

Appeal Decision

Site visit made on 3 October 2016

by **C L Humphrey BA (Hons) DipTP MRTPI**

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

Decision date: 14th October 2016

Appeal Ref: APP/R5510/W/16/3151020

154 Joel Street, Northwood, Hillingdon HA5 2PE

- 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 Kandiah Vijay Kumar against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 36919/APP/2016/459, dated 5 February 2016, was refused by notice dated 8 April 2016.
 - The development proposed was originally described as "First floor side extension as approved in 36919/APP/2014/158; Conversion of dwelling into 2x dwellings and associated alterations".
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension, conversion of dwelling into 2 dwellings and associated alterations at 154 Joel Street, Northwood, Hillingdon HA5 2PE in accordance with the terms of the application, Ref 36919/APP/2016/459, dated 5 February 2016, subject to the conditions set out in the Schedule to this decision.

Procedural Matters

2. Notwithstanding the description of development set out in the banner heading above, which is taken from the application form, I note from the evidence before me that the design of the proposed first floor side extension differs to that approved under planning permission Ref 36919/APP/2014/158. It would therefore be appropriate to omit reference to the previous planning permission from the description of development. This revised description would not prejudice the parties involved, and I have therefore considered the appeal on that basis.
 3. The appellant has submitted minor revisions to the proposed plans which seek to address the Council's reasons for refusal in relation to character and appearance and outdoor amenity space. These revisions would have no impact upon neighbours, and the Council has had the opportunity to comment and has not raised any objections. Northwood Hills Residents Association objected to the planning application in relation to proposed parking provision. I note that the appellant advised the Residents Association of the revised plans prior to the submission of the appeal and that the revisions do not affect the proposal in relation to parking provision, a matter which I deal with below. I have based my decision on the revised plans since I do not consider that any party would be prejudiced or caused any injustice by my doing so.
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Main Issues

4. The main issues are the effect of the proposed development upon:
 - (a) the character and appearance of the area,
 - (b) highway and pedestrian safety, with particular regard to parking provision, and
 - (c) the living conditions of future occupants, with particular regard to outdoor amenity space.

Reasons

Character and appearance

5. The proposed first floor side extension would not increase the overall footprint of development on the site. The width of the proposed extension would be fairly modest in relation to the existing building frontage, and the roof design would echo the existing hipped roof form. Adequate spacing would be retained between the proposed development and the neighbouring dwelling to the south.
6. There is an extant planning permission Ref 36919/APP/2014/158 for a first floor side extension to the appeal property which is very similar in scale and design to that proposed in this case. There appears to be a reasonable prospect of the extant permission being implemented in the absence of an alternative permission. I have not seen any evidence to the contrary. Therefore, I give the fallback position considerable weight.
7. Although the appeal property already has a 2 storey rear extension, the moderate projection and subordinate roof form of this development ensure that it appears subservient to the main dwelling.
8. Overall, the cumulative effect of existing and proposed extensions would not result in an overly dominant building. The appeal site occupies a generous corner plot at the northern end of a row of substantial semi-detached dwellings which have wide frontages facing Joel Street. In that context, the proposed first floor extension and conversion into 2 dwellings would not appear out of place in the surrounding area.
9. I note the Council's concerns regarding the front elevation of the proposed development (as shown on Drawing Ref 193-PROP-06A) appearing unbalanced due to there being only 1 front door, offset to one side of the building frontage, to serve both proposed dwellings. The appellant has sought to address this matter through the submission of a minor revision to the scheme (as shown on Drawing Ref 193-PROP-06C at Appendix 2 of the submitted Statement of Case). The revised drawing shows the creation of 2 separate front doors within the front elevation. This would achieve greater architectural balance on the front elevation and reflect the use of the building as a semi-detached pair of dwellings.
10. There is a small amount of planting along the front boundary of the appeal site set behind the low boundary wall. Based on the evidence before me, the proposed development would not alter this existing boundary treatment or landscaping provision. Therefore, in this regard, the effect of the appeal proposal upon the character and appearance of the area would be neutral.

