
Appeal Decision

Site visit made on 16 November 2020

by Tim Wood BA(Hons) BTP MRTPI

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

Decision date: 30 November 2020

Appeal Ref: APP/R5510/D/20/3250897

74 Monmouth Road, Hayes, Middlesex UB3 4JJ

- 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 Rajiv Kumar against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 64806/APP/2019/3973, dated 7 December 2019, was refused by notice dated 30 January 2020.
 - The development proposed is a double storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is whether a sufficient quantity and quality of amenity space would be provided for residents of the extended house.

Reasons

3. The appeal relates to this 2 storey, semi-detached house which is within an area of predominantly similar properties. The house sits adjacent to a bend of Monmouth Road and the plot is relatively wide at the front and tapers to a point at its rear. The house has been extended at the rear with a single storey extension.
4. The proposal would result in a considerable expansion in the size and level of accommodation at the house, from a modest 3 bedroom house to one with considerably extended family accommodation at ground floor and 5 bedrooms (although one is marked as a study on the plans).
5. Policy DMHB 18 of the Council's Local Plan Part 2, Development Management Policies (Adopted 16 January 2020) (DMP) sets out the requirement for the amount of amenity space for dwellings of varying sizes. For a property as is currently proposed, Table 5.3 (referred to in Policy DMHB 18) states that a minimum of 100 sqm should be provided.
6. In addition to the numerical standard, the Policy requires the amenity space to be of good quality and useable. The supporting text to Policy DMHB 18 states that private outdoor space is highly valued by many and is an integral part of the quality of life of residents in outer London. It adds that, taking account of the Borough's location and character, standards which exceed those in the

London Housing SPG are justified. Furthermore, it indicates that private outdoor amenity space will be required to be well located, well designed and usable for the private enjoyment of the occupier; and in assessing the quality of spaces, consideration will be given to shape and position.

7. There is disagreement between the Council and the appellant regarding the numerical quantity of space that would remain and also regarding its quality. I have had close regard to the submissions made by the appellant and the Council, including the very detailed information and calculations from the appellant.
8. If the proposal were to go ahead, the rear corner of the proposed extension would come quite close to the plot boundary and would effectively divide the space at the side/rear into 2 triangles (although I fully accept that they would be connected by a fairly narrow gap). The smaller of these 2 areas would be set at the side of the enlarged house and would be enclosed to the front by the fence which would separate it from the parking area. This area would be small, dominated by the 2 storey side wall of the house and the fences and could not be considered as good quality space, in my judgement. The larger area to the rear is of a good width where it is adjacent to the house but then narrows to a point at the rear. In my view, the shape of this area would mean that much of it would not be usable in any meaningful way. I note that this view was shared by a fellow Inspector when dismissing an appeal for an extension (Ref: APP/R5510/D/19/3224967) in June 2019.
9. Taking these matters into account, I consider that the amount and quality of the amenity space that would remain would be insufficient for the residents of the extended property. I have taken into account the submissions made by the appellant relating to a now demolished garage and the area that this contributes to amenity space; however, the appeal falls to be determined in relation to how the site currently exists, in relation to the most recently adopted policies and it should also be recognised that the proposal not only reduces the area of land around the house but increases the requirement for space due to the likely greater number of occupants. I have had regard to all other matters, including other extensions nearby and the standards used by other planning authorities but find nothing which outweighs the harm that I have identified.
10. In conclusion, the proposal conflicts with Policies DMHD 1 and DMHB 18 of the DMP and there are no matters sufficient to outweigh that conflict. As a consequence, the appeal is dismissed.

ST Wood

INSPECTOR