
Appeal Decision

Site visit made on 16 September 2016

by S Poole BA(Hons) DipArch MPhil MRTPI

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

Decision date: 27 September 2016

Appeal Ref: APP/R5510/D/16/3154577

13 Russet Close, Uxbridge UB10 0ST

- 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 M Purewal against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 52155/APP/2016/1014, dated 9 March 2016, was refused by notice dated 5 May 2016.
 - The development proposed is the erection of a single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether the proposal would provide acceptable living conditions for existing and future occupiers, with particular regard to the amount of private amenity space.

Reasons

3. The appeal property is a 6-bedroom, 3-storey end of terrace house. It is situated in a close comprising 2 terraces of similar age and appearance with private rear gardens and extensive areas of hardstanding at the front. A single storey addition has been erected at the rear of the appeal property resulting in the loss of any meaningful garden space at the rear. The only remaining private amenity space for use by the occupiers of the property is the area to the side.
4. The property is currently occupied as a House in Multiple Occupation for up to 6 people (Use Class C4). I am mindful, and give significant weight to the fact that, under Class L of Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (GDPO) the conversion of the property back to C3 use is permitted development and therefore the property could in the future revert back to a family dwelling.
5. The proposal would comprise the erection of a single-storey side extension that would occupy almost the entirety of the side space. Although I concur with my colleague in respect of the earlier appeal¹ that the side space may not be a

¹ APP/R5510/A/14/2226729

pleasant place to sit out, as my colleague also notes, it provides the only space for hanging out washing and storing cycles and refuse bins, all of which are basic functional requirements of a six-person dwelling or a large family house where no alternative provision is available nearby.

6. I therefore conclude that, due to its siting and size, the proposal would have an unacceptable effect on the living conditions of existing and future occupiers of the property. It is therefore contrary to Policies BE19 and BE23 of the *London Borough of Hillingdon Unitary Development Plan Saved Policies 2007*, the latter of which states that extensions should maintain external amenity space which is sufficient to protect the amenity of the occupants of the existing building and which is usable in terms of its shape and siting.
7. The appellant suggests that a side extension could be added to the property under permitted development rights. In the absence of clear evidence that the property benefits from such rights and the proposal would accord with the GDPO in all respects, I attribute limited weight to this matter.

Conclusion

8. For the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should fail.

S Poole

INSPECTOR