



Appeal Decision

Site visit made on 20 June 2017

by Gwyn Clark BSc DipTP MRTPI

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

Decision date: 27 July 2017

Appeal Ref: APP/F5540/W/17/3172597 57 Kingsbridge Road, Southall UB2 5RU

- 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 B Saggi against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00665/57-59/P2, dated 14 November 2016, was refused by notice dated 9 January 2017.
 - The development proposed is erection of a two storey dwelling house.
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Decision

1. I allow the appeal and grant planning permission for the erection of a two storey dwelling house at 57 Kingsbridge Road, Southall UB2 5RU in accordance with the terms of the application Ref 00665/57-59/P2, dated 14 November 2016, subject to the attached conditions schedule.

Main Issues

2. The main issues are the effect of the development upon (i) the character and appearance of the area and (ii) upon the living conditions of neighbours through an overbearing effect.

Reasons

Effect upon the character and appearance of the area

3. The proposed dwelling would occupy part of the rear gardens of Nos 57 and 59 Kingsbridge Road and stand alongside No 1 Barnes Avenue, which is the first in a short row of terraced houses. It would replace an existing mono-pitch roofed garage that serves No 57 and behind this an outbuilding belonging to No 59.
4. The new house would be slightly set back from the building line established by Barnes Avenue. This is in order to accommodate a car parking space to the front. However the addition of a front porch means the house would then step forward and be almost in line. The front of this row of terraced houses is already used for the parking of vehicles and so a similar arrangement to serve the proposed dwelling would not look out of place.
5. It is designed in a rather standardised manner orientated towards the road with a simple dual pitch roof. Overall the design follows a conventional style quite typical of the wider area. It also incorporates design features that reflect

its immediate neighbours on Barnes Avenue. There is an enclosed porch around the front door and a small hipped roof over a first floor bedroom window. The window design would follow the style of its neighbours. Although slightly higher and wider than the terraced dwellings on Barnes Avenue the new dwelling would generally be in keeping the character of the area.

6. The size of garden provided to the new house would be much smaller than is typical of the area. However there is variation in garden size and a noticeable transition in character moving from Kingsbridge Road into the more tightly grained Barnes Avenue. The absence of a large garden would not be particularly apparent because the land to the rear of the appeal site is open in nature and the small plot size relative to that of its neighbours would not be readily apparent.
7. I therefore consider that the new dwelling would assimilate well into its surroundings. Accordingly it would meet the requirements of policies CC1 and CC2 of the London Borough of Hounslow Local Plan (the Local Plan), and policies 3.5 and 7.6 of the London Plan. It would prove to be of an appropriate standard of design, sensitive and in keeping with the character of its surroundings. Moreover the removal of the existing garage and replacement with the proposed dwelling would lead to an improvement in the appearance of the street scene.

Effect upon the living conditions of neighbours

8. In relation to Nos 57 and 59 Kingsbridge Road the gable of the proposed house would stand at a distance of around 15 to 16 metres away. This gable would have a high level window serving a first floor landing and an obscure glazed window and door at ground floor. I consider that this separation distance adequately protects neighbours from an overbearing effect, a sense of enclosure, overshadowing or a loss of light and sunlight and that no harm would arise.
9. In relation to No 1 Barnes Avenue, a gable of the new house would stand at its closest around 1m from the boundary with No 1 Barnes Avenue leaving an adequate gap between the gables. There is a small 1st floor window in the neighbouring gable wall but I do not consider loss of light to this window would result in significant harm. The new house would also project behind the rear elevation of its neighbour. There would be some loss of outlook however the harm is mitigated firstly by the boundary being angled away from No 1 and secondly that the proposed dwelling is stepped away from the boundary. The gable wall of the proposed house on this side would be blank and so would not offer a risk of overlooking. I do not consider significant harm in terms of an overbearing effect or loss of outlook or light and sunlight would result.
10. I consequently consider that the development would meet the test of Policy CC2 (t) of the Local Plan which seeks to ensure that when new development takes place the outlook enjoyed by neighbours is safeguarded, that any overbearing effect and overshadowing is minimised and to ensure that there is sufficient sunlight and daylight to adjacent dwellings.

Conditions

11. The Council has suggested a number of planning conditions which I have considered against the advice in the National Planning Policy Framework and

within the Planning Practice Guidance. As a result I have amended some for consistency and clarity, and omitted others.

