
Appeal Decision

Site visit made on 26 January 2021

by Jonathon Parsons MSc BSc(Hons) DipTP Cert(Urb) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22nd February 2021

Appeal Ref: APP/F5540/W/20/3262138

27 School Road, Hounslow TW3 1QU

- 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 Gurnek Sidhu against the decision of Council of London Borough of Hounslow.
 - The application Ref 01001/27/P2, dated 20 August 2020, was refused by notice dated 27 October 2020.
 - The development proposed is to "build a one bedroom house at the back, which will have a basement and ground floor. Total GIA 52sqm."
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposal on the (a) the character and appearance of the area and (b) the living conditions of the occupiers of the new and existing dwellings, having regard to outlook, private outdoor space and privacy.

Reasons

Character and appearance

3. The appeal site comprises an end of terrace dwelling with a single storey rear extension which has been converted into two flats. There is a private access of pedestrian width down the side of the building. The property, along with neighbouring properties have long rear gardens, that back onto the flank of a dwelling and its garden in Pears Road. Within the area, many of the properties have outbuildings to the rear.
4. The size of the ground floor would be smaller than many outbuildings but the dwelling would not have an appearance of an outbuilding. In this regard, the new building would have a basement and ground floor above, with private outdoor space provision within a lightwell and above on part of the roof of the basement. There would also be an obscure glazed privacy screen between the lightwell and the rear of the property at No 27.
5. Such features, together with living accommodation use of the plot by occupiers, would readily identify the development as a dwelling. With its building extent closely adjoining side and rear boundaries, the dwelling would appear cramped. The dwelling's location in a backland position would also be

markedly out of keeping with the prevailing pattern of development in the vicinity which is characterised by frontage dwellings with long rear gardens.

6. Additionally, there are no details of waste/recycling provision. The frontage of No 27 has restricted space and already serves the needs of the two flats. Any further provision on the frontage would result in unsightliness of bin storage/bags for waste and recycling. The bins/bags could be stored within the plot to the rear and brought down the private access way on collection day. However, this would add to the identification of the building as a dwelling and draw attention to its unacceptability to its surroundings.
7. There have been several dwellings permitted within the curtilages of dwellings at Whitton Dene, Maswell Crescent Park and Inwood Avenue. However, these developments do not relate to the context of the appeal site due to their location some distance away. There is a closer dwelling built within the curtilage of the house at 62 Pears Road. Nevertheless, it is not located in an isolated position to the rear like the appeal development. All these examples are also an exception to the prevailing frontage pattern of dwellings within the streets that they relate to. For all these reasons, there are material differences between these developments before me and that before me. In any case, every proposal must be considered on its particular planning merits.
8. For all these reasons, the development would not be of a high quality design and would harm the character and appearance of the area. Accordingly, the proposal would be contrary to Policies CC1 and CC2 of the Hounslow Local Plan 2015-2030 Volume 1 (HLP) 2015.

Living conditions

9. The proposal would result in the subdivision of the rear garden of the appeal property. Only the ground floor flat has access to this garden.
10. The dwelling would be single aspect only, with windows facing in the direction of the existing dwellings at No 27. At basement level, occupiers would have an outlook from the main living area which would be oppressive due to it facing out onto the walled parts of the lightwell. In this regard, the separation between glazed openings and the lightwell wall would be small, being approximately 2m. The basement kitchen would also have no windows to view out of, other than a rooflight. Consequently, the outlook for future occupiers would be poor.
11. There is a dispute as to the amount of private outdoor space provision. Taking the appellant's higher figure, this would amount to approximately 30 sqm which would cover areas within the lightwell and the roof area of the basement living area. HLP Policy SC5 sets out the benchmark external space standards that need to be provided for both houses and flats.
12. There is no definition of a flat before me but based on my experience, a flat is typically part of a block/building with accommodation generally across a floor. Here, the accommodation is isolated on its own over two floors, and furthermore, the application describes the dwelling as a house. Therefore, the requirement for 50 sqm provision for houses with 3 habitable rooms is relevant and the proposal falls significantly short of this. Furthermore, part of the space provision would also be substandard in quality being a small space hemmed in by walls of the lightwell and the basement part of the dwelling.

