



Appeal Decision

Site visit made on 4 February 2020

by B Davies MSc FGS CGeol

an Inspector appointed by the Secretary of State

Decision date: 24 February 2020

Appeal Ref: APP/R5510/W/19/3241640

71A Station Road, Hayes, UB3 4BG

- 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 Hamed Amirzadah against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70288/APP/2019/1003, dated 21 March 2019, was refused by notice dated 1 October 2019.
 - The development proposed is 'conversion of loft space to form habitable accommodation'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. A new Local Plan document¹ was adopted between the date of the application and the appeal decision. This replaces the Local Plan Part 2 Saved UDP Policies (2012). Both parties have had the opportunity to comment on any relevant implications for the appeal.
3. The 'as existing' drawings are inaccurate through omission of loft windows, both on the host and neighbouring properties. However, this inaccuracy does not have a significant bearing on my decision, so I have proceeded based on the submitted drawings.

Main Issues

4. The effect of the proposals on:
 - The character and appearance of the area;
 - The living conditions of occupants, with particular regard to daylight and outlook in the bedrooms;
 - Highway safety (local car parking).

Reasons

Character and Appearance

5. The site is to the rear of a row of terraced shop fronts in a built-up urban area. All of the buildings appear to have had rear extensions of varying styles and finishes, although no other box dormers were observed nearby during the site

¹ London Borough of Hillingdon, Local Plan Part 2, Development Management Policies, Adopted January 2020

- visit. The rear of the terrace is overlooked by a large block of flats, with a small children's play area and mature trees in between. The roof of No 71A can be seen from the public domain from the curve in Crown Close and from the play area. However, the prominence of the roof is reduced by virtue of it being off the main road, partly behind another building and partially screened by trees.
6. There is no objection raised by the Council to the insertion of two rooflights at the front of the host property and I concur with this decision.
 7. Policy DMHD1 of the Local Plan requires that extensions appear subordinate, there is a satisfactory relationship with adjacent dwellings and there is no adverse impact on the character and appearance of the street. Roof extensions should not be top heavy, should not cover more than a third of the roof and should 'retain a substantial element of the original roof slope above the eaves line'. The Hillingdon Design and Accessibility Statement: Supplementary Planning Document (2006) has been adopted and I therefore give the recommended specification for roof extensions substantial weight in my decision. The base of the dormer should be at least 0.5 m above the eaves, at least 0.5 m from the sides of the roof and 0.3 m below the ridgeline. The first two criteria are met, but the base of the dormer would sit just above the eaves, which would cause the dormer to appear bulky, in conflict with the requirements of Policy DMHD1.
 8. I have balanced the harmful effect on appearance of the dormer dominating the roof through its proximity to the eaves against the markedly subservient width and obscured view of the development from the public domain. Overall, I consider the proposal to be in conflict with local policies that aim to protect the character and appearance of the area.

Living Conditions

9. The front top floor bedroom would only be lit by two rooflights, which based on the plans appear too high to provide a comfortable outlook. I have considered this drawback in context with the rest of the development and, given that there would be no windows in the shared kitchen and minimal outlook from the bathrooms, the only opportunity for outlook would be from a single window in the communal room. Overall, I consider this to be a poor standard of living for the occupants, in conflict with Policy DMHD11 and Policy 3.5 of the London Plan, which require that all development is designed to the highest standards.
10. The rear side-facing bedrooms would overlook the neighbouring roof and wall at a distance of approximately 2.5 m. Although not explicit in Policy DMHD11, the supporting text, to which I give some weight, says the Council will seek to ensure development optimises levels of daylight and expects the BRE guidance to be followed, although this analysis is not in the documents before me. It is obvious however that outlook would be greatly impeded by the neighbouring house, although I do allow for some benefit from an oblique view of the trees and open area to the rear. Again, when put in context with the lack of outlook from the wider development, this is not considered to be a high standard of living, in conflict with the local policies.

Parking

11. The proposal is for four bedrooms, effectively in a multiple occupancy house and no parking is proposed. Policies DMHD1 and DMT 6 requires that adequate

off-street parking is retained, as set out in Table 1, Appendix C, which specifies that for an HMO with up to 6 occupants, a maximum of 6 spaces should be provided.

12. These standards can be varied if there would not be an impact on street parking and a transport appraisal is provided. Given the location's excellent public transport links and proximity to local facilities, it would be reasonable to significantly reduce this. I have had regard to relevant adopted local planning guidance² that there should be at least one off-street space for a development of this type, and I agree that given the number of bedrooms there would ideally be some provision for parking. During the site visit, I observed that on-street parking was available nearby along Crown Close, which although restricted during the day, would provide scope for parking if necessary. When considered in the context of exceptionally good links to public transport, I do not find conflict with local policies for parking provision.

Conclusions

13. Notwithstanding my conclusion on lack of harm due to absence of parking provision, the harm I have identified to the character and appearance of the area, the unsatisfactory living conditions that the development would provide, and the conflict with relevant development plan policies, justifies withholding planning permission. For these reasons, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

B Davies

INSPECTOR

² Houses in Multiple Occupation and other non-self contained housing: Supplementary Planning Guidance to the Hillingdon Unitary Development Plan (2004)