillingdon Local Plan Saved Policies (November 2012).

10 NONSC Non Standard Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

REASON

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

2 I53 Compulsory Informative (2)

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

NPPF1	
NPPF3	
NPPF9	
NPPF10	
LPP 5.2	(2011) Minimising Carbon Dioxide Emissions
LPP 5.3	(2011) Sustainable design and construction
LPP 5.7	(2011) Renewable energy
LPP 5.11	(2011) Green roofs and development site environs
LPP 5.12	(2011) Flood risk management
LPP 5.13	(2011) Sustainable drainage
LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

3

Please note that future planning applications submitted for this site should be accompanied by a Preliminary Risk Assessment (PRA) undertaken in accordance with the National Planning Policy Framework (NPPF) paragraph 121. The waste activities at the site are located within the most vulnerable Source Protection Zone for the nearby public water supply wells and there is potential for leachate generated from composting

activities to pollute surface and ground waters.

Future PRAs should follow either the Model Procedures for the Management of Land Contamination (CLR11) or Guiding principles for Land Contamination (Environment Agency documents detailing our requirements for land contamination reports).

3. CONSIDERATIONS

3.1 Site and Locality

The application site forms part of Crows Nest Farm and comprises a 0.34 hectare site (excluding the access) at the rear of a former agricultural yard which is sited on the western side of Breakspear Road South, with the farm access located some 90m to the south of its junction with Breakspear Road. The farm has diversified and this part of the former farm yard is in use as an organic waste recycling facility. Other parts of the farm have also diversified with former farm buildings along the access road being mainly used for car repairs.

The surrounding area comprises predominantly open countryside with a small number of dwellings and farms scattered in the area. The land to the north, south and west of Crows Nest Farm comprises of open fields with hedgerows and hedgerow trees, with a public footpath to the south linking Breakspear Road South towards High View Farm on New Years Green Lane to the north-west.

The green waste recycling facility consists of several large industrial style sheds and storage areas associated with the use. The buildings within the farm complex are generally similar in height and design with an eaves height of approximately 4m and ridge height of 6m. The existing buildings range between approximately 300sqm and 800sqm and their materials consist of a mixture of brick and metallic sheeting on the flank walls and roof finished in a green coated paint. Part of the adjoining field to the west of the application site is also used for wood chipping and soil processing operations and associated storage of materials and machinery.

Crows Nest Farm forms part of the Green Belt.

3.2 Proposed Scheme

The proposal is for an 'L' shaped building which would wrap around the south western corner of the site, enclosing the former farmyard. It would replace existing sheds along part of the southern boundary. Overall, the southern limb would be 69.3m long by 12.1m to 13.35m wide and the western arm would be 22.9m long by 12.1m wide, with a ridge and eaves height of 5.0 and 3.7m respectively. The southern limb would be staggered with the eastern, wider part of the building set back by some 5.2m at the front from that part of the proposed building to the west and 7.2m at the rear. The building would have the appearance of a typical modern agricultural building, with the concrete walls of the existing structures being retained and profile steel sheeting being used on the elevations and roof.

The building would be used in conjunction with a mobile bio-bed or filter which is bio-active. This would use a former large skip unit as the mobile bio-bed which can be moved around the yard and connected up to the buildings as necessary.

Solar PV panels are proposed on the south facing roof slopes of the new buildings to

provide a sustainable source of power for lighting and heating and other power needs such as the extraction fans associated with the mobile bio-bed odour removal unit.

The agents argue that this would improve emission control, secure employment and produce a better recycled product.

Design and Access Statement:

This describes the site and the proposals and their background. In particular, it advises that the proposals aim to minimise odour generation. To this end, as opposed to high volume air blowing or extraction which is not very efficient and produces a large volume of air with dilute odour which is difficult to treat, low volume extraction would be used with air being sucked down through the compost. This results in a smaller volume of air with a much more concentrated odour which is easier to treat. This would be achieved by use of a 'biobed' or filter which is bio-active, and is usually made up of a 1.2m depth of shredded stump timber with about 10% of active compost with micro-organisms feeding off, digesting and eliminating the odour. To gain maximum control, both the compost heap and biobed are under cover so that odour can be completely eliminated outside the site boundary, except at compost turning. The volume of output from the site will have to be reduced to around half of its current throughput but the higher value of the output would enable the business to remain profitable.