13. Under this policy, a 3 bedroom 5 person house would have more than 3 habitable rooms and therefore, the space standard would be greater than that required here. Therefore, the proposed dwelling does not have similar external space requirements to such a large type of dwelling. The internal space provision would exceed the requirements under the Nationally Described Space Standards for this type of accommodation and the residents would be within easy walking distance of a public park. However, the wording of the policy makes no exception on this basis and, in any case, it is not a substitute for everyday living activities, such as private relaxation and clothes drying, which need to be provided at home in a readily convenient way.
14. The Council states that the dwelling's ground floor positioning would conflict with the minimum acceptable window-to-window distances set in the LP for privacy and would be overlooked from the first floor windows of the existing building and neighbouring houses. However, there would be considerable separation between the first floor of No 27 and the dwelling's ground floor. Neighbouring dwellings at first floor level would also be separated by considerable distance and views would furthermore be set at an angle. Accordingly, the loss of privacy would not be significant for future occupiers.
15. The subdivision of the existing garden would leave less private outdoor space provision to serve the existing ground floor flat. However, the requirement would be 25 sqm based on HLP Policy SC5 which could still be provided. The top floor flat has no access to the garden so the proposal would not jeopardise its private open space provision. In terms of outlook, the proposal would be a significant distance from the ground and stepped back first floor of No 27. There would also be an obscured screen between the private outdoor space serving the ground floor flat and dwelling. For all these reasons, there would be sufficient separation to avoid any significant loss of outlook to the occupiers of the existing flats.
16. Nevertheless, the development would harm the living conditions of the future residents of the new dwelling, having regard to outlook and private outdoor space for the reasons indicated. Accordingly, the proposal would be contrary to Policies 3.5 and 7.2 of the London Plan (LP) and Policy CC2 of the HLP. There is no conflict with HLP Policy CC1 as this relates to character and appearance considerations and HLP Policy SC7 as this relates to domestic extensions.

Other matters

17. HLP Policy EC2 states that proposals should comply with LP standards for cycle parking. The WestTRANS Cycle Design Guidance requires an access way of at least 1.2 metres to enable cycle access. The proposed access way to the site would be just over 1m. However, the guidance is advisory only and the route width would not be so deficient to prevent bicycles being wheeled back and forth. Hounslow's target carbon emission for all development is zero. The appellant's energy statement is brief in its detail on achieving sustainable energy and water reduction use on the site. However, there is no reason before me why planning conditions could not be imposed to secure appropriate cycle storage and green measures on the site in compliance with HLP and LP Policies.
18. The proposal would boost housing supply by providing a smaller scale dwelling which could be made affordable to many people. A consultation on Government Planning Reforms has recently taken place. It has been suggested

that School Road could be put into a growth or renewal area which would permit this proposal. However, the combined harm to the character and appearance of the area and the living conditions of future residents would be substantial. The addition of a single dwelling to housing supply would be limited. The planning reform consultation document is important but it does not form government policy at this moment which significantly limits its weight in the planning balance.

19. Furthermore, the National Planning Policy Framework indicates good design is key aspect of sustainable design and that the creation of high quality buildings and places is fundamental to what planning and development process should achieve. The scheme would be poor design and the combined harm would be permanent. For all these reasons, the combined harm would be significantly greater than the proposal benefits and indicated considerations.
20. If there had not been substantive reasons to turn down this appeal, clarification would have been sought as to whether the plans showing internal head height have incorporated adequate insulation requirements.

Conclusion

21. There are no considerations of sufficient weight or importance that determine that the decision should be taken other than in accordance with the development plan and therefore, planning permission should be refused.
22. For the reasons given above and having regard to all other matters raised, including a lack of neighbour objection, I conclude that the appeal should be dismissed.

Jonathon Parsons

INSPECTOR