

Report of the Head of Planning, Transportation and Regeneration

Address GEORGES YARD SPRINGWELL LANE HAREFIELD

Development: Retention of two agricultural barns and change of use of one to equestrian use and formation of a riding arena with associated internal and external alteration and hardstanding works.

LBH Ref Nos: 2078/APP/2019/150

Drawing Nos: JH-HEPP-01/A
Agent's email dated 30/4/19
Geo-Environmental Assessment Report, dated 22/10/19
JH-HEPP-02 (Proposed Site Plan)
18033B-100, Sheets 1 and 2 of 2 (Topographical Survey)
18033B-102 (Existing and Proposed Elevations)
18033B-101 (Proposed Ground Floor Plan)
Willis and Co. Covering Letter dated 15/1/19

Date Plans Received:	15/01/2019	Date(s) of Amendment(s):	15/01/2019
Date Application Valid:	05/02/2019		30/04/2019
			24/10/2019

1. SUMMARY

Planning permission was granted for the erection of two barns on this open agricultural field which forms part of the Green Belt to the north of Harefield at the North Planning Committee on 27/8/14. This current application has been submitted to seek part retrospective permission for the change of use and conversion of one of the two barns to equestrian use with associated internal and external alteration works, together with the formation of a open manege / riding arena with associated hardstanding works within part of the field. At the time of the officer's site visit, although the barn had been converted with loose boxes fitted and hardcore had been laid for the arena and access/ bridle paths across the site, the use had not commenced. Also, as the barns/structures that have been erected on site do differ slightly from those that were approved, any approval of this application would also have the effect of authorising the building(s) erected.

The use of one of the barns and part of the field for the formation of an open riding arena constitutes an open air recreational use which represents appropriate development within the Green Belt. Furthermore, the applicant advises that the use would be the low-key keeping and grazing of horses for recreational use on a DIY livery basis and for the benefit of themselves, their family and friends. A condition is recommended to this effect. On this basis, it is considered that the proposal would not generate such a significant amount of activity that would compromise the open and rural character of the surrounding countryside.

The proposal would not be harmful to adjoining residential properties, and there would be no significant impacts as regards traffic generation.

The barns that have been erected on site are very similar/ almost identical to the approved structures in terms of their sitng and mass and bulk and now being mainly faced in timber as opposed to metal sheeting, represent an improvement in terms of harmonising with the rural character of the area.

As regards the hard core that has been laid on site, the Council's Contamination Officer requires further details, which has been controlled by condition.

The site also forms part of a Nature Conservation Site of Borough Grade II or Local Importance and although the site has value as a whole, much of it is managed farmland and therefore this designation is mainly attributed to the ecological value of the expanse of surrounding hedgerows, and not the managed areas like this site. As such, the scheme would not result in any material degradation of the ecological value of the site, but in line with policy, conditions are also attached which require further landscaping and an ecological enhancement scheme to be submitted.

The application is recommended for approval.

2. RECOMMENDATION

APPROVAL subject to the following:

1 COM3 Time Limit

The development hereby permitted shall be completed 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 and to ensure the regularisation of some current unauthorised works on site.

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

JH-HEPP-01/A,
JH-HEPP-02 (Proposed Site Plan)
18033B-102 (Existing and Proposed Elevations)
18033B-101 (Proposed Ground Floor Plan)

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the London Plan (March 2016).

3 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 / Tree Planting to include native and efficient pollution absorbing species

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

3. 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 policy DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

4 NONSC Non Standard Condition

The proposed stable building and riding arena hereby approved shall be used only in relation to the keeping of horses for private/recreational purposes of the landowner and third parties and shall not be used for any commercial activity other than the keeping, riding and grazing of recreational horses.

REASON

In order to accord with the terms of the application and in order to prevent a more intensive commercial equestrian use being established on site without being fully assessed in terms of its activities and vehicle movements generated with regard to the openness and character of the Green Belt and the amenities of surrounding residential occupiers, in accordance with Policies DMEI 4 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

5 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), the retained barn shall be used only for agricultural purposes.

REASON

To ensure that the buildings support farming activities on Georges Farm that will maintain the openness of the Green Belt, in accordance with the NPPF, Policy 7.19 of the London Plan and Policy DMEI 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

6 NONSC Non Standard Condition

(i) Further development works shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) and approved in writing by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) Additional site investigation works, to including groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy DMEI 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

7 COM29 No floodlighting

No floodlighting or any other form of external lighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered other than for routine maintenance which does not change its details.

REASON

To safeguard the amenity of surrounding properties and to protect the ecological value of the area in accordance with Policies DMHB 11 and DMEI 7 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

8 NONSC Ecological Enhancement Scheme

Within 3 months of the date of this permission, a scheme for the enhancement of nature conservation shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include a number of bird boxes integrated into the fabric of the build and also the inclusion of living screens/walls which includes a mix of evergreen and nectar rich climbers on at least one of the longer walls. The development must proceed in accordance with the approved plan unless otherwise agreed in writing with the Local Planning Authority.

REASON

To ensure the development contributes to ecological enhancement in accordance with Policy EM7 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DME1 7 of the of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and Policy 7.28 of the London Plan (March 2016).

9 COM15 Sustainable Water Management

Within 3 months of this permission, a scheme for the provision of sustainable water management shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate that sustainable drainage systems (SUDS) have been incorporated into the designs of the development in accordance with the hierarchy set out in accordance with Policy 5.15 of the London Plan and will:

- i. provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall proceed in accordance with the approved scheme.

