



Appeal Decision

Site visit made on 2 February 2022

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State.

Decision date: 16 February 2022

Appeal Ref: APP/F5540/D/21/3289143

206 Hounslow Road, Feltham TW14 0BW

- 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 Jheelan against the decision of the London Borough of Hounslow.
 - The application Ref 00631/206/P2, dated 13 June 2021, was refused by notice dated 24 September 2021.
 - The development proposed is an enlargement of existing vehicular access to the house.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. I have taken the description of the proposed development from the Council's Decision Notice which provides a more succinct description of the elements requiring planning consent. It is noted that this description is also included on the applicant's appeal form.

Main Issue

3. The main issues are the effect of the proposed development upon:
 - The character and appearance of the appeal site and the greater locality; and;
 - Highway Safety.

Reasons

Character and appearance

4. The appeal site is located along Hounslow Road and consists of an end terraced property which appears to date from the mid-twentieth century. Dwellings along the east of Hounslow Road (which includes the appeal site) are designed as a speculative housing development where No's 164 – 212 (even) are groups of three and four terraced dwellings that take a functional appearance with two storey brick construction with hipped roof forms, and a regimented setback from the front boundaries. Between each group of terraced properties there is a single dropped kerb which appears to have been originally designed to provide a shared accessway via a narrow driveway to the rear of properties along Hounslow Road where outbuildings are located for vehicular parking.
5. Many of the dwellings along this section of the eastern side of Hounslow Road maintain low boundary walls along the front and side boundaries, with some

dwelling maintaining a front garden area which is a positive aspect to the character and appearance of the area. The addition of large areas of grass verges between the front boundary and road and street trees add to the positive aspects of the local character and distinctiveness of the area with an openness to the front garden area and a spaciousness in and around the dwellings. There is an element of symmetry between the dwellings along Hounslow Road which retain similar designs, boundary treatment and spaces in and around dwellings with a defined placement of groups of dwellings with gaps and shared accesses in between which are part of the positive attributes contributing to the character and appearance of the area.

6. Unfortunately, some dwellings have attempted to utilise the dropped kerb and shared access in-between dwellings as quasi-accesses to the front of properties, as well as removing front boundary treatment and hardscaping the majority of the front garden area to facilitate vehicular parking. This action of driving vehicles along designated footpaths and verges and parking vehicles in the front gardens is a negative attribute to the street scene and dominates the open front garden area and provides a cluttered and poor visual appearance. As the driveways between properties do not appear to be designed to provide access to the fronts of dwellings, this has also meant that grass verges and pedestrian footpaths have been driven over by vehicles eroding the grass verges and creating additional hazards for pedestrians which presents as a negative attribute to the character and appearance of the area.
7. The Hounslow Local Plan (LP) Policies CC1 and CC2 are design orientated policies which seek to ensure that new development is of high quality and responds to the local context, whereas LP Policy SC7 specifically seeks that the construction of driveways and paving maintain the character of the area, and Policy EC2 is a transport orientated policy that seeks that proposals for vehicular crossovers be consistent with the council's adopted policy on vehicle crossovers. The Residential Crossovers and Off-Street Parking Policy 2016 (RCOPP) seeks to balance the needs of residents against highway safety and the character and appearance of a locality. In particular, there is an emphasis retaining green spaces in relation to existing grass verges¹ and ensuring that features such as front walls, hedges, fences and gardens can be retained in order to preserve these elements of the street scene².
8. Whilst there is use of the shared access between properties beyond their intended use, none of these shared accessways have been widened as proposed by this development. As a result, the widening of the single shared access would have an awkward appearance in this context and would facilitate the increase in negative attributes associated with the presence of vehicular parking to front gardens within this area. I agree with the applicant that whilst the proposal may comply with the RCOPP policies in terms of the proposed dimensions of accesses and parking areas, it does not comply with ROCCP Policy considerations around the effect towards the character and appearance of the area which would be significant. The proposed development would not reflect the context and positive attributes of the character and appearance of the area and would therefore fail to comply with Policies CC1, CC2, and SC7 as described previously.

