
Appeal Decision

Site visit made on 11 July 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 8th August 2017

Appeal Ref: APP/R5510/D/17/3176808

269 Victoria Road, Ruislip, Middlesex, HA4 9DF

- 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 Tom Ford against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 38872/APP/2017/80, dated 19 December 2016, was refused by notice dated 13 March 2017.
 - The development proposed is described as extending crossover and parking to front garden.
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Decision

1. The appeal is allowed and planning permission is granted for extending crossover and parking to front garden at 269 Victoria Road, Ruislip, Middlesex, HA4 9DF in accordance with the terms of the application, Ref 38872/APP/2017/80, dated 19 December 2016, 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 approved plans, identified by the Council as: *Location Plan (1:1250)-received 18 Jan 2017*; and, *Proposed site layout-received 18 Jan 2017*.
 - 3) The external surface of the development hereby permitted shall be constructed in the materials matching those of the existing crossover.

Main Issues

2. I consider that the main issues in this case are the effect of the proposal on: the character and appearance of the locality; and, the safety and convenience of highway users.

Reasons

Character and appearance

3. No. 269 is a terraced house that fronts onto the northeastern side of Victoria Road, which is a Classified Road. The house is set back from the back edge of
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the footway beyond an area of hardstanding large enough to accommodate 2-3 parked cars.

4. An existing crossover leads from Victoria Road to the southeastern section of the parking area. To the northwest of the crossover, a footway runs alongside the front boundary line of No. 269 and it is separated from the carriageway by a verge containing a young street tree. The street tree, together with others along Victoria Road, makes a positive contribution to the character and appearance of the locality by softening the appearance of built development thereabouts.
5. The proposal involves the extension of the existing crossover to the northwest by a distance of around 1.5 metres, part way across the existing verge and towards the street tree. Whilst the Council's Trees/Landscape Officer has indicated that those works would encroach on the root protection area as defined by 'NJUG guidance', the officer has not identified the extent of that root protection area. Given the limited proportions of the tree and position of the proposed works, set apart from and to one side of the tree, in my view the level of encroachment would be unlikely to be significant. Under these circumstances, I consider it unlikely that the proposed development would harm the health or stability of the tree. My finding in this regard is supported by the report of Tree Sense Arboricultural Consultants, submitted in support of the appeal. Furthermore, based on the condition of the ground, it appears likely that much of that area of verge is already routinely over-run by vehicles and there is no evidence before me to show that action would be taken to prevent such manoeuvres in the event of planning permission being withheld in this case.
6. I conclude that the effect of the proposal on the character and appearance of the locality would be acceptable and it would not conflict with Policies BE13, BE19 or BE38 of the *London Borough of Hillingdon Unitary Development Plan Saved Policies* (UDP), Policy BE1 of the *Hillingdon Local Plan: Part 1-Strategic Policies or the HDAS*, which, insofar as they seek to ensure that development has regard to local character as well as give encouragement to the promotion of local distinctiveness and safeguarding of the natural environment, are consistent with the aims of the *National Planning Policy Framework* (the Framework).

Safety and convenience of highway users

7. The Council has indicated that, in conjunction with the adjoining crossover at No. 271, the proposed enlarged crossover would create an unacceptable width. However, I give little weight to the Council's assertion that the width would exceed its standing advice with regard to acceptable dimensions for crossovers, as a copy has not been provided nor its status confirmed.
8. The *Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document-Residential Extensions, 2008*, indicates that a wide crossover will not be acceptable where there will be a danger to pedestrians. The Council has suggested that the combined width of the adjoining crossovers at Nos. 269 and 271 would make inadequate provision for pedestrian refuge, to the detriment of pedestrian safety. However, this section of Victoria Road is straight, the front boundary of No. 269 is open and that of No. 271, insofar as it is enclosed, is bounded by a low wall. Therefore, intervisibility between drivers entering or leaving those properties and pedestrians approaching along

the adjacent footway is likely to be good. Furthermore, I consider that the likelihood of more than one vehicle undertaking such a manoeuvre at any particular time would be likely to be small. Under these circumstances, the proposal would be unlikely to increase the risk of vehicles coming into conflict with pedestrians using the footway along the frontages of Nos. 269 and neighbouring dwellings.

9. The Council has indicated that the provision of 3 parking spaces at the front of No. 269 would be contrary to UDP Policy AM14, as the Council's parking standards indicate that 2 spaces should be allocated per dwelling. However, as the hardstanding at the front of the appeal site already has capacity for 3 cars to park and there is no evidence to show that the area would be likely to be reduced in the event of dismissal of this appeal, I give little weight to that Policy conflict. To my mind, the proposed crossover would ease access to the northwestern section of the parking area, making it less likely that vehicles would have to manoeuvre back and forth to park, which might otherwise increase the risk of them coming into conflict with passing pedestrians.
10. Many of the properties along Victoria Road have frontage parking spaces and I have not been provided with any compelling evidence to show that vehicles reversing from them into Victoria Road have a significant adverse effect on the free flow of traffic. I consider it unlikely that the use of the proposed extended crossover by vehicles associated with a single dwelling, No. 269, would have a material adverse effect on the free flow of traffic along the highway.
11. I conclude overall, that the effect of the proposal on the safety and convenience of highway users would be acceptable and it would not conflict with UDP Policy AM7 or the HDAS insofar as they seek to ensure the provision of safe access, in keeping with the aims of the Framework.

Conditions

12. The Council has suggested 3 conditions, which it considers should be imposed in the event of planning permission being granted. In addition to the normal commencement condition, a condition would be necessary, in the interests of certainty, to ensure that the works would be carried out in accordance with the approved application plans. Furthermore, in the interests of visual amenity, a condition would be necessary to ensure that the materials used in the external surface of the development would match those of the existing crossover.

Conclusions

13. I conclude on balance, that the scheme would amount to sustainable development under the terms of the Framework and it would accord with the Development Plan taken as a whole. For the reasons given above, I conclude that the appeal should be allowed.

I Jenkins

INSPECTOR