



Appeal Decision

Site visit made on 6 November 2024

by **M Aqbal BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 6th January 2025

Appeal Ref: APP/F5540/W/24/3341192

27 Firs Drive, Hounslow TW5 9TA

- 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 Mr V Sehdev against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is 00452/27/P3.
 - The development proposed is erection of a pair of semi detached houses and associated parking.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The Government published a revised National Planning Policy Framework (the Framework) on 12 December 2024. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I have not sought submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by taking this approach.

Main Issues

3. The main issues are: i) the effect of the proposal on the character and appearance of the area, including the Cranford Village Conservation Area ('CA'); ii) the effect of the proposal on the living conditions of neighbours; iii) the effect of the proposal on highway safety; iv) the effect of the proposal on existing landscaping; and v) the effect of the proposal on fire safety.

Reasons

Character and appearance

4. The appeal site comprises a two-storey detached dwelling and its associated plot, located along the eastern side of Firs Drive. This property is also within the Cranford Village CA.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a requirement that special attention should be paid to the desirability that the character or appearance of the conservation area should be preserved or enhanced. Also, the Framework requires me to assess the particular significance of any heritage asset that may be affected by a proposal.
6. The appeal site is within the 'Firs Drive' Character Area of the Cranford Village CA. This comprises an estate of well-maintained, detached and semi-detached

houses, a number of which are located around small, attractive greens. All are coherent in design and some are of exceptional quality. The estate was designed and built in the 1930s. One of the threats identified in the Cranfield Village Conservation Area Appraisal is the gradual loss of openness, space and greenery through development.

7. Based on my observations the significance of the Cranford Village CA lies in its history and the quality of its built forms, which includes the architecture and layout of the 1930s estate which Firs Drive is a part of and includes the quality and arrangement of its green spaces.
8. Along Firs Drive, dwellings are arranged in a linear formation to this road. Most notably, the appeal property and those in its vicinity are largely arranged to face the highway. This, along with the arrangement of smaller frontages and generous rear gardens to these properties, contribute to a well-defined urban grain and a coherent street scene. Indeed, because of its layout and particularly generous rear garden featuring mature trees, the appeal site positively contributes to the areas character and appearance and the significance of the Cranford Village CA.
9. The proposal would introduce a pair of dwellings directly to the rear of the appeal property. This tandem arrangement and proximity of dwellings to each other, would be inconsistent and uncharacteristic of the prevailing pattern of development in the area.
10. Furthermore, the siting of the proposed dwellings, along with the creation of a new access/crossover and driveway for these, would lead to the loss of some soft landscaping. This would have an appreciable and permanent erosive effect on the spacious and verdant character of the appeal property and the layout of this part of the estate. This adverse impact would be apparent from the host property and neighbouring properties and to some extent in views from the adjacent highway.
11. Located to the south and off Firs Drive is Royston Close, where properties occupy smaller plots. This is a small cul-de-sac, and most of the dwellings within it directly face the highway to create a small but cohesive contribution to the street scene along here. This is different to the scheme before me for a proposed back land development. Consequently, the development at Royston Close does not lend support for the proposal.
12. For the above reasons, the proposal would harm the character and appearance of the area and fails to preserve the significance of the Cranfield Village CA.
13. The Framework says that great weight should be given to an asset's conservation, with any harm to the significance of a designated heritage asset, including from development within its setting, requiring clear and convincing justification.
14. Given that the proposal relates to a single plot, the harm arising from this to the significance of the Cranfield Village CA would be less than substantial. The Framework, says that where a proposal would lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
15. In this case the proposal would deliver two new dwellings, which would add to the areas housing stock and this is a social benefit. The construction associated with the development and its occupation would also deliver some economic benefits.

Even so, given the modest scale of the proposal (2 dwellings), the benefits associated with this attract limited weight.

16. Having special regard to the desirability of preserving or enhancing the character or appearance of the Cranfield Village CA, despite finding the harm to be less than substantial, I still attach significant weight to this. Having given limited weight to the public benefits in this instance, these are not sufficiently forceful to outweigh the less than substantial harm that I have identified.
17. For the above reasons, the proposal is contrary to Policies CC1 and CC2 of the Hounslow Borough Local Plan (2015-2030) ('HLP') which seek to promote and support high quality urban design and architecture to create attractive, distinctive, and liveable places. Along with requiring development to maintain the character of an area and respond to any local architectural vernacular that contributes to an area's character.
18. Accordingly, I also find conflict with Policy CC4 of the HLP, the overall aim of which is to conserve and take opportunities to enhance the significance of the borough's heritage assets as a positive means of supporting an area's distinctive character and sense of history. Consequently, the proposal also conflicts with the similar aims of the Framework for conserving and enhancing the historic environment.