REASON

To ensure the development does not increase the risk of flooding in accordance with Policy 5.12 of the London Plan (March 2016), Policy PT1.EM6 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policy DME1 9 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

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 - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
LPP 3.19	(2016) Sports Facilities
LPP 5.13	(2016) Sustainable drainage
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.22	(2016) Land for Food
DME 7	Farm Diversification
DMHB 1	Heritage Assets
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 6	Development in Green Edge Locations
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 12	Development of Land Affected by Contamination
DMEI 13	Importation of Material
DMCI 7	Planning Obligations and Community Infrastructure Levy
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts

3 170 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 the 'Saved' UDP 2007, Local Plan Part 1, 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.

4 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to

ensure no damage occurs to the verge of footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

5 173 Community Infrastructure Levy (CIL) (Granting Consent)

Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), this development is liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This will be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. Before commencement of works the development parties must notify the London Borough of Hillingdon of the commencement date for the construction works (by submitting a Commencement Notice) and assume liability to pay CIL (by submitting an Assumption of Liability Notice) to the Council at planning@hillingdon.gov.uk. The Council will then issue a Demand Notice setting out the date and the amount of CIL that is payable. Failure to submit a valid Assumption of Liability Notice and Commencement Notice prior to commencement of the development may result in surcharges being imposed.

The above forms can be found on the planning portal at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

Pre-Commencement Conditions: These conditions are important from a CIL liability perspective as a scheme will not become CIL liable until all of the pre-commencement conditions have been discharged/complied with.

3. CONSIDERATIONS

3.1 Site and Locality

The 1.9 hectare application site forms a tree/ hedgerow lined field and its access from Springwell Lane. The field is set back some 45m from the northern side of Springwell Lane, at a point where the road turns sharply to the west, some 500m to the north of the road's junction with Plough Lane. The application site is located to the east of a farm track which also forms a public footpath (U1) that joins the road from the north.

This part of Springwell Lane is predominantly characterised by open farmland, although there is frontage and some in depth residential development along the northern side of the road. To the east of the farm track is Cripps Farm and to the west is Cripp's Farm Bungalow. The public footpath runs along the western boundary of the application site field, heading towards Rickmansworth. To the west of this path, adjacent to the application site is a somewhat derelict group of farm buildings within an adjoining field.

The application site forms part of a larger agricultural holding on this side of Springwell Lane known as Georges Farm which extends to a drainage channel close to the borough boundary and covers some 15.2 hectares. At the time of the site visit, the barn had been physically altered to accommodate horses, but there was no evidence that the use had commenced and the site for the arena and paths had been levelled with hardcore.

The site is located within the Colne Valley Regional Park and forms part of a Countryside Conservation Area. It is also a Nature Conservation Site of Borough Grade II or Local

Importance and is located within the Colne Valley Archaeological Priority Zone.

3.2 Proposed Scheme

This part retrospective application seeks to retain two barns that have been erected on site and permission to change the agricultural use of the eastern one to equestrian use with associated internal and external alterations and the formation of a manege / riding arena at the rear on the western half of the field with associated hardstanding / path formation works.

Permission was previously granted (App. No. 2078/APP/2014/1582 refers) for two very similar barns in an almost identical setting on a hardcore yard. These both measured 32m long by 11m wide, having profiled steel sheet above concrete blocks with doors each end and a gable roof, 5.2m high to the ridge. The submitted plans show the barns built on site to be some 30.6m long by 11.65m wide and 6.2m high to the ridge. Both barns are timber clad above concrete blocks and have enlarged overhanging eaves along one side to form a 1.9m deep canopy along their eastern side elevations. The western barn is open along this frontage with the remaining elevations being solid, whereas the stable block is fully enclosed with sliding doors at each end. Internally, the stable block has been subdivided with loose boxes along each side, accessed from a central aisle with 7 external openings on the eastern and western side elevations respectively.

The riding arena would be approximately 60m by 30m and sited some 15m to the north of the barns. A track leads from the hardcore yard between the barns and from the arena to the rear field boundary.

At the time of the site visit, the eastern barn had already been physically converted to stables, large quantities of hardcore had been put down to level the field for the riding arena and to form the associated paths.

The agent advises in his email dated 30/4/19 that the converted barn was substantially complete by December 2016 and was used for the storage of agricultural machinery until recently and it was only just before this application was submitted (in January 2019), that a concrete floor and the loose boxes were installed. He goes on to advise that the pre-commencement conditions were not discharged as they were surprised to find out that the barns were CIL liable and his clients' attention was diverted by an appeal to the Valuation Office and a potential High Court challenge.

As regards the use, the agent advises that the applicants have seven existing stables on Weybeards Farm, the applicants' property a short distance to the south and there are 6 existing stables at Georges Yard to the west of the existing building, just north of Cripp's House Farm, both of which have been in place for many years. The agent continues to advise that the applicants own 3 horses and look after another elderly horse on behalf of a friend and at the present time, there are 6 horses in the existing stables at Georges Yard. The applicants' intend to relocate the 4 horses from Weybeard Farm to the proposed stables and additional horses will be accommodated on a DIY livery basis. There are 12 stables in the building so with 4 horses owned/cared for by the applicants, there will be space for a further 8 horses.

