
Appeal Decision

Site visit made on 14 August 2017

by Jonathan Hockley BA(Hons) DipTP MRTPI

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

Decision date: 24th August 2017

Appeal Ref: APP/R5510/W/17/3175352
7 Greatfields Drive, Uxbridge UB8 3QN

- 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 Enayit Hosseini against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 49086/APP/2017/638, dated 20 February 2017, was refused by notice dated 18 April 2017.
 - The development proposed is the conversion of dwelling house into 1 x 2-bed and 1 studio self-contained flats with associated parking and involving single storey rear extension and part demolition. Part conversion of existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are as follows:
 - Whether the proposed development would provide adequate living conditions for future residents of the scheme, with regard to provision of private amenity space
 - The effect of the proposed development on highway safety.

Reasons

3. Greatfields Drive is a three pronged cul-de-sac, providing access to a reasonably large number of mainly terraced houses off Pield Heath Road. The estate is laid out with parking to the front and rear gardens, and is surrounded on 3 sides by open land. No 7 Greatfields Drive lies on the eastern prong of the street, and is the end terrace house in a block of 4 properties. The houses are three storeys high, with flat roofs and buff brick facing on the ground floor and gable elevations. Each property has an integral garage projecting out from ground level, although the garage at No 10 Greatfields Drive appears to have been converted to living accommodation.
4. The proposal seeks to convert the existing 4 bedroom house into 2 flats, with a ground floor 1 bedroom flat and a 2 bedroom flat filling the upper 2 floors. As part of the proposal at ground floor level the garage would be converted into a bedroom, with the outer extent of the garage being reduced slightly, and a flat roof extension constructed to the rear.

5. At present the house has a rear garden measuring some 30m² according to the Council's figures, with an area of hardstanding to the front and side of the garage providing space for parking. The proposed rear extension would measure some 10m², again based on the Council's figures, leaving some 20m² of rear garden for the occupants of the lower flat. However, this would leave no amenity space for the residents of the upper 2 bedroom flat. This flat would utilise the middle storey of the property for kitchen/lounge/diner, with 2 double bedrooms and a bathroom on the top floor, and would consequently be of a size which I consider may well attract a small family.
6. Policies BE19 and BE23 of the Local Plan Part Two¹ together state that the local planning authority will seek to ensure that new development in residential areas improves the amenity of the area and provides or maintains external amenity space which is sufficient to protect the amenity of the occupants of the proposed buildings. The Council's Residential Layouts Supplementary Planning Document² (the SPD) aims to help produce new homes inspired by good design which are desirable to live in and improve the quality of the existing environment. The SPD states that garden space should be of an appropriate size, having regard to the size of the flats and character of the area, with house conversions providing adequate garden space according to the number of units created. For 1 bed flats a minimum of 20m² of shared amenity space should be provided, with 25m² for 2 bedroom flats. Balconies should be provided wherever possible for upper floor flats.
7. While the future occupants of the ground floor flat would therefore have access to private rear amenity space of the level expected by the SPD, the upper, larger, flat would have no access to any amenity space; nor would a balcony partially mitigate such lack of space. The appellant notes that the estate is surrounded by open land mainly consisting of the Colham Green Recreation Ground. I noted the presence of this public open space on my visit. However, the recreation ground mainly seemed to be located and accessed at the opposite end of the estate/cul-de-sac. Furthermore, this would provide public open space, as opposed to private amenity space.
8. I therefore conclude that the proposed development would not provide adequate living conditions for the future residents of the upper flat of the scheme, with regard to provision of private amenity space. The proposal would be contrary to policies BE19 and BE23 of the Local Plan, to the SPD, and to the National Planning Policy Framework, which states that planning should always seek a good standard of amenity for all future occupants of buildings.

Highway Safety

9. At present No 7 has space for 1 car to park externally on the hardstanding, with a further space provided for in the garage. The proposed moving back of the front garage wall would allow space for 2 cars to park on the front drive of the property. In addition to this there is a wide range of on street parking bays allocated nearby for local residents. The plans also indicate a narrow path could be left to the side of the car parking spaces for pedestrian access to the front doors of the flats, with space also allowed for a small external bin store.

¹ London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies, 27th September 2007.

² London Borough of Hillingdon, Hillingdon Design and Accessibility Supplementary Planning Document, Residential Layouts, July 2006

10. The Council express concerns that sufficient off street parking/manoeuvring and pedestrian access arrangements have not been shown to be provided. Policies AM7 and AM14 of the Local Plan state that the Council will not grant permission for developments whose traffic generation is likely to prejudice the free flow of traffic or conditions of general highway or pedestrian safety, and that new development will only be permitted where it is in accordance with the Council's car parking standards. In their Officer report the Council confirm that 2 parking spaces should be provided, one for each flat. The proposal would achieve this.
11. The Highways Officer of the Council considers that the width left for pedestrian access would be substandard and unacceptable. However, whilst fairly narrow, the plans indicate that pedestrian access could still be achieved. Given this, the limited scale of the scheme, the 2 car parking spaces that would be provided and the availability of local on street parking for residents I do not consider that the proposal would cause harm to matters of highway or pedestrian safety.
12. I therefore conclude that the proposed development would not have an adverse effect on highway safety. The proposal would comply with policies AM7 and AM14 of the Local Plan, as well as with the SPD which states that car parking should be provided in accordance with the standards and safe and conveniently located for all users. The decision notice also refers to supplementary planning guidance concerning residential extensions. However, I have not been supplied with a copy of this document so am unable to consider this guidance further.

Other matters

13. I note that the proposal would provide much needed rental property in an area of high demand, close to a University and Hospital. However, I do not consider that the limited benefits of 1 additional housing unit would outweigh the harm the scheme would cause.

Conclusion

14. I have concluded that the proposal would not cause harm to matters of highway safety. However, this does not outweigh my concerns over the lack of private amenity space that the proposal would provide for the future residents of the upper flat.
15. For the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Jon Hockley

INSPECTOR