

Appeal Decision

Site visit made on 19 April 2017

by Caroline Mulloy BSc (Hons) DipTP MRTPI

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

Decision date: 16 May 2017

Appeal Ref: APP/F5540/W/17/3168147
109 Kingsley Road, Hounslow TW3 4AJ

- 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 D Mandavia, Knight, Young and Co against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00667/109/P7, dated 27 May 2016, was refused by notice dated 5 August 2016.
 - The development proposed is described as 'erection of 2 storey rear extension to provide self-contained offices (A2)'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - The effect of the proposal on the character and appearance of the host property and the area;
 - The effect of the proposal on the living conditions of the occupiers of no 111 Kingsley Road with specific reference to outlook and light;
 - The effect of the proposal on the living conditions of future occupiers with specific reference to internal space and outdoor amenity space; and
 - Whether the proposal makes adequate provision for refuse storage and cycle parking.

Reasons

Character and appearance

3. The appeal building is a two-storey end of terrace property situated on the corner of Kingsley Road and Taunton Avenue. The ground floor is occupied by an estate agents and a residential flat is situated above. There are existing ground floor additions to the rear together with a detached garage which backs onto the rear access lane. The area is mixed use commercial and residential characterised by two storey terraced and semi-detached properties. Properties to the north-east side of Kingsley Road have commercial uses on the ground floor and residential above.
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4. It is proposed to demolish the existing rear additions and erect a two-storey side and rear extension which would have a dual pitched gable end roof and four south facing dormers at first floor level. The extension would have a depth of approximately 16.5m, a width of 7.25 and a side protrusion of 2.35m.
5. The proposal would be constructed in materials to match the existing property and the roof would step down from the existing hipped roof. The eaves of the dual pitched roof would drop to slightly above ground level. However, the proposal would extend a considerable depth and would be disproportionate in scale to the existing building and modest surrounding domestic properties. The proposal would extend at first floor level beyond the existing building line created by the appeal property and the row of terraced properties along Taunton Avenue. The existing vista along Taunton Avenue from Kingsbury Road would, therefore, be lost.
6. Furthermore, the proposal would almost immediately abut the pavement in contrast to properties along Taunton Avenue which are set back from the road behind short front gardens and driveways. The proposal would, therefore, fail to reflect the predominant layout and character of the area. Moreover, the appeal building is situated in a highly prominent position on the corner of Kingsley Road and Taunton Avenue. Taking these factors in combination, I consider that the proposal would be an incongruous addition to the area.
7. The appellant suggests that the proposal would tidy up the existing site; however, whilst there is an existing garage situated to the rear of the site it is small scale and ancillary to the main building. Indeed such a feature is not uncommon in residential areas. Furthermore, the objective of tidying up the site could be achieved by other means.
8. Whilst there are extensions to the side of No 107 Kingsley Road these are only single storey and views along Taunton Avenue from Kingsley Road are thus retained. Attention is also drawn to other extensions in the area. The development at Nos 80-82 Kingsley Road relates to two rear box dormers and roof lights. The two-storey element of the extension at No 81 is less deep and also maintains the building line set by No 81. The two-storey extension at No 84 Kingsley Road is set back and, therefore, appears subservient and maintains the building line along Myrtle Road. Due to the mid-terrace location of No 97 the extension occupies a less prominent position than the appeal site. The extension at No 100 Kingsley Road does not protrude beyond the footprint of the original building and the house at No 3 Inwood also retains the existing building line. None of these cases are, therefore, directly comparable to the appeal proposal which limits the weight which I can attach to them in my Decision.
9. For the reasons stated, I conclude that the proposal would harm the character and appearance of the host property and the surrounding area. It would, therefore, be contrary to Policies CC1 and CC2 of the Council's Local Plan (Local Plan) 2015 which seek to promote high quality urban design which reflects the special quality and heritage of the Borough's places.

Living Conditions of Existing Occupiers

10. The proposed extension would be situated to the south-east of two first floor rear facing windows of the adjacent 111 Kingsley Road (No 111) which is in residential use at first floor level. Due to the orientation of No 111 the rear

facing windows would only receive direct sunlight in the early morning. Consequently, whilst the proposed extension would result in a reduction in sunlight to those windows, the harmful effect would be limited to early morning.

