



Appeal Decision

Site visit made on 3 September 2026

by Richard S Jones BA (Hons), BTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th October 2026

Appeal Ref: APP/R5510/C/24/3347649

Land at the east side of Manse Close, Harlington, Hayes and High Street, Harlington

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Ms Luri Shiraishi-Ferreira (Harlington Investors Ltd) against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 29 May 2024.
 - The breach of planning control as alleged in the notice is without planning permission, the material change of use of Green Belt land for the purposes of commercial vehicle storage.
 - The requirements of the notice are to:
 - (i) Cease the use of the Land for the purposes of commercial storage of vehicles.
 - (ii) Remove from the Land all vehicles.
 - (iii) Remove from the Land the cabin approximate position indicated in blue on the attached plan.
 - (iv) Remove the fencing and gate approximate position indicated purple on the attached plan.
 - (v) Remove all screeds laid on the ground.
 - (vi) Remove from the Land all debris, waste, building materials, plant equipment and machinery resulting from the works carried out in compliance with requirements above.
 - The period for compliance with the requirements is one month.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) and (g) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. It is directed that the enforcement notice is varied by the deletion of one month and the substitution with two months for the time for compliance.
2. Subject to the variation, the appeal is dismissed, the enforcement notice is upheld and planning permission is refused on the application deemed to have been made under section 177(5) of the Town and Country Planning Act 1990 as amended (the 1990 Act).

Preliminary Matters

3. By the time of my site visit the use of the site for commercial vehicle storage had ceased and the land was devoid of any vehicles. The cabin had also been removed along with the gate and part of the fencing. Requirements (i) to (iii) have therefore been complied with, and requirement (iv) appears to have been complied with in part. However, s181(1) of the 1990 Act provides that compliance with any of the requirements contained in an enforcement notice shall not discharge the notice. Under s181(2), any requirement of an enforcement notice that a use is discontinued shall operate as a requirement that it be discontinued permanently, and so the resumption of the use at any time after discontinuance shall be in contravention of the enforcement notice. The requirements of an enforcement

notice thus have an enduring effect. If it is complied with but there is a later breach of the requirements, s181(1) and (2) mean that remains enforceable under s179.

The Appeal on Ground (a)

Main Issues

4. The main issues are:

- whether the development would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (NPPF) and relevant development plan policies;
- the effect on the character and appearance of the area;
- the effect on social cohesion and the living conditions of occupants in the vicinity of the site; and
- if the development is inappropriate, whether any 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 development.

Reasons

Whether inappropriate development in the Green Belt

5. The appeal site is located within the Metropolitan Green Belt. Policy EM2 of the Council's Local Plan: Part 1 Strategic Policies (LP1) states that any proposals for development in the Green Belt will be assessed against national and Local Plan policies. NPPF Policy GB6 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Local Plan Part 2 Development Management Policies (LP2) Policy DME1 4 and London Plan Policy G2 are broadly consistent with the NPPF in that regard.
6. NPPF Policy GB6 stipulates that development in the Green Belt is inappropriate unless it falls within one of the categories in Policy GB7. The appellant's case is that the development falls within exception GB7.1.g, relating to grey belt land.
7. For the purposes of decision-making, 'grey belt' is defined as land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Policy GB2, namely to check the unrestricted sprawl of large built-up areas; to prevent neighbouring towns merging into one another; and to preserve the setting and special character of historic towns.
8. In considering whether the land constitutes previously developed land as defined by the NPPF, the appellant argues that before the unauthorised development took place the appeal site was used for equestrian purposes and the grazing of horses. Reference is made to what is described as an existing stable-type building in the south-western corner of the site.
9. However, whilst horses may have grazed on the land previously, I have little in the way of evidence to distinguish whether they were there primarily to graze the grass, potentially amounting to an agricultural use, or that the land was principally

being used for the keeping, exercising or recreational use of horses, with grazing merely incidental to that use, such that it should be treated as an equestrian use rather than agricultural.

