The Planning Inspectorate

Appeal Decision

Site visit made on 13 June 2017

by Oliver Blower MA (T&CP)

a person appointed by the Secretary of State for Communities and Local Government

Decision date: 5 July 2017

Appeal Ref: APP/R5510/D/17/3173330
376 Victoria Road, Ruislip HA4 0EP

- 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 Roger Daoud against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 40981/APP/2016/4368, dated 17 November 2016, was refused by notice dated 9 March 2017.
- The development proposed is described as "Vehicle Crossing/Drop Kerb".

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr Roger Daoud against the London Borough of Hillingdon. This application is the subject of a separate Decision.

Main Issues

3. The main issues are the effect of the development, firstly, on highway safety and, secondly, on the character and appearance of the house and area.

Reasons

Highway safety

4. The appeal relates to a mid-terrace house with a small front garden facing Victoria Road, a busy classified road. To the front of the site is a well-used pavement and close by, to the north-east, is a junction with Manningtree Road. The proposal seeks to drop the kerb in front of the property and create a vehicular crossover to allow parking on what is now the front garden.

5. The development plan includes the London Borough of Hillingdon Unitary Development Plan saved policies, September 2007 (UDP). UDP policy AM7 seeks to ensure that permission will not be granted for development whose traffic generation is likely to prejudice the free flow of traffic or conditions of general highway or pedestrian safety.

6. The proposed development does not have sufficient space to allow the turning of a vehicle in forward gear. Thus vehicles would either reverse into Victoria Road, moving into the path of drivers looking left to turn into Manningtree, or reverse into the bay by first stopping in the road. As a result, in either

scenario, a vehicle using the proposed crossover would disrupt the free flow of traffic on Victoria Road and increase the risk of collision – particularly as I observed traffic in this location moves at speed. I therefore conclude that the proposed development would cause unacceptable harm to highway safety, contrary to UDP policy AM7.

7. I acknowledge that the appellant is concerned for the safety of vehicles parked on the road, yet these concerns only serve to reinforce my view that the road accommodates fast moving traffic and that vehicles reversing into it would pose a danger to highway safety. I also note that the house has a garage to the rear accessed from Manningtree Road by a gated lane, thus off street parking is already available to the appellant.

Character and appearance

8. UDP policy BE13 seeks to ensure that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area. UDP Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. UDP Policy BE38 seeks that development proposals will be expected to retain and utilise topographical and landscape features of merit and provide new planting and landscaping wherever it is appropriate.

9. Further guidance is given in the Hillingdon Design and Accessibility Statement Supplementary Planning Document: Residential Extensions 2008 (SPD). This recommends that where parking layouts are altered as part of an extension to a property at least 25% of the front garden may be required to be maintained for planting and soft landscaping; and where an opening has to be made in an existing fence or wall, it should be kept to a minimum.

10. Houses nearby, including many of those with existing vehicular access, retain low boundary walls and/or vegetative screening. These features provide attractive boundaries to the curtilages of buildings, which contribute positively to the appearance of houses and the residential character of the area. The development would entail the removal of the front garden wall and hedge, and does not propose any soft landscaping. Thus it would lead to the loss of a characteristic feature, to the detriment of the character and appearance of the house and area, contrary to UDP policies BE13, BE19, BE38, and the SPD.

11. I note that some other nearby dwellings have off street parking, including 374 and 380 Victoria Road. However I am not aware of their planning history and I note that they retain parts of their front boundary wall, so they are not directly comparable to the proposal.

Conclusion

12. Consequently, for the reasons given above and having had regard to all other matters raised, I dismiss the appeal.

Oliver Blower

Appointed Person