



Appeal Decision

Site visit made on 25 January 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2022

Appeal Ref: APP/R5510/W/21/3282192

86 Lansbury Drive, Hayes UB4 8SD

- 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 Jag Rai against the decision of London Borough of Hillingdon.
 - The application Ref 71942/APP/2021/2184, dated 29 May 2021, was refused by notice dated 26 July 2021.
 - The development proposed is Part single storey, part two storey rear extension, conversion of roof space to habitable use to include a rear dormer, 4 front rooflights and conversion of roof from hip to gable end, removal of front porch, single storey outbuilding to rear and conversion to 2 x 1 bed (2p) self-contained 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 achievement and maintenance of balanced communities, including the supply of family-sized dwellings; and
 - The character and appearance of the surrounding area.

Reasons

Balance and mix of housing

3. Policy DMH4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) (LP) seeks to control residential conversions in the Borough and specifies that the internal floor area of the original building to be converted should be at least 120m². In part, this is to protect the supply of family sized dwellings.
4. The appeal property is a two-storey, three-bedroom end terrace dwelling with a good-sized garden to the rear. According to the application form it has an existing gross internal floor area of 80.7m². As such, its size and layout are suitable for family occupation.
5. Even though the proposals would increase the floor area, the original building would not meet the minimum 120m² internal floor area requirement. The potential for extensions and alterations to the dwelling through the fallback position highlighted by the appellant does not alter the size of the original dwelling. In this regard, the proposal would result in the loss of a family-sized dwelling.

6. I therefore find that the proposal would result in harm to the achievement and maintenance of balanced communities, including the supply of family-sized dwellings. The proposal would therefore conflict with the requirements of Policy DMH4 of the LP.

Character and appearance

7. The Council's reasons for refusal did not find harm from the part single storey, part two storey rear extension, front rooflights, removal of front porch or single storey outbuilding to the rear. I agree, they would be small alterations which cumulatively would still be compatible with the character and appearance of the host property.
8. The street is characterised by blocks of 4 terraced houses. The other end dwelling within the block with the appeal property, has been altered with a hip to gable roof alteration, similar to the proposal before me. In this regard, the proposed hip to gable alterations would bring balance to the existing block of houses, where currently it lacks symmetry. Moreover, there are other examples of hip to gable alterations within the street which also now form part of its character.
9. The proposed dormer would be a large box like structure occupying most of the rear roof slope. It would be clearly visible to the rear, particularly from surrounding properties. However, there are several examples of other large dormers to the rear, including at the other end terrace. These dormers are established features of the rear roofscape of residential properties within this area and, in this regard, the proposal would not appear at odds with this existing character.
10. The appellant has also provided evidence of various fallback positions. Although I have no firm details that they could all be implemented together, it is clear that the appeal property can be substantially altered. Moreover, given the various submissions, including, amongst other things, a certificate of lawfulness for the conversion of the roof space to habitable use to include a rear dormer, I consider it a strong possibility that alterations, even if not all, would be implemented, were this appeal to fail.
11. The combination of the hip to gable alterations and the dormer would not harmonise with the architectural composition of the original dwelling. However, having regard to my findings above, the fallback position and existing character of the terrace block and wider area, I conclude that the proposal would not harm the character and appearance of the surrounding area.
12. I therefore find that the proposal would not conflict with the requirements of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB11, DMHB12 and DMHD1 of the LP or Policy D4 of the London Plan (2021). These require, amongst other things, that all development, including extensions be designed to the highest standards and, incorporate principles of good design including harmonising with the local context.

Other Matters

13. The appellant has made changes to the scheme following discussions with the Council with the view to finding a solution. Whilst such alterations may have improved the design, this does not overcome or outweigh my findings in relation to the loss of a family-sized home.

14. I have been referred to an application at 76 Lansbury Drive which was approved in 2019. However, I do not have the full details of this scheme and cannot be certain that the circumstances are directly comparable to the case before me. In any case, I have considered the appeal proposal on its own merits.

Conclusion

15. Although the proposal would not harm the character and appearance of the area, there would be harm to the achievement and maintenance of balanced communities, including the supply of family-sized dwellings. As such, the proposal would conflict with the development plan when read as a whole and there are no material considerations that outweigh that conflict. Accordingly, the appeal is dismissed.

Mr R Walker

INSPECTOR