



Appeal Decision

Site visit made on 7 January 2025

by **Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 28th January 2025

Appeal Ref: APP/F5540/D/24/3352041

18 Devonshire Road, Feltham TW13 6QT

- 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 Lewis Kitson against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/1364.
 - The development proposed is single storey annexe in rear domestic curtilage as overflow accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The National Planning Policy Framework (Framework) was revised in December 2024. 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.
3. A certificate of lawfulness for a home office facility was granted in May 2022 under the Council's reference: P/2022/0773. This followed an earlier refusal because that proposal under the Council's Ref: P/2022/0012, included for self-contained residential accommodation and did not therefore fall to be considered as permitted development within the terms of Schedule 2, Part 1 Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015.

Main Issues

4. The main issues in this appeal are:
 - The effect of the proposal on the character and appearance of the local area, and
 - The effect of the proposal on the living conditions of the neighbours, with particular regard to noise and disturbance.

Reasons

Character and Appearance

5. The appeal property is a two storey end of terrace property on the east side of Devonshire Road and within a predominantly residential area. The rear garden has access onto Swift Road, which runs along the rear boundary.
6. The proposal is for a detached outbuilding at the end of the garden for use as an annexe for overflow accommodation. The submitted plans show that the building would provide self-contained accommodation including living space with dining and kitchen, bathroom and bedroom. Beyond the description of development, referring to overflow accommodation, there is no further information provided to enable consideration as to how the annexe would relate to the main property, physically or functionally.
7. Although, according to the Council's figures, there would be relatively limited difference in size between the outbuilding permitted under the Council's Ref: P/2022/0773, the nature of the intended use would appear to be very different, given the accommodation to be provided. On the basis of the very limited evidence before me, I cannot be satisfied that the proposal would relate physically and functionally to the main dwelling, as it would have the appearance of and facilities for use as separate self-contained accommodation.
8. The Appellant has contended that there are similar developments in the locality and on my site visit I saw outbuildings of varying sizes at the end of the rear gardens, most with access off Swift Road. Most of these had, from Swift Road, the appearance of garages, although I cannot be certain of the actual internal layouts and uses. However, there is no information before me to suggest that these provide the type of self-contained accommodation as proposed in this case. The presence of garages and other outbuildings directly related to and subordinate to the main dwelling are not unexpected in residential areas, but they do not compare, in my view, with the introduction of an annexe that would provide self-contained living accommodation. The proposal would not appear as a subordinate addition to the main dwelling.
9. I therefore conclude that, particularly given the self-contained nature of the accommodation to be provided, the proposal would fail to respect the character and appearance of the local area. This would conflict with Policies CC1, CC2 and SC7 of the Council's Local Plan 2015-2030 (Local Plan), the Council's Residential Extension Guidelines Supplementary Planning Document 2017 (SPD) and the Framework and in particular Section 12, all of which amongst other matters seek a high quality of design which respects the local context.

Living Conditions

10. The information before me is very limited. However, given the self-contained accommodation proposed I consider that it would be likely that there would be increased levels of activity and different patterns of use and at different times of the day in this part of the garden, associated with the proposed use. This would adversely affect the enjoyment that neighbours can reasonably expect from use of their rear gardens.

11. I therefore conclude that there would be material harm to the living conditions of adjoining neighbours, with particular regard to noise and disturbance. This would conflict with Policies CC1, CC2 and SC7 of the Local Plan, as well as the SPD and the Framework and in particular paragraph 135, all of which amongst other matters seek a high standard of design which respects the amenities of existing and future occupiers.

Conclusion

12. 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