

Appeal Decision

Site visit made on 21 July 2022 by N Unwin BSc (Hons) MSc

Decision by Chris Forrett BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd August 2022

Appeal Ref: APP/R5510/D/22/3293938

11 Debden Place, Uxbridge UB10 0GW

- 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 Cameron Creed against the decision of the London Borough of Hillingdon.
 - The application Ref 75343/APP/2021/3848, dated 15 October 2021, was refused by notice dated 7 January 2022.
 - The development proposed is a single storey rear infill extension and replacement of roof on existing single storey rear outrigger.
-

Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The proposal is described on the application form as a 'proposed two storey rear extension, internal alterations and all associated works extend to front of building and add first floor'. I note that the Council changed the description to that in the banner header above and that the appellant has adopted this description on their appeal form. Given that the plans submitted with the application show a single storey extension, I have therefore utilised this amended description for my decision.

Main Issue

4. The main issue is the effect of the proposal on the living conditions of the occupiers of the appeal property, with particular regard to the amount of private external living space.

Reasons for the Recommendation

5. The appeal property is an end terrace dwelling on the corner of Debden Place and Tangmere Crescent. A single storey outrigger adjoining the boundary with 9 Debden Place projects from the rear elevation of the host dwelling into a small rear yard enclosed by a high boundary wall. The Council have indicated that the rear amenity area is around 25.5 square metres in size, the majority of which is located between the rear elevation of the outrigger and the rear boundary of the appeal site. The outrigger is approximately half the width of

the main dwelling creating an external area with the boundary wall adjoining Tangmere Crescent.

6. The proposal would infill the external area between the existing outrigger and the boundary wall with a flat roofed single storey extension. The proposed extension would finish level with the rear elevation of the existing outrigger and would include 3 panel bi-fold doors providing access to the small rear yard beyond. The proposal would reduce the outdoor amenity area to around 18.5 square metres.
7. Policy DMHD 1 of the London Borough of Hillingdon Local Plan Part Two – Development Management Policies (2020) (DMP) requires adequate garden space to be retained when considering applications for extensions to existing dwellings. Whilst this policy does not indicate what is adequate space, my attention has been drawn to Table 5.3 of the DMP which sets out the amenity space standards for new residential development. This indicates that for a property of this size 60 square metres of amenity space should be provided which is a useful guide as to what the Council consider to be an appropriate size.
8. Whilst it is clear that the existing situation does not accord with the above space standard, this does not necessarily mean that a proposal which would make an existing situation worse should be accepted.
9. From what was observed at the site visit, the area where the extension is proposed was being used for the drying of clothes as well as a mini greenhouse. There was also a table and chair set which was partially in the area of the extension. In that respect the area of the extension is clearly a useable area.
10. Taking all of the above factors into account, the proposal would result in an unacceptable further reduction in the amount of amenity space available to the occupants of the dwelling. That is to say the remaining space would not be of a size to allow occupiers to carry out all the domestic activities one would normally expect for the size of the dwelling.
11. In coming to the above view, I acknowledge that the appellant has stated that the existing shed which is currently in the rear yard would be removed as part of the development. Whilst this may well be the case, there would still be a net reduction in the amount of amenity space available at the property when compared to the existing situation.
12. The appellant has also drawn my attention to the size of the amenity space provided on other properties on the wider estate. Whilst there may well be other properties with limited amenity areas in the vicinity of the site, that does not justify the proposal before me.
13. The Council have also referred to Policy DMHB 18 of the DMP in their reason for refusal. Whilst this policy relates to the provision of outdoor amenity space, the key aspect of this referred to by the Council only relates to the provision of new residential development as opposed to extensions to existing dwellings. As such, I can only give this limited weight in my decision.

14. For the above reasons, the development would result in an unacceptable reduction in private amenity space to the detriment of the living conditions of the occupants of the host property. The proposal would therefore be contrary to Policy DMHD 1 of the DMP which, amongst other matters, seeks to ensure that adequate garden space is retained.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

N Unwin

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal dismissed.

Chris Forrett

INSPECTOR