



Appeal Decision

Site visit made on 11 August 2020 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Kenneth Stone BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 07 September 2020

Appeal Ref: APP/F5540/W/19/3243378

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 the Council of the London Borough of Hounslow.
- The application Ref 00197/C/P5, dated 8 October 2019, was refused by notice dated 4 December 2019.
- The proposed development is demolition of the southernmost garage and erection of a one-bedroom house with part single-storey and part sunken two-storey levels and amenity space.

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The description of the proposed development on the application form states that the existing rear garage structure would be replaced with a single-storey, one-bedroom, one-person dwelling. However, having considered the submitted drawings, it is clear to me that the proposal would be split over more than one floor or level. Therefore, in the interests of precision and clarity, the description of the proposed development set out in the banner heading above is taken from the decision notice which more accurately describes the proposal.

Main Issue

4. The main issue is whether the proposal would provide acceptable living conditions for future occupants, with regard to outlook, setting and private amenity space.

Reasons for the Recommendation

5. The appeal site accommodates a single-storey garage to the rear of a block of flats on the eastern side of Cambridge Road North. The appeal property forms the southern end of a row of five garages.
 6. From the living area at lower ground-floor level, outlook would be provided for future occupants from a west-facing window. However, as views from this window would face onto an enclosed external courtyard from a low-level,
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outlook from this window would be very limited. Regarding the north-facing high-level windows to the rear garden area, I am not convinced that these windows would provide acceptable levels of outlook, particularly as any shrubbery or vegetation within this rear garden would further obstruct the limited views that they would provide. As occupants would have a poor level of outlook from this primary living area at lower ground-floor level, I consider that the proposal would not provide acceptable living conditions for future occupants.

7. Within the kitchen area at upper ground-floor level, future occupants would have adequate levels of outlook to the west through the front window. However, views to the south through the floor-to-ceiling height sliding doors would be largely limited to a narrow external courtyard that would be enclosed by a high boundary. While these doors would allow adequate light to the kitchen area, outlook to the south would be poor due to the proximity and height of the southern boundary.
8. The bedroom at first-floor level would have two windows providing views to the east and west, occupants would therefore have acceptable outlook from this area. Furthermore, due to the generous size of the kitchen, living area and bedroom, open-plan arrangement and compliance with the Nationally Described Space Standards, I consider that the proposed dwelling would be functional for future occupants and would not be overly cramped for a one-person dwelling. However, these considerations would not overcome the poor outlook that would be provided for occupants from the upper and lower ground-floor levels for the reasons set out above.
9. In terms of private amenity space, the appellant states that they would provide two separate areas, although they clarify in their final comments that the rear garden area would only be used for aesthetic purposes and would only be accessed by occupants in case of maintenance. I therefore do not consider that this area would provide any functional private amenity space. The external courtyard would comply with the minimum standards for private amenity space for a one-person dwelling as set out in Policy SC5 of the Local Plan 2015-2030 (the Local Plan) and would provide occupants with adequate levels of light. However, due to its narrow, rectangular layout and the height of the southern boundary, this courtyard would be a cramped and enclosed space from which outlook would be especially poor. As such, I consider that the proposed private amenity space would not be acceptable.
10. Compared to the previous proposal, I note that the boundary wall would be reduced in height from 1.8m to 1.7m. However, I nonetheless consider that this reduction in height would not overcome the issues raised above.
11. In their determination of the previous appeal relating to application Ref 00197/C/P3, the Inspector considered that activity associated with the adjoining garage block would harm the setting of the proposed outdoor amenity. However, at the time of their determination, the Inspector did not have the survey which the appellant has provided as part of this appeal and which has been accepted by the Council. From this evidence, I consider that the adjoining garages are in limited use, and so would be unlikely to cause unacceptable harm to the setting of the external courtyard. During my site visit, I observed that there were some parking spaces on the side of the car park from the appeal site which I understand are allocated to residents of

Gillian Court. However, as these spaces are associated with private residential use, I do not consider that vehicular movements associated with these spaces would ever be so intensive that they would cause unacceptable harm to the setting of the proposed courtyard, or the residential setting of the proposed dwelling more generally. On the basis of the evidence before me and my observations on site, I consider that the setting of the proposed private amenity space would be acceptable.

12. For the above reasons, I conclude that the proposal would not provide acceptable living conditions for future occupants with regard to outlook or the quality of private amenity space, although the setting of the private amenity space would be acceptable. The proposal would therefore conflict with Policy SC5 of the Local Plan and Policy 3.5 of the London Plan (2016), which state, amongst other things, that housing development should be of the highest quality internally and externally. The proposal would also conflict with Policy CC2 of the Local Plan, which states that proposals should provide adequate outlook.

Conclusion and Recommendation

13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Kenneth Stone

INSPECTOR