
Appeal Decision

Site visit made on 16 September 2013

by G J Rollings BA(Hons) MAUD MRTPI

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

Decision date: 22 October 2013

Appeal Ref: APP/R5510/A/13/2195317

101 Raleigh Avenue, Hayes, Middlesex, UB4 0EF

- 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 Mr A Thand against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 68694/APP/2012/2442, dated 8 October 2012, was refused by notice dated 5 December 2012.
 - The development proposed is the proposed erection of a new three bedroom house at the rear of 101 & 103 Raleigh Avenue.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - Whether the development would provide acceptable living conditions for future occupiers, with particular regard to the standard of accommodation, including Lifetime Homes Standards; and
 - The effect of the proposed parking arrangement on highway safety in Raleigh Avenue and surrounding streets.

Reasons

Living conditions

3. The proposed dwelling would face Lothian Avenue, and would be built at the rear of three dwellings facing Raleigh Avenue. These include 101 and 103 Raleigh Avenue, and 103a Raleigh Avenue, which is a new dwelling on the corner of the two streets. The Council states that the appeal dwelling would have an internal floorspace of approximately 82 sq.m., and this figure has not been disputed by the appellant. It appears reasonably accurate. The layout of the dwelling suggests that it would accommodate up to five persons within its three bedrooms.
4. Policy 3.5 of *The London Plan* (2011) sets prescriptive standards for internal floor space. The appellant suggests that such considerations should be treated on merit. However, the policy and accompanying table 3.3 set minimum dwelling space standards, based on best practice standards of good design, provision of a welcoming residential environment, and other considerations

appropriate to enjoyment of the home. As an adopted document, I attach considerable weight to this policy, which sets the standard for a 5-person, 3-bedroom house at 96 sq.m (gross internal area).

5. I appreciate that the dwelling could be used by future occupiers to accommodate only four persons, but note that the London Plan standard for a 4-person, 3-bedroom house, at 87 sq.m., remains higher than what would be provided. In any event, the plans indicate that five bed spaces would be provided, so I have decided the appeal on this basis. In this case, the substantial shortfall suggests that the dwelling would not provide an appropriate standard of accommodation. As such, the dwelling would not provide acceptable living conditions for future occupiers.
6. The proposed development would not achieve Lifetime Homes Standards accreditation. Notwithstanding the undersized internal accommodation, I consider that the development would be able to achieve accreditation with minor alterations to the internal layout, and an appropriate planning condition. However, this would not mitigate the harm to the living conditions caused by substandard accommodation, as identified above.
7. I therefore conclude that the proposed development would not provide acceptable living conditions for future occupiers, with particular regard to the standard of accommodation. Furthermore, I also conclude that Lifetime Homes Standards would be achievable subject to an appropriate planning condition, but that this does not outweigh my concerns identified in the first conclusion. The proposal would not comply with London Plan Policy 3.5, for the reasons set out above. The Council has cited other policies in its reasons for refusal, but I have only used those which are the most relevant to my decision.

Highway safety

8. The proposal would provide one new on-site parking space. The Council's parking standards, as set out in the annex to Local Plan Part 2 Policy AM14, suggest that two on-site bays should be provided for a dwelling of this size and type. The Council also points out that parking spaces were removed as part of the construction at the property at 103a Raleigh Avenue, which would presumably further increase the demand for local on-street parking, although the appellant notes that a new parking space would be provided in the front garden of that dwelling.
9. As there would only be one space provided within the appeal property, it is likely that one car associated with the extended house would need to park on the road. Most of the surrounding houses have only one on-site parking bay and on-road parking is not uncommon in the vicinity of the appeal site. However, given the frequency of crossovers onto the road, opportunities for on-street parking are limited. At the time of my site visit, which was during mid-morning on a weekday, most of the available on-street parking spaces were occupied.
10. The *National Planning Policy Framework* (the Framework) is clear that in setting local parking standards for residential development, the availability of and opportunities for public transport should be taken into account. In this case, the appeal site has very low public transport accessibility. This, coupled with the limited opportunities for parking and the narrow roads in the vicinity of the appeal site, give me cause for concern that highway congestion may result

from additional on-street parking demand. This in turn would have the potential to result in conditions that are harmful to highway safety.

11. The appellant suggests that additional parking opportunities are available due to the lack of dwellings along the south side of Lothian Avenue, and that a car would be able to park across the new crossover. As I noted above, there were limited on-street free parking spaces in the vicinity of the site at the time of my visit. Additionally, parking across the crossover would affect pedestrian safety if parked over the footpath, and restrict access to the property if parked in front of the crossover, both of which would be detrimental to highway safety. Although, as the appellant asserts, some London boroughs may have a lower parking requirement, I have decided this case on its own merits.
12. I therefore conclude that the proposed parking arrangement would have a detrimental impact on highway safety in Raleigh Avenue and surrounding streets. The proposal would conflict with Local Plan Part 2 Policy AM7, which states that the Council will generally not grant permission for developments whose traffic generation is likely to prejudice the free flow of traffic or conditions of general highway or pedestrian safety, among other factors. The proposal would also not comply with Policy AM14, for the reasons set out above.

Other issues

13. The Council has not disputed the appellant's claim that family dwellings are in need within the borough, and that this form of development is preferable to others. Although I have not been supplied with evidence to suggest otherwise, this consideration does not outweigh the harm caused by the development in terms of future occupiers' living conditions.

Conclusion

14. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G J Rollings

INSPECTOR