

## Report of the Head of Planning, Sport and Green Spaces

**Address** LAND NORTH OF CARLTON PLACE RICKMANSWORTH ROAD  
NORTHWOOD

**Development:** Installation of shipping container, lean to barn, 2 x loose boxes and 2 x sheds for agricultural purposes

**LBH Ref Nos:** 67584/APP/2015/1028

**Drawing Nos:** Elevations of Units B and C  
Elevations of Units D and E  
Information Relating to Use of Building:  
Location Plan (1:2500)  
Site Layout Plan

**Date Plans Received:** 19/03/2015                      **Date(s) of Amendment(s):**

**Date Application Valid:** 08/04/2015

### 1. **SUMMARY**

Retrospective planning permission is sought for the installation of a shipping container, lean-to barn, 2 x loose boxes and 2 sheds. The buildings are located in the north west corner of the field.

It is considered, subject to conditions, there would be no detrimental effect on nearby properties and the proposal would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The shipping container, by reason of its material and appearance is considered to be out of keeping with the agricultural and open character of the Green Belt and the surrounding area. However, the shipping container would be screened from Rickmansworth Road by planting and would therefore not detract from the open character of the Green Belt. Furthermore, the shipping container will be conditioned to be painted a green colour to be in keeping with the agricultural surroundings. As such, it would overcome the previous reasons for refusal and be in compliance with the National Planning Policy Framework and Policies OL1, OL4, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The application is therefore recommended for approval.

### 2. **RECOMMENDATION**

**APPROVAL subject to the following:**

#### 1            HO2            **Accordance with approved**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers

#### REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

**2**            **HO4**            **Materials**

The shipping container shall be painted an 'Invisible Green' recessive colour to ensure that it is well camouflaged within the landscape and shall thereafter be retained as such.

**REASON**

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**3**            **NONSC**            **Non Standard Condition**

Animals shall only be kept in the buildings from 15th October to the 15th May, except for use for TB Testing and Calving cattle.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**4**            **NONSC**            **Non Standard Condition**

No muck heaps shall be within 30 metres from a residential boundary.

**REASON**

To safeguard the amenity of the occupants of surrounding properties in accordance with policy OE1 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**INFORMATIVES**

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

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

**2**            **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).

**3**            **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 (2015) and national guidance.

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
EC5	Retention of ecological features and creation of new habitats
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
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
NPPF9	NPPF - Protecting Green Belt land
LPP 7.16	(2011) Green Belt

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site is located on the west side of Rickmansworth Road, on the northern boundary of the housing development known as Carlton Place. The area relates to an open field, currently used as pasture land. The application site area comprises a corner section of this field, covering 8,380m<sup>2</sup> in a roughly square shape. There are mature trees and hedges on all of the field boundaries, including a woodland to the west. The northern boundary of the field demarcates the local authority boundary with Three Rivers District Council, this field boundary also bounds the rear gardens of properties 8-14 (inclusive) Batchworth Heath, with No.14 being the Prince of Wales Public House. The eastern boundary fronts Rickmansworth Road, designated as part of London's Strategic Road Network (SRN) and is also a London Distributor Road.

The site is within the Green Belt and a Countryside Conservation Area as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### 3.2 Proposed Scheme

The application seeks retrospective planning permission for the installation of:

- (i) Shipping container
- (ii) Lean-to barn
- (iii) 2 x Loose boxes
- (iv) 2 x sheds

The buildings are located in the north west corner of the field.

The main difference between this application and the previously refused scheme is the

planting between the shipping container and the eastern boundary and the applicants assertion that the shipping container is required for security reasons as well, stating:

"There have been two burglaries in the past 12 months. Due to being on the border between Hertfordshire and Metropolitan districts they both pass on the cases betwixt one another resulting in no action.

There are drugs in the container that are used on the animals - if in wrong hands could result in a persons death. Some animal medicines which I have are used by people as recreational drug. These must be locked at all times with utmost security."

