
Appeal Decision

Site visit made on 12 August 2021

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 September 2021

Appeal Ref: APP/F5540/D/21/3274220
5B St Stephens Road, Hounslow TW3 2BH

- 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 Ms Saima Hameed against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00992/5B/P4, dated 25 December 2020, was refused by notice dated 1 March 2021.
 - The development proposed is the formation of a naturally green driveway with vehicular access to the front of the house.
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Decision

1. The appeal is dismissed.

Procedural matters

2. I saw that the existing boundary wall at the front of the appeal property was taller and included a noticeably wider gap than is shown on the plans that illustrate the existing elevation. Irrespective, I have assessed the proposal on its own merits. In doing so, I have considered the development sought as it is shown on the submitted drawings rather than as it is 'on the ground' because it was on that basis that the Council withheld planning permission.
3. The address of the site given in the above heading reflects the details stated on the application form lodged with the Council. However, most of the evidence before me refers to the name of the highway as St Stephen's Road. For consistency, I shall do likewise.

Main issues

4. The main issues are the effect of the proposed development firstly, on the character and appearance of the local area; and secondly, on highway safety and parking for users of St Stephen's Road.

Reasons

Character and appearance

5. The appeal property is a 2-storey, semi-detached dwelling that stands back from the road behind a long front garden and a brick boundary wall. It falls within the St Stephen's Conservation Area (CA), which is predominantly residential in character.

6. The recently updated revised National Planning Policy Framework (the Framework) establishes that heritage assets such as conservation areas are an irreplaceable resource and should be conserved in a manner appropriate to their significance. The Framework also makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. These policies remain unchanged from the previous version of the Framework.
7. I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA, as required by Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
8. To my mind, the CA derives its significance as a designated heritage asset from the wide range of semi-detached and detached properties that largely date from the late Victorian period. In most cases, properties along St Stephen's Road are set back from the highway behind front gardens, driveways and paved areas that include low level boundary walls, gates, fences and planting. These frontage boundary features provide a welcome sense of enclosure to the street, provide a visual consistency and they add to a pleasant sub-urban character. Based on the submitted drawings, which show a continuous low level wall along the highway frontage of the site with a pedestrian access at one side, the appeal property is one such example.
9. The St Stephen's Conservation Area Appraisal (CAA) refers to the pair of which No 5B forms part as an interesting example of a postwar exhibition house built in 1955 and a positive contributor to the CA. I share that opinion. The front of the site also appears to form part of the long-range vista from the junction between Parkside Road and St Stephen's Road, which is identified in the CAA as a significant view within the CA.
10. Several weaknesses of the CA are highlighted in the CAA including some losses of boundary treatment, the creation of crossovers and the parking of cars in front settings, leading to a loss of historic and group character. Accordingly, the CAA states that strong front boundaries are retained, vehicle access and car parking are discouraged and that any new crossovers should be avoided.
11. The proposal is to introduce a new vehicular crossover along part of the highway frontage to No 5B to provide access from the road to an area in front of the house for off-street vehicle parking. To achieve this, sections of the existing front boundary wall, as shown on the submitted plans, would be removed to form two openings. By replacing an unbroken low-level wall, save for the pedestrian access, with a largely open frontage punctuated by two short sections of wall and several piers, the proposal would establish clear physical and visual breaks in the front boundary of the site. In doing so, the appeal scheme would undermine a distinctive feature of the CA, which the CAA specifically aims to protect, and diminish the positive contribution of the appeal property to the CA. As a result, the character and appearance of the CA would fail to be preserved or enhanced.
12. In reaching this conclusion, I acknowledge that low-level front boundary walls with openings to allow direct vehicle access are a familiar feature of many properties along St Stephen's Road, as the appellant points out. However, from what I saw, a sense of enclosure in their street scene is maintained in most cases mainly because a continuous length of frontage wall is retained.

