

Appeal Decision

Site visit made on 13 December 2016

by Elaine Gray MA(Hons) MSc IHBC

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

Decision date: 23 December 2016

Appeal Ref: APP/R5510/W/16/3160275

26 Hoppner Road, Hayes, Middlesex UB4 8PY

- 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 Parvinder Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71523/APP/2016/2218, dated 13 June 2016, was refused by notice dated 12 September 2016.
 - The development proposed is single storey rear and part single storey side extension, front porch and conversion of existing dwelling into 2 x 2 bedroom self-contained flats with associated car parking and amenity space and installation of vehicular crossover.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal varies between the application form and the subsequent documents. I have used the description on the decision notice as it describes the proposal more accurately.

Main Issues

3. The main issues are the effect of the proposal on a street tree adjacent to the site, and the effect of the proposal on highway safety in the area.

Reasons

Street tree

4. The appeal site at 26 Hoppner Road is located within a predominantly residential area. On the pavement just outside No 26 is a street tree, which is identified by the Council as a Norway Maple 'Crimson King'. On my visit, I noted that street trees are an important characteristic of Hoppner Road, and I agree that this particular tree makes a valuable contribution to the visual amenity of the surrounding area.
 5. The proposal would divide the appeal site into two self-contained flats. Policy AM14 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies 27th September 2007 (UDP) requires new development to accord with the adopted car parking standards set out in Annex 1. A maximum of 1.5 spaces is required for each new flat or house which does not have an
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individual curtilage. Two new spaces would be provided to the rear of the site, and one new space would be provided on the frontage of No 26.

6. To facilitate the use of the front space, a dropped kerb and pavement crossover would be required. The Council's Tree and Landscape Officer has raised concerns that the excavation works required to install the dropped kerb would affect the roots of the street tree, leading to its loss. UDP Policy BE38 seeks to protect trees and landscaping, and requires applicants to provide an accurate tree survey showing the location, height, spread and species which would be affected by development proposals.
7. The proposed site plan shows that the edge of the proposed crossover would be located approximately 750mm from the tree. At such close proximity, the works would be highly likely to affect the root protection zone of the tree, which could result in its being damaged. The appellant states that the dropped kerb would not interfere with the tree, but has not provided any technical evidence to support their case.
8. In the absence of an arboricultural survey or report of the type required by UDP Policy BE38, I am unable to be certain that the street tree would not be harmed or lost as a result of the development. That being the case, I conclude that the proposal would fail to comply with UDP Policy BE38.
9. The appellant states that the three cars currently belonging to the household at No 26 are parked on the street. The provision of off-street parking would therefore be of benefit to parking provision in the area. Whilst that may be so, this benefit would not outweigh the harm that would arise from the loss of the street tree.

Highway safety

10. The Council's second reason for refusal relates to the standard of the proposed parking space to the front of the appeal site. The planning officer's report makes reference to a proposed crossover of a maximum width of 3m. Whilst this width was proposed to avoid harm to the tree, the Council considered that it would be inadequate for parking on the front space, and would encourage on-street parking, or queuing whilst a driver was manoeuvring to negotiate the crossover.
11. Submitted plan S1B shows that the revised proposed crossover would achieve a width of approximately 4.6m on the kerb line. I note that the appellant contests the need for this width, and states that narrower crossovers have been installed elsewhere. Nonetheless, if the scheme were to be found otherwise acceptable, I consider that this proposed dimension would be adequate for a single vehicle to use the off-street space efficiently, and without detriment to highway safety.
12. On the second issue, I therefore conclude that the proposal would not harm highway safety in the area. It would therefore comply with UDP Policy AM14, which requires new development to be in accordance with the Council's adopted car parking standards.

Conclusion

13. Despite my finding that the development would not harm highway safety, it has not been satisfactorily demonstrated that the street tree would not be

harmful by the proposal. Taking all other matters into consideration, I therefore conclude that the appeal should be dismissed.

Elaine Gray

INSPECTOR