
Appeal Decision

Site visit made on 9 November 2020

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 30 November 2020

Appeal Ref: APP/R5510/W/20/3245953

9 Princes Park Lane, Hayes UB3 1JS

- 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 Neeraj Sehgal against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 68414/APP/2019/3515, dated 18 October 2019, was refused by notice dated 20 December 2019.
 - The development proposed is described as the conversion of the property side extension into 1 studio flat.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are;
 - Whether the proposal would provide a suitable standard of accommodation and amenity space
 - The effects of the proposed parking provision.

Reasons

Accommodation and Amenity Space

3. The proposal is described by the appellant as a studio flat but the submitted drawings clearly show a separate living/kitchen area at ground floor and a bedroom at the first floor. I consider this to be a proposed 1 bedroom flat. In addition, the remaining dwelling would have 3 bedrooms, as set out by the Council, as the room indicated as a study could clearly be used as a bedroom.
4. The proposed bedroom within the newly created flat would have a floor area of 17.9 sqm, according to the Council's figures, and I note that the appellant does not seek to dispute this. In my view this would make the bedroom a double bedroom and the proposed flat would be likely to be occupied by 2 people.
5. The London Plan states in Policy 3.5 and Table 3.3 that a 1 bedroom, 2 person unit should have a minimum floor area of 58 sqm. The proposal would be 39 sqm. Therefore, as the proposal would be judged as a 2 person unit, in my view, the internal area would be insufficient to provide a suitable standard of accommodation. As a result, the proposal is contrary to Policy 3.5 of The

London Plan and Policy DHMB 16 of the London Borough of Hillingdon Local Plan Part 2 – Development Management Policies (DMP).

6. The proposed external amenity space for the new unit would be 28 sqm and the remaining existing dwelling would have 38 sqm. Policy DHMB 18 of the DMP states that the minimum private outdoor amenity space for a 1 bedroom unit is 40 sqm and for a 3 bedroom unit is 60 sqm. Therefore, the proposal would fall significantly short of these minimum requirements. As a result, they would both fail to provide sufficient amenity space for the occupiers of the 2 units, contrary to Policy DHMB 18.

Car Parking

7. The proposal indicates that 2 car parking spaces would be provided for the residents of the appeal site. Notwithstanding the Council's normal requirement for a total of 3 spaces for the units, the Council also indicates that 1 of the spaces would not be of a sufficient size. Furthermore, the access for the car parking area is from the pedestrian dropped kerb which is denoted by tactile paving. Not only would this raise conflict between pedestrians and vehicles but it would also entail cars driving over a considerable width of pavement here, giving rise to additional safety concerns, in my view.
8. This, combined with the provision of only 1 space of a suitable dimension, would mean that the proposed parking provision would be inadequate and unsafe. Therefore, I judge that the proposal would be contrary to Policy DMT 6 of the DMP.

Conclusions

9. For the reasons set out above, the proposal raises conflict with the adopted policies of the DMP. I find no matters which are sufficient to outweigh that harm. As a consequence, the appeal is dismissed.

ST Wood

INSPECTOR