



Appeal Decision

Site visit made on 20 December 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th January 2022

Appeal Ref: APP/R5510/W/21/3281582

93 New Peachey Lane, Uxbridge UB8 3SY

- 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 V Chadha against the decision of the London Borough of Hillingdon.
 - The application Ref 55525/APP/2021/438, dated 20 January 2021, was refused by notice dated 12 April 2021.
 - The development proposed is Proposed 4m deep single storey rear extension, proposed enlargement of existing rear roof dormer and conversion of single family dwelling to 2 two-bed flats.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - The character and appearance of the local area;
 - The living conditions of the proposed occupants with regards to internal space;
 - The living conditions of the adjacent occupants with regards to outlook and light levels; and
 - Whether or not it would lead to pedestrian and highway safety concerns.

Character and appearance

3. The local area is characterised by short rows of two storey houses within a densely built up suburb. Whilst part of a short terrace, the appeal property is an end house on the west side of the road. It is attached to Number 95 New Peachey Lane and adjacent to Number 91 where a single storey extension attaches both dwellings together and is set back from the front building line.
4. The proposed rear dormer window at the scale and mass, virtually the full width of the roof of host dwelling would appear as an excessively large and bulky top-heavy addition to the roofscape of the appeal dwelling, irrespective that it would be set slightly below the ridge line or above the eaves of the dwelling. It would dominate the roof slope and would be seen in private views as a prominent feature to the rear elevation.

5. It would be partially visible from the street scene between this dwelling and Number 91 as this adjacent dwelling has a hipped roof that would allow the dormer to be seen in glimpses between houses and above the adjoining single storey elements. Even though the 'overall pattern of development' may not be altered, and it may not be located within a statutorily designated area, with materials that could match the host dwelling, nonetheless, the proposed dormer would appear visually intrusive and lead to adverse harm arising to the character and appearance of the host property and to the character and appearance of the local area.
6. Furthermore, rear dormer windows are not a dominant characteristic of the local area although there is another rear box dormer window located mid-row of this short terrace. However, it is not precisely the same circumstances as the proposal before me given it is mid-row and is not seen from the wider street scene due to its position.
7. Therefore, to conclude, the proposed rear dormer would detrimentally harm the character and appearance of the appeal property and the local area contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies 2012 and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020 in their combined design aims.

Living conditions – proposed occupants

8. The Council do not raise concern relating to internal spacing standards associated with the ground floor flat and I have no reason to disagree with these findings.
9. The upper floor flat would occupy the first floor and the roof space with new dormer to provide accommodation for the two bedroom flat. The London Plan 2021 advises on the minimum gross internal floor areas for a two bedroom flat for three and four persons across one storey and two storey dwellings. The appellant asserts they would provide adequate internal space.
10. However, even if I were to conclude there would be sufficient internal space to provide acceptable living conditions for the future occupants, the upper floor flat would be reliant on the space within the dormer window to meet the required internal spacing standards. As I have found the proposed dormer to be an adverse addition to the dwelling, I can only conclude that the proposal would not meet the required internal spacing standards as a consequence and therefore the living conditions of the future occupants would be harmed.
11. To this end, it would result in detrimentally negative effects on the living conditions of future occupants and would be contrary to the housing standards of Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020, the Mayor of London's adopted Supplementary Planning Guidance - Housing 2016 and the Technical Housing Standards - Nationally Described Space Standard 2015 as well as Policy D6 and Table 3.1 of the London Plan 2021 to meet housing quality and standards.

Living conditions – adjacent occupants

12. The appeal property has been extended single storey to the rear elevation. The proposal would further extend the dwelling to the rear with an overall rear projection of approximately 4m along the party boundary with Number 95.

13. The attached neighbour has extended full width to the rear elevation and this is currently longer than the existing extension of the appeal property. Although the Council comment that this extension does not have a permanence to it, it is enclosed on all sides, in the majority using with solid timber and is used as an extension to their dwelling with windows and doors, irrespective of the corrugated plastic roof over. I am of the view that its appearance has a permanence to it.
14. The proposed extension would be slightly higher than this. However, taking into account the combination of existing boundary treatment and the location of the adjacent neighbour's structure in relation to the proposed extension, it would not result in a loss of light or outlook to the adjacent occupants. I therefore find no harm would arise to their living conditions.
15. Therefore, to conclude on this main issue, the proposal would be an acceptable addition to the property as it would not lead to harm arising to the living conditions of adjacent occupants and would therefore accord with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020 in their aims for development not to adversely impact on the amenity of adjacent properties.

Highway and pedestrian safety

16. The area is described by the Council as having a rating of PTAL 1b; very poor in relation to access to public transport. Consequently, there would be a greater reliance on the private car.
17. There is existing hardstanding located directly outside the appeal property where parking for two vehicles is available. A conversion into two independent flats of two bedrooms each would, according to the Council, generate parking 'in the range of 2-3 car parking spaces'. Due to the location of the front porch, there would be insufficient space outside the dwelling to accommodate more than two parking spaces.
18. I could see that the local area suffers from parking stress with a dominance of cars parked on-street. Displaced cars as a result of the proposal would intensify this issue. Local roads may not be subject to restricted parking. However, given its poor PTAL rating and the volume of cars parked on-street, without parking surveys to demonstrate there would be no unacceptable impact upon pedestrian and highway safety, in accordance with paragraph 56 of the National Planning Policy Framework, it would not be reasonable to impose planning conditions as I cannot be certain a solution could be achieved to mitigate its impact upon the highway.
19. Therefore, to conclude on this main issue, insufficient off-street parking would be provided as a result of the proposal. It would lead to on-street parking stress to the detriment of pedestrian and highway safety. This would be in conflict with Policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020 and to Hillingdon's Adopted Parking Standards as set out in Appendix C of the Hillingdon Local Plan: Part Two - Development Management Policies 2020 and Policies D4 and D6 of the London Plan 2021 in their combined objectives for development to be of good design and not to harmfully impact upon highway and pedestrian safety.

Conclusion

20. Even though I have found the proposed rear single storey extension to be acceptable development in this location, in other respects the proposal would cause detrimental harm to the living conditions of future occupants of the upper floor flat and lead to significantly negative effects upon the character and appearance of the local area as well as pedestrian and highway safety. It may increase housing provision within the local area as well as the additional economic and social benefits. However, the addition of one dwelling and the resultant benefits would be a small contribution. All things considered, the small benefits and lack of harm to adjacent occupants would not overcome the overall adverse effects I have identified.
21. Therefore, for these reasons, I have found the scheme would be unacceptable. As it would lead to conflict with the development plan taken as a whole, there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR