



Appeal Decision

Site visit made on 14 October 2025

by **P Burley BA (Hons) MPhil MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 17 October 2025

Appeal Ref: APP/F5540/W/25/3370120

82 Elmer Gardens, Hounslow, Isleworth TW7 6HA

- 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 Kevin Cronin against the decision of the Council of the London Borough of Hounslow.
 - The application Ref is P/2025/0552.
 - The development proposed is the erection of a new bungalow in the rear garden.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a new bungalow in the rear garden at 82 Elmer Gardens, Isleworth, TW7 6HA in accordance with the terms of the application, Ref P/2025/0552, and subject to the conditions in the attached schedule.

Preliminary Matters

2. The appellant has submitted revised plans which include a small increase in the amount of floorspace and re-positioned windows. I have dealt with the appeal on the basis of these plans which do not materially change the substance of the proposals and would not prejudice any party given that they have had an opportunity to comment on the plans during the appeal process.

Main Issues

3. The main issues are:
 - whether the appeal scheme would provide satisfactory living conditions for the future occupiers of the proposed dwellinghouse;
 - the effect on the character and appearance of the area;
 - highway safety; and
 - the overall principle of development.

Reasons

Living Conditions

4. The revised drawings that have been submitted with this appeal show a small increase in the size of the proposed dwelling and changes to the room sizes such that it complies with the Nationally Described Space Standard for a 2-bed 3-person 1-storey dwelling. The revised drawings also change the arrangement of the windows of the habitable rooms such that, instead of facing the boundary

treatment, parking and refuse areas, they now face the rear garden and the path that runs along the southern side of the appeal site, providing a satisfactory outlook. Given the addition of these windows to the southern elevation, it is also likely that there would be adequate access to natural light within the dwelling. Therefore, the appeal scheme would comply with Hounslow Local Plan (2015) (HLP) Policy SC5 and London Plan (2021) (LP) Policy D6 which together seek development which adheres to minimum space standards.

Character and Appearance

5. In determining the appeal application the Council raised issue with the southern elevation which did not include any windows and had an off-centre door, concluding that the generic and unbalanced elevation would fail to introduce an interesting and welcoming addition to the street scene. The revised drawings, which now include windows on the southern elevation, show a development that would be similar in design, scale and materials to the existing bungalow which neighbours the appeal site (98b Chatsworth Crescent) and therefore I consider that it would not be at odds within its context. Furthermore, given that the proposed building would address the public realm, I do not find that it would appear to sit uncomfortably on the site.
6. Although the dwelling's garden would be relatively small, it would nevertheless provide a reasonable amount of usable outdoor space which complies with the minimum private outdoor space requirements in HLP Policy SC5 and LP Policy D6 and, although irregular in shape, would not be cramped or appear to be contrived. Therefore, I do not find that the appeal scheme would result in harm to the character and appearance of the area and accordingly would not conflict with HLP Policies CC1, CC2, SC1 and SC4 and LP Policies D4 and D6 which together seek to recognise the context and varied character of the borough's places, to achieve housing growth and to make good use of land while achieving high-quality design and development which adheres to minimum space standards.

Highway Safety

7. The proposed development would be accessed via the existing private shared driveway which connects to Chatsworth Crescent where there is already a dropped kerb. Although the appellant has not provided tracking drawings, from my observations I consider that there would be sufficient space for a car to safely manoeuvre between the on-site parking space and the public highway. Whilst vehicles would have to pass over the end of the adjacent alleyway, this would be little different from vehicles crossing a pavement when leaving a residential driveway. As such, the proposed development would not give rise to an unacceptable risk to the safety of passing pedestrians and cyclists. Overall, therefore, the appeal scheme would comply with HLP Policy EC2 which requires vehicle crossovers to not harm highway safety or lead to a loss of amenity.

Principle of Development

8. In light of its conclusions regarding conflict with a range of development plan policies, the Council also concluded that the proposal would be unacceptable in principle and would fail to comply with HLP Policy SC1. However, given my conclusions I find that the appeal scheme complies with HLP Policy SC1 which seeks to meet housing need in a manner consistent with relevant development principles and that in-fill development reflects local context and character.

Other Matters

9. A nearby resident objected to the appeal application on the basis that there has been an issue with domestic waste being left in the alleyway near the appeal site and they said that the appeal scheme would make this worse. However, the appeal scheme would include waste management arrangements, the provision and retention of which can be secured by way of a condition and, therefore, this is not a matter that should weigh against the appeal scheme.

Conditions

10. I have reviewed the conditions proposed by the Council and the appellant in light of the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. The appellant was consulted on and agreed to all of the Council's proposed conditions.
11. In addition to the standard time condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of certainty. I have also attached a condition to ensure that the extent of the garden of the proposed dwellinghouse remains as shown on the approved plans so that future occupiers have sufficient outdoor space. Similarly, and given the limited size of the appeal site, I have restricted permitted development rights so that additional floorspace or separate buildings, and additional windows or openings, cannot be added without having first sought planning permission.
12. Further conditions requiring samples of the materials to be approved and details of landscaping and boundary treatment are also necessary to ensure that the appearance of the appeal scheme is satisfactory, as are details of cycle and waste storage to ensure that these are appropriately accommodated in the appeal scheme and retained thereafter.
13. To ensure that the development achieves net zero carbon, conditions requiring adherence to the submitted Energy Statement and to address any shortfall in energy savings are necessary. Similarly, and in the interests of environmental sustainability, conditions are necessary to ensure that materials are chosen to reduce the environmental impact of the development and to limit water usage.
14. I also consider it necessary to ensure that vehicle parking is laid out before occupation and retained thereafter to minimise the effects of the appeal scheme on the highway network and that satisfactory visibility splays are provided in the interests of safety.

Conclusion

15. I conclude that there are no material considerations which indicate that a decision should be taken other than in accordance with the development plan, and that the appeal scheme complies with the development plan when taken as a whole. For the reasons given above the appeal should be allowed.

P Burley

INSPECTOR

SCHEDULE OF 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 plans:
 - 2829-1 Rev C (Proposed Ground Floor Plan);
 - 2829-2 Rev C (Proposed Elevations); and
 - 2829-5 Rev C (Location Plan and Block Map).
- 3) No development above ground level shall take place until full details and samples of all materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Details must include a schedule of materials, a photographic sample board and rendered drawings, elevations and sections at a sufficient scale (1:20 or 1:50) to illustrate how all external materials will appear together.

The details shall include:

- a) brick / stonework (including brick, stone, masonry, brick panels, feature brick panels, brick framing features and mortar, shown on an on-site sample panel minimum 1m x 1m) including all mortar colours, joint types and brick bonds;
- b) render (including specifications where relevant);
- c) tiles / roof covering (including parapet coping / capping materials);
- d) window types (including sectional drawings of reveals / sills / head details);
- e) all privacy measures (including obscure glazing details, privacy screens etc.); and
- f) any other materials / details / fittings to be used (including extract vents, rainwater goods, boiler flues etc.), with sections and on-site samples where appropriate.

The development shall then be carried out in accordance with the approved details and maintained as such thereafter.

- 4) Notwithstanding any details included in the submitted plans, no development above ground level (except any demolition, site clearance, ground investigation and remediation work) shall take place until details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority. These details shall include:
 - a) a statement setting out the design objectives and how these will be delivered;
 - b) vehicle parking layouts;
 - c) other vehicle and pedestrian access and circulation areas;
 - d) hard surfacing materials;
 - e) minor artefacts and structures (e.g. furniture, play equipment, storage units, signs, lighting, CCTV etc.);
 - f) proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating alignments, levels, access points and supports, as relevant);
 - g) renewable energy installations (where relevant); and

- h) planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers and densities where appropriate.

The landscaping works shall comply with the requirements specified in BS 3936 (1992) 'Specification of Nursery Stock Part 1 Trees and Shrubs', and in BS 4428 (1989) 'Recommendations for General Landscape Operations', and shall be carried out in accordance with the approved details before the development hereby permitted is first occupied or brought into use, or such other date(s) as may be specified in the agreed implementation programme.