Design and Access Statement Addendum:

This provides further clarification on the composting process. It advises that the site the subject of the application has been used for approved composting operations for over 20 years and the area is concreted and bounded on 3 sides by concrete walls. The operations are subject to a permit supervised by the Environment Agency with a restricted list of permitted materials of which nearly all of the material to be composted coming from local municipal collections or local tree surgeons and landscape gardeners/contractors. Compost is sold to local gardeners and landscape contractors.

The composting process is an on-going process whereby waste is continually added to the site to create batches of maturing compost. The process can take between 8 and 26 weeks depending on the incoming materials and temperature factors.

It goes on to advise that open air composting can create a slight odour from time to time. This can be reduced by enclosing the operation in a building and by drawing air through a bio-bed of woodchip and composted material which removes any lingering odours.

Putting a roof over the existing operation would therefore create (i) a more stable composting environment; and (ii) further reduce the risk of public nuisance due to emissions and odours. This in turn would secure this local recycling service and long term jobs.

Preliminary Risk Assessment:

This provides the background to the assessment and details the measures to deal with the risk of pollution.

Agent's email dated 15-09-13:

This provides further clarification and justification for the development proposals.

3.3 Relevant Planning History

Comment on Relevant Planning History

Multiple applications have been submitted on this site since the early seventies. In 1990 planning permission was granted (App. No. 1113/AG/89/2490 refers) for a change of use from agricultural buildings to light industrial. The use as a composting centre was established as being lawful in 2004, when a Certificate of Lawful Use was issued (App. No. 1113/APP/2002/1425 refers).

Planning permission was also granted for a new detached storage building for the processing and storage of bio fuel and compost on 1/12/11 (Ref: 1113/APP/2011/1020). This building would be 34m deep by 19m wide and have a pitch roof which would have an eaves height of 5m and ridge height of 7.6m. This building would be sited adjacent to an existing storage building situated along the north western boundary of the yard, opposite this proposal, although it has not been erected yet.

Following advice from officers, a certificate of lawfulness has been submitted and now approved for the use of part of the adjoining land to the rear of the yard area for wood chipping and soil processing operations and associated storage of materials and machinery (App. No. 1113/APP/2013/3392 refers).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

- PT1.BE1 (2012) Built Environment
- PT1.EM1 (2012) Climate Change Adaptation and Mitigation
- PT1.EM2 (2012) Green Belt, Metropolitan Open Land and Green Chains
- PT1.EM6 (2012) Flood Risk Management
- PT1.EM8 (2012) Land, Water, Air and Noise
- PT1.EM11 (2012) Sustainable Waste Management

Part 2 Policies:

- NPPF1
- NPPF3
- NPPF9
- NPPF10
- LPP 5.2 (2011) Minimising Carbon Dioxide Emissions
- LPP 5.3 (2011) Sustainable design and construction
- LPP 5.7 (2011) Renewable energy
- LPP 5.11 (2011) Green roofs and development site environs
- LPP 5.12 (2011) Flood risk management
- LPP 5.13 (2011) Sustainable drainage

LPP 5.14	(2011) Water quality and wastewater infrastructure
LPP 5.16	(2011) Waste self-sufficiency
LPP 5.17	(2011) Waste capacity
LPP 6.5	(2011) Funding Crossrail and other strategically important transport infrastructure
LPP 6.9	(2011) Cycling
LPP 6.13	(2011) Parking
LPP 7.2	(2011) An inclusive environment
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
LPP 7.14	(2011) Improving air quality
LPP 7.16	(2011) Green Belt
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL2	Green Belt -landscaping improvements
OL4	Green Belt - replacement or extension of buildings
BE13	New development must harmonise with the existing street scene.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **7th June 2013**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

