



Appeal Decision

Site visit made on 25 October 2022

by E Dade BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 November 2022

Appeal Ref: APP/F5540/W/21/3292456

150-152 Staines Road, Feltham, Middlesex TW14 9ED

- 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 I Rayit against the decision of London Borough of Hounslow.
 - The application Ref 01054/150-152/P2, dated 9 April 2019, was refused by notice dated 1 September 2021.
 - The development proposed is the erection of a single storey extension to provide a showroom and alteration and extension of existing warehouse to provide two B1 units.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the proposed development would provide a suitable location for commercial uses, having regard to the local development strategy for the area;
 - The effect of the proposed development on living conditions of the occupants of Nos 150 and 152 Staines Road, with particular regard to noise; and
 - The effect of the proposed development on highway safety.

Reasons

Suitability of location

3. The appeal site includes 150 and 152 Staines Road and surrounding land and outbuildings. The area within which the appeal site is situated is predominantly urban and residential in character. A range of dwelling types, including blocks of flats, semi-detached and detached dwellings, front on to Staines Road. Within the appeal site, No 152 is a semi-detached dwelling and living accommodation is located at the first floor of No 150.
4. Other uses are prevalent within the area. Notably, a hot food takeaway is located at the ground floor of No 150, and a sign company occupies the adjoining unit at No 148, with a window manufacturer located at a workshop to the rear. Also within close proximity of the appeal site is an MOT test centre and a tool hire business. The proposal would not therefore appear out-of-keeping with the area's character which incorporates a mix of uses and thus

would accord with Hounslow Local Plan 2015 (HLP) Policy CC1 which requires development to respond sensitively and creatively to an area's character.

5. HLP Policy ED1 seeks to promote employment growth and development through directing new industrial / warehousing and related development to the borough's Strategic Industrial Sites, Locally Significant Industrial Sites and other existing industrial sites. The appeal site is not located within a designated industrial site but has existing commercial activities on site.
6. HLP Policy ED1 does not preclude development in other locations and the proposal is modest in scale, providing a net increase in floor space of 260 square metres. For these reasons, the proposal would not adversely affect the Local Plan's development strategy and is therefore not an inappropriate location for the proposed use. The proposal is compatible with Policy ED1 through facilitating employment growth and supports paragraph 81 of the National Planning Policy Framework which places significant weight on the need to support economic growth.

Living Conditions

7. The appeal site faces Staines Road, a busy 'A' road, and is a short distance from the junction with Faggs Road / A312. From my site visit, I found the area surrounding the appeal site experiences residual and background noise from traffic and the activities of nearby businesses. The intended use of one proposed unit is as a furniture assembly workshop, an activity which is likely to generate noise from manufacturing and other related operations such as vehicular movements.
8. HLP Policy EQ5 requires proposals to assess the potential impact of the development on surrounding uses and demonstrate that new plant and machinery would not harm the amenity of neighbouring properties and would generate noise levels that are at least 10dB below background noise levels.
9. Whilst positioned at the rear of the site, the units and vehicular access would be in relatively close proximity of dwellings and residential gardens, notably living accommodation at Nos 150 and 152. The planning application documents indicates the noise levels of the manufacturing elements of the scheme are around 42dB and has stated the proposed operating hours. However, the appellant's documents suggest there is uncertainty regarding the noise levels of the business operations and that noise levels would require testing during the operating process. The appellant has supplied details of the sound reduction index values relating to various types of blockwork. However, it is not clear how this information relates to the materials used within the proposal, nor what the effects of opening doors and windows would have in respect of noise levels. No information has been supplied regarding the noise effects of other activities related to the business activities, such as vehicular movements on site.
10. Whilst it is possible to place limitations on noise levels and operating hours through planning conditions, such conditions would be unreasonable if they would negate the benefit of the planning permission by preventing the proposed business operations from being carried out. Likewise, matters of sound insulation should not be deferred to the Building Regulations process without clear evidence of the noise levels which would be generated by the scheme.

11. In the absence of evidence regarding the noise levels of the business operations, the proposal fails to demonstrate that the living conditions of occupants of nearby dwellings, namely occupants of Nos 150 and 152, would not be harmed. The proposal would therefore conflict with HLP Policy EQ5 which requires the location and design of new development to have considered the impacts of noise, and mitigation of these impacts, on surrounding uses.

Highway Safety

12. The appeal site is located within Public Transport Accessibility Level (PTAL) zone 3 and is therefore considered an area of reasonable accessibility. The proposed on-site parking provision would exceed the maximum standards for car parking and does not include provision for electric vehicle charging. The proposal would therefore conflict with HLP Policy EC2 which seeks to secure a more sustainable local travel network through requiring new development to meet the parking and electric vehicle charging standards contained in the London Plan.

Conclusion

13. Although I have found that the proposal would not adversely affect the development strategy of the Council, I have found that it would potentially harm the living conditions of neighbouring occupants and would not support a sustainable local travel network. Taking these matters together, I conclude that the resulting harm would outweigh any benefit from the first issue. The proposal would therefore conflict with the development plan when taken as a whole.
14. For the reasons given above, having assessed the case against the development plan as a whole and having had regard to all other relevant material considerations, I conclude that the appeal should be dismissed.

E Dade

INSPECTOR