

# Appeal Decision

Site visit made on 17 September 2002

by Douglas Machin BSc Dip TP MRTPI

An Inspector appointed by the First Secretary of State

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Date 26 SEP 2002

Appeal Ref: APP/R5510/A/02/1090202

Land to the rear of 1 and 2 Sutton Close, Pinner, Middlesex, London HA5 2JX

- 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 A Corrigan against the decision of the London Borough of Hillingdon Council.
- The application Ref. 20.29715/APP/2001/1609 dated 3 July 2001, was refused by notice dated 6 December 2001.
- The development proposed is the erection of a detached bungalow.

**Summary of Decision: The appeal is allowed.**

## Main Issue

1. From all I have seen and read in connection with this appeal, I consider that the main issue is whether the proposed bungalow would appear cramped and fail to harmonise with the surrounding pattern of development.

## Planning Policy

2. Hillingdon UDP Policies BE13, BE19 and H6 are relevant to the determination of this appeal. BE13 and 19 require development to harmonise with the street scene and to complement or improve the amenity and character of the area. H6 states that the appropriate density of development depends on a balance between the full and effective use of available housing land and several considerations. These are the quality of housing layout and design; its compatibility with the density, form and spacing of surrounding development; the proposed dwelling mix; and the location, configuration and characteristics of the site.

## Reasons

3. The appeal site is part of the rear gardens to Nos 1 and 2 Sutton Close, which is a cul de sac of bungalows in a residential area of Eastcote. The site area amounts to 272-sq. m, with the bungalow occupying 85.7 sq. m of the site. The resulting plot ratio would be an improvement on a previous proposal and would provide sufficient private amenity space in my view. The submitted plans and my inspection of the area lead me to believe that the size and bulk of the proposed bungalow would be consistent with the existing dwellings in the cul de sac. In terms of the layout and siting of the bungalow, contrary to the Council's view, it would not be sited on a prominent corner but would sit between No 1 Sutton Close and the rear garden of No 79 Mount Park Road. In my assessment, the proposed bungalow would complement the street scene by filling a rather incongruous gap that has become a haven for fly tippers. I am satisfied that the proposed bungalow's 4 m set back from the

pavement edge, whilst slightly less than most of the properties in Sutton Close, would be sufficient to avoid any sense of overbearing development.

4. I therefore conclude that the proposal would make full and effective use of under used land without compromising the established appearance and character of a residential area. In my view, the relevant Development Plan policies would be complied with and I intend to allow this appeal subject to a condition requiring the submission and approval by the Council of the facing materials and means of enclosure. I have taken account of all the other matters raised but none outweighs the considerations that have led to my decision to allow this appeal.

#### Formal Decision

5. In exercise of the powers transferred to me, I allow the appeal and grant planning permission for the erection of a detached dwelling on land at the rear of 1 and 2 Sutton Close, Eastcote, in accordance with the application No. 20.29715/APP/2001/1609 dated 3 July 2001 and the plans submitted therewith, subject to the following conditions:
  - i. the development hereby permitted shall be begun before the expiration of five years from the date of this decision;
  - ii. no development shall take place until details of the facing materials and the means of enclosure to be used have been submitted to and approval by the local planning authority. Development shall take place in accordance with the approved details.
6. This decision does not convey any approval or consent that may be required under any enactment, byelaw, order or regulation other than section 57 of the Town and Country Planning Act 1990.

#### Information

7. A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

D. P. Macdonald.