



Appeal Decision

Site visit made on 23 July 2019

by Michael Evans BA MA MPhil DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 06 August 2019

Appeal Ref: APP/R5510/D/19/3229774

31 Abbey Close, Hayes UB3 3PJ

- 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 Surjit Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74181/APP/2019/402, dated 4 February 2019, was refused by notice dated 1 April 2019.
 - The development proposed is described on the planning application form as "Retention of single storey outbuilding and demolition of detached garage."
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Decision

1. The appeal is allowed and planning permission is granted for a single storey outbuilding and demolition of detached garage at 31 Abbey Close, Hayes UB3 3PJ in accordance with the terms of the application, Ref 74181/APP/2019/402, dated 4 February 2019, and the plans submitted with it Ref 065 PA 03, 065 PA 04, 065 PA 05 and 065 PA 06.

Preliminary Matter

2. The "retention" of the outbuilding does not itself comprise an act of development. In the decision above I have therefore amended the description given on the application form by omitting this term.

Main Issue

3. The main issue in this appeal is the effect on the character and appearance of the locality.

Reasons

4. The development plan includes the London Borough of Hillingdon Unitary Development Plan Saved Policies, September 2007 (UDP) and the Hillingdon Local Plan: Part One - Strategic Policies 2012 (LP). LP Policy BE1 indicates that all new development should achieve a high quality of design which enhances local distinctiveness and makes a positive contribution to the local area. UDP Policy BE13 seeks to ensure that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene. UDP Policy BE15 intends that proposals for alterations and extensions to existing buildings will harmonise with the scale of the original building. UDP Policy BE19 intends that new development complements or improves the amenity and character of the area.

5. The Council's Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document, Residential Extensions, December 2008, contains guidance regarding detached outbuildings. It is indicated that these should be positioned as far away from the house as possible, a significant amount of private usable garden space should be left and matters such as bulk, height and floorspace will be considered. Types of roof other than ridged should be no higher than 3m.
6. The appeal concerns a two storey end of terrace dwelling, where the outbuilding the subject of this appeal has already been constructed. The Council indicates that the footprint of the outbuilding exceeds that of the host dwelling, so that it is excessively large and overly dominant. While the house has a relatively narrow width, the depth of its flank elevation is substantially greater. Furthermore, the latter dimension significantly exceeds both the depth and width of the outbuilding. The outbuilding has a flat roof and fairly modest single storey height, which the Council estimates at a maximum of 2.8m. The associated two storey pitched roof dwelling is appreciably more imposing and dominant in its scale and bulk.
7. The outbuilding has been built at the end of the reasonably deep rear garden. The degree to which the building projects above the boundary fence is relatively modest, which appreciably limits its visibility from the adjacent properties and car parking area to the rear. Even with the garage in place there is still a significant area of usable garden space, significantly exceeding that required by HDAS, which the Council suggests is 40sq m for a two bedroom dwelling.
8. As a result of these factors, matters such as the size, scale and bulk of the outbuilding are not excessive, with it appearing subordinate to the host dwelling and not overly dominant. The structure is not unsightly with the facing brickwork of the front elevation providing a reasonably good match with that of the host dwelling.
9. In consequence, it is concluded that the character and appearance of the locality has not been harmed and there is no conflict with LP Policy BE1 and UDP Policies BE13, BE15 and BE19, as well as the Council's SPD.
10. The Council indicates that it has no objections in relation to noise levels and there is no evidence to persuade me to take a different view. Speculation over the future use of the building would not be a sound basis for rejecting the appeal.
11. This is a case where the development has not resulted in any detrimental effect. In these circumstances and taking account of all other matters raised, it is determined that the appeal succeeds. The Council has requested conditions concerning the time limit for commencement of development, the approved plans and materials to match the existing dwelling. However, the development has already taken place so that such conditions are not necessary.

M Evans

INSPECTOR