



Appeal Decision

Site visit made on 16 July 2024

by Robert Naylor BSc (Hons) MPhil MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 August 2024

Appeal Ref: APP/F5540/W/23/3334862

6 & 8 Hounslow Road, Feltham TW14 9DG

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Mansukh Pankhania against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is 00631/6-8/P4.
 - The development proposed is described as the erection of a 6No flats consisting of 1No, 3-bedroom flat; 3No, 2 bedroom flats; 1Nos, 1 bedroom flats and 1Nos bedsits with associated amenity space & cycle parking following part demolition of the existing building.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 30 July 2024 the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework) and other changes to the planning system. Whilst a direction of travel has been outlined within the Written Ministerial Statement, which is a material consideration, the changes to the Framework can only be given limited weight at this stage, given that no final document has been published.
3. In any event, the policies that are material to this decision are not subject to any fundamental changes, and I am satisfied that this has not prejudiced any party. Consequently, in reaching my decision I have therefore had regard to the Framework as published in December 2023, and any reference to paragraph numbers are to this version.

Main Issues

4. The main issues are the effect of the proposal on the:
 - Parking impacts;
 - Living conditions for future occupiers;
 - Sustainability objectives;
 - Character and appearance of the surrounding streetscene; and
 - Provision of cycle parking.

Reasons

Parking impacts

5. Policy T6.1 of The London Plan (LP), adopted March 2021 sets-out the applicable maximum parking provision by reference to the Transport for London Public Transport Accessibility Levels (PTAL), with the aim of encouraging greater use of non-car modes of transport in areas with higher PTAL. Policy EC2 of the London Borough of Hounslow Local Plan 2015-2030 (HLP) also seeks to secure more sustainable modes of travel and to promote appropriate 'car free' developments.
6. The appeal site has a PTAL of 5 and is located within walking distance of Feltham town centre and Feltham train station, thus benefitting from some sustainable transport measures. At the time of my site visit, Hounslow Road has double yellow lines on both sides of the road preventing on-street parking. Furthermore, I also observed that many of the surrounding roads appeared heavily parked with many of the on-street parking spaces occupied. The proposed development would not benefit from any off-street parking spaces and therefore would increase demand for parking on the street, where opportunities for on-street parking appear limited.
7. I have no information from the appellants with regard to a parking stress survey, nor have I been presented with any details of a travel plan or alike, seeking to reduce reliance on the car and promoting more sustainable forms of transport. Whilst I acknowledge the appellant indicates the proposal would be a car-free development, nevertheless I have been presented with little evidence or a mechanism, such as a legal agreement, to secure the development as car-free which would be necessary to make the development acceptable in respect to parking. As such, there is little evidence before me, to clarify that there is availability of sufficient car parking spaces or that there are no particular pressures caused by existing uses or developments in the area.
8. Accordingly, the proposal fails to demonstrate that it would not result in adverse effects on the highway network, caused by the increased demand for parking on nearby roads. Therefore, the proposal would be contrary to HLP Policy EC2 which seeks to develop a sustainable transport network, through the promotion of active management of car parking and travel demand amongst other things.

Living conditions for future occupiers

9. The Government's nationally described space standards, March 2015 (NDSS) contains the minimum internal space requirements for new dwellings. These requirements are also applied in a local context within LP Policy D6 and Table 3.1 to ensure a high-quality of design. Under the NDSS and LP requirements, a 1-bedroom 1-person dwelling laid out over one storey requires 39m² gross internal area (GIA), while a 1-bedroom 2-person dwelling requires 50m² GIA. The NDSS indicates that all units are required to demonstrate that at least 75% of the ceiling heights provided in dwellings are 2.3m, as the minimum design standard, with the LP requiring a similar provision albeit at 2.5m.
10. There is dispute between the parties with regard to whether 75% of the floor areas, contained in flats E and F in the roof space, are over either the 2.3m or

2.5m ceiling height requirements. Despite a sectional drawing¹, it is unclear from the evidence before me, whether the proposed dwellings would meet the required standards of the NDSS and LP, given the hipped shaped roof form. In my opinion the proposed living space in these flats does appear tight and somewhat cramped, as such I have adopted a precautionary approach. Given the NDSS figure is a minimum standard and is intended to act as a benchmark for high design quality, the uncertainty in regard to the internal space standards means I am unable to conclude whether it is acceptable. Consequently, I do not consider the proposed accommodation could reasonably be regarded as providing acceptable living condition for future occupants and the proposal would conflict with the NDSS, LP and the HLP in this regard.

11. The Council also highlight concerns over the living conditions of future occupiers of the proposed development, with specific regard to flats A and B on the ground floor, with reference to their depth and access to light. It is acknowledged that no details have been supplied in respect to a sunlight/daylight assessment highlighting whether adequate levels of light can be achieved in habitable rooms.
12. From the submitted plans, it is clear that all flats are dual aspect and habitable rooms have access to at least one window. Despite providing a fairly deep living/kitchen space, the proposed bay windows on both flats A and B are considered of adequate dimensions to provide sufficient light levels to the requisite rooms. Whilst it is acknowledged that the rear bedrooms are north facing, these would be set back from other elements of built form or other obstructions so as to ensure that adequate light could reach these habitable rooms. Therefore, these openings would not be so constrained as to unduly impact the light reaching the bedrooms.
13. Overall, I conclude that the proposal would not provide satisfactory living conditions for its future occupiers with regard to internal space standards, notwithstanding the acceptable levels of light. Consequently, the proposal would not comply with LP Policies D4, D5 and D6. Furthermore, the development would not respond to HLP Policy SC5 or the Framework which collectively, seek to achieve a high standard of housing, with a good standard of amenity for all existing and future occupants of buildings.

