

STATEMENT OF COMMON GROUND

**LPA PLANNING REF: 2688/APP/2016/3948
LOCAL PLANNING AUTHORITY: HILLINGDON
APPELLANT: TRANSDEV PLC**

**HOLLOWAY FARM, HARMONDSWORTH ROAD,
WEST DRAYTON**

**CHANGE OF USE OF LAND FROM GARDEN
CENTRE/NURSERY TO A VEHICLE MAINTENANCE
AREA INVOLVING ERECTION OF WORKSHOP AND
DEMOLITION OF GLASS HOUSE AND POLY
TUNNELS (RETROSPECTIVE)**

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INTRODUCTION

1.1 This statement addresses the following areas of common ground:

- Description of the site and area
- Description of the proposal
- Planning history of site
- Relevant planning policy
- Previous use of the site
- Highways
- Noise
- Trees and ecology
- Archaeology
- Airport safeguarding

1.2 It also identifies the matters which are the subject of specific disagreement.

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COMMON GROUND

Description of the site and area

- 2.1 The site comprises land within the Northern half of Cherry Yard, Holloway Farm, Harmondsworth Road, located to the North of the village of Harmondsworth between Holloway Lane and the M4. Within the larger commercial area (known as Holloway Farm), there is the entrance to the Holloway Farm commercial area. This private track splits three ways. One track leads to the entrance for CCH Ltd depot immediately to the West. The track to the left leads to the appeal site, which was formerly occupied by a large A1 retail garden centre / plant nursery and beyond the nursery is the parking area for CCH Ltd which is the subject of planning application reference 2688/APP/2016/4029 (also being appealed).
- 2.2 The “site” is the land outlined in red on plan 1618/TP/01 This plan is attached at **Appendix 1.**
- 2.3 The previous use of the site, as an A1 retail garden centre / plant nursery, included a storage building, glasshouse and polytunnels and plant growing area. The appellant agrees with the LPA that the site is previously developed land as defined in Annex 2 of the NPPF. The appellant also agrees with the LPA's reference to Saved UDP Policy OL4.
- 2.4 To the west of the site lies farmland that is in the advanced stages of being allocated (Local Plan: Part 2 Site Allocations and Designations (Revised Proposed Submission Version, October 2015) for Mineral Extraction. Holloway Close separates this area from the site and this is likely to be the main access route. There are very few glimpses into the site due to the screening and its boundary adjacent to

Harmondsworth Road.

Description of the proposal

- 2.5 The proposal seeks retrospective planning approval for the change of use, demolition and resurfacing of part the site to accommodate a vehicle maintenance building with three service tracks. As part of the proposal, the pre-existing access from Holloway Close has been closed and a new access track has been created adjacent to Harmondsworth Road.
- 2.6 A hardstanding turnaround area for the vehicles to be serviced is located just north of the new building. In terms of buildings, the green three-door garage replaces a substantial commercial glasshouse in the same position. The storage building remains. The polytunnel has been removed and part of the plant growing area has been replaced by hardstanding. The unit is sited adjacent to the Harmondsworth road and the footprint does not encroach into any other part of the Green Belt.
- 2.7 The maintenance building is required because of the limited provision of vehicle maintenance facilities which can cater for CCH Ltd's on-going demands in the local area, and to reduce impact of vehicle movements on the local road network. CCH Ltd are actively looking for a complete site which can accommodate a temporary coach vehicle parking area, maintenance, offices and staff parking.
- 2.8 The building services vehicles associated with the CCH Ltd operation at the Holloway Farm site to the south of the access track. The three service tracks regularly provide the twice yearly mechanical servicing for the 44 vehicles in the CCH fleet and the more specialised annual air-conditioning service. The staff room supports the full-time mechanics and provides essential support facilities.

Planning history of the site

2.9 The planning history for the “site” is set out the table below:

Table 1 Site planning history

Ref.	Proposal description	Decision	Date
2688/A/79 /1839	Erection of a dwelling house for agricultural worker (outline application)	Refused	26-02-1980
2688/R/99 /1177	Erection of a 15m high telecommunications tower with 3 crosspolar and 2 dish antennas 1 radio equipment cabin and associated development (Consultation under Schedule 2 Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)	Withdrawn	24-06-1999
2688/N/98 /1916	Erection of a 15 metre high telecommunications mast and radio equipment cabin (Consultation under Schedule 2 Part 24 of The Town and Country Planning (General Permitted Development) Order 1995)	Approved	15-09-1998
2688/M/93 /1124	Erection of a 144m2 portable building for use as offices ancillary to the use of the site for horticultural purposes	Approved Limited Time	12-07-1993
2688/C/84 /0377	Erection of greenhouse to use as a nursery. (section 53)	GPD	04-07-1984
2688/E/86 /0710	Erection of glass house and offices and car parking.	Approved	03-10-1986