3 neighbouring properties have been consulted, together with the Harefield Tenants and Residents' Association and a site notice has been displayed at the entrance to the farm. A petition in support of the proposals with 26 signatories has been received, stating:

'We the undersigned wish to support the above application for the installation of a compost storage unit with solar panels and mobile bio-bed unit, involving demolition of existing compost storage sheds. We are of the opinion this will be of substantial environmental gain and improve the working environment.'

ENVIRONMENT AGENCY:

They originally objected to the proposal on the following grounds:

- We consider the level of risk posed by this proposal to be unacceptable.
- The application fails to provide assurance that the risks of pollution are understood, as a Preliminary Risk Assessment (PRA) (including a desk study, conceptual model and initial assessment of risk) has not been provided. It requires a proper assessment whenever there might be a risk, not only where the risk is known.

Revised comments:

As e-mails dated 11th and 12th June 2013 with additional information from the agent confirm that there are no changes to the existing composting operation or the drainage, we are now in a position to remove our objection.

We consider that planning permission could be granted to the proposed development as submitted if the following planning conditions are included as set out below. Without these conditions, the proposed development on this site poses an unacceptable risk to the environment and we would object to the application.

Condition

If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted a remediation strategy to the Local Planning Authority detailing how this unsuspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

Reason: To protect groundwater.

National Planning Policy Framework paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).

Condition

Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: To protect groundwater from the leachate and contaminated surface water runoff from the site's activities.

Certain piling techniques can introduce preferential pathways into the subsurface whereby allowing migration of contaminants to pollute groundwater.

It is unclear from the documents submitted whether the proposals intend to use piling or penetrative foundation methods. Should the proposals seek to use the above condition should be applied.

Advice to LPA/Applicant

Please note that future planning applications submitted for this site should be accompanied by a Preliminary Risk Assessment (PRA) undertaken in accordance with the National Planning Policy

Framework (NPPF) paragraph 121. The waste activities at the site are located within the most vulnerable Source Protection Zone for the nearby public water supply wells and there is potential for leachate generated from composting activities to pollute surface and ground waters.

Future PRAs should follow either the Model Procedures for the Management of Land Contamination (CLR11) or Guiding principles for Land Contamination (Environment Agency documents detailing our requirements for land contamination reports).

HEATHROW AIRPORT SAFEGUARDING:

We have now assessed the application against safeguarding criteria and can confirm that we have no safeguarding objections to the proposed development.

Internal Consultees

TREE/LANDSCAPE OFFICER:

Landscape character/Context: The site is occupied by a farm yard to the west of Breakspear Road South. Much of the land is covered by concrete hard standing and there are a number of barns and ancillary buildings some of which are associated with a green waste re-cycling business. At the north end of the yard there are large piles of green waste, in various stages of composting. There is steep-sided bund running behind the southern edge of the yard (behind the sheds) which was installed to screen the lower walls of the storage buildings.

There are no trees, protected or otherwise, within the operational areas of the yard. Adjacent fields are bounded by native hedgerows with trees. There is an open arable field to the south of the working yard, which is edged by a hedgerow of trees, to the south of which is a public footpath. The field is part of Crows Nest Farm.

The site lies within the Green Belt and the area's distinctive characteristics are described in Hillingdon's Landscape Character Assessment - LCA C3 New Years Green Undulating Farmland. The local landscape and visual sensitivities of the area are evaluated in the assessment.