Sustainability

14. Policy EQ1 of the HLP sets out an expectation for all development to meet the carbon reduction requirements set out in the LP. HLP Policy EQ2 expects development to incorporate established principles for sustainable design and construction as set out in the LP. Policy SI2 of the LP sets out that major development should be net zero-carbon and achieve a target of a minimum on-site carbon reduction of at least 35% beyond Building Regulations. However, for residential schemes which are not considered major development, proposals need only provide a minimum 10% improvement beyond Building Regulations from on-site energy efficiency measures.
15. The proposal is for 6 new flats and therefore would not be considered as a major development, as such the scheme would be required to demonstrate a 10% on-site reduction through energy efficient measures. I have been

¹ Drawing number SD2222(P)04

presented with an Energy and Sustainability Statement² which highlights that the proposal could achieve a reduction of at least 22% in the carbon dioxide emissions through fabric and services efficiencies. A further 46% reduction can be achieved through the use of on-site low or zero carbon technology in the form of air source heat pumps. This would result in a total reduction of 68% in on-site carbon dioxide emissions.

16. In the absence of evidence of carbon emission reduction requirements for minor development within the LP, I cannot conclude that the proposed development is contrary to the LP's carbon emission reduction requirements. As such, an appropriately worded planning condition could be attached to any permission to require details of the carbon emission reduction measures to be submitted to and approved by the Council.
17. Consequently, the proposal could meet carbon reduction and sustainable construction objectives, in accordance with LP Policies SI2, SI3 and SI4 and Policies EQ1 and EQ2 of the HLP. The scheme would also accord with paragraph 159.b) of the Framework, which indicates that new development should be planned for in ways that can help to reduce greenhouse gas emissions.

Character and appearance

18. Paragraph 135.c) of the Framework indicates that new development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
19. The appeal site consists of a pair of detached houses in need of renovation located in a mixed-use area on the periphery of Feltham town centre. The area to the north of the appeal site consists of mainly dwellinghouses. To the south of the site is St Giles Hotel, a significantly larger building with a more commercial feel in terms of design. Further south, beyond the railway line, the area becomes distinctly more commercial, with a diverse mixture of styles and material treatments. Given the considerable variety in the building types in the vicinity there is no obvious rhythm to the street scene.
20. The appeal site marks a transitional location between the more commercial nature of development in and around the railway line to the south of the appeal site, and the more domestic feel and scale to the north. Whilst the proposal would provide a denser form of development in comparison to the dwellinghouses adjoining the site, the scheme has nevertheless referenced traditional design elements and materials found in the area, and utilised the site well which could result in a positive visual relationship within the immediate street scene.
21. It is acknowledged that the scale of the development would exceed the existing dwellings and would also provide additional mass at the site. However, it would have an acceptable impact on the character and appearance of this area, given the existence of other larger flatted and commercial developments nearby. Consequently, the bulk, scale and mass of the proposal would be in keeping with the area in general.
22. The proposal would provide a bin store at a subterranean level on the front elevation which incorporates an external lift and a safety rail. Whilst this may

² Prepared by Doherty Energy dated October 2022 (ref: E1263-ESS-00)

not be a traditional feature found in the vicinity, the provision of a refuse store under the ground would provide less domestic clutter visible from the street scene. Furthermore, the use of appropriate soft landscaping could screen this part of the proposal to a degree, such that it would not appear incongruous or dominant. This could be secured by condition, along with materials for further design consideration as part of any approval.

23. The design and resulting form of development, would therefore not appear out of keeping within either Hounslow Road or the wider area. The proposal would take advantage of the constraints of the site and would provide a development which is respectful to its surrounds whilst providing interest in the street. Overall, the scheme would provide a well-considered design response to the site.
24. I therefore conclude that the proposed development would represent good design and would contribute positively to the local character and would not harm local distinctiveness. Consequently, I find no conflict with HLP Policies CC1, CC2 and SC4; nor with LP Policies D3 and D4, which amongst other things, requires new development to be of a high-quality design that makes a positive contribution to the character and appearance of its surroundings. Furthermore, the proposal would accord with the Framework which also seeks to secure high quality design, whilst taking into account the local character.

Cycle parking

25. From the evidence before me, the proposal would provide 16 cycle parking spaces at the rear of the flats, in accordance with the requirements of LP Policy T5. However, the plans lack detail in how this space would be accessed or how the cycles would be secured. Nevertheless, a condition could be attached to any permission requiring further details of the cycle storage to be submitted to and approved by the Council to ensure these are appropriate.
26. It is acknowledged that the route through the proposal would be tight, however the further details which are to be submitted could alleviate these concerns, and/or provide an alternative access route. Subject to the provision of a suitable condition, there would be no conflict therefore with the relevant cycle provisions of LP Policy T5 and HLP Policies EC2 and CC2.

Conclusion

27. I acknowledge that the proposed development does provide benefits, in that the proposal would provide a mix of sustainable units with a suitable design. Furthermore, the scheme would promote the more efficient use of an underutilised plot of land in an accessible location which could be built out relatively quickly. As such, I am in no doubt as to the positive value of these matters and I also recognise that the appeal proposal may well accord with various other development plan policies. However, there is a lack of clarity on the effects of the proposal on parking impacts and highway safety, and an uncertainty regarding the acceptability of the living conditions for future occupants, which weigh heavily against the proposal.
28. Overall, the proposed development conflicts with the development plan when taken as a whole, and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict. The scheme also fails to accord with the

requirements of the Framework. For these reasons I conclude that the appeal should be dismissed.

Robert Naylor

INSPECTOR