

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select Option

- | | |
|--|--------------------------|
| 1. No valid planning application objection in the form of a petition of 20 or more signatures, has been received | ☐ |
| 2. Application complies with all relevant planning policies and is acceptable on planning grounds | ☐ |
| 3. There is no Committee resolution for the enforcement action | ☐ |
| 4. There is no effect on listed buildings or their settings | ☐ |
| 5. The site is not in the Green Belt (but see 11 below) | ☐ |

REFUSAL RECOMMENDED: GENERAL

- | | |
|--|--------------------------|
| 6. Application is contrary to relevant planning policies/standards | ☐ |
| 7. No petition of 20 or more signatures has been received | ☐ |
| 8. Application has not been supported independently by a person/s | ☐ |
| 9. The site is not in Green Belt (but see 11 below) | ☐ |

RESIDENTIAL DEVELOPMENT

- | | |
|--|--------------------------|
| 10. Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha | ☐ |
| 11. Householder application in the Green Belt | ☐ |

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

- | | |
|--|--------------------------|
| 12. Change of use of retail units on site less than 1 ha or with less than 1000 sq m other than a change involving a loss of A1 uses | ☐ |
| 13. Refusal of change of use from retail class A1 to any other use | ☐ |
| 14. Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use. | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 15. Certificate of Lawfulness (for proposed use or Development) | ☐ |
| 16. Certificate of Lawfulness (for existing use or Development) | ☐ |
| 17. Certificate of Appropriate Alternative Development | ☐ |

CERTIFICATE OF LAWFULNESS

- | | |
|---|--------------------------|
| 18. ADVERTISEMENT CONSENT (excluding Hoardings) | ☐ |
| 19. PRIOR APPROVAL APPLICATION | ☐ |
| 20. OUT-OF-BOROUGH OBSERVATIONS | ☐ |
| 21. CIRCULAR 18/84 APPLICATION | ☐ |
| 22. CORPSEWOOD COVENANT APPLICATION | ☐ |
| 23. APPROVAL OF DETAILS | ☐ |
| 24. ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where Heads of Terms have already received Committee approval | ☐ |
| 25. WORKS TO TREES | ☐ |
| 26. OTHER (please specify) | ☐ |

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informatives are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

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

Development: Construction of a single storey building to house a dog grooming centre

LBH Ref Nos: **75214/APP/2021/2097**

Drawing Nos: Joel Street - Small Holding - Information Sheet
WJM 03
WJM 04
Location Plan (Amended)

Date Plans received : 10/06/2021 **Date(s) of Amendment(s):** 23/11/2021
Date Application Valid: 10/06/2021 24/05/2021

1. SUMMARY

The proposal is inappropriate development in the Green Belt, no very special circumstances have been demonstrated to outweigh its harm to the Green Belt. The proposal is therefore considered to be contrary to Policy DMEI 4 of the Local Plan (2020), Policy G2 of the London Plan (2021) and section 13 of the NPPF (as explained in detail below).

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

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 DMEI 4 (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.

INFORMATIVES

1 I52 Compulsory Informative (1)

The decision to REFUSE 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 REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) 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.

DMT 6	Vehicle Parking
DMT 2	Highways Impacts
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMEI 4	Development on the Green Belt or Metropolitan Open Land
LPP D4	(2021) Delivering good design
LPP D8	(2021) Public realm
LPP G2	(2021) London's Green Belt
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land

3. **CONSIDERATIONS**

3.1 **Site and Locality**

The development site is located on the eastern side of Joel Street. The site comprises stables and fencing and is approximately 0.12 hectares excluding its access road. To the east of the site is farm land including equestrian facilities and agricultural buildings. To the north is an allotment. To the west Joel Street and beyond that a church and two storey residential dwellings are situated. To the south are fields and a builders yard.

The development site is located within the Green Belt and a critical drainage area.

3.2 **Proposed Scheme**

The application seeks planning permission for the construction of a single storey building to house a dog grooming centre.

3.3 **Relevant Planning History**

75214/APP/2019/3611 Small Holding 1 Opp Northwood Hills United Reform Church Joel Stre
Erection of 4 x stables (retrospective)

Decision: 28-05-2020 Approved

Comment on Planning History

The sites planning history is set out in section 3.3 of this report. There are no comments to make on the sites history.

4. **Advertisement and Site Notice**

4.1 Advertisement Expiry Date:- 14th July 2021

4.2 Site Notice Expiry Date:- Not applicable

5. **Comments on Public Consult**

In response to consultation on the application one comment was received. The response has been summarised below:

1) No objection to the development, however the use of grey water and solar power

should be incorporated into the proposal.

