

1.0 Introduction

- 1.1 This report provides the grounds of appeal against the decision to refuse a full planning application for the Conversion of garage to habitable use, erection of a double storey rear/side extension including the insertion of a new side facing window and erection of an outbuilding to rear garden. Conversion of the existing two storey dwelling into 2no. self-contained flats, with associated front and rear landscaping, bin store and cycle store.
- 1.2 We act for Robenc Property Company Ltd of 79 Bridgwater Road, Ruislip, Hillingdon, HA4 0EE.
- 1.3 The site which is the subject of this appeal is an end of terraced two-storey property located on the southern side of Bridgwater Road. The property features a historical two-storey flat roof side extension with an integral garage on the ground floor. The Braintree Road Industrial Estate is located to the south of the site and the Bridgwater Road Fields (Metropolitan Open Land) is located to the north of the site. There are a number of properties located on the southern side of Bridgwater Road which mainly comprise two-storey terraced dwellings. The property is not listed or sited within a Conservation Area. All surrounding properties benefit from amenity space to the rear of the dwelling and off-street parking.

2.0 Background

- 2.1 The planning application was registered by the local authority on 3rd January 2024. The application reference number is **2708/APP/2024/16**.
- 2.2 The planning application was refused on **18th March 2024**.
- 2.3 The application was refused planning permission for the following reasons:

1 - The development would lead to an unacceptable residential conversion where the internal floor area of the original building to be converted is less than 120 sqm and the proposed conversion would result in the loss of a larger family sized dwellinghouse for which there is an established need in the Borough. The proposal would therefore unacceptably undermine the supply of family housing within the Borough for which there is an identified need, contrary to Policies DMH 1, DMH 2 and DM4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2023).

2 - The proposed ground floor flats (Flat 1) would fail to provide a satisfactory internal living environment for their future occupiers by virtue of the proximity of the proposed front bedroom windows to the proposed parking/access court and an absence of detail of satisfactory provision of defensible space. Consequently these bedrooms would lack an appropriate degree of privacy and would be subject to noise and disturbance from the comings and goings taking place within the parking/access court, contrary to Policy DMHB 15 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), London Plan (2021) Policy D6 and the National Planning Policy Framework (2023).

3 - The proposed development as a result of the lack of satisfactory separation and inconvenient access would fail to provide private external amenity space of sufficient size and quality for the proposed homes resulting in substandard living conditions for prospective residents contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2023).

3.0 Grounds for Appeal

- 3.1 This section sets out the ground for our appeal based on the reasons given by the local authority.
- 3.2 The application site comprises of a double-storey single family dwelling with a site area of 277.6m²
- 3.3 The application site's pre-existing internal floor area is 106.3m².
- 3.4 The application site's internal floor area as currently built and due to be completed next month as per the planning permission **2708/APP/2023/2540** granted on **14th December 2023** would be 147.1m².
- 3.5 Our proposal seeks conversion of the existing two storey dwelling into 2no. self-contained flats, with no further extension, proposed other than what has already been approved under REF: **2708/APP/2023/2540** and REF: **2708/APP/2023/1832** (For Outbuilding only)
- 3.6 **Response to refusal reason 1:** loss of a 3 bedroom family unit.
- 3.7 The current housing demand for a 2 bedroom flat has been growing, as published by Zoopla on 30th of January 2023 and states 49% of buyers in London are looking for 1 and 2 bedroom flats compared to last year's 42%.
- 3.8 The current property benefits from permitted development rights which can be converted to an HMO without planning permission. This means that a family unit will be lost. The size of the application site as mentioned above in 3.4 will be 147.1m², which is too large for a single family to live in and if it comes to a choice between an HMO and 2 X 2 bedroom flats this site will be more appropriate for 2 small families in every aspect since the proposal would result in the net increase of one residential unit, and there is an identified need a mix of dwellings within the borough, this weighs in favour of the scheme.
- 3.9 The pre-existing internal floor area is below 120m² as mentioned above in 3.3 and 3.4, however, this was overlooked in a previous application approved on **29th September 2023** under Ref:**1174/APP/2023/2859** and it was noted on the Delegated Decision:

The property would be extended on the rear and side and whilst the existing dwelling would fall short of the 120sq.metre floor area requirement, as extended, the property would exceed a total of 120sq.metres in floor area. The proposal taking a balanced view, the development proposal would therefore also comply with Local Plan Policy DMH 4 of the Hillingdon Local Plan: Part Two Development Management Policies (2020).

Also, another recent planning application was approved on **27th September 2023** under Ref:**36469/APP/2023/2836** for which the Existing house floor area was below 120m².

