
Appeal Decision

Site visit made on 9 November 2020

by Tim Wood BA(Hons) BTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 30 November 2020

Appeal Ref: APP/R5510/W/20/3249703

71 Mildred Avenue, Hayes UB3 1TP

- 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 Inderpal Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73808/APP/2019/2631, dated 7 August 2019, was refused by notice dated 2 October 2019.
 - The development proposed is a new dwelling at the rear.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal property is situated adjacent to the junction of Mildred Avenue with Pinkwell Avenue. The property is a 2 storey end-of-terrace house and Mildred Avenue is characterised by similar, mainly terraced, houses. Those on Pinkwell Avenue are 2 storeys close to the appeal site but there are numerous single storey dwellings a little further along.
4. The rear garden of the appeal property runs along Pinkwell Avenue and is separated from the next adjacent 2 storey house by a narrow access road, which appears to lead to the rear of houses on Mildred Avenue. The proposal would lead to the construction of a bungalow with a hipped roof at the rear-most corner of the existing garden. It has been designed to be consistent with the building lines of the host and adjacent properties. It would be sited very close to the rear plot boundary and the boundary with the next garden on Mildred Avenue. The proposal would be provided with a parking area, its own bin and cycle store, as well as a modest garden which would be separated from the remainder of the garden at No 71 by a 1.8m high fence.
5. I appreciate that the proposal would be separated from the next house on Pinkwell Avenue by the existing access road. However, in my judgement, the proposal would be sited uncomfortably close to its own side and rear boundaries. It would clearly have the appearance of a separate dwelling and, in visual terms, I consider that it would have insufficient space between it and

2 of its boundaries to provide for a sufficient visual setting for a new dwelling. I appreciate that some of the bungalows nearby are sited close to their side boundaries but they obviously have considerable areas at the rear and would not be constrained in the same way that the proposal would. As a result, the proposal would appear unacceptably cramped within its plot.

6. The appellant has submitted plans which indicate that a Certificate of Lawfulness has been granted by the Council for an outbuilding at the appeal site. Whilst there are some similarities in relation to the position of the buildings, the one subject of the Certificate is shown with a flat roof and so would have less visual impact on the surroundings. In addition, the appeal scheme includes provision of separate bin and cycle stores and would be fenced off from the existing property at No 71. As a result, it would clearly appear as a separate dwelling and not as an ancillary building. Therefore, I consider that there is a clear difference between the appeal scheme and the building which is the subject of the Certificate and the appeal scheme would have a greater impact on the surroundings than the other one.
7. I have noted that the proposed bay window and hipped roof on the appeal scheme would be similar to others in the area. However, these would be insufficient to make the proposal acceptable, in my judgement. I have also taken account of the fact that the proposal would bring about an additional dwelling within a developed area. However, having considered all matters submitted with the appeal documents, I conclude that the proposal would have a negative effect on the area which would be detrimental to its character and appearance. I find no matters which are sufficient to outweigh that harm.

Conclusions

8. As a result of the considerations set out above, the proposal is contrary to Policies DMH 6 and DMHB 11 of the Council's Local Plan Part 2 Development Management Policies. Having taken account of all other matters, I find nothing of sufficient weight to outweigh that conflict. Therefore, the appeal is dismissed.

S T Wood

INSPECTOR