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## Appeal Decision

Site visit made on 27 October 2021

**by John Wilde CEng MICE**

**an Inspector appointed by the Secretary of State**

**Decision date: Monday 8 November 2021**

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**Appeal Ref: APP/F5540/W/21/3273267**  
**132 The Crossways, Hounslow TW5 0JR**

- 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 Mrs K Gill against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 00329/132/P4, dated 17 July 2020, was refused by notice dated 20 October 2020.
  - The development proposed is a new one bedroom (2 person) dwelling with parking and amenity space.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are the effect of the proposed development on:-
  - a) The living conditions of future occupiers with respect to amenity space and light and outlook,
  - b) Highway safety,
  - c) The character of the area due to increased activity, and
  - d) Whether or not the proposed development would be of sustainable design.

### Reasons

3. The appeal site is part of the rear garden area of 132 The Crossways. The proposed one bedroom dwelling would be located at the end of the site with its northern and western elevations directly adjacent to the site boundaries.

#### *Living conditions of future occupiers*

4. Policy SC5 of the London borough of Hounslow Local Plan 2015-2030 (LP) requires that new houses with three habitable rooms require 50sqm of outdoor amenity space. I acknowledge that the proposed dwelling would only have two habitable rooms but note that one of these would be an open plan living/dining/kitchen and therefore consider it reasonable to equate this to two habitable rooms in the context of policy SC5. Furthermore, I cannot agree with the appellant that because the proposed dwelling is single storey it should be considered as a 'flat or other form of residential development'. It is

unquestionably a house, and I note that the submitted Design and Access Statement describes it as such in paragraph 1.1.

5. The outdoor amenity area for the proposed dwelling would be to the front of the southern elevation and would measure about 30sqm. It would therefore be considerably below the stipulated policy figure. Furthermore the policy requires that outdoor amenity space should be of a suitable quality so as to provide room for essential activities such as waste recycling, drying space and storage as well as for relaxation. The proposed amenity area would have close boarded fencing on two sides and would be impinged upon by the car parking area. To my mind this cannot be seen as being of good quality. Conflict would therefore exist with policy SC5.
6. I acknowledge that the Mayor of London's Supplementary Planning Guidance for new housing (SPG) stipulates a figure of 5sqm of private outdoor amenity space. However, paragraph 5.19 of the LP that relates to policy SC5 explains that the external space standards adopted in the borough reflect the more open outer-suburban character of the borough, and I accept this.
7. All the windows of the proposed development would be in the southern elevation, facing No 132. Whilst I have not been provided with a policy that directly prohibits single aspect dwellings, I do note that that standard 29 of the SPG recommends that developments should minimise the number of single aspect dwellings and also that dual aspect dwellings have inherent benefits including better daylight and a choice of views.
8. In respect of the latter I note that there would be only one small window at ground floor level serving the proposed bedroom and this would look out over the very small front patio area and the refuse area. This seems to me to indicate poor design and also conflict with policy CC2 of the LP which expects that development provides adequate outlook.

#### *Highway safety*

9. The proposed development would provide one parking space. This would be accessed off of a very narrow private driveway and there are no visibility splays shown on the submitted drawings. Furthermore, the limited width of the access lane would mean that any manoeuvring necessary to ensure that a vehicle could leave the site in a forward gear would have to take place in the area north of the parking space. Whilst vehicular speeds would be likely to be very low and the access lane is not part of the public highway, these factors once again point to poor design and also a conflict with the National Planning Policy Framework (the Framework), which requires in paragraph 110 that a safe and suitable access to the site can be achieved for all users.
10. I note that it could be possible to provide visibility splays, but these would reduce the amenity/access space even further and would not help with the manoeuvring situation.

#### *Character*

11. As stated previously, the appeal site is part of a rear garden area, and there are further gardens to the west of the site. However, to the north and east there are garages and the accesses to the rear of properties that front The Crossways. The appeal site cannot therefore be seen as being situated in a completely quiet residential environment, and I do not consider that the

insertion of a one bedroom dwelling would result in such increased activity as to impact significantly upon the character of the area. In this respect therefore there would be no conflict with policies CC1, CC2 or SC7 of the LP.

### *Sustainability*

12. Policy EQ1 of the LP requires that all development meets the carbon emission reduction requirements set out in the London Plan. To this end I have been supplied with policy SI 2 of the latter plan. This policy does however seem to be predicated towards major development, and I have not been supplied with a definition of major development in the context of the London Plan. Notwithstanding this however, the Design and Access Statement that accompanied the planning application relating to this appeal stated that the applicant is looking to propose *a passive house/zero carbon solution for this project*. It seems to me therefore that if I were to allow the appeal then a suitably worded condition could result in the necessary sustainable design.
13. My attention has been drawn to two nearby developments. The development to the rear of 14 The Crossways appeared to be under construction at the time of my visit, although it was fenced off and views were hard to come by. I have not been provided with the full details of this scheme or the scheme to the rear of Church Road. However, every scheme has to be treated on its own merits and I have found significant conflict with the LP in respect of the appeal scheme. I cannot therefore accept that these other two schemes form a compelling precedent for allowing the appeal scheme.

### **Planning balance and conclusion**

14. I have found that the proposed development would conflict with the LP in respect of outdoor amenity space and outlook. I have also found that the parking arrangement would be contrary to the Framework. These matters significantly outweigh my findings with regard to character and appearance and therefore, having taken into account all other matters raised, including any potential economic or social benefits, I conclude that the appeal should be dismissed.

*John Wilde*

INSPECTOR