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**WRITTEN REPRESENTATION APPEAL
AGAINST THE REFUSAL OF PLANNING PERMISSION
FOR THE**

**ERECTION OF A DETACHED 5 X BED DWELLING
WITH ASSOCIATED PARKING AND AMENITY SPACE
WITH NEW CROSSOVER TO GROVE ROAD**

**AT
LAND TO REAR OF 18 MOOR PARK ROAD
NORTHWOOD, HILLINGDON, HA6 2DN**

LPA REFERENCE: 21577/APP/2020/1792

WRITTEN STATEMENT ON BEHALF OF THE APPELLANT

NOVEMBER 2020

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1. INTRODUCTION

Scope and Purpose of Written Statement

- 1.1 This appeal is lodged under Section 78 of the Town and Country Planning Act 1990 (The Act) against the London Borough of Hillingdon's (the Local Planning Authority) refusal of an application for full planning permission for:

"Erection of detached 5 x bed dwelling with associated parking and amenity space with new crossover to Grove Road."

- 1.2 Planning permission was refused by committee on 18th September 2020. The London Borough of Hillingdon reference for the application is 21577/APP/2020/1972. Planning permission was refused for the following reasons:

"1. The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site as proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016), the NPPF.

2. The application fails to demonstrate that the development will safeguard existing trees on/adjoining the site in as much that trees, shrubs and wildlife habitat cannot be retained or re-provided in the residual garden spaces and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies DMH 6 Policy and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)."

- 1.3 From the reasons for refusal contained within the Decision Notice and the officer's delegated report, it is considered that the principal issues are as follows:

- Principle of Development;
- Character & Visual Amenity of the Area;
- Trees, Landscaping & Ecology; and
- Other Matters.

- 1.4 The Local Planning Authority's (LPA) Report has been included in **Appendix 1**.

Summary

- 1.5 This Statement sets out the Appellant's justification for why the unique factors relating to the proposed development support the conclusion that the proposed development does accord with the local and national policy and that the appeal, therefore, should be allowed.

- 1.6 The application site comprises part of the rear garden of 18 Moor Park Road in an established residential area where it is contended that the principle of development is acceptable subject to other material considerations.
- 1.7 The Appellant is of the view that the benefits of the proposed development outweigh any harm when assessed against national and local policy, including that there would be no adverse impact on density, residential amenity, living conditions for future occupiers or on highway safety.
- 1.8 As such, the Appellant considers that the appeal proposal would constitute an acceptable form of development.
- 1.9 Furthermore, the Appellant respectfully draws the Inspector's attention to the approved dwelling located opposite the appeal proposal site at 1A Grove Road which, by virtue of its approval, means the principle of this type of development has been established as well as the change to the character and appearance of the area. It is contended that given the similarity of the appeal proposal to that of the approved development at 1a Grove Road, that similarly, there would not be a detrimental impact on the character and appearance of the surrounding area caused by the appeal proposal.
- 1.10 In addition, the proposed development would not have an adverse impact on trees, landscaping or ecology by virtue of the proposed replacement planting and mitigation proposed.

Structure of this Submission

- 1.11 This Written Statement sets out the Appellant's Statement of Case and is structured as follows:
- **Section 2** provides a description of the site, an overview of the proposed development and considers the planning history of the site;
 - **Section 3** sets out the planning policy context and the key planning policies of relevance to the determination of the appeal;
 - **Section 4** considers the reasons for refusal, i.e. provides the Appellant's response on the principle issues; and
 - **Section 5** summarises the principle issues and draws together the Appellant's conclusions.

2. SITE AND SURROUNDINGS

The Site

- 2.1 The application site comprises part of the rear garden of the corner property known as 18 Moor Park Road. The site is located on the eastern side of Grove Road and is bordered to the north by the residential garden of 2 Grove Road and to the south by the rear garden of 18 Moor Park Road.



Aerial View of 18 Moor Park Road



Street Scene View of 18 Moor Park Road from Grove Road

2.2 As illustrated by the aerial view and street scene photographs above, the existing house is located in a large garden plot, is enclosed along Grove Road by a tall wooden fence. The principal elevation of the existing house fronts Moor Park Road to the south.

2.3 The site is not affected by designations such as Conservation Areas and Areas of Special Local Character.

The Proposed Development

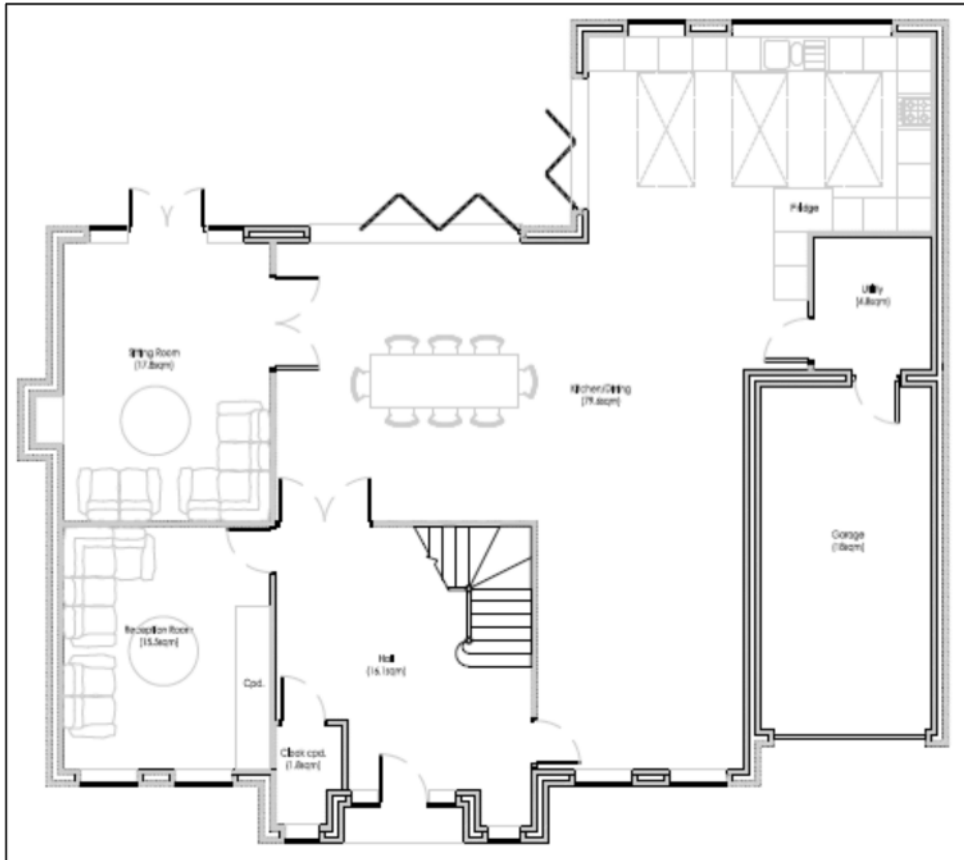
2.4 The application (LPA Ref: 21577/APP/2020/1972) sought the approval of full planning permission for the following:

