

**APPEAL AGAINST THE REFUSAL OF LONDON BOROUGH OF
HILLINGDON FOR PLANNING PERMISSION
FOR
SINGLE STOREY REAR INFILL EXTENSION AND REPLACEMENT ROOF
ON EXISTING SINGLE STOREY OUTRIGGER
AT
11 DEBDEN PLACE, UXBRIDGE UB10 0GW**

APPEAL STATEMENT OF CASE

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1. Introduction and Background

- 1.1 This statement supports an appeal against the refusal by the London Borough of Hillingdon for the erection of a single storey rear infill extension and replacement of the roof on the existing single storey outrigger at 11 Debden Place, Uxbridge UB10 0GW.
- 1.2 The appeal property is a two-storey end-of -terrace dwellinghouse with accommodation in the rear roofspace. The proposed extension would provide a small ground floor infill development between the northern boundary and an existing single storey outrigger rear projection (built with the original house) to provide a dining space for the family. Rooflights would be inserted into the flat roof of the new extension to maximise natural daylight, and the roof on the existing single storey outrigger would be replaced. The appearance of the extension has been carefully designed to match that of the existing house and the neighbouring properties, and the materials would be complementary.
- 1.3 The planning application was refused by the Council under delegated authority on 7 January 2022. The sole reason for refusal is:

The proposed development, by virtue of its failure to maintain an adequate provision of private external amenity space, would have a harmful effect on the living conditions of the occupants of the host property. The proposal would therefore be contrary to Policies DMHB 18 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) and the National Planning Policy Framework (2021).

2. Site description and review of planning history

- 2.1 The appeal site lies at the northern of Debden Place at its junction with Tangmere Crescent. No.11 is part of a modern estate, built on the site of the former RAF Uxbridge. It is the northern most of a terrace of three similar properties and its side (northern) boundary runs along the adjoining crescent. Due to a change in levels at this point, there is a flight of steps at the end of the rear garden giving access into the crescent.
- 2.2 The appeal property is not a Listed Building nor is it within a Conservation Area. Whilst the site is covered by a Tree Preservation Order, there are no trees on this particular plot or that would be affected by the proposed development.

- 2.3 An on-line search of planning history for the site and previous files reveals the following decisions:

Date	LPA reference	Description	Decision
2020	75343/APP/2020/140	Proposed ground floor side infill extension and basement conversion, floor plan redesign and all associated works at 11 Debden Place.	No further action
2021	75343/APP/2021/1868	Two storey rear extension	Refused

3. Identification of relevant planning policies

- 3.1 When considering the merits of development that requires a planning application the Council, in its function as the local planning authority, has a requirement to determine that application in accordance with the policies of its Development Plan unless material considerations indicate otherwise.
- 3.2 Therefore, in preparing this statement, careful consideration has been given to relevant policies of the London Borough of Hillingdon Council's Development Plan. It is considered that the following local and national policies are relevant to this proposed development:

LB Hillingdon Local Plan Part 2 – Development Management Policies (2020)

- 3.3 The relevant part of adopted Local Plan contains the following policies that are relevant to the development proposed:
- DMHB 11 - Design of New Development
 - DMHB 12 - Streets and Public Realm
 - DMHB 14 - Trees and Landscaping
 - DMHB 18 - Private Outdoor Amenity Space
 - DMT 6 - Vehicle Parking
 - DMHD 1 - Alterations and Extensions to Residential Dwellings

National Planning Policy

- 3.4 The Government's national planning policies are set out in the 'National Planning Policy Framework' (NPPF). The NPPF is a material consideration in planning decisions and the following sections are considered relevant to the appeal proposal:

Section 2 – Achieving sustainable development

Section 4 – Decision making

Section 11- Making effective use of land

Section 12 – Achieving well-designed places

4. Assessment of the appeal proposal against the Council's reason for refusal

- 4.1 It is evident from the Council's reason for refusal and the detail in the officer report that the only issue in this case is whether the proposed extension is considered to retain sufficient amenity space to serve the dwellinghouse.
- 4.2 With regard to the other principal considerations, it is clear that the local planning authority considers the development meets all the other criteria set out the relevant local planning policies, namely that it would:
- cause no harm to the character and appearance of the area;
 - not affect any trees of importance;
 - not cause harm to the residential amenities of neighbouring property, and;
 - not add pressure on parking provision or prejudice highway safety.
- 4.3 The only issue raised in the reason for refusal is that the proposed development by building on a small part of the existing garden would fail to maintain an adequate provision of private external amenity space which, the Council believes, would have a harmful effect on the living conditions of the occupants of the host property amenity space.
- 4.4 It is recognised that the garden serving the appeal premises is not large, but that size of amenity space is common on the wider estate. Due to its location tight in the north-western corner between the single storey outrigger and the boundary fence, the part of the garden where the proposed extension would be sited does not benefit from direct sunlight and is not particularly usable amenity space. The applicant feels it far better to use this part of the site to benefit internal amenity by extending the living space, than as an ineffective part of the

garden. It is intended to remove an existing shed from the garden which would provide a small increase in usable amenity space.

- 4.5 It is noted that the Council's policy with regard to amenity space (Policy DMHB18 at Table 5.3) seeks a requirement to have at least 60 square metres of private amenity space for 2 and 3-bedroom houses. However, it has clearly been accepted by the local planning authority that this modern estate can depart from that policy since most of the dwellings fail to reach the standard. In the circumstances, it is not considered reasonable to object to the proposed extension on these grounds when much, if not all, of this new development is provided with amenity space below the Council's own standards.

5. Conclusions

- 5.1 In summary, the appeal proposal is considered to provide a beneficial addition to the amenities of this family dwellinghouse by using an ineffective part of the garden for a small extension. No adjoining residents nor the character of the wider estate would be harmed by the proposed development.
- 5.2 In light of the reasons highlighted above, and in the absence of any other material considerations to justify otherwise, it is respectfully requested that this appeal is allowed.