



Appeal Decision

Site visit made on 14 July 2023

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th August 2023

Appeal Ref: APP/F5540/W/22/3313767

The Old Station House, 2 Grove Park Road, Chiswick, London W4 3SG

- 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 Associate Properties Limited against the decision of London Borough of Hounslow.
- The application Ref 00527/2/P5, dated 21 July 2022, was refused by notice dated 25 November 2022.
- The development proposed is Part-change of use of ground floor public house to residential together with extension at first and second floors and new two storey element set at lower ground floor with lightwell to accommodate 6 no. units.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. Both parties refer to the relevant planning history related to the appeal site, which includes a previous approval for alterations and extensions to the appeal building to form 4 residential units¹. I have had regard to this decision insofar as it is relevant to the development before me.

Main Issue

3. The main issue is whether the proposal would provide satisfactory living conditions for future occupants, in regard to outlook and external amenity space.

Reasons

4. The appeal relates to a building known as The Old Station House. It is currently used as a Public House at ground floor level, with the upper floors used for residential use and kitchen space associated with the Public House. The existing building comprises part single storey, part two storey and part three storey. A small parade of shops lies to the northwest of the site, with the overground railway line running to the northeast.
5. Policy SC5 of the Local Plan 2015-2030 (Local Plan) seeks to provide adequate provision of private external space of 5m² per 1-2 person dwelling, with 1m² extra per additional person. Policy SC5 also requires 25m² of communal amenity space per flat, less private provision.

¹Application Ref 00527/2/P3 Erection of a second floor side/roof extension to the building, alterations to part of the ground floor (including a lowering of ground levels) to subdivide the existing single storey addition into two storeys, formation of a basement with a small rear access hatch, and the provision of communal amenity space and split level outdoor space for the community use/pub, to accommodate four residential units together with a retained pub/community space at ground floor

6. The proposed alterations and extensions would result in 6 residential units – 2 x 1b/2p flats and 4 x 2b/3p flats. A communal amenity space would be provided on the flat roof of the lower first floor level. However, it would only measure 70m², which would fall significantly short of the Council's minimum standards for communal external space. It would therefore be insufficient to meet the requirements of the number of future residents of the proposal.
7. Only 1 of the 6 flats would be provided with a private balcony, measuring 1.1m in depth. Whilst the depth falls slightly short of the minimum depth of 1.5m set out in Policy D6 of the London Plan, it is considered that given that the balcony runs the full depth of the northwest elevation, this would still allow for usable private amenity space. Furthermore, I note a similar sized balcony was approved under the earlier approval². However, the acceptability of this does not make up for the shortfall of private amenity space for the other flats alongside the insufficient communal amenity space. The proposal would fail to provide satisfactory external amenity space, resulting in unsatisfactory living conditions for future occupants.
8. I note that there was a 20% deficiency in the external amenity space under the earlier approval for 4 residential units³, which was accepted by the Council on the basis that it is a historic building and that the ground floor public house and courtyard would be available for future occupants. I do not have the full details of this approval before me. However, the proposal would now result in 2 more residential units than previously approved, with up to 5 additional occupants, and no increase in external amenity space. Therefore, the previous approval is not comparable to the proposal before me now and would not justify the greater deficiency in external amenity space.
9. I note the 'extensive green spaces' nearby, including Chiswick House and Gardens, sports grounds and the network of surrounding footpaths, including the riverside footpath alongside the River Thames. However, these would not be sufficient to outweigh the significant shortfall of on-site external amenity space.
10. The appellant refers to an approved planning application where the communal amenity space figure was not reached⁴. However, based on the limited details that have been provided, this application is not comparable to the appeal proposal before me as a financial contribution was secured to mitigate the shortfall. Therefore, I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons identified above. Furthermore, whilst the appellant has suggested a financial contribution to mitigate the shortfall in the proposal before me now, no further details have been provided and the circumstances in each proposal are likely to be different. Therefore, I can only afford this limited weight.
11. Regarding outlook, the 3 duplex flats would all have bedrooms in the roofspace. I note that the size of the bedrooms and the floor to ceiling heights would comply with the National Described Space Standards (NDSS). It is also acknowledged that there is no recognised standard for what constitutes good window outlook. However, the only outlook from these bedrooms would be via a single rooflight to each bedroom. The size of the rooflights would be modest,

² Application Ref 00527/2/P3

³ Application Ref 00527/2/P3

⁴ Application Ref P/2021/4144

in particular those rooflights serving Units 2.01 and 2.02. The rooflights serving Units 2.01 and 2.02 would be positioned on the internal valley of the roof. It is considered that due to the small size and the positioning of the rooflights, this would result in a restricted outlook, creating an enclosing and oppressive effect in the proposed bedrooms.

12. I note the rooflights serving Unit 2.03 would be slightly larger and would be south-east facing. However, outlook would still be restricted to a single rooflight, which would still mean that these bedrooms would not be afforded an acceptable outlook. Consequently, this would be harmful to the living conditions of the future occupiers of the proposed development.
13. Whilst the section drawing provided by the appellant⁵ shows that it would be possible to see over the valley of the roof for an average sized person, outlook would still be very restricted, most notably for those below an average height. I do not agree that a 'reasonable level of sky would also be afforded to anyone looking through the window' due to the small size of the rooflights.
14. Therefore, the proposal would fail to provide satisfactory living conditions for future occupants, in regard to outlook and external amenity space. The proposal would conflict with Policy SC5 of the Local Plan which requires developments to be of the highest quality internally and externally and meet the demands of everyday life for the intended occupants. It also requires development to provide private outdoor space that is of good quality and affords privacy and sets out the expected areas for both private and communal external space, which the proposal would fail to achieve.
15. It would also conflict with London Plan Policy D6 which states that housing should provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and that communal outside amenity space should provide sufficient space to meet the requirements of the number of residents.

Other Matters

16. I note that the proposal would help to increase operator interest in the currently vacant building. I also acknowledge that the Council did not raise any objections in regard to the impact on the character and appearance of both the existing building and the wider Grove Park Conservation Area. No objections were raised in regard to the living conditions of neighbouring occupants, energy, sustainability, transport, trees, flooding and fire safety. Finally, I note the highly sustainable location of the proposal. However, these are all neutral findings rather than benefits that would weigh positively in favour of allowing the appeal.

Conclusion

17. The proposal conflicts with the development plan. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR

⁵ Drawing Ref. 110_ PL1_GS_10 Rev P1