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# Appeal Decision

Site visit made on 13 September 2021

**by Tim Wood BA(Hons) BTP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5<sup>th</sup> October 2021**

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**Appeal Ref: APP/F5540/W/21/3275282**

**110 - 112 Hanworth Road, Hounslow TW3 1UF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant [outline] planning permission.
  - The appeal is made by Mr M Raza against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 01254/110-112/P5, dated 22 January 2021, was refused by notice dated 8 April 2021.
  - The development proposed is the erection of a four storey building incorporating seven flats and an office unit at ground floor level with associated landscaping, refuse and cycle storage.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. The appellant has submitted an amended scheme with the appeal submission. The amendment revises the ground floor layout to make the cycle parking provision larger and removes one of the previously proposed bedrooms. I am satisfied that the amendments do not fundamentally alter the scheme and no-one's interests would be prejudiced by consideration of this revision as part of the appeal.

## Main Issues

3. The main issues in this appeal are;
  - The effects of the proposal on the heritage assets and the character of the area
  - Whether the location of the proposal is appropriate taking account of Policy TC3
  - Whether suitable amenity space is proposed
  - The suitability of the provision for cycle parking
  - Whether the scheme allows sufficiently for the use of renewable energy.

## Reasons

### ***The effects of the proposal on the heritage assets and the character of the area***

4. The appeal site currently accommodates a 2 storey Victorian house (No 112) and a car wash facility, with a building set at the rear of the site. The 2 storey house is an attractive brick-built building containing a number of decorative features and it is locally listed. Contrary to the Council's submissions, this means that it is considered a non-designated heritage asset, as defined in the National Planning Policy Framework (NPPF). It sits immediately adjacent to the Grade II listed Hounslow Congregational Church which dates from 1836 and is a handsome building in this prominent location. Although there have been alterations and extensions to No 112, I consider that it makes a positive contribution to the locality and also to the setting of the listed Church.
5. The proposed new building would result in the complete demolition of No 112 and also the building at the rear of the site and the construction of a 4 storey building virtually filling the entire site. The proposed front elevation would contain 3 floors of the brick façade and a mansard roof containing the top floor. The parapet line of the front elevation would be higher than the eaves line of the Church and the proposed mansard roof would represent a considerably bulkier feature than the shallow pitched roof of the Church. In relation to the neighbouring terrace at No 104-108 Hanworth Road, the proposal would be considerably taller than the existing buildings and the proposed roof form would mean that it would visually dominate the neighbouring terrace. The appellant has drawn my attention to planning permission for development at the neighbouring terrace which would result in a mansard roof. However, even taking account of this, I consider that the appeal scheme would appear notably taller and more dominant.
6. I have noted the slight setting back of the proposal in relation to the Church and the other buildings, along with the visual gap between the Church and the proposal. However, these would do very little to soften the dominating effects that the proposal would have on the Church and on the street-scene generally. At present the attractive house at No 112 provides a respectfully proportioned neighbour to the Church, albeit with some alterations from its original. Taking account of its intrinsic features and the contribution that it makes to the setting of the listed Church, I consider that its loss would represent a negative change. I have taken into account that the proposal would mean that the existing car wash facility would be removed and I see this as a positive change. However, when balancing these matters I conclude that the loss of the existing locally listed building and the replacement with the much larger and dominating proposal would outweigh the positive aspects of the proposal, including the provision of new homes. Therefore, in relation to the historic environment, I consider that the harm arising from the loss of the locally listed building and the failure to preserve the setting of the listed Church are not outweighed by any public benefits. In relation to the street-scene generally, I consider that the proposal would be unacceptably dominating in relation to the immediate neighbour at 104-108, even in its revised consented form. As a consequence, the proposal is contrary to Policies CC1, CC2 and CC4 of the Council's Local Plan.

### ***Location and Policy TC3***

7. Policy TC3 of the Council's Local Plan seeks to promote the regeneration of its town centres by directing appropriate town centre uses to those areas and assessing proposals for such uses in other locations on the basis of a sequential test and an impact assessment. My reading of the Policy is that part a) states that town centre uses should go in the town centres and proposals in other locations will be judged by sequential tests and impact assessments; part c) then states that impact assessments will be required for retail or other town centre uses over a certain floorspace (which is irrelevant to the proposal because the commercial floorspace is below the threshold). That leaves the smaller proposals for such uses to be subject of a sequential test. In my view, the policy does not mean that both the sequential test and the impact assessment apply only to larger schemes, it is just the impact assessment.
8. The appellant has not undertaken a sequential test to determine if there are more policy compliant locations available for the commercial element of the proposal. Therefore, I consider that the proposal is contrary to Policy TC3 in this respect.

### ***Amenity Space***

9. In relation to private amenity space, Policy SC5 of the Local Plan states that each flat should be provided with at least 5 square metres of amenity space for flats of up to two occupants and 1 square metre for each additional occupant thereafter. The proposal would meet or exceed these requirements.
10. Policy SC5 then adds that communal amenity space should be provided, in addition to private space, at a rate of 25 square metres for flats of up to three habitable rooms minus any private amenity space provision. Therefore, a total of 175 square metres is required minus the approximate 35 square metres of private, totalling 140 square metres. The application proposes no communal amenity space.
11. The appellant states that the proposal is within a town centre location and also that a park which is said to be 250m away would provide suitable outdoor recreation space. Although I accept that the appeal site is close to the town centre, it is outside the boundary. In addition, I do not consider that a public park which is some distance from the site would make up for the lack of communal space for residents at the appeal site. I regard this as a deficiency of the proposal which is contrary to Policy SC5.

### ***Cycle Parking***

12. The appellant has submitted a revised cycle parking layout with the appeal documents which provides sufficient numbers of spaces. However, the Council has objected to the incorporation of the residential and commercial provision together and also states that at least 1m should be provided between spaces (whereas 0.8m is indicated). Firstly, I see no reason why the provision of cycle parking should be separate for the commercial and residential elements. Secondly, I acknowledge that the separation distances between spaces may make them less than ideal to use; however, I do not consider that this would have been sufficient to dismiss the appeal by itself.

### ***Renewable Energy***

13. The appellant's energy statement indicates that under the Mayor of London's energy hierarchy improved thermal performance is achieved through improved glazing, ventilation, heating and lighting reducing annual carbon emission by 13.73% below Building Regulation requirements. The use of photovoltaic (PV) panels would further reduce emissions totalling an indicated 36.63% saving.
14. The Council are critical of the appellant not specifying the exact type of PV panel, their siting and layout. The appellant has submitted with the appeal a plan indicating the layout of PV panels on the roof. Whilst this does not specify the type of panel, I am satisfied that this could have been dealt with by means of suitable conditions, if the appeal had been successful.

### **Conclusions**

15. I have acknowledged that the proposal would bring about the provision of additional homes in an appropriate location, in general terms. I also accept that there is some benefit to the removal of the car wash facility, both generally and in terms of the setting of the listed Church. However, I have identified considerable shortcomings and conflict with the development plan. The harm to the heritage assets is not outweighed by any public benefits and the other conflicts that I have identified are similarly not outweighed. As a consequence, the appeal is dismissed.

*S T Wood*

INSPECTOR