“Erection of detached 5 x bed dwelling with associated parking and amenity space with new crossover to Grove Road.”

2.5 An extract of the proposed layout is included below along with the proposed floor plans and elevations.



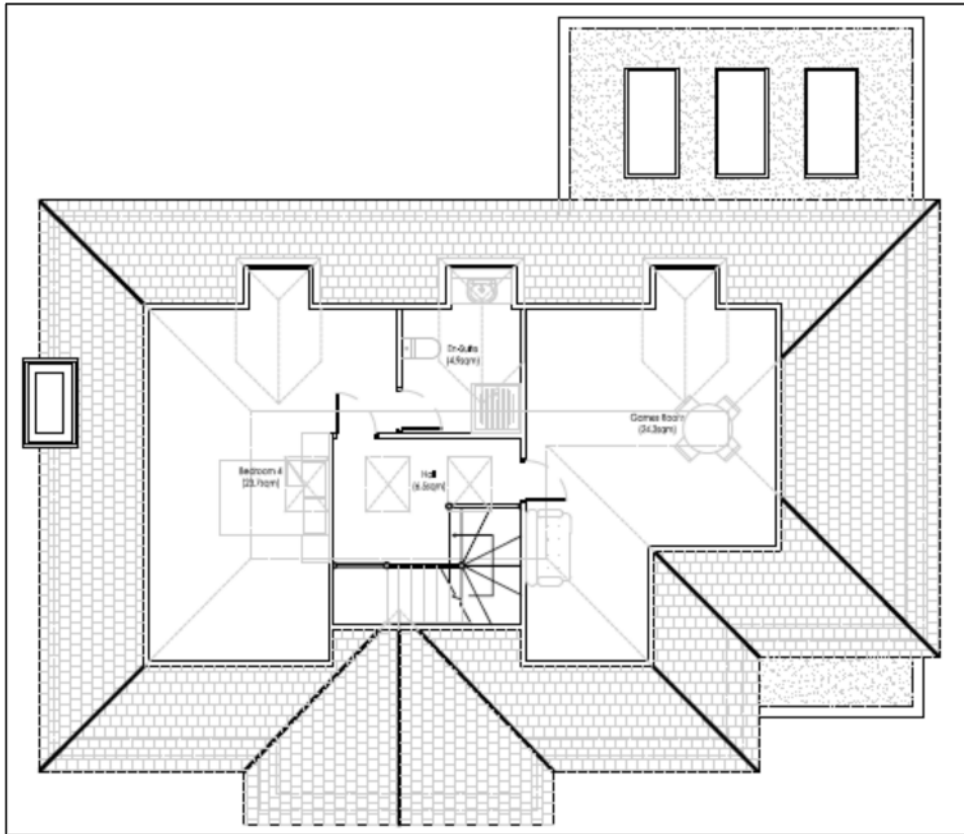
Proposed Site Location Plan



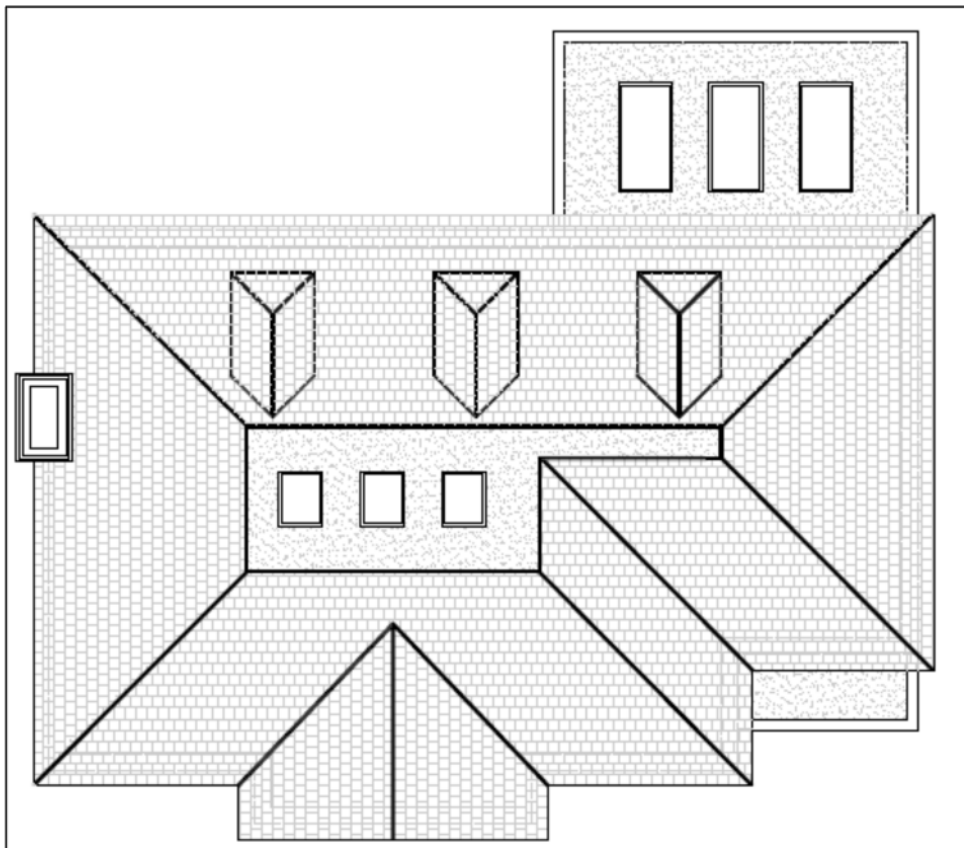
Proposed Ground Floor Plan



Proposed First Floor Plan



Proposed Loft Plan



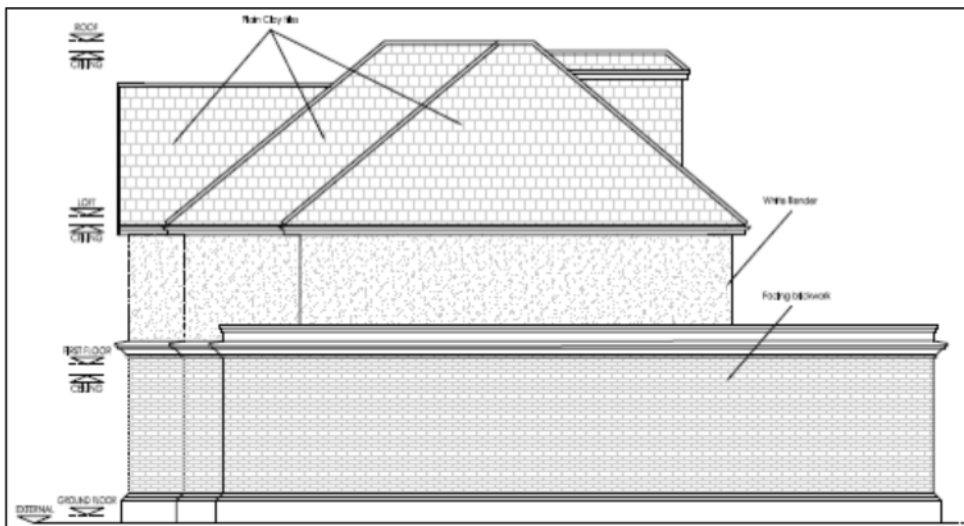
Proposed Roof Plan



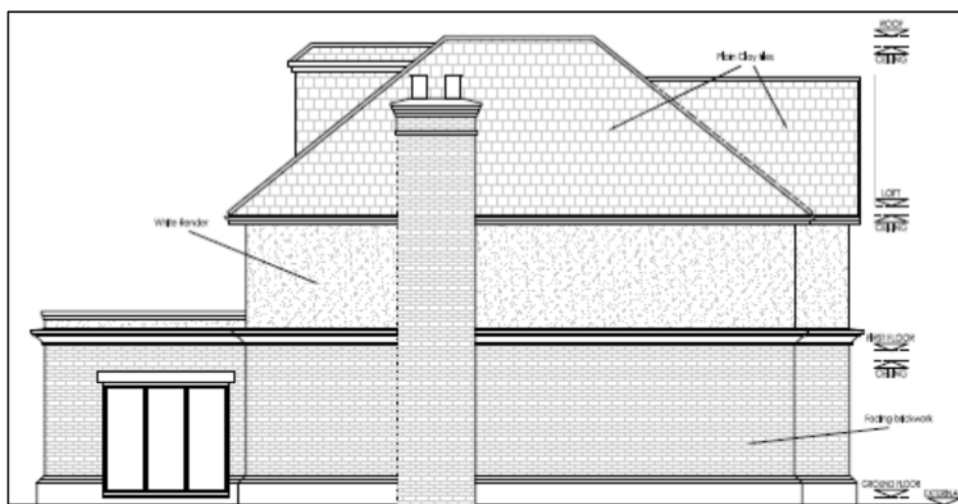
Proposed Front (West) Elevation



Proposed Rear (East) Elevation



Proposed Side (South) Elevation



Proposed Side (North) Elevation

Planning History

- 2.6 The following planning history is relevant to 18 Moor Park Road as displayed in the table below.

Ref	Site Name	Description	Decision	Date
74971/APP/ 2019/3169	Land to rear of 18 Moor Park Road, Northwood	The erection of a new pair of semi-detached dwellings, together with the formation of two new vehicle crossovers onto Grove Road	Refused	22/01/2020

- 2.7 Planning application 74971/APP/2019/3169 for two semi-detached dwellings was refused on the following grounds:

- Visual amenity, character and appearance of the surrounding area;
- Visual amenity of the street scene;
- Car parking standards; and
- Arboricultural impact.

1A Grove Road

- 2.8 The following planning history is also relevant to 18 Moor Park Road as displayed in the table below.

Ref	Site Name	Description	Decision	Date
14379/APP/ 2016/3279	1A Grove Road, Northwood	Two storey, 5-bed detached dwelling with habitable roof-space, associated parking and amenity space, involving demolition of existing bungalow	Refusal	01/02/2017

Ref	Site Name	Description	Decision	Date
14379/APP/ 2017/1592	1A Grove Road, Northwood	Two storey, 5-bed detached dwelling with habitable roof-space, parking and amenity space involving demolition of existing bungalow	Approved	02/08/2017

- 2.9 The photo below shows the dwelling that has been erected following the granting of planning permission 14379/APP/2017/1592 for a two storey 5 bed-dwelling.



