



APPEAL BY:
Mr Ryszard Sokolowski

AGAINST THE LONDON BOROUGH OF HILLINGDON COUNCIL'S REFUSAL
TO GRANT PLANNING PERMISSION FOR:

Erection of a two storey 3-bedroom house with amenity provisions and single off-
street parking

AT
107 Victoria Avenue, Hillingdon, UB10 9AJ

London Borough of Hillingdon Council's Reference: 7828/APP/2022/3326

WRITTEN REPRESENTATIONS: RESPONSE TO LPA STATEMENT AND
THE THIRD PARTY REPRESENTATIONS RECEIVED

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1.0 INTRODUCTION

- 1.1 This statement has been prepared by RJS Planning, on behalf of Mr Ryszard Sokolowski, in response to the statement of the Local Planning Authority and the third-party representations received.

2.0 RESPONSE TO COUNCIL'S STATEMENT

- 2.1 The following paragraphs will respond to the main submissions for the council.

LPA comments on Appellant's Statement of Case

- 2.2 The council argue that the suggested methods of pile/pad or beam foundations would require extensive digging into the ground and would therefore disturb the Root Protection Area.
- 2.3 In response, the appellant states that the beam and pile system proposed does not require any extensive digging as it is based on the helical screw piles which would support a frame which contains the ground beams. The frame carries the load of the building through the piles removing the need for mass concrete foundations.
- 2.4 If large roots are discovered, then the position of the pile can be altered until the root has been avoided. This method avoids compaction and root damage.
- 2.5 Therefore, whilst the appellant appreciates the council's concerns in relation to the tree the appellant has every intention to protect it to ensure it continues to offer positive benefits to the character of the area.
- 2.6 The council consider that there are inaccuracies in the plans in relation to the canopy spread of the tree and therefore, to ensure that the work would be acceptable in relation to the existing protected tree the appellant requests that a condition could be attached to an approval stating:

"Prior to the commencement of development, an Arboricultural Impact Assessment (BS5837:2012) to fully consider the impacts on any existing trees in or adjacent to the site, an arboricultural method statement and a tree protection plan in accordance with BS5837:2012 shall be submitted to and approved in writing by the Local Planning Authority."

- 2.7 A new assessment could be undertaken to ensure that the council are satisfied with the proposal and as such, any future development would be completed in accordance with that assessment.

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- 2.8 The second part of the reason for refusal refers to potential shadowing and dominance created by the tree on the proposed house and garden.
- 2.9 The appellant disagrees that the tree would create any harmful impacts as during the summer months it would provide dappled shade to part of the garden and house which would be welcomed and during the winter when light levels are lower the tree would be bare thus ensuring light levels are acceptable and living conditions are not unduly affected.
- 2.10 There is no evidence to suggest that the proposal would result in increased pressures to prune the protected tree over and above what currently takes place.
- 2.11 The final part of the refusal relates to the lack of a proposed landscaping scheme. The scheme proposes soft landscaping to the front curtilage which would soften the space around the parking areas for each dwelling.
- 2.12 The council argue that policy requirement under DMHD 1 would necessitate 25% of the front garden to be soft landscaped. However, policy DMHD 1 does NOT set out this requirement, it does state in relation to front extensions that at least 25% of the front garden must be retained but this does not stipulate that it must be soft landscaped. Nevertheless, the scheme does not propose a front extension and more the proposal would not result in the loss of any front garden space and therefore, the 25% rule is not relevant.
- 2.13 As stated by the appellant, if the details submitted relating to the hard and soft landscaping to the front of the dwellings are insufficient he would willingly submit further details as a condition of approval.
- 2.14 In summary, the appellant considers that subject to conditions the appeal proposal would overcome the council's objections.

Suggested Conditions

- 2.15 The appellant would accept any reasonable and appropriate conditions deemed necessary in the circumstances of this case.

3.0 THIRD PARTY REPRESENTATION

- 3.1 The appellant acknowledges the third-party representations received and responds accordingly.
- 3.2 Several of the objections refer to impacts of the design on character and parking; however, these matters have been fully assessed by the council and highway

authority which are set out the delegated officer's report. Thus, the development has been deemed acceptable in regard to impact on the street scene, and carparking and layout.

- 3.3 The representations do not put forward any compelling reasons or evidence why the council's assessment of the case was unsound in these regards and as a result these comments should be afforded limited weight.
- 3.4 Regarding the Oak Tree, the appellant accepts that the scheme was refused on this basis and agrees with content of the representations that this tree should be protected to safeguard its future health.
- 3.5 Therefore, the appellant would ensure that the development would be carried out in accordance with the Method Statement and Tree Protection Measures detailed within the Tree Survey, Arboricultural Implications Assessment completed by Indigo Surveys. This would safeguard the tree and other vegetation from damage during construction work as set out in the council's suggested list of recommended conditions.
- 3.6 Taking the above points into account, the objections have not put forward any compelling reasons which would indicate that the council's reasons for refusal could not, if necessary, be overcome with carefully worded conditions.

4.0 CONCLUSION

- 4.1 The appellant states that the scheme would not conflict with the aims of national, regional and local planning policy and therefore, respectfully requests that the appeal is allowed.