

Appeal Decision

Site visit made on 3 February 2017

by Gary Deane BSc (Hons) DipTP MRTPI

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

Decision date: 13 February 2017

Appeal Ref: APP/R5510/D/16/3164847

8 Frankswood Avenue, West Drayton UB7 8QR

- 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 Purewal against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 72250/APP/2016/3608, dated 28 September 2016, was refused by notice dated 23 November 2016.
 - The development proposed is the erection of a single storey rear extension and garage conversion.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey rear extension and garage conversion at 8 Frankswood Avenue, West Drayton UB7 8QR in accordance with the terms of the application Ref 72250/APP/2016/3608, dated 28 September 2016, subject to the conditions set out in the schedule to this decision.

Main issue

2. The main issue is the effect of the proposed development on highway safety primarily for users of Frankswood Avenue.

Reasons

3. The appeal dwelling is a 2-storey semi-detached house on a residential cul-de-sac along which off street vehicle parking includes driveways and garages. At the side of No 8 is an attached single storey garage. This garage and the driveway in front of it collectively provide 2 off street parking spaces for the occupiers of the appeal property. The proposal to convert the garage to provide extra living accommodation would result in the loss of a parking space, but sufficient space would remain for 1 vehicle to be kept parked off the road.
 4. The Council considers that 2 off street parking spaces should be provided. In support of this approach, it refers to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (HLP), Policy 6.13 of the London Plan (LP) and the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document, *Residential Extensions* (SPD). HLP Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted car parking standards as set out in Annex 1. For dwellings with a curtilage, as is the case here, that part of Annex
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- 1 of the HLP that has not been 'struck through' states that 2 car parking spaces should be provided. That level of provision appears to apply whether or not the study within the converted garage may also provide an additional bedroom.
5. Annex 1 to the HLP makes clear that the level of provision specified is the maximum parking requirement. It therefore allows some flexibility to provide fewer car parking spaces where appropriate. LP Policy 6.13 similarly refers to maximum parking standards and states that these should be the basis for considering planning applications. In converting a garage into a habitable room, the SPD also notes that the local planning authority will assess the amount of off-street parking available. Given those circumstances, I consider that the loss of an off street parking space, as proposed, would not necessarily conflict with HLP Policy AM14, LP Policy 6.13 or with the SPD.
 6. The Council raises particular concern that the loss of an on site parking space would increase the demand for on-street parking that in turn would add to congestion and detract from public and highway safety. HLP Policy AM7 states that planning permission will not be granted where the traffic generation from development is likely to cause these problems. However, there is no detailed evidence before me to support the Council's assertions.
 7. During the mid-day site visit, I saw no evidence of any local streets being congested with parked cars nor is there any convincing evidence that these conditions occur at other times of the day when residents are more likely to be at home or would materialise if the proposal were to come forward. If no parking space were available on site it does not necessarily follow that drivers would decide to park inconsiderately, illegally or obstructively on the adjacent highways. Although I observed that Frankwood Avenue, Lovibonds Avenue and Royal Lane, which are the highways situated closest to the site, were used for vehicle parking, I saw no instances of such behaviour nor have any examples of these problems been drawn to my attention.
 8. According to the Council, the site lies within an area with a relatively low PTAL rating, which is a measure that classifies locations by distance from frequent public transport services. On that basis, local residents are generally more likely to be dependent on the car for travel than those in areas with a higher PTAL rating. Even so, I find no justification in this case to require 2 off street parking spaces to be retained. I conclude on the main issue that the proposed development would not result in significant harm to highway safety. As such, it does not conflict with HLP Policies AM7 and AM14, LP Policy 6.13 or the SPD.
 9. The Council raises no objection to the proposed rear extension and the alterations to the front façade of No 8. I, too find these elements of the appeal scheme acceptable in design, scale and general appearance. The character and appearance of the host building and the local area would be retained with the new built form and the external alterations in place. There would be no conflict with the relevant policies cited in the Officer's report in this regard.
 10. Reference is made to a proposal at 10 Lovibonds Avenue, which appears to be similar to the appeal scheme and according to the appellant was recently granted planning permission. While I have taken into account the background papers to this decision, I have assessed the proposal on its own merits, as I am required to do, and find it to be acceptable for the reasons given.

11. The occupier of an adjacent property raises no objection to the proposal but does request clarification with regard to the disposal of rainwater if the development sought is built. Such details are likely to be a private matter between owners and may be the subject of further control by the Council.

Conditions

12. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development be carried out in accordance with them as this provides certainty. To ensure the satisfactory appearance of the development, a condition is attached to require that the external materials match those of the existing building. These conditions reflect those suggested by the Council.

Conclusion

13. For the reasons set out above, I conclude that the appeal should be allowed.

Gary Deane

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 approved plans: FA PA 01 Rev A, FA PA 02 Rev A and FA PA 03 Rev A.
- 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.