

## Report of the Head of Planning, Transportation and Regeneration

**Address** SMALL HOLDING 1 OPP NORTHWOOD HILLS UNITED REFORM CHURCH JOEL STREET NORTHWOOD

**Development:** Erection of 4 x stables (retrospective)

**LBH Ref Nos:** 75214/APP/2019/3611

**Drawing Nos:** WJM 02  
WJM 01  
Location Plan

**Date Plans Received:** 04/11/2019 **Date(s) of Amendment(s):**

**Date Application Valid:** 04/11/2019

### 1. SUMMARY

The retrospective application seeks planning permission for the erection of 4 x stables

The buildings are considered to represent an appropriate form of development within the Green Belt, and would not detract from the rural character and appearance of the area. Furthermore it would not result in the loss of residential amenity.

For the reasons outlined above, and given that the development complies with the Hillingdon Local Plan: Part Two - Development Management Policies (2020), this application is recommended for approval.

### 2. RECOMMENDATION

**APPROVAL subject to the following:**

#### 1 HO1 Time Limit

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

REASON

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

#### 2 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 WJM 01 and WJM 02 received on 4/11/19

REASON

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

#### 3 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).

### **4 COM29 No floodlighting**

No floodlighting or 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 in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020); and To protect the ecological value of the area in accordance with Policy DMEI 7 of the Hillingdon Local Plan Part 2 (2020).

## INFORMATIVES

### **1 I47 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.

### **2 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 (2016). 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.

### **3**

All developments in green belt area must contribute to managing the risk of flooding from surface water by reducing surface water runoff from the site. Therefore the applicant should minimise the water from your site entering the sewers. No drainage to support the extension should be connected to any existing surface water sewer, other than as an overflow. Water run off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, which must be permeable or be collected and directed to a permeable area, otherwise it would need an additional permission. A water butt should be incorporated.

### **3. CONSIDERATIONS**

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

The application property is located on the eastern side of Joel Street and comprises a series of farm related buildings. The farm land covers some 1.7 hectares

The application site lies within the Green Belt as identified in the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### **3.2 Proposed Scheme**

The retrospective application seeks planning permission for the erection of 4 x stables.

#### **3.3 Relevant Planning History**

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

Not applicable to this application.

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

London Borough of Hillingdon Development Plan (from 17 January 2020)

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

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

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

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

1.3 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

1.4 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 (Intend to Publish Version, December 2019)

1.5 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. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

1.6 The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

1.7 Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

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

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- DMT 6 Vehicle Parking
- DMT 2 Highways Impacts
- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMEI 4 Development on the Green Belt or Metropolitan Open Land
- DMHD 2 Outbuildings
- LPP 2.18 (2016) Green Infrastructure: the multi functional network of open and green spaces
- LPP 7.16 (2016) 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

60 neighbouring properties were consulted by letter dated 8/11/19 and a site notice was displayed in the area. 5 responses were received by the close of the consultation period who raised their concerns as follows:

- using this land commercially
- using lorries
- run off and flooding
- possible change of use in the future

### Internal Consultees

Tree officer:

This site is occupied by a smallholding situated on the east side of Joel Street, located to the south of the allotments and north of the builders' merchant. There are no TPO's or Conservation Area designations affecting the site, however, it lies within the Green Belt. The site was viewed from the public footpath which runs adjacent to the southern boundary.

The recently built stables are constructed on a concrete slab which is off-set by approximately two metres from the east.

Further east from the boundary fence there are two mature oak trees, the nearest one estimated to be some 8 metres from the fence. No tree survey or report has been submitted. The trees are not indicated on plan, however, from the vantage point of the footpath, the concrete slab and stable building appear to be located on the outer edge of the canopy of the nearest oak. The structure is estimated to be approximately 10 metres from the tree trunk. While there may be a slight incursion into the RPA, it is likely to be within an allowance (less than 20%), according to the guidance given in BS5837:2012.

No objection and no need for landscape conditions.

## 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;'

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 DMEI 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 application.

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

Not applicable to this application.

**7.04 Airport safeguarding**

Not applicable to this application.

**7.05 Impact on the green belt**

The application site is located within the green belt and as such the development must be considered against relevant policy and guidance contained within the NPPF.

Paragraph 145 of the NPPF states that:

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- 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 DMEI 4: of the Local Plan Part 2 (January 2020) Development in the Green Belt or on Metropolitan Open Land states that:

A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to: i) the height and bulk of the existing building on the site; ii) the proportion of the site that is already developed; iii) the footprint, distribution and character of the existing buildings on the site; iv) the relationship of the proposal with any development on the site that is to be retained; and v) the visual amenity and character of the Green Belt and Metropolitan Open Land.

The retrospective block of 4 stables are timber, have a pitch roof, sited centrally within the site, which would appear appropriate within the rural Green Belt setting. The stables measure 14.5 m in width and 3.6 m in depth with a pitched roof of 2.6 m.

It is considered that the proposed stable building appears appropriate in its rural Green Belt setting and would not detract from the agricultural character of the immediate surrounding area, in accordance with Policies DMEI 4 , DMHB 11 and 12 and Policy DMHD 1 , DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the NPPF 2018.

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

As previously discussed.

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

The closest residential properties are semi -detached dwellings which are sitting 92.3m further to the West of the application site. A substantial tree screen provides a screen of the building and in view of its separation, it is considered that there would be no detrimental effect on nearby properties and complies with Policies DMHD 1 and DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020)

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

Not applicable to this application.

