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## Appeal Decision

Site visit made on 19 December 2017

**by R A Exton Dip URP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 5<sup>th</sup> January 2018**

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**Appeal Ref: APP/F5540/W/17/3183961**  
**49 Beech Road, Feltham TW14 8AH**

- 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 Mr S Talluri against the decision of the Council of the London Borough of Hounslow.
  - The application Ref 00100/49/P2, dated 20 June 2017, was refused by notice dated 14 August 2017.
  - The development proposed is described as proposed new dwelling.
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### Decision

1. The appeal is allowed and planning permission is granted for a proposed new dwelling at 49 Beech Road, Feltham TW14 8AH, in accordance with the terms of the application, Ref 00100/49/P2, dated 20 June 2017, subject to the conditions set out on the attached schedule.

### Main Issues

2. The main issues are the effect of the proposal on the: i) character and appearance of the area; and, ii) living conditions of nearby residents with particular regard to the future occupiers of Nos 47 and 49 Beech Road.

### Reasons

#### *Character and appearance*

3. No 49 Beech Road forms one half of a pair of semi-detached houses situated towards the northern end of a cul-de-sac of similar dwellings. Pairs of dwellings down the sides of the cul-de-sac are sited on a staggered building line with their front elevations set back from each other. The northern side of Beech road is characterised by similar cul-de-sacs, but of varying length. Whilst these cul-de-sacs and the dwellings within them would have been likely to display a high degree of uniformity when first built, subsequent development has eroded this to an extent.
4. At the time of my site visit I noted significant extensions to 2 properties in the same cul-de-sac as No 40. These have eroded the similarity in appearance between individual dwellings. My attention has also been drawn to a new property adjacent to No 21 Beech Road. This has introduced a variation to the existing layout of pairs of semi-detached houses by being a detached property.

5. The proposed dwelling would be sited with its front elevation set back slightly from that of No 49. This would replicate the established pattern of siting on the cul-de-sac and would therefore not appear out of character. It would also mean that the proposed dwelling would not be highly visible when viewed from the southern end of the cul-de-sac.
6. Following the division of No 49's plot, the resulting appeal site would be significantly larger than a number of other plots on the cul-de-sac. Whilst the width of its frontage to the cul-de-sac would be narrower than that of other plots, it would widen to a similar width across the front elevation of the proposed dwelling. When viewed from the southern end of the cul-de-sac a significant gap would remain between No 47 Beech Road and the proposed dwelling, maintaining the existing sense of spacing. In the overall context of the street scene I consider that the proposal would not appear unduly cramped and as a result out of character.
7. Although the proposed dwelling would appear different from others in the close due to being detached, it would share other characteristics. The front elevation of the proposed dwelling would be of a similar width and maximum height to No 49. The height of ground and first floor windows and the eaves would be at the same level as those on No 49. Subject to appropriate external materials, which could be required by a planning condition, the appearance of proposed dwelling would be compatible with nearby dwellings.
8. In light of the above I conclude that overall, the proposal would not detract from the character and appearance of the area. Consequently it would accord with Policies CC1 and CC2 of the Local Plan<sup>1</sup>. These require development proposals to promote high quality urban design that has regard to local character.

#### *Living conditions*

9. Due to its corner position, No 49 occupies a much larger plot than many other dwellings on the cul-de-sac. Consequently, the separation distance between Nos 47 and 49 is greater than that between other pairs of dwellings. The proposed dwelling would be sited around 0.75m off the shared boundary with No 47 at its closest point. This point would align with approximately the middle of the side elevation of No 47.
10. The separation distance between the closest point of the proposed dwelling and the side elevation of No 47 would be greater than the separation distance between many other pairs of dwellings on the cul-de-sac. The side elevation of No 47 contains 2 small windows which do not appear to serve habitable rooms. The garden area to the side of no 47 forms only a small part of the space available to occupants. In common with No 49, its corner position affords it a large plot.
11. Windows in the front elevation of the proposed dwelling would be off-set from the side elevation of No 47. Any views of the side elevation and into the side garden of No 47 would therefore be limited. The combination of these factors leads me to conclude that the proposal would not have an unacceptable effect on the living conditions of future occupiers of No 47.

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<sup>1</sup> London Borough of Hounslow Local Plan 2015-2030 adopted in 2015.

12. The proposed dwelling would be sited 2m from the side elevation of No 49 giving a reasonable separation distance. A new boundary would be formed by a 1.8m high fence which would provide screening between opposing ground floor windows.
13. Whilst the proposed dwelling would project beyond the rear elevation of No 49, a relatively small proportion of this projection would be at 2 storey height. The remainder of the projection would be single storey under a mono pitch roof, sloping down from the two storey rear elevation. This arrangement would have a diminishing effect on future occupiers of No 49 as it projected along the shared boundary. No 49 would retain a reasonable length of garden area beyond the rear elevation of the proposed dwelling.
14. The side elevation of the proposed dwelling closest to No 49 would have 2 windows at first floor level. These would face the substantially blank side elevation of No 49 and therefore would not cause significant loss of privacy.
15. Taking account of the above factors, I consider that the proposal would not have an unacceptable effect on the living conditions of future occupiers of No 49 either.
16. In light of the above I conclude that the proposal would accord with Policy CC2 of the Local Plan. This requires development proposals to create attractive and liveable places.

#### *Conditions*

17. I have considered the 10 conditions the Council has requested are imposed if planning permission is granted. These have been re-ordered and amended, in the interests of precision and clarity on the attached schedule. Conditions 1 and 2 on the schedule are necessary in the interests of commencement and to ensure that the development is carried out in accordance with the approved plans. Conditions 3-6 are necessary to ensure that the development has a satisfactory appearance. Condition 7 is necessary in the interests of living conditions of nearby residents. The development plan contains policies promoting alternative modes of transport, sustainable construction and re-cycling of waste and conditions 8-10 are necessary to satisfy these.
18. The Councils requested condition No 9 seeking to remove permitted development rights has not been included. There is no justification for its imposition. Its reason of ensuring that development is carried out in accordance with the planning permission is addressed by condition 2 on the schedule.

#### **Conclusion**

19. For the reasons given above, and taking all other matters raised into account, I conclude that the appeal should be allowed.

*Richard Exton*

INSPECTOR

### **Schedule of conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 001, 002, 003, 004 and 005.
- 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) The dwelling hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. Development shall be carried out in accordance with the approved details and thereafter retained as such.
- 7) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 8) The dwelling hereby permitted shall not be occupied until there has been submitted to and approved in writing by the local planning authority details of the arrangements for cycle storage. Development shall be carried out in accordance with the approved details and thereafter retained as such.
- 9) No development shall commence until an energy statement has been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved statement.

The dwelling hereby permitted shall not be occupied until details of the arrangements for storing of waste and recycled materials have been submitted to and approved by the Local Planning Authority. The arrangements for storing waste and recycled materials shall not be carried out otherwise than in accordance with any approval given and shall be completed before any part of the accommodation hereby permitted is occupied and thereafter retained as such.