



Appeal Decision

Site visit made on 12 May 2025

by Chris Couper BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 May 2025

Appeal Ref: APP/F5540/W/25/3360181

1 Dorchester Drive, Feltham, Hounslow TW14 8HP

- 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 Surjit Singh against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2024/2182.
 - The development is described as a proposed change of use to Class C2 care home.
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Decision

1. The appeal is allowed and planning permission is granted for change of use to a Class C2 care home at 1 Dorchester Drive, Feltham, Hounslow TW14 8HP in accordance with the terms of the application, Ref P/2024/2182, and drawing numbers PL7/SM/0108-00, PL7/SM/0108-01 and PL7/SM/0108-02, subject to the following condition:

- 1) Unless the cycle parking as detailed on the submitted Asgard Cycle Storage plan, and the refuse storage as detailed on the submitted Bellus Double Wheelie Bin Storage plan, are implemented within 3 months of the date of this decision, the use of the site shall cease until such time as they are implemented. The cycle parking and refuse storage areas shall thereafter be retained for their intended purposes.

In the event of a legal challenge to this decision, or to a decision made pursuant to the procedure set out in this condition, the operation of the time limits specified in this condition will be suspended until that legal challenge has been finally determined.

Background and Procedural Matters

2. On the application form, it is stated that the use of the property as a care home has not started. However, in his grounds of appeal ('GoA'), the appellant confirms that the building has been converted to provide specialist care for adults with severe learning disabilities; and I observed on my visit that it is occupied and is being used as a care home.
3. Having regard to the Town and Country Planning (Use Classes) Order 1987 (as amended) the appellant maintains that the property's use as a Class C2 care home does not result in a significant difference in the character of activities compared to the previous Class C3 use as a dwellinghouse; and that the scheme does not therefore constitute 'development' as defined in S55 of the Town and Country Planning Act 1990 (as amended).

4. However, there is a separate mechanism available under S191 of the Act to establish whether or not an existing use is lawful. I have therefore dealt with the appeal under S78 of the Act on its planning merits.

Main Issues

5. The main issues are:

- whether or not the use meets identified local needs;
- the effect of the development on nearby residents' living conditions, with particular regard to noise and disturbance, and whether or not the occupants of the care home experience appropriate living conditions, with particular regard to outdoor space; and
- the effect of the development on the safety and convenience of highway users.

Reasons

Local needs

6. Policy SC8 of the Hounslow Local Plan 2015 - 2030 ('HLP') supports the provision of appropriate housing to meet the specialist and supported needs of vulnerable local people. Amongst other things, it expects proposals to ensure that nomination arrangements are agreed with the Council to maximise utilisation for local residents and to ensure against the importation of need from outside the borough; and to be clear about how the provision will meet the needs of the borough's residents.
7. The Hounslow Local Housing Needs Assessment Update 2024 states that Class C2 accommodation makes up just 0.7% of the borough's total market housing, and that it has an increasing demand for specialist housing for young and working age residents who have complex health and social care needs. Articles submitted with the Planning Statement refer to a national need for care homes for children, but I have no reason to doubt that there is also a national need for adults' care homes.
8. The planning application was not supported by nomination arrangements, but in his GoA, the appellant states that he has liaised with the Council's Placement and Brokerage Manager who has provided a contract for the six local residents who now live in the property. I have no details of that contract. However, the Council has not responded to the GoA, and I therefore have no reason to doubt that it is in place; nor that there is a shortage of this form of specialist housing accommodation at a local and national level, which the development helps to address.
9. Consequently, the scheme accords with the broad thrust of HLP Policy SC8; and with the stance in paragraphs 61 and 63 of the National Planning Policy Framework 2024 ('Framework') regarding meeting the needs of groups with specific housing requirements.

Living conditions

10. Dorchester Drive is a reasonably quiet cul-de-sac of residential properties. The appellant states that the residents of the care home typically require a tranquil environment such as this; and that, given their mobility and learning disabilities, they are highly unlikely to own a vehicle.

11. As well as the six residents, the use includes carers. I understand that there are two full time, and one part time, members of staff, one of whom stays overnight; and that typically just one member of staff is present at any time. Although the area has a relatively poor PTAL rating of 2, there are bus stops serving a variety of destinations, including train stations, within easy walking distance of the site on Staines Road and Hatton Road. The scheme also includes secure cycle parking, in accordance with Policy T5 of the London Plan 2021 ('LP'). Thus, staff and visitors would not necessarily need to travel to the site by car.
12. For these reasons, comings and goings, and the amount of noise and disturbance generated by the use, are likely to be broadly comparable to the property's lawful use as a six bedroom dwellinghouse. The appellant states that he is not aware of noise complaints as a result of the use, and neither am I.
13. As depicted on drawing No PL7/SM/0108-00, there is a small strip of outdoor amenity space to the rear of the plot, and a larger area of grass to the front, next to the road. Both spaces are enclosed by high walls, and are therefore reasonably private, and they provide an adequate area of level space for the residents to relax, with ramps leading from them to the accessible ground floor accommodation.
14. I am therefore satisfied that the use does not cause significant harm to local residents' living conditions as a result of noise and disturbance, and that the scheme provides appropriate living conditions for its occupants. On this issue, it does not therefore conflict with those parts of HLP Policies CC2 and EQ5 which expect proposals to limit impacts from noise-generating uses, to function well, and to consider the amenity of current and future residents. As HLP Policy EC2 addresses the need to develop a sustainable local transport network, it is of limited relevance on this issue.

Safety and convenience of highway users

15. The properties on Dorchester Drive typically have one or more off-road parking space. The scheme was not accompanied by a parking stress survey, but local representations attest to instances of blocked driveways, and challenging parking conditions, and a request is made for additional double yellow lines.
16. I have found that, given the site's proximity to bus stops, and the provision of secure cycle parking, the few members of staff would not necessarily require a car to get to and from work. Given their disabilities, I have no reason to doubt that the residents are unlikely to own a car, but there is undoubtedly parking demand generated by visitors and from deliveries.
17. That said, I am not persuaded that the use generates a significantly greater demand for parking compared to the building's occupation as a six bedroom dwellinghouse, which could include multiple car owners. In that context, I am satisfied that the single off-road car parking space, along with the proposed cycle parking, would be broadly adequate to meet the scheme's needs. Even if additional parking is at times required by residents, staff, visitors, or for deliveries, on-street parking is permitted on this side of Dorchester Drive from close to its junction with New Road.
18. Whether or not double yellow lines are required at the end of the cul-de-sac is a matter for the Council's Transport Team, but for the reasons above I am satisfied

that the scheme has not resulted in significant harm to the safety and convenience of highway users.

19. HLP Policy EC2 requires development to provide a minimum number of cycle parking spaces, and an appropriate maximum number of car parking spaces, consistent with standards in the LP. The proposed cycle parking accords with LP Policy T5. LP Policies T6 and T6.1 set out that car parking should be restricted in line with levels of public transport accessibility and connectivity, but do not set specific standards for a Class C2 Use. For the above reasons, and given that the property could be occupied as a six bedroom dwelling, I am satisfied that there is no conflict with those policies.

Conditions and Conclusion

20. I have considered the matter of conditions against the tests at paragraph 57 of the Framework. As the use is already taking place, neither the standard time limit for commencement, nor a condition requiring the development to be carried out in accordance with the approved plans, are appropriate; although, for clarity, I have referred to the plans in my formal decision.
21. The Council has not provided me with conditions in the event that the appeal is allowed. However, having regard to its officer report, I agree that, in order to promote sustainable transport and to minimise reliance on the private car in the interests of the safety and convenience of highway users, cycle parking, as depicted on the submitted drawing, shall be provided.
22. The submitted drawings also show the provision of refuse and recycling bin storage facilities set back discretely from the pavement behind the existing boundary wall. In the interests of the functionality of the scheme, it is necessary that those areas are provided in accordance with the submitted details.
23. My condition covering these matters includes a strict timetable for compliance because permission is being granted retrospectively, and it is not possible to use a negatively worded condition to secure the implementation of these matters before the development takes place. The condition ensures that the development can be enforced against if the requirements are not met.
24. Finally, given my conclusions regarding noise and disturbance, I am not persuaded that the appellant's suggested condition regarding the submission of a noise management plan, is unnecessary.
25. For these reasons, and having regard to all other matters raised, the appeal is allowed.

Chris Couper

INSPECTOR