This application has been called into Planning Committee by members of the Bedfont, Feltham and Hanworth Area Forum

1.0 SUMMARY

1.1 The proposal involves the provision of a new open air arena and staff accommodation with ancillary bike storage and rationalisation of the parking area. The site appears to have a lawful use as stables, with existing stable buildings to the south east of the site and the remainder of the land used in connection with these buildings. The entire application site is located within Green Belt land.

1.2 The provision of a new dwelling within land designated as Green Belt would compromise the openness of the site and conflict the National Planning Policy Framework (NPPF) which seeks to protect the countryside from encroachment and the character of Green Belt land.

1.3 The proposal would therefore conflict with adopted Local Plan policies and the NPPF. Refusal is therefore recommended on these grounds.

A resolution for the Refusal of the planning application is therefore recommended for the reasons outlined within this report.
2.0 SITE DESCRIPTION

2.1 The application site is approximately 1.2 hectares in scale and located on the southern side of and accessed via Nallhead Road. 29 Nallhead Road is located to the east of the site and the junction with Country Way to the west. Land opposite the site to the northern side of Nallhead Road recently gained planning approval to operate as a Power League football facility pursuant to planning approval 00784/J/P1 (12 August 2013) and a section of the site backs onto the Kempton Waterworks Site.

2.2 The site has historically been used as stables, the stable buildings consisting of a cluster of structures located within the south eastern corner of the site. These buildings are served by a vehicular access point and parking off Nallhead Road, also on the eastern side of the plot. There are 2 further outbuildings on the site and static caravans, though the caravans appear to be in breach of planning controls. The site continues to operate as stables.

2.3 The entire site is located within Metropolitan Green Belt.
3. RELEVANT HISTORY

00784/I/P1  Erection of 1 x 4/5 bedroomed house (OUTLINE)

Refused 5 January 1999

00784/A/P20  Erection of new sand school (all weather riding area) to existing stables

No further action 20 June 2011

Please note the following entry was not on the application site, it was on land opposite the site

00784/J/P1  Installation of three five-a-side football pitches, three seven-a-side football pitches, a cricket net and a basketball/netball court with erection of pavilion, floodlighting and fencing, associated landscaping, car parking provision and vehicular access

Approved with Legal Agreement 23 June 2014

4. DETAILS

4.1 The proposal involves the erection of a riding arena and a new house on the site, described as staff accommodation within the submission. As part of the application the parking area would rationalised to provide for 10 parking spaces and a cycle store for 2 bicycles would be provided.

4.2 The outdoor arena would be located on the eastern end of the site directly adjacent to the new house and parking area. The arena would measure 65m x 25m and would be surrounded by a 1.5 metre block work wall. A 2 metre wide footpath would surround the arena with 2 separate pedestrian access points to either end and a vehicular access point off the parking area. The ground would be covered by a mix of sand and silica.

4.3 The new house would be a single storey structure measuring 3.2 metres in height with a flat roof. It would be L shaped, totaling 17 metres in depth and 11 metres in width at its widest point, narrowing to 5 metres towards its frontage. It would contain 2 double bedrooms, an open plan living/ dining. Kitchen room, bathroom and office. The structure would be located directly adjacent to the stables to the south eastern corner of the site and would be served by a private garden. The applicant has stated that the new house is required in association with the ongoing use of the stables.
5. CONSULTATIONS

5.1 17 local residents were consulted on 21 December 2016, a site notice erected on 20 January 2017 and a press notice advertised. 5 letters of objection with an additional anonymous objector and a 33 signature petition were received objecting to the scheme. 2 letters of support were received.

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<tr>
<th>Objection</th>
<th>Response</th>
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<tr>
<td>The impact of vehicular movements/ increased traffic (including the new Power League site)</td>
<td>The proposal is considered not to significantly intensify the use of the site or result in significant additional parking/ vehicular movements</td>
</tr>
<tr>
<td>Impact on the openness of Green Belt land.</td>
<td>This is acknowledged and discussed below.</td>
</tr>
<tr>
<td>The absence of a need for the development</td>
<td>This is in part acknowledged insofar as it relates to the house and discussed below</td>
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5.2 Additional concerns were raised over housing prices in the area and the current appearance of the site, neither of which form planning grounds for objecting to the scheme.

