

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)**

PLANNING STATEMENT

Dropped kerb to facilitate front garden parking.

On behalf of Mrs. Sadqah Ghani

22 St. Anselms Road, Hayes, Middlesex, UB3 1SB



RTPI

mediation of space · making of place

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1 SITE AND SURROUNDINGS

- 1.1 The application site is located on St. Anselms Road and is a two-storey semi-detached residential property which consists of two apartments; 22 and 22A.
- 1.2 The surrounding area is predominantly residential in nature and consists of similar style and character.
- 1.3 The property is not located within a conservation area nor is the property listed.
- 1.4 It is noteworthy that many properties within the immediate vicinity have a dropped kerb to facilitate front garden parking. This includes immediate neighbours 25 St. Anselms Road and 16 St. Anselms Road.

2 RELEVANT PLANNING HISTORY

- 2.1 There is no relevant planning history pertaining to the application site.

3 PROPOSED DEVELOPMENT

- 3.1 Dropped kerb to facilitate front garden parking.

4 PLANNING POLICY

- 4.1 MHCLG's National Planning Policy Framework (2019)
- 4.2 MHCLG's National Planning Practice Guidance (Online)
- 4.3 GLA The London Plan (2016)
- 4.4 Hillingdon Local Plan (Part one)
- 4.5 Hillingdon Local Plan (Part two)
- 4.6 Hillingdon residential Extensions Guidelines (2008)

5 MATERIAL CONSIDERATIONS

Character and Appearance

- 5.1 The London Plan (2016) Policy 7.6 states architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape.
- 5.2 The London Plan (2016) policy 7.4 states development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings.
- 5.3 In addition to this, paragraph 124 of the NPPF attaches great importance to the design of the built environment and states that good design is paramount.
- 5.4 Policy BE1 of the Hillingdon Local plan [Part one] (2018) states new developments should improve and maintain the quality of the built environment in order to create successful and sustainable neighborhoods.
- 5.5 Policy DMHB 14 of the Hillingdon Local Plan [part two] (2018) states that all developments will be expected to retain or enhance the existing landscaping, trees, biodiversity or other natural features of merit.
- 5.6 Moreover, the Hillingdon local plan emphasizes the importance to retain mature and semi-mature trees when creating a vehicular crossover, as they contribute to the overall streetscene of the area.
- 5.7 The existing hardstanding of the application site measures in 3066mm in width. The total available area for parking is 18sqm. Therefore, there will be no requirement to alter the front garden, the existing character and appearance of the house or the streetscape would remain the same.
- 5.8 This proposal does not affect existing trees located on the street as there are no trees directly located outside of the property which

would be disrupted by the dropped kerb, thereby maintaining the existing streetscape.

- 5.9 The dropped kreb will measure in 4000mm across the pedestrian path and 2400mm at the entrance point onto the property.
- 5.10 The creation of off-street parking will create a more appealing street through reducing the congestion of on street parking.
- 5.11 The proposal is therefore in accordance with The London Plan (2016), policies 7.4 and 7.6; the LB of Hillingdon Local Plan (2018), policies BE1; The NPPF.

Amenity

- 5.12 Policy 6.3 of the London Plan (2016) states that development proposals should ensure that impacts on transport capacity and the transport network, at both a corridor and local level, are fully assessed. The policy emphasises that development should not adversely affect safety on the transport network. In addition, Policy AM7 of the saved policies of the Unitary Development Plan (2008) states *"The local planning authority will not grant permission for developments whose traffic generation is likely to (ii) Prejudice the free flow of traffic or conditions of general highway or pedestrian safety."* And Policy AM14 state that any *"new development will only be permitted where it is in accordance with the council's adopted car parking standards as set out in annex 1."*
- 5.13 The proposal seeks to enhance the private amenity of the occupants of 22 St. Anselms road through providing off street parking.
- 5.14 The application site does not propose walls along the boundary lines of the front garden and therefore there is no visual obstruction from the pedestrian walkway. This ensures protection from exiting vehicles.
- 5.15 Moreover, the 6000m width and 3066mm depth of the front garden is considered a sizeable area which could accommodate a vehicle without overhanging the public highway or blocking access to the property. Furthermore, it is noteworthy that the Hilington's Car

parking standards recommends that the minimum dimension for parking bay is 2400mm x 4800mm. Therefore, the front garden can comfortably facilitate a vehicle without negatively impacting pedestrian safety.

- 5.16 Paragraph 11.3 of the Residential Extension Guidance (2008) recommends "the front garden should be large enough to allow a car to park at a right angle to the road without overhanging the pavement". However, it should be noted that this is merely guidance and should not be enough reason to refuse a proposal that would not be prejudice to pedestrian safety.
- 5.17 The car, when parked would be positioned across the driveway as shown on the submitted plans. This would be no different than no. 16 St. Anslem road.
- 5.18 Evidently, the proposal is in accordance with the LB of Hillingdon Local plan (2018), policy DMHB 15 and would not be harmful to neighboring amenity.

Pedestrian and highway safety

- 5.19 The Local Hillingdon plan [part two] (2018), Policy DMHB 15 states that all new development should ensure safe and attractive public and private spaces, which includes the maximization of natural surveillance.
- 5.20 The Hillingdon local plan states the importance of creating off street parking opportunities located within view of residence to be able to create a natural surveillance, thus naturally encouraging a safer environment.
- 5.21 The creation of additional parking encourages natural surveillance and therefore promotes safety and are in accordance with the LB of Hillingdon Local plan [part two] (2018), policy DMHB 15.
- 5.22 Moreover, the application site does not propose walls along the boundary lines of the front garden and therefore there is no visual

obstruction from the pedestrian walkway. This ensures further protection from exiting vehicles.

