



Appeal Decision

Site visit made on 5 December 2023 by T Bennett BA(Hons) MSc MRTPI

Decision by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 February 2024

Appeal Ref: APP/F5540/W/23/3325753

Ground Floor Flat, 45 Chiswick Lane, Chiswick, London W4 2LR

- 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 Deulina against the decision of the London Borough of Hounslow.
 - The application Ref 00249/45(GFF)/P1, dated 21 February 2023, was refused by notice dated 24 April 2023.
 - The development proposed is to create new front boundary treatment with access gates.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 19 December 2023 and updated on 20 December 2023. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. Consequently, this update to national policy does not fundamentally alter the main parties' cases or prejudice their position at appeal, and it is not necessary to seek further comments.

Main Issues

4. The main issues are the effect of the proposed development on:
 - the character and appearance of the area; and
 - highway safety

Reasons for the Recommendation

Character and Appearance

5. No 45 Chiswick Lane is a detached dwelling divided into flats. The building and neighbouring buildings are set back from the road. Where built front boundary treatments exist to this section of Chiswick Lane, they are mostly low level and are often supplemented by soft planting. Many have open driveways, as is the case at the appeal property. The position of buildings set back from the road,

together with the gaps and general low level of built form to front boundaries, positively contributes to a pleasant spacious character to the roadside.

6. The use of metal railings would retain some of the openness, allowing views into the site. However, the total composition of the boundary treatment including the gates, walls and tall brick pillars would have an unacceptable enclosing impact which would be at odds with the more open appearance of boundaries generally seen nearby. A condition requiring details of soft landscaping to be provided behind the boundary treatment would not be sufficient to overcome the harm that would result to the spacious qualities of the street.
7. I accept that the boundary treatment would closely align with the height of the wall, gates and railings which form the side boundary of the adjacent property. However, that is a corner property fronting Beverley Road and does not persuade me that the proposal would positively reflect the prevailing characteristics of properties fronting this part of Chiswick Lane.
8. I conclude, the proposal would be harmful to the character and appearance of the area. Accordingly, it would conflict with the design, context and character requirements of Policies CC1 (Context and Character) and CC2 (Urban Design and Architecture) of the London Borough of Hounslow Local Plan (2015) (LP).

Highway Safety

9. A visibility splay plan submitted as part of the appeal indicates that visibility could be achieved when egressing the site in a forward gear. However, during my site visit, I observed a vehicle parked on the driveway facing away from the highway. I have no substantive evidence before me to demonstrate that vehicles can sufficiently turn in the driveway to avoid reversing on to the carriageway.
10. Chiswick Lane is a busy A-road with a variety of road users. I recognise that my site visit represents a snapshot in time, but my observations reflect those described by the Council. Due to the height of the proposed pillars and their position either side of the access point, I am not persuaded that suitable visibility would be achieved if a reverse manoeuvre had to be undertaken onto the highway.
11. I acknowledge that the existing boundary planting and the neighbouring wall already restricts visibility. However, given the height and position of the proposed pillars at the site entrance, the visibility of drivers emerging from the access point would be even more limited compared to the existing situation. Furthermore, planting could be easily cut back. Therefore, it does not justify the introduction of additional built form which could impede visibility and increase risk of harm to users of the public footway and the vehicular carriageway.
12. For the reasons given, the proposal has not sufficiently demonstrated that there would not be an unacceptable impact on highway safety. This conflicts with Policy EC2 (Developing a Sustainable Local Transport Network) of the LP which requires that proposals demonstrate that adverse impacts on the transport network are avoided.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

T Bennett

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's recommendation and on that basis the appeal is dismissed.

M Russell

INSPECTOR