Replacement two-storey dwelling opposite the proposed development (March 2020)



Completed replacement two-storey dwelling opposite the proposed development

- 2.10 The initial Application 14379/APP/2016/3279 for 1A Grove Road was recommended for approval by officers as being acceptable on the character and appearance of the area.
- 2.11 However, this recommendation was overturned by Members at North Planning Committee on 1st February 2017 and refused on the following grounds:
- Visual amenity of the street scene; and
 - Bulk and size of the proposal.
- 2.12 Application 14379/APP/2017/1592 was subsequently submitted and approved. This was similar to the previously refused scheme except for the width of the proposed dwelling had been reduced and moved slightly further away from the boundary with 24 Moor Park Road. The overall height of the main body of the dwelling was also reduced by 0.45m and the height of the roof of the two-storey side element was set down by 0.5m from the main roof height.
- 2.13 In addition, the double garage originally proposed, which extended to 1.89m of the southern site boundary shared with 24 Moor Park Road, was replaced by a single-storey garage that did not extend beyond the side elevation of the main dwelling, with a distance of 3.66m maintained between the side of the garage and the southern boundary.
- 2.14 The application was approved on 2nd August 2017 on the basis that:
- The proposed development was not considered to have a negative impact upon the visual amenity of the site or the surrounding area;
 - The proposed development would not result in the loss of residential amenity to neighbouring occupiers; and
 - The proposed development would provide a satisfactory level of residential amenity to future occupiers.

3. PLANNING POLICY CONTEXT

Introduction

- 3.1 This section of the Statement provides a summary of the relevant planning policy framework in relation to the site and the proposed development from the national through to the local level.
- 3.2 The key planning policies of relevance to the determination of the appeal are outlined below and a detailed assessment of the proposed development against these is provided in Section 4 (Reasons for Refusal) of this Statement.

National Policy

- 3.3 The legal requirement under Section 38(6) of the 2004 Planning and Compulsory Purchase Act is that planning applications be determined in accordance with the policies of the adopted development plan unless material considerations indicate otherwise.
- 3.4 The National Planning Policy Framework (NPPF) (February 2019) sets out the Government's planning policies for England. It is a material consideration in the determining of planning applications. Chapter 2 (Achieving Sustainable Development), Chapter 5 (Delivering a Sufficient Supply of Homes) and Chapter 11 (Making Effective Use of Land) are relevant to the proposed development.
- 3.5 Chapter 2 states that the purpose of the planning system is to contribute to the achievement of sustainable development. Sustainable development needs to be pursued in a positive way so much so that at the heart of the NPPF, is a presumption in favour of sustainable development (para. 11).
- 3.6 Chapter 5 identifies that in order to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient and variety of land can come forward where it is needed (see para. 70).
- 3.7 Chapter 11 clarifies that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions (see para. 122).

London Planning Policy

- 3.8 The London Plan (2016) is part of the adopted plan. It provides guidance on how applications for development should be treated within the London Region whilst the Mayor of London's Housing SPG (March 2016) also provides further guidance on the interpretation of existing policies within the London Plan as regards garden development.
- 3.9 The policies of relevance to the proposed development are summarised below:
- LPP 3.4: Optimising Housing Potential
 - LPP 3.5: Quality & Design of Housing Developments
 - LPP 6.9: Cycling
 - LPP 6.13: Parking
 - LPP 7.4: Local Character
 - LPP 7.6: Architecture

London Borough of Hillingdon Planning Policy

- 3.10 The application site is within the administrative LPA boundary of the London Borough of Hillingdon and the adopted development plan comprises Local Plan: Part 1 – Strategic Policies adopted November 2012; Local Plan: Part 2 – Development Management Policies adopted January 2020; and Local Plan: Part 2 – Site Allocations and Designations adopted January 2020.
- 3.11 The site is not subject to any specific designations such as Conservation Areas or designated heritage assets of importance as illustrated by the policies map extract below.



Proposals Map Extract

- 3.12 The policies located of relevance to this proposal, given the above, are set out below:

Part 1 – Strategic Policies

- BE 1: Built Environment

Part 2 – Development Management Policies

- DMH 6: Garden & Backland Development
- DMHB 11: Design of New Development
- DMHB 12: Streets & Public Realm
- DMHB 14: Trees & Landscaping
- DMHB 16: Housing Standards
- DMHB 18: Private Outdoor Amenity Space
- DMT 2: Highways Impacts
- DMT 6: Vehicle Parking

4. REASONS FOR REFUSAL

Introduction

- 4.1 As set out previously in this Written Statement, the proposed development was refused for the following two reasons:

“1. The proposed development, by reason of its siting and layout would result in a development of the site, which would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site as proposed, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the street scene and character and appearance of the area as a whole. The proposal is therefore detrimental to the visual amenity and character of the surrounding area and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016), the NPPF.

2. The application fails to demonstrate that the development will safeguard existing trees on/adjoining the site in as much that trees, shrubs and wildlife habitat cannot be retained or re-provided in the residual garden spaces and further fails to demonstrate protection for and long-term retention of the trees. The proposal is therefore detrimental to the visual amenity of the street scene and the wider area contrary to Policies DMH 6 Policy and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).”