11. For the reasons set out above, the proposed development would not have a harmful effect on the character and appearance of the area. As such, the appeal proposal would accord with the design aims of Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two – Saved Unitary Development Plan Policies (LP2) and the Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Extensions.

Highway and pedestrian safety

12. The appeal site would accommodate 2 parking spaces in an open area to the front of the building. The Council's car parking standards require the provision of 1.5 spaces per dwelling to serve flats or houses with open car parking areas, and the proposed development would not achieve this. However, I have not been provided with any evidence to demonstrate that this under-provision would have a harmful effect on highway or pedestrian safety.
13. The appeal site is situated in close proximity to bus stops on Joel Street and Norwich Road which are served by regular bus services, and is within easy walking distance of Northwood Hills underground station. Furthermore, the site is well located in relation to shops, services, schools and recreational facilities. On that basis, occupants of the proposed development would be able to make use of sustainable modes of travel such as walking, cycling and public transport and would not be reliant upon the private car.
14. During my site visit I noted that there did not appear to be significant on-street parking pressure in the surrounding area. If overspill parking were to occur, existing restrictions would prevent indiscriminate parking in nearby bus stops or at the junction of Joel Street and Norwich Road.
15. It would be possible for vehicles using the proposed car parking spaces to independently enter and exit the site in a forward gear. This would ensure suitable and safe access to the site and minimise the potential for conflict with buses using the nearby bus stop, and pedestrian and vehicle movements associated with neighbouring land uses.
16. For the reasons set out above, the appeal proposal would not have a harmful effect on highway and pedestrian safety with particular regard to parking provision. As such, the proposed development would accord with the overall parking and highway safety aims of LP2 Policies AM7 and AM14 and the Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Layouts (SPDHDAS).

Living conditions

17. I note the Council's concerns regarding the provision of outdoor amenity space as indicated on Drawing Ref 197-PROP-07-B. The appellant has sought to address this matter through a minor revision to the appeal proposal as shown on Drawing Ref 193-PROP-07-D at Appendix 2 of the submitted Statement of Case.
18. The revised plan demonstrates that, through a slight realignment of the boundary fence dividing the back gardens, both of the proposed dwellings would benefit from more than 100m² of garden space. These gardens would be directly to the rear of each house, reasonably level and well-proportioned in terms of their width and depth and would thus be private and usable.

19. For the reasons set out above, the proposed development would not have a harmful effect upon the living conditions of future occupants with particular regard to outdoor amenity space. As such, the appeal proposal would accord with the amenity protection aims of LP2 Policy BE23 and the SPDHDAS.

Conditions

20. I have considered the Council's suggested conditions against the tests set out within the National Planning Policy Framework (Framework) and the advice provided by the Government's Planning Practice Guidance (PPG).
21. I have imposed a condition specifying the relevant drawings as this provides certainty. In order to ensure the suitable appearance of the development, I have imposed conditions relating to materials and boundary treatment. Conditions in respect of waste and cycle storage are necessary to secure sustainable development of a suitable appearance.
22. The Council has suggested a condition relating to a sound proofing scheme. This matter would be covered by the Building Regulations and I therefore do not consider that such a condition would be necessary in this case. As such, the suggested condition would fail the tests set out in the Framework and be contrary to advice in the PPG, and so I have not imposed it.

Conclusion

23. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

C L Humphrey

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:
Location Plan
Existing Layout 193-EX-03
Existing Layout 193-EX-04
Proposed Layout 193-PROP-06C
Proposed Layout 193-PROP-07-D
- 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) Notwithstanding Condition 2, the development hereby permitted shall not be occupied until full details of boundary walls, fences or other means of enclosure have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The boundary walls, fences or other means of enclosure shall thereafter be retained in accordance with the approved details.
- 5) Notwithstanding Condition 2, the development hereby permitted shall not be occupied until full details of the waste storage facilities to be provided on site have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The waste storage facilities shall thereafter be retained in accordance with the approved details.
- 6) Notwithstanding Condition 2, the development hereby permitted shall not be occupied until full details of the cycle storage facilities to be provided on site have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The cycle storage facilities shall thereafter be retained in accordance with the approved details.