2688/H/91/ 1547	Erection of a 630m2 glasshouse with ancillary w.c. /store/office and associated car parking, landscaping and security fencing to provide a retail plant centre (involving demolition of existing nursery).	Approved	13-07-1992
2688/L/92/ 1224	Details of landscaping, fencing, drainage, land contamination and materials in compliance with conditions 4,8,10 and 11 of planning permission ref:2688H/91/1547 dated 13.7.92; Erection of a 630 m2 glasshouse etc, to provide a retail plant centre.	Refused	27-10-1993
2688/J/91/ 1495	Erection of a 167m2 glasshouse for horticultural use, 90m2 ancillary office accommodation and ancillary car parking; Renewal of planning permission ref. 2688E/86/710 dated 3.10.86 1109-91	Withdrawn	11-09-1991

2.10 The wider planning history for the Holloway Farm area is set out in the table below.

Table 2 Wider planning history

Ref.	Address	Proposal description	Decision	Date
2688/F/89/ 2504	Holloway Farm Harmondsworth Road West Drayton	Change of use of vacant farm building and agricultural land to a chauffeur driven car hire business and ancillary activities	Appealed	18-12-89

2688/APP/ 2000/1862	CCH Cars - Holloway Farm Harmondsworth Road West Drayton	Erection of a side extension with two roller shutter doors.	Approved	06-12-2000
2688/APP/ 2003/1301	Holloway Farm Harmondsworth Road West Drayton	Erection of a single storey building for agricultural use (consultation under schedule 2, parts 6 and 7 of the Town and Country Planning Order (General Permitted Development Order 1995)	PRQ	11-06-2003
2688/APP/ 2003/1782	Holloway Farm Holloway Close Harmondsworth	Erection of a single storey building for agricultural use (consultation under schedule 2, part 17 of the Town and Country Planning Order (General Permitted Development Order 1995)	NFA	05-08-2009
2688/APP/ 2016/4029	Former Holloway Farm (Nurseries) Holloway Close Harmondsworth	Temporary Change of use of land from a commercial plant growing area to car parking for staff for 5 years (Retrospective)	Refused	12-04-2017

2.11 The following planning history will be considered to be of particular relevance:

- 2688/APP/2000/1862 - Erection of side extension with two roller shutter doors – approved.
- 2688/H/91/1547 - Erection of a 630m² glasshouse with ancillary w.c./store/office and associated car parking, landscaping and security fencing to provide a retail plant centre (involving demolition of existing nursery) – approved.
- 2688/F/89/2504 - change of use of vacant farm building and agricultural land to a chauffeur driven car hire business and ancillary activities - refused but allowed at appeal under reference APP/R5510/A/91/182590/P9

2.12 In reference to the re-use of agricultural buildings the Inspector advised:

"their use as vehicle storage and as a rest room does not detract from the appearance of the area. From the photographs you provided, the repairs and minor works which have been done have probably improved the appearance of the buildings. The new fence or wall effectively shields most of the parked vehicles from view from the public highway." (WEA Planning emphasis).

2.13 In reference to the surrounding area the Inspector advised:

"Bearing in mind the other buildings and uses within the triangle of land around the site, the present use of the appeal site does not, in my view, detract from the character and appearance of the area."

2.14 In reference to the Borough's policies seeking to limit vehicle parking to the confines of the airport or, in the case of coach operators, to the "Bath Road Area of Potential Change":

“...both the hardstanding and the barn predate their current use for car parking. I take the view that, since only minimal physical development was carried out to convert them to their present use, the objectives behind these policies would not be substantially harmed and the change of use could be considered as an exception to these policies in the interest of providing the facilities for small businesses.”

- 2.15 It is agreed the Inspector allowed this appeal on the basis that the re-use of the barn did not cause harm to the character or appearance of the area and its use by a small business did not conflict with the aims of the LPA's policies controlling airport businesses.

Relevant planning policy

- 2.16 The following Policy documents are relevant:

- Hillingdon Local Plan Part 1: Strategic Policies (2012)
- Hillingdon UDP Saved Policies (2007)
- London Plan (2016)
- National Planning Policy Framework (NPPF) (2012)
- Land for Infrastructure and Transport SPG (2012)

- 2.17 The following policies, as referred to in the LPA's Committee Report and/or the applicant's Planning, Design & Access Statement, are relevant.

Table 3 Hillingdon Local Plan Part 1: Strategic Policies (2012) – schedule of relevant policies

Policy No.	Name
NPPF1	Presumption in Favour of Sustainable Development

BE1	Built Environment
EM2	Green Belt, Metropolitan Open Land and Green Chains
EM8	Land, Water, Air and Noise
HE1	Heritage
E2	Location of Employment Growth
E3	Strategy for Heathrow Opportunity Area
T1	Accessible Local Destinations
T4	Heathrow Airport
-	Paragraph 8.134
-	Table 5.3 Heathrow Opportunity Area
SO12	Reduce the reliance on the use of the car by promoting safe and sustainable forms of transport, such as improved walking and cycling routes and encouraging travel plans.
SO14	Provide 9,000 new jobs and accommodate most economic growth in Uxbridge and the Heathrow Opportunity Area.

Table 4 Hillingdon UDP Saved Policies (2007) – schedule of relevant policies

Policy No.	Name
AM2	Development proposals
AM7	Consideration of traffic generated by proposed developments
AM14	New development and car parking standards
BE13	New development must harmonise with the existing street scene.

BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OL1	Green Belt - acceptable open land uses and restrictions on new development
OL4	Green Belt – replacement or extension of buildings.

Table 4 London Plan (2016) – schedule of relevant policies

Policy No.	Name
2.7	Outer London: Economy
2.13	Opportunity Areas and Intensification Areas
BE13	New development must harmonise with the existing street scene.
7.8	Heritage assets and archaeology
7.16	Green Belt
7.17	Metropolitan Open Land
-	Paragraph 2.60
-	Annex 1 Heathrow Opportunity Area

2.18 The relevant chapters of the NPPF are Chapter 1 Building a Strong, Competitive Economy, Chapter 3 Supporting a Prosperous Rural Economy, Chapter 4 Promoting Sustainable Transport, 7 Requiring Good Design and 11 Conserving and Enhancing the Natural Environment.

- 2.19 The appellant and LPA agree that both the proposed and previous use are departures from the development plan.

Previous use of the site

- 2.20 The refusal notice states the following description of development:

“Change of use of land from garden centre/nursery to a vehicle maintenance area involving erection of workshop and demolition of glass house and poly tunnels (Retrospective)”

- 2.21 This description of the previous use, i.e. “garden centre and nursery” (an A1 Retail use) is agreed.
- 2.22 This is also demonstrated by the planning application granted in 1991 for “Erection of a 630m² glasshouse with ancillary w.c./store/office and associated car parking, landscaping and security fencing to provide a retail plant centre (involving demolition of existing nursery) (2688/H/91/1547).
- 2.23 A1 (Retail) uses are not usually considered “appropriate” in Green Belt locations.
- 2.24 The previous use incorporated a substantial glass house and a prefabricated open storage building. The curtilage to the glasshouse comprised a large area of concrete hardstanding (formerly part of the Costain Civil Engineering M4 widening compound). that extended to the north and west. An area of gravel extended beyond the concrete to the northern boundary. The site contained two poly tunnels immediately to the south of the glasshouse. The nursery planting area was located to the southern part of the site.
- 2.25 The site is therefore clearly Previously Developed Land as defined by Annex 2 of the NPPF.

NPPF Paragraph 89 compliance.

3.1 Para. 89 of the NPPF states that the construction of new buildings is inappropriate in the Green Belt with certain exceptions, including:

- *limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*
- *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*

3.2 The proposal comprises the partial redevelopment of a previously developed site. It also comprises replacement buildings.

Highways

- 2.26 The application was accompanied by a Transport Statement (TS) by Paul Mew dated October 2016 in support of the proposed change of use at the site.
- 2.27 The site has its main access off Harmondsworth Road but there is a side access/egress on Holloway Close. The site has a PTAL value of 2 (poor) so there will be a strong reliance on private cars for trip making. The existing vehicular access to the site is from Harmondsworth Road.
- 2.28 The LPA and appellant agree that because the trip generation for the previous retail use is seasonal and variable, the use under consideration is less intensive and far more controlled. The site includes a large parking area where buses/coaches are parked on gravelled areas along with an area where vehicles are waiting to be serviced. There are only 3 staff employed directly on the site. The TS also provided information on traffic volumes and travel speeds along Harmondsworth Road to show that the geometry at the access junction accords with appropriate design standards. The proposal does not give rise to any significant highway concerns. This is agreed by the LPA.

Neighbour amenity

- 2.29 The LPA and appellant agree there are no residential properties in the vicinity of the application site and as such there will not be any noise impact on residential amenity.