- 4.2 However, careful reading of the Officer’s Delegated Report, makes it evident that the refusal hinges on an alleged conflict with Policies BE1, DMH6, DMHB 11 and DMHB 14 of the Local Plan and Policies 3.5 and 7.4 of the London Plan. It does not appear to hinge on an alleged conflict with Policy 7.1 of the London Plan which deals with Lifetime Neighbourhoods. So it is not clear why this policy has been referred to in the first reason for refusal.
- 4.3 This Section of the Statement has been set out using the following structure:
- The LPA’s reasons for refusal and consideration of the relevant policies; and
 - The Appellant’s response to each reason.
- 4.4 For ease, the reasons for refusal have been split into the following elements to be assessed in turn:
- Principle of Development;
 - Character & Visual Amenity of the Area;
 - Trees, Landscaping & Ecology; and
 - Other Matters.

Policy BE1: Built Environment

- 4.5 Policy BE1 is the overarching strategic policy. This policy requires new development to improve and maintain the quality of the built environment through a number of ways such as achieving a high quality in design in all new buildings; being appropriate to the identity and context of the area; and not resulting in the inappropriate development of gardens that erodes the character and biodiversity of suburban areas.

Policy DMH 6: Garden & Backland Development

- 4.6 Policy DMH6 deals specifically with proposals to develop in gardens. It states that whilst there is a presumption against loss of gardens due to the need to maintain local character, amenity space and biodiversity, in exceptional cases, a limited scale of backland development may be acceptable subject to certain criteria.

Policy DMHB 11: Design of New Development

- 4.7 Policy DMHB11 requires all new development to be designed to the highest standards and incorporate principles of good design including harmonising with the local context by taking into account the surrounding scale of development as well as aspects of architectural composition and quality of detailing.

Policy DMHB 14: Trees & Landscaping

- 4.8 Policy DMHB 14 states that existing trees, biodiversity or other natural features of merit should be retained or enhanced; that proposed landscaping should be appropriate to the character of the area; and where trees are to be removed that replanting is provided.

LPP 3.5: Quality & Design of Housing Developments

- 4.9 LPP 3.5 identifies that the design of all new housing developments should enhance the quality of local places including physical context; local character; and density.

LPP 7.4: Local Character

- 4.10 LPP 7.4 states that high quality design should respond to existing spaces in orientation, scale, proportion and mass as well as allow existing development to make a positive contribution to the character of a place by influencing the future character of an area.

Principle of Development

Policy BE1, LPP 3.5 & LPP 7.4

- 4.11 The LPA's first reason for refusal with regards to the principle of development relates to a perceived failure to comply with Policies BE1, LPP 3.5 and LPP 7.4.
- 4.12 The Officer's Delegated Report has taken the position that,

"The proposal involves development of a garden site in a residential area characterised by family housing with large undeveloped rear gardens being a prevailing characteristic and the issues relating to its siting and impact on character and thus the principle of development are discussed below, suffice to say that the proposal constitutes an unacceptable form of garden and back land development.

The loss of what is a residential rear garden and the impact of the proposed dwelling on the immediate locality is considered to be detrimental to the character and appearance of the surrounding street scene. The infilling of the gap, which at present provides an important break in the built form, would appear out of character with the pattern, scale and form of development within the surrounding area. The proposal is thus unacceptable in principle."

The Appellant's Response

- 4.13 The Appellant's would contend that the proposed development is in accordance with paragraph 122 of the NPPF which states that planning decisions should support development that makes efficient use of land taking into account the desirability of maintaining prevailing character and setting, because it is identical to the infill development on the opposite side of Grove Road, i.e. 1A Grove Road.
- 4.14 Furthermore, with reference to Criteria B of LPP 3.5 and LPP 7.4, the proposed development has been designed to take into consideration the physical context, local character and density. Again, it is identical to the infill development on the opposite side of Grove Road known as 1A Grove Road.
- 4.15 In regard to Policy BE1, the proposed development also complies with criteria 1 (high quality design), 2 (appropriate) and 9 (character, biodiversity & flooding) again, similar to 1A Grove Road. It also protects the amenity of the adjacent residential properties as discussed in the 'Other Matters' section below, which is not objected to by the LPA.
- 4.16 The appellant would contend that the approval of the dwelling at 1A Grove Road has changed the character and appearance of the area in this location and the proposed development is of a similar pattern, scale and form. Therefore the impact would be the same.
- 4.17 In addition, the Officer's report for 1A Grove Road noted that in respect of the principle of development, the site lay within an established residential area where there was no objection in principle to the intensification of the residential use, subject to other material planning considerations being acceptable. As such that redevelopment conformed with the NPPF well as policies within the London Plan and the then current Hillingdon Local Plan as regards effective use of land.
- 4.18 Furthermore, less than a mile from the site, on Hallowell Road, two appeals have been granted for developments similar to the proposed development that forms the basis of this appeal.
- 4.19 In 2017, an appeal was granted for a 3 bedroom dwelling on garden land to the rear of 37 - 41 Hallowell Road. This was despite the LPA's reason for refusal referring to the detrimental impact on the character, appearance and local distinctiveness of the area (Appeal APP/R5510/W/17/3183319 arising out of Application 71937/APP/2017/1864 – copy of appeal decision and plans attached as **Appendices 2 to 5**).
- 4.20 The appeal was allowed because the Inspector determined that the proposed development would reflect the scale and size of the adjacent dwellings; have adequate outside amenity space; and be hidden behind the more substantial dwellings on the frontage to Hallowell Road.
- 4.21 In a similar way, the proposed development at 18 Moor Park Rod reflects the scale and size of the adjacent dwellings; has adequate outside amenity space; and will be obscured behind the dwellings on the frontage to Moor Park Road.
- 4.22 In 2015, an appeal was also allowed for 2 no. two storey, 3 bedroom semi-detached dwellings with associated parking and amenity space, installation of vehicular crossovers to front, low level wall to front, fencing and bin storage on land to the rear of 115 & 117 Hallowell Road (Appeal APP/R5510/W/16/3152126 arising out of application number 68865/APP/2015/4684 – copy of appeal decision and plans attached as **Appendices 6 to 8**).

