



Appeal Decision

Site visit made on 09 April 2019

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th July 2019

Appeal Ref: APP/F5540/W/19/3220114

Gillian Court, Cambridge Road North, Chiswick, London W4 4AA

- 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 Vera Road Limited against the decision of London Borough of Hounslow
 - The application Ref 00197/C/P3, dated 01 May 2018, was refused by notice dated 20 September 2018.
 - The development proposed is replacement of rear garage structure with single storey one person dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would provide adequate living conditions for future occupiers of the scheme.

Preliminary Matters

3. The Appellants Statement of Case sets out issues which it considers to be agreed matters between the parties. This includes reference to issues and policies which are cited in the Council's reasons for refusal. There is no statement of common ground or other agreement before me to suggest that these reasons for refusal are withdrawn, and as such they are treated as issues in dispute for the purposes of this appeal.

Reasons

4. The appeal site is a single garage and surrounding land at the southern end of an existing garage block associated with Gillian Court, a block of flats which is located at the front of the site. The garage block is accessed via an undercroft through Gillian Court. The appeal site does not include the other garages in the block, which are proposed to remain in situ.
5. The appeal scheme is to demolish the single garage and erect a one-person dwelling. The scheme proposes an open plan living/ kitchen and dining area and a shower room on the ground floor, with a bedroom above on a mezzanine floor. The mezzanine would be accessed via stairs located near the entrance door.

6. Policy SC5 of the Hounslow Local Plan 2015 (HLP) requires new residential development to comply with the minimum internal space standards as set out in the Nationally Described Space Standards (NDSS) and requires development to be of the highest quality internally and externally. Policy 3.5 of the London Plan (LP) similarly seeks development of the highest quality and sets out the NDSS at Table 3.3. Policy CC2 of the HLP addresses design and requires that developments function well in themselves and in their effect on surrounding areas.
7. For a single storey one-person dwelling, the NDSS requires a 39m² Gross Internal Area (GIA). The Council suggests that the proposal was not a one person dwelling as the application plans depicted a double bed; however, the Appellant has confirmed this was in error. Therefore, the 39m² standard applies in this case.
8. The internal accommodation is provided over two storeys, which is not envisaged in the NDSS. Whilst the accommodation is open plan to reduce circulation areas, the staircase results in a significant reduction in functional space. Although the proposal complies with the required 39m² GIA, the design of the proposal would create a cramped interior. This would be exacerbated by a lack of outlook; the outlook for the main living area being afforded by bifold doors onto the rear garden, which would be very small and enclosed with high boundaries. The light provided by the amount of fenestration does not mitigate the harm arising from the lack of outlook or functional internal space.
9. The parties disagree as to the relevant standard for outdoor space for development of this type. Policy SC5.2 sets out benchmark standards that family dwellings of three habitable rooms or more provide a minimum of 50m² external space. Since the proposal is for a single person dwelling and does not contain three habitable rooms, the Policy SC5.2 standard does not apply. The standards set out in the LP require 5m² outdoor space.
10. The appeal proposal would comply with the LP standard. The outdoor space is, however, enclosed with high boundaries and is proximate to the rear of an existing garage block; which would appear cramped and would create potential for significant disturbance due to activity in the garages. The dwelling would be sited very close to where the residents of Gillian Court store refuse bins, which would have a further negative impact on the quality of the external environment. Whilst the proposal would comply with the minimum outdoor space standard, the quality of that space would be inadequate. There are public parks and other opportunities for outdoor recreation in the vicinity, however, this would not mitigate the poor quality of the limited private outdoor space.
11. For these reasons, the proposal would not represent a development of the highest quality of design which functions well and would not provide adequate living conditions for future occupiers, contrary to Policies SC5 and CC2 of the HLP and Policy 3.5 of the LP.

Other Matters

12. The Council suggests that the proximity of the proposed dwelling to the carpark and garages, which are accessed via an undercroft, would create an unsafe pedestrian environment. The scheme does not propose to alter the existing

vehicular and pedestrian arrangements, and there is no evidence before me to suggest the existing arrangements are unsafe.

13. The provision of a dwelling in this location would represent an efficient use of land and would make a limited contribution towards local housing need. However, these benefits would not outweigh the harm identified above.

Conclusion

14. For the reasons stated above, I find that the appeal proposal not represent a development of the highest quality of design which functions well and would not provide adequate living conditions for future occupiers, contrary to Policies SC5 and CC2 of the HLP and Policy 3.5 of the LP. I conclude that the appeal should be dismissed.

Kim Langford Tejrar

INSPECTOR