

Appeal Decision

Site visit made on 3 May 2017

by D Cramond BSc MRTPI

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

Decision date: 17 May 2017

Appeal Ref: APP/F5540/D/17/3170768
130 Wellesley Road, London, W4 3AP

- 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 Christine Rumley against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01177/130/P1, dated 1 December 2016, was refused by notice dated 7 February 2017.
 - The development proposed is the creation of a vehicular crossover.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on highway and pedestrian safety.

Reasons

3. The appeal property is a two storey semi-detached bay fronted dwelling with a modest front garden area behind a frontage hedge. It is situated within an attractive road of established residential character. The road is a classified one with appreciable amounts of traffic movements and parking and footways used to a reasonable degree from my observations. The scheme is as described above and would embody a dropped kerb arrangement of some 4.2 metres in total width. Beyond this most of the front garden area up to the bay window and front door is shown to be hard surfaced with some limited vegetation to the sides.
 4. There is clearly local demand for off-street parking and many households benefit from what is an inevitably tight arrangement of parking, pedestrian access and landscape on their frontages. The Appellant wishes to create parking in the garden and sets out cogent reasons why this would be beneficial and should be allowed. The Council has produced and adopted in October 2016 a detailed document of relevance: Residential Crossover and Off-Street Parking Policy (PP) which sets out requirements for these matters. In summary the Council's concern with the appeal scheme is that the depth of the hard surface parking would be insufficient (measured against standards) to ensure that a car would not over-hang the pavement thus causing potential safety issues for pedestrians. Furthermore the dropped kerb is shown of greater width than the standards and is thus deemed to unnecessarily remove vehicle-free footway, again adding to safety issues.
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5. To my mind the plans when set against the standards would be flawed and sufficiently so in terms of the depth in front of the bay window and the width of the crossover to justify refusal of the scheme. There would be risk to pedestrians from over-hanging cars and unnecessary dropped kerb width. The former was in evidence at a few homes during my visit and whilst I do not know the circumstances of each crossover approval I would assume that most were pre the October 2016 PP document.
6. Where I do feel that the Council could have shown some flexibility, and perhaps a negotiated solution could have been reached, is on the point of parking close to, but not fully across the front door area which maximises the depth to some 4.77m when the standards, albeit with a clear front door, seek 4.8m. Utilising this zone and re-arranging planting to provide wider pedestrian routing alongside the car to the front door area as well as a providing a layout which would not allow parking at the shallowest part of the garden and a narrowed dropped kerb *might* have been feasible. I have not tested this and it is not for me to do so. However the point is that there could be some flexibility in use of the PP but in this case the scheme before me is too far off the mark to be acceptable.
7. Policy EC2 of the Council's Local Plan seeks, amongst other matters, to ensure that crossovers are suitably considered via adopted parking policy and that these and associated development would not prejudice highway and pedestrian safety. I conclude the appeal scheme would conflict with this development plan policy and the related objectives of the October 2016 PP document cited above.
8. I would add that the site lies within a Conservation Area. There is a duty imposed by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requiring decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area. I would agree with the Council that the principle of front garden parking should not be ruled out for these reasons in this Conservation Area given the specific nature of the surrounds. However, the status of the area makes it all the more important to seek to minimise undue bland hardsurfacing or visual intrusion and thus to follow the parking policy on matters such as frontage boundaries across part of the garden area. The fact that the scheme before me does not demonstrate minimisation of aesthetic impact adds to my concerns.

Overall conclusion

9. For the reasons given above I conclude that the appeal proposal would have unacceptable adverse effects on highway and pedestrian safety. Accordingly the appeal is dismissed.

D Cramond

INSPECTOR