



Appeal Decision

Site Visit made on 2 July 2021

by Scott Britnell MSc FdA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 September 2021

Appeal Ref: APP/R5510/W/21/3266543

575 Field End Road, Ruislip HA4 0RA

- 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 P Priyen against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 23948/APP/2020/3332, dated 15 October 2020, was refused by notice dated 17 December 2020.
 - The development proposed is two storey side and rear extension and conversion of single dwelling into two residential properties.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the banner header above is taken from the application form. The Council's decision notice describes the proposal as "part two storey, part single storey side/rear extension and conversion of single dwelling to 2 x 2 dwellings with associated parking and amenity space". I consider that this description more clearly and fully describes the proposed development and I note that the appellant has used this description in their appeal form. I have therefore determined the proposal on that basis.
3. Following the submission of the appeal, the Government published the National Planning Policy Framework 2021 (the Framework). I sought comments from the main parties with regards to this matter and no responses have been received.

Main Issue

4. The main issue is whether the proposal would provide adequate living conditions for future occupants, with particular regard to the provision of outdoor space.

Reasons

5. Policy DMHB 18 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted Version 16 January 2020 (LP) requires all new residential development and conversions to provide good quality and useable private outdoor amenity space. This should be provided in accordance with the standards set out in Table 5.3, which for 2 bedroom dwellings requires a minimum of 60 square metres of amenity space.

6. There is dispute between the main parties with regard to the size of the rear gardens that would be created. The Council suggest that for the proposed dwelling labelled No.575, the area of the rear garden would measure approximately 46 square metres. The appellant suggests it would be 50 square metres. The Council suggest that the proposed dwelling labelled No.575A would have a rear garden with an area measuring 37 square metres. The appellant suggests that the area of this garden would be 39 square metres.
7. In calculating the size of the rear gardens areas the Council have not included the areas upon which the proposed cycle stores would be sited. It is not clear whether the appellant has included these areas in their calculations. Nevertheless, even if I were to accept the appellant's calculations, the proposed gardens would still fall significantly below 60 square meters. Moreover, both gardens would be narrow while the garden to proposed dwelling No.575A would be awkwardly shaped. This would affect their usability. When considered in conjunction with their overall size, the gardens would therefore fail to provide good quality private amenity areas for the size of the proposed dwellings. This would result in poor living conditions for the future occupants.
8. In reaching this conclusion, I am mindful that private rear gardens are commonly used for occupants to sit out in, for children to play in and as an area for washing to be put out to dry. For the reasons I have set out, the proposed rear gardens would not be adequate for these uses.
9. I note the appellant's comments that flexibility should be exercised with regards to the application of space standards required by Policy DMHB 18. I have been referred in this regard to the presence of a number of local open spaces and playgrounds, which includes the Field End Road Recreation Ground adjacent to the appeal site. While future occupants of the proposed dwellings would have access to these areas this would not overcome the harm that I have identified. In particular, public areas do not necessarily provide suitable private amenity areas that future occupiers of small, family sized dwellings, as are intended here, could enjoy.
10. The appellant suggests that 12% of the dwellings within the postcode of the area of the appeal site are without access to a private or shared garden. However, no details regarding the types of dwellings referred to or when they may have been granted planning permission have been provided. Therefore, I attribute little weight to this matter in my overall considerations.
11. I also note the appellant's suggestion that that the proposal would go some way to meeting the Council's ten year housing target. However, there is no evidence before me regarding the current position of the Council's housing land supply. Moreover, the proposal would result in a very modest contribution of a single additional dwelling. As such, any benefits associated with the proposal are likely to be limited and I attribute limited weight to this matter.
12. I conclude that the proposal would fail to provide adequate living conditions for future occupants, with particular regard to the provision of outdoor space in conflict with LP Policy DMHB 18. There would also be conflict with Paragraph 130f) of the Framework, which states, amongst other things, that developments should create places with a high standard of amenity for future users.

13. The drawings do not show how the rear garden for proposed dwelling No.575A could be accessed directly from the property. However, I note that Council has not raised this matter and as I am dismissing the appeal on other substantive grounds I do not need to consider it further.

Conclusion

14. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

Scott Britnell

INSPECTOR