



Appeal Decision

Site visit made on 8 August 2023

by G Roberts BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2023

Appeal Ref: APP/F5540/D/23/3324460

91 Cardington Square, Hounslow, TW4 6AJ

- 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 G Neote against the decision of the London Borough of Hounslow.
 - The application Ref. 00205/91/P8, dated the 24 March 2023, was refused by notice dated the 15 May 2023.
 - The application is for the construction of outbuilding to be used for car storage and a dropped kerb.
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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 character and appearance of the area; (b) the living conditions of neighbouring occupiers; and (c) whether the proposal would lead to an overprovision of off street parking and impact on highway safety.

Reasons

Character and appearance

3. The appeal site is located on Cardington Square, and as it is sited on one of the square's corners it has a long return (side) frontage to the road. This boundary is formed by a high brick wall that includes some metal gates and whilst the latter are wide enough for a vehicle to use, there is no formal crossover or dropped kerb. The frontage to the appeal site is used for parking. To the rear is a good sized garden with a single storey flat roofed outbuilding sited against the common rear boundary with 1 Cardington Square. The host property itself comprises a two storey semi-detached house that has been extended on the flank and rear.
4. The surrounding area comprises similar two storey semi-detached properties, most of which benefit from off-street parking, with good sized gardens at the rear. A number of these properties have been extended, and there are also examples of outbuildings within their rear gardens.
5. Within this context, the appeal proposal involves the construction of a new outbuilding (garage) in the rear garden to the host together with a dropped kerb. The proposal would effectively extend from the existing outbuilding, but would be set back from the return (side) boundary to create an 'L' shape. It

- would include a flat roof, which would be marginally lower than the flat roof of the existing outbuilding.
6. The height of the existing outbuilding extends above the return (side) boundary wall and is therefore very visible from public vantage points. The proposed outbuilding would be less visible due to its lower overall height and set back from the boundary wall. Even so, the proposal would introduce a further large mass of building into the rear garden that, combined with the existing outbuilding, would neither be proportional nor subservient to the host property. The combined scale, bulk, and footprint of the existing and proposed outbuildings would visually dominate the rear garden and result in a development that, cumulatively, would be out of keeping with the prevailing pattern and rhythm of development in the road.
 7. I acknowledge that the Appellant has sought to reduce the scale, height and footprint of the new outbuilding, but in combination with the existing outbuilding, the proposal results in a quantum of built development that would be excessive for this rear garden location, and an overdevelopment of the site. Moreover, the footprint of the existing and proposed outbuildings would be larger than the footprint of the original host property (excluding the two storey flank and single storey rear extensions which are recent additions).
 8. The Appellant has referred to examples of other outbuildings permitted in the area, but from the information provided all of these appear to be similar in scale, height and footprint to the existing outbuilding on the appeal site, and in one case relates to a lawful development certificate for proposed development. As such, none of these examples are, in my view, comparable and do not affect my findings on this issue.
 9. As I observed on site, there are also outbuildings within neighbouring gardens, but again none of these are in any way similar to the cumulative scale, bulk and footprint of the appeal proposal and existing outbuilding. I accept that the proposal would promote the more effective use of land within a sustainable location, but neither these benefits nor any personal circumstances would outweigh the significant harm that I have found to the host property and character and appearance of the area.
 10. Accordingly, I find that the appeal proposal would result in significant harm to the character and appearance of the area contrary to policies CC1, CC3 and SC7 of the Hounslow Local Plan 2015 – 2030 (September 2015) (HLP) and the advice within the Residential Extensions Guidelines Supplementary Planning Document (December 2017) (SPD). These seek, amongst other requirements, to ensure that new development is of a high quality design, that it maintains the character of the area, and, for extensions and alterations, that they are subservient to the host property and do not lead to the overdevelopment of the site in question.

Living conditions - neighbours

11. The proposed outbuilding would be sited adjoining the common side boundary with 89 Cardington Square (No.89). This boundary is formed by a high breeze block wall beyond which is the garden to No.89, at the end of which is an outbuilding broadly similar in height and depth to the existing outbuilding on the appeal site. The height of the proposed outbuilding on this boundary would be approximately 2.5 metres. Whilst I accept that it would be visible above the

breeze block wall, the increase in height above this boundary would, in my view, be modest. As such, whilst there would be some impact on No.89, for the reasons given above I am satisfied that the level of harm to their living conditions would be modest and would not be sufficient to justify the refusal of planning permission.

12. The above finding is supported by the fact the proposed building would be sited close to the rearmost part of the garden to No.89. The latter's private amenity area, immediately at the rear of No.89, its rear windows and the majority of its rear garden, would not be affected by the proposal in terms of outlook, light or sense of enclosure. Support for that finding is provided in section 4.8 of the SPD which advises that the height of flat roofed outbuildings should not exceed 3 metres and where it is sited within 1 metre of a neighbours boundary the height should be reduced further to limit its impact. As I confirmed earlier, the height of the proposed building has been reduced to approximately 2.5 metres, which represents a modest increase over the height of the existing boundary wall.
13. Accordingly, I find that the proposed development would not result in any significant harm to the living conditions of neighbouring occupiers and would thus be compliant with policies CC1, CC2 and SC7 of the HLP and the guidance in the SPD. These policies seek to ensure, amongst other requirements, that new development does not cause unacceptable harm to the living conditions of existing occupiers.

Parking provision and highway safety

14. Policies T4 and T6.1 of The London Plan (March 2021) (TLP) and policy EC2 of the HLP seek, amongst other requirements, to ensure that new development mitigates transport impacts; does not increase road dangers; reduces car use; and secures a more sustainable local travel network that maximises the opportunities for cycling, walking and public transport use. These objectives are to be achieved through various measures including restricting the level of on-site parking within new developments and ensuring that new parking does not exceed maximum standards.
15. As I confirmed earlier, the appeal site already benefits from off-street parking with room for up to four cars to park on the frontage. The appeal proposal shows a garage with the ability to accommodate two further cars. Whilst the description of development refers to car storage and the new building could be conditioned so that it was either used as a garage or for a use incidental to the host, I am not convinced that a condition restricting its use to car storage only would be reasonable or enforceable. As such and based on the parking analysis undertaken in paragraph 6.12 of the Council's Delegated Report, the level on on-site parking resulting from the proposal would, in my view, constitute an overprovision of parking contrary to the development plan policies referred to above.
16. The Council also contend that the proposed dropped kerb would lead to the loss of on-street parking increasing parking stress in an area where on-street provision is limited. The Appellant has not submitted a Parking Stress Survey or any other evidence to justify the loss of on street parking. As I observed on my site visit, there is limited on street parking and whilst I acknowledge that most properties benefit from off-street parking, there are some that do not.

17. The Appellants Grounds of Appeal (GOA) suggest that the existing gates deter people from parking in this location, but the photographs in Appendix D show a car parked in front of the gates (unless that's the Appellants car). The GOA also refer to examples of other dropped kerbs and crossovers in the area. However, I have not been provided with any planning background to these and it's unclear to me whether they are historic or whether they in fact benefit from planning permission. Consequently, it's not possible for me to determine whether they are in any way relevant or comparable to the appeal proposal.
18. Turning to the proposed dropped kerb and crossover, neither is shown on the submitted plans and there is also no indication that the required pedestrian and vehicle visibility splays could be met. There are splays shown on a photograph in the Appellants GOA, but it's unclear as to what standard of visibility this shows and it appears to imply that visibility would be restricted by parked vehicles, further compromising safety. The Appellant also contends that there is sufficient space on site for vehicles to enter and exit in forward gear. I am not convinced that this is the case. Based on the proposed site layout plan, there appears, in my view, to be insufficient space in front of the proposed garage for a vehicle to turnaround, even if that involved multiple manoeuvres.
19. For the above reasons, the proposal would lead to an overprovision of off-street parking, and no substantive evidence has been put forward to support the level of provision proposed or to demonstrate that the loss of on-street parking would not increase parking stress within the area. The proposed layout also fails to demonstrate that the new crossover and dropped kerb would not result in harm to pedestrian and highway safety.
20. Accordingly, I find that the appeal proposal would fail to comply with the requirements of policies T4 and T6.1 of TLP and policy EC2 of the HLP.

Conclusions

21. For the reasons given above and having taken all other matters raised into account, I conclude that the appeal should be dismissed.

G Roberts

INSPECTOR