
Appeal Decision

Site visit made on 28 August 2019

by David Wallis BSc (HONS) PG DipEP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13th September 2019

Appeal Ref: APP/F5540/D/19/3229080

40 Syon Lane, Isleworth TW7 5NQ

- 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 Pushpinder Khandpur against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 01106/40/P4, dated 6 February 2019, was refused by notice dated 16 April 2019.
 - The development proposed is "removal of existing studio flat on ground floor, enlargement of existing ground floor shop with rear extension, enlargement of existing flat 2 bedroom flat with first floor rear extension and 1 studio flat through loft conversion with rear facing dormer."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues for the appeal are the effect of the development upon:
 - the living conditions of neighbouring occupiers with regard to outlook and privacy
 - the living conditions of future occupiers of the development with regard to layout, outlook and privacy
 - the character and appearance of the area.

Reasons

Living conditions of neighbouring occupiers with regard to outlook and privacy

3. The appeal site is part of a small terrace generally formed with commercial units at the ground floor and flats above. Whilst commercial units are in evidence, both the first floor of the terrace and the wider surroundings are residential in nature. I therefore consider it appropriate to assess the issue of living conditions within the context of a residential environment, rather than a commercial one.
4. Syon Lane and Great West Road converge at an oblique angle, such that the plots and particularly the rear gardens closest to the junction of these two roads are not as deep as those further away. The appeal site is within the tighter urban grain and closely abuts the rear gardens of dwellings on Great

West Road. Those neighbouring dwellings are two-storey in height with windows serving habitable rooms facing the appeal site.

5. The first floor of the proposed development would be set back from the edge of the appeal site, but the remaining space would become a rooftop terrace. This terrace would serve as the sole garden space for the occupiers of the development and is of a size that would allow for outdoor activities and recreation.
6. In the close-knit urban environment, people standing on the rooftop terrace would have close, *unrestricted views into the gardens and habitable rooms of neighbouring occupiers. This would cause substantial harm to the privacy of these occupiers.*
7. Furthermore, the proposal would extend close to the boundaries with neighbouring properties and would be of significant proportions. It would be of a scale and stark design such that it would be extremely prominent from a number of adjacent dwellings. In such close proximity, it would appear as an incongruous and obstructive feature, causing significant harm to the outlook from these dwellings.
8. I acknowledge that the introduction of the proposed balcony would mean that the appeal property would benefit from outdoor space when other first floor flats in the terrace have no such benefits. This should not however, be at the expense of the living conditions of the occupiers of neighbouring properties.
9. I conclude that the proposals would cause harm to the living conditions of neighbouring occupiers in respect of outlook and privacy. This would be contrary to policies CC2 and SC7 of the London Borough of Hounslow Local Plan 2015 – 2030 (the Local Plan). These policies seek new development to minimise harm to neighbouring residents.

Living conditions of future occupiers of the development with regard to layout, outlook and privacy

10. The layout of the development would provide a two bedroom flat at first-floor level. Whilst the main bedroom would face Syon Lane, the second bedroom has a side aspect only, with a window facing directly onto the adjoining building at No 42 Syon Lane. That property has already been extended at first floor level in close proximity to the appeal site, thus it would feature starkly in views from the principal window within this bedroom. Furthermore, the bedroom would be susceptible to direct views from existing windows at No 42, so privacy could only be achieved through shut curtains or blinds.
11. The secondary window for that bedroom would have an outlook constrained by the flanks of both No 42 and the development itself, restricting also ventilation and light. These factors would result in a poor-quality living environment for the occupiers of the bedroom.
12. There is dispute amongst the parties as to whether the proposals would meet the floor space provisions set out in the Technical Housing Standards – Nationally Described Space Standard 2015. I acknowledge that the discrepancies would be only a small deviation from the standards. However, notwithstanding this, I have shown that the ppor layout of the proposed development would cause significant harm to the living conditions of its future occupiers.

13. On this basis the proposals would cause harm to the living conditions of future occupiers of the development with regard to layout, outlook and privacy. This would be contrary to policies CC2, SC5 and SC6 of the Local Plan that, amongst other things, seek designs to provide a good standard of living conditions and amenity for future occupiers.

Character and Appearance of the Area

14. The appeal site is part of a small terrace generally formed with commercial units at the ground floor and flats above. The appeal site has been extended rearward in the past. A large number of extensions have taken place to the rear of the terrace together with various rooftop paraphernalia. Further north, the semi-detached dwellings that front Syon Lane have also been subject of extension in the past. The result is a tight-knit urban grain with no distinct architectural characteristics.
15. From my site visit, I observed that the petrol service station itself dominates views at the road junction between Syon Lane and Great West Road. From Great West Road, only glimpse views between pairs of semi-detached houses are afforded to the rear elevation of the terrace. The rear of the appeal site does not therefore have a significant public presence, albeit visible from within the forecourt of the service station.
16. In this context, although the extension would be of substantial proportions, it would not appear unduly assertive in the street scene. It would be assimilated into the diversity of the existing built environment and would not be prominent in the area. The appeal site would retain its outward street-facing appearance and thus the integrity of the terrace would not be harmfully affected to any significant degree.
17. I conclude that the development would not harmfully affect the character and appearance of the area. In this regard the proposal complies with policies CC1, CC2 and SC7 of the Local Plan. These policies seek to ensure alterations and additions do not harm the existing character and appearance of a building and its context.

Conclusion

18. I have found that the proposed development would cause harm to the living conditions of both its own future occupiers and the occupiers of neighbouring properties. This outweighs my findings with respect to character and appearance. Therefore, having had regard to all other matters raised I conclude that the appeal should be dismissed.
19. The appeal is dismissed.

David Wallis

INSPECTOR