
Appeal Decision

Site visit made on 12 January 2022

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/F5540/W/21/3274839

32 Cross Lances Road, Hounslow TW3 2AA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Zia Mohammed against the decision of the London Borough of Hounslow.
 - The application Ref 00327/32/P3, dated 25 January 2021, was refused by notice dated 7 May 2021.
 - The application sought planning permission for erection of a part single part two-storey side and rear extension with first floor rear balcony to allow for the conversion of the house into three self-contained flats without complying with a condition attached to planning permission Ref 00327/32/P2, dated 13 November 2019.
 - The condition in dispute is No 7 which states that:
Before the development hereby permitted is first occupied or brought into use, the Local Planning Authority shall be informed of the agreed naming and numbering of the proposed dwellings so that arrangements can be put in place to ensure that, with the exception of a person eligible for a disabled person's badge issued pursuant to section 21 of the Chronically Sick and Disabled Persons Act 1970 (or similar legislation), no resident of the development shall obtain a resident's parking permit. Any occupiers of the approved development shall surrender any such permit wrongly issued or held.
 - The reason given for the condition is:
To protect the free flow and safety of traffic on nearby highways and to support sustainable transport objectives; in accordance with Local Plan policy EC2.
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Decision

1. The appeal is dismissed.

Background

2. In November 2019 planning permission was granted for the conversion of the appeal property into three flats subject to a series of conditions. In doing so the Council imposed a condition preventing future occupiers of the development obtaining resident's parking permits. The appellant is seeking to remove this condition.

Main Issue

3. The main issue is whether Condition 7 is necessary and reasonable having regard to the safe and efficient operation of the local highway network.

Reasons

4. Policy EC2 of the London Borough of Hounslow Local Plan (HLP) promotes car-free development where appropriate. In locations of high public transport

accessibility and where there are controlled parking zones car parking will be actively managed. This is to secure a more sustainable local travel network and maximise opportunities for walking, cycling and public transport as well as improving health and well-being. Policy T6 of the London Plan (2021) (LP), at criterion B, states that car-free development should be the starting point for all development proposals in places that are well-connected by public transport.

5. Cross Lances Road and the neighbouring streets are subject to parking restrictions in the form of yellow lines and resident permits. The property is located within PTAL 6(a) with a good level of services, facilities and public transport in close proximity.
6. At the time of my visit on a weekday morning, I observed significant pressure for parking on Cross Lances Road. On surrounding roads, I also observed pressure for on street spaces. Whilst I acknowledge that this is a snapshot in time, based on my observations, it is evident that on street parking is in demand.
7. The appellant contends that the occupants of the existing dwelling could apply for up to 5 permits. However, I have not been provided with any evidence to support this claim. Moreover, I note that two of the flats would be capable of being occupied by a family which would likely generate greater demand for on street parking spaces. I have not been provided with any evidence to demonstrate there is spare capacity on Cross Lances Road or surrounding roads to cater for the parking demand resulting from the development.
8. There is an absence of substantive evidence to demonstrate that removal of Condition No 7 would not result in unacceptable parking stress in the area. Consequently, the scheme would not accord with HLP Policy EC2 and LP Policy T6.

Conclusion

9. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR