



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement - Addendum

Appeal By:
Car Giant Ltd

Proposal:
Installation of six lighting columns and replacement of the six existing floodlights with six alternative floodlights (Retrospective application).

Appeal Site:
386 Glebe Farm West End Road Hillingdon HA4 6QX

Our Ref:
Your Ref:

14607/APP/2024/1283
APP/R5510/W/24/3349506

1. Introduction

- 1.1 This appeal statement addendum is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in response to the Planning Inspectorate's email dated 19 September inviting the LPA to submit an updated statement of case with regards to whether the development is inappropriate development in the Green Belt.
- 1.2 During the course of the appeal, the revised National Planning Policy Framework has made significant changes to Green Belt policy. The changes are relevant to reason for refusal 1 which refers to the following:

1 The development represents inappropriate development in the green belt to which no very exceptional circumstances exist. The development therefore conflicts with Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy G2 of the London Plan (2021) and Paragraphs 152 and 153 of the National Planning Policy Framework (2023).
- 1.3 Reasons for refusal 2 and 3 are unaffected by the changes to Green Belt policy. The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with the appeal statement and this addendum.
- 1.4 This planning appeal is linked to enforcement appeal ref: APP/R5510/C/24/3346324, which relates to the issue of Enforcement Notice Ref: HS/ENF/023567 dated 16 May 2024 for the alleged breach: *without planning permission, the installation of six pole mounted lights at Glebe Farm West End Road Ruislip HA4 6QX*. No ground (a) appeal has been made however the comments in the addendum are relevant to the reasons for service of the Notice and should be added to the appeal statement against Enforcement Appeal Ref: APP/R5510/C/24/3346324.

2. LPA Comments on Updated Green Belt Policy with regards to the Appeal proposal

- 2.1 The appeal site currently is in operation as a B8 use. It is situated along the southern edge of South Ruislip. It lies within the designated Green Belt and is subject to the following policy considerations.
- 2.2 The National Planning Policy Framework (NPPF) sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in 'very special circumstances'.
- 2.3 Paragraph 153 of the NPPF states: "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."
- 2.4 Paragraph 154 of the NPPF advises that Development in the Green Belt is inappropriate unless one of the following exceptions applies.
- 2.5 The guidance in the NPPF is supported by Policy G2 of the London Plan (2021).- In terms of local policy, the Hillingdon Local Plan: Part 1 - Strategic Policies (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 will be assessed against national and London Plan policies, including the very special circumstances test.
- 2.6 Policy DME1 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (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.
 - 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.
- 2.7 Paragraph 143 of the NPPF identifies the five purposes of the Green Belt:
 - a) checking unrestricted sprawl of large built-up areas;
 - b) preventing towns merging;
 - c) safeguarding the countryside from encroachment;
 - d) preserving the setting and special character of historic towns;
 - e) Assisting urban regeneration by encouraging recycling derelict and other urban land.

- 2.8 For a site to be classed within the Grey belt it would need to depart from the above purposes. Grey Belt is defined as land within the Green Belt that is previously developed and/or other land that does not strongly contribute to purposes a), b) and d) of Paragraph 143. The LPA considers the appeal site would constitute a Grey belt site. The site does not strongly contribute to purpose a) (checking unrestricted sprawl of large built-up areas), purpose b) (preventing towns merging), or purpose d) (preserving the setting and special character of historic towns).
- 2.9 The NPPF also requires officers to consider where the 'application of policies in footnote 7 of the NPPF (other than Green Belt) do not provide a strong reason for refusing development'. Footnote 7 relates to the presumption in favour of sustainable development and identifies several land designations including: habitats sites (and those sites listed in paragraph 194) and/or designated as Sites of Special Scientific Interest; Local Green Space, a National Landscape, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 75); and areas at risk of flooding or coastal change.
- 2.10 The site itself does not have to be designated if development if it would be 'the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed. In this instance the site does is not within one of the land designated areas identified in footnote 7. As such, the site does appear to meet the definition of Grey belt.
- 2.11 In order for a development to be appropriate within the Grey belt, it would require to meet the requirements of paragraphs 155 and 156 of the NPPF. Paragraph 155 of the NPPF (2024) provides that development of homes and other uses on Grey Belt land should not be regarded as inappropriate where all of the following criteria are satisfied:
- (a) the site is Grey Belt and development would not fundamentally undermine the purposes of the remaining Green Belt across the plan area;
 - (b) there is a demonstrable unmet need for the type of development proposed;
 - (c) the development would be in a sustainable location, with reference to paragraphs 110 and 115 of the NPPF; and
 - (d) where applicable, the proposal accords with the 'Golden Rules' in paragraphs 156-157.
- 2.12 Of the paragraph 155 tests, the proposal fails to meet criterion (b) on demonstrable unmet need and criterion (c) on sustainable location.
- 2.13 In terms of criterion (b), no demonstrable unmet local need has been submitted by the appellant that would justify the release of this Green Belt site.
- 2.14 On sustainability, the site is poorly located in accessibility terms. Paragraph 110 of the NPPF (2024) requires that significant development is directed to locations which are, or can be made, sustainable by limiting the need to travel and offering a genuine choice of transport modes. Paragraph 115 further requires that safe and suitable access is achieved for all users and that sustainable transport modes are prioritised. The application site fails to meet these requirements. The site has a PTAL rating of 1b, the second lowest possible, and the use is heavy reliant on vehicle use. The overall location would not be considered sustainable.

3. Conclusion

- 3.1 It is noted that the appellant accepts that the appeal proposal does not fall into any of the exemptions listed in Paragraph 154 of the NPPF. The appeal proposal is therefore by definition inappropriate development in the Green Belt.
- 3.2 Further, as demonstrated above, whilst the site has Grey belt characteristics, the appellant has not demonstrated an unmet need for the type of development proposed; nor would the development be in a sustainable location. As such, the appeal proposal also fails the appropriateness tests at Paragraph 155.
- 3.3 The appeal proposal therefore constitutes inappropriate development in the Green Belt, which is harmful by definition. No very special circumstances have been demonstrated to clearly outweigh the harm and the inappropriateness.
- 3.4 Accordingly, the LPA respectfully requests the appeal be dismissed.