



Appeal Decision

Site visit made on 24 October 2023

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2023

Appeal Ref: APP/F5540/W/23/3320011

8 Whytecroft, Hounslow TW5 9HH

- 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 Ms. Harshita Kudravalli against the decision of the Council of the London Borough of Hounslow.
- The application Ref 01206/8/P5, dated 14 June 2022, was refused by notice dated 24 October 2022.
- The development proposed is construction of a new two storey end of terrace building at Land Adjacent of 8 Whytecroft (Residential-C3).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appellant has submitted amended plans with their appeal. These plans include reducing the first floor rear projection and details of the parking arrangements. I have been asked to determine this appeal on the basis of these plans.
3. The 'Procedural Guide – Planning Appeals – England' advises that if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal, they should normally make a fresh planning application (Annexe M.1.1). If an appeal is made, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought (Annexe M.2.1).
4. I have considered the revised drawing under the principles established by the Courts in *Holborn Studios Ltd*¹. Interested parties would not be aware of the amended scheme and, for that reason, I consider that they would be prejudiced if I determined this appeal on the basis of those plans. Accordingly, I have determined this appeal on the basis of the plans originally submitted with the planning application, on which the Council made its decision.

Main Issues

5. The main issues are the effect of the proposal on:
 - the character and appearance of the area,
 - highway safety, and

¹ *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin)

- the living conditions of future occupiers, with particular regard to outdoor amenity space.

Reasons

Character and appearance

6. The appeal site is the side and rear garden area of 8 Whytecroft which is an end of terrace dwelling in a residential area. It lies in a prominent corner position within the street. The dwellings of the terrace and those opposite are of a similar design, set back from the highway which gives a distinctive rhythm and regularity to the streetscene. The end terrace properties in the vicinity of the proposal have a gable roof which is a characteristic of the area.
7. The proposal would have a hipped roof, which would reduce the bulk of the dwelling. However, even taking account of the proposed use of matching materials, it would not be in keeping with the rhythm of the street where the nearby end terraces have gable roofs.
8. Other design elements of the proposal including the parapet wall, textured brick pattern and long vertical windows are not a characteristic of the existing street scene, and due to the prominent corner location would be intrusive and dominant features when approaching in each direction along Whytecroft.
9. Having regard to the above, the proposed development would harm the character and appearance of the Whytecroft street scene. In reaching that view, I have taken account of examples drawn to my attention. This includes the different character of properties at 1a, 1b and 1c Whytecroft, an additional dwelling having been provided by extension of a terraced row adjacent to No 13 Whytecroft, and infill dwellings of a different character beyond it and at Nos 37 and 39. However, I observed that the design and relationship of those properties to their surroundings are different to the proposal before me and do not replicate nor justify the harm identified. In any event, I have determined this appeal on the site-specific circumstances of this case.
10. I conclude that the proposal would harm the character and appearance of the area. It would conflict with Policies CC1 and CC2 of the Hounslow Local Plan Volume One 2015-2030 (HLP) which together amongst other matters, seek to ensure that development sensitively and creatively responds to an areas character, including the site characteristics, local architectural vernacular, layout and massing of surrounding buildings, whilst refusing poor quality design.

Highway safety

11. The Residential Crossovers and Off-Street Parking Policy October 2016 states that there should be a minimum of 1.2 metres of level footway between neighbouring crossovers. There is an existing crossover serving an access to a garage court adjacent to the rear of the appeal site which, from the limited evidence before me, would appear to be close to the location of the parking space indicated on the submitted plan, although they do not show the crossover or visibility splays.
12. In any case, the crossover would be closer to the bend in Whytecroft which would reduce the distance available for vehicles and cyclists approaching from that direction to react to vehicles exiting the parking space. This would be

exacerbated by the intervisibility between vehicles and cyclists being partly obscured by the on street parking in the area. Consequently, the proposal would result in an unacceptable increase in risk of accidents.

13. I therefore conclude that the proposal would have an unacceptable impact on highway safety. It would conflict with Policy EC2 of the HLP and the Residential Crossovers and off-street Parking Policy which together, amongst other matters, requires that crossovers are consistent with the adopted policy.

Living Conditions

14. Policy SC5 of the HLP with reference to the benchmark external space standards in Figure SC5.2, requires 60sqm of outdoor amenity space for dwellings with 4 habitable rooms and goes on to say that on site parking should not result in undue loss of garden space. The proposal would subdivide the outdoor amenity space from No 8 and the proposed dwelling would have approximately 40 sqm of outdoor space, which would include the off-street parking area, reducing the amount of usable amenity space further.
15. I acknowledge that the amount of outdoor space would be similar to that at the nearby existing dwellings. However, the policy seeks to improve the quality of housing to meet the demands of everyday life. Therefore, the proposal would fail to provide adequate outdoor amenity space for the occupiers use.
16. The proposal would harm the living conditions of future occupiers, with particular regard to outdoor amenity space. It would conflict with Policy SC5 of the HLP which amongst other matters seeks to ensure that development is high quality and meets the needs of intended occupants.

Other Matters

17. The proposed development would create an additional dwelling adding to the areas housing stock and supporting the Government's objective of boosting the supply of homes including on small sites.
18. The revised energy statement submitted with the appeal documents indicate that with the inclusion of an Air Source Heat Pump the proposed dwelling would meet the energy efficiency requirements. This is however a neutral matter in determining the appeal.
19. However, the appeal proposal would harm the character and appearance of the area, highway safety and the living conditions of future occupiers. In this case, the harm that would result would outweigh the benefits arising from the proposed development.

Conclusion

20. The proposed development conflicts with the development plan as a whole and there are no other considerations that outweigh this conflict. I therefore conclude that the appeal is dismissed.

H Senior

INSPECTOR