



APPEAL STATEMENT

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AGAINST THE DECISION OF LONDON BOROUGH OF HILLINGDON TO REFUSE PLANNING
PERMISSION FOR:

‘Retrospective planning application for the retention of existing driveway surfacing.’

(REF: 31872/APP/2024/677)

AT: 49 ST GEORGES DRIVE, ICKENHAM, UB10 8HP

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APPENDIX A – Amended Site Plan (Permitted Development Fallback Position)

1.0 INTRODUCTION

1.1 These Grounds of Appeal have been submitted in support of an appeal against London Borough of Hillingdon's decision to refuse planning permission for the **'retrospective planning application for the retention of existing driveway surfacing, at 49 St Georges Drive, Ickenham** (Ref 31872/APP/2024/677).

1.2 The Council's decision notice cited one reason for refusal, as:

- *It is considered that the driveway surfacing, comprising of white paving slabs which would be non-permeable and reflective in appearance would dominate the front of the dwelling and would fail to harmonise with the street scene, contrary to the requirements of DMHD1 of the Hillingdon Local Plan: Part Two - 2 Development Management Policies (2020).*

1.3 As is the appellant's prerogative, this appeal is submitted under Section 78 (Section 2) of the Town and Country Planning Act (1990).

Key Matters

1.4 Within this appeal submission, we will address the reason for refusal and issues raised by the Council in the Officer's report. We identify the following key issues for consideration in this appeal are:

- Whether the proposed driveway material would introduce an unsympathetic design detrimental to the character and appearance of the property and wider area.

2.0 APPEAL SITE AND SURROUNDINGS

2.1 The appeal site comprises a detached dwelling located on the eastern side of St Georges Drive, Ickenham. The dwelling like those within the street scene are characterised by their canted bays within gable end projections and off-set front doors. Dwellings within St Georges Drive are uniformly laid out and follow a rhythm in architectural vernacular which creates the harmony identified.

2.2 The frontages of the dwellings are varied with a majority of dwellings being laid to hardstanding with modest landscaping provision in the form of low-level planting. The dwellings immediately adjacent the appeal site is predominantly laid to hardstanding with small low-level planting adjacent the front or flank boundaries.

2.3 The site falls within the developed area as identified in the local development plan. The site is not within a Conservation Area or statutorily or locally listed.

3.0 PLANNING HISTORY

- 3.1 No relevant planning history relating to the driveway.

4.0 PROPOSED DEVELOPMENT

- 4.1 This appeal seeks planning permission for the retention of the existing laid driveway materials and channel drain. Following a period of construction works relating to the main dwelling the appellants undertook works to the driveway on the premise that the works constituted 'permitted development' as the surface area ran into a channel drain which discharged the water from the site.
- 4.2 Following on from an enforcement investigation, the Local Planning Authority requested an application to be submitted to remediate the concerns in the public interest. The application was submitted with supporting plans and evidence that the channel drain discharged the water to an existing connection.

5.0 PLANNING POLICY

National Planning Policy

- 5.1 The Government published the revised National Planning Policy Framework in 2023. The NPPF which is the overarching planning document in England, continues to seek to secure positive growth in a way that effectively balances economic, environmental, and social progress for this and future generations.
- 5.2 The NPPF (2023) attaches importance to the design of the built environment, which is seen as a key aspect of sustainable development, indivisible from good planning, that should contribute positively to making places better for people.
- 5.3 Chapter 12 of the NPPF (2023) reiterates that good design is a key aspect of sustainable development. It then states that planning policies and decisions should ensure that developments.
- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
 - Are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.

- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live work and visit.
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Planning Policy

- 5.4 Sitting underneath the NPPF is the London Plan (2023), Development Management Policies Part One (2012) and Part Two (2021), and Supplementary Planning Documents.

London Plan (2021)

- T6 - Car parking

Development Management Policies

- DMHD 1 – Alterations and Extensions to Residential Dwellings
- DMT6 – Vehicle Parking
- LPP D4 - Delivering good design

The above documents are, therefore, material considerations in the determination of this appeal.