¹ Paragraph 5.7

² Paragraph 4.1

9. I note the willingness of the applicant in their Statement of Case (SoC) to provide soft landscaping in the form of a permeable grass and ground reinforcement product, which would have benefits to surface water retention. However, this proposal would not be a solution which is in keeping with the existing character of the grass verge and would not be of enough benefit to offset the significant harm caused to the character and appearance of the area via the presence and domineering effect on the appeal site and the greater locality of vehicular parking and associated hard surfacing. I also note comments from the applicant's SoC that in relation to the grass verges that the proposed development would halt the decline caused by its current 'sodden, soggy appearance.' Given that the purpose of the shared driveway is not intended in providing access to the front of properties, the misuse of the accessway and verges by causing the current appearance cannot be considered a benefit to the scheme. Additionally, there may be other ways of ensuring the grass verges do grow back and maintain their intended appearance, for example restricting access to vehicles using the verges and footpaths in a way they are not intended for.
10. In conclusion of this matter, the proposal of the widening of the existing shared access would cause significant harm to the character and appearance of the appeal site and the character and appearance of the area which is not offset by the benefits presented. Consequently, the proposed scheme would be contrary to LP Policies SC7, CC1, CC2 as described previously.

Highway Safety

11. I appreciate that the road conditions I experienced on my site visit was only a snapshot of the road at this particular time, however I have also considered the evidence submitted by both main parties, and in light of this, I am satisfied that what I saw represents typical conditions. Hounslow Road is a single carriageway in each direction and provides a route for vehicles between Feltham and Hounslow. Whilst carrying more vehicles than the surrounding residential streets and cul-de-sacs, Hounslow Road is a residential road with a low speed limit of 30 miles per hour. The road is relatively straight at the appeal site with the road containing street lighting, and pedestrian footpaths, with grass verges between the road and the footpath which provide some refuge for vehicles entering and exiting the road. There is a gradient in topography which sloped down from the road to the appeal site, however given the close proximity of traffic lights at the end of Hounslow Road, vehicles are travelling at low speed.
12. I note comments in the applicant's SoC with regards to the lack of formal accident records for the street, however the absence of formal accident data does not in itself mean that accidents have not occurred, near misses, or indeed that a carriageway is 'safe.' Based on what I saw on my site visit I deduce that despite its deficiencies, Hounslow Road operates satisfactorily without any significant safety issues.
13. The Council's Planning Officer Report does not go into detail about what they see are the pedestrian and vehicular safety issues with discussion framed around the lack of compliance to the RCOPP with regards to the width of the plot as the RCOPP suggests that a maximum 3.6 metres should be given rather than the 4.8 metres as proposed. Whilst I agree with the Council that the proposed scheme would not comply with the RCOPP in this regard, this appears

to be related to site layout and character rather than directly linked to highway safety concerns or impacts. Whilst the variance in topography creates additional issues for visibility in both directions, and that vehicles appear to be travelling along footpaths to access fronts of properties, visibility would be compliant with the RCOPP, as well as vehicles travelling at low speed at this point which should not cause rise to adverse impacts to highway safety as per Policy EC2 of the LP. That said, whilst there are some highway safety concerns in the greater locality, I am not persuaded that the proposed scheme itself would result in adverse highway safety impacts.

14. In conclusion on this matter, I disagree that the proposed scheme results in highway safety impacts for vehicles or pedestrians. As such, the scheme would be compliant with LP Policy EC2 and the RCOPP.

Conclusion

15. I have found in favour of the applicant with regards to the matter regarding highway safety. However, this would not be sufficient to overcome the significant harm attributed to the character and appearance of the area as a result of the proposed development. Taking the above into account, I conclude that the appeal be dismissed.

J Somers

INSPECTOR