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# Appeal Decision

Site visit made on 13 November 2012

by **Andrew Jeyes** BSc DipTP MRTPI

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

Decision date: 26 November 2012

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## Appeal Ref: APP/R5510/A/12/2180395

### 111 Parkfield Crescent, Ruislip, Middlesex HA4 ORD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
  - The appeal is made by Mr G Saunders against the Council of the London Borough of Hillingdon.
  - The application Ref 68057/APP/2011/868 is dated 11 April 2012.
  - The development proposed is the use of a permitted two-storey extension as a self-contained house including erection of a single storey porch, associated car parking and amenity space.
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## Decision

1. The appeal is dismissed and planning permission is refused.

## Procedural Matters

2. The plans submitted with the appeal indicate a number of alterations and extensions to the original house. These are outside of the application site and do not form part of the proposal the subject of this appeal; they have not therefore been considered.
3. In addition, the extension has been completed but with a different appearance to the proposal indicated on the submitted plans, which are supposed to represent the details approved as an extension to the main house; the main change is the switching of the ground floor window and door positions with the location of the front door to the southern side of the extension and alterations to the roof form; this would leave a porch screening the front window. This could also alter the internal layout, but there are no submitted details. I have therefore considered the appeal based on the submitted plans and not on the extension as seen on site.

## Main Issues

4. The application was not determined by the Council within the relevant time period, but the Officer Report and subsequent submissions indicate that the main issues are:-
  - a] the effect on the character and appearance of the area;
  - b] whether the proposed house would provide an adequate standard of accommodation for future residents; and
  - c] whether an adequate standard of car parking would be provided to serve the occupiers of the existing and proposed house.

## Reasoning

5. A two-storey extension was permitted by the Council to No 111, one of a pair of symmetrical semi-detached houses situated in a road of similar suburban development. The extension substantially infilled a slightly wider than normal gap to the side of the

house. The front garden is gravelled, with a thin border to the side with No 109 and a shared line of shrubs to the boundary with No 113.

6. It is proposed to use this extension, subject to changes indicated on the submitted plans, including the provision of a porch to the front door, as a separate one bedroom dwelling. The plans indicate an extension with a ground floor in line with the recessed element of the main house elevation together with an inset first floor with a hipped lean-to roof. A flat roofed porch would be located to a front door located on the northern side of the extension at the junction between extension and original house; the front door as built is not in this location.

#### *Character and Appearance*

7. In permitting the extension, the Council has accepted that the siting, mass and outline of the extended building are satisfactory in this location. However, use of the permitted extension as a separate dwelling would introduce changes to the appearance of the development that reflect separate occupation. Firstly, the extension would acquire a front door which would lead to a change in focus of the importance of the extension and reduce the subservience of the extension to the main dwelling. The addition of the front porch to screen the front door would add increased emphasis to this change and, because of its position and forward projection, would reduce the importance of the existing front door of the original house to a subordinate element.
8. These alterations would create changes to the front elevation and the way it addresses the street scene that would be opposed to the fundamental balanced appearance of semi-detached houses in the area and lead to a cramped appearance. The appellant refers to terraced elements in Torbay Road, but this is to the rear of the site and has no visual connection to the street scene of Parkfield Crescent.
9. Whilst the appellant indicates a willingness to accept a condition to prevent any subdivision of the frontage should it be required, it is noted that the submitted plans indicate two parking spaces, one in front of each dwelling with a separate path to the respective front doors to the side, divided by a line of landscaping. This clearly divides the frontage into two distinct elements and a natural feature of separate occupation is to distinguish one dwelling from another. Likewise, a condition, as suggested by the appellant, to delete the porch from the proposals and require satisfactory access arrangements to be demonstrated would not be appropriate, as this would change the nature of the proposal from that submitted.
10. Overall, the changes would lead to harm to the character and appearance of the area contrary to saved Policies BE13, BE15, and BE19 of the London Borough of Hillingdon Unitary Development Plan 1998 [UDP] and adopted Supplementary Planning Document: *Hillingdon Design and Accessibility Statement: Residential Extensions 2008* [SPD:HDAS], which carries considerable weight. These aim to secure development that complements or improves the amenity and character of an area and that harmonises with the street scene and with the scale and composition of original buildings. These UDP policies carry substantial weight as, in this respect, they are consistent with the National Planning Policy Framework [The Framework], which clearly indicates the need to secure high quality design.