- 3.10 **Response to refusal reason 2:** Lack of privacy for the downstairs bedroom.
- 3.11 A very similar scheme was approved on **27th September 2023** under Ref:**36469/APP/2023/2836**, the parking space is directly in front of the bedroom windows on the ground floor please see **Image 1** below:

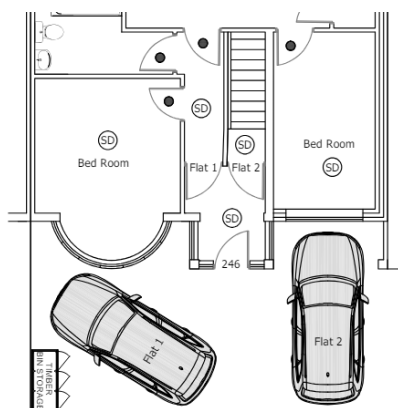
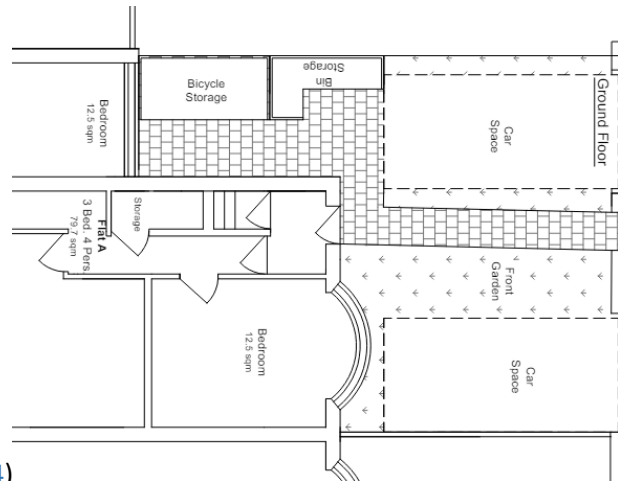


Image 1 (Ref:**36469/APP/2023/2836**)

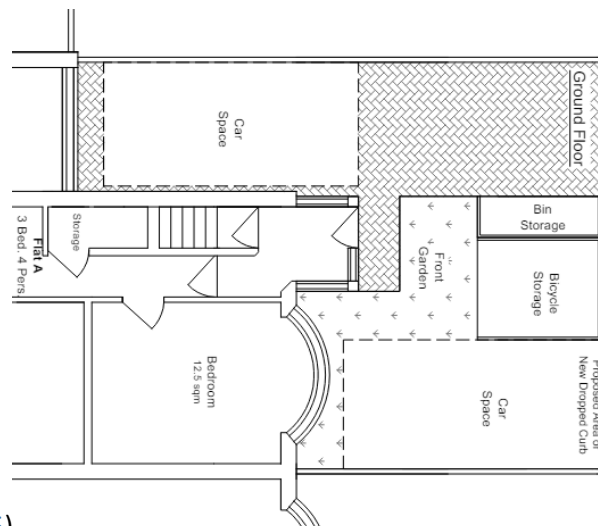
Proposed Ground Floor Plan

Another flat conversion was approved on [23rd November 2023](#) under Ref: [78413/APP/2023/3384](#), the parking space is directly in front of the bedroom windows on the ground floor please see [Image 2](#) below:



[Image 2](#) (Ref: [78413/APP/2023/3384](#))

Another flat conversion was approved on [9th August 2023](#) under Ref: [17938/APP/2023/2375](#), the parking space is directly in front of the bedroom windows on the ground floor please see [Image 3](#) below:



[Image 3](#) (Ref: [17938/APP/2023/2375](#))

All three examples above approved are similar to the application site. The concern of privacy could have simply been met by a small amendment or allocating the parking to the ground floor flat only or to have been included as part of the condition with hard and soft landscape works to provide details of suitable defensible planting in front of the ground floor front facing bedroom window.

3.12 **Response to refusal reason 3:** Sufficient size and quality of amenity space.

3.13 A similar size flat conversion was approved on [23rd November 2023](#) under Ref:[78413/APP/2023/3384](#), No access or private external amenity space has been provided for the flat on the first floor.

Another flat conversion was approved on [9th August 2023](#) under Ref:[17938/APP/2023/2375](#), No access or private external amenity space has been provided for the flat on the first floor.

Similar to both the approved planning applications above this application site does not have any internal access to the rear garden from the first floor, But fortunately the application site does benefit from a large side access please see [Images 4 and 5](#) below. Therefore we propose to provide Private Amenity space for both flats to be accessed from the side service road which has been annotated clearly on submitted drawing **BR79-03-1003**. The private amenity space for both flats meets and exceeds the minimum requirement of 25m², and we propose to keep the refuse storage and cycle storage in the rear garden to maintain a clean look to the front street scene. Bins will be placed in an allocated collection spot as agreed on collection days. To maintain one flat per floor unfortunately the first-floor flat future occupiers will have to walk a certain distance to access the amenity space whether this will be an internal or external access. Also, a minor amendment to the rear landscaping plans would have resolved some of the concerns described above. We are happy to amend the garden layouts within a condition submission to improve the refuse storage distance to the collection spot and provide any additional details required by the council.



[Image 4](#)



[Image 5](#)

3.14 In most aspects we meet and exceed the requirements for space standards, Amenities and standards of living, We believe the proposed scheme will further enhance the street scene and the current houses being a 3+ Bedroom family house this will add to the mix rather than creating an HMO which might be less acceptable for this particular site.