



Appeal Decision

Site visit made on 7 November 2023

by Philip Willmer BSc Dip Arch RIBA

an Inspector appointed by the Secretary of State

Decision date: 29 November 2023

Appeal Ref: APP/F5540/D/23/3327880

158 Hounslow Road, Hanworth, TW13 6AA.

- 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 Bent against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00632/158/P7, dated 3 April 2023, was refused by notice dated 26 May 2023.
 - The development proposed is for the use of the single storey outbuilding in rear garden for residential annexe accommodation for purposes ancillary to the residential use of the dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. I consider the main issues in this case are:

- a) the effect of the development on street scene and thereby the character and appearance of the local area;
- b) the effect of the proposal on the living conditions of neighbouring occupiers;
- c) whether the proposal would provide adequate private amenity space for current and future occupiers of the host property and the converted outbuilding;
- d) the effect of the proposal on the safety and efficiency of the local transport network; and,
- e) whether the proposed development would achieve acceptable carbon emission reduction requirements.

Reasons

3. The appeal site, 158 Hounslow Road, comprises a two-storey semi-detached house. At the end of the relatively long garden there is a detached single storey flat roofed garage.
4. It is proposed that the garage would be altered to provide a bedsit space complete with a small kitchen, along with shower room and dressing room for occupation by the appellant's daughter.

5. Paragraph 4.8 of the London Borough of Hounslow - Residential Extensions Guidelines Supplementary Planning Document - *A Guide for Householders* (Adopted 20 December 2017) (SPD) states that it is essential that an outbuilding must only be used in a manner incidental to the main house, any application that proposed an independent residential unit or has been designed in a way that may facilitate future use in such a manner will be refused due the impact on the neighbours. It goes on to advise that usually primary living accommodation, such as a bedroom, bathroom or kitchen would not be allowed.
6. The proposal would contain all the elements required for self-contained living. However, the garden would not be subdivided, and the appellant has reaffirmed at appeal that the existing garden access would be removed so that access would only be through the main house, thereby maintaining a link to the host property. This is a matter, that if I were minded to allow the appeal could be conditioned. Similarly, the occupation of the annexe could also be conditioned so that it could not be occupied as a separate dwelling in the future.
7. On balance therefore I consider that despite the level of accommodation to be provided in the proposed annexe would, in this case be ancillary accommodation to the main house and not a new separate planning unit.

Character and appearance

8. The proposal would utilise the existing garage, with only relatively minor alterations to its external appearance, similar to what might be proposed for any number of other ancillary residential uses. I do not believe therefore that the proposal would, as suggested by the Council be contrary to the existing pattern of development.
9. Further, as it would be occupied as ancillary accommodation. I am not persuaded that proposal would result in harm to the character and appearance of the area as suggested by the Council.
10. I therefore conclude in respect of the first main issue that the proposal would not result in harm to the character and appearance of the area. it would therefore accord with the aims of Policies CCD1 and CC2 of the London Borough of Hounslow-*Local Plan 2015-2030* (Adopted 15 September 2015) (LP) as they, amongst other things, address the quality of design and the need for design to have regard to the urban context.

Living conditions

11. The flank wall of number 1 Willow Cottages faces the appeal site. However, as I saw there is a relatively large gap between the rear of the existing garage and side wall of no 1 The Willows. This gap also contains the garage of the neighbouring property.
12. Further, the current garage use of the outbuilding, with the inevitable comings and goings would cease. Accordingly, for these reasons I do not consider that the occupation of the garage as ancillary accommodation would result in significant harm to the living conditions of the neighbouring occupiers at 1 Willow Cottages.

13. Given that the window serving the proposed kitchen would be high level and indeed could be obscure glazed, again a matter that could be conditioned, I do not believe that there would be either actual or perceived overlooking resulting in a significant loss of privacy for the occupiers of 160 Hounslow Road.
14. I therefore conclude that the development would not cause harm to the living conditions of neighbouring residential occupiers. It would therefore accord with the aims of LP Policies CC1, CC2 and SC7 in this regard.

Private amenity space

15. As a separate residential dwelling is not proposed I consider that the existing rear garden would provide adequate private amenity space to accommodate an additional family member occupying the modest ancillary accommodation proposed.

Safety and efficiency of the local transport network

16. The development would result in the loss of two parking spaces in the current garage, and if as proposed vehicular access to the rear garden were to be removed then the dwelling would only retain, as illustrated on the application drawings, one parking space at the front of the property, accessed off Hounslow Road.
17. It is not clear from the proposal how the loss of existing onside parking would be addressed or as identified by the Council how the rear of the property would continue to be serviced. Without such detail I consider that harm may be caused to the safety of pedestrians and vehicles and thereby the efficiency of the local transport network, by amongst other things the potential parking of vehicles in the relatively narrow unmade up access way serving Willow Cottages.
18. I therefore conclude in respect of the fourth main issue that the proposal would be contrary to the objectives of Policy T4 of the London Plan (Adopted March 2021) and LP Policy EC2 as they relate, along with other things the safety and efficiency of the local transport network.

Carbon emission reduction requirements

19. LP Policy EQ1 requires all developments to meet the carbon emission reduction requirements set out in the London Plan. Policy SI 2 of the London Plan states that residential developments are required to achieve a 10 per cent energy on-site reduction through efficiency measures beyond Building Regulation requirements.
20. Although the appellant has submitted no detail in this regard, I consider that this is a matter that could be addressed at the detailed design stage of the project.
21. Accordingly, this is a matter that could be conditioned in the event that I was to allow the appeal. I therefore conclude in respect of the fifth main issue that the proposal would be achieve acceptable carbon emission reduction requirements in accordance with LP Policies EQ1 and London Plan Policy SI 2.

Conclusions

22. I have found that the proposed development would, subject to conditions, not affect the character and appearance of the area, the living conditions of neighbouring occupiers, would retain adequate private amenity space for the occupiers and meet carbon emission reduction requirements. However, based on the limited evidence provided I am not satisfied that the proposal would not cause harm to the safety and efficiency of the local transport network. I consider this to be a compelling objection. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Philip Willmer

INSPECTOR