5.3 Letters of support referred to the benefits of replacing existing structures on the site and its general rehabilitation.

5.4 On the basis that the proposal involves inappropriate development within Green Belt Land it has been advertised as departure from the Local Plan.

5.5 The application was called into the Bedfont, Feltham and Hanworth Area Forum by ward Councillors on 23rd March 2017. A decision was made at the Forum to forward the application to Planning Committee, the reason given was the relatively modest scale of the house, its location on the verge of Green Belt and the demonstrated need to manage valuable animals.

5.6 The application was added to the ‘Pending Decisions List’ for week 8 (24 February – 3 March 2017). No requests were received for the application to be heard at a Planning Committee.

6. POLICY

Determining applications for full or outline planning permission
6.1 The determination must be made in accordance with the development plan unless material considerations indicate otherwise. Local finance considerations must also be assessed.

**The National Planning Policy Framework**

6.2 The National Planning Policy Framework (NPPF) came into force on 27 March 2012, and from April 2014 National Planning Practice Guidance (NPPG) in the form of an online guidance resource to support the NPPF came into effect. The Local Planning Authority (LPA) considers that, where pertinent, the NPPF and NPPG are material considerations and as such, will be taken into account in decision-making as appropriate.

**The London Plan**

6.3 The London Plan outlines the spatial development strategy for London and was adopted in 2011. It has subsequently been consolidated with alterations, most recently in March 2016.

**The Development Plan**

6.4 The Development Plan for the Borough comprises the Council’s Local Plan (adopted by the Council on 15 September 2015), the West London Waste Plan and the London Plan Consolidated with Alterations since 2011.

The Local Plan documents can be viewed on the Planning Policy pages of the Hounslow website.

**Relevant Local Plan Policies**

- **ED1** Promoting Employment Growth and Development
- **SC1** Housing Growth
- **SC3** Meeting the Need for a Mix of Housing Size and Type
- **SC5** Ensuring Suitable Internal and External Space
- **CC1** Context and Character
- **CC2** Urban Design and Architecture
- **EC2** Developing a Sustainable Local Transport Network
- **GB1** Green Belt and Metropolitan Open Land
- **GB9** Play Space, Outdoor Sports Facilities and Burial Space
- **EQ1** Energy and Carbon Reduction
7. PLANNING ISSUES

7.1 The planning issues to consider are:

- Principle of development
- Design and the impact on the character of the wider area
- Impact on nearby occupiers
- Standard of Accommodation
- Traffic, Parking and Access
- Environmental Considerations

The Principle of Development

7.2 Local Plan policy GB1 deals with development within Green Belt Land. The policy refers directly to the National Planning Policy Framework (NPPF) when establishing what form of development would be acceptable. Policy 7.16 of the London Plan states that the strongest protection should be given to London’s Green Belt.

7.3 Paragraph 89 of the NPPF states that the construction of new buildings within Green Belt would be inappropriate. Paragraph 87 states that inappropriate development is, by definition harmful and should not be approved except in very special circumstances.

7.4 Paragraph 89 lists buildings which may be considered an exception to inappropriate development. One of these exceptions that the applicant points towards states ‘provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with purposes of land within it (would be an exception to inappropriate development).’

7.5 The applicant goes on to make the case that the new house would be ancillary to the stables, so does not represent a change of use and is essential to the successful operation of the facility, being needed to ensure the site is secure and to offer protection for expensive horses. The applicant also notes that a
similar case was successfully made for larger buildings to support the Power League development opposite the application site, also within Green Belt.

7.6 Though it is acknowledged that the intention of the applicant may be to use the house to accommodate staff this case is considered not to be sufficient to demonstrate it to be an exception to Green Belt policy. It is apparent that the site has successfully operated as a stables for a number of years without the need for a house on the site and it raises significant concerns that, should the applicant move on from the site the Council would be left with a house on Green Belt land with no ancillary purpose.

