



Appeal Decision

Site visit made on 20 October 2022

by L Hughes BA (Hons), MSc, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2022

Appeal Ref: APP/F5540/W/22/3295163

256A Whitton Dene, Isleworth, London TW7 7LU

- 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 the London Borough of Hounslow.
 - The application Ref 01203/256/P4, dated 31 January 2022, was refused by notice dated 15 March 2022.
 - The development proposed is described as 'build a 1 bedroom 2 person flat (GIA 64.55sqm) on top of 2 purpose built flats, detached building to increase by 2.6m.'
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description set out in the banner heading above is taken from the application form. The appellant has stated that an error in their original description of development incorrectly identified the proposal as a '1 bedroom 2 person flat.' It should have been a '1 person 1 bedroom flat'. I have based my decision on the original description of development, and return to this matter in my reasoning below.

Main Issues

3. The main issues are:
 - the effect of the development on the character and appearance of the area;
 - whether the proposal would make an appropriate contribution towards minimising carbon emissions; and
 - whether the development would provide acceptable living conditions for future occupiers with regard to internal and garden space.

Reasons

Character and appearance

4. The appeal site consists of a corner plot containing 2 properties. No. 256 is one half of a pair of semi-detached dwellings, and No. 256A is a 2-storey detached property containing 2 flats. The site is within a suburban area of predominantly 2-storey semi-detached and terraced dwellings, several which have been extended to the side and at roof level.

5. The proposal is to add an additional storey to No. 256A to comprise a new flat, by raising the eaves and ridge heights. While the existing roof design would be retained and the detailing and materials replicated to a large extent, the façade would appear somewhat disjointed because of the eaves line after the first floor and the brickwork breaks within the render. The effect would be noticeable as a disproportionate additional floor added, rather than being a single cohesive development.
6. The proposed significant increase in the ridge height would also greatly increase the building's overall massing and bulk. The increased height would be taller than the neighbouring pair of semi-detached dwellings, appearing dominant and unrelated in scale to them especially because No. 256A is currently slightly smaller and lower. The additional floor would make it very prominent in the streetscene. This would be enhanced due to the building's forward position within the site, its proximity to the roadside, and its corner location which allows for relatively long views. While the extension would have limited volume compared to the total of its host, it would not be subservient due to its appearance and scale. Overall, the proposal would be out of keeping with the surrounding properties and thus would harm the character of the area.
7. I note the suggested nearby examples, but dwellings in the surrounding streets that may be as high overall as the appeal proposal remain 2-storey in appearance. For example, the rear dormer at No. 252 does not involve an increased ridge height and does not display significant massing within the streetscene. I found no other 3-storey buildings in close proximity, and while the roof of Twickenham Stadium is just visible from Whitton Dene behind the intervening houses, the stadium does not have the same context for its mass and form as the residential street.
8. I also acknowledge the additional floor for 260 Whitton Dene permitted under prior approval, but that dwelling is set much further back within its site and is neither on a prominent corner position compared to No. 256a nor visually prominent within the streetscene.
9. I have no evidence before me that other properties will create additional floors via permitted development rights, and so this does not alter my judgement of the appeal proposal on its own merits and within its current physical context.
10. In conclusion therefore, the proposed development would result in harm to the character and appearance of the area. This would be contrary to the London Borough of Hounslow Local Plan 2015-2030 (2015) (the Local Plan) policies CC1, CC2, SC1, and SC4, the London Plan (2021) policy D4, and the aims and principles of the National Planning Policy Framework ('the Framework') (2021). These policies seek to ensure that development proposals contribute to and reflect an area's local context and character, and deliver high quality design and architecture to create attractive, distinctive, and liveable places, including responding sensitively to the layout, grain, massing and height of surrounding buildings. CC2 in particular also requires careful, considered detailing for building facades which add visual interest and richness to the street scene.

