
Appeal Decision

Site visit made on 5 November 2019 by Scott Britnell MSc FdA

Decision by R C Kirby BA(Hons) DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 December 2019

Appeal Ref: APP/R5510/D/19/3236486

66 Berrydale Road, Hayes, Middlesex, UB4 9QP

- 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 Miss Magdalena Zylík against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 74768/APP/2019/1332, dated 12 April 2019, was refused by notice dated 26 July 2019.
 - The development proposed is described as "wood fence in 66 Berrydale Rd as per attached drawing. Height 1.9m".
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. At the time of my visit the fencing had been erected.

Main Issue

4. The main issue in this matter is the effect of the proposal on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site comprises a dwelling house located in a prominent position on the corner of Berrydale Road and Coulter Close. The estate within which the appeal property is located is characterised by open frontages and landscaping, which contribute to a pleasant sense of openness. There is a mixture of boundary treatment in the locality and where there are fences and walls forming the boundaries, these are in the main set behind landscaped strips, including that on the opposite side of the junction to the appeal site.
 6. The new fence abuts the back edge of the pavement in Berrydale Road and runs behind a small landscaped area and parking space in Coulter Close. It forms a particular prominent and visually harsh form of boundary treatment in Berrydale Road which detracts from the attractive approach into this road from Broadmead Road and has a significant enclosing effect of the junction with
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Coulter Close and Berrydale Road. I acknowledge that the fence has replaced a tall brick boundary wall which was in poor condition, however the evidence before me indicates that the new fencing has been constructed closer to the highway than the wall and as such the presence of earlier boundary treatment is not directly comparable to the development before me and does not provide justification for harmful development.

7. The appellant has referred me to other walls and fencing in the area, however other than attachments 3 and 4 which are on the opposite side of Berrydale Road and the opposite side of Broadmead Drive, no details have been provided as to where the photographic examples are in relation to the appeal site. I am therefore unable to ascertain whether the character and appearance of the areas within which they are located are directly comparable to that in this case. In terms of the wall on the opposite side of the road to the appeal property I observed that this reflects the wall forming the boundary to the neighbouring property to the appeal site. Together these walls create a uniform entrance into Berrydale Road, beyond which is a more open character, within which the appeal site is located. Furthermore, Broadmead Drive is characterised by boundary treatment abutting the highway, which is not the case in respect of the appeal site. The examples quoted are not directly comparable to the scheme before me and this limits the weight that I can give them in my consideration of this case.
8. I note the appellant's desire to enclose her property and provide privacy and security to her garden, however it is likely that there are other ways of achieving these matters which respects the character and appearance of the area. It is asserted that prior to the fence being erected the land was used for dumping rubbish and was a place where teenagers gathered. Whilst I acknowledge that this could cause distress to the appellant and her family, such matters should be taken up with the Council and others in the first instance. They do not justify harmful development. The benefit to the appellant of the fence reducing pollution and noise is unsubstantiated and accordingly this matter carries limited weight.
9. In light of the foregoing I conclude that the fence is harmful to the character and appearance of the area and conflicts with the aims of Policy BE1 of the A Vision for 2026 Local Plan: Part 1 Strategic Policies (Adopted November 2012), saved Policies BE13 and BE19 of the London Borough of Hillingdon Unitary Development Plan (adopted 1998) Saved Policies 27th September 2007 and the Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document: Residential Extensions (December 2008), which collectively require new development, amongst other things, to improve and maintain the quality of the built environment, harmonise with the street scene, and complement or improves the character of the area.

Conclusion and Recommendation

10. For the reasons given above, I recommend that the appeal should be dismissed.

Scott Britnell

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

RC Kirby

INSPECTOR