
Appeal Decision

Site visit made on 20 April 2017

by Rachel Walmsley BSc MSc MRTPI

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

Decision date: 09 May 2017

Appeal Ref: APP/F5540/W/17/3166922

34 Sunningdale Avenue, Feltham TW13 5JT

- 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 Omer Mohammed against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01082/34/P3, dated 14 July 2016, was refused by notice dated 9 December 2016.
 - The development proposed is conversion of existing house into 2 flats 1 bedroom two person flats.
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Decision

1. The appeal is dismissed.

Procedural matter

2. It was apparent from my observations on site that the existing property had been converted into two flats but not to the layout proposed with the planning application. I will, therefore, consider the appeal on the basis of the submitted drawing.

Main Issues

3. These are:
 - (i) whether the change of use to two flats from a single dwelling house would be appropriate;
 - (ii) the effect of the change of use on pedestrian and highway safety; and,
 - (iii) whether the proposal would result in substandard accommodation.

Reasons

Change of use

4. Policy SC6 of the Local Plan¹ supports the conversion of existing houses provided that they have a *minimum 130 sqm net original internal floor area* and the conversion *provides at least one family-sized unit at ground floor*,

¹ London Borough of Hounslow, Local Plan, 2015-2030

except in locations not considered suitable for families. The original floor area of the existing property is 60 sqm and is therefore below the recommended standard. Furthermore, a family sized unit at ground floor level is not proposed. The appeal site is within an area of terraced houses, many of which are in use as, and therefore are conducive to, family housing. In the absence of any evidence to suggest that the existing property is not conducive to family living, the change of use would result in the loss of family sized accommodation.

5. I recognise that each flat would be provided with amenity space which the Council have raised no objection to. Whilst the provision of this space is welcome, this does not overcome the harm identified as a result of the property not being large enough for the conversion proposed. I find, therefore, that the proposal would be contrary to policy SC6.

Pedestrian and highway safety

6. The plan before me shows how a car could be parked to the front of the site. The appellant acknowledges the inadequacy of this space and I concur; the brick wall, proposed bin storage and proximity to the front entrance of the first floor flat are constraints which leave insufficient space for a person to get in and out of the car with ease. My attention is drawn to areas within the street where cars are parked off-street and on paved frontages. It was apparent from my observations on site that the paved frontages had fewer obstructions than the space proposed to the front of the appeal site, and therefore can accommodate a vehicle more easily. The drawing before me does not make similar provisions, instead the space proposed is unworkable.
7. The appellant suggests that there is parking space available on-street. I visited the site in the morning when there were on-street parking spaces available. However, I cannot assume that this is representative of all times of the day and therefore that there is capacity on street to accommodate the change of use. With this in mind I cannot accept the appellant's suggestion of imposing a condition on any planning approval to prevent parking on site. Nor can I give weight to the proposal for cars to park on street.
8. The appellant also suggests that vehicles could park on the access shared with the neighbour. It was apparent from my observations on site that the access is used by the neighbours and therefore a vehicle parked here would inhibit the neighbour's use of the access. As a result I can give little weight to this proposition.
9. The site is within walking distance of Hounslow Road and Hampton Road. The appellant suggests that there are excellent transport links from these roads for the change of use to be accessible by bus and tube. However, I have no details about the frequency, length or location of the bus services or the facilities they connect to, to know if prospective residents could meet their daily needs by public transport alone. Car parking is therefore a necessary requirement of the change of use.
10. In all, I have found that the parking provisions proposed are inadequate. With

inappropriate space for vehicles to park and manoeuvre, the safe movement of traffic and pedestrians would be impeded. This harm to highway and pedestrian safety would be contrary to policy EC2 which requires development proposals to demonstrate that adverse impacts on the transport network are avoided.

Standard of accommodation

11. Policy SC6 and SC5 require development proposals to demonstrate compliance with the Nationally Described Space Standard² (NDSS). The NDSS for one bedroom two person dwellings is 50 sqm. The ground floor flat would meet this standard; the first floor flat would not and would therefore be substandard, harmful to the living conditions of its occupiers.
12. I share the Council's concerns that the noise and disturbance from a moving vehicle unrelated to the ground floor flat would disrupt the peacefulness demanded by a bedroom. This, in turn, would be harmful to the living conditions of prospective occupiers.
13. The change of use, therefore, would be contrary to policies SC6 and SC5 which seek development that does not have an adverse impact on residents' amenity.

Other matters

14. Notwithstanding the description of development, the appellant alludes to each of the flats being for one person. If this was the case, both flats would meet the NDSS. However, in light of the harm identified as a result of the change of use in principle and its effect on pedestrian and highway safety, appropriately sized flats would carry limited weight in overcoming the harms identified.
15. My attention is drawn to a demand for flats within the area. However, I have no evidence of this demand to consider it greater than the need to provide family-sized accommodation. This consideration, therefore, carries no weight.
16. I note the limited impact the development would have on the character and appearance of the area by virtue of changes not being proposed to the external elevations of the property. This carries limited weight in favour of the appeal.
17. The appellant suggests that the level of activity from two flats would be less than from a family house. Within a family there are opportunities for co-ordinated trips to and from the property, for example to shops and schools. For two flats, trips by occupiers would be made independently of each other, which in turn would increase the level of vehicular and pedestrian activity compared with a single dwelling house. The suggestion that the change of use would generate activity of little consequence to the surrounding area therefore does not carry weight in favour of the appeal.

² Department for Communities and Local Government: Technical housing standards – nationally described space standard (March 2015)

Conclusion

18. The limited weight given to the impact the development would have on the character and appearance of the area and to the suggested one bedroom flats does not outweigh the harms identified. For this reason the development would be contrary to the development plan, as indicated, and therefore the appeal is dismissed.

R Walmsley

INSPECTOR