The agent goes on to stress that it is not the applicants' intention for the equestrian use of the land to be anything more than the low-key keeping and grazing of horses for recreational use and they do not want the site to develop into an equestrian centre with riding lessons, competitions and events etc and the applicants are happy to accept a

condition to this affect. The agent concludes that several similar establishments for the occupation of 'recreational' horses in this area have closed down in recent years including Waterdell Farm, Springwell Lane which had 10 stables, Patchetts Green Livery Stables which had 80 stables and Batchworth Heath Livery Yard in Three Rivers DC which had 60 stables (it now has permission for residential development) and the applicants are confident that they will be able to meet a small part of the demand for replacement stabling space.

The application is supported by the following documents:-

Geo-Environmental Assessment Report, dated 22/10/19:

This report seeks to assess any potential risk to end users and the wider environment, particularly to groundwater and surface water from the material imported onto the site which provides a sub-base for the new tracks, yard and manege.

3.3 Relevant Planning History

Comment on Relevant Planning History

The original planning permission for the erection of two agricultural barns was granted on 1/9/14 (App. No. 2078/APP/2014/1582 refers).

4. Planning Policies and Standards

Development Plan

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

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

The Local Plan: Part 1 - Strategic Policies (November 2012)

The Local Plan: Part 2 - Development Management Policies with Modifications (March 2019)

The London Plan - Consolidated With Alterations (2016)

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

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Consolidated with Changes July 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. This Consolidated version remains under examination with a report by the appointed panel of Inspectors due in

Autumn 2019.

The Council's general approach at this stage is to give limited weight to the draft London Plan as a material consideration when deciding planning applications given at this stage of preparation it remains subject to a large number of objections, and could still be subject to significant further change prior to publication.

Proposed Submission Local Plan Part 2 with Main Modifications (March 2019)

The Revised Proposed Submission Local Plan Part 2 (LPP2) documents (Development Management Policies, Site Allocations and Designations and Policies Map Atlas of Changes) were submitted to the Secretary of State for examination in May 2018.

The public examination hearing sessions took place over one week in August 2018. Following the public hearing sessions, the examining Inspector advised the Council in a Post Hearing Advice Note sent in November 2018 that he considers the LPP2 to be a plan that could be found sound subject to a number of main modifications.

The main modifications proposed by the Inspector were agreed by the Leader of the Council and the Cabinet Member for Planning, Transport and Recycling in March 2019 and were published for public consultation from 27 March to 8 May 2019.

Taking para 48 of the NPPF into account, the Council's general approach to the weight which should be afforded to the draft LPP2 will be as follows:

The preparation of the LPP2 is now at a very advanced stage. The public hearing element of the examination process has been concluded and the examining Inspector has indicated that there are no fundamental issues with the LPP2 that would make it incapable of being found sound subject to the main modifications referred to above.

Those policies which are not subject to any proposed main modifications are considered to have had any objections resolved and can be afforded considerable weight. Policies that are subject to main modifications proposed by the Inspector will be given less than considerable weight. The weight to be attributed to those individual policies shall be considered on a case by case basis considering the particular main modification required by the Inspector and the material considerations of the particular planning application, which shall be reflected in the report, as required.

Finally, it is noted that the Inspector has indicated that subject to main modifications the LPP2 is fundamentally sound and therefore consistent with the relevant policies in the NPPF.

Notwithstanding the above, the starting point for determining planning applications remains the adopted policies in the Local Plan: Part 1 Strategic Policies and the Local Plan: Part 2 - Development Management Policies with Modifications (March 2019).

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.HE1 (2012) Heritage

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.EM7	(2012) Biodiversity and Geological Conservation
PT1.EM8	(2012) Land, Water, Air and Noise

Part 2 Policies:

NPPF- 2	NPPF-2 2018 - Achieving sustainable development
NPPF- 13	NPPF-13 2018 - Protecting Green Belt land
NPPF- 14	NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change
NPPF- 15	NPPF-15 2018 - Conserving and enhancing the natural environment
NPPF- 16	NPPF-16 2018 - Conserving & enhancing the historic environment
LPP 3.19	(2016) Sports Facilities
LPP 5.13	(2016) Sustainable drainage
LPP 6.3	(2016) Assessing effects of development on transport capacity
LPP 6.13	(2016) Parking
LPP 7.2	(2016) An inclusive environment
LPP 7.3	(2016) Designing out crime
LPP 7.8	(2016) Heritage assets and archaeology
LPP 7.16	(2016) Green Belt
LPP 7.19	(2016) Biodiversity and access to nature
LPP 7.22	(2016) Land for Food
DME 7	Farm Diversification
DMHB 1	Heritage Assets
DMHB 7	Archaeological Priority Areas and archaeological Priority Zones
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMEI 4	Development on the Green Belt or Metropolitan Open Land
DMEI 6	Development in Green Edge Locations
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMEI 12	Development of Land Affected by Contamination
DMEI 13	Importation of Material

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **11th January 2020**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

9 neighbouring properties were originally consulted and a site notice was displayed outside of the site on 28/2/19 with a closing date of 21/3/19. Due to the red-line boundary of the site being extended to include the farm access from the public highway, a further round of public consultation has been carried out on 11/12/19 and the application has been advertised in the local press on 18/12/19 with the last closing date for comments being the 8/1/20. No responses from the public have been received.