Landscape Considerations: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other significant landscape features will be affected by the development.
- The Design & Access Statement describes the building as typically agricultural in style, with walls clad and roof constructed of profile steel sheeting.
- The proposal will result in the open end of the yard being enclosed by new storage barns, along the southern boundary (west end) and the west boundary. The sheds will be similar in height to the existing buildings. The buildings will be used to store, turn and process all of the stockpiles of green waste which currently occupy the yard and spill out across the adjacent field to the west.
- However, while the development will result in additional built development within the Green Belt, the ridge lines will be no higher than those of the existing buildings and the higher exposed mounds of composting material will no longer be evident.
- No visual impact assessment has been submitted and the Design & Access Statement makes no reference to landscape enhancement or mitigation.
- If the proposal is granted planning consent visual mitigation measures should be conditioned. Details should include the finished colour of the steel cladding of the new building. Tree planting within the adjacent fields would help to screen, or filter, views of the new facilities and ground modelling could also be used to reduce the impact of the new facilities.
- Landscape conditions will be necessary to preserve and enhance the visual amenities of the locality and to ensure that adequate mitigation measures are secured.

Recommendations: No objection subject to the above comments and conditions COM6, COM7, COM9 (parts 1, 2, 4 and 5).

HIGHWAYS ENGINEER:

No objections.

SUSTAINABILITY OFFICER:

The development is within the Green Belt and needs to respect the landscape value of the area. Living walls and roofs can improve air quality, operate as carbon sinks and also be of importance for nature conservation. The following condition is therefore necessary:

Condition

Prior to commencement of development a scheme for the inclusion of living walls, roofs and screens shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide details of the types of living material to be used and the locations and methods of maintenance where necessary. The development should proceed in accordance with the approved plans unless otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure the development contributes to a number of objectives in compliance with Policy 5.11 of the London Plan.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Crow's Nest Farm is located within the open countryside which also forms part of the Green Belt. The NPPF (March 2012) at paragraph 28 is generally supportive of economic growth in rural areas which creates jobs and prosperity and is sustainable. It also promotes the development and diversification of agricultural and other land-based rural businesses.

As regards the Green Belt, the NPPF advises that the essential characteristics of Green Belts are their openness and permanence. Paragraph 87 advises that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 advises that "very special circumstances" will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.' At paragraph 89, the NPPF goes on to advise that the construction of new buildings should be regarded as inappropriate. Exceptions to this include buildings for agriculture and forestry and appropriate facilities for outdoor sport, outdoor recreation and cemeteries (providing the openness of the Green Belt is preserved and does not conflict with the purposes of including land within it). Although this would not include buildings for green waste composting, the replacement of a building is also identified as one of the exceptions, provided the new building is in the same use and not materially larger than the one it replaces.

Policy 7.16 of the London Plan seeks to maintain the protection of London's Green Belt and seeks to ensure that inappropriate development in the Green Belt should not be approved except in very special circumstances.

Policies in the adopted Hillingdon Local Plan (November 2012) endorse national and regional guidance, in particular, Part One Policy EM2 and Part Two Saved Policies OL1

and OL4 which assess new buildings in the Green Belt.

It is generally held that new buildings are materially larger when their floor areas represent a 50% or more increase on that of the original building. As the proposal is for a 996sq. m building which would replace the existing 460sq. m of building on this part of the site, the proposal represents an increase of approximately 116%, and therefore 'very special circumstances' would need to be demonstrated to justify the proposal.

Very Special Circumstances

The applicant advises that the buildings would not encroach outside the area currently permitted for composting activities so as not to extend the development further into the Green Belt and the building would not exceed the height of the existing buildings. The site already contains piles of composting material which the proposal would enclose within the new building. The composted material would now be protected from excessive rainfall and any potential odours captured which can then be passed through the mobile bio-bed which can remove all potential odours. The new buildings will also have a neater appearance than the open composting piles. This represents a significant improvement to the openness and visual amenity of the Green Belt and for the amenities of surrounding residents.