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

Policy DMHT 2 of the Local Plan: Part Two - Development Management Policies (2020) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a maximum provision of three off-street parking spaces for each dwelling.

There is no impact on existing parking provision as a result of this proposal.

As such the proposal is considered acceptable in accordance with Policies DMT 2 and 6 of the Local Plan: Part Two - Development Management Policies (2020)

#### **7.11 Urban design, access and security**

The proposal is not considered to raise any specific 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**

Not applicable to this application.

**7.15 Sustainable waste management**

Not applicable to this application.

**7.16 Renewable energy / Sustainability**

Not applicable to this application.

**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 DME1 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.

The stables have been built on what appears to be an existing concrete plinth, which housed the previous stables. It is not considered that the structures, because of the use of the original plinth, increase the risk of flooding.

**7.18 Noise or Air Quality Issues**

Not applicable to this application.

**7.19 Comments on Public Consultations**

as discussed above

**7.20 Planning Obligations**

Not applicable to this application.

**7.21 Expediency of enforcement action**

Not applicable to this application.

**7.22 Other Issues**

n/a

**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**

The stable building is considered to represent an appropriate form of development within the Green Belt, would not detract from the rural character and appearance of the area and would not result in the loss of residential amenity. As such the application is recommended for approval.

## **11. Reference Documents**

London Plan (2016)

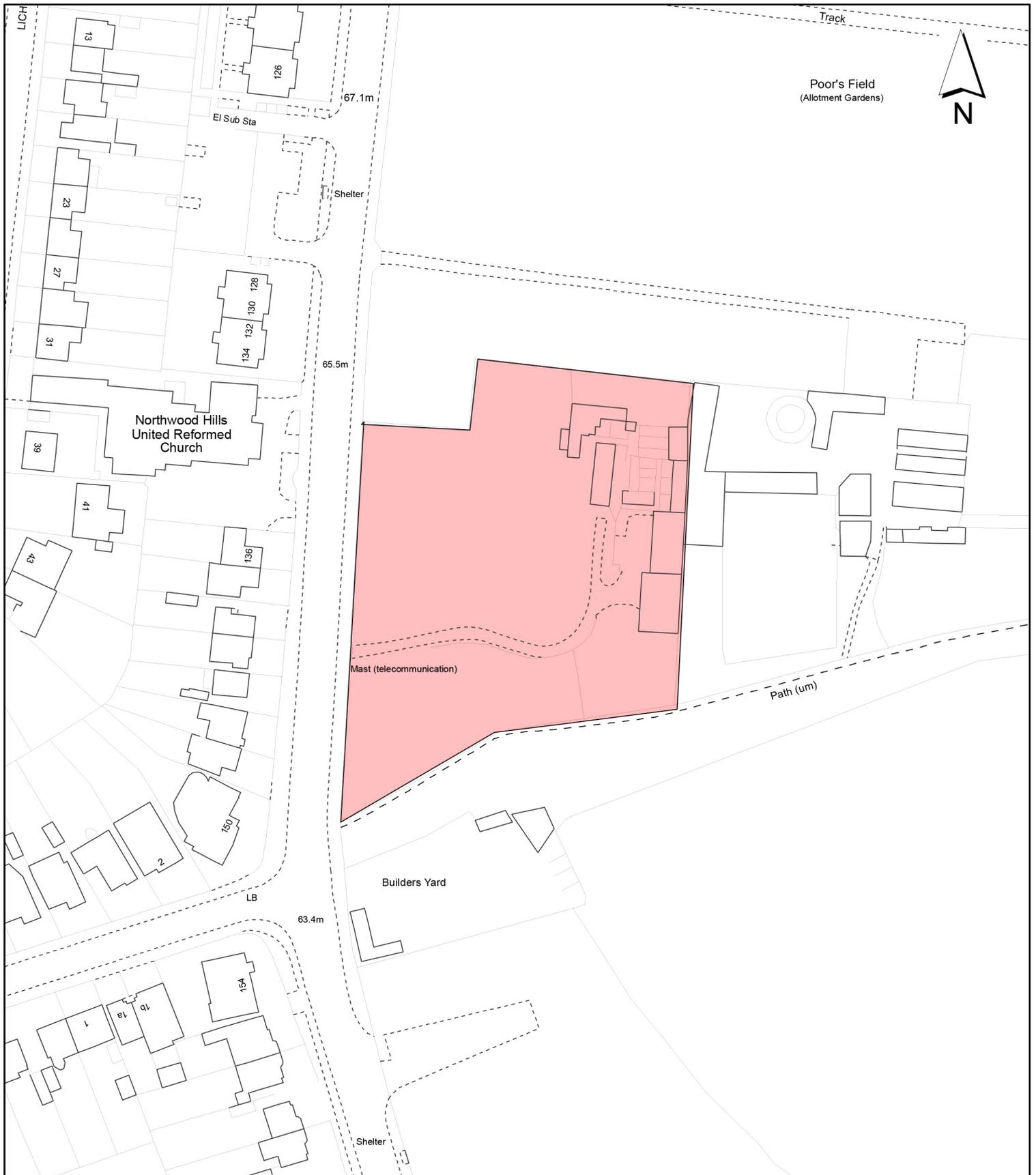
National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

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

**Contact Officer:** Hoda Sadri

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**Small Holding 1 Opp Northwood Hills  
 United Reform Church  
 Joel Street**

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

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

Planning Application Ref:

**75214/APP/2019/3611**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**May 2020**



**HILLINGDON**  
 LONDON