



J & L PLANNING SERVICES

Town & Country Planning Acts

Appeal by Barry against the decision by the London Borough of Hillingdon to refuse planning permission for a single storey building for use for dog grooming at Small Holding 1, opposite Northwood Hills United Reform Church, Joel Street, Northwood HA6 1NL

Local Planning Authority Reference: 75214/APP/2021/2097

Appellants Reference: JL3122

J & L Planning Services
First Floor
1 Hythe Street
Dartford
Kent
DA1 1BE

Tel: 01322 281444
Email: jandlplanningservices@gmail.com

CONTENTS

1. INTRODUCTION
2. THE APPEAL
3. SITE AND SURROUNDINGS
4. PLANNING CONSIDERATIONS
5. CONCLUSIONS

APPENDICES

- A. PERSONAL STATEMENT

1. INTRODUCTION

- 1.1 This statement has been prepared in support of an appeal against a refusal of planning permission.

2. THE APPEAL

- 2.1 The appeal concerns a refusal of planning permission for a single storey building to house a dog grooming use. The Council's reason for refusal is as follows:

The proposed development and associated dog grooming use results in an 'inappropriate development' as defined in the NPPF which would have a harmful impact on the openness and permeance of the Green Belt. No very special circumstances have been demonstrated to outweigh the identified harm to the Green Belt. The proposal is therefore contrary to Local Plan Policy DMEI4 (2020), Policy G2 of the London Plan (2021) and paragraph 147, 148, 149, and 150 of the NPPF (2021), as well as other relevant Green Belt guidance contained within section 13 of the NPPF.

3. SITE AND SURROUNDINGS



- 3.1 The appeal site comprises land, which is currently vacant, having previously been used for commercial purposes. The appeal site is located on the east side of Joel Street. The surrounding area comprises a mix of residential, commercial uses, allotment land and open land.

4 **PLANNING CONSIDERATIONS**

- 4.1 The Borough Council have provided one reason for refusal, which raises one primary issue, that is, current Green Belt policy. In support of this concern, the Council have referred to provisions within the NPPF (2021), the London Plan (2021) and the Local Plan (2020). Within this context, the merits of the appeal will be assessed.

Paragraph 147

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 4.2 The proposed development is not considered inappropriate and, therefore, would not be harmful to the Green Belt. The reasoning and premise of this conclusion is provided below.

Paragraph 148

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.

- 4.3 The “inappropriateness” or otherwise of the proposal will be considered below. The openness of the Green Belt would remain preserved, by virtue of the following collective of factors:
- (i) The scale of the proposal would be modest and visually unassuming.
 - (ii) The introduction of a beneficial use would greatly enhance the character and appearance of the currently derelict appeal site; and
 - (iii) Short and long range views of the appeal site, when account is taken of the presence of the appeal proposal, would remain undisturbed.

Paragraph 149

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.
-

- 4.4 The appeal site, by virtue of its former use, would fall within the category of ‘previously developed land’, under criterion (g) of the provision. As such, the proposal would be appropriate. Furthermore, the proposal would form a ‘partial’ development of the previously developed land.
- 4.5 Due to the modest scale and form of the appeal proposal, it would not have a “greater impact on the openness of the Green Belt”.

Paragraph 150

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 are:

- (a) mineral extraction;
 - (b) engineering operations;
 - (c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
 - (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); and
 - (f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.
-

- 4.6 The “other forms of development are also not inappropriate”, are noted.

Section 13

- 4.7 The five purposes of Green Belt policy are safeguarded, for the following reasons:
- (i) The appeal proposal, due to its siting and location, would not represent unrestricted sprawl of large built-up areas.

- (ii) Neighbouring towns merging into one another would not arise.
- (iii) An encroachment upon fresh land in the countryside would not arise.
- (iv) The appeal site, neighbouring built forms and the wider area are not designated heritage assets; and
- (v) The appeal proposal would assist in the recycling of previously developed land.

G2

A The Green Belt should be protected from inappropriate development:

- 1) development proposals that would harm the Green Belt should be refused except where very special circumstances exist,
- 2) subject to national planning policy tests, the enhancement of the Green Belt to provide appropriate multi-functional beneficial uses for Londoners should be supported.

B Exceptional circumstances are required to justify either the extension or de-designation of the Green Belt through the preparation or review of a Local Plan.

4.8 Criterion A2 of the policy does make reference to:

“.... Subject to national planning policy tests...”

4.9 Reference is made to preceding submissions, which demonstrate that the appeal proposal would be appropriate, fulfils and results in multi-functional benefits.

DME1 4

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.
-

4.10 The appropriateness of the appeal proposal is demonstrated within the context of NPPF (2021) provisions. Therefore, reference is made to preceding submissions, which establish that the requirements of criterion A of the policy is satisfied.