### 3.3 Relevant Planning History

67584/APP/2011/232 Land North Of Carlton Place Rickmansworth Road Northwood

Use of land as dog day care and kennels to include 8 kennels, 4 stables, 1 office block, 1 toilet block and 1 store room.

**Decision:** 19-05-2011 Refused

67584/APP/2014/3339 Land North Of Carlton Place Rickmansworth Road Northwood

Installation of shipping container, lean to barn, 2 x loose boxes and 2 x garden shed for agricultural purposes

**Decision:** 26-11-2014 Refused

#### Comment on Relevant Planning History

The application is a result of an enforcement investigation (ENF/442/14/) for erection of unauthorised buildings.

67584/APP/2014/3339 - Installation of shipping container, lean to barn, 2 x loose boxes and 2 x garden shed for agricultural purposes. Refused for the following reasons:

1. The shipping container, by reason of its appearance, material and siting is considered to be out of keeping with the character of the immediate surrounding area and would be detrimental to the visual amenity and character of the Green Belt, contrary to the National Planning Policy Framework, Policies OL1, OL4, BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 7.16 of the London Plan (2011).

2. The proposal, by reason of its proximity to residential properties, has the potential to generate odour and noise. In the absence of any proposed mitigation measures regarding the control of odour and noise emanating from the site in relation to the nearby residential properties, the application has failed to demonstrate that the development will safeguard the amenities of those properties. The proposal is therefore contrary to Policies OE1 and OE3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

67584/APP/2011/232 - Use of land as dog day care and kennels to include 8 kennels, 4 stables, 1 office block, 1 toilet block and 1 store room. Refused on 2.06.2011 for the following reasons:

1. The use of the land as a dog training and day care facility is considered to represent inappropriate development within the Green Belt and is therefore harmful by definition, furthermore, the ancillary structures, parking and highway works and activities generated that are proposed to support the use would significantly increase the built-up appearance of the site, thereby injuring the visual amenities of the green belt by reason of their siting, size, scale, materials, design, traffic and activities generated. The development is therefore contrary to policy OL1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and PPG2: Green Belts.

2. The application fails to make adequate provision for the protection and long-term retention of the adjacent protected Horse Chestnut tree and also does not include landscaping proposals or make provision for comprehensive landscape improvement, thereby failing to enhance the visual amenity of the Green Belt. Therefore the proposal would fail to comply with Policies OL2, OL26 and BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

3. In the absence of any proposed mitigation measures regarding the control of noise emanating from the site in relation to the nearby residential properties, the application has failed to demonstrate that the development will safeguard the amenities of those properties. The proposal is therefore contrary to Policies OE1 and OE3 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. The proposal includes a substantial car parking area, which would be surfaced with a reinforced grass-mesh surface. Due to the intensity of use by vehicles entering and leaving the site, it is considered that this would result in a detrimental impact to the visual amenities of the existing character and appearance of the area and the Green Belt contrary to policy BE13 of the UDP Saved Policies (September 2007) and PPG2: Green Belts.

5. The proposal has not demonstrated that sufficient measures have been taken to mitigate the environmental impact of the development by both animal and water waste resulting in nuisance to nearby properties and polluting nearby watercourses. The proposal is therefore contrary to Policy OE1 of the Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

6. The proposal fails to make adequate provision for access for people with disabilities to the detriment of the users of the proposed development and contrary to policy 4B.5 of the London Plan 2008.

#### **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

Part 2 Policies:

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
EC5	Retention of ecological features and creation of new habitats
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
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
NPPF9	NPPF - Protecting Green Belt land
LPP 7.16	(2011) Green Belt

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

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

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

9 neighbours were consulted on 10.04.2015 and a site notice was displayed on 30.04.2015.

6 letters of support received, summarised below:

(i) The structures are unobtrusive and entirely appropriate for the green belt designation of the land north of Carlton Place and Batchworth Heath generally.

