



Appeal Decision

Site visit made on 25 March 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 8th April 2025

Appeal Ref: APP/R5510/W/24/3351213

123A Central Avenue, Hillingdon, Hayes UB3 2BS

- 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 J Singh against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 78009/APP/2024/1578.
 - The development proposed is alterations and extension to existing part single/part two storey side extension to create new end of terrace dwelling with associated amenity, parking and bin storage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area, and
 - whether adequate living conditions would be provided for future occupiers with regard to the provision of private outdoor amenity space.

Reasons

Character and appearance

3. The appeal site comprises a two storey end of terrace dwelling which is located on a corner position at the junction of Orchard Road. The appeal site is located within the Central Avenue, Hayes, Area of Special Local Character (ASLC). Its significance is derived from the consistency of the layout, scale and appearance of rows of properties. The area is characterised by short terraces with a similar scale and design which results in uniformity in the street scene. Corner properties such as the appeal site are also set in from their side boundaries, which combined with the set back from the street and wide pavements results in a spacious character which makes a positive contribution to the ASLC.
4. Paragraph 216 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

5. The appeal property has already been extended with a two storey side extension. However, the extension is subordinate to the main dwelling by virtue of its set down from the ridge and set back from the elevation at first floor level. The proposal would utilise the extension but would match the ridgeline and building line of 123A as well as increase in width.
6. The proposal would appear as an extension of the existing terrace which would result in the terrace being overly long and cramped within the plot, despite the proposed set back. The overall width would also erode the spacious gap which would further highlight the cramped appearance of the development.
7. I note that the existing two storey extension was considered acceptable at appeal¹ and I agree that there is variation in the size of undeveloped side outdoor spaces in the area, including that they are generally not uniform. However, I do not consider the increase in width to be minor, instead, the increase, as well as the other concerns would upset the uniformity of the street scene and result in an uncharacteristically small gap to the side.
8. The proposed rear garden would be very small which is uncharacteristic of the area, particular the spacious corner plots. Furthermore, an area of garden is proposed to the front of the dwelling which with the potential for domestic paraphernalia to be present would further erode the spacious character and appear as an incongruous feature in the context of the mostly open frontages in the wider area.
9. I therefore conclude that the proposed development would harm the character and appearance of the area, including the ASLC. It would be contrary to Policy BE1 of the a Vision for 2026 Local Plan: Part 1 Strategic Policies (Adopted November 2012), Policies DMH6, DMHB5, DMHB11, DMHB12 and DMHB14 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted Version 16 January 2020 (LP2), Policies D3, D4, D6 and D8 of the London Plan 2021 and Paragraph 135 of the Framework. Amongst other things, these seek to ensure that new development enhances the local distinctiveness of the area, within ASLC, new development should reflect the character of the area and its original layout and establish or maintain a strong sense of place.

Whether adequate living conditions would be provided

10. Policy DMHB 18 states that all new residential development, and conversions will be required to provide good quality and useable private outdoor amenity space. In terms of the amount of space a one-bedroom dwelling should provide a minimum of 40sqm and there is no dispute that the proposal would provide more space than this minimum standard.
11. A small section of the amenity space is proposed to the rear of the dwelling but its narrow width and particularly narrow sections next to the proposed dwelling would make it an unattractive space for future occupiers to use.

¹ APP/R5510/W/21/3278335

12. The majority of the proposed outdoor amenity space is to the frontage of the dwelling which as a result of a 0.5m high fence and hedge it would be clearly visible by people passing the site. I note the appellants considers that each zone of the outdoor space could be used for different purposes. However, the most usable and attractive space would be at the frontage which would only be screened by a low fence and would provide a lack of privacy for future occupiers to be able to use the space. I am not convinced that a condition could address the lack of privacy without harming the character and appearance of the area.
13. I therefore conclude that the proposed development would not provide adequate living conditions for future occupiers with regard to private outdoor amenity space. It would be contrary to Policy DMHB18 of the LP2 and Paragraph 135 of the Framework. Amongst other things, these seek to ensure that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space and provides a high standard of amenity for future occupiers.

Other Matters

14. The appellant has referred to other developments in an attempt to justify the appeal proposal. I do not have the full details in respect of such examples so I cannot be sure of the circumstances. In any case, I have determined the appeal on its own merits, based on the evidence before me.
15. In regard to No's 64, 65, 178 and 157 Central Avenue, I have been provided with very limited information about the developments on these sites. However, based on the images and plans they appear to generally occupy larger and more spacious plots than the appeal site.
16. The proposal would result in the creation of a dwelling which attracts some weight in favour of the appeal scheme. However, this would be tempered by the small scale and loss of part of a garden. The proposed development would therefore not outweigh the harm to the character and appearance of the area and inadequate living conditions that would be provided for future occupiers.

Conclusion

17. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR