

Appeal Decision

Site visit made on 20 January 2015

by D Cramond BSc MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 26 January 2015

Appeal Ref: APP/R5510/D/14/2229852

44 Reservoir Road, Ruislip, HA4 7TU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Subhadeep Biswas against the decision of the London Borough of Hillingdon.
 - The application Ref 11644/APP/2014/3329 was refused by notice dated 14 November 2014.
 - The development proposed a double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - living conditions for residents of the appeal property;
 - highway and pedestrian safety;
 - the health of a street tree; and
 - parking provision on the site and locally.

Reasons

3. The appeal property is a detached two storey dwelling in a street of varied house types. It is located almost alongside the extensive Ruislip Lido and its parkland. The proposal is as described above and would provide for increased living and bedroom accommodation with two parking spaces at right angles to the street to the front of the extension.

Living conditions

4. The Council is concerned that were the proposed development to progress the ensuing four or five bedroom house should have provision of at least 100 square metres of amenity space whereas only about 88 sqm would be provided. The requirements stem from the Council's Supplementary Planning Document HDAS: Residential Extensions (SPD). However this document can not be expected to cover every eventuality and in this instance, given the very extensive recreational area virtually 'next door' in the form of the Lido

parkland, I consider it would be reasonable to allow a degree of flexibility from the standards.

5. *On this issue* I therefore conclude that the development would not run contrary to the relevant objectives of the SPD or Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) (LP) which are concerned with ensuring development provides for sufficient amenity space.

Highway and pedestrian safety

6. The Council's concern on this issue rests on the scheme seeming to provide an excessively wide crossover, in combination with others, which would be to the detriment of highway and pedestrian safety. I deal with the practicality of providing a suitable crossover later. However, assuming that the kerb would be dropped as would be the norm behind each of the proposed right angle frontage parking spaces, then a run of dropped kerb would be created which even alongside the neighbours' entrance, I find would not be out of place in a street with residential frontages such as found here. I appreciate that the road is well use by pedestrians and vehicles but visibility all round would be reasonable and there would be an expectation by most that cars may be entering or exiting the numerous dwellings and crossing this footway which is of reasonable width. Furthermore the additional movements from the scheme on and off the highway would be minimal.
7. I therefore conclude that *on this issue and in respect of a new crossing* the development would not conflict with objectives of Policies AM7 and AM14 of the LP which are concerned with ensuring suitable parking arrangements, traffic free flow and highway and pedestrian safety.

Street tree

8. An imposing street tree lies between the appeal property and the road edge. It is positioned close to where one of the intended driveway parking spaces would lead to cross-footway movement and has raised roots which would clearly be driven over in the normal operation of this north-easternmost space. The form of this tree and its roots system would appear to prevent the suitable positioning of a usual dropped kerb arrangement if the health of the tree was to be ensured. The Appellant has provided no Arboricultural evidence to the contrary. It would be very important in visual amenity terms that this tree's health is not threatened. The Appellant states that there is no intent to drop the kerb here, but for the proper operation of this space it would have to lowered and the footway smoothed. I could not condone such a step on the information I have before me and the evidence of my site visit.
9. *On this issue* I therefore conclude that the development would run contrary objectives of Policy BE38 of the LP which is concerned with ensuring suitable retention of landscape and trees in the interests of amenity and quality of the environment.

Parking provision

10. Given that I conclude that one of the parking spaces could not operate properly without undue risk to the health of the street tree then I would assess the proposal as only incorporating the provision of one parking space. This would fall below the usually applied, and in my view in this location, reasonable, requirements of the Council to have at least 2 off street parking spaces for a 4

bed house. Publicly available parking is not overly generous in availability terms locally. The near side of the road which fronts the appeal property has no parking permitted. The street, on its other side, must help serve other homes without scope for frontage parking and some of the visitors to the nearest point of the Lido. On a plot of this size for a dwelling of this scale I see no need to compromise on parking provision and doing so would unnecessarily cause additional demand for on-street parking and impinge upon highway safety as well as convenience and amenity for other local residents and visitors.

11. I note the space(s) delineated on the submitted plans are shown at the absolute minimum and this is measured between the outside face of the front of the proposed extension and the back edge of footway. The driveway would be fairly steeply sloping. The planned dimensions leave no room at all for cautious spacing to the wall and many cars would in practice over-hang the footway and there would be no on-site space to allow for any manoeuvring whatsoever. This would not be conducive to pedestrian safety and adds to my concern over the nature of the planned parking provision.
12. Taken as a whole the proposal is simply too tight for this scale of home in this position. I conclude on this issue that the appeal scheme would conflict with Policy AM14 of the LP and the SPD where they are concerned with ensuring suitable on-site parking for dwellings.

Other matters

13. I do sympathise with the wish for additional accommodation. I note the on-street parking arrangements which are available. I appreciate that the extension has not been subject to aesthetic criticism by the Council. The Residents Association did not object to the scheme. I have carefully considered all the points raised by the Appellant but these matters do not outweigh the concerns which I have in relation to two of the main issues as identified above.
14. I confirm that policies in the National Planning Policy Framework have been considered; the Council's policies which I cite mirror relevant objectives within the Framework.

Overall conclusion

15. For the reasons given above I conclude that whilst the appeal proposal would not have unacceptable adverse effects on the living conditions for residents of the appeal property or highway and pedestrian safety from a wider cross-over it would not be acceptable in terms of impact upon the health of a street tree and parking provision on the site and locally. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR