

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: 22 May 2017

Appeal Ref: APP/F5540/W/17/3166933
33 Winchester Road, Feltham TW13 5JX

- 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 Andrew Vorobiev against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01214/33/P7, dated 2 September 2016, was refused by notice dated 5 December 2016.
 - The development proposed is change of use from single dwellinghouse to use as two dwellinghouses.
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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 is laid out in accordance with the proposed plans, with the exception of a link between the original property, No 33 Winchester Road and the extended part of the house, No 33A Winchester Road. I will therefore consider the appeal on the basis of the submitted drawings.

Main Issues

3. These are:
 - (i) whether the change of use to two dwellings would be appropriate;
 - (i) the effect of the proposed development on pedestrian and highway safety;
 - (ii) whether the proposed development would provide adequate cycle and bin storage facilities; and ,
 - (iii) the effect of the proposed development on the character and appearance of the area.

Reasons

Change of use

4. Whilst the Council did not refer to concerns for the principle of development in its reasons for refusal, it makes clear in its evidence that the principle of the
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development would be unacceptable given the inadequate size of the internal floor area of the original property.

5. Policy SC6 of the Local Plan¹ supports the conversion of existing houses provided that, amongst a number of criteria, they have a *minimum 130 sqm net original internal floor area*. The supporting text to policy SC6 explains that *the conversion of residential properties that have been previously extended...to create a total accommodation of at least 130 sqm will not be supported*.
6. When considering the original floor area of No 33, without the extensions that have been built, the internal floor area is less than 130 sqm. Consequently the property is not large enough for the conversion proposed and therefore the change of use would be inappropriate, contrary to policy SC6.

Parking

7. The Council suggests that, on the basis of Census information from 2011, together with the low PTAL rating of the site², there is a requirement for two car parking spaces for the development proposed. Policy EC2 of the Local Plan, together with Policy 6.13 of the London Plan³ sets a maximum standard of 2.5 spaces for the development proposed but advises that in areas with a low PTAL rating, more generous standards should be considered, alongside pressures for on-street parking.
8. I note the appellant's reference to a bus stop within 200m of the site with two services that serve the wider area. The proximity of these services goes some way to alleviating the need for a car, however, when balanced against the PTAL rating which combines the proximity of services and their frequency to determine levels of connectivity, it does not carry sufficient weight for the parking provision to be below one parking space for each unit of accommodation. My attention is drawn to current levels of parking in the area, in relation to the number of houses. It is not clear what the implications of this are for the development proposed but as the calculations suggest that levels amount to just over 2 spaces per house, this would coincide with the requirements set out in planning policy.
9. Reference is made to the use of a garage for parking at No 22 Winchester Road. I have no further details regarding this to understand the consequences of this for parking provision at No 22 or indeed how prospective occupiers would be committed to using the garage as opposed to the space to the front of the appeal site. I have also noted the appellant's findings for the availability of on-street parking however the photographs do now show how cars could be parked without causing obstruction to cars manoeuvring into, out of and around the cul-de-sac. These alternatives, therefore, are not reasonable options to forfeit parking on site.
10. I also recognise the role the Council has in encouraging public transport and reducing the need for people to travel by car. However, this does not abdicate the applicant's need to demonstrate that a development proposal is provided with an appropriate number of car parking spaces for its location, as required

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

² The site has a Public Transport Accessibility Levels (PTAL) rating of 1a which is low

³ The London Plan: The Spatial Development Strategy for London, Consolidated with Alterations since 2011 (March 2016)

by policies EC2 and 6.13. In all, therefore, I come to the conclusion that two parking spaces are required for the development proposed.

11. Two parking spaces are proposed to the front of the site; the Council raises concern for the parking space to the front of No 33. In association with policy EC2 of the Local Plan, the Council's supplementary document Residential Crossovers and Off-Street Parking Policy (SPD)⁴ recommends that parking areas within the grounds of a property should be a minimum of 4.8m long and 2.4m wide. The parking space proposed would not meet this standard. Consequently a vehicle cannot be parked safely; a vehicle parked to the front of the site would overhang the public highway, hindering pedestrian movement and obstructing access to the front door of No 33. In addition, this deficiency in parking could result in vehicles for No 33 being parked within the cul-de-sac. I appreciate that the cul-de-sac may experience little traffic and be used by local people. Nevertheless, the cul-de-sac is an important turning facility for vehicles which should remain free from obstruction. The potential for vehicles to park in the cul-de-sac would inhibit the safe movement of vehicles. In all, therefore, it has not been demonstrated that adverse impacts on the transport network would be avoided, as required by policy EC2.
12. I have noted the appellant's suggestion that smaller electric cars could be parked within the space proposed. Notwithstanding the environmental benefits of such cars, it would not be reasonable in the context of paragraph 206 of the National Planning Policy Framework (the Framework), nor easily enforceable, to stipulate the occupier's ownership of a vehicle to an electric car or an equally small one.
13. To facilitate parking to the front of the site a vehicle crossover is required which is not shown on the drawings. It would be reasonable, nevertheless, and directly related to the development to attach a condition to any planning permission to secure such provisions before the development was brought into use. On this basis I do not find that the absence of a crossover is, in itself, a reason to dismiss the appeal.
14. Notwithstanding this, I have found that the development proposed would provide an inadequate level of parking that would be harmful to pedestrian and highway safety, contrary to policy 6.13 of the London Plan and policy EC2 of the Local Plan and its associated SPD. The benefit the appellant raises of limited impact any noise or disturbance or pollution may cause to internal living conditions does not outweigh the harm identified.

