



Appeal Decision

Site visit made on 16 May 2025 by Kim Vo MPLAN

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10th June 2025

Appeal Ref: APP/F5540/D/25/3364860

49 Longford Avenue, Feltham, Hounslow TW14 9TH

- 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 Mrs. Jekaterina Trubina against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2025/0061.
 - The development proposed is described as an “outbuilding in rear garden for ancillary use of main house.”
-

Decision

1. The appeal is allowed and planning permission is granted for an “outbuilding in rear garden for ancillary use of main house” at 49 Longford Avenue, Feltham, Hounslow TW14 9TH in accordance with the terms of the application, Ref P/2025/0061, 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 development hereby permitted shall be carried out in accordance with the following approved plans: CM-01193506; 49LA/P001/SP-OB.dwg; 49LA/P002/GA-ELE/OB.dwg – Revision A; 49LA/P003/TP-OB.dwg; and Proposed Fire Plan GA & Proposed Site Fire Plan.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the host dwelling known as 49 Longford Avenue, Feltham, Hounslow TW14 9TH, as shown on the plans hereby approved.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. Hounslow’s Emerging Local Plan 2020-2041 (ELP) is programmed to be adopted in 2026. However, I am not aware of the exact stage of preparation it has reached, the extent of any unresolved objections thereto, or whether it will be consistent with the National Planning Policy Framework. Consequently, and whilst I have taken the

ELP into account, I have considered the appeal under the adopted development plan at the time.

Main Issues

4. The main issues are whether the proposal would be ancillary to the host dwelling and its effect on the living conditions of the occupiers of adjoining properties, with specific regard to noise disturbance.

Reasons for the Recommendation

5. The Hounslow Character, Sustainability and Design Codes Supplementary Planning Document 2024 (SPD) explains that outbuildings designed in a way to facilitate an independent residential unit will be refused, as primary living accommodation such as a bedroom, bathroom or kitchen would not be allowed.
6. The appeal scheme would feature a bedroom, shower room and a dressing area, which includes elements for primary living accommodation. However, this does not imply that an independent residential unit would be created. Rather, it allows the occupants of the proposed outbuilding to retain a degree of privacy and autonomy. The judge in *Uttlesford DC v SSE & White [1992]* considered that, even if the accommodation provided facilities for independent day-to-day living, it would not necessarily become a separate planning unit from the main dwelling. Instead, it would be a matter of fact and degree.
7. In this context, the appellant has clarified that the proposal would accommodate an elderly relative with reduced mobility, who is currently cared for by the main household. Therefore, a familial relationship will exist between the occupiers. As meals must be prepared by the caregivers, the proposal does not include a kitchen and would lack the full facilities required for completely independent living. The outbuilding would be detached and physically disconnected from the main dwelling. However, it would share the same parking and garden areas, utility services, and postal address. It would also be significantly smaller in scale and its positioning within the rear garden would establish its close connection with the host property. This would allow for frequent interactions and comings and goings to occur between both buildings and their occupants. There would therefore be a functional link between the proposed outbuilding and the main dwelling.
8. The proposal would be accessible only through the main dwelling. Whilst there would be an alternative rear entry, this leads onto a riverbank, which is difficult to navigate and makes a separate access impractical. The outbuilding would also be single aspect and face towards the rear of the host property, making it unsuitable to function as a separate dwelling in any event. Moreover, the development proposed is for an ancillary outbuilding. An independent residential unit has not been applied for and is therefore not before me. Consequently, the appeal scheme would be capable of being occupied as an ancillary outbuilding and would not be a dwelling in its own right.
9. The appeal scheme would introduce day-to-day activities from the occupier at the rear garden. However, levels thereof would be no more disruptive than if the outbuilding were used for other associated residential purposes, such as a home office, gym or hobby room. The type and level of noise generated would also be similar to typical recreational uses of the garden, with the comings and goings limited to the existing and/or related occupiers only. Additionally, facilities of a

bedroom and a shower room would not produce significant noise, as these uses are inherently quiet and intended for personal use for one elderly occupant. Its siting to the rear boundary would also ensure a suitable distance from the rear elevations of the adjoining properties.

10. For these reasons, the proposed development would be ancillary to the host dwelling and would not harm the living conditions of the adjoining properties from any disturbance through noise. Accordingly, it would not conflict with Policies CC2 or SC7 of the Local Plan 2015 – 2030 or the SPD. Together, and amongst other things, these seek for development proposals to not result in harm to the amenity of neighbouring residents.

Other Matters

11. An extension to the dwelling to provide similar facilities represents an alternative option, but I have found that the one before me would not give rise to harm against the main issue and as such I do not need to investigate it further. Such would appear to not meet the appellant's needs in any event.

Conditions

12. To provide certainty and for enforcement purposes, it is necessary to impose the standard time limit and specify the approved plans. A condition is also necessary for materials to match those used on the existing building to maintain the character and appearance of the area.
13. Given that no harm is found on the main issues and that the appellant's personal circumstances were not determinative, a condition restricting the use of the building to a specific individual would not be unnecessary. Instead, it is appropriate to ensure the ancillary status of the building, taking into account the lack of sufficient preciseness in the description of development as it is set out above.

Conclusion and Recommendation

14. I recommend that the appeal should be allowed given it would comply with the development plan and there is nothing compelling to suggest a decision other than in accordance therewith.

Kim Vo

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the stated conditions.

John Morrison

INSPECTOR