
Appeal Decision

Site visit made on 11 January 2018

by A A Phillips BA (Hons) DipTP MTP MRTPI

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

Decision date: 26 January 2018

Appeal Ref: APP/R5510/D/17/3184943

9 Churchill Road, Uxbridge UB10 0FN

- 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 Mrs Fereshta Nawid against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73003/APP/2017/2397, dated 1 July 2017, was refused by notice dated 23 August 2017.
 - The development proposed is the erection of a 3.6 metre rear single storey extension to the existing property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's decision notice refers to policies within the Hillingdon Local Plan: Part Two – Unitary Development Plan Saved Policies (November 2012). However, it has since been clarified that the correct date for these policies having been saved is September 2007.

Main Issue

3. The main issue is the effect on the living conditions of the occupants of the host property with particular reference to the provision of outdoor amenity space.

Reasons

4. The appeal property is a modern four bedroom three storey mid-terrace house situated within a predominantly residential area of Uxbridge. It has a small landscaped area to the front and a garden area to the rear, beyond which is a shared parking area. At present the rear garden is approximately 66 square metres in size which is comparable to others in the immediate locality.
5. Policy BE23 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies September 2007 (the UDP) relates to external amenity space and states that extensions should maintain external amenity space which is sufficient to protect the amenity of occupants and which is suitable in terms of its shape and size. Furthermore, Paragraph 3.13 of the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document Residential Extensions December 2008 provides guidance on garden

space standards. A rear extension to a four bedroom house should retain at least 100 square metres of rear garden area.

6. The size of the existing rear garden is significantly less than recommended by the HDAS and the extension would reduce this to approximately 48 square metres, which is less than half the size of rear garden recommended to be retained for a property of this size. The appellant has drawn my attention to there being a strip of garden space to the front of the property and I also noted at my site visit that the property has a small front balcony at first floor level. There is also a substantial area of public open space on Lacey Grove which is close to the appeal site.
7. Nonetheless, the development plan is quite clear that new extensions should retain adequate external amenity space. The proposal would result in inadequate rear garden space to serve the needs of a substantial four bedroom family property and would limit the opportunity for general outdoor activity that occupants could reasonably expect with a property of this size and type, including outdoor play, sitting out and hanging out washing, for example. The other small amenity spaces around the property, including the front landscaped garden and balcony may compensate for some of the shortfall in the recommended area; however, the remaining rear garden would be less than half of that recommended and, as such, is very significantly below the amount which I consider should reasonably be retained.
8. Although the appellant contends that there is a precedent for single storey rear extensions in the surrounding area I have determined this appeal on its own merits having regard to the specific circumstances of this site. I conclude that the proposal would have a harmful effect on the living conditions of the occupants of host property with particular reference to the provision of outdoor amenity space. As such it would conflict with Policy BE23 of the UDP and the HDAS. However, I find there to be no conflict with Policy BE19 of the UDP which relates to character and amenity.

Conclusion

9. For the reasons given above and taking into account other matters raised I conclude that the proposal conflicts with the development plan taken as a whole and that the appeal should be dismissed.

Alastair Phillips

INSPECTOR