



Appeal Decision

Site visit made on 10 November 2020 by Thomas Courtney BA(Hons) MA

Decision by Andrew Owen MA BA(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 December 2020

Appeal Ref: APP/R5510/D/20/3254736

54 New Garden Drive, West Drayton, UB7 7JB

- 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 Mrs Jolita Cekanauskiene against the decision of the London Borough of Hillingdon Council.
 - The application Ref 69904/APP/2020/723, dated 2 March 2020, was refused by notice dated 22 May 2020.
 - The development proposed is the installation of boundary fence.
-

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 Matter

3. The description of development used in the header above is that used in the Council's decision notice as it describes the proposal more accurately than that description given on the application form.

Main Issue

4. The main issue is the effect of the development on the character and appearance of the area.

Reasons for the Recommendation

5. The appeal site accommodates a thin strip of garden land associated with 54 New Garden Drive. The pleasantly landscaped strip of land abuts a footpath that enables a pedestrian cut-through to the small square at the end of New Garden Drive which is a cul-de-sac. The surrounding area is residential, characterised by semi-detached houses, maisonettes and terraced dwellings with small rear gardens. I mostly observed low and discreet boundary treatments at the front of houses such as short hedges, fences or low walls. Notwithstanding this, on my site visit I noted a few neighbouring properties did also feature taller timber fencing, but this appeared to mainly be along rear or side boundaries.
-

6. The 1.9 metre close-boarded timber fence would be along the footpath edge. Given its height and substantial length along the whole of the garden, the proposed fence would appear incongruous and dominant in the context of the other low front boundary treatments, and would fundamentally alter the pleasant sylvan and open character and appearance of the footpath.
7. Although there are other timber fences alongside paths in the vicinity, the proposed fence would be erected along a narrow footpath which is already bounded by a tall brick wall on one side. The provision of high boundary treatments on both sides of the path would thus have an adverse enclosing effect on the footpath which could trigger a sense of unease for users. In my view, the existing lamppost and the light it provides at night time would not sufficiently mitigate the unsafe conditions the proposal would generate.
8. Although the appellant states that few other residents use the footpath I see no reason why nearby residents would not use it, particularly the occupiers of No 42. Moreover, though I recognise the efforts the appellant makes in keeping the path tidy, this does not justify the proposed fence. Whilst I accept the development would not be visible from New Garden Drive, it would still be visually conspicuous to the pedestrians using the public footpath.
9. Given the above, the proposal would be detrimental to the character and appearance of the area. Overall, I conclude that the proposed development would conflict with Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies document and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies document (the 'local plan') which together aim to ensure that proposals are well-designed and front boundary treatments are in-keeping with the character of the area. The development would also conflict with local plan policy DMHB12 which seeks to improve street legibility and which states, within its explanatory text, that proposals should create streets and spaces with an appropriate degree of enclosure.

Recommendation

10. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Thomas Courtney

APPEAL PLANNING OFFICER

Inspector's Decision

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

Andrew Owen

INSPECTOR