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## Appeal Decision

Site visit made on 1 February 2021

**by Tim Wood BA(Hons) BTP MRTPI**

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

**Decision date: 15 February 2021**

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**Appeal Ref: APP/F5540/D/20/3262393**

**69 Worton Road, Isleworth TW7 6HL**

- 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 Navin Darji against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 01239/69/P1, dated 29 August 2020, was refused by notice dated 20 October 2020.
  - The development proposed is the formation of a vehicle 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 vehicle access to the front of the house at 69 Worton Road, Isleworth TW7 6HL in accordance with the terms of the application, Ref 01239/69/P1, dated 29 August 2020, subject to the following conditions:
  - 1) The development hereby permitted shall begin not 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 plans: unnumbered location plan; unnumbered proposal plan.

### Main Issue

2. The main issue in this appeal is whether the proposal would have an unacceptable effect on highway safety, including its use by pedestrians.

### Reasons

3. The appeal relates to this 2 storey terraced house which is located within a residential area of similar properties. The existing frontage of the property is hard-surfaced and open. Vehicle access is prevented by a raised kerb and the presence of on-street parking which is accommodated partly on the pavement.
4. Policy EC2 of the Council's Local Plan (LP) adopted in 2015, relates to the local transport network and states that proposals for vehicle crossovers should be consistent with the council's adopted policy on vehicle crossovers. The Council has published its 'Residential Crossovers and Off-Street Parking Policy' (RCOPP) in 2016. This states that a minimum size of a parking space on a forecourt should be 4.8m by 2.4m and a minimum of 1.2m width should remain for

pedestrian access to the house. In addition, it indicates that suitable visibility splays would be required, although it states that some relaxation may be employed where pedestrian flows and footway width allow.

5. The forecourt of the house has been measured by the Council and its depth is 4.4m and its overall depth is 5.6m. In relation to depth, this means that the Council's standard requirement could not be met. However, the appellant points out that his existing car could be accommodated within the forecourt with a small margin, as well as a number of other medium and small cars. The Council argues that occupants could acquire a different car which may not fit on the forecourt and it is possible that if the house is sold, new occupiers may have a larger car. It is quite possible that these events could happen. However, the RCOPP indicates that in such circumstances the Council has separate powers of enforcement which would seek to prevent vehicles overhanging the footway.
6. Whilst I acknowledge that there is conflict with the RCOPP and thus Policy EC2, I consider that this is outweighed by the likelihood of residents being able to park a car here without encroaching on the footway. If other vehicles were to be parked here which could not fit within the forecourt, the Council has separate powers to resolve the situation.
7. In relation to visibility splays for pedestrians, I did not witness large numbers of pedestrians passing the property and I would describe the activity as low. In addition, if the proposal were to go ahead, the available space for pedestrians would widen, due to the removal of the parking area on the pavement/road here. Therefore, I consider that the conditions are such that the flexibility referred to in the RCOPP should be employed and there is no safety reason for requiring the pedestrian visibility splays.
8. With regard to conditions, I have taken account of the advice in the National Planning Policy Framework and the Planning Practice Guidance. I shall include the standard time limit for the commencement of development and I shall include one which requires implementation in accordance with the approved plans, for the sake of certainty, whilst acknowledging that it inaccurately portrays the forecourt depth. For the reason given above, I shall not include a condition requiring pedestrian visibility splays.

## **Conclusions**

9. For the reasons set out above, I find that the proposal would not harm the safety of pedestrians or vehicles and their occupants. Therefore, the appeal is allowed.

*S T Wood*

INSPECTOR