



Appeal Decision

Site visit made on 7 August 2017

by Alexander Walker MPlan MRTPI

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

Decision date: 29th August 2017

Appeal Ref: APP/R5510/W/17/3174697

47 Joel Street and 18-19 Ferndown, Northwood Hills NA6 1NZ

- 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 D Harding of April Investments Ltd. against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 17155/APP/2016/3514, dated 16 September 2016, was refused by notice dated 30 November 2016.
 - The development proposed is the removal of lean-to building on Ferndown, new build of one additional storey over lower ground floor providing one no. 1-bedroom flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are the effect of the development on highway safety, with particular regard to parking provision; and, whether the proposal would provide adequate living conditions for future occupants, with particular regard to outlook, light, privacy and amenity space.

Reasons

Living Conditions

3. The London Borough of Hillingdon Design and Accessibility (HDAS) Supplementary Planning Document: Residential Layouts (SPD) 2006 states that *'where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible overdomination'* and sets a minimum distance of 15m. The proposed bedroom would be served by a patio door and side light which would provide access to a small balcony. The distance between the patio door and the adjacent elevation of the neighbouring property to the south would be approximately 2.5m. Furthermore, the patio door would also be within 15m of the nearby four-storey building. As a consequence, the patio door would receive limited natural light and the outlook from it would be limited to blank brick walls. Consequently, the lack of natural light and outlook would provide an oppressively confined form of accommodation that would be detrimental to the living conditions of the occupants of the flat.
4. The neighbouring property to the south has a roof terrace, which would be within proximity of the bedroom patio door and the balcony. As a result of its proximity and elevated position, users of the terrace would have clear views

into the bedroom and the balcony and therefore have a harmful effect on the level of privacy afforded to its occupants. I note that the patio door is set within a recess, which would restrict views into it to some extent. However, the recess exacerbates the lack of light and outlook.

5. In terms of amenity space, the SPD requires a minimum of 20 sqm of amenity space for a 1 bedroom flat. The Council refer to a figure of 25 sqm. However, this appears to relate to 2 bedroom flats.
6. The Mayor of London's Housing Supplementary Planning Guidance (SPG) 2016 states that 1-2 person dwellings should provide a minimum of 5 sqm of private outdoor space. Given that the SPG provides the most up-to-date guidance on housing standards for London, I attribute it significant weight. The SPD predates the London Plan and its SPG and therefore I attribute it limited weight in respect of private amenity spaces standards.
7. The appellant confirms that the proposal would provide approximately 12.5 sqm of private amenity space across both of the balconies. This significantly exceeds the SPG's minimum requirement of 5sqm. I find therefore that the proposed private amenity space would provide adequate outdoor amenity space to meet the needs of the occupants of the flat.
8. Whilst I have found that the proposal would provide adequate outdoor private amenity space, it would nevertheless have a significantly harmful effect on the living conditions of the future occupants of the flat, in respect of light, outlook and privacy. As such, it would be contrary to Policies BE19, BE20, BE21 and BE24 of the London Borough of Hillingdon Local Plan Part 2: Saved UDP Policies (LP2) 2012 and Policy 3.5 of the London Plan 2016, which seeks to protect residential amenity.
9. In their reasons for refusal, the Council also refer to Policy 5.3 of the London Plan 2016. However, I have found that the proposal complies with the SPG and therefore find no conflict with Policy 5.3.

Highway Safety

10. The demolition of the existing rear garage would create a forecourt that would contain one parking space, a bin storage and bicycle storage. There are currently no parking spaces on the site.
11. Policy AM7 of the LP2 seeks to ensure that development does not result in harm to highway or pedestrian safety. Policy AM14 of the LP2 states that new development will only be permitted where it is in accordance with the Council's Adopted Car Parking Standards, which are set out in Annex 1 of the LP2. Annex 1 requires 1.5 spaces per dwelling. However, given the site's location and good local connectivity, the Council confirms that 1 space would be sufficient. The site has a PTAL rating of 3 and is within reasonable walking distance of frequently serviced bus routes and Northwood Hills Underground Station. Accordingly, I find no reason to disagree with the Council's view that 1 space would be sufficient.
12. Whilst the proposal does provide 1 car parking space, the Council contend that this space has previously been shown as being a visitor space for other authorised development and therefore its loss, in order to serve the proposed development, is not acceptable. However, I have no details before me of what the authorised development the Council refers to is. Therefore I can only

attribute very limited weight to this matter. Accordingly, I have determined the appeal on an assessment of the proposal before me.

13. Notwithstanding the above, whilst the immediate stretch of Ferndown has restricted parking, further along it does not. In addition, much of the neighbouring street, Briarwood Drive, is also unrestricted. I observed during my site visit, which was early afternoon, that there was a moderate amount of on-street parking. I appreciate that this was only a snap-shot in time. However, in the event that the proposal would result in the loss of a parking space to serve an authorised use, I am satisfied that an additional car could be accommodated through on-street parking without severe harm to highway safety.
14. The Council contend that the proposal would not provide any cycle parking spaces. However, the plans before me clearly indicate cycle parking provision, which the appellant confirms would provide 8 spaces to serve the existing uses and the proposed flat. Based on the evidence before me, it seems that this would be sufficient cycle parking provision.
15. I find therefore that the proposal would not significantly harm highway safety and as such accords with Policies AM7 and AM14 of the LP2. In addition, it would also comply with the SPD, which seeks to ensure that development provides adequate parking in accordance with the Council's parking standards.

Other Matters

16. I note the concerns raised regarding previous applications made for the appeal site. However, the details, including the Council's consideration of these schemes and their reasons for refusal are not before me. Therefore my assessment of the appeal has been based on the merits of the proposal.

Conclusion

17. I have found that the proposal would not significantly harm highway safety. However, this is a neutral effect and does not outweigh the harm I have found in respect of the inadequate living conditions provided for future occupants of the flat.
18. For the reasons given above, having regard to all matters raised, the appeal is dismissed.

Alexander Walker

INSPECTOR