



Appeal Decision

Site visit made on 16 December 2019

by Adrian Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 January 2020

Appeal Ref: APP/F5540/W/19/3238522

40 Cecil Road, Hounslow TW3 1NT

- 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 Virdee against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00223/40/P3, dated 20 June 2019, was refused by notice dated 28 August 2019.
 - The development proposed is erection of a single-storey rear infill extension to create a large house in multiple occupation (Sui Generis) for up to a maximum of eight persons.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The application was submitted retrospectively and I have considered the appeal on that basis.

Main Issues

3. The main issues are:
 - whether the proposal would be acceptable in principle having had regard to Local Plan Policy;
 - whether the development provides an acceptable standard of living for the occupants, with particular regard to communal outdoor space;
 - the effect of the development on the living conditions of neighbouring occupiers, with particular regard to disturbance from comings and goings, outlook and light.
 - the effect of the extension on the character and appearance of the host building and surrounding area.

Reasons

Principle of the proposal

4. Hounslow Local Plan 2015 (LP) Policy SC10 recognises that HMOs are a responsive and flexible part of the range of housing provision necessary to meet the needs of individuals, but in order to be supported in principle, proposals must meet all the criteria of the policy.

5. The proposed large house in multiple occupation (HMO) is within walking distance of town centre facilities and good public transport links, so it is suitably located.
6. The Council has identified another six HMOs nearby in Cecil Road and Kingsley Road, but they are not all located together and proportionally are still in the minority, such that the appeal proposal would not result in an over concentration of subdivided properties which would otherwise change the predominant character of the immediate area.
7. Whilst the proposal does not include any purpose built facilities for the storage and collection of waste and recycling, I observed that the current arrangement of storing bins behind the front boundary wall was typical of the street character and as such, continuation of this arrangement would not have a serious impact on the character and appearance of the local area.
8. Notwithstanding all the above, LP Policy SC10 also requires a minimum 'original' floor area greater than 130m² to be suitable for conversion to a HMO. Based on the information before me, the original floor area of No 40 was approximately 95.5m². The Hounslow HMO Supplementary Planning Document 2017 (HMO SPD) explains that this minimum floor area requirement is to ensure that smaller (less than 130m²) family houses, for which there is a pressing need in the Borough, are not lost to HMO and flat conversions. Accordingly, and in the absence of any evidence to the contrary, I find clear conflict with LP Policy SC10 in this respect.
9. The appellant states that the proposal would nevertheless be more favourable than a HMO that met the minimum floor area requirement in a less suitable location, but such a scenario would also conflict with Policy SC10.
10. I conclude that the proposed large HMO is unacceptable in principle due to being contrary to LP Policy SC10 in so far as it requires an original minimum floor area of 130m² to be considered suitable for subdivision.

Living conditions of the occupants

11. LP Policy SC5 requires development, including conversions/change of use, to be of the highest quality internally and externally, and meet the demands of everyday life for the intended occupants. All occupants should have safe and convenient pedestrian access to communal outdoor space of good quality, appropriate for relaxation as well as essential activities such as drying space and storage. This is reinforced through the HMO SPD.
12. The appellant contends that the rear garden could be used communally. However, only one of the ground floor bedrooms has direct access to this garden space from within the property. There is a path to the side of the property, but it terminates at a gate, after which it is not formally enclosed and appears to pass through the garden of a separate property. This is not a convenient access for the other occupants and as such, the proposal does not make suitable provision for access to communal outdoor space for all occupants of the development, which is harmful to their living conditions. For the same reason, I am not satisfied that suitable arrangements for bicycle storage could be achieved in the rear garden for all occupants.
13. I note that there are public parks nearby, but this does not justify inadequate access to communal outdoor space on site. Moreover, the parks are still a short

walk away and thus would not be used in the same way as incidental garden and storage space on site.

14. Internally, notwithstanding the small kitchen area, I consider the four double bedrooms, each with their own lounge area and bathroom/ensuite, would provide satisfactory internal accommodation overall. However, this does not compensate or outweigh the inadequate access to communal outdoor space for all occupants of the development.
15. I conclude that the development would not provide an acceptable standard of living for all its occupants, with particular regard to communal outdoor space. As such, it would fail to comply with LP Policy SC5 and the HMO SPD, as set out above.

Living conditions of neighbours

16. The appeal site is located close to Kingsley Road, which due to the shops, restaurants, offices, and being close to the town centre, is busy with footfall and traffic. I therefore do not consider that this part of Cecil Road could be described as a quiet residential area.
17. The daily movement patterns of the occupants for travel to work and for leisure and shopping purposes are unlikely to be too dissimilar to a single household or small HMO. It is also likely that most movements would be in the direction of Kingsley Road. I have no evidence before me to conclude that the proposed level of intensification is not appropriate due to the location. Indeed, LP Policy SC10 directs HMOs to such locations. As a result, I do not find that the intensification of use, most commonly associated with more comings and goings, would have a serious harmful impact on the living conditions of neighbours through disturbance.
18. The rear infill extension is located along the boundary with No 38, but it projects only marginally beyond No 38's own infill extension at single story height. It also lies to the north east of No 38. Due to its orientation, height and relative projection, I do not find that the extension has an overbearing or enclosing effect on the rear outlook of No 38, or causes loss of light to occupiers of that property.
19. It is unfortunate if neighbours were subjected to disturbance and damage from previous construction works, but such matters are subject to separate regulation and do not affect my consideration of the planning merits of the scheme.
20. I conclude that the development would not harm the living conditions of neighbouring occupiers, with particular regard to disturbance from comings and goings, outlook and light. In this regard the proposal would comply with LP Policies SC7, SC10 and the HMO SPD, in so far as they seek to minimise harm to neighbouring residents and ensure HMOs are in locations suitable for more intensive occupancy.

Character and appearance - extension

21. Due to the compact arrangement of the terraced houses, the rear elevation is only visible from surrounding properties. Most, if not all, of the other properties within this terrace appear to have been extended to the rear in different forms.

22. I accept that as a result of the current mix of external materials, the extension does not harmonise satisfactorily with the existing building. However, if I were minded to allow the appeal I consider this could be adequately remedied by an appropriately worded condition requiring the external finish to match the existing building.
23. Subject to such a condition, the scale, design and appearance of the extension would not cause harm to the character and appearance of the host building and surrounding area. As such it would comply with LP Policies CC1, CC2 and SC7, as well as the Hounslow Residential Extension Guidelines SPD 2017, which among other things, require new development to respect local character, and ensure alterations and extensions do not harm the existing character and appearance of the building and its context.

Conclusion

24. Although the HMO would be suitably located and would not cause harm to the living conditions of neighbouring residents or to the character and appearance of the area, this does not outweigh the unacceptable harm I find to the living conditions of the occupants, and the proposal's failure to comply with the policies of the adopted development plan overall.
25. I therefore conclude that the appeal should be dismissed.

Adrian Caines

INSPECTOR