Greater London Archaeological Advisory Service (GLAAS):
Recommend No Archaeological Requirement.

NPPF section 16 and the London Plan (2011 Policy 7.8) make the conservation of archaeological interest a material planning consideration.

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Although the application lies within an Archaeological Priority Zone the site appears to have been heavily disturbed in recent years leaving it with low archaeological potential.

No further assessment or conditions are therefore necessary.

Natural England:

Natural England advises that it has no specific comments to make on this application, but refers the LPA to its standing advice. The lack of comment from Natural England does not imply that there are no impacts on the natural environment, but only that the application is not likely to result in significant impacts on statutory designated nature conservation sites or landscapes.

Officer comment:

In terms of Natural England's standing advice, as the proposal only involves the change to equestrian use of one of the barns which does not involve any alterations to its existing corrugated sheet roof and the provision of a manege and paths on part of an open grassed field, there would be no material impacts upon protected species or any statutory designated nature conservation site.

Harefield Tenants and Residents' Association:

We found the plans very sketchy with little detail of what was actually being planned. It failed to show where the Arena is or where it is to be sited.

It is our understanding that the current use is for stabling 7 horses. We have had no reports of any

problems caused to local residents regarding this use.

However the application refers to the formation of a riding arena, but it is not clear if there is a proposal to intensify the use of the site for more equestrian uses.

The site is situated off a single track road and it would not be appropriate to intensify the use to an Equestrian Centre which could impact on the local residents.

Officer comment:

The plans are clear in terms of the siting of the proposed riding arena and the applicant has clarified the nature of the equestrian use proposed in the agents email of 30/4/19.

Internal Consultees

Policy Officer:

Subject to appropriate conditions the proposed change of use would fall with para 145 exception b) as the proposed use is for the purposes of outdoor recreation and would not conflict with the purposes of Green Belt. Consequently, it would not be necessary for the applicant to demonstrate very special circumstances.

Tree/ Landscape Officer:

This site is located in a field on elevated land to the north of existing stables, immediately to the north of Cripps House Farm.

According to the aerial photographs, the site was, until recently an open field. Within the past year two large barns have been built, situated parallel to each other with space between them. The barn to the east is totally enclosed and has been laid out internally as a stable - as yet unused. The westernmost barn is open-sided on one side and is used for storing agricultural machinery.

To the north of the barns the sub-base of a large manege / arena has been partly laid - with construction halted pending this planning application.

There are occasional trees within the field and the boundaries are defined by hedgerows. The site is designated Metropolitan Green Belt.

Comment

No trees will be affected by the development. It is understood that the barns were constructed while the site was still an agricultural holding, albeit the owner now operates as an agricultural contractor. The intention is to use the site for stabling and use as a manege.

If planning permission is granted, the construction of the area will be completed and the area fenced with timber post and rail fencing. The proposed use of the land appears to be appropriate bearing in mind its location in the Green Belt and the arena will have little visual impact.

Construction details and any soft landscape (tree planting?) should be conditioned.

Recommendation

No objection subject to conditions COM9 (parts 1, 2 and 5).

Environmental Protection Officer:

Original comments:

I have read through the application and it's proposal and there is no impact in regards to noise, fumes and other pollution.

Revised comments:

Amended plans relate to site plans and location, there is no impact in regards to environmental pollution.

Land Contamination Officer:

1 Summary of Comments:

Following my response to an earlier consultation I have now reviewed details which have since been submitted in the following report:

Title: Geo-environmental Assessment Report; Ref: LS4559 V1.0; Dated: 22nd October 2019;
Prepared by: Land Science Ltd.

The report is structured as a combined Phase 1 and Phase 2 study comprising a Desk Study and Site Investigation with associated preliminary risk assessment, conceptual site modelling and a Tier 1 Generic Quantitative Risk Assessment.

The report states the site is situated within a groundwater source protection zone (SPZ II) and above a Secondary A Aquifer. The below ground strata which were exposed at approximately 1m depths during site investigation works, were recorded as made ground, comprising a variety of materials - metals, brick, concrete, plastic, paper, carpet, wood, polystyrene and clinker, and laboratory analyses indicated a range of contaminants including PAH's and Asbestos were present in the analysed samples.

Whilst details within the report concerning human health risk assessment do satisfy certain requirements based on public open space (parks) assessment criteria, and that further 'surface profiling/capping' works (as yet undecided by the applicant) are awaiting completion. However, there are gaps within the information concerning controlled waters which I consider require further investigation and clarification.

I therefore recommend the following amended condition(s) be imposed.

Condition:

(i) Further development works shall not commence until a scheme to deal with contamination has been submitted to the Local Planning Authority (LPA) in accordance with the Supplementary Planning Guidance Document on Land Contamination, and approved by the LPA. All works which form part of the remediation scheme shall be completed before any part of the development is occupied or brought into use unless the Local Planning Authority dispenses with any such requirement specifically and in writing. The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

a) Additional site investigation works, to including groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(b) A written method statement providing details of the remediation scheme and how the completion of the remedial works for each phase will be verified shall be agreed in writing with the LPA prior to commencement of each phase, along with the details of a watching brief to address undiscovered contamination. No deviation shall be made from this scheme without the express agreement of the LPA prior to its implementation.

(ii) If during remedial or development works contamination not addressed in the submitted remediation scheme is identified an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) Upon completion of the approved remedial works, this condition will not be discharged until a comprehensive verification report has been submitted to and approved by the LPA. The report shall include the details of the final remediation works and their verification to show that the works for each phase have been carried out in full and in accordance with the approved methodology.

