



Appeal Decision

Site visit made on 3 May 2022

by G Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th May 2022

Appeal Ref: APP/R5510/W/22/3293089

59 Warley Road, Hayes UB4 0QB

- 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 Jondah against the decision of London Borough of Hillingdon.
 - The application Ref 42959/APP/2021/2101, dated 23 May 2021, was refused by notice dated 10 January 2022.
 - The development proposed is a two storey side extension and conversion of dwelling into a seven bedroom HMO.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I have taken the appellant's name as it appeared on the initial planning application form in the banner heading, above, as neither it nor the appellant's subsequent Planning Appeal Form provide any further detail in this respect.

Main Issues

3. The main issues are the effects of the proposed development upon:
 - The living conditions of future occupiers, with particular regard to internal living accommodation and outdoor amenity space; and
 - The character and appearance of the host property and the surrounding area.

Reasons

Living conditions

4. The proposed extension is intended to facilitate the conversion of the appeal property into a 7-bedroom House in Multiple Occupation (HMO). Of the resulting seven bedrooms, two (those at ground floor level within the extension) would fail to achieve the minimum space standard for a one-bedspace single bedroom as set out within the London Plan¹.
5. Whilst I accept that they would not fall significantly short of the standard, fall short they would. Whilst other rooms may exceed the standards, and all have reasonable outlook by virtue of either front or rear facing windows occupiers of these two rooms would not be provided with the amount or quality of

¹ Policy D6

accommodation that Local Plan Part 2 (LP2) policies DMHB18 and DMH5 and London Plan policy D6 seek to secure.

6. Moreover, with regard to outdoor amenity space although the property's frontage area is reasonably generous, due largely to the layout of the plot and surrounding street pattern, it is not particularly private or conducive for use as private amenity space. The existing hedge provides some privacy from direct views from the street, but the side boundary with 57 Warley Road is largely open. Furthermore, much of the area at the front / side would be dedicated to car parking and cycle storage, and an area for bin storage. None of these factors would be particularly conducive to the provision of pleasant usable private amenity space.
7. At the rear, the heavily tapering private rear garden is restricted in its size. Whilst it would be reasonably private in the manner of other property's rear gardens, this would be a particularly small rear garden area for occupants of a 7-bedroomed HMO. Together with the more utilitarian and functional nature of the area to the front, the proposal would fail to provide adequate usable private outdoor amenity space. Coupled with the shortfall in internal floor area of two of the proposed bedrooms, the proposal would fail to provide the form of high-quality residential development that LP2 policies DMHB18 and DMH5 and London Plan policy D6 seek to secure.
8. I have carefully considered the appellant's suggestion that the occupation of the property could be limited by condition and, in turn, the layout of the extended property altered to ensure fewer, larger bedrooms. This would, the appellant suggests, provide flexibility to ensure each room would provide the appropriate amount of internal floor space. However, this would not address the issue of outdoor amenity space and, in any event, to adopt such an approach would exceed the scope of conditions and materially alter the nature of the proposal applied for.

Character and appearance

9. The appeal property is a semi-detached dwelling located at the crossroads junction of Warley Road with Glenwood Avenue and Chaucer Avenue. The four pairs of semi-detached houses at the junction are canted in respect of the prevailing building lines on these streets leading towards the junction.
10. As a consequence, the host property's flank elevation is relatively open to view and, despite a small garage and shed, there is a spacious feel to the property frontage. These outbuildings would be removed. The two-storey side extension would be generously set back from the front of the existing property and, at 3 metres in width, would also be substantially set in from the boundary with 61 Warley Road. Even at the rear corner of the extension, which because of the boundary's alignment would be much closer to it than at the front, the Council do not raise specific concern regarding its proximity.
11. The proposed extension would be slightly more than half the width of the original dwelling. However, in the context of the heavily recessed façade relative to that of the main house, I am not persuaded that this would be either particularly noticeable or indeed harmful to the character or appearance of the host building. The proposed extension, when viewed from the front and side would appear to be a reasonably well-proportioned extension broadly in keeping with the scale and character of the host building.

12. The hipped roof of the proposed extension would contrast with the hip-to-gable roof shown on the submitted plans, but the prevailing roof form of properties within the surrounding area is of hipped roofs. Given the relationship between the appeal property, the proposed extension and the return building line along Warley Road, I consider a hipped roof to be an appropriate roof form in this situation. The extension would be subservient to the larger form and mass of the main building and would be appropriately set back and inset.
13. There would, I acknowledge, be a tension between the contrasting roof forms and angles of the hip-to-gable main house, dormer window and proposed extension. However, the extent to which this tense juxtaposition of roof pitches and angles would be experienced would be limited due to the relationship between the appeal property and neighbouring buildings, whilst the incorporation of a hipped roof form would reinforce the prevailing pattern of hipped roofs within the surrounding area. In views from the rear, the layout of the appeal property relative to those in neighbouring streets is such that it would not be harmfully incongruous or unnecessarily cluttered. I am not therefore persuaded that this would be harmful to the character or appearance of the host property, or to the character of appearance of the surrounding area.
14. For the reasons set out, in respect of the effect of the proposed development upon character and appearance, I conclude that there would be no conflict with the broad aims of LP2 policies DMHB11, DMHB12 or DMHD1. Together, these policies seek to secure high quality development that harmonises with local context in terms of, amongst other factors, scale, relationship to neighbouring buildings, building lines and streetscape.

Other Matters

15. It is noted that the Council are not opposed to the principle of conversion of the appeal property to occupation as an HMO. Nor are there specific objections, based on the particular scheme before me, in relation to highways or parking matters, or in terms of the living conditions of occupiers of neighbouring properties. I have not been presented with any evidence which would lead me to reach alternative conclusions in these respects but, these matters do not justify a form of development which would otherwise fail to provide high quality residential conditions for future occupants for reasons set out above.
16. I have also carefully considered the benefits that may arise from occupation of a well-managed HMO. These include providing accommodation and support for a broad range of occupants within society. However, these benefits would be insufficient to outweigh the harm arising from the proposal's failure to provide appropriate internal and outdoor living conditions for all occupiers of the proposed development.

Conclusion

17. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be dismissed.

G Robbie

INSPECTOR