



Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Mr Nirmal Chawla

Proposal:
Single storey upwards extension at second floor level to integrate with the existing house in multiple occupation (HMO) at first floor level to provide an additional 6 bedrooms and communal living/kitchen/dining space with associated external alterations to the building frontage

Appeal Site:
166 High Street
West Drayton
UB7 7BE

Our Ref:
Your Ref:

19966/APP/2021/3425
APP/R5510/W/22/3294687

1. Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeals against its refusal to grant planning permission for: the erection of a single storey upwards extension at second floor level to integrate with the existing house in multiple occupation (HMO) at first floor level to provide an additional 6 bedrooms and communal living/kitchen/dining space with associated external alterations to the building frontage.
- 1.2 The LPA refused planning permission on 18-01-22, for the following reasons (as stated on the decision notice):
 1. The proposed extension by virtue of its size, siting, scale, bulk and design would appear as a boxy addition which fails to respect the architectural composition of the host terrace, harming both the character and appearance of both the host building and wider area, including the sensitive views from Yiewsley Recreation Ground, designated Metropolitan Land. The proposal would therefore be contrary to Policies DMHB 11, DMHB 12, DMHB 13, DMEI 4 of the Hillingdon Local Plan Part Two Development Management Policies (2020) and Policy G3 of the London Plan (2021).
 2. The proposal has failed to demonstrate sufficient cycle storage for the future occupiers in order to encourage sustainable modes of transport, contrary with the London Plan and Policy DMT6 of the Hillingdon Local Plan Part Two Development Management Policies (2020).
 3. In the absence of a robust assessment and detailed information relating to the storage of refuse, parking and further noise being created between the floors, including mitigation and organisational strategies, it is considered that the amenity of both existing and future occupiers could be adversely impacted through the intensification of the use, not complying with Policies DMHB 11 and DMH 5 of the Hillingdon Local Plan Part Two Development Management Policies (2020).
 4. The proposed development would provide low quality living conditions for future occupiers, in terms of the provision of internal amenity space and overall ceiling height. The proposal would therefore conflict with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 and Table 3.1 of the London Plan (2021), the Housing Standards Minor Alterations to The London Plan.
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. It is understood that a copy of the Officer Delegated Report has been submitted with the appeal questionnaire. It is understood that copies of relevant planning policies have been sent to PINS with the Appeal Questionnaire.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

- 2.1 The Council considers that the arguments highlighted by the appellant have been addressed in the Planning Officer's Delegated Report, specifically the application of

Local Planning Policies in the assessment of the proposed development, with particular regard to:

- scale and siting of the proposal;
- the subsequent impacts on neighbouring properties;
- the lack of robust information or assessments provided in regards to storage of refuse, parking; and
- further noise being created between the floors, including mitigation and organisational strategies.

- 2.2 The appellant has referred to the character and appearance of the surrounding area throughout the appeal statement. As outlined in the Officer Report, the immediate parade should carry significant weight in this assessment of context.
- 2.3 The appellant has also made reference to the Aldi opposite the appeal site, for reference to design. This site is not considered directly comparable, nor this design. A substantial assessment has been carried out in the main body of the Officers Delegated Report as to why the proposed development would be considered incongruous to the character and appearance of both the host building and wider area, regardless of these existing, unrelated buildings nearby.
- 2.4 The appellant in paragraph 7.38 states that: *'The existing HMO on site currently offers very limited facilities with only a small kitchen and laundry area and no reasonable scope for occupiers to interact or socialise outside of their own rooms. Conversely, the proposed scheme will provide a large communal living/dining/kitchen space at first floor for the benefit of all occupiers thus resulting in a significantly improved living environment.'*
- 2.5 It is the LPA's opinion that this should not in itself be justification for providing further poor quality living space, The officer report explains why this conclusion has been reached but any new living accommodation should aim to provide a high quality of living conditions for future occupiers, with a good level of internal amenity space and ceiling height. It has been shown that this is not the case and the appellant has provided no further reasoning or justification for being able to provide this.
- 2.7 It is considered that the approach to the design has been to maximise the number of units, without focusing on providing high quality living conditions for occupiers and still remains at odds with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 and Table 3.1 of the London Plan (2021), the Housing Standards Minor Alterations to The London Plan.

3. Conclusion

- 3.1 The impact of the proposed developments have been assessed in the Officer's delegated report. On the basis that no new further or more comprehensive assessment has been provided by the Appellant, it is considered that the original Officer assessment covers the impact and assessment of the material considerations of the proposal against the relevant Planning Policies, listed in the reasons for refusal. The Inspector is therefore respectfully requested to dismiss the appeal.
- 3.2 In the event that the Inspector considers the appeal should be allowed, and without prejudice to the Council's case, a list of recommended planning conditions for both proposals is included at Appendix 1.

Appendices

Appendix 1 -The LPA's Recommended Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

2. Approved plans condition
3. Prior to the commencement of any site clearance, demolition or construction work, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:
 - (a) The phasing of development works.
 - (b) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
 - (c) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
 - (d) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
 - (e) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
 - (f) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON

To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4. No development shall take place until plans of the site showing the existing and proposed ground levels and the proposed finished floor levels of all proposed buildings have been submitted to and approved in writing by the Local Planning Authority. Such levels shall be shown in relation to a fixed and known datum point. Thereafter the development shall not be carried out other than in accordance with the approved details.

REASON

To ensure that the development relates satisfactorily to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020)

5. No development shall take place until details of all materials and external surfaces have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part Two (2020)

6. No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

1. Details of Soft Landscaping

- 1.a Planting plans (at not less than a scale of 1:100),

- 1.b Written specification of planting and cultivation works to be undertaken,

- 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate

2. Details of Hard Landscaping

- 2.a Refuse Storage

- 2.b Cycle Storage

- 2.c Means of enclosure/boundary treatments

- 2.e Hard Surfacing Materials

- 2.f External Lighting

3. Schedule for Implementation

4. Details of Landscape Maintenance

- 4.a Landscape Maintenance Schedule for a minimum period of 5 years.

- 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).