



Appeal Decision

Site visit made on 4 February 2025

by **Peter White BA(Hons) MA DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 27 February 2025

Appeal Ref: APP/F5540/C/23/3330978

Premises known as 1A Campion Road, Isleworth TW7 5HS

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended). The appeal is made by Mr. Hamza Uria against an enforcement notice issued by the Council of the London Borough of Hounslow.
- The notice was issued on 8 September 2023.
- The breach of planning control as alleged in the notice is without planning permission the erection of a front/side boundary wall with associated pillars, lanterns and ornaments and the erection of a fountain in the front garden of the Land.
- The requirements of the notice are:
 - i. Demolish the front/side boundary wall around the front garden of the Land as well as the associated pillars, lanterns and ornaments
 - ii. Remove the fountain structure
 - iii. Remove all resultant debris associated with the above works from the Land.
- The period for compliance with the requirements is: 1 month.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (f) of the Town and Country Planning Act 1990 (as amended) ("the Act"). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act ("the DPA").

Summary of decision: The appeal succeeds in part and permission for that part is granted, but otherwise the appeal fails, and the enforcement notice is upheld as corrected in the terms set out below in the Formal Decision.

Preliminary Matters

1. Given the gap providing a vehicular and pedestrian entrance to the property, the development described in the Notice as relating to a front/side boundary wall in fact relates to two walls. Read as a whole, the Notice refers to the wall around the front garden of the Land and to the pillars on the walls along the frontage either side of the vehicle crossover. It is therefore clear that the walls enclosing the entire front garden are part of the breach of planning control alleged. No injustice would occur to either party were I to correct the Notice to refer to walls in the plural, rather than a wall in the singular, and I shall do so in my formal decision.

The appeal on ground (a)/the DPA

2. Appeals on ground (a) are made on the basis that planning permission ought to be granted for the matters stated in the Notice, constituting the breach of planning control. The development before me is that stated in the Notice as corrected, that is, the erection of front/side boundary walls with associated pillars, lanterns and ornaments and the erection of a fountain.

Background and Main Issue

3. The appellants case on ground (a) is that the lanterns, ornaments and fountain would be removed and that the retention of the walls and pillars alone would not harm the character and appearance of the area.
4. The main issue is the effect of the development on the character and appearance of the surrounding area.

Reasons

5. 1A Campion Road is a two-storey detached house in a residential area in which most properties were constructed with low brick walls along the pavement edge, with short brick pillars either side of a vehicle crossover. Some walls have since been rendered and painted.
6. Land levels fall to the south-east and towards the carriageway. Some walls are therefore stepped and are higher at the public footway edge than at the frontage of dwellings. The neighbouring property on the corner of Campion Road and Parkwood Road ("No 1") has taller timber boundary fences, which provide enclosure of its garden, which is located at the front of the house.
7. Prior to the development there was a low frontage wall, stepped in two sections, and timber fences along either side boundary. I have not been provided with the heights of the original boundary treatments prior to the development. But, considering the photographs in evidence, the walls now in place are not substantially higher than the walls and fences they replaced.
8. The 1.12m – 1.26m frontage wall is higher than others on the street, but is not excessive or unduly harmful to the character of the area. It also accommodates the transition to the taller boundary treatments of No 1 adjacent. The pillar adjoining the boundary with No 1 also forms the end of the side boundary wall, and although it is broader on the frontage elevation, it does not appear to exceed the height of the side boundary fence it replaced.
9. The pillars either side of the vehicle crossover are more noticeable. The central pillar is 0.72m higher than the wall, and that on the north-western side is 1.75m high. But the north-western side wall is a similar height to the fence which preceded it, and although it is a more permanent structure, it is not materially more harmful to the character of the area. The pillar at its end is only marginally higher, and the general openness of the frontage boundary means the pillars either side of the vehicle crossover are not in themselves sufficient to harm the character and appearance of the area.
10. I note the possibility that other properties may seek to follow the development in a manner which could harm the character of the area, but I saw no other properties on Campion Road with existing boundary treatments along the side boundaries of the height that had been in place on the appeal site.

Conclusion on ground (a)/the DPA

11. The walls and pillars therefore accord with Policies CC1, CC2 and SC7 of the London Borough of Hounslow Local Plan 2015-2030 (2015), which seek to ensure development complements the character of the area through good design. There

are no other material considerations that require a decision to be made other than in accordance with the development plan.

12. For the reasons given above, the appeal therefore succeeds on ground (a) to the limited extent sought by the appellant. I shall grant planning permission for those parts of the development, as described in the notice as corrected.
13. The appeal on ground (f) does not therefore fall to be considered.

Conclusion

14. For the reasons given above I conclude that the appeal should succeed in part only, and I will grant planning permission for the erection of front/side boundary walls with associated pillars, but otherwise I will uphold the notice with corrections and refuse to grant planning permission in respect of the other part of the matters. The requirements of the notice will cease to have effect so far as inconsistent with the planning permission which I will grant by virtue of section 180 of the 1990 Act (as amended).

Decision

15. It is directed that the enforcement notice is corrected by:
 - In section 3: the deletion of the words "a front/side boundary wall" and their substitution with the words "front/side boundary walls"; and
 - In section 5: the deletion of the words "front/side boundary wall" and their substitution with the words "front/side boundary walls".
16. Subject to the corrections, the appeal is allowed insofar as it relates to erection of front/side boundary walls with associated pillars and planning permission is granted on the application deemed to have been made under section 177(5) of the 1990 Act (as amended), for erection of front/side boundary walls with associated pillars at 1A Campion Road, Isleworth TW7 5HS.
17. The appeal is dismissed and the enforcement notice is upheld as corrected insofar as it relates to lanterns and ornaments and the erection of a fountain, and planning permission is refused in respect of lanterns and ornaments and the erection of a fountain at 1A Campion Road, Isleworth TW7 5HS on the application deemed to have been made under section 177(5) of the 1990 Act (as amended).

Peter White

INSPECTOR