



Appeal Decision

Site Visit made on 6 July 2021

by Tamsin Law BSc MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 July 2021

Appeal Ref: APP/R5510/D/21/3270949

74 Harvey Road, Uxbridge, London UB10 0HS

- 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 Rohan Lehri against the decision of London Borough of Hillingdon.
 - The application Ref 44230/APP/2020/3731, dated 14 November 2020, was refused by notice dated 11 January 2021.
 - The development proposed is the demolition of garage; double storey side and rear extension; extending vehicle crossover.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of garage; double storey side and rear extension; extending vehicle crossover at 74 Harvey Road, Uxbridge, London, UB10 0HS in accordance with the terms of the application, Ref 44230/APP/2020/3731, dated 14 November 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall not begin later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 74HR-300 Rev 02; 74HR-310 Rev 02; 74HR-311 Rev 02; 74HR-312 Rev 02; 74HR-320 Rev 00; 74HR-321 Rev 00; 74HR-322 Rev 00; 74HR-323 Rev 00; 74HR-324 Rev 00.

Main Issue

2. The main issue is whether the proposed development would provide satisfactory living conditions for the occupiers of the host dwelling in terms of private amenity space.

Reasons

3. The proposed development involves the demolition of an existing garage and construction of a two storey extension and will increase the number of bedrooms to 4. Parking will be provided to the front of the dwelling with private amenity space to the rear and side.
4. Policy DMHB 18 of the Local Plan¹ prescribes the minimum outdoors amenity space standards for new residential development and Policy DMHD 1 relates to extensions to dwellings and requires that adequate garden space is retained.

¹ London Borough of Hillingdon Local Plan Part 2 – Development Management Policies (January 2020)

The Council considers that the proposal fails to provide adequate private outdoor amenity space as it falls short of the standards in policy DMHB 18 which requires an area of 100 square metres for houses of 4+ bedrooms.

5. In their statement the appellant has provided calculations which demonstrate that with the proposed extension an area of some 137 square metres of private amenity space will be retained. Whilst these calculations do not account for the extension of the driveway into the side garden, the submitted plans demonstrate that adequate private outdoor amenity space is retained. Additionally, the parking area would only be a minimal intrusion into the side garden and would unlikely reduce the available space to under 100 square metres. On site I observed that both the side and rear garden are bound by tall fences and walls ensuring that the area remains private for the occupiers of the host dwelling.
6. I therefore conclude that the proposed development would provide appropriate living conditions for the occupiers of the host dwellings with regards to amenity space. It would not conflict with Local Plan Policies DMHB 18 or DMHD 1 which seek to ensure that adequate private amenity space is provided. The proposed development would also comply with paragraph 127 of the National Planning Policy Framework which seeks to ensure high standards of amenity.

Conditions

7. In the interests of proper planning and for the avoidance of doubt, I have imposed a condition requiring that the development be carried out in accordance with the approved plans.

Conclusion

8. For the reasons given above I conclude that the appeal should be allowed.

Tamsin Law

INSPECTOR