(iv) No contaminated soils or other materials shall be imported to the site. All imported soils for landscaping purposes shall be clean and free of contamination. Before any part of the development is occupied, all imported soils shall be independently tested for chemical contamination, and the results of this testing shall be submitted and approved in writing by the Local Planning Authority. All soils used for gardens and/or landscaping purposes shall be clean and free of contamination.

REASON

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Paragraph 133 of the new NPPF (February 2019) advises that Green Belts are of great importance and their fundamental aim is to "prevent urban sprawl by keeping land permanently open". The two barns were originally considered to accord with national policy and represent appropriate development as although Paragraph 145 advises that the construction of new buildings should be regarded as inappropriate, it then lists the various exceptions to this which includes:-

'a) buildings for agriculture and forestry;'

The current proposal now seeks to change the use of one of the barns and utilise the western half of the field as an open manege / riding arena and Paragraph 146 of the current NPPF advises that 'certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.' These other forms of development are listed and include parts d) and e) which state:-

'd) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds);'

London Plan Policy 7.16 (March 2016) reaffirms that the "strongest protection" should be given to London's Green Belt, in accordance with national guidance, whilst Policy EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) stresses the importance of national and strategic policies by stipulating that proposals for development in Green Belt will be assessed against national and London Plan policies.

Policies in the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) generally reflect national and regional guidance, in particular, Policy DME1 4 states that inappropriate development will not be permitted, except in very exceptional circumstances and that re-development of sites in the Green Belt will only be permitted where there is no greater impact on the openness of the Green Belt and the purposes of including within it than the existing development, having regard to i) height and bulk of

buildings, ii) proportion of site already developed, iii) footprint and character of existing buildings, iv) relationship with development on site to be retained and v) visual amenity and character of the Green Belt. Farm diversification is also generally supported by Policy DMEI 7, provided there are no environmental impacts and the open character of the countryside is not compromised.

It is therefore considered that the use of the barn as a stable and the formation of an open riding arena represent appropriate development and that there are no objections in principle with the proposal in terms of existing and emerging national, regional and local plan policies as regards to the Green Belt.

7.02 Density of the proposed development

Not applicable to this type of development.

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

The application site is located within an Archaeological Priority Zone.

Policy DMHB 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the Council, as advised by the Greater London Archaeological Advisory Service, will ensure that sites of archaeological interest within or, where appropriate, outside, designated areas are not disturbed. If that cannot be avoided, satisfactory measures must be taken to mitigate the impacts of the proposals through archaeological fieldwork to investigate and record remains in advance of development works. This should include proposals for the recording, archiving and reporting of any archaeological finds.

GLAAS have been consulted on the proposal and they advise that the site appears to have been heavily disturbed in recent years leaving it with low archaeological potential. They conclude that as the proposal is unlikely to have a significant effect on heritage assets of archaeological interest, no further assessment or conditions are necessary.

Furthermore, the application site is not located within or on the fringes of a conservation area or an area of special local character and the nearest listed building is the Grade II Listed Cripps Farmhouse which given the nature of the proposal, is sufficiently distant from the site so that its setting would not be adversely affected. The site does however form part of a Countryside Conservation Area and it is considered that the use and grazing of the site by horses is akin to the grazing and keeping of farm animals and the proposed use will assist in maintaining the traditional agricultural character and appearance of the area.

7.04 Airport safeguarding

No airport safeguarding issues are raised by this application.

7.05 Impact on the green belt

The application site is located within Green Belt land and is subject to the following policy considerations:

Paragraph 143 of the NPPF (February 2019) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'. Paragraph 144 continues this, stating:

"When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."

Paragraph 145 of the NPPF (February 2019) states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but that exceptions to this include:

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

Policy 7.16 of the London Plan (March 2016) supports this, stating:

"The strongest protection should be given to London's Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance."

In terms of local policy, the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) gives strong protection to Green Belt land. Policy EM2 states that the Council will seek to maintain the current extent of the Green Belt and any proposals for development in the Green Belt and Metropolitan Open Land will be assessed against national and London Plan (March 2016) policies, including the very special circumstances test.

Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also states that: A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

The structures that have been built on site are very similar / almost identical to the barns that were originally approved in terms of their siting and footprint. The previous committee report stated that the barns:-

'would be located close the the field boundary, which is screened by a mature hedgerow and would be sited close to existing farm buildings on the adjoining site. Furthermore, an area of tree planting will help with the screening of the barns, particularly from the adjoining public footpath.'

The two barns with a ridge height of some 6.2m are taller than the approved barns (with approximate ridge heights of 5.2m) but in the context of the field, the additional height is not readily perceived and the replacement of the metal sheeting on the buildings' elevations

with timber has improved the appearance of the buildings, giving them a softer and more traditional rural character. As such, it is considered that the structures as built have not resulted in any additional material adverse impacts on the openness of the Green Belt or detriment to the rural character of the area.

As regards the proposed use of one of the barns for the stabling of horses, as stated in paragraph 145 of the NPPF, outdoor recreation and related necessary facilities are considered to be an appropriate use within the Green Belt. Furthermore, the agent has confirmed that there is no intended commercial use to be made of the stable facilities as it will be used by family and friends and has agreed to a condition to this affect. The formation of the riding arena, as this is open, would also not harm the openness of the Green Belt. The surfacing of the arena and paths would need to use appropriate materials, the details of which would be controlled by the recommended condition.

As such, there are no objections to the principle of the development.

A condition is recommended to remove any permitted development rights to ensure the buildings continue to be used in accordance with the application.

It is therefore considered that the scheme represents appropriate development in the Green Belt and would not be harmful to the openness of the wider Green Belt, in accordance with Policy DME1 of the Hillingdon Local Plan: Part Two - Development Management Policies (Jan 2020).

7.07 Impact on the character & appearance of the area

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

A) All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding:
 - scale of development, considering the height, mass and bulk of adjacent structures;
 - building plot sizes and widths, plot coverage and established street patterns;
 - building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;
 - architectural composition and quality of detailing;
 - local topography, views both from and to the site; and
 - impact on neighbouring open spaces and their environment.

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.

D) Development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for

collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The structures that have been built on site are very similar / almost identical to the barns that were originally approved in terms of their siting and footprint. The previous committee report stated that the barns:-

'would be located close the the field boundary, which is screened by a mature hedgerow and would be sited close to existing farm buildings on the adjoining site. Furthermore, an area of tree planting will help with the screening of the barns, particularly from the adjoining public footpath.'

In this respect, the development is in accordance with Policy DMHB11 of the Hillingdon Local Plan: Part Two - Development Management Policies (Jan 2020).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that:

B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The nearest residential property to the buildings would be Cripps Farm Bungalow. The rear elevation of this property would be sited over 50m from the nearest part of the building and the view of the buildings would be largely screened by the mature hedgerow along the field boundary, which would be further enhanced by the proposed tree planting.

The proposed use of one of the barns for stabling, with 12 loose boxes would be for the benefit of the owners, with the rest of the spaces (currently 8 loose boxes) would operate on a DIY livery basis. The manege / riding arena would be sited further away from any surrounding residential property, located behind the barns. As such, the proposal would be a low key use that would not generate any significant noise or disturbance as compared to the agricultural use of the field.

The Council's EPU Officer raises no objections to the proposal. In this respect, the development is in accordance with Policy DMHB11 of the Hillingdon Local Plan: Part Two - Development Management Policies (Jan 2020).

7.09 Living conditions for future occupiers

Not applicable to this equestrian development.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Policies DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states:

A) Development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner. In order for developments to be acceptable they are required to:

- i) be accessible by public transport, walking and cycling either from the catchment area that it is likely to draw its employees, customers or visitors from and/or the services and facilities necessary to support the development;
- ii) maximise safe, convenient and inclusive accessibility to, and from within developments for pedestrians, cyclists and public transport users;
- iii) provide equal access for all people, including inclusive access for disabled people;
- iv) adequately address delivery, servicing and drop-off requirements; and
- v) have no significant adverse transport or associated air quality and noise impacts on the

local and wider environment, particularly on the strategic road network.

B) Development proposals will be required to undertake a satisfactory Transport Assessment and Travel Plan if they meet or exceed the appropriate thresholds. All major developments that fall below these thresholds will be required to produce a satisfactory Transport Statement and Local Level Travel Plan. All these plans should demonstrate how any potential impacts will be mitigated and how such measures will be implemented.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that development proposals must ensure that:

- i) safe and efficient vehicular access to the highway network is provided to the Council's standards;
- ii) they do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents;
- iii) safe, secure and convenient access and facilities for cyclists and pedestrian are satisfactorily accommodated in the design of highway and traffic management schemes;
- iv) impacts on local amenity and congestion are minimised by routing through traffic by the most direct means to the strategic road network, avoiding local distributor and access roads; and
- v) there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing and committed roads, including along roads or through junctions which are at capacity.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) requires that new development is only permitted where it is in accordance with the Council's adopted car parking standards.

The buildings would be served by an existing farm track from Springwell Lane and informal parking would be provided on the farm track and on hardstanding areas surrounding the stable building. Given that the use proposed would in part be ancillary to a residential use and that the keeping and grazing of horses for recreational use on a DIY livery basis in association with a stables that accommodates 12 loose boxes is not expected to generate a significant amount of traffic, the informal arrangement is considered acceptable.

Subject to conditions requiring the development to be retained as ancillary, the proposed development is considered to accord with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

7.11 Urban design, access and security

The relevant planning considerations are dealt with elsewhere in this report.

7.12 Disabled access

Not applicable to this type of development although it is noted that the barn/stable buildings and paths do provide level access.

7.13 Provision of affordable & special needs housing

Not applicable to this scheme.

7.14 Trees, Landscaping and Ecology

Trees and Landscaping

Policy 5.10 of the London Plan (March 2016) states that development proposals should integrate green infrastructure to contribute to urban greening, including the public realm.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) also requires that new development is high quality, sustainable, adaptable,

and harmonises with the local context. Landscaping and tree planting should also enhance amenity, biodiversity and green infrastructure.

Policy DMHB 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states: A) All developments will be expected to retain or enhance existing landscaping, trees, biodiversity or other natural features of merit. B) Development proposals will be required to provide a landscape scheme that includes hard and soft landscaping appropriate to the character of the area, which supports and enhances biodiversity and amenity particularly in areas deficient in green infrastructure.

The previous officer report to committee advised that the barns would not affect any trees within or adjacent to the field and the Council's Tree and Landscape Officer raised no objections to the proposal. An area of tree planting was shown in the south western corner of the field to help screen the buildings, the details of which were controlled by the previously recommended landscaping scheme condition. Although no details of any tree planting were submitted, some tree planting appears to have been carried out in the south western corner. The revised location plan shows the same area of new tree planting and a similar condition has been attached to the officer's recommendation requiring details of the existing and further tree planting to be submitted.

Ecology

Paragraph 170 of the NPPF (February 2019) states that planning decisions should contribute to and enhance the natural and local environment by: d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

Policy 7.19 of the London Plan (March 2016) states that development proposals should wherever possible, make a positive contribution to the protection, enhancement, creation and management of biodiversity.

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that the design and layout of new development should retain and enhance any existing features of biodiversity within the site.

The previous officer's report advised that the proposed barns would be sited in close proximity to the Old Park Farm Site of Special Scientific Interest (SSSI). Natural England on the previous application advised that the SSSI was unlikely to be affected by the two barns and referred to its standing advice as regards protected species. It did suggest that the scheme could contribute towards the ecological enhancement of the area. The Council's Sustainability Officer also raised no objections to the previous application, noting that the site is in a Nature Conservation Site of Borough Grade II or Local Importance and 'although the value of this site as a whole has importance, much of it is managed farmland and therefore the value is likely to be more restricted to the expanse of hedgerows and not the managed areas like this site. Nonetheless, the development needs to respect the nature conservation value and achieve a net increase in biodiversity in accordance with the national planning policy framework'. A condition was previously recommended that a scheme of ecological enhancement be submitted.

This proposal only involves the change to equestrian use of one of the barns which has not involved any alterations to its existing corrugated sheet roof and the provision of a manege and paths on part of an open grassed field, so that there would be no material impacts

upon protected species or any statutory designated nature conservation site.

The previously recommended ecological enhancement condition has not been complied with and a similar condition is attached as part of this proposal, giving a 3 month compliance period. A condition has also been attached, requiring details to be approved of any external lighting.

7.15 Sustainable waste management

Not applicable to this development.

7.16 Renewable energy / Sustainability

Not applicable to this development.

7.17 Flooding or Drainage Issues

Policy 5.12 of the London Plan (March 2016) requires that development proposals must comply with the flood risk assessment and management requirements set out in the NPPF and the associated technical Guidance on flood risk over the lifetime of the development.

Policy 5.13 of the London Plan (March 2016) states that development should utilise sustainable urban drainage systems (SUDS) unless there are practical reasons for not doing so, and should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible.

Policy EM6 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012) states that applicants must demonstrate that Flood Risk can be suitably mitigated.

Policies DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

A sustainable drainage condition was previously recommended to ensure that the installation of the barns and hardcore did not increase surface water run off. This condition was not complied with although it appears that some drainage works were installed. A drainage plan (HEPP-10) showing the layout of the underground drainage works has been submitted with this application but this plan is not sufficiently detailed and it would appear from aerial photographs that it is also not entirely accurate. The condition has therefore been re-attached to this recommendation, restricting the time form details to be submitted to 3 months. Subject to this condition the development is considered acceptable in terms of drainage and accords with planning policy.

7.18 Noise or Air Quality Issues

Noise

Planning permission has previously been granted for the erection of two similarly sized barns on this site and the use of one of these as a stables would not generate any additional noise. The Council's Environmental Protection Officer has reviewed the application and does not raise any objections.

Air Quality

Given the nature of the proposals, the works raise no air quality matters.

7.19 Comments on Public Consultations

No public consultation responses have been received from neighbouring properties. The comments from the Harefield Tenants and Residents' Association have been addressed in the officer's report.

7.20 Planning Obligations

No planning obligations are required to form part of a S106 Agreement for this application.

As the Mayoral CIL was not paid as part of the previous application, it is still liable and the current amount payable is £42,780.00.

7.21 Expediency of enforcement action

This report considers all relevant issues concerning possible enforcement issues.

7.22 Other Issues

Contamination

Hard core has been imported onto the site and laid to form the sub-base of the barns, manege and paths. In response to the Council's Land Contamination Officer's concerns, a Geo-Environmental Assessment Report has been submitted and reviewed by the officer.

The Contamination Officer advises that the report states the site is situated within a groundwater source protection zone (SPZ II) and above a Secondary A Aquifer. The below ground strata which were exposed at approximately 1m depths during site investigation works, were recorded as made ground, comprising a variety of materials - metals, brick, concrete, plastic, paper, carpet, wood, polystyrene and clinker, and laboratory analyses indicated a range of contaminants including PAH's and Asbestos were present in the analysed samples.

Details within the report concerning human health risk assessment do satisfy certain requirements based on public open space (parks) assessment criteria, and that further 'surface profiling/capping' works (as yet undecided by the applicant) are awaiting completion. However, there are gaps within the information concerning controlled waters which I consider require further investigation and clarification. This can be controlled by a recommended condition which forms part of the officer's recommendation.

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

Although the two barns that have been erected on site have not been built completely in accordance with the approved plans, the changes are not considered to be of such significance that the scheme would now be considered to be detrimental to the openness of the Green Belt. The change of use of one of the two barns to a low key equestrian use together with the formation of a manege / riding arena and associated paths represents appropriate development within the Green Belt and do not compromise the openness of the Green Belt or its rural character and are acceptable.

