

Appeal Decisions

Site visit made on 2 May 2017

by Chris Forreth BSc(Hons) DipTP MRTPI

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

Decision date: 5 June 2017

Appeal A Ref: APP/F5540/W/17/3167575

64 Dene Avenue, Hounslow, London TW3 3AH

- 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 Ijaz Khan against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00345/64/P3, dated 23 November 2016, was refused by notice dated 19 January 2017.
 - The development proposed is the erection of a two bed bungalow.
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Appeal B Ref: APP/F5540/W/17/3168206

64 Dene Avenue, Hounslow, London TW3 3AH

- 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 Ijaz Khan against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00345/64/P2, dated 18 October 2016, was refused by notice dated 19 January 2017.
 - The development proposed is the erection of a detached house with loft.
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Decisions

1. Appeal A is dismissed and Appeal B is dismissed.

Procedural Matter

2. As set out above, there are two appeals both of which relate to the development of residential properties at the above site. Although the proposed developments are different there are similarities in the issues raised between them. On this basis, whilst I have considered each proposal on its individual merits, to avoid duplication I have dealt with the two schemes together.

Main Issues

3. The main issues are:
 - (i) the effect of each development on the character and appearance of the area;
 - (ii) the living conditions of the future occupiers of the developments with particular regard to the level of external amenity space (both appeals) and outlook and light (Appeal A);
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- (iii) in respect of Appeal A, the effect of the development on the living conditions of the occupiers of 62 Dene Avenue with particular regard to outlook and light; and
- (iv) in respect of Appeal B, whether the proposal would prejudice highway safety, traffic flows or parking space.

Reasons

Character and appearance

4. The Appeal sites are part of the existing garden area of 64 Dene Avenue and are also adjacent to Bulstrode Gardens. The area is generally characterised by semi-detached residential properties, the majority of which have hipped roofs. I do however acknowledge that some properties do have a gabled roof including No 64 which has recently been altered to include a gabled roof and a large dormer.
5. The site for Appeal A relates to a part of the current rear garden to 64 Dene Avenue and would be adjacent to 7 Bulstrode Gardens. The site for Appeal B is located to the side of the existing building.
6. In respect of Appeal A, given that the character of the area is dominated by two storey properties the development of a single storey dwelling with an unusual roof form would appear as an alien feature within the streetscene and the wider area in general. Furthermore, this would be exacerbated by the overall design of the proposed bungalow and its siting which would project a significant distance in front of No 7. Consequently, the development would be very prominent in the streetscene.
7. Turning to Appeal B, the proposed dwelling would be located in proximity to the existing dwelling. It would also be broadly in line with the front and back of the existing dwelling. The new dwelling would also be in proximity with the boundary to the pavement.
8. Given the width of the site, the proposed dwelling would almost entirely fill the available space. This, in addition to the large gabled roof the development, would appear cramped in the context of the existing dwelling and its proximity to the highway boundary. As such, this cramped appearance would have a significant detrimental impact on the character of the streetscene. Furthermore, the scale of the roof, together with its rear dormer, would appear overly large when compared to the surrounding development.
9. The Council have indicated that the submitted plans in relation to the existing property are inaccurate. From what I observed on site, it does appear that this may be the case. Notwithstanding that, I have already concluded that the proposed dwelling, even if it was the same overall height as the existing dwelling, would give rise to significant harm to the character and appearance of the area.
10. In coming to those views on both appeals, I acknowledge that there are some bungalows in the wider area, including on Sutton Lane, and that there is a large development of flats at the other end of Dene Avenue which adds some variety to the built form in the area. I also acknowledge that there is an extension which has been built on 81 Dene Avenue which projects close to the highway boundary. However, this extension is also set back from the front

elevation and appears as a subservient addition to that property. However, that does not outweigh the harm I have found.

11. For the above reasons, both developments would give rise to significant harm to the character and appearance of the area contrary to Policies CC1 and CC2 of the Hounslow Local Plan (2015) (LP) which amongst other things seek to conserve and enhance local character through high quality urban design.

