



Appeal Decision

Site visit made on 18 June 2025

by **D Cramond** BSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 01 July 2025

Appeal Ref: APP/F5540/D/25/3365603

31 West Road, Feltham, TW14 8JG

- 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 Archana Kandukuri against the decision of the Council of the London Borough of Hounslow.
 - The application Reference is P/2025/0250.
 - The development proposed is the erection of a single storey outbuilding to be used as auxiliary accommodation.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey outbuilding to be used as auxiliary accommodation at 31 West Road, Feltham, TW14 8JG in accordance with the terms of the application, Ref P/2025/0250, 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 materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing dwelling.
 3. The development hereby permitted shall be carried out in accordance with the following approved plans: 25/CF 001 & 002.
 4. The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as 31 West Road, Feltham, TW14 8JG.

Main Issues

2. The main issues are the effect of the proposal on a) the character of the locality and b) living conditions of neighbours.

Reasons

3. The appeal property is an extended two-storey semi-detached home on a rectangular plot with a generous length of rear garden and substantial vegetation on land beyond this. It sits in a stretch of broadly similar homes and the immediate locality is of established residential character; the suburban streetscene is a pleasing one albeit car parking is prominent.
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4. The proposal is as described above and would have a flat roof about 2.5 metres in height and external ground dimensions of around 7 x 6.2 metres. The scheme is shown as one large room with kitchen and a small toilet/shower.

Planning principle

5. Part of the Council's concern, under what I have defined as both main issues, are the implications arising from the intended facilities within the planned outbuilding. The Officer Report makes the general point that the Council would not support an independent residential unit or a building which has been designed in a way that may facilitate future use in such a manner.
6. The Appellant explains that the annotations for facilities should not be over-thought because there is no separate access to the street; there is full enclosure within the residential curtilage; the kitchenette includes no gas supply or oven; the building would share all functional dependency such as refuse, utilities, and access; it will not be let, leased, or occupied separately under any circumstances, and the family is happy to formalise this via a planning condition. It is put that the structure would be incidental in scale and character to the main dwelling and is designed for flexible family use, such as workspace, quiet rest area, or overflow for relatives during home renovations.
7. 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. In that case the accommodation gave the occupant the facilities of a self-contained unit although it was intended to function as an annex with the occupant sharing her living activity in company with the family in the main dwelling. There was no reason in law why such accommodation should consequently become a separate planning unit from the main dwelling.
8. Consequently, as it is argued that the accommodation would be used as an independent or separate dwelling, I need to assess whether it could also be capable of being occupied as an annex. On this point my judgement, in line with the points set out in paragraph 6 above, is that the specific scheme before me could reasonably be deemed an annex.

Character

9. The Council considers that the planned outbuilding would by reason of form and use be out of character with the surrounding area.
10. The scheme would have an appreciable footprint, but it would be discreetly positioned at the end of the long garden and be low key in terms of height and form. The garden would continue to offer a generous degree of outside amenity space, and the outbuilding would be viewed against the backdrop of vegetation beyond. Rear building lines and the arrangement and type of numerous, sometimes sizeable, outbuildings vary greatly locally and there is no set template. The positioning of the building in terms of on-site arrangement would appear logical to me in character and appearance terms. I would deem that the building would not have wider visual impacts on the area generally. I would take a similar view in terms of its intended use as an annex. This type of use is not alien to the area and

I see no reason why day to day activity associated with the outbuilding would impinge upon the inherent character of the area.

11. Hounslow Local Plan (LP) Policies CC1, CC2 and SC7, taken together and amongst other matters, call for development which relates to the character of a site and its surrounds. In all the circumstances I conclude that the appeal scheme would not conflict with this objective.
12. The Council's *Residential Extension Guidelines* (REGs) contained within the *Hounslow Character, Sustainability and Design Codes SPD* includes similar a objective. In this instance, for the reasons I have given, I am satisfied that aesthetic aim of that document would not be breached by the appeal scheme.

Living conditions

13. The Council considers that neighbours' living conditions would be harmed through noise, disturbance and general activity within the vicinity of the outbuilding.
14. The building itself would appear proportionate on this scale of garden and given its distance from the main rear elevation of the neighbours' home. Any reasonable activity within or around the outbuilding would not be different in effect from that, presumably, found in many of the sizeable back gardens locally. It does not follow to me that the annex would over-intensify activity at or towards the end of the garden or increase any inherent noise or disturbance beyond normal levels often found on the plot of a family home within a suburban setting.
15. LP Policies CC1, CC2 and SC7 and the objectives of the REGs are also relevant under this issue in that taken together and amongst other matters they seek to secure development which would not be unduly harmful to residential amenity. Given the above I conclude that the proposal would not conflict with the policy aim of protecting living conditions or the parallel objectives of the REGs. In this instance the REGs could reasonably be used with a degree of flexibility, and, in any event, the guidance could not be expected to cover every eventuality.

Concluding remarks on planning principle

16. On the general matter of composition of the outbuilding I would underline that there is no separate dwelling before me. If the structure is not built or used as proposed, or if there is a material change of use in the future to create an independent dwelling, then a separate grant of planning permission would be required, and the building would be at risk of enforcement action if such permission is not granted

Conditions

17. The Council reasonably suggests the standard commencement condition. I agree with the proposition of a condition that works are to be carried out in accordance with listed, approved, plans as this provides certainty. A condition on matching materials is reasonable in the interests of visual amenity. As also suggested, there should be a condition to restrict future use in the interests of amenity. My wording on this is a simplified version of that proposed by the Council.

Overall conclusion

18. For the reasons given above I conclude that the appeal proposal would not have unacceptable adverse effects on the character and appearance of the locality or on the living conditions of neighbours. Accordingly, the appeal is allowed.

D Cramond

INSPECTOR