7.7 It is also questionable whether the new house preserves the openness of Green Belt and it would conflict with purposes of land within Green Belt. It is acknowledged the profile of the building is kept relatively low and set back from the street frontage, but its footprint would exceed 115 square metres so would be excessive in size and design concerns arise from the structure, as outlined within the design section below. There does not appear to be any substantive case to be made as to why the accommodation needs to be so big, which raises further concerns over the need for a development of this scale and its impact on the Green Belt. Though the building would be located within the south eastern corner of the site, adjacent to the stables one of purposes of Green Belt policies is to safeguard the countryside from encroachment, a purpose with which the proposal would clearly conflict.

7.8 Additional concerns arise from the potential for a precedent to be set, with Green Belt given up to house staff on other uses within Green Belt so a robust application of the policy is considered to be necessary. On balance, weighing these considerations the proposal is considered not to represent an exception to inappropriate development within Green Belt.

7.9 Conversely, with regard to the outdoor arena this structure is considered to be an exception to being inappropriate development on the basis that it is clearly connected with a recreation use and would maintain a low profile, reaching a modest height and therefore not compromising the openness of the site.

7.10 Having established the new house to be inappropriate development it could only be accepted should there be ‘very special circumstances’ to permitting the scheme, as stated within the NPPF. Though what constitutes ‘very special circumstances’ is not stated, the Council would generally expect there to wider benefits to the community. No strong case has been made for these ‘very special circumstances’ for the submission, which do not appear to exist and on this basis the proposal would conflict with policy GB1 of the adopted Local Plan and the NPPF.
Design and Impact on the Character of the Wider Area

7.11 Policy 7.1 of the London Plan requires the design of new buildings and the spaces around them to reinforce or enhance the character of the neighbourhood. Policy 7.4 requires the design of the building to respond appropriately to the local character. Policy 7.6 requires high quality architecture and materials.

7.12 Local Plan policies CC1 and CC2 require all new development to preserve and enhance the special qualities and heritage of an area and state that the Council will promote and support high quality urban design and architecture to create attractive, distinctive, and liveable places.

7.13 The proposed outdoor arena is considered not to raise any design concerns. It would be significant in footprint but relatively modest in height so is considered not to dominate or detract from the area, maintaining the openness of the land.

7.14 However the new house is considered to raise design concerns. The design approach is to set the house back from the frontage of the site and provide a low profile to reduce the prominence of the building while timber cladding is proposed to reflect the adjacent stable buildings. This approach is acknowledged but the outcome is considered to dominate the site while appearing out of keeping with the locale.

7.15 Though set back from the frontage the building would still appear apparent from the public realm. From Nallhead Road the land slopes downwards towards the building so views would be clear. As existing, aside from a number of unlawful ancillary structures views into the site are open with grass in the foreground and bushes as a back drop. The building would compromise this character and efforts to conceal it behind boundary treatment would only serve to compromise the openness of the Green Belt.

7.16 Additional concerns arise over the detailing of the building. Side and rear elevations of the structure, measuring 11 metres and 17 metres respectively would appear as solid walls unbroken by fenestration or openings while the frontage would have a single door. The contemporary style of the building and its fenestration would appear out of keeping with other properties in the area and the overall appearance is considered to detract from the character of the land.

7.17 As such the proposal is considered to conflict with policies CC1, CC2 and GB1 of the adopted Local Plan.

Impact on nearby occupiers

7.18 Due to the relatively low profile of the proposed structures and separation
distances to neighbouring properties no concerns arise in terms of loss of light, privacy or outlook to neighbouring properties.

7.19 There is the potential for issues of noise and disturbance that may result from any significant intensification in use of the site but this does not appear to be a concern with the current scheme.

**Standard of Accommodation**

7.20 Though the applicant argues the proposal would contain ancillary accommodation rather than a new house the Council is of the view that the requirements to meet internal and external space standards contained within the Local Plan and London Plan would still be relevant.

7.21 However on the basis that the scheme far exceeds internal space standards and provides a significant area of amenity space, private and in association with the stables use, no concerns are raised with this element of the scheme. As outlined above the scale of the property, far exceeding internal space standards, does not seem to be justified given the sensitive location of the proposal.

**Traffic, Parking and Access**

7.22 Though concerns have been raised by local residents in terms of traffic the proposal does not involve a significant increase in the number of stables, amount of parking or enlargement of the facilities. On this basis there do not appear to be any significant concerns in terms of traffic generation over the existing arrangement.

7.23 The parking area would be rationalised as part of the proposal, should the scheme have proved otherwise acceptable a Car Park Management Plan would have been secured by condition. The existing access point would be used, again should the proposal have proved otherwise acceptable a condition would have been recommended to ensure satisfactory site lines are provided and retained. Similarly additional details pertaining to electric vehicle charging points would have been recommended.

7.24 2 cycle parking spaces have been provided, which would fall short of London Plan requirements. As such, should the scheme have proven otherwise acceptable, notwithstanding the arrangement shown on the proposed plans further details of cycle parking, including an increase in the number of spaces would have been recommended to be secured by condition.

**Environmental Considerations**

7.25 Should the proposal have proven otherwise acceptable details of the sustainable credentials of the scheme would have been secured by condition.
No in principle objections were raised with the drainage strategy for the site, but should the proposal have proven otherwise acceptable further details would have been requested by condition.

8.0 EQUALITIES DUTIES IMPLICATIONS

8.1 The public sector equality duty applies to all council decisions.

A public authority or any person who exercises public functions must, in the exercise of those functions, have due regard to the need to:

(a) eliminate discrimination, harassment, victimisation and any other conduct prohibited by or under the Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Having due regard to the need to advance equality of opportunity, this involves having due regard, in particular, to the need to:

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

This shall include, in particular, but is not limited to steps to take account of disabled persons' disabilities.

The exercise of public functions must have due regard to the need to foster good relations between persons who share a relevant protected characteristic and those who do not, in particular, to the need to:

(a) tackle prejudice; and

(b) promote understanding.

Compliance with these duties may involve treating some persons more favourably than others. This is not to be taken as permitting conduct that would otherwise be prohibited by or under the Act.

The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; marriage and civil partnership; and sexual orientation.

Due regard needs to be demonstrated in the decision making process and requires an analysis of the material with the specific statutory considerations in mind. It does not follow that the considerations raised will be decisive in a particular case the weight given to them will be for the decision maker. The equalities duty is not a duty to achieve a particular result. Some equalities
considerations are covered under other legislation such as building control matters. Officers have in considering this application and preparing this report had regard to the public sector equality duty and have concluded that due regard has been given to the Council’s duty in respect of its equalities duties and that if approving or refusing this proposal the Council will be acting in compliance with its duties”.

9.0 COMMUNITY INFRASTRUCTURE LEVY

Some new developments granted planning permission will be liable to pay Community Infrastructure Levy (CIL) to the Mayor of London and Hounslow.

CIL is payable on $m^2$ of new floor space or where a new development is created or the net floor area increase exceeds 100 $m^2$

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<th>Mayors £35 per $m^2</th>
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<tr>
<td>Hounslow</td>
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<td>East £200 $m^2</td>
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<td>Central £110 $m^2</td>
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<td>All other uses £20</td>
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Should the proposal be considered acceptable it would be liable to pay Community Infrastructure Levy.

10.0 Conclusion

10.1 On the basis that the proposal involves the provision of a new house within Green Belt, constituting ‘inappropriate’ development while not being able to demonstrate ‘very special circumstances’ and due to it adversely impact on the character of the area it would conflict with policies CC1, CC2 and GB1 of the Local Plan which deal with matters of design and impact on Green Belt land.

11.0 RECOMMENDATION:

That planning permission is **refused** for the following reasons:

1. The new house would represent inappropriate development as defined by the National Planning Policy Framework within Green Belt Land. In the absence of ‘very special circumstances’ being demonstrated the proposed scheme would conflict with policy GB1 of the Councils adopted Local Plan and the NPPF.

2. The new house, by virtue of its scale, location and failure to appear in keeping with the locality would detract from the character and appearance of the surrounding area, including the Green Belt land on which it would be
located. The proposal would therefore conflict with policies CC1, CC2 and GB1 of the adopted Local Plan and the NPPF.

**Informatives:**

1. To assist applicants, the London Borough of Hounslow has produced planning policies and written guidance, which are available on the Council's website. The Council also offers a pre-application advice service. In this case, the scheme does not comply with guidance and the Council's pre-application advice was not adhered to. The Council is ready to enter into discussions with the applicants to assist in the preparation of a new planning application if necessary. The decision was made in a timely manner and clear reasons for refusal were given to assist in any prospective future development of the site.