Trees and Ecology

- 2.30 An Arboricultural Report, by Greenlight, provides a survey of trees close to the site. The report confirms that there are no protected trees on, or close to, the site - and no 'A' grade trees. Of the 19 No. trees, groups and hedges surveyed, there are 10 No. B grade trees, 1 No. U grade tree. The remaining trees, group and hedge are C grade.

The report concludes that no trees have been, or will be, affected by the change of use. The site is relatively discrete and the main views over the site are glimpsed through the roadside trees by North-bound traffic. A Landscape Assessment, also prepared by Greenlight, concludes (6.5) that the qualities of openness and permanence (as required in the Green Belt) have not been altered as a result of the changes.

2.31 The LPA and appellant do not dispute the report's findings and agree the site is discreet and the only views are glimpsed through the roadside trees from North-bound traffic.

2.32 The appellant agrees with the LPA's paragraph 7.07 statement referring to the site as *"not of significant landscape value"*.

Archaeology

2.33 The LPA and appellant agree the application site lies within the Harmondsworth and the Heathrow Area Archaeological Priority Area. The application supporting statement confirms that the impact of the proposal on the APA and APZ has been assessed by the Museum of London Archaeology (MOLA) who have confirmed that the impact of the proposed scheme would have been the preliminary site works including preliminary site stripping and demolition, the installation of site fencing and welfare facilities, and construction of the ground floor slabs. These would possibly truncate or remove any archaeological remains found between the modern ground and brickearth, if present, including evidence of prehistoric or later settlement. This would reduce the overall heritage asset significance. The bases of cut features could survive below this truncation level. MOLA have confirmed that no archaeological work is recommended on the basis that the scheme has already been completed and

any remains that might have been present will have already been truncated, or possibly removed entirely.

- 2.34 In light of the sensitivity of the site and its location within an APA and an APZ, the LPA and appellant agree any future development proposed for the site, including the reinstatement of a retail use, is very likely to require further archaeological assessment, both desk-based and field-based, as part of any future works.

Airport safeguarding

- 2.35 The appellant and LPA agree the proposal does not conflict with airport safeguarding criteria.

AREAS OF SPECIFIC DISAGREEMENT

4.1 The appellant believes there are areas of inaccuracy and disagreement made by the officer in the committee report. Paragraph 7.07 of the report refers to the main vehicle maintenance building as having “a flat roof with a height of 6.9 metres.”

4.2 This is not true. The roof has a pitch up to 7 metres with a lower eaves height.

4.3 In referencing APP/R5510/A/91/182590/P9 as a relevant example, the LPA concluded:

“That decision may not have considered the green belt impacts of the vehicle parking in the way now expected by, for example, the NPPF.”

4.4 The appellant disagrees with this statement as the Planning Policy Guidance (1988) policy at the time set out five purposes of the Green Belt; these remain largely unchanged and the policy on control of development is similar. PPG2 (1988) is attached at Appendix 2.

4.5 There are two areas of specific disagreement between parties:

- Appropriateness of the proposal in the Green Belt.
- Effect of the proposal on openness of the Green Belt.

4.6 The Council's view is that the proposed development represents inappropriate development within the Green Belt and no very special circumstances have been provided or are evident which either singularly or cumulatively overcome the presumption against inappropriate development. The appellant's view is that the proposal is appropriate development in the Green Belt due to its previous use, and that there are also very special circumstances in favour of the proposal.

- 4.7 The Council's view is that the proposed development would prejudice the openness of the Green Belt but does not explain why beyond a very broad assumption that the site has been "formalised" and "urbanised" without considering the previous use and commercial function of the site. The appellant's assessment on preserving the openness of the Green Belt is set out in the Statement of Case. The appellant disagrees with this assessment and contends that the site is no less "urban" or "commercial" in use class and siting of buildings than it has been previously.
- 4.8 The appellant's view (informed by the Landscape Assessment) is that there will be no loss of openness; in fact openness is marginally improved by the re-positioning of the bulk from east to west. The arguments are set out in the appellant's statement of case.

CONCLUSIONS

- 4.9 This document sets out the areas of common ground, which cover description of the site and area, description of the proposal, planning history of the site, relevant planning policy and previous use of the site, as well as highways, noise, trees and ecology, archaeology and airport safeguarding
- 4.10 The two areas of specific disagreement between the Council and the appellant are the appropriateness of the proposal in the Green Belt and the effect of the proposal on openness. The parties will present their detailed arguments on these matters in their statements of case.

Signed on behalf of Appellant	Signed on behalf of Local Planning Authority
Date	Date
Position	Position