

Appeal Statement

6 Brandville Road,
West Drayton
UB7 9DA

25/06/2025

1. INTRODUCTION

This appeal is submitted in response to the refusal by the London Borough of Hillingdon for the above application. The proposal sought planning permission for the conversion of a dwellinghouse into two self-contained flats and associated alterations including a lawful dormer extension. The Council's reasons for refusal relate to (1) alleged substandard internal living accommodation in the ground floor flat, and (2) the absence of a legal agreement restricting access to on-street parking permits. The appellant respectfully contends that both refusal reasons are unfounded and unsupported by evidence or policy when properly considered against the development plan and material considerations.

2. REASON FOR REFUSAL

1: QUALITY OF LIVING ACCOMMODATION

LPA's Reason: The Council asserts that Bedroom 1 in the ground floor flat would suffer from inadequate daylight/sunlight and privacy, and that part of the flat is within a structure not suitable for habitable use.

Appellant Response:

- The submitted plans clearly show that Bedroom 1 benefits from both a side-facing window and a rooflight, providing dual aspect natural light and ventilation. This directly rebuts any claim of poor daylight/sunlight access.
- The rooflight is positioned to meet the midpoint of the room and is not obstructed. The room is also over 9 sqm and complies with minimum bedroom standards.
- As confirmed in Drawings P03–P06, the structure housing Bedroom 1 is to be fully rebuilt in brick, and no part of the former timber structure will be retained. Any previous concern regarding construction quality or materials is therefore no longer relevant.
- The window is set back from the shared access path and is shielded by the existing boundary fence. Obscure glazing or high-level fenestration can be secured via condition if further mitigation is considered necessary.

Accordingly, the proposed flat meets the requirements of:

- **Policy DMHB 11** and **DMHB 16** of the Hillingdon Local Plan Part 2,
- **London Plan Policies D4 and D6**, and
- **Paragraph 135 of the NPPF (2024)** regarding high standards of amenity.

3. REASON FOR REFUSAL 2:

PARKING IMPACT DUE TO ABSENCE OF A SECTION 106 AGREEMENT

LPA's Reason: The Council states that without a Section 106 agreement or Unilateral Undertaking to restrict permit eligibility, the scheme may cause parking stress.

Appellant Response:

- The appellant is **willing to submit a Unilateral Undertaking** to restrict future occupants from applying for parking permits within the controlled parking zone (CPZ WD1).
- This is a standard planning mechanism widely used to enable car-free developments and could have been secured via condition or post-permission legal agreement.
- The refusal on this basis is therefore **procedurally unreasonable**, especially in light of Paragraph 58 of the NPPF which encourages the use of planning conditions to make developments acceptable.

4. OTHER MATTERS

- **Cycle parking** is clearly shown on Drawing P01 and detailed in P08, compliant with the London Cycling Design Standards and Policy T5 of the London Plan. The LPA's officer either overlooked or failed to reference these.
- The site meets all relevant criteria of **Policy DMH 4**:
 - Internal floor area exceeds 120 sqm
 - One unit per floor
 - Less than 10% of the street converted
- Both flats exceed GIA and bedroom size standards.

5. CONCLUSION

The proposal is a sustainable and policy-compliant development that would deliver two high-quality homes in a manner that respects local character and avoids harm to neighbours or infrastructure. The refusal reasons are not supported by evidence or planning policy. The Inspector is therefore respectfully invited to allow the appeal, subject to appropriate conditions and a Unilateral Undertaking restricting future parking permit eligibility.

Planning Beyond Limits