Living conditions – future occupiers of each development

12. In respect of the amount of private amenity space, the Council have indicated that a property with four habitable rooms should have at least 60 square metres (Appeal A) and a property with five habitable rooms should have at least 75 square metres (Appeal B) to accord with Policy SC5 of the LP.
13. For Appeal B, the Appellant has indicated that there would be in the region of 57 square metres of rear amenity space, and in the region of 51 square metres to the property frontage. Given the location of the area to the property frontage, and that this would be used as a parking area, it could not be reasonably used as private external space.
14. In respect of Appeal A, the Appellant has suggested that there is around 102 square metres of space, although the Council consider that the usable space would be around 36 square metres. From the evidence before me, the 102 square metres includes the parking area and the strips of land around the front, rear and side of the proposed bungalow. These areas could not be reasonably considered to be useable private amenity areas. Given this, there would only be around 36 square metres of useable private amenity space available for the future occupants of the bungalow.
15. Consequently, the level of useable private amenity space, at around 57 and 36 square metres respectively, would be below the Council's standards as set out in Policy SC5 and would not therefore provide an adequate level of private external space for the future occupiers of each development.
16. In coming to that view, I have also considered that there are areas of public open space within a few minutes walk of the site. Whilst this would provide some opportunity for recreational use, it would be a substitute the need for a suitable level of private amenity space.
17. Turning to the standard of living for the future occupants of the bungalow, the Council's concern relates to the second bedroom and the outlook from it together with the availability of light within.
18. Whilst the location of the bedroom (being around 1 metre from the boundary fence on the western side of the property) would not be ideal, I consider that this is not a determinative factor in isolation. However, when combined with the lack of external amenity space, this would add to the sub-standard nature of the living conditions for the future occupants of the development.
19. For the above reasons, both developments would give rise to an unacceptable standard of living conditions for the future occupants contrary to Policy SC5 of the LP which amongst other things seek to ensure that future occupants of development would have suitable internal and external living space.

Living conditions – occupiers of 62 Dene Avenue (Appeal A)

20. The proposed bungalow would be sited in the region of 1 metre away from the side boundary of 62 Dene Avenue for a length of around 9.86 metres. The bungalow would be in the region of 5.3 metres in height.
21. Given the overall size of the proposed bungalow, it would appear as an overly dominant structure which would have a significant impact on the outlook from the rear of No 62 and would be overbearing from the rear garden.
22. In respect of light, the bungalow would have some impact on the availability of both daylight and sunlight particularly to the garden area. However, in the absence of any convincing evidence, I consider that such an impact would not be so severe as to warrant the withholding of planning permission. However, that does not overcome the harm I have already identified.
23. For the above reasons the development would be overbearing to the occupants of No 62, particularly from the garden area, and as such would be contrary to Policy SC5 of the LP which amongst other matters seek to ensure that the living conditions of existing residential properties are maintained.

Highway safety (Appeal B)

24. From my site visit I saw that on street parking on Dene Avenue and Bulstrode Gardens was in very high demand. The proposed development includes a parking area to the front of the plot which would also be shared with the existing dwelling. Whilst there is also a parking area to the rear of the site, it is unclear whether this would be available for either the existing dwelling or the Appeal B development as it currently forms part of the No 64. I acknowledge that the plans indicate that this would be a parking area for the new house despite it being outside of the application site.
25. A dropped kerb has recently been completed which gives vehicular access to the frontage to No 64. However, this could equally give access to the frontage of the new property given its location, and would allow for at least one off street parking space.
26. It is noted that the site has a relatively poor Public Transport Accessibility Level rating. The development would include provision for off street parking to the property frontage. In the absence of any indication from the Council on the level of parking required on this site, I am of the view that the development would ensure that adequate provision would be made for both the existing and proposed dwelling.
27. For the above reasons the development would provide adequate off street parking provision and would not prejudice highway safety or traffic flows. Therefore, the development would accord with Policy EC2 of the LP which amongst other matters seeks to ensure that new development provides for increased parking demand arising from the development.

Other matters

28. My attention has also been drawn to the need for much needed housing and that similar developments have also been approved by the Council. In respect of the need for housing, no evidence has been provided which indicates that the Council do not have a five year supply of housing land. Whilst the

provision of much needed new housing is clearly a benefit arising from both developments, such benefits do not outweigh the harm I have identified.

29. In respect of other developments approved by the Council, very limited information has been provided to me. Moreover, each case must be determined on their individual merits.

Conclusion

30. Taking all matters into consideration, including the representations in support of both developments, I conclude that both appeals should be dismissed.

Chris Forrett

INSPECTOR