



Appeal Decision

Site Visit made on 7 September 2021

by Stuart Willis BA Hons MSc PGCE MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th September 2021

Appeal Ref: APP/R5510/W/21/3271124

Annex, 96 Bourne Avenue, Hayes, UB3 1QP

- 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 J Khasria against the decision of London Borough of Hillingdon.
 - The application Ref 76034/APP/2020/4095, dated 7 December 2020, was refused by notice dated 4 February 2021.
 - The development proposed is alteration to roof in order to convert the roofspace to habitable use to include a rear dormer and 1 x front rooflight and alterations to entrance.
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Decision

1. The appeal is allowed, and planning permission is granted for alteration to roof in order to convert the roofspace to habitable use to include a rear dormer and 1 x front rooflight and alterations to entrance at Annex, 96 Bourne Avenue, Hayes, UB3 1QP in accordance with the terms of the application, Ref 76034/APP/2020/4095, dated 7 December 2020, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Location Plan Drawing No 0105-EX-00 Rev A; Existing Site Plan Drawing No 0105-EX-01 Rev B; Existing Ground Floor Drawing No 0105-EX-10 Rev B; Existing First Floor Drawing No 0105-EX-11 Rev B; Existing Elevation Drawing No 0105-EX-20 Rev B; Existing Side Elevation Drawing No 0105-EX-21 Rev B; Existing Side Elevation Drawing No 0105-EX-22 Rev B; Proposed Site Plan Drawing No 0105-PR-01 Rev B; Proposed Ground Floor Drawing No 0105-PR-10 Rev B; Proposed First Floor Drawing No 0105-PR-11 Rev B; Proposed Roof Plan Drawing No 0105-PR-12 Rev B; Proposed Elevation Drawing No 0105-PR-20 rev B; Proposed Side Elevation Drawing No 0105-PR-21 Rev B; and Proposed Street Scene Drawing No 0105-PR-22 Rev B.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

Preliminary Matters

2. The decision notice referred to policies from the London Plan (2016). These have subsequently been replaced by the London Plan 2021 and the new

National Planning Policy Framework (Framework) has been published. I have had regard to comments, where received, from the main parties in regard to this. There have been no fundamental changes relevant to the main issues in this appeal and so no injustice has been caused to any of the appeal parties by my taking these into account.

3. I have taken the description of development from the application form as it sufficiently covers the matters of development and includes reference to the alterations to the entrance that are not in the decision notice description.
4. At the time of my visit, I saw works taking place at the site. However, as I cannot be sure these related to the appeal scheme, I have assessed it as a proposed development on the basis of the plans before me.

Main Issues

5. The main issues of the appeal are:

- the effect of the proposed development on the character and appearance of the area; and
- whether the proposed development would provide appropriate living conditions for occupiers of the appeal property, with particular regard to internal space.

Reasons

Character and Appearance

6. The existing single storey property is somewhat an anomaly in the street in terms of its appearance and scale. The proposed development would increase the height of the dwelling and alter the roof shape. However, the increase in size of the roof would not be significant. As such, it would not result in a top-heavy appearance and the building would still be lower than the nearby dwellings. In addition, with a hip to one side and gable attaching to the adjacent dwelling to the other, the resultant roof would be more in keeping with the general appearance of the main roofs of dwellings in the street.
7. The proposed dormer would occupy a large part of the rear roof space and the property is in a highly visible corner location. Nevertheless, the dormer would be set in from either side of the roof and set down from the ridge line. This and its relatively small size would result in it not dominating the roofscape. Furthermore, it would be seen with, be smaller and lower than, the flat roof dormer at 96 Bourne Avenue that is at a greater height and already prominent from Clevedon Gardens.
8. The appeal property would be closer to Clevedon Gardens than 108 Bourne Avenue (No 108) is at present. However, the appeal scheme would not bring the building line closer to the side boundary. The increase in height would be modest and there would remain a large degree of separation to No 108. The openness of the streetscene would be retained and I saw properties with similar or less separation to their side boundaries at corner locations nearby.
9. Therefore, the proposed development would not harm the character and appearance of the area. The scheme would accord with Policy BE1 of the Part 1

Plan¹ and Policies DMHB11, DMHB12 and DMHD1 of the Part 2 Plan². These, in part, seek to ensure developments are appropriate to, harmonise and are well integrated with the local context and surrounding area.

Living conditions

10. The extended property would fall below the internal floor area requirements of the space standards³ for a 2-person 1 bedroom 2 storey dwelling. Notwithstanding this, there is no indication before me as to whether the existing or proposed property is a 2-person dwelling. The proposed bedroom meets the minimum floor area for a single bedroom and the standards do not provide a size for a 1 person, 1 bedroom, 2 storey dwelling.
11. While the bedroom would appear to have restricted ceiling height in part, the above standards refer to the minimum floor to ceiling height for the gross internal area of the dwelling. The Council refer to the restricted height in the roofspace only. They have not provided dimensioned plans or stipulated the extent of any shortfall and have not indicated that the ceiling height for the gross internal area of the dwelling as a whole falls below the standards.
12. Internal space standards highlighted by the Council relate to new dwellings. The scheme is for an extension to an existing property. Therefore, while they provide a good indication of what may be considered acceptable in terms of living conditions, these policies and guidance documents weigh neither for nor against the proposal as they do not apply to extensions to existing units.
13. There would be an open and regular shaped living area at ground floor level. Overall, the property would be larger than at present, providing greater internal space than the existing studio flat does. I am satisfied that, on the individual circumstances of the case before me, any limitations in the size of the unit are not sufficient to warrant the dismissal of the appeal.
14. Consequently, the proposed development would provide appropriate living conditions for occupiers of the appeal property with regard to internal space. It would accord with the Framework where it requires a high standard of amenity for existing and future users.
15. Policy D5 of the London Plan 2021 relates to inclusive design for which no specific issue has been raised. Policy D4 relates to design rather than living conditions of future occupiers. These policies weigh neither for nor against the appeal scheme with regard to this issue.

Other Matters

16. The proposal would not increase the number of bedrooms at the property and off-street parking is provided. Consequently, I see no reason why it would lead to any additional on street parking pressure.

Conditions

17. In addition to the standard time limit condition, I have imposed one requiring that the development is carried out in accordance with the approved plans. This

¹ Hillingdon Local Plan: Part 1 Strategic Policies

² Hillingdon Local Plan: Part 2 Development Management Policies

³ Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016), Housing Supplementary Planning Guidance March 2016, Technical housing standards – nationally described space standard, Policy DMHB16 of the Part 2 Plan and Policy D6 of the London Plan 2021

is to provide certainty. A condition is also imposed in relation to external materials to protect the character and appearance of the area.

18. I have not imposed a condition preventing new openings as it has not been shown that it is necessary.

Conclusion

19. For the reasons given above, and having taken into account all matters raised, I conclude that the appeal should be allowed subject to the conditions listed above.

Stuart Willis

INSPECTOR