
Appeal Decision

Site visit made on 21 September 2021 by Ifeanyi Chukwujekwu BSc MSc MIEMA
CEnv MRTPI

Decision by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th October 2021

Appeal Ref: APP/F5540/D/21/3274291 168 Boston Manor Road, London TW8 9LL

- 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 Gabriel Fernandez against the decision of the Council of London Borough of Hounslow.
 - The application Ref 00133/168/P1, dated 30 November 2020, was refused by notice dated 9 February 2021.
 - The development proposed is vehicle crossover to facilitate front garden parking and associated alterations.
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Decision

1. The appeal is dismissed.

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.

Main Issues

3. The main issues are the effect of the proposal on:
 - the character and appearance of the street scene; and
 - highway safety having particular regard to visibility from the parking area and on-street parking provision.

Reasons for the Recommendation

Character and appearance

4. No.168 is a two-storey mid-terrace dwelling located on Boston Manor Road, which has a low front wall enclosing a small garden area to the front. The street scene is characterised by rows of terraced dwellings and semi-detached dwellings with the front amenity space enclosed by low concrete walls with either timber or wrought iron gates. There is also a predominant feature of low hedges behind these walls, which along with the street trees and grass verge between the highway and front boundary of the dwellings gives the locality a verdant appearance and a neat and unified street scene.

5. There are a few instances where part of the front wall has been removed at nearby properties to facilitate off-street parking, however these schemes are relatively small in number and retain in the main part of the front boundary wall, such that the enclosed frontages of dwellings continue to dominate.
6. The proposed development would result in the loss of the front boundary wall and privet hedge. It would create a noticeable open section of street frontage which would be out-of-character with the street scene and would erode the contribution the host property makes to the character and appearance of the locality. This harm would be further exacerbated when viewed cumulatively with the existing opening at No.166, as this would create an extended opening on the street.
7. The Council in its reason for refusal expressed concern regarding the potential loss of street trees and the impact this would have on the character of the street. The appellant has submitted a tree survey report¹ and arboriculture impact assessment² which shows precautions that would be taken during the construction of the proposal. Based on my observations at the site I find that the health and longevity of the trees would be unlikely to be harmed providing the application of the stated precautions is undertaken, which could be controlled by planning condition. Accordingly, harm to the character and appearance of the area would not be caused in this regard.
8. However, because of the new off street car parking area to the front of the dwelling I conclude that the development would significantly harm the character and appearance of the host property and the street scene, in conflict with the aims and objectives of policies CC1, CC2 and EC2 of London Borough of Hounslow's Local Plan 2015-2030 (2015) (the 'LP') which seeks amongst other things to ensure that all new development conserves and takes opportunities to enhance particular features or qualities that contribute to an area's character and LP Policy EC2 in so far as it requires vehicle crossovers to comply with the Council's Residential Crossovers and Off-Street Parking Policy (Parking Policy) with particular reference to boundary walls.

Highway safety

9. The appeal site is located on a busy road with all manner of traffic including buses, pedestrians on the footway and cyclists travelling along the cycle lane to the front of the property. Adjacent to the appeal site within the road are 2 parking spaces largely for use by residents with a parking permit. There is no dispute that the necessary visibility splays could not be achieved in this case.
10. The proposed parking area would be modest in size and there would be insufficient space for a vehicle to turn and leave the parking area in a forward gear. Accordingly, there would a high probability that vehicles would either need to reverse into the new parking space or reverse out of it. This would be at a point where the pavement and cycleway could be busy with pedestrians, including those with mobility issues, young children and fast-moving cyclists.
11. Given the restricted visibility at the parking space along the adjoining pavement and the presence of street trees further restricting visibility of drivers using the parking area, there would be a high probability of vehicles

¹ Appendix 1 of Appellant's Full statement of Case

² Appendix 2 of Appellant's Full statement of Case

using the space coming into conflict with cycles and pedestrians using this stretch of Boston Manor Road.

12. I note that the proposal would result in the loss of one of the parking spaces to the front of the site but find that because the proposal would create one off-street parking space, it would be unlikely to affect the availability of car parking in the locality. In this regard and in the absence of substantive evidence to demonstrate otherwise, the proposal would satisfy the criteria for safe and efficient use of the Controlled Parking Zone, in accordance with the Council's Parking Policy.
13. Notwithstanding my conclusion above in respect of the availability of parking spaces, I conclude that the proposal would be harmful to highway safety for the reasons set out above. The proposal therefore conflicts with the highway safety objectives of policy EC2 of the LP insofar as it requires vehicle crossovers to be provided in accordance with the Council's adopted policy on such matters, as set out Council's Parking Policy.

Other Matters

14. Whilst I note that there are other parking areas to the front of nearby properties, I am unaware of the circumstances that led to their presence. In any event I have assessed the proposal on the site-specific circumstances of the case and that find that similar development elsewhere does not provide justification for development that would be harmful and conflict with the development plan.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, the proposal conflicts with the development plan taken as a whole and there are no material considerations to indicate that a decision should be made other than in accordance with the development plan. I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be dismissed.

RC Kirby

INSPECTOR.