- 5) The approved car parking space and access shall be constructed and made available prior to the first occupation of the dwelling and retained for that purpose for the lifetime of the development.
- 6) Either side of the vehicle access hereby approved, visibility splay areas (the depth measured from the back of the footway and the widths outwards from the edges of the access, with a splay of at least 2.4 metres x 2.4 metres) shall be provided before the access and parking area is brought into use. These areas shall be kept clear of any obstructions to visibility greater than 600 mm in height, including shrubs, planting, boundary walls, fences, gates, other means of enclosure or other structures or objects at all times.
- 7) Prior to the occupation of the development, details of all boundary treatments (including height, materials, and finishes) shall be submitted to and approved in writing by the local planning authority. The development shall be implemented in accordance with the approved details and retained thereafter.
- 8) The rear garden of 82 Elmer Gardens shall be sub-divided as shown in the approved drawings and thereafter maintained as such for the lifetime of the development hereby permitted.
- 9) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting that order), no enlargement of the premises or any additional structures / buildings / enclosures within the curtilage of the site(s) shall be carried out or created, and no additional floor space shall be formed within the building(s) hereby permitted by means of internal horizontal division (new mezzanine level) without prior written approval of the local planning authority.
- 10) No additional windows or openings shall be formed in the walls of the development hereby permitted.
- 11) Prior to first occupation of the development hereby approved, full details (including manufacturer's specification) of secure covered cycle parking facilities (for not less than three bicycles) for the occupants of, and visitors to, the development shall be submitted to and approved in writing by the local planning authority. The approved facilities shall be fully implemented and made available for use before the development is first occupied or brought into use and shall be retained for use at all times without obstruction for the lifetime of the development.
- 12) No part of the development shall be occupied until full details of the arrangements for the storage of waste and recyclable materials, including details of how the placing of waste and recyclable materials in a suitable location for collection would be undertaken and managed, have been submitted to and approved in writing by

- the local planning authority. The development shall not be carried out other than in accordance with the approved details and the waste and recycling storage shall be retained for the lifetime of the development.
- 13) a) The development hereby permitted shall be implemented in accordance with the submitted Energy Statement dated 26 March 2025.
- b) Prior to first occupation of the dwelling hereby approved, evidence (e.g. photographs, installation contracts and as-built certificates under the Standard Assessment Procedure / National Calculation Method) shall be submitted to the local planning authority and approved in writing to show that the development has been constructed in accordance with the approved Energy Statement, and any subsequent approved revisions, and achieved a 96% reduction in emissions.
- c) Upon final commencement of operation of any low and zero carbon technologies, suitable devices for the monitoring of the low and zero carbon technologies shall have been installed, and the monitored data shall be submitted automatically to a monitoring web-platform at daily intervals for a period of three years from the point of full operation. The data shall be made available to the local planning authority on request for a period of five years.
- 14) No development shall take place until the appellant has entered into a binding arrangement with the Council to make an agreed contribution to the Council's Carbon Offset Fund, in accordance with the zero carbon strategy set out in the Energy Statement hereby approved, to an amount that equates to the shortfall in required energy savings to meet the 'zero carbon' target.
- 15) a) No development above ground level shall take place until details have been submitted to and approved by the local planning authority which demonstrate that:
- i. at least three of the key elements of the building envelope (external walls, windows roof, upper floor slabs, internal walls, floor finishes / coverings) are to achieve a rating of A+ to D in the Building Research Establishment's The Green Guide to Specification.
 - ii. at least 50% of timber and timber products are to be sourced from accredited Forest Stewardship Council (FSC) or Programme for the Endorsement of Forestry Certification (PEFC) schemes.
 - iii. no construction or insulation materials are to be used which would release toxins into the internal and external environment, including those that deplete stratospheric ozone.
- b) The development shall not be occupied until evidence (e.g. photographs and copies of installation contracts) has been submitted to the local planning authority to demonstrate that the development has been carried out in accordance with the approved details under part a) of this condition. The development shall be maintained in accordance with the approved details at all times thereafter.
- 16) Prior to first occupation of the building hereby approved, the development shall have been constructed to achieve an internal water use of 105 litres / person / day or less.

End of Conditions