The proposal would assist with the recycling of green waste materials and the NPPF is generally supportive of sustainable development. The proposal would also not extend the area of existing activities and would not intensify the scale of operations on site. It is considered that as the proposed building would not significantly extend the building envelope on site, being sited on the southern and western sides of the former farmyard and would not significantly alter the built-up appearance of the site, the harm to the Green Belt as a result of additional buildings is not that significant and given that the proposal would mainly remove the large composting piles on the former farmyard, there is likely to be an overall improvement in terms of the openness and visual amenity of the Green Belt. This, coupled with the benefits to neighbours, is considered to outweigh the harm by reason of inappropriateness and any other harm resulting from the additional built form.

Other policy considerations

Policy 5.17 of the London Plan (July 2011) also supports the need to increase waste processing capacity in London. As regards the consideration of proposals for waste management, it provides various criteria for their assessment, namely:

- i) locational suitability;
- ii) proximity to the source of waste;
- iii) the nature of activity proposed and its scale;
- iv) the environmental impact on surrounding areas, particularly noise emissions, odour and visual impact and impact on water resources;
- iv) the full transport impact of all collection, transfer and disposal movements, particularly maximising the potential use of rail and water transport;
- vi) primarily using sites that are located on Preferred Industrial Locations or existing waste management locations.

As this is an existing facility, locational suitability and proximity to the source of the waste are not directly relevant, although clearly, as the green waste is provided by local landscape businesses/tree surgeons and local authority municipal sites, it is sited close to the source of the waste. As regards, the other criteria, the nature and scale of the activity

would not alter, and it has been suggested that the scale may even reduce, composting has a very positive carbon outcome, the main environmental impact would be a reduction in odours and transport impacts would not alter and may even reduce.

It is therefore considered that the scheme is fully compliant with relevant planning policy.

7.02 Density of the proposed development

Not applicable to this proposed development.

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

Not applicable to this site.

7.04 Airport safeguarding

No airport safeguarding objections have been raised by the safeguarding authorities.

7.05 Impact on the green belt

The proposed building would maintain the rear building line of the existing buildings on site that would be replaced and not extend beyond the existing curtilage of the site, wrapping around the southern and western sides of the farmyard. The buildings, with a ridge height of 5.0m would not exceed the height of the buildings they would replace and be lower than the adjoining buildings. An existing earth bank along the southern side of the site would be retained.

The proposed buildings would be largely screened by existing former farm buildings when viewed from the road which at this point would be over 160m from the nearest proposed building. Also, the proposed building would be mainly viewed against the back drop of existing and previously approved buildings when viewed from the adjoining open fields. The retained earth embankment would assist with the screening of the building and the building itself would help to screen the quasi-industrial activities taking place within the diversified farm complex.

The internal storage of the composting material within the buildings will enable the open storage of compost within the farmyard to cease. A condition is also attached to ensure that within 3 months of the date the building is brought into use, the extent of the associated use on the adjoining field does not extend beyond the boundaries of the site which has been demonstrated to benefit from lawful use, which will reduce the area of the field being used for storage by approximately 50%. Overall, the scheme will greatly improve the visual appearance of the site and the openness of the Green Belt. Further improvements can be made with the provision of a green roof/living walls and a suitable landscaping scheme which have been conditioned.

As such, it is considered that the scheme accords with Policies OL1 and OL4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.07 Impact on the character & appearance of the area

The nearest part of the building would be over 160m from the nearest highway. Breakspear Road is a secondary road that cuts through the Green Belt and is generally defined by mature hedgerows and interspersed trees along the boundary. Along the entrance directly to the east of the site, a large existing building 6m in height screens the remaining buildings from this section of the highway. At present the rear buildings on this site are visible approximately 150m to the south east along Breakspear Road. Given that the height of the proposed storage building would be of a similar height than the existing storage buildings on site, there would be negligible impact on this section of the road, particularly as they would be an approximately 250m separation distance from this stretch of the highway to the proposal.

7.08 Impact on neighbours

The proposed storage building would have an established use and be positioned adjacent to several buildings similar in size and appearance. There are no neighbouring properties within the immediate area. The nearest dwelling to the proposal would be the Crow Nest Farm House which is located some 180m north east of the site. It is therefore considered that no dominance, loss of sunlight or privacy issues are raised by this application.