The proposed equestrian use is for the keeping and grazing of horses for recreational use on a DIY livery basis. A condition is recommended to this effect. On this basis, it is considered that the proposal would not generate such a significant amount of activity that would compromise the open and rural character of the surrounding countryside.

The proposal would not be harmful to adjoining residential properties, and there would be no significant impacts as regards traffic generation.

As regards the hard core that has been laid on site, the Council's Contamination Officer requires further details, which has been controlled by condition.

The site also forms part of a Nature Conservation Site of Borough Grade II or Local Importance and although the site has value as a whole, much of it is managed farmland and therefore this designation is mainly attributed to the ecological value of the expanse of surrounding hedgerows, and not the managed areas like this site. As such, the scheme would not result in any material degradation of the ecological value of the site, but in line with policy, conditions are also attached which require further landscaping and an ecological enhancement scheme to be submitted.

The application is recommended for approval.

11. Reference Documents

NPPF (February 2019)

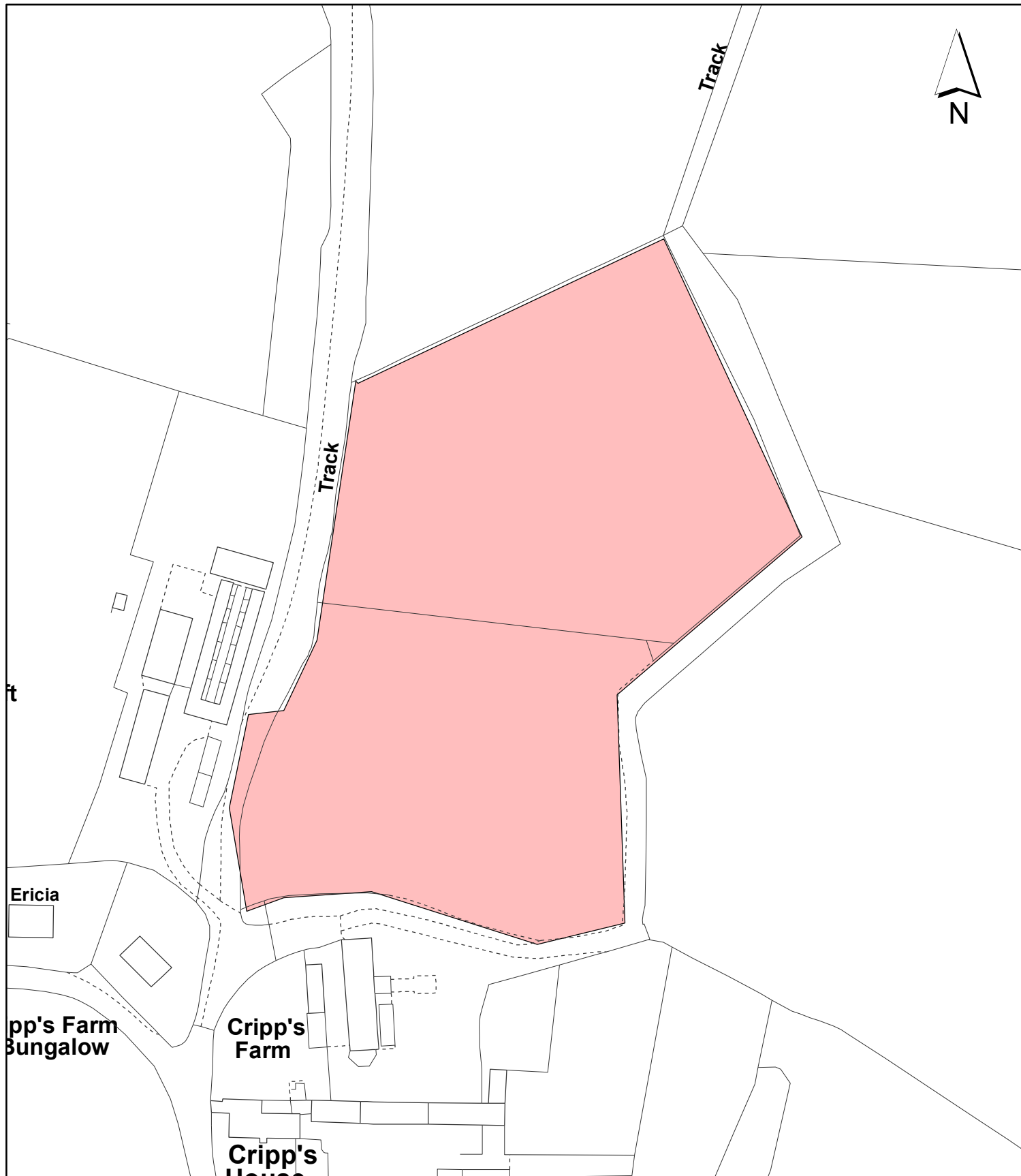
The London Plan (March 2016)

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

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

Contact Officer: Richard Phillips

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.

This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).

Unless the Act provides a relevant exception to copyright.

© Crown copyright and database rights 2019 Ordnance Survey 100019283

Site Address:

**Georges Yard
Springwell Lane**

Planning Application Ref:

2078/APP/2019/150

Planning Committee:

Major

Scale:

1:1,400

Date:

January 2020

**LONDON BOROUGH
OF HILLINGDON**

**Residents Services
Planning Section**

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



HILLINGDON
LONDON