
Appeal Decision

Site visit made on 11 June 2024

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 June 2024

Appeal Ref: APP/F5540/D/24/3343008
16 Cardington Square, Hounslow TW4 6AH

- 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 R Singh against the decision of the Council of the London Borough of Hounslow.
 - The application Ref 00205/16/P2, dated 26 January 2024, was refused by notice dated 3 April 2024.
 - The development proposed is the erection of a single storey rear outbuilding to be used as gym/home office.
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Decision

1. The appeal is dismissed.

Main issue

2. The main issue is the effect of the proposed development on the character and appearance of the local area.

Reasons

3. The proposal is to erect a single storey detached outbuilding on the rearmost part of the long back garden to the appeal property, which is a semi-detached dwelling within a predominantly residential area. I saw that the prevailing pattern of development along Cardington Square is mainly 2-storey dwellings within generous plots with some that include spacious rear gardens.
4. The new outbuilding would be placed well away from the main house and be constructed using matching external materials. A good-sized garden would remain with the new built form in place. Nevertheless, the proposal would be a sizeable addition. It would be considerable in depth and extend across almost the entire width of the plot. From the plan provided, the footprint of the proposal and its width would be similar to that of the main house. That the roof of the outbuilding would be almost flat would also visually accentuate its considerable scale and bulk.
5. Taken together with its solid brick walls, the new development would be of a size and form of construction that would be atypical of outbuildings and structures generally found in rear gardens of houses. As a result, the proposal would draw the eye when seen from the rears of nearby properties. From these vantage points, the new outbuilding would appear incongruous within the back garden of No 16 especially given its considerable size relative to the main house. For these reasons, the appeal scheme would be uncharacteristically

large, visually dominant and obtrusive within its local suburban context. As such, the proposal would be materially harmful to the character and appearance of the local area.

6. From what I saw, several properties in the local area include rear outbuildings although most were generally smaller and more in keeping with their ancillary domestic use. I observed that a small number of properties include sizeable outbuildings and have taken into account those cases to which the appellant has referred and provided background information.
7. Specifically, I note that the outbuildings at the rear of 148 Cardington Square and 37 Barrack Road were the subject of lawful development certificates (LDCs). In reaching a decision to issue an LDC, the Council would have only considered whether the proposal complied with relevant limitations and conditions of the General Permitted Development Order as it stood at that time. As that assessment differs to a planning application, which is assessed on its planning merits, these cases are not directly comparable with the appeal scheme. Few details of the existing building just beyond the rear boundary of the site have been provided and so I cannot be certain that its circumstances are the same or very similar to those of those of the proposal.
8. I acknowledge that the Council has recently granted planning permission for an outbuilding in the back garden at 122 Cardington Square, which is larger than the proposed development before me. No 122 is some distance from the site and its context differs to that of the proposal notably because the approved outbuilding occupies a garden that has a splayed shape that significantly widens towards the rear boundary. From what I saw, the approved outbuilding at No 122 does not represent a predominant characteristic of the area to which No 16 belongs. Even if the Council has been inconsistent in deciding to approve the outbuilding at No 122 and refuse planning permission here, it does not justify permitting unacceptable development.
9. On the main issue, I therefore conclude that the proposed development would cause significant harm to the character and appearance of the local area. Accordingly, it conflicts with Policies CC1, CC2 and SC7 of the Council's Local Plan 2015-2030 and the advice within its Residential Extension Guidelines Supplementary Planning Document. These policies and guidance aim to ensure that development maintains or enhances the character of the area and that outbuildings should appear clearly subservient to the host dwelling. It is also at odds with the National Planning Policy Framework (the Framework), which states that development should be sympathetic to local character and add to the overall quality of the area.

Other matters

10. The Council and an interested party raise additional concern that the use of the new building might go beyond that of a gym and home office, as proposed. Given the scale of the new building, the potential flexibility for the use of space within it, and the separation from the main house, these concerns are not unfounded. However, the proposal is not put forward on that basis and the plans do not show primary living facilities, such as a bedroom, bathroom or a kitchen. The use of the new building could also be covered by a condition. A material change of use to the new outbuilding after the grant of planning permission would then be a matter for the Council to consider on its own

merits. On balance, this objection would be insufficient to withhold planning permission if the appeal scheme were acceptable in all other respects.

11. I note that the appeal scheme was revised after a larger rear outbuilding on the site was refused planning permission. Once in place, the outbuilding and the facilities within it would improve the living conditions of the appellant. However, these considerations do not outweigh the harm that I have identified.

Conclusion

12. The proposed development conflicts with the development plan, when read as a whole. There are no material considerations, including the Framework, which indicate that the decision should be taken otherwise than in accordance with the development plan. For the reasons set out above, I therefore conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR