



Appeal Decision

Site visit made on 19 February 2024

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th February 2024

Appeal Ref: APP/R5510/D/23/3333332

70 Hatch Lane, West Drayton, Hillingdon UB7 0BA

- 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 Faisal Tariq against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 75960/APP/2023/2104, dated 16 July 2023, was refused by notice dated 4 September 2023.
 - The development proposed is the installation of a vehicular crossover and hardstanding to the front.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicular crossover and hardstanding to the front of the property at 70 Hatch Lane, West Drayton, Hillingdon UB7 0BA in accordance with the terms of the application, Ref: 75960/APP/2023/2104, dated 16 July 2023, 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: HM Land Registry Title Plan No. MX262725, and the layout plan at 1:100 scale.

Procedural Matter

2. In its first reason for refusal the Council refers to the London Plan 2016 and the National Planning Policy Framework 2019. However, both have been superceded. Amongst other policies, I have therefore considered the appeal against the National Planning Policy Framework December 2023 ('the Framework'), and Policy HC1 of the London Plan 2021 ('the LP') which was provided with the appeal questionnaire.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the area, including whether it would preserve or enhance the character or appearance of the Harmondsworth Village Conservation Area; and
 - the safety and convenience of highway users.

Reasons

Character and appearance

4. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that, in respect of development affecting conservation areas, special attention shall be paid to the desirability of preserving or enhancing their character or appearance. The Framework sets out that great weight should be given to the conservation of designated heritage assets, such as conservation areas, and that harm to their significance requires clear and convincing justification.
5. The appeal property forms part of a linear row of development at the edge of the settlement, which lies within the Harmondsworth Village Conservation Area ('the HVCA'). The houses here are semi-detached and in a broadly similar style. They are set well back from Hatch Lane behind front gardens which are mostly laid to lawn, and which are open to the front, or have low boundary walls and picket fences. There is typically a section of grass verge between their front boundaries and the pavement. The buildings' siting and homogeneity, along with the largely open frontages and areas of grass contribute to the significance of the HVCA.
6. The appeal property forms one half of a semi-detached pair which is sited close to the end of the row. Unlike its attached neighbour which has a large hardsurfaced parking area to the front, the host has a grass covered front garden which is open to the highway.
7. Given the modest size of the proposed hardstanding area, as illustrated by the layout plan, most of the front of the site would still be covered in grass. Additionally, the proposed crossover would be located on a part of the highway where the grass verge tapers out, and where there are already sections of tarmac extending back from the pavement towards the plot.
8. As a result, this scheme, at this scale, and in this location, would not harmfully impact the area's open, semi-rural character. In reaching that conclusion I note that the Council has granted crossovers elsewhere in this row at No 84 (Ref: 69348/APP/2013/2122) and at No 88 (Ref: 14955/APP/2013/1587) ('the approved schemes'). In those cases, the Council observed that other properties in the wider area have crossovers or hardstanding areas to the front, and that the HVCA would not be harmed. For the above reasons, I agree with that conclusion in this case.
9. The proposal would not therefore conflict with Policy HE1 of the Hillingdon Local Plan Part One: Strategic Policies (2012) ('HLPP1') which seeks to conserve and enhance Hillingdon's environment, including its designated heritage assets. Neither would it conflict with Policies DMHB 1 and DMHB 4 of the Hillingdon Local Plan Part Two: Development Management Policies (2020) ('HLPP2'), and LP Policy HC1, which also require development to sustain and enhance the significance of heritage assets, and to preserve or enhance the character or appearance of conservation areas.
10. Given those findings, the scheme would not conflict with the general stance in HLPP1 Policy BE1, and HLPP2 Policies DMHB 11, DMHB 12 and DMHB 14, for high quality design, which harmonises with its context, taking account of matters such as the streetscape and landscaping.

11. As the significance of this designated heritage asset would be preserved, the scheme would not conflict with the Framework, and having regard to its paragraph 208, there is no need for me to weigh harm against public benefits.

The safety and convenience of highway users

12. As set out in the officer reports for the approved schemes, to which the Highways Officer did not object, Hatch Lane has been subject to traffic calming measures, including the introduction of a 20mph speed limit and raised tables.
13. Unlike the approved schemes, this proposed crossover would be sited close to a bus stop. However, it would be positioned beyond the bus flag, and further still from the bus shelter. It would also be just beyond the 'bus stop cage' as depicted in yellow markings on the carriageway, where busses are advised to stop. If two busses were to arrive at around the same time, it appears to me likely that the second would stop behind the first, broadly in line with, or to the south of, the shelter. Thus, I consider that the proposed crossover would not significantly impact the functionality of this bus stop.
14. Given the speed limit and calming measures, I have no reason to doubt that traffic speeds along this part of Hatch Lane are typically low. This stretch of it is straight and mostly subject to single or double yellow lines to restrict on-street parking. Forward visibility is therefore generally good.
15. The vehicular movements associated with a single parking space to serve one dwelling would typically be very modest, even if it were to be used by the appellant to park his van as proposed. Drivers exiting the site would have good visibility of the carriageway to the north, and moderate visibility to the south due to the presence of the bus stop and street furniture. Given the open frontage on this site and at No 72, and the low picket fence at No 68, pedestrian visibility would also be good. Exercising due care and attention, the occupiers would also become familiar with safely reversing to or from their own parking space.
16. I accept that, on occasions, there may be a need to wait behind a bus at the bus stop before using the crossover, but given the volume of traffic on this busy 'A' classified road, vehicles proceeding northwards along the lane may also need to wait in that location at present.
17. The principal parties disagree regarding the scheme's compliance with the Council's Domestic Vehicle Footway Crossover Policy Guidance 2022. As I have not been provided with that document, I am unable to reach a firm conclusion on whether or not it would accord with its advice.
18. Nevertheless, for the above reasons, I find that the proposal would not have a significant impact on the safety and convenience of highway users, and it would not therefore conflict with HLPP2 Policies DMT 2 and DMT 6. In general terms these require that proposals ensure safe and efficient access to the highway network, with parking spaces which comply with its standards unless variance from them would not lead to a deleterious impact on street parking provision, congestion, local amenity, or road safety.

Conditions and Conclusion

19. I have considered suggested conditions against the Framework's tests. As well as the standard time limit condition, in the interests of certainty, a condition is

necessary requiring that the development be carried out in accordance with the approved plans.

20. I have found that the scheme would preserve the character and appearance of the Harmondsworth Village Conservation Area and that it would not harm the safety and convenience of highway users. Consequently, irrespective of the appellant's stated need for the scheme to address his security issues, and having regard to all other matters raised, including a representation by the Harmondsworth Conservation Area Advisory Panel, the appeal is allowed.

Chris Couper

INSPECTOR