The Planning Inspectorate

Appeal Decision

Site visit made on 28 August 2019

by D Szymanski BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th September 2019

Appeal Ref: APP/R5510/D/19/3235175
20 Brampton Road, Hillingdon, Uxbridge, Middlesex UB10 0DP

- 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 Paul Jones against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 74677/APP/2019/927, dated 26 March 2019, was refused by notice dated 24 May 2019.
- The development proposed is a vehicular crossover.

Decision

1. The appeal is allowed, and planning permission is granted for a vehicular crossover in accordance with the terms of planning application ref. no. 74677/APP/2019/927, dated 26 March 2019, subject to the following 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 plans and drawings submitted with planning application ref. no. 74677/APP/2019/927: Location Plan 1:1250; and, Proposed Block Plan 1:100.

Main Issues

2. The main issues are:

   - the effect of the proposed development upon the character and appearance of the area; and,
   - the effect of the proposed development upon highway safety.

Reasons

Character and appearance

3. The appeal site comprises a ground floor flat within a semi-detached property with a front garden area largely laid to lawn, enclosed by a low front wall. This part of Brampton Road is characterised by a variety of mostly two storey buildings, many of which have front amenity areas that provide off-road private parking. The limited number of dwellings that have retained the walls and gardens are generally a small number of flats/maisonettes, or houses that front

onto communal grassed areas. Of the properties with front parking areas many have part, or all the front wall removed, with the remaining walls and pillars having differing gap widths, heights, styles and brick types, resulting in a considerably mixed and varied character and appearance to the street scene. This is particularly notable opposite the appeal site and further to the north.

4. The wall of the appeal site is low level and not of particularly notable visual merit or significance. Given the mixed nature and appearance of the front boundaries nearby and the limited visual merit of the existing wall, the installation of the crossover and removal of the front wall would not be harmful or out of keeping with the character and appearance of the area.

5. For the reasons set out above, the proposed development would not result in harm to the character and appearance of the area. Consequently, I do not find conflict with Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) (the Local Plan), or saved Policies BE13, BE15 and BE19 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) (saved September 2007) (the UDP). These amongst other things, seek to ensure that development complements the character of the area through layout and appearance which harmonises with the street scene. Paragraph 127 of the National Planning Policy Framework (2019) (the Framework) contains similar provisions. I also do not find harm having regard to the advice in sections 10 and 11 of the Hillingdon Design and Accessibility Statement, Supplementary Planning Document, Residential Extensions (2008) (the SPD).

6. The Council has referenced extracts of a previously dismissed appeal decision nearby at No. 12 Brampton Road (ref. no. APP/R5510/D/10/2138104), where that Inspector opined the loss of a wall would harm the character and appearance of the area. I have not been supplied with and am not aware of the full details and circumstances of that proposal and decision. However, it appears around 8 – 9 years old, since which time the Framework has been published and revised, and the Local Plan has been adopted. Whilst I note the points raised by the Council in relation to the previous appeal, I must consider this appeal proposal on its own merits and impacts, and having regard to the current development plan and national policies.

Highway safety

7. The parking standards supplied by the Council referenced by Policy AM14 of the UDP suggest a maximum of two spaces per dwelling for those that have curtilage parking. The development would the replace a frontage area capable of accommodating two cars for any user with the provision of three private spaces, so resulting in one net additional private space. On the basis of the Council's up to two space standard for one dwelling, the proposed development would not numerically worsen the parking situation on Brampton Road. In the specific circumstances of the appellant who is understood to have a four car household, the development would result in the gain of a further communal on-street space.

8. While my visit can only represent a brief snapshot of normal conditions, I noted the availability of parking in the communal areas, as well as a considerable amount of unrestricted on-road parking available. Overall, I am satisfied that there is sufficient safe parking available within Brampton Road for dwellings without private parking, notwithstanding the loss of the two on-street spaces. Furthermore, I have not been offered any substantive evidence by the Council

or other parties to the contrary. I note that the Highway Authority has raised no objection to the proposed development, and is satisfied that the garden depth and width, and the dimensions of the crossover, is acceptable.

9. There are concerns that approving this development may set a precedent ultimately resulting in there being little or no on-street parking available. A similar concern was raised by the Inspector in the decision at No 12. Whilst I note the concern, I must consider the appeal proposal on its own merits and impacts, based on the evidence before me. Accordingly, were further proposals to come forward for similar developments, they must be assessed on their own merits and impacts at that time.

10. For the reasons set out above I do not find harm from the proposed development in respect of pedestrian or vehicular highway safety. Therefore, I do not find conflict with Policies AM7 or AM14 of the UDP, which amongst other things seek to ensure development does not result in conditions prejudicial to highway or pedestrian safety and provides adequate levels of car parking. The development would comply with the advice in paragraph 109 of the Framework which states development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts would be severe.

Other Matters

11. The appellant has drawn some comparisons of their proposal to another crossover understood to have been approved in Brampton Road. However, I confirm I have determined this proposal on its own planning merits.

12. I note third party concerns in respect of noise and disturbance from cars parking below a maisonette, potential difficulties of unloading cars parked further away, and the potential impact upon future property sales. In terms of the noise/disturbance any such impact would be likely to be small and not unacceptable. Furthermore, and as for the resultant situation for parking distances, the development would result in arrangements similar to other residential areas, such as terraced streets and flatted developments, which are not regarded as unacceptable. The potential impact upon future house sales is a private interest, and therefore is not a material consideration, or matter I can pursue in determining this appeal.

Conditions

13. I have attached the standard time limit condition and standard plans condition. No other conditions are necessary or have been requested by the Council.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be allowed, and planning permission be granted.

Dan Szymanski

INSPECTOR