(ii) It is now delightful to see this land being used for the purposes it was intended: grazing of livestock and horses and the structures included under this application support this activity and in our opinion are in keeping with such a use. I would add that these structures are in close proximity to the rear of our property, and we consider them to be visually unobtrusive and have caused us no issue with either noise or unpleasant odours. We would be entirely supportive of an approval being given to this application.

(iii) The intention is that the proposed buildings will be used as accommodation for the cattle and sheep during the periods of lambing and calving or when there is harsh weather; for handling the stock for basic tasks such as TB testing, to store hard feed, medication and bedding and to securely store the tractor and machinery.

(iv) The container has been painted a shade of green to ensure that it blends as well with its surroundings as possible whilst the design of the remaining buildings have also been considered to ensure that they are not obtrusive whilst still being suitable for the purposes of modern agriculture.

1 objection received, summarised below:

(i) A sight for sore eyes;

- (ii) Environmental concerns, such as mice and flies.
- (iii) Loss of privacy directly behind back gardens
- (iv) Noise
- (v) Create a most dangerous precedent for future development of Green Belt land.

Three Rivers District Council:

The application site adjoins the boundary of Three Rivers District and I trust that the following comments will be taken into consideration in the determination of the application: The site is located within the Metropolitan Green Belt where there is a presumption against inappropriate development. New buildings are considered inappropriate in the Green Belt although exceptions may include the construction of buildings for agriculture and forestry. However I trust that full consideration will be given to the impact of the development as proposed, including the shipping container which is not rural in appearance and which is readily visible from Rickmansworth Road, on the Green Belt and on the character of the area. The site also adjoins residential properties. I trust that the impact of the proposed buildings and their usage on the amenity of neighbouring occupiers will be fully taken into account so as to ensure that residents are not adversely affected. This response is given at officer level only and shall not prejudice any future comments made by Three Rivers District Council.

OFFICER COMMENT: Consultation comments have been addressed in the main body of the report.

### **Internal Consultees**

Highways:

There are no highway objections to these proposals.

Trees and Landscape:

- It is understood that the application is retrospective, with all of the structures already in situ.
- The applicant has confirmed that all of the structures have been installed with 'no dig' construction techniques and, therefore, the previous concerns about root damage to nearby trees is allayed.

Recommendation: No objection.

EPU:

I have now been down to site and the yard is not quite the same shape as shown on the plan. Building C is approximately 20m from the fence line and 25m from the houses and building E is approximately 10m from the fence line and 40m from the houses.

We need to put conditions on to control noise and odour. My suggestion would be to say that any muck heaps should be at least 30m from a residential boundary and to restrict the use of the buildings so their use is limited in the summer months.

I am considering a condition on the following lines for the buildings

Animals shall only be kept in the the buildings from 15th October to the 15th May. Except for use for TB Testing and Calving cattle.

The other uses that may be required for the barns are sheep shearing (2 days) and fly and worm treatment for the cattle (less than a day each time).

## **7. MAIN PLANNING ISSUES**

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

The NPPF states that provided that the extension does not result in a disproportionate addition over and above the size of the original building, the extension or alteration of a dwelling is not inappropriate in the Green Belt. Furthermore, the NPPF states in paragraph 89 that provision of appropriate facilities for outdoor sport or outdoor recreation are considered appropriate use of Green Belt land.

Furthermore, Policy OL4 states that the replacement or extension of buildings within the Green Belt will only be acceptable where they do not result in a disproportionate change in the bulk and character of the original buildings, and the development would not injure the visual amenities of the Green Belt by reason of siting, design or activities generated.

In this particular case the provision of buildings for agricultural use would be acceptable in principle subject to their appearance and impact on adjoining occupiers, issues which are discussed further below.

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

Not applicable to this application.

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

The property lies within the 'Green Belt' and does not fall within a ASLC and is not a Listed Building.

#### **7.04 Airport safeguarding**

Not applicable to this application.

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

See section 7.01 of the report.

