
Appeal Decision

Site visit made on 6 March 2025

by **R Lawrence BSc (Hons), PGDip (TP), MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19th March 2025

Appeal Ref: APP/F5540/W/24/3354189

34 Westbury Road, Feltham, Hounslow TW13 5HQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a failure to give notice within the prescribed period of a decision on an application for approval to details required by a condition of a planning permission.
 - The appeal is made by Galina Dmitriv against the Council of the London Borough of Hounslow.
 - The application Ref P/2024/2492 sought approval of details pursuant to condition No 3 of a planning permission Ref P/2023/1049 granted on appeal (ref APP/F5540/W/23/3330673) on 14 May 2024.
 - The development proposed is the formation of a vehicular access to the front of the property.
 - The details for which approval is sought are visibility splays as shown on unnumbered plans labelled “vehicle visibility” and “pedestrian visibility”.
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Decision

1. The appeal is allowed and the visibility splays as shown on unnumbered plans labelled “vehicle visibility” and “pedestrian visibility” submitted pursuant to condition No 3 attached to planning permission Ref P/2023/1049 granted on 14 May 2024 in accordance with the application dated 24 July 2024 and the plans submitted with it are approved.

Preliminary Matters

2. This appeal has been lodged following the Council’s failure to determine the application. Subsequently, there is no information before me setting out the Council’s position.

Main Issue

3. The main issue is the effect of the proposed visibility splays on pedestrian and highway safety.

Reasons

4. No 34 comprises the ground floor of a semi-detached two-storey property. There is a low brick, boundary wall along the front boundary. A number of properties in the vicinity of the appeal site have off-street parking to the front, this includes the neighbouring property.
5. The previous inspector, in allowing the original development, found that it was doubtful whether the visibility splays (2.4m x 2.4m) required by the Council’s Residential Crossovers and Off- Street Parking Policy (2016) could be achieved. Nonetheless, the proposal was found acceptable having regard to the low vehicle speeds and frequency of movements together with good visibility of the footpath

and the highway. Consequently, the relevant condition, does not specify the size of visibility splays to be provided.

6. The visibility splays before me are taken from the front, rather than the back, of the footway. Had the visibility splays being taken from the back of the footway, this would have increased the extent of the visibility splay. Nonetheless, I note that the full extent of the existing front boundary treatments is very modest in height, and consequently visibility of both the footpath and the highway is good. It also remains the case, that traffic speeds, together with vehicle and pedestrian movements both appear to be low.
7. Given the above, and in the absence of any evidence from the Council to indicate any likely harm from the visibility splays as shown, I conclude that the proposed visibility splays would be acceptable in terms of pedestrian and highway safety and would accord with the aims of Policy EC2, insofar as it requires adverse impacts on the transport network to be avoided.

Conclusion

8. For the reasons given above the appeal is allowed.

R Lawrence

INSPECTOR