
Appeal Decision

Site visit made on 28 September 2020

by Andrew Tucker BA (Hons) IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 October 2020

Appeal Ref: APP/R5510/D/19/3237686
15 Lawn Avenue, West Drayton UB7 7AQ

- 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 James Reid against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 57549/APP/2019/2115, dated 22 June 2019, was refused by notice dated 23 August 2019.
 - The development proposed is single storey outbuilding to rear for use as a store (part retrospective).
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Decision

1. The appeal is allowed, and planning permission is granted for single storey outbuilding to rear for use as a store (part retrospective) at 15 Lawn Avenue, West Drayton, UB7 7AQ in accordance with the terms of the application, Ref 57549/APP/2019/2115, dated 22 June 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development shall be carried out in strict accordance with the following submitted plans: 2019-15LA-FP-1 Rev 1.0B, 2019-15LA-FP-2 Rev 1.0B, 2019-15LA-FP-3 Rev 1.0B and 2019-15LA-FP-4 Rev 1.0B.
 - 3) The building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as number 15 Lawn Avenue, West Drayton UB7 7AQ.

Preliminary Matters

2. The proposal is described as part retrospective. At my visit to the site I saw that the main structure of the outbuilding has been built, but the construction is not complete. I have determined the appeal on this basis.
3. The main parties will be aware that following the submission of this appeal another appeal relating to a certificate of lawful use or development for the same building has been determined¹. However, the lawfulness or otherwise of the development is not a matter relevant to my consideration of an appeal made under section 78 of the Town and Country Planning Act 1990.

¹ APP/R5510/X/19/3237684

4. Since the Council made its decision the London Borough of Hillingdon Local Plan Part 2 Development Management Policies has been adopted. Both parties have had opportunity to comment on this matter relevant to this appeal and any comments received have been taken into account.

Main Issue

5. The effect of the proposal on the character and appearance of the existing dwelling and the area, including the wider Garden City, West Drayton, Area of Special Local Character.

Reasons

6. The appeal site is located in an established residential area, characterised by detached and semi-detached dwellings set back from the road in large plots. The proposal relates to a building at the far end of the existing garden, which is tucked in amongst a range of existing outbuildings to the extent that it is difficult to view.
7. The appeal building adds to the floor area of the group of outbuildings and increases their cumulative size. However, owing to its low form and concealed position in the corner, adjacent to the rear and side boundaries of the plot, it is not visually obtrusive or dominant. Although the Council suggest that the combined footprint of the appeal building and the other outbuildings is greater than the footprint of the dwelling, the low scale of the appeal building, and its discreet position, are such that it appears subordinate to the dwelling and does not substantially increase the cumulative scale or bulk of the outbuildings.
8. The impact of the proposal on the character and appearance of the wider area is limited to the views from neighbouring gardens or windows at the rear of neighbouring dwellings. From these perspectives the building would also not be dominant to view, tucked in amongst the other existing outbuildings and shielded from dwellings to the south by the presence of substantial mature trees. At my visit I could see examples of other outbuildings in similar positions, and as such am satisfied that the proposal does not harm the prevailing pattern of development in the area.
9. In summary, the proposal does not harm the character or appearance of the existing dwelling or wider area. It accords with Policies BE1 and HE1 of the London Borough of Hillingdon Local Plan: Part 1 Strategic Policies adopted 2012 and Policies DMHB1, DMHB5, DMHB11 and DMHD2 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies adopted 2020, which together seek to ensure that development proposals are designed to a high quality, reflect the character of areas of special local character and are proportionate to the host dwelling.

Other matters

10. There are references within the submissions to the use of the building and whether an additional outbuilding at the site is justified. However, such matters were not included in the Council's refusal reason. The building is described as a store and a suitably worded condition would ensure that it could only be used for purposes ancillary to the residential use of the main dwelling.

Conditions

11. I have had regard to the planning conditions that have been suggested by the Council and considered them against the tests in the National Planning Policy Framework and the advice in the Planning Practice Guidance. I have imposed a condition specifying the approved plans as this provides certainty, and a condition to ensure that the outbuilding is only used for purposes ancillary to the residential use of the main dwelling.

Conclusion

12. For the reasons above, the appeal should be allowed.

Andrew Tucker

INSPECTOR