Cycle and bin storage

15. The Council raises concern for the provision of bin and cycle storage to No 33. Policy EC2 of the Local Plan requires the provision of cycle parking in accordance with the standards in the London Plan. Policy 6.9 of the London Plan requires a minimum of two cycle spaces per dwelling. The appellant suggests that four cycle parking spaces could be provided to the rear of No 33 however this is not shown on the plans before me. I have no doubt that there would be room within the garden for cycle parking spaces. However, there would be no access from the front to the rear of the dwelling other than through the house itself. Therefore, cycle parking spaces in the rear garden would not be conveniently located or within an accessible location for cycling to

⁴ London Borough of Hounslow: Residential Crossovers and Off-Street Parking Policy (October 2016)

be a reasonable alternative to the motor car. It has not been demonstrated, therefore, that the requirements of policy 6.9 can be met.

16. Policy EQ7 of the Local Plan requires development to incorporate *suitable arrangements for waste management, including the location, size and design of waste and recycling facilities*. The area outlined to the front of No 33 for bin storage is inadequate to accommodate two wheeled 240 litre bins.
17. I recognise that No 33 has sufficient space to the rear of the property for the storage of bins, however, the absence of a convenient and accessible route between the front and rear of the property would make it difficult to put any bins out for collection.
18. I note the Council's concern that cycle and bin storage would impact on pedestrian visibility splays and the street scene. However, as proposed, the bin store would be a sufficient distance from the highway to not impede visibility or cause undue harm to the character and appearance of the area. Together with the absence of cycle storage I do not concur with the Council's concerns on this matter. Notwithstanding this, I have found that the lack of cycle parking and inadequate space for bin storage would be contrary to policy EC2 and EQ7 of the Local Plan and policy 6.9 of the London Plan for the reasons discussed.

Character and appearance

19. The appeal property forms half of a pair of traditional semi-detached houses located at the end of a residential cul-de-sac. Properties in the wider area are of similar design, some with alterations, including the adjoining neighbour No 35. Notwithstanding these alterations, the front elevations of the houses share a number of characteristics which define the character of the area, not least single front doors to each property which convey family-sized houses.
20. The front door to No 33A would appear as a garage door within the single storey side extension. I appreciate the Council's concern that the door would give the impression of an end of terrace house however, as proposed, it would appear ancillary to the main house and be in-keeping with similar subsidiary extensions and doors within the area. I do not find, therefore, that the proposal would be contrary to policies CC1 or CC2 of the Local Plan which seek development that integrates with existing features and responds to and respects local character.

Other matters

21. The appellant draws my attention to 'other similar developments' within the area. It is not clear what comparisons the appellant is drawing between these examples and the development proposed. However, the photographs show physical alterations to properties to help create separate units of accommodation. In light of my findings above for character and appearance, these examples carry little weight in favour of the appeal.
22. Paragraph 14 of the National Planning Policy Framework (the Framework) states that development proposals that accord with the development plan should be approved without delay, unless the development plan is absent, silent or relevant policies are out-of-date, in which case the adverse impacts of the development should be weighed against the benefits. There is nothing before me to indicate that I should not give weight to the Council's policies and

in the context of paragraph 14 of the Framework, carry out a balancing exercise as required by this paragraph.

23. Reference is made within the appellant's documentation to a possible legal agreement to secure affordable housing however I do not have such an agreement before me for this to carry weight in favour of the appeal.

Conclusion

24. Although I have found that the proposed development would not cause harm to the character and appearance of the area, I have found harm in relation to the other main issues identified. I have considered the other matters, as detailed above and the lack of harm to the living conditions of prospective occupiers and neighbours, together with the positive contribution the development would make to local housing supply and the environment through the energy efficiency measures proposed. However these matters do not overcome the harm found in relation to the other main issues identified.
25. In all, therefore, I find that the development would be contrary to the development plan. In light of section 38(6) of the Planning and Compulsory Purchase Act 2004 I am required to have regard to the development plan in making my decision. Given my findings, I have found conflict with the development plan and therefore, for the reasons given, I conclude that the appeal is dismissed.

R Walmsley

INSPECTOR