
Appeal Decision

Site visit made on 10 April 2017

by David Prentis BA BPI MRTPI

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

Decision date: 05 May 2017

Appeal Ref: APP/R5510/D/15/3140839
65 Hillingdon Road, Uxbridge UB10 0AE

- 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 Mrs Jamila Khatoon against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70355/APP/2015/3316, dated 5 August 2015, was refused by notice dated 11 November 2015.
 - The development proposed is installation of vehicular crossover to front.
 - This decision supersedes that issued on 31 March 2016. That decision on the appeal was quashed by order of the High Court.
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Preliminary matter

1. I have used the description of development set out in the Council's decision notice, rather than that given on the application form, because it provides a more complete description of the proposed development.

Decision

2. The appeal is allowed and planning permission is granted for installation of vehicular crossover to front at 65 Hillingdon Road, Uxbridge UB10 0AE in accordance with the terms of the application, Ref 70355/APP/2015/3316, dated 5 August 2015, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Plan; untitled plan showing dimensions of crossover; Location Plan; Block Plan
 - 3) Pedestrian visibility splays of 2.4m x 2.4m (or as much of such splays as can be accommodated within the site) shall be provided within the site before the crossover hereby approved is brought into use. Thereafter, the pedestrian visibility splays shall be maintained free of all obstructions to visibility between the heights of 0.6m and 2.0m above the level of the adjoining highway.

Main issue

3. The main issue is the effect of the proposal on highway safety.
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Reasons

4. Hillingdon Road (A4020) is a classified Principal Road and is part of the Strategic Road network. The western side is characterised by suburban houses arranged in semi-detached pairs and short terraces. The appeal property is a typical example, being a mid-terrace property. A major redevelopment project known as St Andrews Park is underway on the eastern side of the road. A new signal controlled junction has been created immediately to the north of the appeal property in order to provide an access into St Andrews Park. The public highway in front of No 65 comprises a broad footway, a bus lane, two northbound traffic lanes, one right turning lane and a central reservation. The southbound lanes are on the other side of the reservation.
5. On the western side of the road the great majority of the properties already have vehicle crossovers serving parking areas in front of the houses. The Council points out that many of these are historic. That may be so but it does not change the fact that this stretch of road is already characterised by numerous domestic accesses. In general terms the appeal scheme would do little to alter the present situation. There is no evidence that the current layout is unduly hazardous.
6. Moreover, the Council has permitted a new crossover nearby (at No 61) as recently as November 2015. There is no evidence that the nature of the highway, including the presence of the bus lane, has changed since that decision was taken other than through the creation of the new junction. It is therefore reasonable to assume that there are no grounds for an in principle objection to an additional access in this part of Hillingdon Road, subject to any site-specific considerations.
7. The inter-visibility between a driver emerging from the appeal site and pedestrians on the footway would be good. There is also good visibility to the south such that the driver would have ample time to see oncoming traffic. The nub of the Council's case is that an emerging vehicle would enter Hillingdon Road at the point where there is a stop line for the new signal controlled junction. However, I see no reason to think that this would be inherently unsafe. If the lights were at red, the emerging driver may need to wait for any queue of cars to clear. If traffic were flowing freely, the driver would have to wait for a suitable gap just as others currently do. The key point is that the emerging driver would be able to see the traffic signals and act accordingly.
8. The Council argues that vehicles may leave the property in reverse. That is indeed a possibility but it is no different from the existing situation at many other accesses nearby. It is also argued that traffic will increase as a result of the St Andrews Park development. However, the highway layout is such that traffic emerging from St Andrews Park would not interact with traffic from the appeal site. Any traffic approaching from the south turning into St Andrews Park would be in the dedicated right turn lane before it reached the appeal property.
9. My overall assessment is that the proposal would not be harmful to highway safety. I find no conflict with Policy AM7 of the Hillingdon Unitary Development Plan which states that development should not prejudice the free flow of traffic or conditions of highway or pedestrian safety.

10. The personal circumstances of the appellant are such that her mobility is restricted and she requires assistance from family members. Whilst I have taken account of these circumstances, as these are matters which could only add weight to my findings on the main issue it is not necessary for me to comment further. Given that I have decided to allow the appeal, it is not necessary for me to comment on the appellant's concerns in relation to the Human Rights Act.
11. The Council has suggested conditions which I have considered in the light of Planning Practice Guidance. A condition requiring development to be in accordance with the plans is needed to reflect that guidance. A condition requiring the provision and maintenance of pedestrian visibility splays is needed in the interests of the safety of users of the footway.
12. In conclusion, the proposal would accord with the development plan. I have not identified any factors which indicate that the appeal should be determined other than in accordance with the plan. The appeal should therefore be allowed.

David Prentis

Inspector

Location Plan



65 Hillingdon Road
UB10 0AE

OS MasterMap 1250/2500/10000 scale
21 October 2014, ID: JEW-00370863
maps.johnnewright.com

1:1250 scale print at A4, Centre: 506010 E, 183659 N

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100025568

Mapping
sourced from

Ordnance
Survey



copyshop@bovilles.co.uk
tel: 01895 450321

Proposed Plan

Client: Mrs
Jamila
Khateeb

Address: 65

Hillingdon
Road
Uxbridge
Middlesex
UB10-0AE

Scale
Bar 1:100

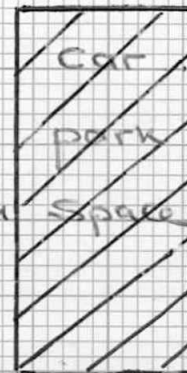
64

65

66

Flower
Bed

paving



4.8 M

2.4 M

Grass Area

← 2.4 M →

POST
R.F.C.

Drop pavement

← 4.57 M →

BT BT BT

0 1 2 3 4 5 6 7 8 9 10

Scale 1:100 @ A3

HILLINGDON ROAD