



Appeal Decision

Site visit made on 3 December 2019

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 23 December 2019

Appeal Ref: APP/R5510/W/19/3238071
140 Church Road, Hayes, UB3 2LW

- 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 James Barnes against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73775/APP/2019/752, dated 27 February 2019, was refused by notice dated 12 August 2019.
 - The development proposed is 'change of use from D1 to 1x1 bedroom flat and 1 studio flat'.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of parking provision on the free flow of traffic, and pedestrian and highway safety.

Reasons

3. The proposal comprises conversion of the ground floor of a three-storey, mid-terrace building to two one-bedroom flats, from use as a training centre. The building is prominent on the street because of its height and large, empty shop frontage. There are unallocated parking spaces in a bay running parallel to the road immediately in front of the property, which were fully used at the time of the site visit in the early afternoon. Any other parking in this area of the street is prohibited by double yellow lines, although at the time of the visit occasional on-road spaces were noted down nearby side streets. There are regular buses travelling down Church Road and bus stops are located near the site; there are therefore opportunities to travel other than by car and local facilities are easily reached on foot. However, the site has a 'poor' Public Transport Access Level (PTAL) rating, suggesting that there is likely to be some reliance on a private car.
4. Policy AM14 of the Hillingdon Local Plan: Part Two – Saved UDP Policies (November 2012) applies adopted car parking standards, which require that 1.5 spaces should be provided per flat, but allows discretion considering noise, amenity, highway circumstances and accessibility. In this case, the council have requested 2 parking spaces in total, which I consider reasonable, given the size of flats, PTAL rating and proximity to local amenities.

5. There are parking spaces in a shared yard behind the terrace, but there is disagreement between the Council and applicant regarding the availability of spaces for this development. The later version of Drawing CRP/PLAN/004 (same date) shows six spaces in the yard, but based on my observation, there were only five usable spaces. A condition attached to an appeal decision for development at No 136¹ specified that all four spaces along the eastern boundary of this yard 'shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings at 136 Church Road and their visitors, and for no other purpose'. I note reference to an 'agreement' between parties to use two of these spaces, but no additional information is presented, so I have given this little weight. This leaves one space, but I note No 138, a multiple occupancy building, and the other residents of No 140 are also reliant on the yard for parking. I conclude that no parking spaces are likely to be provided with this development and associated cars are likely to be parked off-site.
6. The Hillingdon Local Plan: Part Two – Saved UDP Policies (November 2012) requires that development only be permitted where it will not unacceptably prejudice the free flow of traffic or conditions of general highway or pedestrian safety (policy AM7). I give significant weight to the Highway Officer's statement that 'The proposals would...lead to displaced parking along Church Road, which will undoubtedly lead to traffic and road safety concerns'. I also note several comments relating to congestion and lack of parking from neighbours. The risk to pedestrian and highway safety on Church Road itself would be tempered by the parking restrictions but increasing the number of parked cars locally would almost certainly lead to more pressure on safety.
7. On balance, whilst recognising the desirability of developing an empty shop front and that any development is likely to introduce additional cars, the absence of any proposed parking provision in a congested area could lead to increased risk to highway and pedestrian safety, in conflict with Local Plan policies.

Conclusions

8. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

B Davies

Inspector

¹ APP/R5510/W/16/3143692