



Appeal Decision

Site visit made on 3 March 2026 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27 March 2026

Appeal Ref: APP/R5510/C/25/3362701

31 Cherry Grove, Uxbridge UB8 3ET

- The appeal is made under section 174 of the Town and Country Planning Act 1990 (as amended).
 - The appeal is made by Mr Phillip Styles against an enforcement notice issued by the Council of the London Borough of Hillingdon.
 - The notice was issued on 18 February 2025.
 - The breach of planning control as alleged in the notice is without planning permission, the erection of an outbuilding forward of the principal elevation of a dwellinghouse at 31 Cherry Grove, Uxbridge UB8 3ET.
 - The requirements of the notice are to i) Demolish the outbuilding approximate position hatched purple on the attached plan, ii) Remove from the land all the debris, items, fixtures and fittings, building material, plant and machinery resulting from the works listed above.
 - The period for compliance with the requirements of the notice is 2 months after the notice takes effect.
 - The appeal is proceeding on the grounds set out in section 174(2)(a) of the Town and Country Planning Act 1990 (as amended). Since an appeal has been brought on ground (a), an application for planning permission is deemed to have been made under section 177(5) of the Act.
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Decision

1. The appeal is dismissed and the enforcement notice is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the Town and Country Planning Act 1990 (as amended).

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

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

Reasons for the Recommendation

4. Cherry Grove features two storey semi-detached dwellings set back from and facing the road. Designs differ and some have been altered, but the degree of setback is largely uniform with low front boundary treatments and open/undeveloped gardens. Some are used for off street parking. This, along with the wide public highway, lends a pleasant open feel and sense of spaciousness to the street scene which contributes positively to the character and appearance of the area.

5. The development is something of an alien feature in the above context. It's size, design, finish and location forward of the host building appears anomalous and unacceptably intrudes on the street scene's spaciousness. It is a standalone feature among the surrounding low level boundary treatments and combined with its bulky appearance it negatively draws the eye.
6. The outbuilding therefore causes harm to the character and appearance of the area. In so doing, it conflicts with Policy BE1 of the London Borough of Hillingdon Local Plan: Part 1 Strategic Policies 2012 and Policies DMHD 2, DMHB 11 & DMHB 12 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies 2020. These are concerned with development harmonising with local context amongst other things.
7. The Public Sector Equality Duty (PSED) contained in Section 149 of the Equality Act 2010, sets out the need to eliminate unlawful discrimination, harassment and victimisation, and to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Disability is a protected characteristic to which the PSED applies.
8. The outbuilding is used for the storage of wheelchairs and a mobility scooter. This is a matter of importance to which I afford considerable weight. However, and in this instance, the development is permanent and will remain indefinitely regardless of the needs of future occupiers. It is also unclear as to whether the same outcome could not be met by other, potentially less harmful, means. This could include the provision of a much smaller building in a less prominent location given the relatively small size of the wheelchairs. Therefore, the harm I have identified is such that a dismissal of the appeal and upholding of the enforcement notice would be a proportionate and necessary response that would not be outweighed by the requirements of the PSED.
9. I also remain to be convinced that the outbuilding is the sole way of achieving security for a motorbike that is stored therein. There may be some other examples of outbuildings forward of dwellings on other roads near to the site. However, they are the exception not the norm and, in any case, do not form part of the appeal site's context. I am therefore not persuaded to recommend allowing the appeal in their light. A lack of harm to living conditions is a neutral matter and would not be able to weigh against the harm I have found.

Conclusion and Recommendation

10. For the reasons given above, the development does not comply with the development plan, and I have been given no other compelling reason, taking into account other material considerations advanced, to deviate therefrom. I therefore recommend that the appeal on ground (a) should fail and the deemed application for planning permission should be refused.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

11. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed. The effect of this is that the enforcement

notice is upheld, and planning permission is refused on the application deemed to have been made under s177(5) of the Town and Country Planning Act 1990 (as amended).

John Morrison

INSPECTOR