

GROUNDS OF APPEAL

CHEVRON HOUSE, 346 LONG LANE, UXBRIDGE,
UB10 9PF

David Holmes MRTPI

Pre-Amble

1.1 This document is Authored by David Holmes MRTPI, Planning Director at Howarth Homes and Contractors. This Appeal is submitted on behalf of Howarth Home Plc, who own and occupy the site known as Chervon House, Long Lane, Hillingdon (the Site).

1.2 The Application as submitted sought the *“Construction of Vehicular Access, hardstanding and landscaping”*. As set out in Appendix 1 of this Statement the LPA the Officer, via email, requested that the description of development was changed to *“installation of a vehicle crossover”*. The email was received on the 26th November 2024, and the application was refused on the 29th November 2024. The Appellant queried the logic behind this, however as they thought the LPA would be minded to approve the application, following correspondence with Highways, the Appellant accepted the proposed change of description. The plans denoting the landscaping and indeed the drainage strategy were not withdrawn from the Application. The LPA also did not reconsult with the amended description of the development. As such, it is requested, with respect, that the Appeal proceed on the basis of the description listed within the application form. No one would be prejudiced by this as the LPA did not advertise the amended description of development. The Plans and Documents submitted with the application clearly show the intent of the application was to seek both hardstanding and landscaping. The LPA’s request to amend the description at the stage it did was a little ‘unconventional’. It should be noted that the LPA had changed the description of the development prior to agreement from the Applicant.

Introduction

2.1 The application was submitted on the 10th September 2024 and given reference number 42825/APP/2024/2429. As detailed in the Pre-Amble, the LPA wrote to the Appellant seeking a change of description, removing the elements of the condition that related to drainage, hardstanding and landscaping. On the basis that that detail had been submitted to the LPA to satisfy a Planning Condition. The LPA seemed to have somewhat confused matters here. The Application, as submitted, was seeking full Planning Permission for the retention of / installation of hardstanding, landscaping and installation of a vehicular access. The application form detailed that works had already commenced. The Application was seeking to regularise the works whilst also seeking a dropped kerb, landscaping and drainage detail. The application was not reliant on the condition submissions and the Appellant asserts that the LPA have acted unreasonably in seeking to amend the description of development in the way that they have and at the stage that they requested.

2.2 A single reason for refusal was advanced concerning the application, as detailed below: *“By reason of its size, location, design and surroundings, in particular its proximity to the existing pedestrian crossing, the proposed vehicle crossover raises significant concerns regarding pedestrian and cyclist safety. The proximity of the dropped kerb to the pedestrian crossing introduces an increase in vehicle movements which increase the risk of conflicts between pedestrians, cyclists, and vehicles. The design fails to meet the safety requirements necessary to protect road users, pedestrians and cyclists resulting in significant highway concerns. The proposed development is therefore considered to be contrary to Policy DMT 1 and DMT 2 of Hillingdon Local Plan: Part 2, Development Management Policies (2020) and London Plan (2021) Policies T1, T2 and T4”*. The Application was submitted following a meeting with Highway Officers from the London Borough of Hillingdon. It should be noted that the access seeks a left turn in and left turn out only – signage for such a mechanism can be secured by way of a condition. Previously the office was provided with 2no. off road car parking spaces in addition to the car park at the rear of the premises. The Parking spaces required the reversing out of the space onto Granville Road. Given the amount of unauthorised on-road parking along Granville Road, and the fact that the spaces could not be accessed and egressed in a forward gear, presented a significantly harmful (albeit lawful) experience.

2.3 The Appeal before you seeks to create betterment. Rather than seeking to simply re-use the spaces that require reversing onto Granville Road, the scheme seeks to create a situation where one can enter and egress in a forward gear and provide space for a single car. The only step free access to the office is from the front of the building, currently there is no access for those with mobility needs. The proposed access benefits from significant visibility, well in excess of manual for streets recommendations. Similarly whilst close to the pedestrian crossing, views across the crossing from the access and indeed from the crossing to the access are unobstructed. There is a clear line of sight between the two. It is therefore considered that the development will not result in conflict between those utilising the Highway Network.

2.4 As set out in the accompanying Transport Statement, the access will result in 3-4 trips per day. As such the development will not result in a significant impact on the local highway network., given the volume of traffic that uses Long Lane. Indeed the very little highway movements associated with the creation of new access and parking space, in an area with significant visibility, in a left turn in and left turn out arrangement will not result in any harm or indeed conflict between pedestrians or other users of the highway.

2.5 The Appellants Grounds of Appeal rest on the following matters:

- The fallback position of utilising the previous off road parking spaces require either entering or exiting the space onto the public highway in reverse gear. Significantly more harmful than the solution tabled by this Appeal. In this regard the Appellant would be content agreeing to a condition concerning the use of the 'lawful' spaces cease.
- There are no parking spaces that provide step free access to the office, required to satisfy the Disability Discrimination Act 1995.
- The low level of movements across the proposed access, being 3-4 per day and none at weekends is minimal, and will not result in either a significant impact on the local highway network or indeed other users of the Highway.

3. Conclusions

3.1 The development seeks to improve highway safety whilst facilitating safe and level access to the office space. The office is commercially viable and consists of a housebuilder that provides affordable housing, with over 800 new affordable homes under construction. The Office Space is well used, and as a result, more car parking spaces are needed. The application seeks a blend of access needs and landscaping and provides the opportunity to meet the needs of the company. Indeed if the Appeal fails the Appellants will seek to move from the area to find an office space that works for them. This will ultimately result in the demise of the office space in lieu of residential. There are significant amounts on on-road parking issues that prevented the use of the existing spaces, which have been repurposed to provide a bin store. The Appellant suggests that a condition could be imposed seeking highway improvements to facilitate the development, along the lines of plan 2412012 TK01, which shows how a vehicle can access and egress the site without interfering with the local highway network.