
Appeal Decision

Site visit made on 28 June 2023

by Helen O'Connor LLB MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2023

Appeal Ref: APP/R5510/W/22/3306805

Northwood Golf Club, Rickmansworth Road, Northwood HA6 2QW

- 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 Mr Ray Grant against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 7932/APP/2021/4652, dated 22 December 2021, was refused by notice dated 18 March 2022.
 - The development proposed is a greenkeepers storage facility/stand alone unit.
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Decision

1. The appeal is allowed and planning permission is granted for a greenkeepers storage facility/stand alone unit at Northwood Golf Club, Rickmansworth Road, Northwood HA6 2QW in accordance with the terms of the application, Ref 7932/APP/2021/4652, dated 22 December 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan, Drawing No. 589/10; Topographical Survey, Drawing No. TS18-191S\1; Floorplan and Elevations, Drawing No. MT/1547/1 Rev A, Internal layout, drawing AAN.22.848.1 Rev A and Revised Block Plan.
 - 3) The materials to be used in the construction of the external surfaces of the building hereby permitted shall accord with details previously agreed in writing by the local planning authority.
 - 4) Prior to the commencement of development there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development. The scheme shall also include measures for the restoration of land following the demolition of the two existing buildings and a timetable for the implementation of the landscaping scheme. Thereafter, the proposal shall accord with the details so approved.
 - 5) Prior to the first use of the building hereby approved, the two buildings identified on the Revised Block Plan shall be demolished and the land restored in accordance with landscaping details agreed under condition 4.

Preliminary Matters

2. The appellant has submitted a revised block plan as part of the appeal submission and requested that it substitutes the proposed site plan drawing reference MT/1547/1 Rev A. The revised plan shows a slightly different position for the proposed building further to the north, thereby avoiding the existing earth bunding adjacent to the existing greenkeepers compound area. Otherwise, the dimensions and elevations of the proposed building remain the same and the siting would be within the same part of the golf course.
3. No representations from third parties were received in relation to the original planning application. Moreover, the revision would not make a substantial difference to the nature of the proposal. Therefore, I am satisfied that my determining the proposal with regards to the revised block plan would not unduly prejudice any party.
4. A supplementary internal layout drawing AAN.22.848.1 Rev A has also been provided by the appellant. However, this provides illustrative information as to how the building would be used rather than any revision to the proposal. I have had regard to it on this basis.

Main Issues

5. The main issues are:
 - Whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and any relevant development plan policies, including the effect of the proposal on openness, and;
 - If so, whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances required to justify the proposal.

Reasons

Is the development inappropriate?

6. Policy G2 of the London Plan, March 2021 (LP) stipulates that the Green Belt should be protected from inappropriate development. The supporting text at paragraph 8.2.1 explains that the Framework provides a clear direction for the management of development within the Green Belt.
7. Similarly, policy EM2 of the Hillingdon Local Plan: Part 1, Strategic Policies, November 2012 (LP1) states, amongst other things, that any proposals for development within the Green Belt will be assessed against national and London Plan policies. Likewise, policy DMEI4A of the London Borough of Hillingdon Local Plan: Part 2, Development Management Policies, January 2020 (LP2) reinforces that inappropriate development in the Green Belt will not be permitted unless there are very special circumstances.
8. It is clear that the Green Belt policies in the development plan are intended to align with national policy contained in the Framework. Indeed, the supporting text to policy DMEI4 of the LP2 largely reproduces paragraph 149 of the Framework. This paragraph confirms that the construction of new buildings in

the Green Belt should be regarded as inappropriate save for specific exceptions.

9. The exception in sub-paragraph 149b) allows for 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. The appellant contends that the appeal proposal falls within this exception.
10. To qualify under paragraph 149b) of the Framework, the various components must be satisfied. Hence, the facility must (1) be a building; (2) be for outdoor sport, outdoor recreation, cemeteries and burial grounds or allotments; (3) be appropriate for the intended purpose; (4) preserve the openness of the Green Belt; and (5) not conflict with the purpose of including land in the Green Belt.
11. There is no dispute between the parties that the proposal constitutes a building, which would be associated with an established golf course. Therefore, criteria 1 and 2 are satisfied.
12. Other than having concerns regarding its scale (which I shall consider under criterion 4), the Council does not suggest that the building would be other than appropriate for the intended purpose. This is stated to be for the storage of machinery, equipment and materials required for maintaining the golf course, and an associated workshop. The supplementary plan showing the internal layout indicates how the building would serve this purpose, and the functional appearance of the building with large roller doors would be commensurate with it. Accordingly, criteria 3 is met.
13. Essentially, the parties disagree on the final two criteria. Criterion 4 requires the new building to preserve the openness of the Green Belt. Logic dictates that it must be possible to permit a new such building whilst also preserving openness, as otherwise this exception would serve no purpose. Hence, 'preservation' should not be interpreted to mean that it precludes any additional spatial built form. The courts have established that openness has spatial and visual aspects and that the matters relevant to openness are a matter of planning judgement in each case.
14. In this case there are several matters that lead me to find that the proposed building would preserve the openness of the Green Belt. This is for the following reasons. Firstly, the proposed building would be sited within a well-established groundkeeper's enclave area of the golf course. This area already houses a collection of buildings and is where equipment and materials are sometimes stored outside. The area is visually contained by the presence of buildings at the northern end, existing trees and vegetation and an earth bund to the north-west. The ridge height of the proposed building would be lower than the adjacent barn and cottages which would screen views of the building from the north. The earth bund and existing trees would partially screen and/or filter views of the building from other perspectives which would limit the visual impact of the proposal on openness.
15. Secondly, the appellant proposes to remove two existing Nissen huts that are present in the compound area, thereby consolidating overall built form within a concentrated space and limiting the spatial impact of the development.