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

The installation of lean to barn, 2 x loose boxes and 2 x sheds for agricultural purposes would be in keeping with the agricultural character. These buildings have been designed to match the size, appearance and materials of buildings for agricultural use.

The shipping container, by reason of its material and appearance is considered to be out of keeping with the agricultural and open character of the Green Belt and the surrounding area. However, the shipping container would be screened from Rickmansworth Road by planting and would therefore not detract from the open character of the Green Belt. Furthermore, the shipping container will be conditioned to be painted a green colour to be in keeping with the agricultural surroundings. As such, it would overcome the previous reasons for refusal and be in compliance with the National Planning Policy Framework and Policies OL1, OL4, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

The use of buildings C, D and E has the potential to generate odour and noise. Building C is approximately 20m from the fence line and 25m from the houses and building E is approximately 10m from the fence line and 40m from the houses. The impact of this will be limited to some extent as these are mainly to be used during the winter. Any approval will be conditioned to ensure muck heaps are located at least 30m from a residential boundary and to restrict the use of the buildings so their use is limited in the summer months.

It is considered, subject to conditions, there would be no detrimental effect on nearby properties and the proposal would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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



Not applicable to this application.

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

The proposal would not increase traffic or number of parking spaces. As such, there are no objections raised from a highway point of view and the application complies with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**7.11 Urban design, access and security**

Issues relating to urban design are addressed in paragraph 07.07 above and issues relating to access in section 07.12 below. The proposal is not considered to raise any security concerns.

**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**

There are no trees or landscape in close proximity to the buildings. The shipping container will be painted an 'Invisible Green' recessive colour to ensure that it is well camouflaged within the landscape and shall thereafter be retained as such. As such, the proposal would be in compliance with policy BE38 of the Hillingdon Local Plan.

**7.15 Sustainable waste management**

There are no waste management issues arising from the proposal.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**7.17 Flooding or Drainage Issues**

The site does not fall within a Flood Zone and therefore the proposed development is not at potential risk of flooding.

**7.18 Noise or Air Quality Issues**

There are no noise or air quality issues.

**7.19 Comments on Public Consultations**

Consultation comments have been addressed in the main body of the report.

**7.20 Planning Obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

The application is a result of an enforcement investigation (ENF/442/14/) for erection of unauthorised buildings.

**7.22 Other Issues**

The applicant has cited security as a reason for requiring the shipping container stating:

"There have been two burglaries in the past 12 months. Due to being on the border between Hertfordshire and Metropolitan districts they both pass on the cases betwixt one another resulting in no action.

There are drugs in the container that are used on the animals - if in wrong hands could result in a persons death. Some animal medicines which I have are used by people as recreational drug. These must be locked at all times with utmost security."

This was not an issue previously considered and given the nature of equipment and

medicines/drugs kept at the site, members may consider this to be an additional reason for allowing the development.

## **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 to this application.

**10. CONCLUSION**

It is considered, subject to conditions, there would be no detrimental effect on nearby properties and the proposal would comply with Policies BE20 and BE21 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

The shipping container, by reason of its material and appearance is considered to be out of keeping with the agricultural and open character of the Green Belt and the surrounding area. However, the shipping container would be screened from Rickmansworth Road by planting and would therefore not detract from the open character of the Green Belt. Furthermore, the shipping container will be conditioned to be painted a green colour to be in keeping with the agricultural surroundings. As such, it would overcome the previous reasons for refusal and be in compliance with the National Planning Policy Framework and Policies OL1, OL4, BE13 and BE15 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