- 5.23 The application site is located on a road with a one-way system which operates at the speed of 30mph. Both these factors reduce the risk of collision for vehicles exiting from a vehicular crossover.
- 5.24 Whilst the vehicle may not be able to both enter and exit the parking space in a forward gear and will be parked side-ways, adjacent to the street, the safety risk of the development is fairly low as pedestrians will have a clear, uninterrupted view and forewarning of any vehicle entering or leaving the hardstanding.
- 5.25 Please refer to appendix 1 of this statement where the argument for the positioning of such parking was put forward for 61 Worcester road, a similar property based in Hillingdon.
- 5.26 Paragraph 5 of the Planning Inspectorate's decision states:

"there, as I saw, a car may be parked virtually parallel to the road without overhanging the footway. This arrangement was approved in 2004 and appears to work satisfactorily. I have not been made aware of any difficulties experienced by pedestrians using the footway, or by drivers of vehicles in the highway since the hardstanding at no. 49 was formed. There is no logical reason to conclude that the current proposal, if implemented, would have any different effects, prejudicial to highway and pedestrian safety. In this respect, pedestrians using the footway or vehicle drivers would have a clear uninterrupted view and forewarning of any vehicle entering or leaving the proposed hardstanding, and could therefore stop and take avoiding action, if the need arose; their safety would not be put at undue risk"

- 5.27 The proposed development will therefore be in accordance with the LB of Hillingdon local plan and the London Plan.

6 CONCLUSION

- 6.1 This proposal would not be prejudicial to pedestrian and highway safety.
- 6.2 The proposal would not be harmful to the character and appearance of the area.
- 6.3 Overall the proposed development is in accordance with the provisional London Plan, policies 6.3, 7.4 and 7.6; the LB of Hillingdon local plan (2018), policies DMHB 14, 15 and BE1; paragraph 24 of the NPPF.

Appendix 1

Decision notice for 1 Worcester Road

Appeal Decision

Site visit made on 23 February 2016

by G Powys Jones MSc FRTPI

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

Decision date: 01 March 2016

Appeal Ref: APP/R5510/D/15/3139769

61 Worcester Road, Cowley, Middlesex, UB8 8TH

- 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 Miss Sarah Daniels against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71026/APP/2015/2528, dated 13 July 2015, was refused by notice dated 10 September 2015.
 - The development proposed is a vehicle access with hardstanding.
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Decision

1. The appeal is allowed and planning permission is granted for a vehicle access with hardstanding at 61 Worcester Road, Cowley, Middlesex, UB8 8TH in accordance with the terms of the application Ref 71026/APP/2015/2528, dated 13 July 2015, subject to the conditions identified in the attached Schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on highway and pedestrian safety, and on local parking.

Reasons

3. The appeal property is semi-detached and stands within a large housing estate comprised of a mixture of property types. The appellant proposes forming a hardstanding to the front of her property, currently a small lawn, to be used for parking a car.
 4. Many residents in the locality have formed harstandings to the front of their dwellings so as to provide parking spaces. The appeal property, however, is different to most in that it is sited further forward in its plot. It would not be possible for a car to be parked at right angles to the road without overhanging the adjacent footway, since the front garden is of insufficient depth to accommodate the full length of a car.
 5. However, the appellant proposes an arrangement similar to that granted permission by the Council at a neighbouring property, 49 Worcester Road. There, as I saw, a car may be parked virtually parallel to the road without overhanging the footway. This arrangement was approved in 2004, and appears to work satisfactorily. I have not been made aware of any difficulties experienced by pedestrians using the footway, or by drivers of vehicles in the highway since the hardstanding at No 49 was formed. There is no logical
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reason to conclude that the current proposal, if implemented, would have any different effects, prejudicial to highway and pedestrian safety. In this respect, pedestrians using the footway or vehicle drivers would have a clear, uninterrupted view and forewarning of any vehicle entering or leaving the proposed hardstanding, and could therefore stop or take avoiding action, if the need arose; their safety would not be put at undue risk.

6. The Council point to an access to a garage court adjoining the property, but this appears not to be well used, and would be separated from the proposed hardstanding by the path used to gain access to the appeal property. The prospect of the Council's feared conflict arising is, in my view, remote.
7. An on-street parking space would be lost if the appeal proposal proceeded. However, that loss would be mitigated by the provision of the car-parking space subject of the appeal proposal. Accordingly, although I have no reason to doubt that the demand for on-street parking spaces locally is high, since there would be no net loss of parking spaces in the locality, an increase in the current level of on-street parking congestion as a consequences of the proposed development is highly unlikely.
8. I conclude that the proposed hardstanding could be formed without harming pedestrian or highway safety, and without increasing local parking congestion. Accordingly, no conflict arises with those provisions of policies AM7 & AM14 of the Hillingdon Local Plan: Part Two – Saved UDP Policies directed to the provision of adequate car parking and pedestrian and highway safety.
9. The Council's suggested condition that the development shall be carried out in accordance with the approved plans shall be imposed, to achieve certainty.
10. Reference has been made to other development plan policies, but those to which I have referred are considered the most relevant.
11. All other matters raised in the representations have been taken into account, including the views of local residents. I have already dealt with the main planning-related points raised, and the relocation of light standards is a matter usually arranged between developers and the highway authority. No other matter raised is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: The OS location plan and the unreferenced proposed site layout plan.