



Appeal Decision

Site visit made on 17 January 2024

by Lynne Evans BA MA MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 30 January 2024

Appeal Ref: APP/F5540/W/23/3325878

173B Thornbury Road, Isleworth, TW7 4QG

- 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 B Singh against the decision of the Council of the London Borough of Hounslow.
 - The application Ref: P/2023/1372 (01119/173B/P2) dated 28 April 2023 was refused by notice dated 15 June 2023.
 - The development proposed is change of use of basement from storage to a single dwelling house.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of my site visit, the basement was laid out and appeared to be in use as a residential flat. However, the Council has confirmed that there is no permission in place for this use and the description of development on the application form confirms that the change of use relates to a change to residential use from storage use. This is the basis upon which I have considered the appeal.
3. The National Planning Policy Framework (Framework) was revised in December 2023. Although some of the paragraph numbering has changed, I do not consider that there are any material changes in the Framework, pertinent to this appeal proposal. It is not therefore necessary to seek the views of the Appellant or the Council on the revised Framework.

Main Issue

4. The main issue in this appeal is whether the proposed development would provide satisfactory living conditions for future occupants.

Reasons

5. The appeal property relates to the basement of a property in mixed use, with a retail/ service use at ground floor and residential above, on the east side of Thornbury Road. The surrounding area is also mixed in character and use with both retail and commercial uses within the neighbourhood centre together with residential uses.

6. I agree that the internal space would meet the space standards for a 2 bed- 3 person flat as set out under Policy D6 of the London Plan and the Council has raised no concern in this regard.
7. A key concern raised by the Council relates to the lack of adequate internal daylight in accordance with BRE standards to each of the rooms, based on the supporting Daylight/ Sunlight assessment information submitted at the application stage. This matter has not been addressed by the Appellant in the appeal submission.
8. The two windows to serve proposed Bedroom 1 and one of the windows to serve the main reception room face to the side and are under the side access to the ground floor unit. This severely restricts both the outlook from these rooms as well as the levels of daylight into these rooms. The remaining windows would not be so restricted but would still be towards side walls and fences, limiting light and outlook.
9. From my site visit and the information before me, I agree with the Council that the proposed arrangement of the accommodation in relation to available windows would result in a very dark interior with very limited natural light to most of the rooms as well as poor outlook. This would not result in acceptable living conditions; the internal environment would be very gloomy and oppressive given the limited availability of natural light and poor outlook.
10. In terms of external space, the red line plan extends to include the open land to the rear which is currently hard landscaped. There appears to be no subdivision of this space between the various uses, although there are a number of doors leading out of the rear of the property onto this space. I agree with the Appellant that, were no other matters at issue, and planning permission were to be granted, a condition could be imposed regarding the provision of external space to serve the basement flat. However, my findings on this matter do not outweigh the conclusions I have reached regarding the inadequate levels of natural light and poor outlook to the internal accommodation at basement level.
11. I therefore conclude that the proposed change of use would not provide satisfactory living accommodation for future occupants, with particular regard to internal light levels and outlook. This would conflict with Policy D6 of the London Plan, Policies CC2 and SC5 of the Local Plan and the Framework, with particular reference to paragraph 135 f), all of which, amongst other matters, seek to protect the amenities of existing and future occupants.

Other Considerations

12. The appeal site lies within the Osterley Park Conservation Area. The Conservation Area is focussed on the Grade I listed Osterley House and its parkland and its immediate surrounding hinterland. Section 72 (1) of The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out in respect of development within Conservation Areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.
13. Given that the proposal relates to a change of use to residential, which would be in keeping with the surrounding land uses and the physical alterations would

be small scale in relation to the property, I am satisfied that there would be no harm to the character and appearance of the Conservation Area; its character and appearance would be preserved. The Council also raised no concern in this regard.

Planning Balance and Conclusion

14. I agree that the proposal would provide an additional unit of residential accommodation with some limited economic benefits, but this would not outweigh my conclusion regarding the very unsatisfactory nature of the internal accommodation, with particular regard to internal levels of natural light and restricted outlook.
15. The proposal would not accord with the development plan and there are no other material considerations to override this finding. For the reasons given above and having regard to all other matters raised, including in representations, I conclude that this appeal should be dismissed.

L J Evans

INSPECTOR