16. Thirdly, relative to the sizeable scale of the golf course, the proposed building would be of a modest size and height. The appellant indicates that presently buildings cover around 0.5% of the 30-hectare golf course site and that the proposal would increase it to about 0.6% coverage¹. Moreover, the internal layout plan reasonably accounts for how all the floorspace would be utilised. Rather than amounting to an excessive increase as suggested by the Council, these factors point to the proposal representing a modest increase.
17. Finally, the building itself would have an inobtrusive functional appearance unlikely to draw the eye. The careful use of external materials and additional hedge planting² would mean that it would be assimilated into the surroundings further, thereby limiting the visual effect of the building.
18. Drawing these matters together, the proposal would result in spatial and visual changes, but I find that the effects would not adversely harm openness. Therefore, the proposal would preserve the openness of the Green Belt and this component of paragraph 149b) of the Framework is satisfied.
19. Paragraph 138 of the Framework lists five purposes of the Green Belt, including assisting in safeguarding the countryside from encroachment. However, paragraph 145 of the Framework stipulates that once Green Belts have been defined, local planning authorities should look to provide opportunities for outdoor sport and recreation. It follows that outdoor sport and recreation is a purpose that the Government generally encourages in the Green Belt. That is reinforced by the exception permitted for new buildings in paragraph 149b).
20. The Council does not dispute that the proposed building would be ancillary to the golf course and states in the delegated report³ that it would assist in the function and service provided to customers. As such, I find no conflict with the purposes of including land in the Green Belt.
21. The Council points out that the proposed building would be materially larger than the buildings that would be removed. Be that as it may, that is not one of the requirements of sub-paragraph 149b). I accept that this would be relevant to other exceptions listed in paragraph 149, for example sub-paragraph 149d) relating to the replacement of a building. However, just because the proposal may not fulfil other listed exceptions would not prevent it from falling within the scope of paragraph 149b). The appellant does not seek to rely upon those other exceptions and therefore, they are of limited relevance, as are the criteria in policy DMEI4B that relate directly to them.
22. The Council further highlights that the proposed building would be more visible from public vantage points, particularly to the southeast. Nevertheless, I am satisfied that it would preserve the openness of the Green Belt, and the visual impact could be softened further by additional landscaping.
23. Therefore, as I find that all the requisite elements of paragraph 149b) are fulfilled, it follows that the proposed building would not be inappropriate development in the Green Belt. As such, it is not necessary to further consider whether there are any very special circumstances to justify the development. Consequently, I find no conflict with national Green Belt policy, nor policies G2

¹ Paragraph 5.18, Appellant's Statement of Case

² Described in paragraph 5.10, Appellant's Statement of Case

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of the LP, EM2 of the LP1 or DMEI4 of the LP2 which seek to protect the Green Belt from inappropriate development.

Conditions

24. 9 conditions were suggested by the Council and I have considered these against the Framework, and in particular the Government's intention that planning conditions should be kept to a minimum and that pre-commencement conditions should be avoided unless there is clear justification.
25. The three year period in which the planning permission may be implemented is a statutory requirement. In the interests of certainty, it is necessary to specify the plans that are approved and require their implementation, including the revised block plan.
26. The references to materials on the elevational plan are generic. Cognisant of the visual impact on openness, it is necessary to agree the details of suitable external materials. However, this need only be done prior to their installation rather than prior to the commencement of development.
27. For similar reasons, conditions relating to the details and implementation of landscaping and the demolition of the existing Nissen huts are imposed. I have amalgamated elements of several of the Council's suggested conditions into one landscaping condition. It is unnecessary to list all the details to be included, as the scheme will need to be approved in any event. However, it is made clear that details of tree/hedgerow protection and a timetable for implementation should be included. For these reasons, the details do need to be agreed prior to the commencement of development to ensure surrounding trees and hedgerows to be retained are sufficiently protected during construction.
28. In view of the modest scale and proposed use of the development, I see no further need for a construction method statement, a nature conservation scheme or sustainable water management scheme. There is no evidence before me to suggest that the site is likely to be contaminated such that it would pose a risk to the proposed storage facility users. Paragraph 184 of the Framework confirms that where land is affected by contamination, responsibility for securing a safe development rests with the developer and/or landowner. In these circumstances, a pre-commencement condition requiring a contamination survey would be disproportionate. As such, these conditions are unnecessary to make the proposal acceptable in planning terms.

Conclusion

29. For the reasons given above I conclude that the appeal should be allowed.

Helen O'Connor

Inspector