- 4.23 The appeal was against the LPA's failure to give notice of its decision within the prescribed period. However, the LPA's submission included an unsigned and undated Officer's Report which set out that, had the LPA been in a position to determine the application, one of the reasons it would have been refused planning permission related to the harm to the character and appearance of area and to the character and appearance of the Old Northwood Area of Special Local Character.
- 4.24 The appeal was determined, therefore, on the basis of the putative reasons for refusal. It was allowed because the Inspector determined that the proposed development would incorporate design cues and features from the surrounding architecture; and have sufficient shared characteristics with the existing buildings in the area that the development would be consistent with its character and appearance.
- 4.25 Furthermore, the Inspector also determined that whilst the appeal site is land that was historically part of a garden area, its location is such that it has a road frontage and would form part of a street scene and in this respect is not a typical tandem or backland development as the plot is of sufficient size; the outdoor amenity space exceeds the minimum requirements; and the separation between the proposed new houses and the existing properties either side would sufficient not to result in a cramped form of development.
- 4.26 The appellant would contend, that the appeal proposal at 18 Moor Park Road, in a similar way, also incorporates design cues and features from the surrounding architecture; has sufficient shared characteristics with the existing buildings in the area that would be consistent with its character and appearance; and is not typical tandem or backland development because it has road frontage; would form part of the street scene, is of sufficient size, the outdoor amenity space exceeds the minimum requirements; and the separation between the proposed new houses and the existing properties on either side would not result in a cramped form of development.
- 4.27 It should also be noted that the other allowed appeals were located in the Old Northwood Area of Special Local Character, where it is expected that a more restrictive policy framework would apply. That is not the case with this appeal proposal where no such designations apply.
- 4.28 Given the above, it is therefore considered that the proposed development is in accordance with NPPF Paragraph 122, LPP 3.5 and 7.4 and the Hillingdon Local Plan Policy BE1 as regards the principle of development.

Character & Visual Amenity of the Area

Policy DMHB11

- 4.29 The LPA's first reason for refusal states that the development fails to comply with Policy DMHB 11 as regards impact to the character and visual amenity of the area.
- 4.30 The Officer's Delegated Report has taken the position that,

"The main body of the proposed building measuring 15.4m in width and a maximum of 8.5m in depth set beneath a hipped roof with a maximum height of 8.5m. To the front this includes a 5.9m wide two storey element with a gable end feature set under the centre of the main hipped roof together with a side element comprising an integral garage on the ground floor with bedroom above. There is a single storey rear extension element with a depth of 3.7m, a width of 6.5m and set under a flat roof. Three small dormers are proposed in the rear roof slope. The dwelling is set in from the proposed southern boundary by 600mm, 1 metre from the northern boundary and between 4.994m and 5.42m from the pavement to the Grove Road frontage.

The submitted street scene indicates the scale of the dwelling would be generally consistent with others within the area.

In consideration of the form of development, it fails to follow the historic grain of the surrounding area. The houses along this stretch of road are defined by their painted rendered exterior and hipped pitched roof form. Their spacious plots and ample frontages relate to the suburban aesthetic of the surrounding area and original intent in which this part of Northwood had been developed in. The properties are comfortably positioned within their respective plots with ample gaps between the built forms maintaining a sense of rhythm along the road as well as providing a sense of openness to the street scene.

In comparison to neighbouring sites, the site area associated to the proposed property is significantly smaller with a limited rear garden, a minimal frontage and small gaps between the sites side boundaries, which would result in a cramped form of development and an unacceptable intensification of the existing site.

The eastern side of Grove Road is defined by close boarded fence line enclosing the rear gardens of no. 18 Moor Park Road and no. 2 Grove Road. The introduction of the proposed dwelling would disrupt the existing open, verdant character of the road. The development would appear as an isolated form along the eastern side, detrimentally altering the appearance of the street scene. Furthermore, it would establish an unwelcome precedent within this area, which would erode its well-defined character and appearance.

As such it is considered that the proposed development would be considered an incongruous addition within the area, which would fail to relate to the established local distinctiveness and would be out of keeping with the character and appearance of the street scene. Therefore, the proposal fails to comply with the requirements of Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)."

The Appellant's Response

- 4.31 The Appellant's would contend that the proposal is identical to the infill development at 1A Grove Road. This development has changed the prevailing character as well as the visual appearance to the area.
- 4.32 Furthermore, as stated in the Officer's Delegated Report, the scale of the proposed development is "*generally consistent with others within the area*" as it has a hipped pitched roof in keeping with adjacent properties, albeit an external finish of full render instead of the half brick/half render. But this could be easily changed, if needs be, by the imposition of a suitable condition.
- 4.33 With regard to the size of the plot and the frontage proposed, again it is similar with 1A Grove Road. The appeal proposal takes its design cues from the prevailing height and deep roof forms and design characteristics of the dwellings in the area, i.e. two storey front projections and part integrated garage to the side with a room above. It is therefore contended that the proposed dwelling would be in keeping with the character and appearance of the Grove Road Street Scene and the wider area. It would therefore comply with the requirements of DMHB 11. It would also add a symmetry to the pattern of development in the immediate vicinity by creating a sort of bookend gateway entrance to grove Road, when viewed in conjunction with the dwelling opposite at 1A Grove Road.

