



Appeal Decision

Site visit made on 10 February 2020 by Ben Phillips Bsc Msc

Decision by R C Kirby BA(Hons) DipTP MRTPI

An Inspector appointed by the Secretary of State

Decision date: 2 April 2020

Appeal Ref: APP/F5540/D/19/3241130

110 Bath Road, Hounslow TW3 3EH

- 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 Naresh Kapoor against the decision of the London Borough of Hounslow Council.
 - The application Ref 00083/110/P10, dated 7 July 2019, was refused by notice dated 6 September 2019.
 - The development proposed is described as formation of a vehicular access to the front of the house
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Decision

1. The appeal is allowed, and planning permission is granted for the formation of a vehicular access to the front of the house at 110 Bath Road, Hounslow TW3 3EH in accordance with the terms of the application, Ref 00083/110/P10, dated 7 July 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved unnumbered plans: Location Plan, Proposed Site Plan.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of development above is taken from the Council's decision notice and section E of the appeal form, in the interest of clarity.

Main Issue

4. The main issue in this case is the effect of the vehicular access on highway safety.

Reasons for Recommendation

5. Bath Road is a lengthy urban thoroughfare, with a speed limit of 20 miles per hour and restricted parking within the vicinity of the appeal site. A number of bus services run along the road. Close to the appeal site is St Mark's Catholic School and the access into the parking area serving this. A large number of

nearby properties along Bath Road have parking areas to the front, some accessed via dropped kerbs, others via a raised kerb.

6. The front of the host property is hardsurfaced and is used for the parking of vehicles. At present vehicles need to cross the raised kerb to access this area. This hardsurfaced area is large enough to accommodate 2 vehicles such that they would not overhang the pavement. However, when both spaces were occupied there would be insufficient space for vehicles to turn within the site. This could result in vehicles reversing across the pavement, which may be busy with pedestrians, including school children at certain times of the day, and into the road, which may also be busy with cyclists, buses and cars.
7. In such circumstances however, there would be a high probability that drivers of vehicles using the parking area would be able to see pedestrians using the pavement because the low boundary treatment close to the road allows for good visibility along the stretch of pavement in both directions. Similarly, pedestrians would be able to see vehicles exiting the parking area. The risk of conflict between pedestrians and vehicles using the parking area would therefore be likely to be low.
8. Moreover, given the likely frequency of such movements the provision of the vehicular access would be unlikely to result in harm to the safety of pedestrians, including children and those with impaired mobility. In the absence of evidence to demonstrate otherwise, the impact of the proposal on pedestrian safety would be unlikely to be any different to the existing situation of nearby properties using the area to the front of the dwellings for car parking.
9. Furthermore, there is a high probability that vehicles using the Bath Road would be travelling at low speed, given the speed limit, nearby zebra crossing and signs warning of traffic enforcement cameras. Vehicles exiting the site would be likely to be doing so at slow speeds also. Given the straight stretch of road within the vicinity of the site there would be a high probability that drivers using the parking area would be able to see other users of the highway clearly and vice versa. The likely frequency of vehicle movements to and from the access would be low and would be unlikely to affect the flow of traffic along the Bath Road. Moreover, given the high number of dropped kerbs and frequency of off-street parking along this road, drivers would be likely to be anticipating vehicles accessing and exiting property frontages. The likelihood of vehicular conflict would be low.
10. In light of the above I conclude that the proposal would not result in harm to highway safety, including that of pedestrians and vulnerable highway users. There would be no conflict with the highway safety objectives of Policy EC2 of the Local Plan 2015-2030 Volume One or the aims of the Supplementary Planning Document 'Residential Crossovers and Off-street Parking Policy' (2016). A safe and suitable access to the site would be provided in accordance with paragraph 108 of the National Planning Policy Framework 2019.

Conditions

11. The Council has suggested a number of conditions it would wish to see imposed in the event that the appeal is allowed. Conditions relating to the start date of development and compliance with the application plans are necessary in the interest of clarity.

Recommendation

12. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

B Phillips

APPEALS PLANNING OFFICER

Inspector's Decision

13. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

RC Kirby

INSPECTOR