
Appeal Decision

Site visit made on 7 August 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 29th August 2017

Appeal Ref: APP/R5510/W/17/3173859

9 Long Drive, Ruislip HA4 0HH

- 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 Chris Taylor of Bonnells Electrical against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 688/APP/2016/2907, dated 27 July 2016, was refused by notice dated 19 October 2016.
 - The development proposed is a dropped kerb.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb at 9 Long Drive, Ruislip HA4 0HH in accordance with the terms of the application, Ref 688/APP/2016/2907, dated 27 July 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: Location Plan and Turning Circle Plan.
 - 3) The access for the car parking shall be provided with 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free from obstacles to the visibility between the height of 0.6m and 2m above the level of the adjoining highway.

Procedural Matters

2. The appellant has submitted an amended plan with the appeal submission, reducing the number of car parking spaces from four to three. In addition, the appellant has also submitted tree surveys. The amendment is minor in nature such that the substance of the scheme has not changed. Similarly, the tree surveys also do not change the substance of the scheme. As a result I find that no parties would be prejudiced by my consideration of the amended plan and surveys. Therefore, I have determined the appeal taking into account the amended plan and the tree surveys.

Main Issues

3. The main issues are the effect of the development on highway safety and protected trees.

Reasons

Highway Safety

4. The Council's delegated report states that in order to provide a car parking space 4.8m long and have sufficient turning space (6m) the site at this location would have to be 10.8m wide. The site is only 8.95m wide. Notwithstanding this, the proposed parking plan indicates that there is adequate space within the site to ensure that vehicles can enter/exit the site in a forward gear without having to reverse onto the busy adjacent road, Long Drive. Whilst turning around in the site may require more movements than one would usually expect, given that it is only for three parking spaces, it is unlikely that it would cause inconvenience to other users of the site.
5. I note that the Council viewed the amended plan prior to the submission of the appeal and did not raise any objection to it. Based on the evidence before me, I am satisfied that the proposal would not represent a severe risk to highway safety. As such, it complies with saved Policies AM7 and AM14 of the London Borough of Hillingdon Local Plan Part 2: Saved UDP Policies (LP2) 2012, which, amongst other things, seeks to ensure that development does not have a detrimental effect on highway safety and accords with the Council's car parking standards.

Trees

6. The appeal site is covered by a Tree Preservation Order (TPO). Several Horse Chestnut trees are positioned on the boundaries of the site. Tree surveys have been undertaken which indicate that the root structure of these trees is solid enough for vehicles to park over them.
7. The Council state that they require an Arboricultural Impact Assessment, a Tree Protection Plan and an Arboricultural Method Statement. However, given the limited amount of construction works involved, i.e. the dropping of the kerb, which itself is some distance from the trees, I am satisfied that on the basis of the evidence submitted and my own observations on site, the proposal would not significantly harm the protected trees. As such, it complies with saved Policy BE38 of the LP2, which seeks to ensure that development retains landscape features of merit.

Conditions

8. I have had regard to the conditions suggested by the Council. For the avoidance of doubt, a condition is necessary ensuring the development is carried out in accordance with the approved plans. In addition, in the interests of highway safety, a condition safeguarding pedestrian visibility splays is also necessary.

Conclusion

9. For the reasons given above, having regard to all matters raised, the appeal is allowed.

Alexander Walker

INSPECTOR