



Appeal Decision

Site visit made on 1 May 2024

by P B Jarvis BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 June 2024.

Appeal Ref: APP/F5540/D/24/3339001 60 Barrowgate Road, Chiswick W4 4QU

- 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 Shiranee Murugason against the decision of the Council of the London Borough of Hounslow.
- The application Ref 00079/60/P6, dated 28 November 2023, was refused by notice dated 12 February 2024.
- The proposed development is demolition of existing timber shed and the erection of a new outbuilding to accommodate working from home space, gym, associated WC and garden storage.

Decision

1. The appeal is allowed and planning permission is granted for demolition of existing timber shed and the erection of a new outbuilding to accommodate working from home space, gym, associated WC and garden storage at 60 Barrowgate, Chiswick W4 4QU in accordance with the terms of application ref: 00079/60/P6 dated 28 November 2023 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The permission hereby granted shall relate to the following approved plans: 1000AL(02)0001 Rev 01 (location plan), 1053AL(02)1000 Rev 02 (existing site plan), 1053AL(02)1001 Rev 01 (existing plan and north elevation), 1053AL(04)2100 Rev 00 (proposed site plan), 1053AL(04)2101 Rev 00 (proposed plan and elevations), 1053 AL(05)2102 Rev 00 (proposed rear elevation) and 1053AL(04)2110 Rev 00 (proposed fire strategy plan).
 - 3) The building hereby permitted shall only be used for purposes incidental to the enjoyment of the existing dwelling at 60 Barrowgate Road and shall not be used, or internally altered, to include the creation of kitchen or bathroom facilities, to enable its use, as a separate, independent unit of accommodation or for any business purposes.

Main Issue

2. The main issue is the effect on the living conditions of the occupiers of adjoining properties.

Reasons

3. The appeal site comprises a large semi-detached dwelling located within a road of mature dwellings of varied size being a mixture of detached and semi-detached. The reasonably sized rear garden is accessed via a gate to the side

- of the dwelling with an existing small shed located along the rear boundary. A row of trees runs alongside the shed with high screen fence along the boundary with the adjoining flatted development to the rear.
4. The site lies towards the southern edge of the Turnham Green Conservation Area which is characterised by the green itself located within the northern part and residential areas to the south within which the appeal site is located. Barrowgate Road itself comprises of a variety of sizes and designs, many large detached and semi-detached dwellings, interspersed with more modest dwellings and some flats. Tall mature trees make a major contribution to the streetscape. The significance of this part of the conservation area is mainly derived from these two elements in providing an attractive street scene.
 5. Permission was granted for a detached outbuilding in the same position on the appeal site in November 2023¹. The current appeal scheme differs in that it includes a 'bathroom' within the outbuilding and the Council is concerned that would create the potential for the building to be used as a separate, independent dwelling and, in turn, for the associated noise and disturbance to adversely impact on the living conditions of the neighbouring properties.
 6. In this respect the Council's Residential Extension Guidelines SPD (2017) (SPD) states that it is essential that outbuildings are only used in a manner incidental to the main house and if designed in a way that may facilitate future use in such a manner will be refused due to impact on neighbours; primary living accommodation including, amongst other things, bathrooms will not be allowed.
 7. The Appellant confirms that the main part of the proposed outbuilding would be used in part as a home office and in part as a gym / yoga studio incidental to the host dwelling. The building would incorporate a small WC with wash hand basin located off the office / studio area as well as a separate area for garden storage. The WC would not contain a bath or shower.
 8. In terms of its proposed use, the building would be consistent with suitable and appropriate incidental uses to a residential property. In addition, whilst the use of outbuildings such as that proposed often rely on the host dwelling to provide associated facilities, I see no reason why the inclusion of a small WC in this instance should necessarily result in the potential for the building to be used as a separate dwelling given that it would lack other facilities such as full bathroom facilities, including a shower or bath, and kitchen, which would be required to enable that use.
 9. In addition, it would only be possible to access the outbuilding via the side gate and rear garden of the host dwelling which would render its use as an independent unit of accommodation unlikely as this would not be compatible with the use of the existing dwelling. In any event, a condition could be imposed to prevent the independent use of the building to accord with its intended use. The Appellant has indicated a willingness to accept such a condition.
 10. Overall, I find that there would be no conflict with Policies SC7 and CC2 of the London Borough of Hounslow Local Plan 2015-2030 (2015) (LP) which seek, amongst other things, to support high quality urban design, to create

¹ Council ref: 00079/60/P5

attractive, distinctive and liveable places and which support residential extensions that maintain the character of the area and do not result in harm to the amenity of neighbouring residents. Nor would it conflict with the aims and objectives of the SPD.

11. In respect of the effect on the conservation area, I concur with Council that its significance would not be harmed by the proposal and its character and appearance would be preserved.

Other Matters

12. I have had regard to the National Planning Policy Framework and find that the proposal would accord with its objectives to achieve good design and enable development that is sympathetic to local character including the surrounding built environment.
13. In respect of conditions, in addition to one to relate to the approved plans in the interest of clarity, as indicated above, a condition to ensure that the building is used only for purposes incidental to the host dwelling is necessary to control other uses which may be unsuitable in this location.

Conclusions

14. I therefore conclude that this appeal should be allowed and planning permission granted.

P B Jarvis

INSPECTOR