11. The window immediately adjacent to the appeal property is obscured and consequently there would not be a loss of outlook from this window as a result of the proposed extension. The first floor bedroom window is not obscured and currently has an outlook across the appeal site towards Taunton Avenue. Although the height of the roof would be lower than the existing and the roof would slope steeply to the eaves, the ridge of the roof would, nevertheless, be higher than the first floor windows of No 111. Due to the depth of the proposed extension there would be a significant loss of outlook from this bedroom window to the detriment of existing occupiers. The small gap between the proposed extension and No 111 would do little to mitigate the harmful effect. As stated at paragraph 8 none of the examples of other extensions or development in the area are directly comparable to the appeal proposal and, therefore, do not alter my conclusion on the second main issue.
12. For the reasons stated, the proposal would have a harmful effect on the living conditions of the occupiers of No 111 Kingsley Road in terms of outlook and sunlight. The proposal would, therefore, be contrary to Policies CC1 and CC2 of the Local Plan which together seek to secure high quality design which has a positive impact on the amenity of current and future residents. The appellant references Policy ENV-B.1.1 of the Unitary Development Plan 2007, however, all of the policies of the UDP have been superseded upon adoption of the Local Plan in 2015.

Living conditions of future occupiers

13. The proposed residential unit would have a total floor area of 84m² which would meet the overall requirement for a one bedroom two person flat of 50m² flat as set out in the Technical Housing Standards¹ and Policy SC5 and table SC 5.1 of the Local Plan. The Technical Housing Standards also require that bedrooms meet specific floor space requirements. However, as the proposed residential unit would significantly exceed the overall requirement, I consider that those minimum floor space requirements could be achieved. Consequently, a condition could have been imposed requiring the submission of additional plans before the development commences in order to provide certainty that the internal layout of the flat would be acceptable had I decided to allow the appeal.
14. Policy SC5 of the Local Plan requires development proposals to be of the highest quality internally and externally and meet the demands of everyday life for the intended occupants. Criteria f requires proposals to comply with the external space standards set out in figure SC 5.2. A minimum of 5sqm of private outdoor space should be provided for each 1-2 person dwelling in the form of usable balconies, roof terraces or private garden space. The proposal would not be provided with any such amenity space and would, therefore, conflict with Policy SC5.
15. Attention is drawn to a public park in close proximity to the appeal property, Kingsley Avenue Park which is situated further along Kingsley Road. However,

¹ Technical housing standards-nationally described space standard, DCLG 2015

the presence of this park does not negate the need to provide adequate private external amenity space in compliance with Policy SC5.

16. For the reasons stated, the proposal would harm the living conditions of future occupiers due to the absence of private external amenity space and would, therefore, be contrary to Policy SC5 of the Local Plan in this respect. Conflict also arises with Policy CC2 of the Local Plan which seeks to ensure that development proposals have a positive impact on the amenity of current and future residents. Policy CC1 relates to context and character and is, therefore, relevant to the first main issue.

Refuse Storage and Cycle Parking

17. The Council considers that the proposed refuse storage would be inadequate given the size of the four premises which it would serve. In addition no cycle provision is proposed to serve the proposal. However, I consider that conditions could have been imposed requiring details of refuse storage and cycle parking to be provided had I decided to allow the appeal.
18. The proposal would, with the suggested conditions, make sufficient provision for cycle parking and refuse provision and would not, therefore, have a harmful effect on the local environment. Hence the proposal would comply with Policy EC2 of the Local Plan which seeks to secure a more sustainable local travel network that maximises opportunities for walking, cycling and using public transport. In addition, the proposal would accord with Policy CC2 of the Local Plan which seeks well designed provision for bicycles and refuse. Furthermore, the proposal would comply with Policy 6.13 and Table 6.3 of the London Plan 2016.

Planning Balance

19. The proposal would make a contribution, albeit limited, to housing land supply in a sustainable location. The proposal would also make a contribution to the local economy in the short term during the construction phase. However, I have concluded that the proposal would harm the character and appearance of the area and the living conditions of existing and future occupiers. I consider that the totality of this harm would significantly outweigh the benefits of the proposal.

Conclusion

20. For the reasons stated and taking all other considerations into account, the appeal should be dismissed.

Caroline Mulloy

Inspector