Carbon reductions

11. Under Local Plan policies EQ1 and EQ2 and the London Plan policy SI2, new build dwellings are required to achieve net zero carbon, with a monetary contribution in-lieu secured via legal agreement to the Council's Carbon Offset Fund if residual carbon emissions above zero are identified. The proposed building fabric is agreed as meeting the requirements. However, the scheme does not include an energy calculation to determine whether it has maximised all the available on-site opportunities for renewable energy, demonstrated net zero, or instead an offset contribution is required.
12. The appellant has suggested that these matters could be addressed via planning conditions. The Planning Practice Guidance identifies that in exceptional circumstances a negatively worded condition requiring a planning obligation to be entered into before the development can commence may be appropriate, and I have noted the Council's suggested conditions in this regard. However, I have been provided with no exceptional circumstances as to why this would be appropriate. Had I been minded to allow the appeal, I may have sought further information. However, as I am dismissing the appeal for other reasons there is no need for me to consider this matter further.
13. In conclusion therefore, the proposed development has not demonstrated that it would make an appropriate contribution towards minimising carbon emissions. It would therefore not comply with the Hounslow Local Plan policies EQ1 and EQ2, the London Plan policy SI2, and the aims and principles of the Framework, which together seek to reduce greenhouse gas emissions and minimise energy demand. I note that while the Council has included London Plan policy SI5 within the reason for refusal, I do not find it directly relevant as it relates primarily to water infrastructure.

Living conditions of potential future occupants

14. Policy SC5 of the Local Plan requires compliance with the Nationally Described Space Standard (the NDSS) which set out minimum gross internal floor areas for new dwellings. Policy D4 of the London Plan also sets out minimum internal space standards. Both require a 1 bedroom 2 person flat to provide a minimum of 50 square metres (sqm).
15. Notwithstanding that the appellant has stated the proposal was for a 1 person flat, given that the internal floor area exceeds the standard for a 2 person flat, it is reasonable that future occupancy could be for 2 people. I have therefore assessed it on that basis.
16. The NDSS requires a double bedroom to have a floor area of at least 11.5sqm, and the proposed bedroom would be 1sqm below this. Notwithstanding this, the proposed flat is 6.5sqm larger overall than the minimum standard for 2 persons. In addition, at my site visit I observed the identical sized bedrooms of the existing flats within the building. This satisfied me that this space was of an acceptable standard for a double room despite this small shortfall. This was because the room could accommodate a double bed, plus space for various furniture and circulation. I therefore find that the internal areas would provide an acceptable standard of accommodation for future occupiers.
17. The overall amount of private garden space for the new flat would be 26sqm, more than the required minimum of 5sqm of private outdoor space to be

provided for each 1-2 person dwelling set by Local Plan policy SC5. It would be formed by sub-dividing part of the existing rear garden for No. 256. Although policy SC5 states that family sized units should have direct and easy access to a good sized private garden, this would not apply to a 2 person flat. Access to the rear would remain as at present, which is in between the 2 buildings. This indirect access from the front door and around to the rear would be acceptable, with the garden being sufficiently close to allow for its reasonable use.

18. Policy SC5 also requires usable external space that affords privacy and security, and for it to create sufficiently high-quality living conditions. I am satisfied that the proposed 1.7m high boundary fence would ensure the space is suitably private and secure. It would provide sufficiently high living conditions as it is in a useable shape with no tree cover, and with sufficient space to dry washing or to enjoy sitting out.
19. The policy also requires a minimum standard of communal garden space, but states that it should be reduced by the area of private space provided. The proposed flat would have 3 habitable rooms and therefore policy SC5 requires 25sqm of communal external space. However, as the private space provided is larger than the communal requirement, no communal space is thus required.
20. In conclusion therefore, the proposed development would provide acceptable living conditions for future occupiers with regard to internal and garden space. In this respect it would comply with the Local Plan policy SC5, the London Plan policy D6, and the aims and principles of the Framework, which together require development to have a positive impact on the amenity of future residents, with a suitable quantity and high quality of internal and external space.

Other Matters

21. While the creation of an additional flat at the site would contribute to local housing need, due to the small scale of the development this is only a very minor benefit.
22. The Council's approach to negotiation during the application process is a procedural matter and does not affect my findings on the main issues. A lack of objections does not equate to a lack of harm. This therefore does not alter my findings in this respect.

Conclusion

23. I have found that the scheme would provide satisfactory living conditions. However, the proposal would harm the character and appearance of the area, and it has not been demonstrated that appropriate measures could be taken to achieve the required reductions in carbon emissions. This harm would not be outweighed by the minor benefits of the scheme.
24. My conclusion is therefore that the scheme conflicts with the development plan as a whole. With no other material considerations outweighing this conflict, for the reasons given above I conclude that the appeal is dismissed.

L Hughes

INSPECTOR