
Appeal Decision

Site visit made on 14 October 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 October 2019

Appeal Ref: APP/R5510/W/19/3234605

Park Farm House, Ducks Hill Road, Northwood HA6 2NP

- 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 Vedaant Patel of Finhast Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 272/APP/2019/261, dated 20 January 2019, was refused by notice dated 11 April 2019.
 - The development proposed is described as "conversion of basement to dwelling."
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. At my site visit I was unable to access the internal basement area proposed to be the new dwelling. From inspections of the exterior of the building and the submitted evidence I am satisfied that I can make a decision on the appeal.

Main Issue

3. The main issue is whether the proposed property would provide satisfactory living conditions for its future occupiers with regards to outlook, ventilation and light.

Reasons

4. The proposed property has an open plan arrangement with kitchen/living area, a bathroom and a bedroom at basement level. Policy 3.5 of the London Plan 2016 (LP) states that housing accommodation should be of the highest quality internally with the relative size of all new homes being a key element. It therefore requires that development reflects minimum space standards as set out in the Nationally Described Space Standards (NDSS).
5. The NDSS states that a one storey one bed dwelling that can accommodate two persons the minimum floor space should be 50 square metres (sqm). The appellant has described the proposal as a one person dwelling however, the submitted plans show a double size bed in the bedroom and therefore it is clear that the property could accommodate up to two persons. The proposed floor space of the dwelling would be around 46sqm and therefore under the minimum requirement described in the NDSS. The proposed dwelling would not provide sufficient space to satisfactorily meet the day to day needs of its

- occupants, and would have a cramped environment, given the property's narrow width and the possibility of it accommodating two persons. Accordingly, I find that the proposal would fail to provide satisfactory living conditions for its occupiers. The appellant has suggested that a condition could be imposed to limit the property for use by one person however, a condition of this nature would not be enforceable and would not make the development acceptable.
6. The proposal would include a windows and a door into the bedroom and a window and door into the kitchen/living area. The proposed windows would be in the location of original openings and would be mainly below ground level with the proposed doors to be glazed. There are no buildings located opposite the proposed windows and there would be a small angle from the window in which the skyline would be visible. However, the outlook from these windows would be primarily onto the wall of the lightwell which would only be a short distance from the windows. The proposed door into the bedroom is also sunken below ground level and the kitchen/living room door looking out onto yard area and high fencing. Given the position of the windows and doors, the outlook from the proposed dwelling would not be satisfactory and would be detrimental to the living conditions of future occupiers.
 7. The size and location of the windows and doors would prohibit sufficient amounts of light from entering the property. The appellant has referred to Code for Sustainable Homes, BREEAM assessment and Building Research Establishment Standards, and also provided data in terms of the average daylight factor for the proposed rooms. However, full calculations of this data has not been provided and from the evidence before me I am not convinced that the proposal would not have an adverse effect on the living conditions of future occupiers in terms of light.
 8. The appellant has indicated that the proposed doors and windows would be able to be fully opened to allow cross flow ventilation and comply with Building Regulations so as to provide 1/20th of the floor area opening and also allowing adequate means of escape. Given the layout of the proposal and the location of the openings, the dwelling would have adequate ventilation which would not be to the detriment of future occupiers.
 9. Notwithstanding the above consideration, I still find that the size of the property would provide a cramped environment with minimal outlook and light which would be harmful to the living conditions of future occupiers. The proposal would not comply with Policies 3.5 and 5.3 of the LP, the Housing Standards minor Alterations to the London Plan 2016, Mayor of London Housing Supplementary Planning Guidance London Plan 2016, Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part 2 – Unitary Development Plan Saved Policies 2012 and the Hillingdon Design and Accessibility Statement Supplementary Planning Document Residential Layouts 2006 which seeks development to complement or improve amenity, achieve adequate daylight and not result in a significant loss of residential amenity.
 10. The proposal would not change the volume of the existing building and there would be no adverse effects on the Green Belt, landscape or ecology in the area. It would meet Building Regulation Standards and Secure by Design Police requirements. The proposal would not detrimentally affect the living conditions of neighbouring occupiers or adversely affect pedestrians. I have had regard to the appellants statement of case including that the Office for National Statistics

indicates a need for one bedroom flats, that the property would generate a sustainable mixed housing type which would enhance the community, and the proposed design has been revised from a previously unacceptable scheme. These matters however would not outweigh the harm I have identified above to the living conditions of future occupiers.

Conclusion

11. I conclude that for the reasons given above, the appeal should be dismissed.

Chris Baxter

INSPECTOR