



Appeal Decision

Site visit made on 17 October 2023

by Bhupinder Thandi BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 November 2023

Appeal Ref: APP/R5510/W/22/3310696

1A Roseville Road, Hayes, Middlesex UB3 4QX

- 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 Mrs Narinder Singh against the decision of London Borough of Hillingdon.
 - The application Ref 1142/APP/2022/697, dated 30 January 2022, was refused by notice dated 7 July 2022.
 - The development is change of use from 6 person HMO to 9 person HMO.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the Council's Decision Notice. It simply and accurately describes the proposal.

Main Issues

3. The main issues are:
 - The effect of the proposed development upon the character and appearance of the area and the living conditions of existing occupiers;
 - The effect of the proposed development upon the safe and efficient operation of the local highway network; and
 - Whether the proposed development would provide satisfactory living conditions for future occupiers with regard to internal communal space and external amenity space.

Reasons

Character and appearance

4. The appeal site comprises an extended two storey property occupied as a House in Multiple Occupation (HMO). Whilst a retail parade extends along North Hyde Road, Roseville Road and surrounding roads are characterised by two storey semi-detached dwellings which by and large have been altered and extended. Many of the frontages have been turned over to driveways and at the time of my site visit I noted that these driveways were on the whole fully occupied. I also observed that roads were heavily parked with vehicles bumped up on the kerb inconveniencing pedestrians as well as obstructing vehicles.
5. The proposed development seeks to increase the number of occupants from 6 to 9. There is no evidence before me to suggest that this increase would lead

to additional domestic paraphernalia including refuse bins at the property materially impacting upon the residential character of the area. Nor is it likely that the proposal would substantively intensify activity at the property including comings and goings so as to result in excessive noise and disturbance. Furthermore, there is no evidence before me to suggest that noise and disturbance is arising from the property currently.

6. As such, I conclude that the proposed development would not adversely affect the character and appearance of the area or the living conditions of occupiers locally. It would accord with Policies DMH 5 and DMHB 11 of the Hillingdon Local Plan Part 2 – Development Management Policies (2020) (DMP) which, amongst other things, require proposals to demonstrate there would be no adverse impact on the amenity of neighbouring properties or the character of the area.
7. I note the council have referred to Policy DMHD 1 in the reason for refusal, however, I find that with specific regard to this appeal I have given it negligible weight in coming to my decision.

Safe and efficient operation of the local highway network

8. Despite the car ownership levels submitted by the appellant, I noted at the site visit on a weekday morning, that the driveway was fully parked with additional parking also taking place in front of the property. I observed that many driveways were fully parked and significant pressure for parking on Roseville Road and surrounding roads. It was evident that parked vehicles were hindering the use of the pavements and the road.
9. Whilst I acknowledge that this is a snapshot in time, based on my observations and the evidence before me, it is apparent that the availability of on street parking is at a premium in the area during the day. It is likely that the demand for parking is even greater in the evening and at weekends due to residents returning from work or daily activities.
10. The demand for vehicle parking is likely to increase due to additional residents at the property and would increase the likelihood of vehicles, including visitors, seeking to park and manoeuvre along the highway, in an area where demand for on street parking is already very high. This parking demand is likely to lead to further instances of indiscriminate and inconsiderate parking taking place in the area resulting in a significant adverse effect on the safe and efficient operation of the highway. Conditions for cycle storage or submission of a Travel Plan would not overcome the harm that I have identified in relation to this matter.
11. I conclude that the proposed development would adversely affect the safe and efficient operation of the local highway network contrary to DMP Policies DMT 2 and DMT 6 and Policy T6 of the London Plan (2021) which, amongst other things, require development proposals to provide safe and efficient vehicular access to the highway network; not to contribute to the deterioration of local amenity or safety of all road users and residents and to provide adequate parking.
12. It would also be contrary to paragraph 112(c) and (e) of the National Planning Policy Framework which, amongst other things, requires developments to minimise the scope for conflicts between pedestrians, cyclists and vehicles and

make provision for plug-in or other ultra-low emission vehicles in safe, accessible and convenient locations.

Living conditions for future occupiers

13. The proposed development provides 6 bedrooms, a communal kitchen and dining area. The internal layout would essentially remain unchanged, and the kitchen area would be the only internal communal space for residents to spend time for meals, recreational activities or home working.
14. Taking into account the number of residents proposed the kitchen and dining area would be a cramped and uncomfortable space especially during meal times. Furthermore, recreational activities and the potential need for some residents who may work from home would magnify this discomfort. Due to the cramped communal internal space the proposed development would result in a substandard form of accommodation.
15. Whilst the appellant has indicated that an HMO license for 9 residents could be forthcoming this does not mean that the living conditions of occupiers in respect of planning or that the policies of the development plan should be disregarded in respect of this matter.
16. The Council contend that there would be a shortfall in the quantum of external amenity space. This is not disputed by the appellant. I acknowledge the presence of open green spaces nearby, however, in my view, this does not compensate for the lack of provision of external amenity space proposed.
17. Accordingly the proposed development would not provide adequate living conditions for future occupiers in respect of internal communal space and external amenity space contrary to DMP Policies DMH 5, DMHB 11, DMHB 16 and DMHB 18 which, amongst other things, require proposals to be designed to the highest standards; adequate provision of internal spaces in order to provide an appropriate living environment for intended occupiers and good quality and useable private outdoor amenity space.

Other Matters

18. I acknowledge that the proposal would add to the general availability of HMO's. However, I have not been made aware of any pressing housing need that would justify a different overall conclusion that the appeal should be dismissed.

Conclusion

19. For the reasons set out above the appeal does not succeed.

B Thandi

INSPECTOR