4.11 In respect of criterion B, the following factors collectively demonstrate that the requirements of the policy are satisfied:

- (i) The design of the proposed building, in terms of height and bulk would not represent a visually dominant feature.
- (ii) The appeal proposal, its siting and position, would occupy a very small percentage of the overall site area; and
- (iii) The “footprint” of former buildings and structures are far greater than the proposed footprint of the appeal proposal.

5. **CONCLUSIONS**

- 5.1 The appeal proposal, by virtue of the reasons stated above, would constitute appropriate development. The overall scale, mass, form and proportions of the appeal proposal, together with the proportion of land which would remain undeveloped, would ensure that the openness of the Green Belt is maintained.
- 5.2 In conclusion, the appellant respectfully requests that the Inspector upholds the appeal.

APPENDICES

APPENDIX A

PERSONAL STATEMENT

PERSONAL STATEMENT

Small Holding 1
Joel Street
Northwood Hills
HA6

<https://ruislipcombinedcharity.co.uk/>

BACKGROUND

The Small Holding is owned by a local charity 'The Ruislip Combined Charity' that is run by a number of Trustees. The charity also owns another adjoining small holding as well as the allotments next door. The Smallholding1 has been in our family for approximately for 40 years with my mum having kept horse there her whole life and ran a riding school. Within this time, it has been used for housing horses and storing farming equipment too.

Prior to this, the small holding was used as pig farm business for around 80years.
At one time it housed up to 1000 pigs.

The land had buildings that consisted of;

Stable block

A large store unit

Garage

Small office

Toilet/wash facility's

Pig housing

Large boiler room

The land also has mains water, sewer connection & electric.

These buildings were constructed with concrete foundation, blockwork, and asbestos roofing sheets. Over the years the buildings became unsafe, derelict and unsightly. It came to a point where we could no longer use the stables for housing the horses as they were on the verge of collapsing. We decided that the buildings needed to come down as soon as possible as it was becoming unsafe especially as the roofing was asbestos sheeting.

The buildings were demolished 2 half years ago and retrospective planning was granted for a new stable block.

NEED

Over the last 40 years, the land has been used to stable horses. This was only bringing a low contribution to the charity. With further discussions with the Trustees, we thought of setting up a dog grooming business as well as stabling horses to try and bring in more of an income and make use of the land and existing hardstanding area. The new business would be able to give more funding to the charity as the horse stables has very minimal income. With research on competition and local needs, since the lock-down there is a much greater demand for dog grooming as many more families now have dogs and need this facility.

DESIGN

The design of the new building to house the dog grooming business would sit on the same position as the existing store/hardstanding building and would have a smaller footprint. The building would be timber framed and clad in timber to look like the stable block. It would have a concrete base that would be on the existing hard standing. We feel this would make it visually acceptable as it is more in keeping with the surrounding area and stables which have been approved for planning, unlike the previous concrete block buildings that were previously there. There would be no harm to the neighbouring properties as it will be far enough away from the road front and opposite residential area. We also will have established business hours similar to the building merchants next door well as a smaller flow of vehicles in and out of the small holding due to grooming no more than 2 dogs at a time, we also have a bigger piece of land than our neighbours with adequate turning points and parking for visitors.

When we had the plans drawn up with a local architect, he didn't seem to think there would be an issue as the building would be in the same location on the land as previously buildings (which is set at the back of the land as opposed to near the gated road front entrance).

PLANNING APPLICATION

Planning was submitted via the usual routes in May 2021 and we were told that this would need to go to a committee for voting regardless of the case officer's decision. In July 2021 we had confirmation email confirming that the Case Officer's recommendation was Approval, and that this would be submitted for voting to the committee at September 4th 2021 meeting for a final decision.

From then, we didn't hear anything until November 2021 as the case officer had changed and no decision or submission was made to the committee.

Having continually chased this I was told there had been staffing changes at Hillingdon Council & someone will be in contact soon. We finally had correspondence with details of our new case officer and had direct contact with them who promised a decision by Christmas 2021.

We received a final decision of refusal 28th January 2022, based upon only the new Case Officers recommendation, as they explained there had been internal protocol changes in the department and it wouldn't be applicable for committee meeting submission anymore, despite already being in process for submission.

RESPONSE TO REFUSAL

Based upon all feedback leading up to the original submission for planning, everyone from Trustees to the Northwood Hills Residents Association, to neighbours and the further community, the decision for refusal took us all completely by surprise, having received such positive feedback and encouragement from all parties.

In terms of our response to the refusal notice:

- The land has always been used for business purposes so opening an animal-based business would not be a new concept to this land
- Predeveloped land – It had existing buildings on it that were unsightly and derelict so to replace these in a smaller footprint on existing hard standing with traditional farm buildings seemed logical and more in keeping (barn style buildings)
- Enhancing the look and feel of the land aesthetically maintain the green fields and traditional green belt feel
- Serving a local need to the communities
- Creating more money for the charity that owns the land
- Creating a new business in the area, creating work for myself and my family
- We are local residents to Northwood Hills within walking distance to the smallholding

The photographs below show the pre-existing buildings on the land which further back up our statement.