Living conditions of neighbours

19. The proposal would introduce a sizeable new built form at the appeal site. Even so, this would be located away from the boundaries of the site and, in part, would be screened from the gardens of dwellings on all sides by intervening boundary treatments.
20. The rear gardens associated with the dwellings either side of the appeal site are deep. Relative to these gardens, the depth of the proposed development would be limited and this would be located towards the end of these gardens. Consequently, the proposed dwellings would be a sufficient distance from the rear of the dwellings either side of it and the garden areas closest to these, which are most likely to be used for amenity purposes. Because of the separation and orientation of the gardens and dwellings to the rear of the appeal site, these would not be affected by the proposal. Overall, the proposed development would not be so dominant as to compromise the outlook of the occupiers of neighbouring properties.
21. The use of the proposed dwellings and associated gardens would result in some additional activity and noise. Nevertheless, in the context of a built-up residential area, such activity and noise are unlikely to undermine the living conditions of neighbours.
22. The proposed scheme introduces a driveway in proximity of 25 Firs Drive. Although there are windows and an entrance along the side elevation of this property, these are largely screened by a boundary fence. Also, whilst the use of the new driveway would result in additional vehicular movements because this is relatively narrow, vehicles would be forced to travel along this at low speeds. This, along with the low volume of traffic associated with two dwellings, would not result in any undue disturbance on the occupiers of 25 Firs Drive.

23. Consequently, the proposal would not harm the living conditions of neighbours. The proposal therefore accords with Policy CC2 of the HLP, which along with other things seeks to safeguard amenity.
24. The Council's third reason for refusal also refers to Policy CC1 of the HLP, which mainly deals with design. Therefore, this is not directly relevant to living conditions.

Landscaping

25. There are mature trees within the appeal site, the most notable examples include one located just to the rear of the appeal property and another close to its rear boundary. These trees are broadly shown on the proposed layout plan but there are also other smaller trees. Together, these trees contribute to the verdant appearance of this plot and the Cranfield Village CA. These trees are also likely to support some biodiversity.
26. The proposal includes the creation of a driveway and new built forms near to the existing trees. Such works would also require some groundworks and foundations. However, in the absence of a tree survey, I cannot be certain as to what extent these trees would be affected by the proposal.
27. Whilst the appellant has suggested the use of planning conditions to safeguard trees and biodiversity because the appeal site is in a conservation area, I am not persuaded that such matters should be left to conditions. Also, on the information before me, there is no certainty that the proposed scheme could be delivered without adversely affecting retained trees and biodiversity. Thereby, resulting in an unimplementable planning permission.
28. Accordingly, it has not been clearly shown that the proposal would safeguard trees and biodiversity. Therefore, the proposal is contrary to Policy CC1 which requires proposals to conserve and take opportunities to enhance particular features or qualities that contribute to an area's character, such as mature trees.
29. Also, there is no certainty that the proposal would support the aims of HLP Policy GB7 and London Plan policies G6 and G7 which require development proposals to manage impacts on biodiversity.

Highway safety

30. The development would be served by a new vehicle crossover from the edge of the mini roundabout in front of the appeal property.
31. Notwithstanding that there are already a number of vehicle crossovers along this mini roundabout, the Council's Residential Crossover and Off-street Parking Policy requirements apply to new crossovers or extensions to existing crossovers. This Policy says that for safety reasons crossovers are not permitted onto or within 5m of a roundabout. The proposed crossover also exceeds the maximum acceptable width.
32. Because of its location, the mini roundabout outside the appeal site is regularly used by vehicular traffic accessing a large number of dwellings within the wider estate. The nearby pavements are also used by pedestrians moving to and from this estate.

33. Despite the low volume of traffic likely to be using the proposed development because of its width only one vehicle at a time would be able to pass along the new driveway. Consequently, there may be situations, where a vehicle accessing the driveway may have to reverse off to allow a vehicle already on the driveway to exit. Such an arrangement could result in vehicles reversing on to the mini roundabout and increase road danger for other highway users.
34. To allow vehicles to turn within each new plot, the proposed scheme incorporates vehicle turntables. The submissions include information and technical details for these.
35. Whilst the Council may not encourage the use of turntables, the Residential Crossover and Off-street Parking Policy does not explicitly exclude the use of these. Also, there is no technical evidence to suggest that these are not a workable solution in the proposed location. Details of maintenance of the turntables could be secured by a planning condition if this appeal succeeds.
36. The proposed driveway does not incorporate a dedicated pedestrian path. Notwithstanding its length, this driveway is relatively straight and as already stated vehicles are likely to use this at low speeds. Therefore, this access could be used as a shared surface for both pedestrians and vehicles.
37. Nonetheless, because the proposal would result in the creation of a new crossover on a mini roundabout, this would have an unacceptable effect on highway safety. Accordingly, the proposal conflicts with Policy EC2 of the HLP and Policy T4 of the London Plan. Together, these Policies say that development proposals should not increase road danger and demonstrate that adverse impacts on the transport network are avoided.

Fire safety.

38. The proposal includes some fire safety information as required under Policy D12 of the London Plan. This, however, fails to demonstrate adequate access for firefighters. In particular, the proposed driveway would be of an insufficient width to allow access for a fire appliance.
39. The appellant advises that a dry riser could be installed. Thereby, allowing a fire appliance to stay on the road. This could be secured by way of a planning condition if the appeal were to succeed. Accordingly, the proposal does not conflict with the overarching aim of Policy D12 of the London Plan, which is to ensure the safety of all building users.

Conclusion

40. The proposal is acceptable with regard to fire safety and is unlikely to harm the living conditions of neighbours. However, the proposal fails to preserve the character and appearance of the Cranfield Village CA and it has not been shown that this would safeguard existing trees and biodiversity. Also, I have found the scheme to be unacceptable with regard to highway safety. For these reasons and conflict with the development plan, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR