



Appeal Decision

Site visit made on 5 December 2023

by M Aqbal BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 January 2024

Appeal Ref: APP/F5540/W/23/3319461

34 and 36 Hampton Road West, Feltham TW13 6AY

- 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 Hoshier Molod against the decision of London Borough of Hounslow.
 - The application Ref 00550/34-36/P1, dated 27 August 2021, was refused by notice dated 15 December 2022.
 - The development proposed is to demolish existing bungalow and extend the car showroom, valeting service and provide two additional flats at first floor by joining the two sites.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of the proposal refers to the demolition of a bungalow. As observed during my visit, the bungalow has been demolished.
3. Since the Council determined the application, an updated version of the National Planning Policy Framework, December 2023 ('the Framework') has been issued. I have consulted the main parties on this and had regard to any representations received.

Main Issues

4. The main issues are: (i) the effect of the proposal on the character and appearance of the area; (ii) the effect of the proposal on housing mix, including the loss of an existing dwelling; (iii) the compatibility of the proposal with neighbouring uses; (iv) the effect of the proposal on highway safety; and (v) whether the proposal provides sufficient cycle parking facilities.

Reasons

Character and appearance

5. The appeal site incorporates 34 and 36 Hampton Road West. The former is a two-storey detached building occupied in association with a car sales business at ground floor with a flat above. An existing access between this property and 32 Hampton Road West, leads to an outdoor area for storage of vehicles. The land associated with 34 Hampton Road West is 'L' shaped and wraps around the rear of 36 Hampton Road West. Due to the demolition of the bungalow at 36 Hampton Road West, this site is free of development and enclosed by fencing.

6. Immediately to the south east of the appeal site are inter-war residential properties. Other nearby buildings are a mix of commercial and residential uses. These buildings incorporate a range of styles and mainly comprise retail/commercial uses and frontages at ground floor with flats above.
7. The Council advises that the massing, height and scale of the proposed building is acceptable. Based on my observations, I have no reason to disagree. Also, the proposed building would repeat the hipped vernacular of neighbouring buildings.
8. Nevertheless, the appeal site is along a main road and also represents a transition between residential and commercial development along this road. Therefore, this site is sensitive to change and prominent. Notwithstanding that the building at the appeal property and others nearby have been identified as being of limited architectural merit, the proposal represents an opportunity to enhance the street scene.
9. The proposed arrangement of fenestration on the upper floor of the frontage of the building, would appear repetitive on an elongated frontage. The appellant argues that this reflects nearby properties. However, the adjacent frontage is narrower. The upper floors for the buildings on the opposite side of the road incorporate some variations in fenestration and detailing to their facades. Consequently, these are different.
10. The frontage of the proposed building also incorporates two sizeable openings, which together occupy most of the width of the building. When in use these would be dominated by vehicles and when not in use these openings would be closed off by metal shutters and likely to appear oppressive. Particularly, in the context of residential development to the south east. Although the ground floor is to function as a showroom and replicates the frontage on the existing building, the extant building is of limited architectural merit.
11. Furthermore, with the exception of some intended signage, the frontage of the proposed frontage incorporates limited articulation. Overall, the design of the frontage of the proposed building would detract from the street scene.
12. The main entrance to the proposed residential units would be located along a side access. This arrangement would not be particularly attractive or legible.
13. For the above reasons, the proposal fails to provide a high quality of urban design and architecture and would harm the character and appearance of the area. This would be contrary to Policies CC1 and CC2 of the Hounslow Borough Local Plan (2015-2030) ('LP'). Together, these policies seek to promote and support high quality urban design and architecture to create attractive, distinctive, and liveable places. Also, that all new development conserves and takes opportunities to enhance their special qualities and heritage.

Loss of residential accommodation and proposed housing mix

14. The former bungalow which occupied part of the appeal site incorporated ground floor access, had 3 bedrooms and included a garden. As such, this property could have been suitable for a family with children, elderly persons and those with special mobility needs.
15. According to the appellant, amongst other reasons, the demolition of the bungalow was undertaken due to its poor state which required a substantial

amount of investment. The appellant also asserts that the council refused to grant vehicle access to the disabled child who used to live in the property. Nevertheless, I have limited evidence to support these assertions. Even so, given that the bungalow has been demolished, the loss of a family dwelling could be compensated through the proposal.

16. The proposed residential accommodation comprises 3 x 1-bedroom flats located at first floor level. This would limit their accessibility for certain groups. Despite this, the appeal site is in an area where upper floor residential accommodation, above ground floor commercial uses is common. Given the context, this in itself is not a substantive reason for refusing the proposed accommodation.
17. The general market housing mix required for the borough is identified under LP Policy SC3. Based on this Policy, cumulatively there appears to be greater need for family accommodation (residential units with 2 or more bedrooms). Notwithstanding this, about a third of the borough's housing requirement is for 1-bedroom units. Therefore, whilst 1-bedroom units are not suitable for family accommodation, there is some demand for this type of housing in the borough.
18. However, where the appeal site previously accommodated a family dwelling (bungalow) and a 1-bedroom unit above 34 Hampton Road West, the proposed scheme only proposes 1-bedroom flats. This fails to provide a mix of housing types, which is necessary to support London's diverse population and create inclusive developments. I have noted the appellant's willingness to provide a family dwelling at the appeal site. Nevertheless, this is not the scheme before me.
19. Accordingly, because of the loss of a family dwelling and failure to provide a mix of housing, the proposal would therefore be contrary to London Plan Policy H10 and LP Policy SC3. Together, these policies expect new housing to offer a range of dwelling sizes, to meet local need and the need for mixed, inclusive neighbourhoods.
20. I also find conflict with London Plan Policies D5 and D7, which amongst other things also seek to secure housing which takes into account London's diverse population.
21. The Council's third reason for refusal ('RfR') also refers to Policies SC8 and SC2 of the LP. The former is specific to specialist housing and therefore not relevant to the proposed market housing, and the latter policy is not in the evidence before me.

Compatibility with neighbouring uses

22. The appeal site adjoins a dwelling at 38 Hampton Road West. Part of the appeal site which adjoins this dwelling, already has planning permission for car sales, subject to conditions preventing sale or display on the forecourt, no repairs on site, with ancillary car washing and valeting to the sales use and reservation of the forecourt for customer parking. The Council has advised that the intention was to protect neighbours and highway safety.
23. In the submissions before me, the appellant has confirmed that the car wash zone, would only be used ancillary to the car sales. This could be secured by a planning condition if the appeal were to succeed. Furthermore, the extent of the new commercial area along the boundary with 38 Hampton Road West,

largely comprises car show room space and this would be enclosed by the extent of the proposed building.

24. Given that the proposed commercial use is similar to the extant use, which has coexisted with residential uses for some years, I see no reason why an expansion of this use could not be similarly controlled by conditions. As such, I am satisfied that the proposal would not unacceptably harm the living conditions of the occupiers of 38 Hampton Road West.
25. For similar reasons, I see no reason why the extended but largely enclosed additional commercial areas and the activity associated with these would unacceptably harm the living conditions of the occupiers of the proposed dwellings and use of associated amenity spaces.
26. I have also taken account of the Local Significant Industrial Site ('LSIS'), located to the rear of the appeal site. Residential accommodation already exists at the appeal site and nearby. There are also outdoor amenity areas that directly back onto the LSIS. Therefore, I am not persuaded that the introduction of the proposed dwellings would lead to pressures to control activities in the adjacent industrial estate, so inhibiting its future viability.
27. For the above reasons, the proposal would be compatible with nearby residential and non-residential uses.
28. Consequently, the proposal accords with LP Policy EQ5 and Policy D13 of the London Plan. Together, these policies require the location and design of new development to have considered the impact of noise, and mitigation of these impacts, on new users and surrounding uses according to their sensitivity. Also, that development should be designed to ensure that established noise and other nuisance-generating uses remain viable.
29. I also find no conflict with LP Policy SC5, which seeks to ensure new housing development contributes to improving the quality and design of housing in the borough.
30. Although the Council's second RfR refers to Policy ED2 of the LP. This seeks to consolidate the boroughs employment land supply which is not directly relevant to the proposal.

