



Appeal Decision

Site visit made on 4 February 2020

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 February 2020

Appeal Ref: APP/R5510/D/19/3240366

1 Violet Avenue, Hillingdon, Middlesex UB8 3PP

- 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 Yarmohammad Sardarmohamed against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71455/APP/2019/2411, dated 8 August 2019, was refused by notice dated 8 October 2019.
 - The development proposed is a side boundary wall.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. It was evident at my site visit that a much more extensive wall than is shown on the plans submitted has been erected, both in terms of its length and its height. However, I am able only to determine the appeal on the basis of the plans before me, which are consistent with the appellant's description of development on the application form as being a side boundary wall.
3. Since the Council refused planning permission it has adopted the London Borough of Hillingdon Local Plan Part 2 Development Management Policies 2020 (P2LP). As a result, the Policies within that document carry full weight and they have replaced the Local Plan Part 2 Saved UDP Policies 2012, which are no longer in force. The Hillingdon Design and Accessibility Statement Supplementary Planning Document – Residential Extensions 2008 has also been withdrawn.
4. The Council has confirmed that the adopted P2LP Policies that it relies on are DMHB 11 and DMHB 12. As these policies were not referred to specifically in the Council's delegated report or reasons for refusal, the appellant has been given the opportunity to make further comments on the change to planning policy that has occurred.

Main Issue

5. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

6. The appeal dwelling is located in a prominent position on the corner of Violet Avenue and Royal Lane. In the surrounding area, boundaries that adjoin the

public highway are generally either open without boundary structures present or are defined by low level boundary enclosures. This gives the area a pleasant open character and appearance.

7. The proposal would be 1.6 metres high and extend along the majority of the side boundary of the site with Violet Avenue. By reason of its substantial height, it would not be in keeping with the lower boundary treatments that prevail in the locality and it would form an incongruous and dominant feature in this prominent location. This would cause significant harm to the character and appearance of the area.
8. The appellant has drawn attention to other walls in the wider area which they consider to be similar to the appeal proposal. However, such walls do not define the overall character and appearance of the area, and in particular they are not common in the immediate vicinity of the appeal site. Accordingly, their presence does not justify a development which would cause the degree of harm that I have identified.
9. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the area by reason of its positioning and its height. The proposal would therefore conflict with the design aims of Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies 2012 and Policies DMHB 11 and DMHB 12 of the P2LP, all of which seek to protect character and appearance.

Other Matters

10. The appellant has stated that the wall is to provide protection from traffic accidents, prevent anti-social behaviour and crime and to provide security, including for their children. Whilst these considerations taken together offer moderate weight in support of the development, they do not outweigh the significant harm to the character and appearance of the area that would arise as a result of the proposed development.
11. The appellant has also highlighted that the wall which has been built was constructed some time ago and that it was not subject to complaint. These factors do not however justify a harmful development.

Conclusion

12. For the reasons given above, I conclude that the appeal should be dismissed.

Graham Wraight

INSPECTOR