



Appeal Decision

Site visit made on 28 August 2019

by D Hilton-Brown BSc (Hons) CIEEM

an Inspector appointed by the Secretary of State

Decision date: 30th September 2019

Appeal Ref: APP/F5540/W/19/3230881

11 Kingsley Road, Hounslow TW3 1PA

- 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 R Sethi against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00667/11/P2, dated 14 February 2019, was refused by notice dated 17 May 2019.
 - The development proposed is the change of use of a dwelling to a letting agent's office (Use Class A2) with associated shop front and a studio flat; erection of a part first-floor part two-storey rear extension.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr R Sethi against the Council of the London Borough of Hounslow. This application is the subject of a separate Decision.

Procedural Matter

3. The Local Planning Authority (LPA) has granted planning permission in August 2019, Ref 00667/11/P3, for a change of use of this dwelling to a letting agents office (Use Class A2), with associated shop front and a one-bedroom flat. This incorporates the erection of a single-storey rear extension and erection of a rear roof dormer to facilitate the conversion of the roof space into habitable accommodation.
4. It is evident that planning application differs from the appeal scheme in that it is only for a single storey rear extension and conversion of the existing roof space. I have taken into regard the granting of planning permission for that proposal, but as it varies considerably, I must consider this appeal on its own merits.

Main Issues

5. The main issues are:
 - (i) The effect of the development on the character and appearance of the host property and the surrounding properties.

(ii) The effect on the living conditions of the occupants of the neighbouring properties in respect to outlook, and of the future occupants with regard to internal space.

(iii) The effect of the development on local housing need.

Reasons

6. The appeal site is situated on Kingsley Road, which is a busy road in an urbanised area close to Hounslow town centre. The appeal property is a two-storey, two-bedroom, mid-terraced house, which fronts onto the road and is set within a mix of residential and commercial properties.
7. The appeal property has been converted into a letting agent's office. The proposal aims to retain the change of use, from dwelling house to business use on the ground floor. The proposal would also involve the construction of a two-storey infill extension in the rear garden. This extension would form the bedroom of a proposed self-contained, first floor flat which would be accessed from a ground floor hallway.

Character and Appearance

8. The first-floor rear extension would occupy the full width of the property and would be excessively deep in comparison to the depth of this small terraced house and consequently out of proportion with it. It would be the only two-storey extension within these two rows of terraced houses on this side of the road and would dominate the rear gardens of this line of terraced dwellings. It would be incongruous and out of keeping with the locality. As such it would cause significant harm to the character and appearance of the host property and surrounding area.
9. I appreciate that the development would be to the rear of the site and would not be visible from the street scene of Kingsley Road. Nevertheless, this does not detract from the harm I've already identified above.
10. I therefore conclude that this development does not accord with policies CC1, CC2 and SC7 of the London Borough of Hounslow Local Plan (the Local Plan) 2015, or Supplementary Planning Document (SPD) Residential Extension Guidelines (2017). These policies together require development to promote and support high quality urban design, which reflects the local character of the area.

Living Conditions

11. The first-floor extension would be more than half the width of the original house, and would not be set in from the shared boundaries of the adjoining neighbours, contrary to the Council's relevant guidelines – on pages 24 and 25 of the SPD adopted by the Council in December 2017. As such it would unacceptably dominate the outlook from the rear windows of Nos 9 and 13 and cause an unacceptable sense of enclosure to these neighbouring properties.
12. The appellant has stated that the effect upon No 13 would be minimal, as this property has a commercial use by an osteopath. However, it was evident during my site visit that the property also still had a residential use. Furthermore, it does not negate the harm to the occupants of the other neighbour, No 9, which is in use as a two-storey dwelling house.

13. The appellant refers to the proposed dwelling as a one-bedroom, one-person flat, which would have an internal floor space of 37m². In order to comply with the Nationally Described Space Standard¹ (the Space Standards), this flat should have a total floor area of 39m², as it contains a bathroom and bath.
14. The appellant references Appendix GC-4 in their Appeal Statement, which refers to a plan showing the location of a shower as opposed to a bath. However, this did not form part of the original planning application and has been submitted as part of the appeal process. Therefore, I am unable to accept this as the information has not been subject to formal consultation and may prejudice the LPA and those who were consulted on the original application. Consequently, it does not alter my decision on this matter.
15. Therefore, the proposed flat does not comply with policies SC5 and SC7 of the Local Plan, or the Residential Extensions Guidelines SPD. These require all residential developments to comply with the Space Standards and respect the living conditions of the neighbouring residents and future occupants.

Local Housing Need

16. The conversion of this building into office use has effectively led to the loss of a two-bedroom house in an accessible and sustainable location. This would be replaced by a one-bedroom first floor flat, which the LPA considers does not meet local housing needs.
17. Little evidence is provided by the LPA to demonstrate that two-bedroom houses are more in demand than one-bedroom properties. Policy SC3 of the Local Plan identifies the need for one and two-bedroom housing. In this particular case the property would still be retained as a residential dwelling, and it would provide appropriate housing in line with LPA policies.
18. There are conflicting conclusions relating to this matter on recent appeals in Kingsley Road. The appeal allowed in respect of No 37² on 15 May 2019 cited by the appellant concluded that the replacement of the original two storey terraced house with a ground floor travel agent's office and a 1-bedroom flat was acceptable. But the appeal cited by the LPA for this property, which was dismissed on 15 March 2019³, concluded the opposite – that the loss of the small family house was unacceptable – albeit that in that case no flat was to be retained within the appeal property.
19. However, the most relevant decision is that made by the LPA in August 2019 as set out above. That decision allowed the conversion of the property to the letting agent's office and a 1-bedroom flat, which indicates that the LPA accept that the loss of this two-storey small dwelling house was acceptable in principle. For this reason, I conclude that the proposal would have an acceptable effect on local housing need.
20. Consequently, this development would comply with policies SC1 and SC3 of the Local Plan and the National Planning Policy Framework. These policies together seek to expand the supply of housing and meet the identified housing requirements in the Borough.

¹ Department for Communities and Local Government's Technical Housing Standards - Nationally Described Space Standards, 2015

² APP/F5540/W/18/3213008

³ APP/F5540/W/18/3194813

Conclusion

21. Although I have not upheld all the Council's reasons for refusal detailed above, I conclude the appeal should be dismissed.

D Hilton-Brown

INSPECTOR