

Appeal Decision

Site visit made on 1 February 2017

by M C J Nunn BA BPL LLB LLM BCL MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 24th February 2017

Appeal Ref: APP/F5540/D/16/3166219

57 Oakley Close, Isleworth, TW7 4HY

- 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 Mr Permjit Khehar against the decision of the Council of the London Borough of Hounslow.
 - The application Ref: 01437/57/P2, dated 23 August 2016, was refused by notice dated 19 October 2016.
 - The development is described as "change from flat roof to pitched roof over the existing garage and porch together with conversion of existing garage into a habitable room with ensuite bathroom".
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Decision

1. The appeal is allowed and planning permission granted for a change from flat roof to pitched roof over the existing garage and porch together with conversion of existing garage into a habitable room with ensuite bathroom at 57 Oakley Close, Isleworth, TW7 4HY, in accordance with the terms of the application, Ref: 01437/57/P2, dated 23 August 2016, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: PSK 100A, Location Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issue

2. The main issue is the effect on highway safety in terms of parking.

Reasons

3. The appeal property is an end of terrace house with a two storey side addition. Located within a cul-de-sac, the dwelling appears to date from the 1960s or 1970s. It has a forward projecting integral garage and a porch. The front garden is predominantly hard-surfaced with a small area of lawn. The hard-surfaced area is wide enough for the parking of two vehicles side by side.
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4. The appellant states that he has occupied the house for some 30 years and during that time the garage has always been used for storage, rather than for the parking of vehicles. I have no reason to doubt that this is the case. Because the garage has not been used for its original purpose for many years, in practical terms, there would be no new or additional displacement of vehicle parking on to the front hardstanding or the road. I note the Council's concerns that the depth of the area at the front of the house is only 4.5 metres, less than the standard minimum depth of 4.8 metres for a parking space. However, it seems to me that whilst its limited depth means it is not suitable for larger vehicles, it does not preclude parking on the frontage for smaller vehicles.
5. The Council has also drawn attention to a planning permission from 1996 for a two storey side addition at the property that included a condition requiring the garage and parking space to be retained permanently for parking purposes and used only for purposes incidental to the use of the premises as a dwelling house. However, even were the garage to be retained, this would not prevent vehicles parking at the front of the property. Indeed, this already occurs at the property. In fact, I noted at my site visit that front vehicle parking was a common occurrence at this row of terraced properties within the cul-de-sac. This is despite all the houses, except one¹, having garages.
6. The Council has raised certain concerns regarding the scheme's design, although this has not translated into a specific reason for refusal. I am satisfied that the character of the area would be unaffected by this project, except for the unobtrusive replacement of a garage door by a window on the front elevation, and the replacement of a flat roof with a pitched roof over the front projection. As such, the scheme would comply with Policies SC7, CC1 and CC2 of the Local Plan which seek to maintain the character of areas through high quality design.
7. Overall, I do not consider the Council's objections in respect of the loss of the garage and the consequent increased demand for parking on roads in the locality to be well founded. I conclude that the proposal would have no adverse effect on highway safety in terms of parking. It would comply with Policy EC2 of the Local Plan which seeks to develop a sustainable local transport network by ensuring sufficient car parking is retained to meet local needs.
8. A commencement condition is necessary to comply with the relevant legislation. A condition requiring compliance with the approved plans is necessary for certainty. A condition requiring materials to match those in the existing dwelling is necessary to safeguard the character of the building and wider area. Subject to these conditions, I conclude that the appeal should be allowed.

Matthew C J Nunn

INSPECTOR

¹ No 49's garage has been converted into a habitable room.