13. I also observed that some properties along St Stephen's Road include wide openings to their frontages although these examples are an exception to the general character of the CA that I have identified. The Council states that its decisions to approve developments that are similar to the proposal predate its policy on new vehicle crossovers and the adoption of the CAA in 2018. As few background details of these cases have been provided I cannot be sure that their circumstances are the same or very similar to those of the proposal. In any event, these examples are not an appropriate benchmark from which to assess the proposal especially in the context of the CA. In other words, additional harm cannot be justified on the basis that some harm already exists.
14. I saw that several properties close to the site have off road parking in front of the building including those on either side of No 5B and on the opposite side of the road. Although not universal, this is a common arrangement along St Stephen's Road. Furthermore, as porous grass paving would be used, which the evidence indicates is a hard wearing material, the front garden of No 5B would retain a green natural appearance even in the longer term. In that context, the introduction of parked cars to the front of No 5B on grass paving, as proposed, would not look out of place or appear to be at odds with some elements of the established local character.
15. Nevertheless, I conclude on the first main issue that the proposed development would cause significant harm to the character and appearance of the local area. While the harm arising is less than substantial, the public benefits arising from the appeal scheme, which would largely relate to the support given to the local economy, would not outweigh this harm. As such, it is contrary to Policies CC1 and CC4 of the Hounslow Local Plan 2015-2030 (LP) and the CAA. These policies seek to ensure that new development conserves and takes the opportunity to enhance heritage assets and the particular features or qualities that contribute to an area's character.

Highway safety and parking

16. The Council is critical of the appellant in failing to demonstrate that adequate visibility splays for pedestrians can be achieved within the site in accordance with its Residential Crossovers and Off-Street Parking Policy. However, from what I saw, the visibility for a driver leaving the site would be reasonable in both directions. Given the relative infrequency and short duration of such manoeuvres and the low speeds involved, vehicles using the new access would be unlikely to obstruct other footway users or present a significant danger to them. To my mind, securing appropriate visibility splays for pedestrians could be covered by a condition if the proposal were otherwise acceptable.
17. The proposed vehicle crossover would result in the loss of a parking space on the street at the front of No 5B. However, two off road parking spaces would be provided on the front garden of the appeal property. Although the space for kerb side parking would be reduced, one additional space within the site would reduce the demand for on-street parking. Others who park on the road would not therefore be disadvantaged by the proposal to any significant extent. Given the modest change anticipated to on-street parking demand, I doubt that the proposal would have a significant effect on the Council's policies designed to encourage sustainable transport.
18. On the second main issue, I conclude that the proposed development would not materially harm highway safety for users of St Stephen's Road nor would it

cause or add to parking problems. As such, it does not conflict with LP Policy EC2, which requires that proposals for vehicle crossovers are consistent with the Council's adopted policy on such schemes. This finding does not outweigh the significant harm that I have identified in relation to the first main issue.

Other matters

19. That the proposal would be a more accessible, convenient and safer alternative to on-street vehicle parking for the appellant and her family are not in doubt. These are important matters as is the ability to recharge an electric vehicle close to the property and the difficulties of doing so from a public charging point some distance away in the evenings after work with young children to look after. I have also taken into account the need to provide frontage parking given the lack of a legal right to park beyond the rear boundary of the site. There are obvious practical difficulties and safety implications of accessing this area, which is outside of the site, along a narrow passageway and across a communal area that is used for children's play. However, personal circumstances seldom outweigh more general planning considerations. On balance, these matters do not outweigh the harm that I have identified.
20. The appellant is critical of the Council's handling of the planning application and has provided details of the various interactions by email with the Case Officer. However, the appeal process provides an opportunity for the case to be independently and fairly assessed having allowed all interested parties to explain their position and respond to the comments of others.
21. The appellant also makes serious allegations of bias and discrimination against the Council and states that it has failed to discharge its duties under the relevant Equalities legislation. These particular matters are extremely important. However, they are beyond the remit of this appeal.

Conclusion

22. For the reasons set out above, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR