



Appeal Decision

Site visit made on 25 April 2022

by Mr S Rennie BSc (Hons), BA (Hons), MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 July 2022

Appeal Ref: APP/F5540/W/21/3279679

Land at North Hyde Lane, Heston, London TW5 0AF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Jagraon Property Ltd (Mr Tajinder Dhaliwal) against the decision of London Borough of Hounslow.
 - The application Ref 01256/A/P69, dated 26 March 2021, was refused by notice dated 30 June 2021.
 - The development proposed is for the extension to coach parking for New Bharat coaches.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the Framework and any relevant development plan policies.
 - The effect on the openness of the Green Belt
 - The effect of the development on the highway network
 - The effect of the development on the living conditions of those living in nearby dwellings, and
 - Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal

Reasons

Green Belt Development

3. The National Planning Policy Framework (the Framework) identifies that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The Framework goes on to state that inappropriate development is harmful to the Green Belt and should not be approved except in very special circumstances.
4. Paragraph 149 of the Framework sets out the exceptions to inappropriate buildings in the Green Belt. The site of the proposed coach parking area does

not appear to have been previously developed and there is no substantive evidence to demonstrate otherwise.

5. With regards to paragraph 149 (g), the site would be set within a larger area surrounded by roads. There would still remain an open section of land to the east of the proposed hardstanding, with the general openness of the golf course to the north. In my view, the development would not be a form of infill development. Furthermore, 149 (g) allows for "limited infilling", though the site would cover a large area. The proposal does not accord with this exception.
6. The proposal would effectively be a large area of hardstanding for parking rather than any buildings, but nonetheless the proposed development does not meet with any of the exceptions under paragraph 149.
7. Paragraph 150 states that there are other forms of development not inappropriate to the Green Belt. This includes engineering operations, though it is my opinion that the relatively simple development of a hardstanding would not constitute an engineering operation in this context. Again, there is no detailed evidence to the contrary.
8. Even if it were accepted that the proposal was a form of infill, development of previously developed land, or an engineering operation, the proposal would have a greater impact on openness than existing, as set out in the following section. This also means these policy exceptions do not benefit the proposal in this case.
9. The appellant has also drawn my attention to paragraph 150 (C), with use of another appeal as an example (APP/K3605/W/17/3187505). However, in this appeal case the developer is a private bus company with proposals for its land. It would not have public benefits from a transport perspective. It would be a parking area for the busses owned by the company. In my view, this is not an example of a form of transport infrastructure. This would not benefit general highway users, unlike the example case at the Cobham Motorway Services Area where the development would provide an area for HGVs to park and for drivers to rest, which can have safety and wellbeing benefits for example. Furthermore, whilst it is acknowledged that there would be benefits from using this site close to the existing business premises, it is not sufficiently addressed that there are no other sites outside of the Green Belt that the company could use to park additional coaches.
10. The appellant has provided evidence that this site is not typical of Green Belt locations and developing the site would not conflict with the five purposes of the Green Belt, as set out in Framework paragraph 138. However, the site is largely undeveloped and appears as an open area of land, connected to surrounding Green Belt land in the area. Whilst not typical countryside, it is nonetheless part of the Green Belt and so the relevant policies apply. Furthermore, developing this site as a coach park would increase the sprawl of urban land from this part of London into the site, contrary to the first of the Green Belt purposes set out in paragraph 138.
11. On this issue, the exceptions set out within Framework Paragraphs 149 and 150 are not applicable to this proposal, and there are no other exceptions that would reasonably apply. I conclude that the proposals would therefore be a form of inappropriate development which is, by definition, harmful to the Green Belt.