10. The Council states that historically and lawfully the land has been used for agricultural and equestrian purposes, including the grazing of horses, whilst local residents refer to use for grazing cows as well. I do not therefore have enough evidence to show that the lawful use of the land is equestrian, rather than agricultural, which would exclude it from the definition of previously developed land.
11. Moreover, although the field may be ancillary to the stable, it is too extensive an area to be considered part of its curtilage. Even if it was, it should not be assumed that the whole of the curtilage should be developed. It is not therefore shown that the appeal site should be treated as previously developed land.
12. Turning to Green Belt purposes, the appellant refers to the Council's 2013 Green Belt Assessment which she says considered the appeal Site as part of a wider parcel identified as A3.12: Palmer's Farm. A copy of the relevant part of the assessment has been submitted but the plan forming part of the same does not include the whole of the appeal site. The assessment could therefore primarily relate to the commercial site to the south (the Elms), which would make sense given the finding that the land merits inclusion in the Green Belt for purpose (e) only, to assist urban regeneration by encouraging the recycling of derelict and other urban land.
13. The Council argues that the site contributes positively to preventing urban sprawl and helps to prevent neighbouring towns from merging into one another. The language used does not therefore suggest that the land strongly contributes to corresponding purposes (a) or (b) in Policy GB2. Evidently, the land checks the sprawl of adjacent residential development in Manse Close but, having regard to the Planning Practice Guidance, it would not result in an incongruous pattern of development, such as an extended finger of development, given the existing commercial development to the south and the row of residential properties close by in Cranford Lane. There is also a clear physical eastern boundary to the site that could contain and restrict further development.
14. Moreover, development of the site would not result in the visual loss of separation of towns and there is no suggestion that the site preserves the setting and special character of a historic town, so as to be categorised as strongly contributing to those Green Belt purposes.
15. The site is therefore grey belt for decision making purposes. Having established that, it is necessary to consider the remainder of criterion 1.g.i. of GB7, whether the development would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan. Purposes (a), (b) and (d) have been discussed above and it is not suggested that this site particularly assists urban regeneration by encouraging the recycling of derelict and other urban land (purpose (e)).
16. As the site primarily comprises open field, its use for commercial vehicle storage would not assist in safeguarding the countryside from encroachment (purpose (c)). However, the use would at least limit the extent of permanent above ground development, and its Green Belt effects would be relatively localised, such that the

vast majority of Green Belt in the area would be unaffected. The development would not therefore fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan.

17. The second criterion is that there is evidenced unmet need for the type of development proposed. In support of her case, the appellant makes reference to the Hillingdon Employment Land and Capacity Study 2023, which primarily reviews Class B8 need in terms of built floorspace. However, the appellant has not drawn my attention to evidence of unmet need for open commercial vehicular storage or airport parking, which is the type of development subject to the enforcement notice. Accordingly, it is not shown that the development meets criterion 1.g.ii. As all criteria must be met, it is not necessary to consider remaining relevant criterion 1.g.iii.
18. The use of the land does not therefore meet exception 1.g. of Policy GB7 and should be regarded as inappropriate development in the Green Belt for the purposes of the NPPF, LP1 Policy EM2, LP2 Policy DME1 4 and London Plan Policy G2.

Character and appearance

19. Although now degraded in the aftermath of the breach, the appeal site comprises a field that is devoid of development, save for a corrugated-sheet structure described as a stable. Fields also bound the site to the north and east, whereas the land to the west is built-up and predominantly residential. The residential properties therein provide a clearly defined edge to the built form, beyond which the land, including the appeal site, exhibits a predominantly open and rural character.
20. The appellant's submission that the use would be small scale is not borne out by the evidence, including photographs showing what appear to be hundreds of cars parked immediately adjacent to each other, as well as advertisements referring to 50-500 car spaces near Heathrow Terminal 3, suitable for motor trade and parking. Such extensive vehicular storage, along with facilitating operational development, including hardcore surfacing, fencing, gates and portacabin, would have resulted in a significant urbanisation of the site, detracting from its intrinsic character and appearance. In turn, the change would have significantly harmed the largely rural setting of the residential properties in Manse Close and diminished the visual relief provided by the site.
21. The appellant seeks to argue that the change would not be discernible but that is very difficult to reconcile with the evidence before me and the likelihood of the use generating numerous vehicle movements to and from the site via a relatively narrow residential cul-de-sac. That finding is reinforced by the photographs, which appear to show activity associated with the use spilling out into the cul-de-sac, resulting in indiscriminate parking and congestion.
22. The nature and extent of the vehicular movements and parking, including the use of car transporter/recovery vehicles, would have appeared markedly out of keeping with the residential character of Manse Close. Indeed, the scale, appearance and operational characteristics of the use would have been more akin to an industrial or commercial setting and would have contrasted sharply with the site's open, greenfield character and its location at the end of a residential cul-de-sac.

23. I note the appellant's view that the effects would have been localised, but in addition to being experienced from both the public realm and homes in Manse Close, the harm would also be experienced from the rear of the three storey residential block to the west of the site on the A437. Although cars are not high, the bright and varying colours make them particularly conspicuous, such that the storage would also likely have been visible from parts of Shortlands and Cranford Lane, including some of the residential properties therein, as well as from the fields to the east and to the north.
24. Although the land to the south of the site is commercial in nature, the scale, form and layout is such that it only has a limited influence on the overall character and appearance of the area. I note that the appellant highlights that the site benefits from a resolution to grant permission for redevelopment to provide 2,116 sqm of flexible Class E(g)(iii), B2 and B8 floorspace. However, no plans have been provided for the application, which was made in 2021, or evidence to confirm that planning permission has subsequently been granted. Consequently, there is little before me to demonstrate that the existing degree of influence on the character of the area is likely to materially change. I therefore attach limited weight to the appellant's reliance on the proposed redevelopment.
25. The appellant has confirmed that she would be happy to accept a condition to implement a landscaping strategy to further screen the development, including a more suitable boundary treatment, rather than a close boarded fence. However, that would not overcome or justify the harm caused by the development. Such planting would take time to mature, and, in any case, it is an argument that could be repeated all too often, with developments that physically harm the landscape being justified by screening to the overall detriment of the character of the area.
26. I therefore find that the use would have resulted in significant harm to the character and appearance of the area, contrary to LP1 Policy BE1 and LP2 Policies DMHB 11 and DMHB 12. Those policies state, amongst other things, that development should be well integrated with the surrounding area.

Living conditions and social cohesion

27. As an agricultural or equestrian field, vehicular movements associated with the appeal site would likely have been very low during the daytime and negligible or non-existent during the night-time period. In stark contrast, the use of the land for vehicular storage would, by its very nature, generate numerous daily vehicular movements to and from the site. As the sole access is through a residential cul-de-sac, the implications of the use on the living conditions of residents therein would have been very significant. That is borne out by the level of objection and the photographic evidence which fully support the serious concerns identified.
28. Photographs provided show vehicular activity in and around the site access at 22:52, 23:37, 0:27, 1:33, 1:48 and 1:53 hours. As these photographs were taken on different days, they demonstrate that such activity was a recurring aspect of the use, rather than an isolated occurrence. At those late evening and early hour times, local residents would have been particularly susceptible to the associated noise disturbance arising from vehicles manoeuvring, including reversing alarms, drivers opening and closing doors, radios playing, and from people talking, as well as potentially car alarms. Given the previous use of the land, the resulting effects are likely to have been keenly felt.

29. Even during the daytime, general activity in and around the site and the vehicular movements through the cul-de-sac would have been harmful to the enjoyment and attractiveness of residential gardens because of the noise disturbance and loss of privacy arising. The latter is particularly illustrated by photographs showing car transporter/recovery vehicles positioned adjacent to the rear boundaries of residential gardens, affording drivers elevated views towards the dwellings and private garden areas. Those vehicles would also have appeared visually intrusive and harmful to the outlook from those gardens.
30. Due to the restricted width of Manse Close, marked permit parking spaces have to straddle both the carriageway and footway. Even then, there is sufficient width for only one vehicle to pass at a time, meaning that drivers must wait for oncoming vehicles to pass. The likely considerable increase in vehicular movements associated with the use would therefore have resulted in frequent vehicular conflicts, frustration and delays to residents.
31. Moreover, as the appeal site access appears to have been single vehicular width only, conflict between vehicles attempting to enter or exit the site at the same time would have been inevitable, giving rise to additional manoeuvring and waiting within the cul-de-sac. The evidence also points to overspill car parking taking place within that residential road. These concerns are borne out by the photographs provided, including one which shows a vehicle transporter parked across the access to the residential garages, three cars parked within the cul-de-sac turning head and another vehicle exiting the appeal site, all at the same time.
32. Such instances of indiscriminate parking and manoeuvring would likely have significantly affected the ability of residents to safely access their garages and resulted in further frustrations and parking stress, as well as the likelihood of vehicular and pedestrian conflict. The cumulative effects of these factors would have caused significant harm to residents' living conditions and to highway safety.
33. The appellant has suggested a condition restricting hours of operation. Whilst that would lessen the harm compared to a 24 hour, seven days a week operation, the hours suggested would remain extensive and run into the late evening during weekdays and encompass a full working day on Saturdays and a half day on Sundays. Given the nature of the use, its proximity to residential properties and the associated vehicular movements, all of which would require access through a confined residential cul-de-sac, the resulting harm to the living conditions of nearby residents would remain significant adverse.
34. The appellant further suggests that a condition be imposed requiring a layout drawing (presumably to be prepared and agreed) which defines the extent of open storage, parking and turning areas, so as to give the Council control over the size of the operation and ensure that there is no overspill onto neighbouring roads. However, those are fundamental aspects of the use that would not be appropriate to defer to control by condition. In any case, even if those aspects were capable of being agreed in isolation, the constraints of the site, particularly its access through Manse Close, would remain, along with the other issues identified.
35. I therefore find that the use would have resulted in very significant harm to the living conditions of the occupants of Manse Close, in particular, and to social cohesion, thereby conflicting with LP1 Policy BE1, which seeks, amongst other things, to protect the amenity of residential properties.

