



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Rivergate Homes Ltd

Proposal:
Variation of Condition 2 (Development in Accordance with Approved Plans) of planning permission Ref: 73184/APP/2017/3359 dated 05/12/2017 (Two x 2-storey, 3-bed dwellings with habitable roof space, parking and amenity space and single storey cycle shed) to add a parking bay in front of plot 1 with new access from Pine Needle Lane (private road) and associated landscaping changes

Appeal Site:
Land Rear of 140-142 Green Lane, Northwood, HA6 1AN

Our Ref:
Your Ref:

73184/APP/2021/2561
APP/R5510/W/21/3283796

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 its refusal to grant planning permission at Land R/O 140-142 Green Lane, Northwood for 'Variation of Condition 2 (Development in Accordance with Approved Plans) of planning permission Ref: 73184/APP/2017/3359 dated 05/12/2017 (Two x 2-storey, 3-bed dwellings with habitable roof space, parking and amenity space and single storey cycle shed) to add a parking bay in front of plot 1 with new access from Pine Needle Lane (private road) and associated landscaping changes' The LPA refused planning permission on 24.08.2021, for the following reasons (as stated on the decision notice):
1. The proposed parking bay Infront of plot 1, by reason of the siting would result in an over dominated expanse of hardsurfacing/built form that would be detrimental to the character and appearance of this verdant suburban setting. Therefore the proposal would be contrary to Policies G5 and G7 of the London Plan (March 2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHD 1, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
 2. The proposed parking bay Infront of plot 1, by reason of the siting would lead to an overprovision of parking for the family dwelling and whole site alongside a substantial threat to the highway and pedestrian/occupiers conditions of the area. Therefore the proposal would be contrary to Policy T6 of the London Plan (March 2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHD 1, DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- 1.2 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report, along with copies of relevant planning policies have already been provided for the Inspector as part of the questionnaire.
- 1.3 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's Statement of Case

2. LPA Comments on Appellant's Statement of Case

- 2.1 Pages 3-5 of the Appellants Statement of Case (section 1) refers to the Appellants case.
- 2.2 Paragraph 1.5 of the Appellants Statement of Case states that the appeal proposal 'allows for a wide band of landscaping across the front of the site frontage.' As per the officer's report, the surrounding area of Northwood has a leafy, verdant setting

and the host site already would have an expanse of hardstanding to the side and also to the front of Plot 2 noting the existing Private Access Road – Pine Needle Lane. It is crucial that developments of this type are not overly dominated in hardstanding. If the only approved part of soft landscaping (73184/APP/2019/3325 – Conditions 4 and 6) to the front of Plot 1 (front and side boundaries including grassed area) was to be taken away, the overall site plot would be dominated with built form/hardstanding. Whilst appreciating the new dwellings would have rear gardens and a small strip of soft landscaping in front of the proposed new parking bay (Church Road), this would not be sufficient enough to reduce the dominance of hardstanding that is proposed as part of the appeal scheme. As per the second refusal reason, the site would already accommodate sufficient parking so why would there need to be additional unnecessary parking to the detriment of the character and appearance of the site and area by adding unnecessary hardstanding.

- 2.3 The Appellant is correct in that the proposed alternative layout would provide space for planting of the trees shown on the approved landscaping details - (73184/APP/2019/3325 – Conditions 4 and 6). However, these areas would be more squeezed for planting due to the expanse of hardstanding being proposed. The area to the front would have some form of area for planting but this wouldn't be enough to reduce the harm that would be caused by the expanse of hardstanding. Furthermore, the strip of planting facing Pine Needle Lane would not be able to be provided given the proposal for a parking bay. The siting and overall expansion of hardstanding is unacceptable.
- 2.4 Paragraphs 1.7 – 1.9 of the Appellant's Statement of Case discusses the second reason for refusal. The Appellant states that the intention of the proposal is to provide 'more conveniently located space.' Whilst this would be the case, as one space would be provided to the front of Plot 1, the proposal would result in 3 parking spaces for the 3 bedroom dwelling which is a clear overprovision. The two tandem approved spaces to the rear would be retained. Whilst officers appreciate the convenience of the proposal of one parking space to the front of Plot 1, this is to the detriment of excessive parking and loss of important (and to an extent, the only) frontage soft landscaping. As mentioned in the previous paragraphs, the proposal would mean the frontage soft landscaping as discharged – 73184/APP/2019/3325 - Conditions 4 and 6 could not be laid out. Removal of one of the 'tandem' parking spaces as mentioned under paragraph 1.7 of the Appellants Statement of Case would remove the concerns of overprovision (so part of the refusal reason) as there would be no net increase in parking spaces to that originally approved - 73184/APP/2017/3359. However, a condition to do this as suggested by the Appellant would not be the correct and acceptable approach to undertake this commitment and would not in any event address the Council's concerns in relation to refusal reason one, or the highway/pedestrian/occupier safety concerns element of refusal reason two (see below).
- 2.5 The other element of the second refusal reason relates to the proposed siting of the parking bay. The Appellant under paragraph 1.8 of the Statement of Case states that the 'approved situation has the potential for plot 1 having to reverse out of its parking spaces and potentially into the public highway if the turning area within the car park is occupied.' Officers would like to point out that the appeal proposal relates to the variation of the approved scheme - 73184/APP/2017/3359. Condition 4 (Boundary Treatment) and 6 (Landscaping) of this permission were discharged –

73184/APP/2019/3325 on 18/10/2019. The approved landscaping plan - 17 / 3445 / 50 clearly shows that 'plot 1' does not have parking to the front of the house and the area would have a pedestrian/occupier access leading to the entrance door with soft landscaping around this path and along the front/side boundary. A large area of the frontage of Plot 1 would be 'grassed area.' So it can clearly be seen that the area to the front does not have an 'approved situation' of parking. Removal of the approved access path and having a further parking bay that would gain its access from the Private Road – Pine Needle Lane, as per the officer's report would create an environment that is likely to threaten the highway safety of the area. Most importantly, future occupiers of the development and those that currently use the network and private road would be impacted from the siting and use of the private road from Plot 1. Plot 2 has already been approved with parking and predominantly hardsurfaced frontage. Copying this over to Plot 1 would be unacceptable.

- 2.6 A Swept Path (21.90 – 001) was submitted and demonstrated the course of the manoeuvre. However, the general siting of the bay would result in substantial concerns to the highway and pedestrian environment alongside occupier safety.
- 2.7 Any minor benefits resulting from the provision of a 'convenient' parking space for one dwelling would not outweigh the demonstrated harm.
- 2.8 The Council's Statement of Case has not repeated the points raised within the decision of the application. However, the above points have been made against the Appellants Statement of Case.

3. Other Matters

- 3.1 None.

4. Conclusion

- 4.1 For the reasons set out in the delegated report and this statement, the proposal would result in a dominant and excessively hardsurfaced frontage and site plot alongside overprovision of parking that would be to the detriment of highway/pedestrian/occupier conditions of the site and area. The Inspector is therefore respectfully requested to dismiss the appeal.
- 4.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions is included at Appendix 1.

Appendices

Appendix 1 – The LPA's Recommended Conditions

Planning Officer's delegated report and copies of the relevant planning policies have been provided with the appeal questionnaire.