



Appeal Decision

Site visit made on 17 June 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th July 2024

Appeal Ref: APP/F5540/D/24/3342674

186 Worton Road, Isleworth TW7 6EP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Rozina Tony Joseph against the decision of the Council of the London Borough of Hounslow.
 - The application reference is 01239/186/P3.
 - The development proposed is to drop kerb in front of our property to allow vehicle crossing from the footway/pavement for access to park a vehicle adjacent to our property. We have a hard surface of non-porous material built in our front garden. The front garden space is approximately 35 sq meter in area and can comfortably accommodate parking for one car.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on highway safety for users of Worton Road.

Reasons

3. The proposal is a dropped kerb to provide a vehicle crossover along the highway frontage of the appeal property, which is a mid-terrace dwelling that faces Worton Road. The new crossover would provide access from the highway to the hard surface area in front of No 186 for off-street vehicle parking.
4. The Council is critical of the appellant in failing to demonstrate that the minimum pedestrian visibility splays can be achieved within the site in accordance with its Supplementary Planning Document, *Residential Crossovers and Off-Street Parking Policy* (SPD). For pedestrian safety reasons, the SPD stipulates that visibility splays of at least 2.4-metres by 2.4-metres at the back of the footway must be provided on each side of the new crossover. It also requires that within the area covered by the splays there is no obstruction that is taller than 0.6-metres high, such as a fence or vegetation.
5. The appellant asserts that all the various requirements of the SPD can be met and that satisfactory visibility would be provided in both directions. However, the plans do not definitively show that the visibility requirements of the SPD can be achieved within the boundary of the site. On that basis, I cannot be certain that the minimum pedestrian visibility, as required by the SPD, can be secured within land that is owned or controlled by the appellant.

6. From what I saw, the area in front of No 186 would be sufficient in size to accommodate a parked vehicle. However, a driver using the new crossover would need to reverse into or out of the proposed parking area onto or from the adjacent highway. To one side of the site, I observed that vegetation in the front garden of the adjacent property was overgrown and that a fence marked the highway frontage of the attached property on the other. These features could hinder views of oncoming footway users, as could a new structure introduced to either of these front gardens in the future.
7. A vehicle reversing into or out of the site across a footway with restricted visibility of oncoming pedestrians even at a low speed would be far from ideal because there would be a significant risk of potential collision and injury. Equally, footway users approaching the site may not have a clear view of a vehicle emerging from the parking area if it is hindered by the boundary treatment of the properties on the immediate approach. For these reasons, the proposal would pose an unacceptable risk to the safety of pedestrians.
8. I recognise that the number and frequency of vehicle movements using the new crossover would be modest. Even so, the appeal scheme would result in drivers crossing a footway in reverse potentially with restricted visibility of others. I also note the appellant's view that the off-road parking arrangement, as proposed, would reduce traffic congestion and ease potential concerns from other residents. Reference is also made to the hazard caused by vehicles parked along the street with 2 wheels placed onto the adjacent footway and to the absence of any recorded accidents associated with crossovers and residential accesses along Worton Road. None of these considerations outweigh the harm that I have identified.
9. I saw examples of properties with dropped kerbs and off-street forecourt parking along Worton Road including those to which the appellant has referred and provided photographs. Many of these existing accesses also rely on vehicles reversing across a footway often with visibility impeded by the boundary features within other front gardens. I am unaware of the detailed circumstances of these arrangements and most of which were far from ideal with regard to highway safety. These examples do not persuade me that the proposal, which would add to highway danger, should be accepted.
10. The SPD also states that the maximum width of the crossover must not exceed 50% of the width of the frontage of the property. It also requires that a path to the front door is provided along with a low wall across the remainder of the frontage to prevent illegal crossing of the footway. The submitted plans fail to clearly demonstrate that these additional requirements would be met.
11. On the main issue, I conclude that the proposed development would pose an unacceptable risk to highway safety for users of Worton Road. As such, it conflicts with Policy EC2 of the Council's Local Plan 2015-2030, which expects development proposals to avoid adverse impacts on the transport network. It is also at odds with the SPD and the policies of the National Planning Policy Framework (the Framework). The Framework aims to ensure that developments create places that are safe and minimise the scope for conflicts between pedestrians, cyclists and vehicles.
12. That the proposal would be a more accessible, convenient and safer alternative to on-street vehicle parking for the appellant and her family is not in doubt. These are important matters to weigh in the planning balance as is the ability

to recharge an electric vehicle close to the appeal property. I also note the appellant's view that the Council Officer that carried out a site visit provided positive feedback at that time on the proposal. These considerations do not outweigh the significant harm caused by the effect of the proposal on highway safety.

Conclusion

13. Overall, I conclude that the proposed development would conflict with the development plan. There are no material considerations, including those of the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan.
14. For the reasons set out above, and having regard to all other matters raised, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR