

Appeal Decision

Site visit made on 11 December 2023

by Mr C J Tivey BSc (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 January 2024

Appeal Ref: APP/F5540/D/23/3328718

354 Wellington Road South, Hounslow TW4 5JX

- 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 Bangay against the decision of the London Borough of Hounslow Council.
 - The application Ref 01181/354/P6, dated 21 April 2023, was refused by notice dated 15 June 2023.
 - The development proposed is for the formation of a vehicular access to the front of the house incorporating alterations to the front boundary wall.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the formation of the proposed access upon highway safety.

Reasons

3. The proposal seeks planning permission to create an access, including vehicular crossover and dropped kerb onto Wellington Road South which is a busy 'A' Road.
4. Policy EC2 of the London Borough of Hounslow Local Plan 2015 – 2030 Volume 1 (LP) requires proposals for vehicle crossovers to be consistent with the Council's adopted policy. The Residential Crossovers and Off-street Parking Policy (October 2016) highlights that where new crossovers are approved, a low (less than 600mm high) wall or fence must be present along the remainder of the front boundary of the property (but allowing for a separate gate) to ensure that vehicles only use the crossover. This is also required to protect the safety of passing pedestrians, most particularly children.
5. At the time of my site visit there was a pair of old wrought iron gates in situ in line with where the proposed dropped kerb would be installed. The Proposed Elevations show that the front and side walls to the driveway area would be a maximum of 600mm high, in compliance with the parking policy.
6. However, I note from the submitted site plan that both the pedestrian visibility splay and the highway visibility splay provided conflict with the front boundary

treatment of 352 Wellington Road South to the north of the appeal site which is outside the ownership and control of the appellant. I note the appellant's reference to the cover image on the policy document, which includes mature landscape features on the respective side boundaries which could obscure vision for drivers reversing onto the highway. It was quite possibly an inappropriate photograph to use for such a document, but nonetheless the development plan requires proposals for crossovers to be consistent with the Council's adopted policy.

7. I acknowledge that there will be situations in residential environments where visibility splays would extend beyond the host site and I note the specific examples highlighted by the appellant, but as they rightly stipulate, each case should be assessed on its own merits and I have not been provided with any planning history for those crossovers that do exist within the vicinity.
8. I accept that the proposed vehicular access is intended to serve a single family dwelling and whilst the flow and movements associated with such a use could be low, nonetheless Wellington Road South is a busy highway and combined with the narrow footway which, from personal experience, makes it difficult for individuals to pass one another, the proposal does not demonstrate that there would be no obstructions above 600mm within both identified splays.
9. It is stated that an examination of the accident records for the locality confirms that no single incident involved vehicle movements to and from vehicular crossovers, however this claim has not been substantiated and my primary concern is the lack of evidence to demonstrate that adequate visibility splays would be provided in order to protect pedestrians utilising the footway and road users of Wellington Road South. I therefore conclude that the proposal would give rise to conditions whereby there could be conflicts with other highway users and be detrimental to their safety, consequently I find that the proposal conflicts with LP Policy EC2 as well as the parking policy.

Conclusion

10. Having regard to the above and all other matters raised, I conclude that the appeal be dismissed.

C J Tivey

INSPECTOR