Effect of the development on the openness of the Green Belt

12. Openness is an essential characteristic of the Green Belt. It is a fundamental aim of Green Belt policy to prevent urban sprawl by keeping land permanently open (Paragraph 137 of the Framework).
13. The proposal does not include any buildings or other structures. It is essentially a development of a large hardstanding area for the parking and manoeuvring of coaches, with a new access formed also. However, it is likely that the proposal would result in the parking of these large vehicles in significant numbers, when they are not in use. The visual impact of the coaches would change throughout the day depending on the number that are in use and away from the site. However, there are likely to be times when there could be many coaches parked, in hours of the day when there is less demand for example. The large expanse of area where there could be up to 40 coaches parked would have the impact of eroding the openness of the site.
14. I acknowledge that the site has mature landscaping to much of the boundary areas, with further landscaping proposed. However, there are some views into the site currently and it is not likely that the coach parking area could be totally screened from views from outside of the site. There would likely be views into the site from the proposed access, for example. Therefore, the loss of openness would be apparent.
15. Therefore, the proposed development would be inappropriate development in the Green Belt and there would be a material loss of openness within this area of the Green Belt as a result.

Highway Issues

16. From the evidence provided there would be limited coach movements as a result by the proposed development at peak times. These large vehicles would enter or exit the site via the local road network. However, the appellant has stated that they propose that all access and egress would be from/to the west via Heston Services direct onto the M4. I have no evidence before me that coaches from this site could not use this route. Whilst it may be difficult to enforce a condition requiring use of the M4 for all coaches, it is likely that many would use this route depending on their destination.
17. For coaches using other roads in the area, maybe enroute to M4 Junction 3 to the west, I have no substantive evidence to indicate that the local road network would have difficulties or that the trip generation on these roads, such as North Hyde Lane, would result in cumulative impacts on the road network which would be severe or result in highway safety issues. There has been limited evidence of highway matters submitted by the appellant but based on all the evidence before me and my observations on site this is sufficient for me to come to a decision on this issue.
18. I note that the site is not well served by public transport, but there is an existing business on site, which is seeking to expand. The appellant has suggested a Travel Plan and cycle parking which would mitigate this issue.
19. Overall, the proposal would not result in any unacceptable impact on highway safety or to any other highway related issues. The proposal is therefore in

accordance with Local Plan policy EC2, which requires, amongst other things, that development secures sustainable local travel networks.

Living Conditions

20. The site has a residential area to the east of the site, but there is a substantial distance between the site and these houses, or any other dwellings in the wider area. As set out above, many of the coaches would likely go via Heston services to the M4, away from nearby residential areas. There would be some coaches likely to use other nearby residential roads, but from the evidence before me this is unlikely to be to a degree that would result in significant noise and disturbance to residents of these dwellings over and above existing levels in these urban areas. Furthermore, there is no substantive evidence to indicate that these coaches in this location would have a discernible impact to air pollution levels.
21. Overall, the proposals would not have any unacceptable impact to neighbour living conditions or air pollution levels. The proposal is not contrary to policies CC2 or SC4 on this matter. These policies require that development have a positive impact on the amenity of current residents of an area. In this case the impact would be limited to acceptable levels, but the proposal would broadly accord with the aims of the policies (although it is recognised that policy SC4 relates to new housing development, which this proposal is not).

Green Belt and Planning Balance

22. I have found that the proposed development would be inappropriate development. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. 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, as set out in paragraph 148 of the Framework.
23. In this case, there would be also a material loss of openness as a result of the proposed development, however as no buildings or structures are proposed I would regard the loss of openness to be relatively modest. I have also found no harm with regards living conditions or highways issues.
24. In terms of benefits, the proposed business would be able to grow (following the Covid pandemic) with the coach park adjacent to the office and maintenance buildings. There would be a boost to employment and generally to the economy of the area. There would also be the enhanced landscaping, amongst other benefits. The economic benefits particularly would be significant.
25. Whilst noting the positive aspects of the scheme, the proposal would be inappropriate development within the Green Belt with some loss of openness. On balance, these beneficial considerations, whilst significant, do not clearly outweigh the identified harm so as to amount to the very special circumstances necessary to justify the development. As such, the proposal is contrary to policies GB1 of the Local Plan and G2 of the London Plan. These policies require that the Green Belt is protected to maintain its openness and that development proposals that would harm the Green Belt should be refused except where very special circumstances exist, amongst other things.

26. With the conflict with these Green Belt policies, it is considered that the harm would significantly and demonstrably outweigh these benefits of the proposed development.

Conclusion

27. For the reasons given above I conclude that the appeal should be dismissed.

Mr S Rennie

INSPECTOR