



Appeal Decision

Site visit made on 14 September 2020

by Rachael Pipkin, BA (Hons), MPhil, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th September 2020

Appeal Ref: APP/F5540/D/20/3253502
68 Burns Way, Hounslow, TW5 9BA

- 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 Gurdev Buttar against the decision of the Council of the London Borough of Hounslow.
 - The application Ref: 00183/68/P1 dated 18 March 2020, was refused by notice dated 13 May 2020.
 - The development proposed is proposed single storey garden outbuilding, with a tiled roof, to be used as a gym room, store room and a builders tool store.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether or not the proposed use of the outbuilding would harm the living conditions of neighbouring occupiers, with regard to noise and disturbance; and
 - the effect of the proposed development on the character and appearance of the host property and surrounding area.

Reasons

Living conditions

3. Number 68 (No. 68) is a semi-detached house located within a residential area. The proposed outbuilding would be positioned at the far end of the long back garden which is accessed via the side of the house, between No. 68 and the neighbouring property at 70 Burns Way (No. 70). The proposed development would be a large, detached building set in from adjacent boundaries and next to an outbuilding in the rear garden of the neighbouring property at 66 Burns Way (No. 66). It would accommodate a home gym, a w.c., space for household storage and a builder's stock and tool store in association with the appellant's trade as a builder.
4. The proposed builder's tool room would be sizeable and occupy about a quarter of the proposed floorspace. From the details submitted it is not clear how much activity would be associated with this space, whether this would just be the appellant or others working with him and how frequently throughout the day

- the space would be accessed. Furthermore, given the generous proportions of the storage space, it could potentially provide room for other activities associated with the appellant's trade such as cutting or sawing materials, drilling or other machine based activities which could be quite noisy.
5. The increased comings and goings and other activities arising from this use of the proposed outbuilding would be likely to lead to unacceptable levels of noise and disturbance over and above what would be associated with a single family dwelling house. In the absence of firm evidence, I cannot be satisfied that the use of this space for builder's storage would not harm the living conditions of neighbouring occupiers.
 6. The use of this space as a home gym with a small attached w.c. would not result in unacceptable levels of noise and disturbance to neighbours. Furthermore, the attached w.c. would not be large enough to accommodate a bathroom and would not amount to primary living accommodation. This element of the proposed scheme would not result in an unacceptable impact on the living conditions of neighbours.
 7. As such, I conclude that the use of the proposed building in association with the appellant's trade as a builder would harm the living conditions of neighbouring occupiers, with regard to noise and disturbance. It would therefore conflict with Policy SC7 of the Hounslow Local Plan 2015 (LP) which only supports the development of outbuildings which do not harm the amenity of neighbouring residents. It would also not accord with the Council's Residential Extension Guidelines Supplementary Planning Document 2017 (SPD) sets out that an outbuilding must only be used in a manner incidental to the main house in order to avoid harmful impacts on neighbours.

Character and appearance

8. Houses on the east side of Burns Way benefit from long rear gardens which back onto an area of allotment gardens to the rear. A large number of these properties have outbuildings positioned at the rear of their gardens in a variety of sizes and styles, including brick structures with pitched roofs as well as conservatory buildings.
9. The proposed development would be a single-storey detached building with a shallow pitched pyramid roof. Whilst the outbuilding would be a large structure, it would be separated from the host property by a long section of garden. Furthermore, recent extensions to No. 68 have significantly enlarged its footprint and scale and the proposed outbuilding would not appear overly large in this context. As such it would be a subservient building within the garden of the host property.
10. The proposed outbuilding would be larger and would extend forward of the adjacent outbuilding at No. 66, however, it would project a similar distance to the outbuildings and conservatories at 72 and 74 Burns Way. It would not therefore appear disproportionately large to the surrounding development. Given the varied heights, roof forms and sizes of nearby outbuildings, the proposed design and size of the outbuilding would not be out of keeping.
11. I conclude that the proposed development would not harm the character or appearance of the host property or surrounding area. It would therefore comply with Policies CC1, CC2 and SC7 of the LP. These policies together and

amongst other things require development to respond to the character of the area, site context and have regard to the character and scale of the principal building. It would also comply with the SPD which requires outbuildings to be subservient to the host dwelling.

Conclusion

12. Whilst I find no unacceptable harm to the character and appearance of the host property or the surrounding area, this does not outweigh the harm to the living conditions of neighbouring residents. For this reason, I conclude the appeal should be dismissed.

Rachael Pipkin

INSPECTOR