
Appeal Decision

Site visit made on 13 September 2016

by **C L Humphrey BA (Hons) DipTP MRTPI**

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

Decision date: 22nd September 2016

Appeal Ref: APP/R5510/D/16/3155551

12 Park Way, Ruislip HA4 8NY

- 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 Pravin Sachania against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 16656/APP/2016/1110, dated 6 March 2016, was refused by notice dated 16 May 2016.
 - The development proposed is a new vehicular access.
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Decision

1. The appeal is allowed and planning permission is granted for a new vehicular access at 12 Park Way, Ruislip HA4 8NY in accordance with the terms of the application, Ref 16656/APP/2016/1110, dated 6 March 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 following approved plans: Drawing No. PW PA 01 Rev B.
 - 3) The development hereby permitted shall not be brought into use until the 1m high fence has been erected in accordance with the details shown on Drawing No. PW PA 01 Rev B. Once erected the fence shall be retained thereafter.

Main Issue

2. The main issue is the effect of the proposed development on the free flow of traffic and highway and pedestrian safety.

Reasons

3. The appeal site is located on the corner of Acacia Avenue and Park Way, which is a classified road. Visibility along Park Way is good since at this point the road is fairly straight and level for more than 100m in both directions. There are no parking restrictions on Park Way in the immediate vicinity of the appeal site. At the time of my site visit, which took place early afternoon, I did not observe any on street parking along Park Way near to the appeal site. I noted that Park Way was carrying moderate levels of vehicular traffic, none of which appeared to be travelling at excessive speed. Traffic on Acacia Avenue was light. I saw very few pedestrians walking along the footway on the northern side of Park Way in front of the appeal site.
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4. The majority of dwellings along Park Way have vehicular accesses to the front, including 14 Park Way adjacent to the appeal site and 10 and 8 Park Way on the opposite side of the junction with Acacia Avenue.
5. The appeal site currently has a vehicular access from the side, off Acacia Avenue, rather than the front. There is an opening in the front site boundary, beyond which is an area of hard surfacing set in front of tall gates. However this does not currently provide vehicular access to the site. The appeal proposal seeks planning permission for the creation of a vehicular access in this location, which would be served by a crossover measuring 4.5m wide at the edge of the carriageway reducing to 2.5m at the back of the footway.
6. In a previous appeal decision¹ relating to the site the Inspector considered that the proposed creation of a 4.8m wide opening within the site boundary would enable more than one vehicle to use the access at the same time which, it was concluded, could prejudice the safety of pedestrians and drivers. In order to address this matter, it is proposed that the width of the opening to the appeal site would be restricted to 2.5m through the erection of a 1m high 'L' shaped fence as shown on the submitted plans.
7. Due to the residential nature of the appeal site, I would not expect the proposed development to give rise to a significant number of additional vehicle movements. Given the number and frequency of existing vehicular accesses from Park Way, drivers would be aware of the possibility that vehicles may manoeuvre in and out of the appeal site and would thus be vigilant. Similarly, pedestrians would be alert to the likelihood of vehicles entering and exiting the site and would exercise caution accordingly. Drivers seeking to manoeuvre in and out of the appeal site are unlikely to do so at speed. There is no evidence before me that the appeal proposal would prejudice road safety to such an extent that the residual cumulative impact of the proposed development would be severe.
8. For the reasons set out above, I therefore conclude that the proposed development would not have an adverse effect upon the free flow of traffic and highway and pedestrian safety. As such, the appeal proposal would accord with the highway safety aims of Policy AM7 of the Hillingdon Local Plan: Part Two – Saved Unitary Development Plan Policies and the Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Extensions.

Conditions

9. I have imposed a condition specifying the relevant drawings as this provides certainty. In the interests of highway safety, I have also imposed a condition requiring the implementation and retention of the proposed 1m high fence.

Conclusion

10. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

C L Humphrey

INSPECTOR

¹ APP/R5510/D/15/3137021