



Appeal Decision

Site visit made on 20 May 2025

by **B Davies MSc FGS CGeol**

an Inspector appointed by the Secretary of State

Decision date: 02 July 2025

Appeal Ref: APP/R5510/W/25/3361642

26 Windsor Avenue, Uxbridge, UB10 9AT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Natt against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 75963/APP/2024/1397.
 - The development proposed is part single; part two-storey rear extension to the host dwelling (following demolition of rear extension); part single part two-storey side/rear extension to form an attached new dwelling (following demolition of side extension); raising of overall ridge height; removal of front gable to host dwelling; sub-division of site; hard and soft landscaping; boundary treatment; new vehicular crossover including alterations to the existing parking provision and refuse/cycle storage.
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Decision

1. The appeal is dismissed.

Procedural matters

2. It was originally proposed to raise the ridge height of the existing building by approximately 0.5 metres. Amended plans have been submitted at appeal to maintain the current roof height. It is also proposed that one of the bedrooms in 26A Windsor Avenue is reduced in size.
3. As these plans have been submitted with the appeal there has been no public consultation. In these circumstances the findings of *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin) are relevant.
4. The amended ridge height would bring the development in line with the surrounding houses, which I consider uncontroversial. The internal layout of the proposed accommodation has not been raised as a concern by any interested party and the amendment is minor. For these reasons, I do not consider that the changes result in a different application or that prejudice would be caused to interested parties. Both the substantive and procedural tests set out in *Holburn Studios Ltd* are passed, and I have therefore accepted the revised plans.

Main issues

5. The main issues are the effect on:
 - the character and appearance of the area
 - the living conditions of future occupants of No 26A with reference to the size of living accommodation.

Reasons

Character and appearance of area

6. The site comprises a detached house and garage on a corner plot between Windsor Avenue and Richmond Avenue on a large residential estate. It is proposed to partly demolish the existing building and insert a second house on the highway side to create two semi-detached houses.
7. The front elevation of the house is dominated by a large, two-storey, curved bay window, above which is an open gable end protruding from a hip roof. The apex above the bay window is decorated with vertical beams. It is proposed that the bay and protruding gable would be removed, and replaced with two shallow, two-storey squared bays with a hip roof across the whole structure.
8. The architecture of the existing building is well proportioned, characteristic of its era and of interest for the varied roof shape, apex decoration and curved bay windows. In contrast, the new building would be of simpler form and the attractive, characteristic points of architectural interest would be lost to the detriment of the appearance of the area.
9. The surrounding estate is predominantly composed of semi-detached or terraced housing. The host house and the house on the opposite corner (No 28) are unusual in being detached and they form a distinctive, prominent pairing, framing the entrance to the Richmond Avenue. Both are offset in their plots away from the highway to provide spacious gap, a sense of openness and to invite views both along and out of Richmond Avenue.
10. Moving the flank wall of the host building close to the highway would significantly reduce this gap and the sense of openness, and the loss of symmetry would be to the detriment of the character and appearance of the area. In coming to this conclusion, I have had regard to the street scene illustrations provided at appeal.
11. In addition, extending the host building to the extent proposed would noticeably disrupt the strong building line established along Richmond Avenue. The building line is an attractive, positive characteristic of the area and significant disruption to this therefore causes harm.
12. The frontages of No 26 and No 28 are not identical. However, it is the overall structure and layout in relation to the street that contributes most to the characteristic openness and symmetry, rather than the outward facing architecture.
13. The development would result in loss of the open front and side garden of the host property. Although not large, it is bigger than most of the surrounding front gardens, many of which have been lost to parking. It therefore makes a positive contribution to the amenity of the locality even though currently unkempt. The loss of garden area would be partly mitigated through edge planting, but overall harm to the appearance of the area would still be caused.
14. I acknowledge that the existing house and garage appear a little dilapidated and that this currently detracts from the appearance of the area. However, it is not necessary to redevelop the site to remedy this and the benefit from this is therefore of limited weight.

15. There are numerous two-storey extensions and houses on similar corner plots across the estate. In many cases, I observed that the proximity of additional buildings to the highway and lack of space for landscaping around the sites has led to a lack of openness and greenery, disconnected building lines and the sense that plots have been over-developed, to the detriment of the area. Development of similar sites elsewhere on the estate does not lessen the harm caused at this location and, if anything, increases the value of the contribution of the remaining corners to the character of the estate.
16. However, consistency in decision making is a consideration and recent permissions for similar developments on the estate have been given. Of note are 21 Victoria Avenue, 23 Victoria Avenue and 70 Windsor Avenue. Development of the houses on Victoria Avenue would not lead to the same loss of symmetry, but the loss of openness and interruption of building lines appears to be consistent with this case, and permission was granted nonetheless.
17. The other examples provided are less compelling. Those allowed under earlier local plans are of limited weight because the decisions would have been made on a different set of policies. The additional dwelling on the corner plot at No 48 Windsor Avenue is clearly subservient, there remains a significant degree of separation from the highway and the original architecture has been respected, in contrast to the current proposal. Nos 63 and 65 Victoria Avenue have old and substantial side extensions on the approximate footprint of the proposed buildings, which reduces the additional harm to openness and layout.
18. On the other hand, my attention has also been drawn to several corner plots for which permission has been refused for similar reasons to this case, including Nos 2 and 104 Windsor Avenue, and 1 Sedgwick Avenue. Although it is a mixed picture, overall I am persuaded that the recent permissions on very similar nearby sites are a consideration that weighs towards the development.
19. I conclude that the proposal conflicts with local policies that protect the character and appearance of an area. This includes Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) ('LP Part 2') and Policy D3 of the London Plan (2021) which require that development harmonises with and enhances local context, taking into account the surrounding street patterns, building lines and gaps between structures. The development would also be inconsistent with Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and DMH 6 of the LP Part 2, where there is a presumption against the loss of gardens. I do not find the fact that some similar schemes have been allowed nearby outweighs the harm to character and appearance identified above.

Living conditions of future occupants

20. Both houses were originally designed as 3-bedroom, 5-person dwellings. No. 26A was marginally below the guideline Gross Internal Area. The small change in size of one of the bedrooms proposed for the appeal changes the size of No. 26A to a 3-bedroom, 4-person dwelling. The resulting house size now exceeds the associated guideline internal area.
21. I conclude that there would be no harm to the living conditions of the future occupants of No 26A. The proposal is consistent with Policy D6 of the London Plan and Policy DMHB 16 of the LP Part 2.

Other matters

22. For the avoidance of doubt, the site is not 'brownfield land'. The definition of previously developed land in the National Planning Policy Framework (2024) excludes residential gardens.
23. I note some minor amendments to plans showing pedestrian access into the site and boundary colours in the 'proposed location' plan. As I am dismissing the appeal, I have not considered these further.

Conclusion

24. The proposal would deliver an additional 3-bedroom house in an established residential area, with nearby facilities and sustainable transport links. These are all factors that weigh towards the scheme, albeit they are matters of small weight given that it is only one additional house.
25. However, the attractive character of the host house, some garden area and the distinctive symmetrical framing of Richmond Avenue would be lost. The openness of the area would be reduced in a prominent location and the strong building line along Richmond Avenue harmfully disrupted.
26. I have given weight to recent positive decisions on similar sites in the area, but do not find that this consideration outweighs the harm to the character and appearance of the area identified above.
27. The proposal is not consistent with the local development plan and there are no material considerations that would lead me to conclude other than in accordance with this.
28. The appeal is dismissed.

B Davies

INSPECTOR