- 4.34 The proposed development would also be in keeping with existing properties along Grove Road as it will be enclosed with a dwarf wall and low-level planting to the front of the property.
- 4.35 Based on the above, it is contended the proposed development is in accordance with the criteria specified in the Hillingdon Local Plan Policy DMHB 11 as follows:
- the scale is in keeping with the surrounding area; the architectural composition, detailing, plot coverage & streetscape will be replicated on both sides of Grove Road creating an entrance gateway feature to the street; and there is no detrimental impact on residential amenity for existing properties or future occupiers of the proposed development. The building materials and finishes are in keeping with those approved at 1A Grove Road and any changes, e.g. full render, can be secured through a suitable worded planning condition. The internal design and layout are similar to that approved at 1A Grove Road and mitigation planting is proposed to offset the loss of 9 no. trees as discussed in more detail in the 'Trees, landscaping & Ecology' section below.
 - it protects the amenity of the adjacent residential properties as discussed in the 'Other Matters' section below.
the design of the proposed development is similar with that approved at 1A Grove Road.
 - the proposed development incorporates frontage parking, a rear garden and an integrated garage thereby providing sufficient space for the storage and collection of general, recycling and organic waste.

Trees, Landscaping & Ecology

Policy DMH 6 & DMHB 14

- 4.36 The LPA's second reason for refusal states that the development fails to comply with Policy DMH 6 & DMHB 14.
- 4.37 The Officer's Delegated Report states:

"This site is occupied by part of the back garden of a two-storey detached house at the junction with Grove Road, which runs along the side (west) boundary. This end of the garden features a number of established trees and shrubs which, together with the vegetation on neighbouring sites, contributes to the character and appearance of the area. There are no TPO's or Conservation Area designations affecting the site.

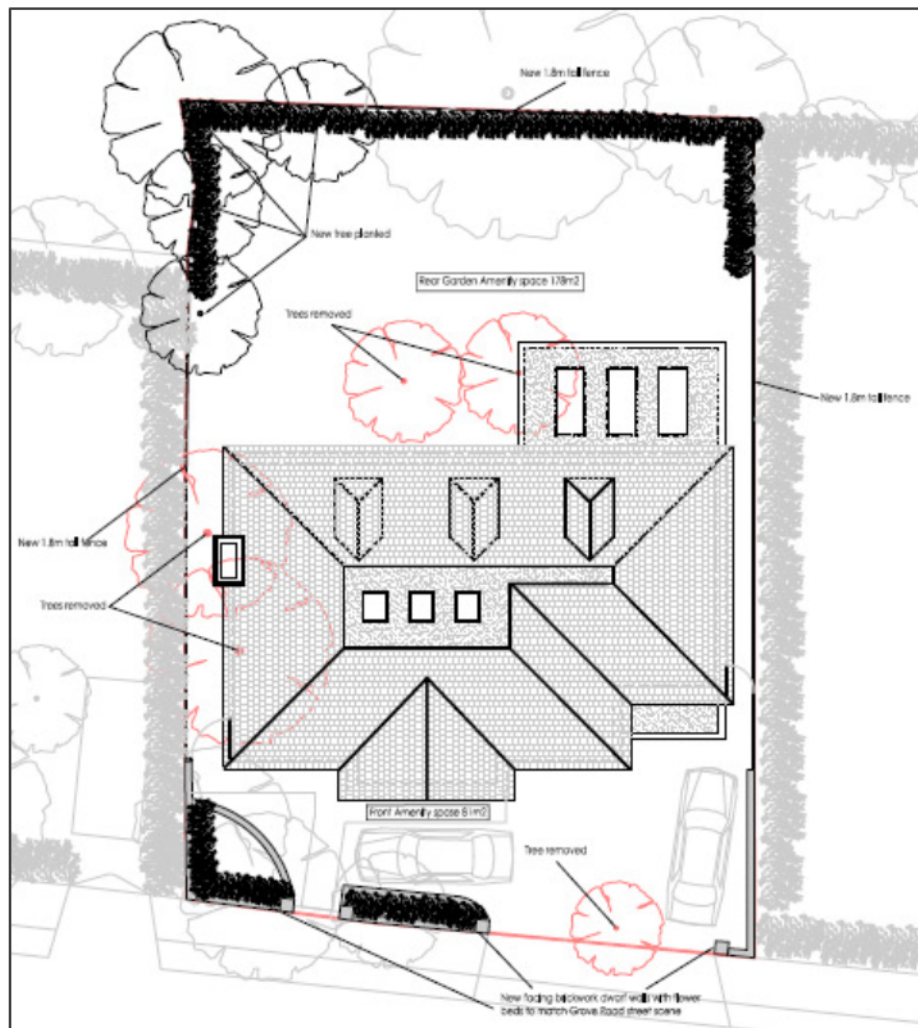
A tree report by Mark Welby has identified and assessed 13 trees which are on, or close to, the site. There are no 'A' grade trees. Three trees are category 'B': T8, a Lawson cypress and two off-site trees T12 Prunus and T13 Fraxinus. There are 2 'U' grade trees - of poor condition and value which can be removed in the interests of good management. The remaining trees are category 'C'. Within the site, 9 trees will be removed to facilitate the development, including the one 'B' grade specimen, Lawson cypress. The only surviving tree / shrub will be a Common privet - an unrefined plant for a small garden. The remaining off-site trees on the north and east boundaries will benefit the setting of the site (as borrowed landscape), however, the ash is shown to oversail the small rear garden and is likely to become a nuisance - with likely pressure from future occupants to control the canopy spread. - At approximately 5-7 metres from the back of the proposed house, ash is an unsuitable (vigorous and high water demand) tree to have close to a building. While the loss of individual 'C' grade trees is not normally seen as a constraint on development, the

cumulative impact of the removal of the group of nine trees will be detrimental to the character and appearance of the area. The front garden, fronting on to Grove Road will be dominated by hard standing for cars.

The application fails to satisfy policy DMH6 (v) in as much that trees, shrubs and wildlife habitat cannot be retained or re-provided in the residual garden spaces. The application also fails to satisfy DMHB 14 and should be refused."

The Appellant's Response

- 4.38 The 9 no. trees proposed for removal have already been removed by the owner of 18 Moor Park Road. They are not protected trees. Therefore they no longer are within the site the appeal site. There is no perceptible deterioration in the visual amenity of the area following their removal.
- 4.39 Furthermore, a significant amount of new replacement mitigation planting is proposed as part of the proposed development as illustrated by the extract of the site layout plan below.