36. I also find, for the reasons explained, unacceptable harm to highway safety. Although not cited in the reasons for issuing the enforcement notice, the objections received make cogent and convincing arguments in that regard, as well as providing compelling evidence.

Other Considerations and Green Belt Balance

37. As noted, NPPF Policy GB6 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Such circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm resulting from the proposed development, is clearly outweighed by other considerations.
38. I have found that the use of the land for commercial vehicular storage amounts to inappropriate development in the Green Belt. The NPPF Policy GB6 dictates that substantial weight should be given to that harm. I have also found harm to the character and appearance of the area, social cohesion, living conditions and highway safety.
39. In support of her appeal the appellant has referred to a lack of small-scale employment sites in the Borough. Whilst I have no reason to doubt the submissions made, I have not found the appeal site to amount to previously developed land. Rather it is a field with particularly poor access, immediately adjacent to residential properties. I therefore apply limited weight to the prospect of utilising the appeal site, as per the application deemed to have been made, for the purposes of addressing any shortfall in employment land.
40. Clearly the use of the land will have employment benefits but I have not been provided with any details of the number or type of jobs created to assist in appraising the same. Nevertheless, I attach moderate weight to such benefits.
41. The appellant argues that there is an opportunity to provide additional landscaping to contain and screen the development and an opportunity to increase the biodiversity on the site. To that end, the appellant states that a landscaping plan would be provided in support of the appeal. However, no such plan has been forthcoming and there is consequently little evidence to substantiate the claimed benefits. Moreover, having regard to the site's greenfield character, it has not been demonstrated that its use for commercial vehicle storage would be capable of delivering any material landscape or ecological benefit. Accordingly, I attach limited weight to such notional benefits.
42. I therefore find that the very special circumstances necessary to justify allowing the application deemed to have been made, do not exist and I conclude that the breach represents inappropriate development that is, by definition, harmful to the Green Belt and in conflict with the NPPF, LP1 Policy EM2, LP2 Policy DMEI 4 and London Plan Policy G2.
43. For the avoidance of doubt, even if I had found that the breach was not inappropriate development in the Green Belt, so that very special circumstances need not be considered, the harms to the character and appearance of the area, the living conditions of nearby residents and to highway safety would be more than sufficient to warrant withholding planning permission in this case.

Ground (a) Conclusion

44. For the foregoing reasons, I conclude that the use would be contrary to the development plan as a whole, and material considerations do not indicate that the appeal should be determined otherwise than in accordance with the development plan. The ground (a) appeal should not therefore succeed. I shall refuse to grant planning permission on the application deemed to have been made under section 177(5) of the 1990 Act as amended.

The Appeal on Ground (g)

45. The ground (g) appeal is that one month given to comply with the notice is too short. The appellant requests a period of six months to allow the tenants to attempt to find alternative premises or to wind up their businesses, as well as to provide a realistic timeframe to allow the occupiers to remove the development and return the site to its original state. The appellant also refers to the use for airport parking requiring two to three weeks for owners to collect their vehicles.
46. However, as explained, by the time of my site visit the use of the site for commercial vehicle storage had ceased and the cabin, gate and part of the fencing had been removed. Consequently, much of the justification advanced for extending the period of compliance is no longer relevant.
47. The outstanding requirements largely relate to the removal of screeds laid on the ground, debris, waste, and building materials and any remaining fencing. Whilst the ground conditions appear to be very different to the pre-existing field, with significant areas of hardcore, debris and waste, six months to address the same is excessive and unjustified, and I see no reason why taking instruction from outside of the UK should be a particular hindrance.
48. Given the size and condition of the site, a period of two months would strike a reasonable and proportionate balance between any difficulties which may be encountered and the public interest in this case.
49. The ground (g) appeal succeeds to that extent.

Richard S Jones

INSPECTOR