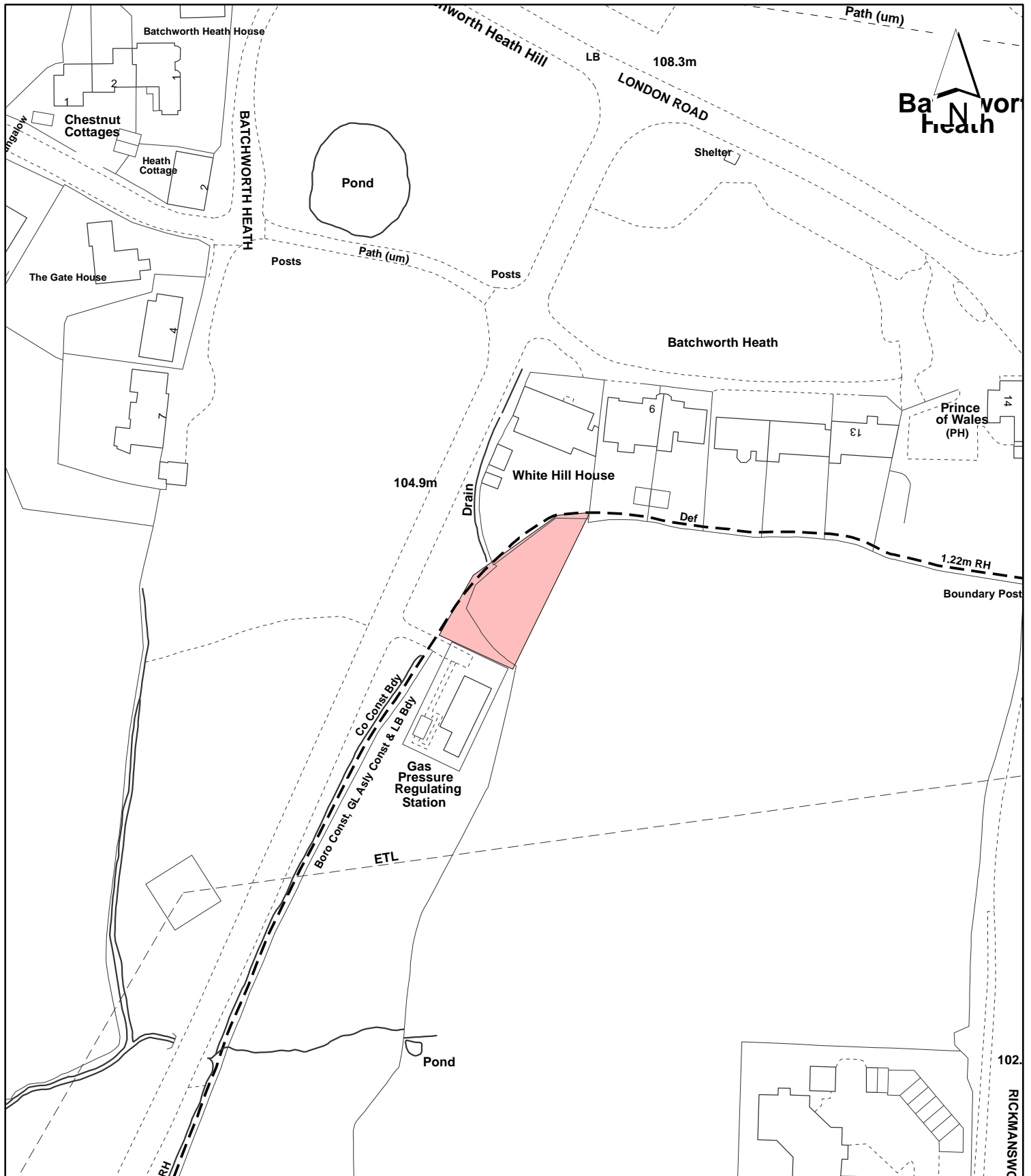
The application is therefore recommended for approval.

**11. Reference Documents**

Hillingdon Local Plan (November 2012)  
London Plan (July 2015)  
National Planning Policy Framework  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary Planning Guidance - Air Quality

**Contact Officer:** Mandeep Chaggar

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Land north of Carlton Place  
 Rickmansworth Road  
 Northwood**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section  
 Civic Centre, Uxbridge, Middx. UB8 1UW  
 Telephone No.: Uxbridge 250111

Planning Application Ref:  
**67584/APP/2015/1028**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**June 2015**