Officer response: There is no planning policy requirement for a development of this nature to provide or facilitate the use of solar power and grey water.

CONSULTEE COMMENTS

Highways Officer:

'Site Characteristics & Background

The application site is a farm based small holding that lies opposite the United Reform Church in Joel Street in Northwood. It is proposed to construct a single storey building which would function as a dog grooming centre.

Joel Street is designated as 'classified' in the borough's road hierarchy which indicates that it is a heavily trafficked thoroughfare. There are all day waiting restrictions present only on one side of the Joel Street and the location displays a public transport accessibility level (PTAL) rating of 2 which is considered as poor and therefore heightens dependency on the use of the private motor car.

Appraisal

Traffic Generation and Parking Provision

In statistical terms, it is accepted that general activity associated with 'dog grooming' proposals is generally low given the nature of the use profile of these establishments which is typically spread out throughout the day. Therefore, daily impacts including the most sensitive peak morning and evening traffic periods are unlikely to be notable thereby minimising detriment to traffic congestion and road safety. On that premise, the provision of 10 on-plot spaces is considered adequate to meet the likely limited level of daily demand and activity.

Existing Vehicular Access on Joel Street

In line with safety best practice, it is considered necessary to impose a boundary wall height condition where it abuts the adopted public highway in order to help ensure that adequate visibility splays are established at the existing carriageway crossing on Joel Street to enhance the safety of vehicles/pedestrians emerging from the site and all other road users. It is therefore recommended that a front boundary height condition is applied to maintain a low frontage wall/fence not exceeding 0.6m in height for at least 1-2m on each side of the crossing.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4 and T6 of the London Plan (2021)'.

Tree Officer:

'This site is occupied by a smallholding located on the east side of Joel Street, opposite the Northwood Hills URC. The site is bounded by a public footpath to the south and allotments to the north. The cluster of building is located in the north-east corner of the

site and, according to the aerial photographs, there are trees and scrub to the north and west of the buildings and yard area. There are no TPO's or Conservation Area designations affecting the site, which is situated within the Green Belt. COMMENT No trees or other vegetation is indicated on plan and, according to the completed planning form none will be removed to enable the development of the single-storey pitch-roofed structure. With regard to development within the Green Belt, some existing buildings have (recently) been removed and the new building will replace them. Due to the hedgerow alongside Joel Street and other intervening vegetation it is unlikely that the building will be conspicuous from the road side, subject to the colours and finishes on the building. RECOMMENDATION No objection and no need for landscape conditions'.

Access Officer:

'No accessibility concerns are raised subject to the following condition attached to any planning approval: Development shall not commence until details of step free access to building entrances to meet the needs of people with disabilities have been submitted to and approved in writing by the Local Planning Authority. The approved facilities should be provided prior to the occupation of the development and shall be permanently retained thereafter. REASON: To ensure an Accessible and Inclusive development for everyone in accordance with London Plan policy D5'.

Planning Policy Officer:

There is no information provided about the previous buildings, what it was used for and therefore whether it constitutes previously developed land. Agricultural buildings are not previously developed land according to the definition in the NPPF (2021).

Officer response: The above comments have been noted and taken into consideration in the assessment of the application below. Had the application been recommended for approval the recommended conditions would have been added to the decision.

6. Local Plan 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
DMEI 4	Development on the Green Belt or Metropolitan Open Land
LPP D4	(2021) Delivering good design
LPP D8	(2021) Public realm
LPP G2	(2021) London's Green Belt
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF13	NPPF 2021 - Protecting Green Belt Land

In addition: 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 (2012)

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

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

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Policy DMHB 11 states 'Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.'

The proposed dog grooming centre would be approximately 90m from the residential properties on Joel Street. Due to the single storey nature of the development and its significant separation distance from nearby residents the proposal is unlikely to harm the amenities of nearby occupiers. Furthermore due to its use, private access, moderate size (which would limit the amount of activity facilitated), the development is unlikely to cause noise, nuisance or disturbance to other commercial sites in the area. Overall it is considered that the proposal would have an acceptable impact on the amenities of neighbours.

7.2 Impact on Street Scene

Local Plan Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place'.

Policy DMHB 11 states '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, 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'.

The proposed building would be approximately, 3.2m high, 7.7m deep and 12.2m wide. It would have a footprint of approximately 94sqm and would be finished with a pitched roof and timber cladding. The low scale nature, design, and external finish of the building are considered to be acceptable.

Due to its single storey nature, the boundary treatments surrounding the site (providing visual screening), and its position at the rear of the site (away from the street and public

views) the proposed development would cause no harm to the character and appearance of the area.