12. In addition to the standard 3 year time limitation for commencement I have imposed a condition requiring the development to be carried out in accordance with the submitted plans. I have added a condition in relation the details of obscure glazing to windows to the gable wall of the new dwelling that faces Nos 57 and 59 Kingsbridge Road in the interest of safeguarding residential amenity. I have not attached a condition in relation to 'Secured by Design' as this lacks precision and I consider a landscape condition to be unnecessary as it would relate to a private garden. I consider that no special justification has been made to impose a condition withdrawing permitted development rights.
13. A condition requiring approval of materials is imposed in the interests of the character of the area. I have attached conditions relating to the provision of cycle storage, water consumption and carbon dioxide emissions, to support sustainable transport, conserve water supplies and minimise emissions. A condition is imposed to ensure that any ground contamination present is satisfactorily dealt with. A condition limiting hours of construction is imposed in order to protect the lining conditions of neighbours during construction.

Conclusion

14. I consider that the proposed dwelling is appropriately designed and would prove to be in keeping with the character of the area. Also that the living conditions of neighbours are reasonably protected. I therefore conclude that no significant harm would arise. I allow the appeal and grant conditional planning permission.

Gwyn Clark

INSPECTOR

Conditions Schedule

1. The development hereby permitted shall begin no later than three years from the date of this permission.
2. The proposed development shall be carried out in all respects in accordance with the proposals contained in the application and the plans submitted.
3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
4. No demolition or construction work shall take place on the site except between the hours of 8am to 6pm on Mondays to Friday and 9am to 1pm on Saturdays and none shall take place on Sundays and Public Holidays without the prior agreement of the Local Planning Authority.

5. Before the house hereby approved is first occupied, the developer shall provide to the dwelling a 140L wheelie bin and a recycling kit for the purposes of the Council's kerbside recycling service, to the specification then in use by the local authority's recycling collection service and shall notify the Council's refuse and recycling services when the development is first occupied.

6. Before first occupation of the dwelling hereby approved, full details (including manufacturers' specifications) of secure covered cycle parking facilities (for not less than 2 bicycles) for the occupants of the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall conform to current guidance such as the TfL London Cycling Design Standards in design and layout and be fully implemented and be made available for use before the first occupation of the development and thereafter retained for use at all times without obstruction.

7. Before the development hereby permitted commences:

a. Details of further intrusive site investigation are required in addition to the phase 1 desk study previously submitted. These details shall be submitted to, and approved in writing by, the Local Planning Authority. The site shall be investigated by a competent person to identify the extent and nature of contamination. The report should include a tiered risk assessment of the contamination based on the proposed end use of the site. Additional investigation may be required where it is deemed necessary.

b. A scheme for decontamination of the site shall be submitted to the Local Planning Authority, for written approval. The scheme shall account for any comments made by the Local Planning Authority before the development hereby permitted is first occupied.

During the course of the development:

c. The Local Planning Authority shall be notified immediately if additional contamination is discovered during the course of the development. A competent person shall assess the additional contamination, and shall submit appropriate amendments to the scheme for decontamination in writing to the Local Planning Authority for approval before any work on that aspect of development continues.

Before the development is first brought into use:

d. The agreed scheme for decontamination referred to in clauses b) and c) above, including amendments, shall be fully implemented and a written validation (closure) report submitted to the Local Planning Authority for approval.

8. Prior to construction evidence shall be submitted to the local planning authority and approved in writing to demonstrate that the internal water consumption of the development will not exceed 105 litres/person/day in line with The Water Efficiency Calculator for new dwellings from the Department of Communities and Local Government. Prior to first occupation of the building(s) evidence (schedule of fittings and manufactures literature) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved internal water use calculations.

9. The development hereby permitted shall not commence until a finalised Energy Strategy (demonstrating how the targets for carbon dioxide emissions reduction are to be met in line with the Mayor's energy hierarchy) has been submitted to and

approved in writing by the Local planning Authority. The development shall be implemented in accordance with the approved Energy Strategy and shall not commence above ground until full Design Stage calculations under the Standard Assessment Procedure/National Calculation Method have been submitted to and approved in writing by the Local planning Authority to show that the development will be constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions. Prior to first occupation of the building(s) evidence (e.g. photographs, installation contracts and As-Built certificates under the Standard Assessment Procedure/National Calculation Method) should be submitted to the Local Planning Authority and approved in writing to show that the development has been constructed in accordance with the approved Energy Strategy, and any subsequent approved revisions.

10. Prior to the occupation of the dwelling hereby approved details or a sample of the obscure glass to be used in accordance with plan Ref 16/57759/KRNGS/101A shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details or sample and shall thereafter be retained.

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