



Appeal Decision

Site visit made on 15 March 2022

by Ian Radcliffe BSc(Hons) MRTPI MCIEH DMS

an Inspector appointed by the Secretary of State

Decision date: 01 April 2022

Appeal Ref: APP/R5510/W/21/3289954

201 Lynhurst Crescent, Uxbridge, Middlesex UB10 9EJ

- 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 Mrs D Norton against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 76623/APP/2021/2889, dated 25 October 2021, was refused by notice dated 22 November 2021.
 - The development proposed is described as 'a dropped kerb to allow way for a drive way suitable for 2 cars in my garden, to be used for access only and not to be used within school times of 8am -9am and 3pm-4pm.'
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb and vehicle crossover to enable off road parking of 2 cars at 201 Lynhurst Crescent, Uxbridge, Middlesex UB10 9EJ in accordance with the terms of the application Ref 76623/APP/2021/2889, dated 25 October 2021 subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this permission.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans received on 24 August 2021: Location plan - TQRQM21235094037203.pdf, Plan C.jpg, Proposed dropped kerb site layout.pdf, VCDK190850.pdf

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. However, it is a lengthy description that includes superfluous detail. I have therefore amended the description of the development to 'dropped kerb and vehicle crossover to enable off road parking of 2 cars' and I have determined the appeal on this basis.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on highway safety.

Reasons

4. Lynhurst Crescent is a residential street characterised by two storey buildings set back from the pavement. At a large majority of addresses, especially on the opposite side of the street to the appeal property, kerbs have been dropped and vehicle crossovers provided to allow off road parking in front of dwellings to occur.

5. The appeal property enjoys a different context to the houses opposite in that it is located immediately next to a car park entrance serving Ryefield Primary School. Given the presence of a footway along the side of the school entrance it appears that the entrance is also used by pupils and parents on foot. In order to maintain good visibility at the entrance there are zigzag road markings which prevent on road parking close to school opening and closing times. These markings extend along the road across the front of No 201.
6. The proposed development would allow vehicles to cross the pavement to enter or leave the parking area in front of No 201 at all times of the day, including during school opening and closing times. As a secondary entrance, the neighbouring school entrance though is likely to be less busy with pedestrians than the main access to the school at such times. Given that vehicles reversing onto or off parking spaces in front of houses is a very common feature of Lynhurst Crescent, the good visibility along the pavement when exiting owing to the appeal property's dwarf front boundary wall and the low number of vehicle movements generated by a single dwelling, I find that the proposed access would not result in unacceptable conflict with pedestrians.
7. In relation to vehicles, with the low boundary wall at No 201 and a 6m gap between the proposed development and the school entrance there would be good visibility of vehicles exiting the rear school car park. In relation to vehicles travelling along the street, the right angled bend onto Floriston Avenue close by means that vehicles drive past the appeal property slowly. As a result, vehicles using the proposed crossover, driven with the care and attention that it is reasonable to expect, would not have a material adverse effect on highway safety.
8. In relation to parking space, with a distance of 11.1m from the front of the dwelling at No 201 to the pavement the front garden is sufficiently long to accommodate two parked cars as proposed.
9. Taking all these matters into account, I therefore conclude that the proposed development would be acceptable in highway safety terms. As a result, it would comply with policy DMT2 of the Hillingdon Local Plan Part 2 - Development Management Policies and policy T4 of The London Plan 2021 which seek to prevent harm to highway safety.

Conclusion

10. For the reasons given above, I therefore conclude that the appeal should be allowed.
11. For the avoidance of doubt, and in the interests of proper planning, development needs to be carried out in accordance with the approved plans. I have required this matter by condition. A condition was suggested requiring a detailed parking plan. However, with the detail that has been included within the approved plans (ref 'Proposed dropped kerb site layout.pdf' and ref 'VCDK190850.pdf') this condition is unnecessary. As a result, I have not attached it.

Ian Radcliffe

Inspector