



Appeal Decision

Site visit made on 31 August 2021

by C Rafferty LLB (Hons), Solicitor

an Inspector appointed by the Secretary of State

Decision date: 27th September 2021

Appeal Ref: APP/F5540/W/21/3277390

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/P7, dated 19 April 2021, was refused by notice dated 7 June 2021.
 - The development proposed is the replacement of rear garage structure with a one bedroom one person dwelling.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the proposed development would provide acceptable living conditions for future occupiers; and preserve or enhance the character or appearance of the Wellesley Road Conservation Area.

Procedural Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework (the Framework). Accordingly, and in light of the reference made to the previous iteration of the Framework within the submitted evidence, the parties have been provided with a further opportunity to make submissions in respect of the publication. In this respect, I am mindful that neither the appellant nor the Council have made any further submissions regarding the revised Framework. However, in light of this re-consultation, I am satisfied that any references made to the revised Framework within this decision would not be unreasonable to the parties.

Reasons

Living conditions

4. The appeal site comprises a single storey garage in a residential part of the Wellesley Road Conservation Area (the CA). It is located to the rear of a block of flats at the end of a row of five garages.
 5. The proposal would replace the garage with a two storey dwelling. Policy SC5 of the Hounslow Local Plan 2015 (the Local Plan) requires new residential development to comply with the Nationally Described Space Standards (NDSS). The NDSS require, among other things, a minimum floor to ceiling height of 2.3 metres for at least 75% of the total internal floor area.
-

6. The appellant contends that overall, the proposal would meet this requirement. However, a significant part of the upper level floorspace would be located within the roof slope. As such, the headroom on this floor would be constrained. This would greatly restrict the useable area of this level as a whole, negatively impacting the occupier's use and enjoyment. Notwithstanding any compliance with the NDSS, the proposal would result in poor quality accommodation due to the ceiling height at first floor level.
7. Two appeal decisions¹ relating to one person dwellings at the site have been provided but I have limited details on the nature of these schemes or their comparability to the proposal. In one of these, the Inspector concluded that the dwelling before them would not be cramped and, as a result, the parties agree the current proposal would have an acceptable internal floor area. However, it remains that the specific nature and design of the proposal before me would result in a floor to ceiling height that, overall, would not provide acceptable living conditions for future occupiers.
8. The parties agree that the external terrace would exceed the size requirements of the Local Plan. However, despite not being covered, the terrace would be surrounded on two sides by the tall built form of the proposal, and at the others by the close boundary treatments present. This would lead to a feeling of enclosure, which would be exacerbated by the limited light and outlook available as a result. The combination of these elements would negatively impact on the future resident's use and enjoyment of the space.
9. For the reasons given above I find that the development would have a significant adverse effect on living conditions for future occupiers. As such, it would fail to accord with Policies SC5 and CC2 of the Local Plan, which together seek to ensure adequate living conditions.

Conservation Area

10. The special interest of the CA is derived from Victorian architecture. While the garages are later development, these are set back from the street with a consistent modest scale and simple form. This reduces their overall visual impact so as to not unduly detract from the predominant character of the CA.
11. The parties agree that the modern design of the proposal and the choice of materials are acceptable. However, while its height would match the eaves of the nearby Age Concern building, it would be read primarily alongside the adjoining garages. In this context it would tower above the remainder of the row, eroding the consistent scale and appearing as a dominant and out of place addition. Its roof, while sloped to reflect neighbouring building heights, would appear bulky and awkward alongside the flat roofed garages, failing to reflect the simple form of this row of buildings.
12. Overall, the proposal would be a visually intrusive feature in context. It would cause visual harm to the site and the contribution it makes to the surrounding character and appearance. As such, it would neither preserve or enhance the character or appearance of the CA. Although its effect would be localised and would equate to 'less than substantial' harm, the Framework makes it clear that great weight should be given to the conservation of heritage assets.

¹ APP/F5540/W/19/3220114 and APP/F5540/W/19/3243378

13. Paragraph 202 of the Framework specifies that where a development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against public benefits of the proposal. No such benefits have been put forward by the appellant.
14. For the reasons given above I find that the development would fail to preserve or enhance the character or appearance of the CA. As such, it would fail to accord with Policies CC1 and CC4 of the Local Plan, which together seek to ensure good design and to preserve the character and appearance of the CA.

Other Matters

15. The proposal would contribute to housing provision, which is supported by local and national policy. However, due to its one person, one dwelling nature the contribution it would make in this regard is limited. Furthermore, additional housing should not be provided at the expense of the quality of the accommodation or the character or appearance of the CA. Therefore, I afford this benefit limited weight and it does not outweigh the harm identified above.
16. The Council raised concerns relating to the sustainability of the proposal with regards to carbon savings. While the appellant has stated that the proposal is compliant with the London Plan in this regard, I do not have copies of the relevant policies before me. However, given my conclusion to dismiss the appeal on other grounds, I have not sought further clarification on this matter.

Conclusion

17. For the reasons given, the proposal would not accord with the development plan when taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

C Rafferty

INSPECTOR