Highway safety

31. The appeal site is served by an existing vehicular access off Hampton Road West, which is also a designated Red Route. There is a priority crossing nearby and considerable pedestrian and cycle traffic associated with people visiting nearby shops and businesses.
32. The submitted scheme seeks to retain the existing access. Because of its limited width this access cannot accommodate passing vehicles and is also used by pedestrians to access upper floor flats at 32 and 34 Hampton Road West.
33. The submitted scheme is proposing a separate pedestrian access arrangement for the new residential accommodation and a secondary point of access to the neighbouring property 32 Hampton Road West.
34. Therefore, the existing access would largely serve vehicular and cycle traffic. The limited width of this access is likely to limit the speed of vehicles using

this. Furthermore, this access is relatively straight and not particularly long. Consequently, any drivers / cyclists meeting oncoming traffic would be easily able to make adjustments to allow passing movements. Also, the existing access arrangement has operated for a number of years and there is no substantive evidence that this unacceptably prejudices highway users or safety.

35. The submitted layout shows how vehicles would manoeuvre within the site and this arrangement is mostly acceptable. Nevertheless, given the layout of the south-eastern part of the car showroom and its open frontage, it is likely that for convenience, drivers may be encouraged to access/exit this part of the showroom by driving across the footway to the existing vehicle crossover, or direct on to the Red Route when the adjacent parking bays are not in use. Such vehicle movements would introduce a significant degree of conflict with other highway users to the detriment of highway safety.
36. As such, I find conflict with LP Policy CC2, which seeks to create places that are easy to get to and through, foster active lifestyles, are easy to understand and navigate and feel safe during the day and night, with a particular focus on pedestrians and cyclists.
37. Although the Council's fifth RfR refers to other policies. LP policies CC1 and EC2 are not directly relevant to highway safety. London Plan Policy T2 is not in the evidence before me.

Cycle parking

38. The proposed residential accommodation would include 2 x 1 person, 1-bedroom dwellings and a single 2 person 1-bedroom dwelling. In accordance with Policy T5 of the London Plan, the proposed residential accommodation generates a requirement for about 3.5 cycle parking spaces. It is unclear what the cycle parking requirement for the non-residential element of the proposal is.
39. The submitted scheme shows 5 secure cycle parking spaces (3 for the residential use and 2 for the commercial use). Nevertheless, based on my observations the overall provision of cycle parking would be sufficient for the residential element of the proposal and also allows 1 cycle parking space for the non—residential element. I am also satisfied that there is sufficient space near the proposed cycle parking area for some additional cycle parking, if required, and this could be secured by a planning condition if the appeal were to succeed.
40. Therefore, the proposal includes appropriate provision for off-street cycle parking for future residents, in accordance with requirements of London Plan Policy T5.
41. The Council's RfR in relation to cycle parking also refers to LP Policy E2, this is not in the evidence before me.

Other Matters

42. I am aware that the appellant engaged in pre-application discussions with the Council and has amended the initial proposal in light of the feedback received. Nonetheless, I have determined the appeal on the basis of the scheme before me, which I have found to be unacceptable, for the reasons set out above.

43. Whilst consent to demolish the bungalow under the Building Act 1984 – Section 81 was obtained. This is separate from the requirement for planning permission. As such, this carries limited weight in my Decision.
44. The proposal would support a mixed use development including an additional dwelling and the expansion of an existing car sales enterprise which would bring some social and economic benefits. However, these do not outweigh the harm that I have identified and overall conflict with the development plan.

Conclusion

45. I have found that the proposal would be compatible with neighbouring uses and also makes acceptable provision for cycle parking. On the other hand, I have found that the proposal would harm the character and appearance of the area and has resulted in the loss of a family dwelling and fails to provide an appropriate mix of housing. The layout of the proposed scheme is also likely to prejudice highway safety. For these reasons, and conflict with the development plan, I conclude that the appeal should be dismissed.

M Aqbal

INSPECTOR