Proposed Site Layout showing mitigation planting

- 4.40 In addition, the proposed hard standing front garden is similar the approved dwelling at 1A Grove Road and will be screened from Grove Road by a dwarf wall and some soft landscaping.
- 4.41 Given the above, it is therefore considered that the proposed development complies with the criteria of Policy DMH 6 as:
- (i) the boundary of the proposed development is at least 15m from the rear of the existing dwelling at no. 18 in keeping with that between 1A Grove Road and no. 24;
 - (ii) the proposed development will have frontage and access onto Grove Road so there will be no access road between dwellings;
 - (iii) the mass and scale of the proposed development is significantly reduced from the previously proposed scheme of a pair of semi-detached dwellings and in keeping with the surrounding area; and
 - (iv) the Arboricultural Impact Assessment submitted in support of the application clarifies that 9 no. trees will be removed but also that a scheme of replacement planting can be secured through a suitably worded planning condition should the appeal be granted.
- 4.42 It is also in accordance with Hillingdon Local Plan Policy DMHB 14 (A) as existing landscaping, trees and biodiversity will be enhanced through the provision of new replacement mitigation planning; (B) an indicative landscape scheme has been proposed on the site layout plan and a detailed scheme for hard and soft landscaping can be secured through a suitably worded planning condition; and (D) an arboricultural impact assessment and arboricultural method statement were submitted in support of the application. The site layout plan incorporates replanting of new trees on-site. A detailed soft landscaping plan can be secured through a suitably worded condition. Consequently, the claim by the LPA that trees, shrubs and wildlife habitat cannot be re-provided is refuted.

Other Matters

- 4.43 The Officer's Delegated Report addresses the following other matters:
- Density;
 - Residential Amenity;
 - Living Conditions for Future Occupiers;
 - Highways & Transportation;
 - Urban Design, Access & Security;
 - Disabled Access;
 - Archaeology, CAs, LBs or Areas of Special Character;
 - Airport Safeguarding;
 - Impact on the Green Belt;
 - Provision of Affordable & Special Needs Housing;
 - Sustainable Waste Management;
 - Renewable Energy/Sustainability;
 - Flooding/Drainage Issues; and
 - Noise/Air Quality Issues.
- 4.44 In relation to density, the Officer's Delegated Report confirms that the density matrix is of *"limited value when looking at small scale development such as that proposed"* and that *"it is often more appropriate to consider how the [proposed] development harmonises with its surroundings and its impact on adjoining occupiers."*
- 4.45 The Officer's Delegated Report confirms that with regards to residential amenity, the proposed development,

“would not significantly impact of the amenity of the adjoining neighbours by reason of significant loss of light, loss of outlook, sense of dominance or loss of privacy in accordance with Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020).”

- 4.46 It also confirms that, in relation to living conditions for future occupiers, the proposed development exceeds the minimum internal floor space standards; that all the habitable rooms would have an *“adequate outlook and source of natural light”* and so complies with LPP 3.5; and the 178sqm of good quality and usable private outdoor amenity space proposed exceeds the 100sqm minimum provision and so complies with DMHB 18.

- 4.47 In relation to highways and transportation including parking provision, new carriageway crossover on Grove Road, vehicular trip generation and operational refuse requirements, the Highway Authority are,

“satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).”

- 4.48 With regards to urban design, access and security, they are covered throughout the Officer’s Delegated Report and this Written Statement and in relation to disabled access, a suitably worded planning condition requiring compliance with Category 2 M4(2) dwelling as set out in Approved Document M to the Building Regulations (2010) is acceptable to the appellant.

- 4.49 In relation to archaeology; airport safeguarding; green belt; affordable and special needs housing; sustainable waste management; renewable energy/sustainability; flooding/drainage issues; and noise/air quality issues, the Officer’s Delegated Report confirms that they are not applicable to the proposed development and so are not considered further in this Statement.

5. SUMMARY AND CONCLUSIONS

- 5.1 The reasons for refusal and the officer's report have been considered in the context of national and local policy as well as other material considerations which are of relevance to the appeal site and the proposed development.
 - 5.2 It is contended that it has been demonstrated that the proposed development accords with the NPPF, London Plan and Hillingdon Local Plan.
 - 5.3 It has been demonstrated that the appeal should be allowed as the benefits of the proposed development outweigh any harm when assessed against national and local policy, including that there would be no adverse impact on density, residential amenity, living conditions for future occupiers or highways safety.
 - 5.4 Furthermore, the change to the character of the area has already taken place by the grant of planning permission for 1A Grove Road which is located opposite the appeal proposal. Consequently, the proposed development is in keeping with the character and visual amenity of the area is in keeping and will have no material adverse impact over and above what has already taken place.
 - 5.5 In regard to trees, ecology and landscaping, the trees proposed for removal have been removed which has not resulted in material harm to the character and appearance of the area. New replacement mitigation planting will be provided and a detailed hard and soft landscaping plan can be secured through a suitably worded planning condition should the appeal be allowed.
 - 5.6 Therefore, the proposed development is considered to accord with planning policies at both the national and local level.
 - 5.7 It is considered that there are a number of material considerations in support of the application such as:
 - The proposed development would not constitute an unacceptable form of garden and back land development and is provided for in principle by policy.
 - The character of the area has been changed by virtue of the approval of the dwelling at 1A Grove Road.
 - The proposed development would not have a detrimental impact on the character given the similarity with 1A Grove Road.
 - The proposed development would not have an adverse impact on trees, landscaping or ecology by virtue of the proposed replacement planting.
 - 5.8 Accordingly, it is therefore considered that the proposed development is acceptable, and it is respectfully requested that the appeal is allowed.
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