

Appeal Decision

Site visit made on 9 August 2017

by J D Westbrook BSc(Hons) MSc MRTPI

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

Decision date: 11 August 2017

Appeal Ref: APP/F5540/D/17/3173843

1 Ashley Drive, Isleworth, TW7 5QA

- 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 Iftikhar Uddin against the decision of the Council of the London Borough of Hounslow.
 - The application Ref P/2016/5515, dated 7 December 2016, was refused by notice dated 8 February 2017.
 - The development proposed is described as the creation of a vehicular access from Jersey Road to the house.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues in this case are the effects of the proposed access on:
 - The character and appearance of the Osterley Park Conservation Area, and
 - Highway safety along Jersey Road, by way of visibility.

Reasons

3. No 1 Ashley Drive is a large detached house. Nos 1 and 2 both have a primary elevation facing Jersey Road, with car parking areas in their large front gardens. They share a common vehicular access from Ashley Drive which runs across the front garden of No 2. The proposed development would involve the formation of a new crossover and vehicular access from Jersey Road that would serve No 1, and the closure of the existing access at the side boundary of the appeal property with No 2, by continuing the current boundary fence.
 4. The front boundary of No 1 comprises a brick wall at the rear of the pavement along the north side of Jersey Road. The wall is some 1.8 metres high along the western section of the boundary, dropping to under 1 metre high along the eastern section and continuing along the front boundary of No 2 to the junction with Ashley Drive. This wall is effectively an extension of the boundary wall to the Osterley Park estate that runs unbroken from the entrance to the estate some 200 metres to the west, and is pierced only by a vehicular and pedestrian access to the adjacent No 348 Jersey Road.
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Character and Appearance

5. The shared access to Nos 1 and 2 from Ashley Drive allows for the continuation of an unbroken boundary wall to the Jersey Road frontage, and this is a significant feature in the street scene along that road. It would appear that this is a specific design element in the development of the relatively recent properties on Ashley Drive, since it is repeated on the eastern side of Ashley Drive where Nos 12 and 13 also share an access and have an unbroken wall to the Jersey Road boundary. I consider these features to be important elements in establishing and maintaining the character of this part of the Osterley Park Conservation Area (CA) along Jersey Road. Furthermore, this design feature is reinforced by a continuous belt of planting of mature and semi-mature trees around the front and side boundaries of the appeal property. A number of these trees would inevitably be lost as a result of the proposal. The presence of mature trees along the front boundary is another feature that is repeated across Ashley Drive at Nos 12 and 13, and elsewhere in the vicinity.
6. The CA Statement notes that Jersey Road is the southern boundary of Osterley Park. It states that "for some distance the park wall edges the road... and that some buildings ... have been constructed into a long established enclave within the natural boundary line of the park, as seen by the continuation of the enclosing wall". In addition, with regard to houses on Jersey Road, it notes that "they have larger gardens than others do outside the area, and boundary walls, which strengthen the country house setting. The larger gardens and low density with trees continue the open aspect."
7. The construction of a new crossover and vehicular access to No 1 through the front boundary wall would be harmful to the character and appearance of this part of Jersey Road, both by a punctuation of that existing length of wall that is a continuation of the boundary wall of the Osterley Park estate, and also by a loss of significant trees along the front boundary, which at present emphasise this continuity and help to establish the visual character of the road.
8. The Council contends that the proposal would also result in an excessive amount of hardstanding to the front of the property, and permitting the use of more of the front garden for parking cars. Whilst there would, of necessity, be a larger paved area in the front garden to accommodate the new access, it would merely be an alternative to the current access, and I have no reason to suppose that the proposal as submitted would permit any more parking than that which already exists, or could exist with the current arrangement.
9. In conclusion on this issue, I find that the proposal would result in visual harm to the street scene along this part of Jersey Road, by way of punctuating a significant and currently unbroken length of wall, and resulting also in the loss of a number of important trees. In the context of the CA, which relates strongly to the estate at Osterley Park and, in particular, the long boundary wall along Jersey Road, it would fail to preserve or enhance the character or appearance of the CA. In addition, and on the basis of this conclusion, it would conflict with Policies CC1 and CC4 of the Council's Local Plan, which require development to conserve and enhance the context and character of the area with particular reference to the Borough's historic assets.

Highway safety

10. The Council contends that due to a lack of submitted information, it cannot assess that the proposal would have an acceptable impact on highway and pedestrian safety at this part of Jersey Road. It would appear that the new access would break through the wall at a point where it is relatively low. However, it is likely that the visibility on either side would be severely restricted by the existence of the higher part of the wall (and presumably a new wall pillar) immediately to the west, and by trees on or close to the boundary to both the east and west. From the limited information available, therefore, I concur with the view of the Council, and consider that there is a strong likelihood that the proposed new access would result in restricted visibility for the drivers of cars exiting the property. This would be harmful to the safety of both pedestrians and vehicles using this part of Jersey Road.
11. The appellant notes the existence of other crossovers in the vicinity. However, these are largely along the southern side of the road which is more open and where visibility is, in general, better. The location of the proposed access at the appeal property would be on the inside of a slight bend in the road and also where there is a narrow footway, both of which issues could potentially result in harm to safety by virtue of the creation of the access.
12. On this issue, therefore, I find that the proposal would likely be harmful to highway safety by way of restricted visibility. On the basis of the limited information available, it would be likely to conflict with Policy EC2 of the Council's Local Plan, which requires proposals for vehicle crossovers to be consistent with the Council's adopted policy on vehicle crossovers.

J D Westbrook

INSPECTOR