



Appeal Decision

Site Visit made on 20 July 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 August 2021

Appeal Ref: APP/F5540/D/21/3272264

19 Gainsborough Gardens, Isleworth, TW7 7PE

- 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 Deevan Chandegra against the decision of London Borough of Hounslow.
 - The application Ref 00469/19/P5, dated 9 July 2020, was refused by notice dated 11 February 2021.
 - The development proposed is the erection of fencing and gates to the front boundary and increase in height of side boundary wall.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the decision notice. Although different to that given on the application form, this covers the matters of development and I have assessed the proposal on that basis.

Main Issues

3. The main issues of the appeal are the effects of the proposed development on:
 - The character and appearance of the area; and
 - Highway safety, with particular regard to pedestrian safety.

Reasons

Character and Appearance

4. The frontages and side boundaries between properties on Gainsborough Gardens are characterised by low-level hard boundary treatments and landscaping. This, along with the undeveloped grassed area of land to one side of the street, gives a soft and open appearance to the streetscene with the only tall wall being that at the appeal site adjacent to the public path. This openness contributes positively to the character and appearance of the area.
5. The proposed gates would follow the alignment of the street frontage and the side wall align with the existing one. The railings style would also allow views through. Nonetheless, the height of the proposed side wall and gates would be discordant with the streetscene as they would be considerably taller than the existing walls in a similar position in the street. The scheme would create a much harsher and more enclosed frontage. This would unfavourably contrast

with the other frontages it would be seen with and would draw the eye. The railings would also be seen in views along the road and from the adjacent open land.

6. I saw examples of front boundary treatments of a similar height to that proposed on Hall Road and Whitton Dene. However, these were in the minority and their appearance and position in the street were not directly comparable to the appeal scheme. Moreover, they would not be seen with the appeal site.
7. Therefore, the proposed development would unacceptably harm the character and appearance of the area. It would fail to accord with Policies CC1, CC2 and SC7 of the Hounslow Local Plan where they seek to conserve features or qualities that contribute to an area's character and create attractive places.

Highway Safety

8. At the time of my site visit there were vehicles parked across the whole of the open frontage of the property. Furthermore, there are a number of driveways and crossovers of differing sizes nearby. The proposed gates and wall would also allow views over and through them. Therefore, the presence of vehicle movements would not be unexpected, and pedestrians would be able to see vehicles manoeuvring on the drive and vice versa. Were the appeal to be allowed, conditions could be imposed regarding the crossover to ensure vehicles would not need to drive over a raised kerb.
9. The existing wall to the side of the public path is already a considerable height and there is no compelling evidence that this currently causes any significant conflict between vehicles and pedestrians. Given the cul-de-sac location and that vehicles would be entering or exiting the driveway their speeds are likely to be low.
10. Consequently, the proposed development would not have an adverse effect on highway safety with regard to pedestrian safety. It would comply with Policy EC2 of the Hounslow Local Plan where it seeks to avoid adverse impacts on the transport network.

Other Matters

11. I acknowledge that the appellant has refurbished the property and is seeking to remain in the area with their family. The appeal scheme seeks to reduce concerns over crime and mess providing increased security for vehicles and occupiers of the property. However, it has not been demonstrated that this proposal is the only mechanism to achieve these aims and these personal benefits would not outweigh the harm that would arise to the character and appearance of the area.
12. While advice had been sought on the scheme, I have found that it would result in harm. Even if I were to agree that there were no negative effects on the living conditions of the neighbouring property, a lack of harm is a neutral factor and does not weigh in favour of the scheme.

Conclusion

13. While I found no harm to highway safety would occur, the unacceptable harm to the character and appearance of the area is determinative. The proposal conflicts with the development plan when considered as a whole and there are

no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.

14. For the above reasons, I conclude that the appeal should be dismissed.

Stuart Willis

INSPECTOR