7.3 Traffic Impact/Pedestrian Safety

Policy DMT 2 of the Local Plan states '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 pedestrians 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 states 'Development proposals must comply with the parking standards outlined in Appendix C Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity.'

Adequate parking and manoeuvring space would exist on site for workers and users of the proposed development. The site would utilise an existing access from Joel Street. The level of activity and car movements generated from the proposal is considered to be acceptable as noted by the highways officer in section 5 of this report.

It is noted that the Highways Officer has recommended a access visibility condition (see section 5 of this report). As the proposal would utilise an existing access, where cars enter and exit freely, and the proposal is not considered to give rise to a significant increase in activity, it is considered that the inclusion of such a condition would not be necessary or reasonable had the application been recommended for approval.

Taking into consideration the above and the highways officers comments in section 5 of this report, the proposed development is considered to be acceptable in terms of highway safety and parking provision.

7.4 Carparking & Layout

See section 7.3 of this report.

7.5 Urban Design, Access and Security Considerations

Policy D5 of the London Plan (2021) requires that new buildings be accessible to all.

The Council's Access Officer been consulted on the proposal and has raised no objection to the development subject to the condition that level access is provided for the proposed building (allowing it to be accessed by all). Had the application been recommended for approval, the suggested condition suggested would have been added.

7.6 Other Issues

GREEN BELT

The proposed development site is located entirely within the Green Belt.

Policy DME1 4 of the Hillingdon Local Plan - Development Management Policies (2020) 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'.

Policy G2 (A) of the London Plan (2021) states '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'.

The NPPF was updated in July 2021, as such it provides the most up to date planning guidance for how development in the Green Belt should be treated. It is therefore considered to be a significant material consideration. Paragraph 149 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.

Paragraph 150 states:

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.

The proposed building would be approximately, 3.2m high, 7.7m deep and 12.2m wide. It would have a footprint of approximately 94sqm and would be finished with a pitched roof and timber cladding. The proposed development does not include the replacement of a building which is in the same use. Nor is the proposed building for agriculture or forestry, or a facility for sports or recreation. The building and its use would be entirely new at the site.

The NPPF (2021) defines previously developed land as:

Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.

It is noted that the site was once occupied by agricultural buildings, however the definition of PDL land excludes land covered by agricultural buildings. It is also relevant to note in the planning history that a new stable block has been erected at the site where the original buildings were taken into account when granting permission.

The proposal is not considered to be acceptable under paragraph 149(g) cited above. Additionally as the site has been cleared, the proposal would have a greater impact on the openness of the Green Belt, than the existing development on the site.

The proposal is therefore not considered to fall within the criteria's for exceptional or appropriate development in the Green Belt (outlined above). It is therefore inappropriate development by definition. Inappropriate development would cause substantial harm to the Green Belt as outlined in paragraph 147 and 148 of the NPPF (2021).

Furthermore, spatial harm would be caused to the openness of the Green Belt, due to the footprint of the building. Some visual harm would also be caused to the openness of the Green Belt, as the building would be sited upon currently open agricultural land.

Taking into consideration all of the above, the proposal is considered to be 'inappropriate development' as defined in the NPPF, which would cause spatial and visual harm to the openness of the Green Belt. Section 13 of the NPPF (2021), Local Plan Policy DME1 4 (2020) and Policy G2 of the London Plan (2021) advise that inappropriate and harmful development to the Green Belt will only be permitted where very special circumstances (VSC) are demonstrated.

No very special circumstances have been demonstrated to outweigh the developments harm to the Green Belt, warranting refusal of the application.

DRAINAGE

The site is located within a Critical Drainage Area, had the application been recommended

for approval the following condition would have been added.

Prior to commencement, (excluding demolition and site clearance) 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 how it incorporates sustainable urban drainage (SuDs) in accordance with the hierarchy set out in Policy 5.13 of the London Plan and will:

i. provide information on all SuDs features including the method employed to delay and control the surface water discharged from the site and:

ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification.

The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:

iii. provide details of water collection facilities to capture excess rainwater; and how water usage will be reduced in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding and is to be handled as close to its source as possible and Conserve water supplies in compliance with: Hillingdon Local Plan: Part 1- Strategic Policies Policy EM6 Flood Risk Management in (2012), Hillingdon Local Plan Part 2 Development Management Policies Policy DME1 10 Water Management, Efficiency and Quality (2020), as well as relevant SuDs guidance contained within the London Plan (2021) and NPPF (2021).

8. Reference Documents

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

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

The London Plan (March 2021)

National Planning Policy Framework (NPPF) (July 2021)

National Planning Practice Guidance (NPPG)

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