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# Appeal Decision

Site visit made on 2 February 2022

**by S Edwards BA MA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 8 March 2022**

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**Appeal Ref: APP/R5510/W/21/3283796**

**Land rear of 140-142 Green Lane, Northwood HA6 1AN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 for the development of land without complying with conditions subject to which a previous planning permission was granted.
  - The appeal is made by Mr N Morrison (Rivergate Homes Ltd) against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 73184/APP/2021/2561, dated 25 June 2021, was refused by notice dated 24 August 2021.
  - The application sought planning permission for "Two x 2-storey, 3-bed dwellings with habitable roof space, parking and amenity space and single storey cycle shed" without complying with a condition attached to planning permission Ref 73184/APP/2017/3359, dated 5 December 2017.
  - The condition in dispute is No 2 which states that: *"The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 17/3445/1 Rev.A and 17/3445/3"*.
  - The reason given for the condition is: *"To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the Local Plan (March 2016)"*.
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## Decision

1. The appeal is dismissed.

## Background and Main Issues

2. Planning permission has previously been granted for the construction of a pair of semi-detached dwellings to the rear of nos 140-142 Green Lane. The approval, which is currently being implemented, includes the formation of a large car parking area to the side of plot 2, providing spaces for plot 1 in a tandem arrangement and for the flats at no 142 Green Lane. The appeal proposal would provide additional parking for the dwelling on plot 1.
3. The main issues are the effect that the proposed changes would have on (1) the character and appearance of the surrounding area, and (2) the promotion of sustainable transport and alternative modes of transport, and highway safety.

## Reasons

### *Character and appearance*

4. The appeal site forms part of an established residential area, which is predominantly characterised by a mixture of detached and semi-detached houses. Properties are typically set back from the road frontage, behind small

front gardens which, in many instances, include hardstanding areas for the use of parking. The consistent front building line and domestic scale of the properties fronting Church Road, together with the established soft landscaping, give the area a pleasant suburban feel.

5. By reason of the modest size of the front garden, the creation of the proposed parking area would leave very limited scope for the provision of meaningful landscaping. In the absence of further details to the contrary, I find it unlikely that planting would be able to thrive in such a constrained area. The proposed parking area, together with the extensive hardstanding areas previously approved to the front and side of the dwelling on plot 2, would create a harsh environment, which would detract from the pleasant suburban character and appearance of the site's surroundings. It is therefore considered necessary to retain the area to the front of the dwelling on plot 1 as a landscaped front area to soften the visual impact of the development.
6. The proposed changes would have a detrimental impact on the character and appearance of the surrounding area. Accordingly, it would conflict with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies<sup>1</sup> (LPP1), Policies DMHD 1, DMHB 11, DMHB 12 and DMHB 14 of the Hillingdon Local Plan: Part Two – Development Management Policies<sup>2</sup> (LPP2), and Policies G5 and G7 of the London Plan<sup>3</sup>. These require new development to be designed to the highest standards, and be well integrated with the surrounding area.

#### *Highway safety*

7. Policy DMT 6 of the LPP2 and Policy T6 of the London Plan set out maximum parking standards for development. These are linked on the Public Transport Accessibility Levels (PTALs). The appeal site has an Outer London PTAL rating of 2-3, which generally requires dwellings with three or more bedrooms to be provided with one parking space.
8. The proposed changes would enable the formation of a parking space to the front of the dwelling on plot 1. This would be in addition to the 2 parking spaces which were approved as part of the extant scheme. The siting of the additional parking space may be more convenient for the occupiers of the dwelling, but limited information has been presented to justify the increase in the overall number of spaces. The appeal site lies within an accessible area and in the absence of further evidence to the contrary, the overprovision of parking for a single dwelling would encourage use of the private car and fail to promote alternative, more sustainable modes of transport.
9. The appellant's submissions show that vehicles could enter and leave the site in a forward gear, by reversing onto the adjacent Pine Needle Lane, which is used by a number of residents of neighbouring properties. However, the appeal is not supported by detailed information to demonstrate that this private road is within the control of the appellant, or that he benefits from legal rights over it. Whilst no objection has been raised by the Local Highway Authority, the proposed arrangement would increase the risk of conflicts with other users of Pine Needle Lane, especially due to the lack of visibility which would be experienced when reversing onto this private road.

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<sup>1</sup> November 2012.

<sup>2</sup> January 2020.

<sup>3</sup> March 2021.

10. The appellant would be willing to forego one of the tandem spaces, I am also mindful that the appeal process should not be used as means to progress alternatives to a scheme that has been refused. The changes which have been alluded to are not reflected on the plans before me and, having regard to the available information, this is not a matter which could be overcome by imposing a condition.
11. The appeal scheme would lead to an excessive level of car parking being provided as part of the development, which would fail to contribute to the promotion of sustainable modes of transport. It would also compromise the ability of pedestrians, in particular, to use the private road in a safe and convenient manner, thus prejudicing highway safety in the area. The proposal would therefore fail to accord with the design aims of Policy BE1 of the LPP1, Policies DMHD 1, DMT 1, DMT 2, DMT 5 and DMT 6 of the LPP2 and Policy T6 of the London Plan. Amongst other things, these require development proposals to address transport impacts in a sustainable manner and provide a high quality and safe public realm.

### **Conclusion**

12. For the reasons detailed above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

*S Edwards*

INSPECTOR