



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:

Mr Raymond Ashall

Proposal:

Alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area.
(Application for Listed Building Consent)

Appeal Site:

Tudor Lodge Hotel, 50 Field End Road

Our Ref: 4726/APP/2023/2216 &18

Your Ref: APP/R5510/W/24/3340797

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against the non-determination of the erection of the alteration to car parking layout, resurfacing and expansion of hardstanding. Installation of a sunken paving area with pergola and a standalone outbuilding for WC and store. Installation of a staff cycle shelter. Erection of a boundary fence and planting against Field End Road. Various landscape planting and paving to external pergola sitting area. (Application for Planning Permission)
- 1.2 The LPA had initially provided feedback on the scheme on the 7th of March 2024 which indicated that the application would be brought forward to committee as a refusal. Following this feedback, an appeal on basis of non-determination was submitted to the Planning Inspectorate. In line with the Council's Scheme of Delegation, as a Petition had been received, the application had still to go to Committee with Officer's presenting their recommendation that would be brought forward within the forthcoming appeal.
- 1.3 Had an appeal on the grounds of non-determination not been received the Local Planning Authority would have refused planning permission for the following reasons:
 1. The proposed development by virtue of the large pergola together with the proposed landscaping cumulatively contributes to harm to the setting and views of the listed building. Furthermore, given the discrepancies within submitted information as well as the failure to provide an up to date Heritage Statement which clearly outlines the impact of the proposals on the setting of the designated building, the proposal has failed to provide concise justification or demonstrate clear public benefit that could outweigh the less than substantial harm to the listed building. As such, the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2023, Policies D8 and HC1 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan Part One 2012 and Policies DMHB 11, DMHB 12 and DMHB 1, DMHB 2, DMHB 4 and DME 5 of the Hillingdon Local Plan: Part Two 2020.
 2. There is insufficient information submitted in support of the proposed car parking arrangements such that the level of car parking may not be appropriate for the intended use, contrary to Section 9 of the National Planning Policy Framework 2023, Policy T6.1 of the London Plan 2021 and Policies DMT 2, DMT 6 and DMEI 14 of the Hillingdon Local Plan 2020.
 3. The proposed tree protection measures outlined fail to satisfactory secure the protection of retained trees and with contradictory information in the submitted arboricultural documentation and wholesale and unjustified removal of a large number of mature and Category B trees, the proposal will result in a net

deterioration in landscape character of the site, the streetscene and the adjacent Eastcote Park Estate Conservation Area, contrary to Sections 15 and 16 of the National Planning Policy Framework 2023, Policy G7 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan (Part 1) 2012 and Policy DMHB 14 of the Hillingdon Local Plan (Part 2) 2020.

1.4 With regards the Listed Building application, Officers recommended refusal to the Planning Committee on the following grounds below. The assessment of this impact has been included within the listed building report in Appendix 2 as attached.

1. The proposed development by virtue of the large pergola together with the proposed landscaping cumulatively contributes to harm to the setting and views of the listed building. Furthermore, given the discrepancies within submitted information as well as the failure to provide an up to date Heritage Statement which clearly outlines the impact of the proposals on the setting of the designated building, the proposal has failed to provide concise justification or demonstrate clear public benefit that could outweigh the less than substantial harm to the listed building. As such, the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2023, Policies D8 and HC1 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan Part One 2012 and Policies DMHB 11, DMHB 12 and DMHB 1, DMHB 2, DMHB 4 and DME 5 of the Hillingdon Local Plan: Part Two 2020

1.5 These suggested reasons for refusals for both the full and listed building applications were set out to Members at the committee meeting on the 8th of May 2024. The Committee voted unanimously with the Officers recommendation.

2. LPA's Statement of Case

2.1 The LPA would rely on the committee reports as the Statement of Case for the current non-determination appeal. This is attached as Appendices item 1 and 2 as attached.

2.2 Having reviewed the Appellant statement of case, the LPA have no significant comments to make. There had been dialogue between Officers and the Applicant during the processing of both applications (see Appendix 5). The LPA had advised the agent of the concerns regarding the level of details submitted. The dialogue did raise concerns regarding the impact on the setting of the listed building. There were also ambiguities throughout the process in the information that was submitted. This has been highlighted within Appendix 1 of the committee report. Officers had also advised the applicant of the need to consider a pre-application submission to review in detail potential ways forward on the site. The applicant however chose not to participate in pre-application dialogue.

Conclusion

- 2.3 On the basis of the details submitted and the scheme, the LPA brought forward the application to the May committee with the reason for refusal highlighted in para 1.3. We would respectfully ask the Inspectorate to dismiss the appeal on the grounds highlighted above and within the attached appendices (Appendices 1 & 2). If the Inspectorate is of mind to allow the appeal, the LPA have also attached a list of suggested Planning Conditions within Appendix 3 & 4.

Appendices

Appendix 1 – Committee report non-determination appeal Full Application

Appendix 2 – Committee report non-determination appeal Listed Building

Appendix 3 – Suggested Conditions related to the full application.

Appendix 4 - Suggested Conditions related to the listed building application

Appendix 5 – Email dialogue between LPA Officer and Planning Agent