



Appeal Decision

Site visit made on 4 January 2021 by C Brennan BAE (Hons) M.PLAN MIPI

Decision by Andrew Owen BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st February 2021

Appeal Ref: APP/R5510/W/20/3260216

32 Hillingdon Hill, Uxbridge UB10 0JB

- 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 B Dhillon of PMSE Property Investments Ltd against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 74858/APP/2020/521, dated 13 February 2020, was refused by notice dated 8 April 2020.
- The proposed development is change of use from C3 dwelling house to C4 multiple occupancy 6 person HMO.

Decision

1. The appeal is allowed and planning permission is granted for change of use from C3 dwelling house to C4 multiple occupancy 6 person HMO at 32 Hillingdon Hill, Uxbridge UB10 0JB, in accordance with the terms of the application, Ref 74858/APP/2020/521, dated 13 February 2020, subject to the following conditions:
 1. The development hereby permitted shall begin not later than three years from the date of this decision.
 2. The development hereby permitted shall be carried out in accordance with the approved plans: Location Plan at 1:1250 scale, 32 001 and 32 002.
 3. No part of the development shall be occupied until details of facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the local planning authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.
 4. Within three months of the date of this approval, details of a sound proofing scheme, certified or to the certifiable standards of the Association of Noise Consultants (ANC) or UK Accreditation Services (UKAS), between each floor shall be submitted to the local planning authority for approval in writing, and implemented as approved within 6 months of the date of this permission.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
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Main Issue

3. The main issue is the effect of the proposed development on on-street parking and highway safety.

Reasons for the Recommendation

4. The appeal site accommodates a two-storey, mid-terrace property. It forms part of a row of similar properties on the southern side of Hillingdon Hill, numbered 2a-40, which lie adjacent to a busy one-way carriageway.
5. Policy DMT 6 of the Hillingdon Local Plan: Part Two – Development Management Policies 2020 (the Local Plan), states that development proposals must comply with the parking standards set out in Appendix C, Table 1. This Appendix states that a maximum of one space for every two occupants can be provided for HMOs with up to 6 occupants. As there is already one off-street parking space, the provision of off-street parking would fall under the maximum requirement for three spaces. The proposal would therefore comply with the Appendix and so would also comply with Policy DMT 6.
6. I saw during my site visit that many of the properties within the row feature off-street parking. There are also numerous on-street parking spaces available from the front of No 14 towards a bus stop located a short distance beyond the eastern end of the row, many of which were available during the time of my site visit, albeit I accept during the evenings this area would most likely be more heavily parked. Nonetheless, given that many properties have off-street parking spaces, the ample availability of on-street parking, the lack of any robust evidence indicating that there are considerable pressures on local parking capacity and the nearby bus stop that would provide future occupants with an alternative to private vehicular ownership, I consider that the likely parking demand generated by the proposal would not result in any unacceptable harm to on-street parking or highway safety such that the free flow of traffic would be affected.
7. I note the Council's comments relating to car ownership within the ward. However, it is conceivable that the existing dwellinghouse in its current C3 use could accommodate four or five people that could each have their own car. While the slight increase in the maximum occupancy of the property as a result of the proposal may increase on-street parking demand, I do not consider that such an increase would be so great that it would unacceptably harm the existing supply of on-street parking capacity or highway safety.
8. In their statement, the Council reference to a residents' parking management scheme. However, this does not extend to evenings and weekends, so would appear to be designed to control parking by non-residents during the day, perhaps related to Brunel University nearby, rather than excessive amounts of residents parking at evenings and weekends. Furthermore, it is not clear whether the incidents of a resident's driveway being blocked were due to high parking demand in the area, or whether drivers were just taking advantage of existing road markings which suggested that there was still an on-street parking space in front of the driveway.
9. I note the Council's reference to a similar application at No 34 Hillingdon Hill, Ref 9963/APP/2014/1196, which was refused on parking grounds. Since then, however, a retrospective application for an HMO conversion at the same site,

Ref 9963/APP/2015/4634, was allowed on appeal. In their decision, the Inspector found that the Council had not provided any evidence to suggest that there were issues in the area with on-street parking or congestion. Although the scheme before me is larger, I am similarly not persuaded by the Council's evidence and so have arrived at a similar conclusion.

10. For the above reasons, I conclude that the proposed development would not cause unacceptable harm to on-street parking and highway safety. The proposal would therefore comply with Policy DMT 2 of the Local Plan, which states that development proposals must ensure that safe and efficient vehicular access to the highway network is provided to the Council's standards. The proposal would also comply with Policy DMT 6 of the Local Plan, as set out above.

Other Matters

11. While I note that properties within the surrounding area are predominantly single family dwellinghouses, there are also some examples of HMOs. Given that the proposal would result in the conversion of only a single dwellinghouse, I do not consider that it would unacceptably alter the overall character of the surrounding area.
12. As the property would be in use as an HMO, it would not necessarily be the case that only students would occupy the appeal site. Even if this was the case, fears that the property would become a source of excessive noise are unfounded.

Conditions

13. The conditions which are imposed are mostly those which have been suggested by the Council. In addition to the standard timeframe condition, I have imposed a condition requiring that the approved scheme must be built in accordance with the approved drawings in the interests of certainty.
14. I have found it necessary to impose a condition requiring that details of the proposed bin storage facilities are submitted to and approved by the Council before development commences. This is to ensure that the approved scheme would have an acceptable effect on the character and appearance of the site and surrounding area. However, as details of secure, covered cycle storage are clearly set out within the approved drawings, I have not found it necessary to require that any further details are submitted on this aspect of the scheme.
15. In order to ensure that occupants would have sufficiently high standards of living accommodation, I find that it is necessary to impose a condition requiring details of a sound proofing scheme to be submitted and approved by the Council, and for the scheme to be subsequently implemented within a reasonable timeframe.
16. As building regulations lie outside of the remit of town planning, I have not imposed the suggested condition relating to Approved Document M of the Building Regulations.
17. The Council have suggested three conditions relating to hard and soft landscaping. However, as the proposal does not seek to make any further changes to outdoor areas, I do not consider that any of these conditions are necessary in this case.

Conclusion and Recommendation

18. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed.

C Brennan

APPEAL PLANNING OFFICER

Inspector's Decision

19. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

Andrew Owen

INSPECTOR