#### *Standard of Accommodation*

11. Adopted Policies 3.5 and 3.8 of The London Plan 2011 [TLP] indicate that development should have adequately sized rooms and convenient and efficient layouts to meet the needs of Londoners over their lifetimes, with a specific indication that all new housing should be built to 'The Lifetime Homes' standards. This is also set out in adopted Supplementary Planning Document: *Accessible Hillingdon 2010* [SPD:AH], which carries considerable weight; these standards would apply to conversions as well as new build housing. SPD:AH also stresses that information should be provided at application stage indicating how the proposed housing meets the relevant standards. The Council

- accept, and I agree, that adequate outdoor space would be provided and that habitable rooms would have adequate outlook.
12. These standards are also contained within the Mayor of London's draft Supplementary Planning Guidance: *Housing*; this has been published for public consultation but not adopted, so it currently carries little weight.
  13. SPD:AH does not provide a minimum space standard for a two-storey 1-bedroom house, but does indicate a minimum floorspace of 50 square metres [sqm] for a 1-bedroom flat; this does not however take into account the additional areas of circulation space required in a house, including provision of the stairway. A minimum combined area of 23 sqm is required for living purposes [living, dining and kitchen area] and a minimum of 12 sqm for a double bedroom. The proposed 1-bed house would have a total area of 52.2 sqm, but only provide a combined living area of 15.3 sqm and a bedroom of 10.4 sqm, well below the adopted standards. The lack of compliance with these standards emphasises the lack of adequate living space within the proposed dwelling.
  14. Wheelchair turning areas are shown within the various rooms, but would leave inadequate space for the normal range of furniture, and exclude the kitchen. Overall, the proposed dwelling would not provide adequate space to provide satisfactory living conditions for future residents.
  15. Whilst the appellant states that the proposed dwelling meets all 'Lifetime Homes' standards, it is also indicated that, if not met, it is a matter of planning balance. The appellant has not provided the relevant information at application stage to demonstrate the achievement of 'Lifetime Homes' standards.
  16. For these reasons, the proposal would lead to harm to the living conditions of future occupiers by failing to provide an adequate standard of accommodation. This would be contrary to TLP Policies 3.5 and 3.8, and with SPD:AH. The Framework indicates the need to plan positively for the achievement of high quality and inclusive design for all development and the need for a good standard of amenity for all future occupants of buildings.

#### *Car Parking*

17. The appellant proposes one parking space on the frontage for each dwelling and one each in the rear garden with access from a private rear access drive that runs from and serves houses fronting Torbay Road. Frontage parking has been provided, but no parking provided at the rear. There are no parking restrictions on the adjacent road. The existing house originally had a parking space and garage but this was replaced by parking in the front garden when the extension was granted permission.
18. Parking standards set out in the appendix referred to in saved UDP Policy AM14 indicate a maximum of two spaces per dwelling where parking is provided in curtilage. TLP Policy 6.13 indicates maximum parking at less than one for a 1-bed dwelling, between 1 and 1.5 for a 3-bed dwelling, and 1.5 to 2 for a 4-bed dwelling. The extension removed the parking provision for the existing house, so that parking has to be considered on the basis of the existing and proposed dwellings. However, whilst the appellant resides at No 111, the submitted plans do not show the existing house within the same ownership as the application site, so that parking cannot be required for the existing house as a condition.
19. Bearing in mind the latest adopted standards in TLP, the existing provision of one parking space on the front of each property would be sufficient to meet the minimum required and although the site is in an area with a low public transport accessibility level [PTAL], there are no special circumstances put forward that would require a higher level of provision.

20. In respect of the access and parking provision at the rear, it is noted that there is no direct access from Parkfield Crescent to the rear service road and that it would involve a drive of over 650 metres to access the rear parking. The rear service road would appear to be private and therefore, in normal circumstances, a private right of way would be required over it. The Council are of the view that a right of way by the appellant has not been demonstrated. Based on the information submitted, there is insufficient evidence to apply a condition requiring provision and use of this parking that would meet the tests set out in Circular 11/95: *The Use of Conditions in Planning Permissions*. However, in view of my conclusion that a satisfactory level of parking would be provided on the frontage, this does not detract from the parking position.
21. In conclusion, the use of frontage parking would provide an adequate standard of car parking without detriment to highway safety. The proposal would comply with TLP Policy 6.13 and UDP Policy AM14, which set maximum levels of car parking.

*Other Matters*

22. The appellant points to The Framework in support of the proposal relating to the need to boost the supply of housing, including through the effective use of land that has been previously developed, but this does not include garden land as proposed here, so this does not provide support for the appeal.

**Conclusions**

23. Whilst the proposal would provide an adequate standard of car parking and would not therefore harm highway safety and could add to the housing stock of the area, this does not outweigh the harm identified to the character and appearance of the area or to the living conditions of future occupiers of the proposed dwelling. For these reasons, and taking all other matters into account, the appeal is dismissed and planning permission is refused.

*Andrew Jeyes*

INSPECTOR