Noise and air quality issues are considered within Section 7.18 of this report.

7.09 Living conditions for future occupiers

Not applicable to this development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Highways have commented on the proposal and satisfied that the proposal would not lead to any additional traffic strains or parking demand and it therefore complies with Policies AM7 & AM14 of the Hillingdon UDP.

7.11 Urban design, access and security

Relevant planning considerations have been considered with other sections of this report.

7.12 Disabled access

Not applicable to this application.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

The Landscape Officer has no objection to the proposal and has commented that no trees or other landscape features will be affected by the development. The landscape officer has recommended that a landscaping scheme be provided which has been conditioned. As such the proposal is considered to comply with Policy BE38 of the Hillingdon Local Plan : Part Two - Saved UDP Policies (November 2012).

7.15 Sustainable waste management

Not applicable to this development.

7.16 Renewable energy / Sustainability

The proposal involves the use of solar panels. The Council's Sustainability Officer raises no objections to this aspect of the scheme.

The officer does recommend that a condition is attached to ensure that a green roof and/or living walls are provided. Amongst the other reasons cited by the Sustainability Officer green roofs can improve the efficiency of solar panels.

7.17 Flooding or Drainage Issues

The Environment Agency originally objected to the proposal on the grounds that insufficient information had been submitted to demonstrate that the risk of pollution to controlled waters was acceptable. A Preliminary Risk Assessment has now been submitted and the Environment Agency has now withdrawn their objection and advise that the scheme is acceptable, subject to conditions which are recommended.

7.18 Noise or Air Quality Issues

The proposal would not give rise to any additional traffic generation. There would be no material increase in noise generation as compared with surrounding industrial/commercial uses. By enclosing the open storage of composting material within the buildings, odour generation can be more easily retained on site and the use of a mobile bio-bed would assist with the reduction of those odours. As such, the scheme would result in the improvement of air quality, in accordance with Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.19 Comments on Public Consultations

The petition in support of the proposal is noted.

7.20 Planning Obligations

Given the nature and scope of the development, no S106 contributions are sought but the scheme would be Mayoral CIL liable.

7.21 Expediency of enforcement action

The encroachment of the wood chipping and soil processing operations and associated storage of materials and machinery on the adjoining field will be monitored.

7.22 Other Issues

No other relevant planning considerations are raised by this application.

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

10. CONCLUSION

There is general policy support for economic growth in rural areas and the diversification of agricultural and other land-based rural businesses. Furthermore, although the replacement of buildings is identified as one of the exceptions to Green Belt policy as regards the provision of new buildings, the size of the replacement building is in excess of that which can reasonably be considered to not be materially larger than the one that it replaces. However, in this instance it is considered that the net environmental benefits of the scheme represent 'very special circumstances' that outweigh any harm to the Green Belt and any other harm of the additional built form.

Furthermore, surrounding residential properties are sufficiently distant from the site so that their residential amenities would not be adversely affected and by making most of the composting operations internal within the buildings, odour generation would be reduced.

Also, no additional traffic is proposed and a landscaping condition is recommended to further enhance the setting of the site. It appears that some of the wood chipping and open storage operations have spilled out onto part of the adjoining field to the west of the site. A condition is recommended to ensure that the extent of the unauthorised use of the field ceases after 3 months of the building being brought into use so that this part of the field can be restored to its former condition.

The application is therefore recommended for approval.

11. Reference Documents

National Planning Policy Framework (March 2012)

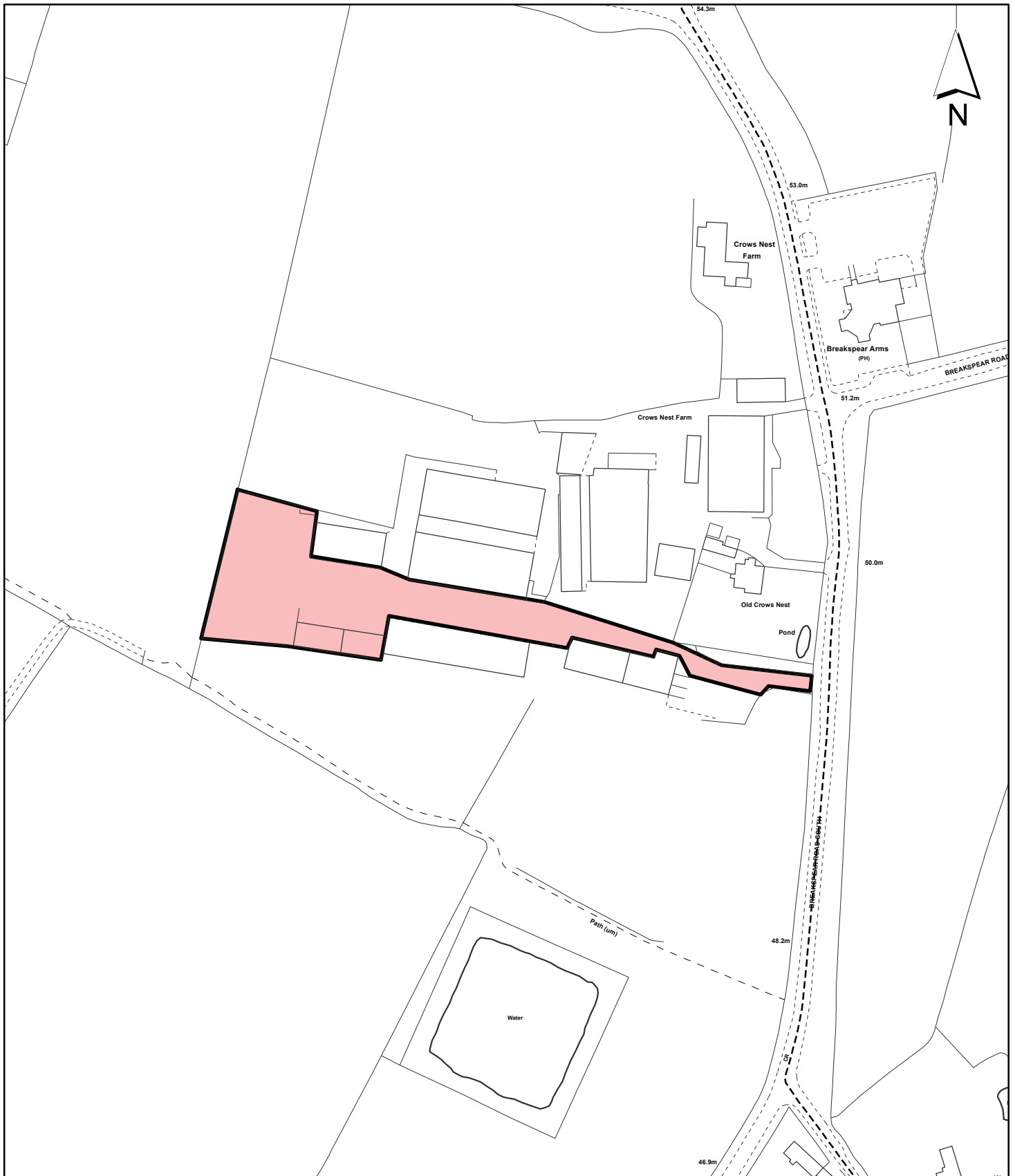
London Plan (July 2011)

Hillingdon Local Plan - Part Two: Saved UDP Policies (November 2012)


Consultation Responses

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Notes

 Site boundary

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Site Address

**Land at Crows Nest Farm
 Breakspear Road South
 Harefield**

Planning Application Ref:
1113/APP/2013/1065

Planning Committee
North

Scale
1:2,000

Date
December 2013

**LONDON BOROUGH
 OF HILLINGDON
 Residents Services**

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



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