



Appeal Decision

Site visit made on 13 June 2019

by F Rafiq BSc (Hons), MCD, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th July 2019

Appeal Ref: APP/R5510/D/19/3227092

31A Oak Avenue, Ickenham, UB10 8LR

- 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 Vinesh Karia against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74132/APP/2019/149 dated 15 January 2019 was refused by notice dated 29 March 2019.
 - The development proposed is an outbuilding to be used for garden storage and summer house.
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Decision

1. The appeal is allowed and planning permission is granted for an outbuilding to be used for garden storage and summer house at 31A Oak Avenue, Ickenham, UB10 8LR in accordance with the terms of the application, Ref 74132/APP/2019/149, dated 15 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not 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: Location Plan (2018 – 84 – 01 Revision A), Block Plan (2018 – 84 – 02 Revision A) and Floor Layouts & Elevations Plan (2018 – 84 – 03 Revision A).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing main building.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal building is a detached property that is situated in an area which contains a variety of detached dwellings, including bungalows. There are a wide range of building styles evident along Oak Avenue, although many of the dwellings are closely spaced together and on consistent building lines. This consistency in layout, but also the variety in the appearance of buildings, contributes to the pleasant residential character of the area.

4. The proposal seeks an outbuilding towards the end of the long rear garden of the appeal property. Other surrounding properties have similar generous sized rear gardens and I was able to see that many contained a range of outbuildings. The proposed outbuilding would have a footprint of 45 sqm, which the Council state would equate to 45% of the original dwelling house, (where its footprint has been stated as 100 sqm). The main building has however been extended, and the proposed outbuilding would be separated from it by the large garden area. It would also be set away from the side and rear boundaries and have an eaves height and a maximum height of 2.5m and 3.5m respectively, which I consider are typical for outbuildings. The roof design would also reflect that of the main property. I do not therefore consider that the size and scale of the single storey proposal, within the grounds of the large two storey dwelling which contains further accommodation in the roofspace, would appear excessive or insubordinate.
5. I acknowledge that the outbuilding would be visible from surrounding properties. However, I was able to see a variety of other outbuildings within surrounding gardens, some of which did not appear to be of a dissimilar size to the appeal development. I do not therefore consider that the subject development would appear as a visually obtrusive form of development.
6. I conclude that the proposal would not have an adverse impact on the character and appearance of the area. It would not therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies or Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part 2 – Saved UDP Policies, which require, amongst other matters, development to complement or improve the character of the area. It would also not conflict with the Hillingdon Design and Accessibility Statement 'Residential Extensions' or with Section 12 of the National Planning Policy Framework in relation to requiring good design.

Other Matters

7. The Council have raised concerns on the scale and design of the proposal not being commensurate to one that would be incidental to the enjoyment of the main house. Although they have stated that no evidence has been put forward that it is reasonably required for a purpose incidental to the enjoyment of No. 31A Oak Avenue, the description of development on the application form makes reference to its use for garden storage and summer house. I note the size of the outbuilding, but the Appellant has also confirmed that it is intended to be used for storage of a variety of items, including gardening tools and games equipment. As such, I consider that the outbuilding, based on the submitted information, is to be used for purposes that are reasonably required for the incidental enjoyment of the dwellinghouse and I have considered the appeal accordingly.
8. Comments have been made on the need to prevent the creation of a separate residential use, with reference to imposing a condition relating to services. If the outbuilding was however to be occupied separately, then this would require planning permission and any such application would be determined on its own merits.

Conditions

9. I have considered the Council's suggested conditions in the event that the appeal was to be allowed. The standard time for the commencement of

development will be imposed as well as a condition requiring compliance with the approved plans. A condition requiring matching materials will be imposed in the interests of the appearance of the main building and the area.

Conclusion

10. For the reasons given above and having taken into account all other matters raised, including reference to the planning history of the appeal property, I conclude the appeal should be allowed.

F Rafiq

INSPECTOR