



## Appeal Decision

Site visit made on 20 May 2025

by **J HepPELL BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19<sup>th</sup> of June 2025

**Appeal Ref: APP/R5510/W/25/3360999**

**23 Skipton Drive, Hayes, Hillingdon UB3 1PL**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Topping against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 9462/APP/2024/3224.
- The development proposed is the conversion of dwellinghouse into two residential units, creation of new crossover, provision of refuse storage and cycle and car parking.

### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. At the time of my site visit, works were being undertaken pursuant to Certificates of Lawfulness which had previously been granted by the Council. These alterations and extensions are shown as existing on the appellant's floor plans and elevations, and this is the basis on which I have determined the appeal.

### Main Issues

3. The main issues in this appeal are:

- the effect of the proposal on the supply of family housing within the Borough; and
- the effect of the proposal on the living conditions of future occupiers.

### Reasons

#### *Family housing*

4. The appeal site is situated in a residential road comprising semi-detached dwellings with good-sized rear gardens. The property forms one half of a pair of semi-detached properties. The scheme seeks to convert the property from a four bed house into a two bed flat on the ground floor and a two bed flat on the first and second floors.
5. Both Policy H10 of the London Plan March 2021 (LP) and Policy DMH 2 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted Version 16 January 2020 (LPP2) require housing schemes to provide a mix of unit sizes that reflects local housing need. Specifically, Policy H10 of the LP identifies the need for additional family housing, whilst at the same time

highlighting the ability of new development to reduce pressure on the conversion and subdivision of existing stock. Policy H10 offers support for two bedroom dwellings only in the context of promoting high accessibility locations and freeing up existing family housing, neither of which is the case here.

6. Policy DMH 2 of the LPP2 requires a mix of housing units of different sizes to be provided to reflect the Council's latest information on housing need. The supporting text to Policy DMH 2, contained in paragraph 4.6, states that the Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly three bedroom properties. I have not been supplied with the Council's latest information on housing need, and I have therefore taken paragraph 4.6 to be an accurate assessment of housing need in the Borough. It follows that Policy DMH 2 requires housing schemes to provide larger family dwellings as part of their mix of housing units.
7. The LP Glossary defines family housing as dwellings that, by virtue of their size, layout and design, are suitable for a family to live in, and generally have three, four, five, or more bedrooms. Although the Council's reason for refusal refers to the loss of a three bedroom family dwelling, the dwelling as extended (to four bedrooms) would still meet the definition of a family dwelling, and hence the protection afforded by Policy H10 of the LP as well as the housing mix requirements of Policy DMH 2 of the LPP2 apply. It follows that the conversion of the property to a pair of two bedroom flats would reduce the supply of family housing in the Borough, contrary to these policies.
8. The appellant has argued that there is no outright presumption against the conversion of existing houses to flats, citing the support offered by paragraph 4.4 of the LPP2 for combining separate flats within an original house into family-sized housing of three or more bedrooms. However, since paragraph 4.4 refers to combining flats within an already subdivided house, it is not directly applicable to the current appeal. Furthermore, Policies H1 and H2 of the LP, which the appellant refers to, seek respectively to increase housing supply and bring forward small sites, but do not contain detailed housing mix requirements. Thus, whilst the proposal would augment the housing stock in the Borough in accordance with these policies, it would do so at the expense of family housing.
9. The Council has argued that the proposal would also conflict with Policy DMH 1 of the LPP2, which safeguards existing housing by resisting the net loss of self-contained housing unless the housing is replaced with at least equivalent floorspace. However, by proposing to replace an existing self-contained house with two self-contained flats of an equivalent residential floorspace, the proposal would satisfy the requirements of Policy DMH 1. The proposal likewise complies with Policy H8 of the LP which, although not relied upon by the Council, resists the loss of existing housing to other uses. Moreover, there is no dispute between the parties that the proposal satisfies Policy DMH 4 of the LPP2, which sets down criteria for residential conversions. However, compliance with the above policies would not overcome the conflict I have identified with Policy DMH 2.
10. In conclusion, therefore, the proposal would unacceptably reduce the supply of family housing in the Borough, contrary to Policy H10 of the LP and Policy DMH 2 of the LPP2, the aims of which I have outlined above. In this way, I consider that the scheme would fail to comply with the National Planning Policy Framework,

which guides that the need, size, type and tenure of housing required for different groups in the community should be assessed and reflected in planning policies.

#### *Living conditions*

11. To ensure an appropriate living environment for future occupiers, Policy D6 of the LP and Policy DMHB 16 of the LLP2 set minimum internal space standards for new dwellings. In the case of the appeal scheme, the minimum requirement is 61sqm for a one storey dwelling with 2 bedrooms and 3 person occupancy (the ground floor flat) and 79sqm for a two storey dwelling with 2 bedrooms and 4 person occupancy (the first floor flat including staircase).
12. Because the Council and the appellant disputed the internal dimensions of the proposed flats, the appellant resurveyed the property and has confirmed that the scheme complies with the required minimum internal space standards. I have found no reason to dispute the appellant's dimensions, which demonstrate that the minimum required space standards would be achieved.
13. On this basis, the proposal would provide suitable living conditions for future occupiers, in accordance with Policy D6 of the LP and Policy DMHB 16 of the LLP2, the aims of which I have outlined above.

#### **Other Matters**

14. The appellant has referred to an allowed appeal at 66 Carnarvon Drive Hayes for the extension and subdivision of a house into a pair of two bedroom flats<sup>1</sup>. At the time, the only matter in dispute was car parking, with the Council having accepted the principle of the conversion. However, since both the Council's decision notice and the appeal decision predated the adoption of the LP in 2021 and the LLP2 in 2020, different policies on the subdivision of houses now apply.
15. I am, therefore, not satisfied that the circumstances which led to the approval for the scheme at Carnarvon Drive apply in the present case, which I have considered on its merits and in relation to the presently adopted development plan policies. I therefore afford the decision at Carnarvon Drive limited weight in support of the present proposal.

#### **Conclusion**

16. The scheme would provide an additional residential property, delivering a boost to housing supply within the built-up area of the Borough. There would be economic and social benefits from the additional unit of accommodation during construction and in subsequent occupation. The scheme would provide suitable living conditions for future occupants, which is to be expected of all development. As only a single additional unit of accommodation would be provided, I attribute the benefits of the scheme limited weight.
17. On the other hand, the proposal would lead to the unacceptable loss of a family dwelling, which there is a policy requirement to protect. This harm and related policy conflict is a significant issue, and would be such that the proposal would conflict with the development plan when considered as a whole. The harm and policy conflict would not be outweighed by the limited weight attached to the benefits of the development.

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<sup>1</sup> PINS reference APP/R5510/W/18/3218527

18. For the above reasons, the proposal conflicts with the development plan, when read as a whole. Material considerations do not indicate that a decision should be taken other than in accordance with the development plan. I therefore conclude that the appeal should be dismissed.

*J Heppell*

INSPECTOR