
Appeal Decision

Site visit made on 17 May 2018

by Mr Kim Bennett DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 May 2018

Appeal Ref: APP/R5510/D/18/3196475
27a Beech Close, West Drayton UB7 9LQ

- 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 Philip Li against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73168/APP/2017/4524, dated 15 December 2017, was refused by notice dated 2 February 2018.
 - The development proposed is a side extension and 1.8m high brick wall to side boundary.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether, as a result of the development, there would be an adequate area of usable external amenity space for existing and future occupiers of the extended property.

Reasons

3. The appeal property comprises a relatively recently constructed detached chalet bungalow located in the north east corner of Beech Close on an irregular shaped plot and set back behind its two neighbours on either side.
4. A previous application was refused permission by the Council on three grounds relating to design, impact upon an adjoining neighbour and lack of usable private amenity space¹. Whilst the current proposal has overcome two of the grounds, the Council remains concerned about the lack of usable amenity space.
5. In respect of the above, the Council has set out local standards in its Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document 2008 (SPD) which advises that a 3 bed dwelling should retain a minimum of 60 sq m. of usable amenity space and a 4 bed dwelling 100 sq m. of such space. The submitted plans indicate that the resulting residual area retained once the extension was constructed would be 78 sq m.

¹ Application reference 73168/APP/2017/3305HH

6. The appellant argues that the property is a 3 bed dwelling rather than a 4 bed, but that even if the latter standard was adopted, the quality of amenity space would be high.
7. At my site visit I carried out an internal inspection of the property and noted that there were two bedrooms in the roof area and one at ground floor. A further room at ground floor, annotated as a study on the submitted plans, is currently used for storage. However it is a reasonable size for a small fourth bedroom and there would be no planning control to prevent it being used as such. Accordingly, I consider the Council's approach to assess the proposal against a 4 bed standard for amenity space, is the correct one.
8. Furthermore, as the SPD guidance makes clear, it is not just a question of a mathematical calculation, but how usable the area of amenity space would be in terms of providing a quality area. In that respect, I noted that the area to the rear of the bungalow is essentially a strip of land only 2.5m in depth. The proposed extension would take up the main usable part of the existing garden so that only a relatively small triangular area would remain to the side coupled with the corner area which is also overshadowed by a tree. In my view, the resulting area would not provide an adequate or usable area of external amenity space which the SPD guidance is seeking to achieve, and would be insufficient for potentially a 4 bedroom property which would be likely to have young children and therefore the amenity space needs would be greater.
9. Although the appellant points out that there would be improved internal space, the issue relates to external amenity space. I also acknowledge the large area of communal open space which serves Beech Close generally, but again, the primary issue for consideration is the provision of adequate private amenity space where occupants, including children, could enjoy such areas with less supervision and greater privacy than that of a larger communal area.
10. I also note the appellant's reference to the Mayor of London's Housing SPG where Standard 26 advises that a minimum provision of 5 sq m. of private outdoor space should be provided for one or two person dwellings and an extra 1 sq m. for each additional occupant. However, it is a minimum standard and would apply to a variety of differing housing types including high density housing in a wholly city environment where reduced levels of external amenity provision would be expected. I therefore give greater weight to the Council's local standards in this instance.
11. No objections are raised in respect of the proposed boundary wall, adjoining residential amenity or parking provision and I have no reason to arrive at a different finding.
12. In the light of the above, I consider that the proposed extension would be contrary to Policies BE19 and BE23 of the Council's Local Plan: Part Two – Saved UDP Policies 2012 and the SPD, in that it would not improve the amenity of the area and would not provide or maintain external amenity space sufficient to protect the amenity of existing or future occupants of 27a Beech Close, in terms of its shape and siting.
13. Accordingly, the appeal is dismissed.

Kim Bennett INSPECTOR