6.0 PLANNING CONSIDERATIONS

Reason for Refusal One

Character and Appearance

- 6.1 The Council's single reason for refusal relates to the resultant design and appearance of the in-situ materials and the impact they would have on the character of the frontage of the dwelling and wider street scene.
- 6.2 In the first instance it is considered to be of value to review the delegated report which offers more detailed insight into the views of the case officer. Within page 5 of the delegated report reference is made by officers to the finishing material having a reflective finish and not being permeable or porous. In addition, concerns are raised by officers that there is no evidence that the channel drain installed would prevent surface water from running onto the public highway.
- 6.3 The materials used in the frontage of the driveway are driveway tiles which are used from sustainable and re-utilised materials to provide a contemporary form of design. Whilst it is acknowledged the prevailing form of material within the frontages of dwellings are block or brick, these also represent expansive forms of hardstanding which in most cases span the full extent of the frontages of dwellings within the street scene. Whilst the material proposed is a new form of material introduced within the street scene, the material is not reflective or of a shiny finish as the Council suggest within their decision notice. It is largely a laid tile that is laid in a pattern and finish consistent with its sizing and would not detract from the character and appearance of the dwelling which retains its dominant features in the form of gable projections and matching materials to its neighbouring properties.
- 6.4 There is significant evidence readily apparent from a site visit that a number of these dwellings do not benefit from sustainable drainage measures which has resulted in surface water discharging onto the highway. The appellants have considerably integrated surface water measures into the design of the driveway to include channel drains. The channel drains have been installed at the edge of the driveway and public footpath, at the lowest part of the sloping driveway ensuring it would collect water at its lowest part of the site owing to gravity fall. This would satisfy the aims of Para A1.27 of Policy DMHD1 ensuring surface water is discharged and does not enter the public highway.
- 6.5 Evidence was provided by the appellants that the driveway was connected to a surface water sewer as per a historical connection and one agreed upon by Thames Water at the time of installing the surface material.

Permitted Development and Fallback Position

6.6 As touched upon, the appellants took it in good faith that the development would satisfy the context of the General Permitted Development Order (GDPO). Schedule 2, Part 1 Class F of the GDPO allows for hard surfaces to be placed in other parts of the garden including patios, paths and parking areas.

6.7 The conditions set out within Class F sets out that development is permitted by Class F subject to the condition that where-

- (a) The hard surface would be situated on land between a wall forming the principal elevation of the dwellinghouse and a highway, and
- (b) The area of ground covered by the hard surface, or the area of hard surface replaced, would exceed 5 square metres,

Either the hard surface is made of porous materials, or provision is made to direct run-off water from the hard surface to a permeable or porous area or surface within the curtilage of the dwellinghouse.

6.8 The Permitted Development Technical Guidance provides direction towards the environment agency 'guidance on the permeable surfacing of front gardens'. The guidance specifically provides options on how water from paved surface can be dealt with using three main approaches, notably.

- Soaking into ground (soakaway)
- Rainwater harvesting or storage for later use
- Flowing to the drains, but this should be the last option considered

6.9 The appellant considers that the driveway in its current form would constitute permitted development owing to the provision of surface water to the drains. However, if the Inspector is minded considering surface based porous elements than the appellant has prepared an amended plan which introduces an area of grass/vegetation which the surface water would run into.

6.10 This would provide a porous element ensuring the driveway material does not reasonably need to match neighbouring dwellings, as there is no requirement for matching materials within Class F. In light of this the provision of permitted development provides a fallback position to the appellant which would retain the existing surface materials. As such, the fallback position must be afforded greater weighting in the assessment of this appeal.

6.11 For the Inspectors ease, an amended plan has been provided which sets out the capacity of landscaping and porous planting within the site. This is within Appendix A.

In the event the Inspector is minded allowing the appeal, the appellant considers a condition for landscaping to be implemented in accordance with the marked plan to be provided within 3 calendar months of the date of the decision.

7.0 CONCLUSION

- 7.1 In conclusion, it has been demonstrated that the appellant has worked proactively to deliver a scheme that satisfactorily harmonises within the immediate setting and wider street scene.
- 7.2 It has been satisfactorily demonstrated that the Council have considered the impact of the proposal on a technical basis, and not site specifics. Having regard for the permitted development fallback position, the proposal would ensure the development successfully harmonises with the character of this developed and varied street scene.
- 7.3 Overall, the proposal satisfies the context of the NPPF, the London Plan, Development Management Policies and supporting Supplementary Planning Documents.
- 7.4 In light of the above, we respectfully request the Inspector allows the appeal, subject to any planning conditions they considered appropriate to the development.

