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## Appeal Decision

Site visit made on 13 January 2026

by **S F Barnes MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 11 February 2026

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**Appeal Ref: APP/R5510/W/25/3373647**

**123A Central Avenue, Hayes, Hillingdon 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/2025/1540.
  - 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.

### Preliminary Matters

2. I am aware of an earlier appeal decision (Appeal Ref: APP/R5510/W/24/3351213), dismissed on 25 March 2025, concerning a scheme to erect a dwelling in a similar position at the appeal site. Pertinent to this appeal, the Inspector found that scheme would harm the character and appearance of the area including the Central Avenue, Hayes, Area of Special Local Character (hereafter, the ASLC) and fail to provide future occupiers with adequate living conditions in respect of proposed private outdoor amenity space.
3. The proposal before me seeks to overcome the harm identified. The key differences drawn to my attention are that the proposal before me is reduced in ridge height and width, thus maintaining a greater distance from the side boundary. In consequence, a greater area of private amenity space would be provided, with direct access to this space via a proposed side door.

### Main Issues

4. The main issues are:
  - whether the principle of development is acceptable in this location having regard to the effect of the proposal on the character and appearance of the area and on the significance of the ASLC, a non-designated heritage asset; and
  - whether adequate living conditions would be provided for future occupiers with particular regard to provision for outdoor amenity space.

## Reasons

### *Character and appearance, including ASLC*

5. The appeal site is a corner plot at the crossroads with Orchard Road within a predominantly residential area. It hosts the garden and a part single, part 2-storey side extension to the dwelling at 123A Central Avenue.
6. Policy DMH 6 of the Local Plan Part 2 - Development Management Policies (2020) ('Local Plan DMP') sets out a presumption against the loss of gardens due to the need to maintain local character, amenity space and biodiversity. Subject to certain criteria, limited 'backland' development would be acceptable. However, the position of the appeal proposal at the street frontage could not accurately be described as 'backland', so does not therefore attract support from this policy. As the appeal site is largely hard landscaped, I am satisfied the proposal would not result in a harmful loss of biodiversity. However, the effect on local character and the provision of amenity space are disputed.
7. The site and its immediate neighbours are within the designated ASLC, a non-designated heritage asset. Insofar as it relates to this appeal, its significance derives from its rows of terraced properties that are relatively consistent in scale, proportions and materials, and also in the size and layouts within their plots.
8. Corner properties are generally set away from the side boundaries by varying distances. As an extension to the terrace, the appeal building retains a smaller set back from the side boundary compared to properties at the opposing corners of this crossroads. Nonetheless, that relationship maintains a sense of spaciousness between buildings positioned at corners.
9. 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.
10. The proposed front elevation would align with the building line of the host terrace, and its windows and materials would be sympathetic to those found in it. In this regard, it would continue elements of the terrace's rhythm, an appropriate approach given its function as a dwelling rather than an extension. I observed a variety of boundary treatments locally, including timber and hedges, and am satisfied that those elements of the proposal are acceptable and consistent with relevant provisions of Policies DMHB 12 and DMHB 14 of the Local Plan DMP and Policy D8 of The London Plan (2021) ('LP') as they seek landscaping and proposals that are well integrated with the surrounding area.
11. The absence of windows above ground floor means the rear elevation would lack articulation. However, this would reflect the existing rear elevation and only be appreciated in a limited range of perspectives from the public domain. As such, this element would not result in harm.
12. Unlike the existing extension, the proposal would be almost the full height of the building, with further bulk above ground floor level. The existing gap between No.123A and 59 Orchard Road is already small, which highlights the sensitivity of

this relationship. Despite a notionally small increase in width, the further erosion of the gap between buildings would undermine the site's remaining contribution to a spacious layout, harming the significance of the ASLC.

13. The subdivision of the plot of No.123A would reduce its garden amenity space. The resulting garden areas for No.123A and the proposed dwelling would each be very small, contrary to the general pattern of larger rear gardens found at neighbouring sites. Irrespective of variation in the size of side gardens, the proposal would appear cramped within its plot by comparison to its neighbours. This would undermine the contribution the site makes to the generally consistent plot sizes and layouts within the ASLC.
14. In the previous appeal decision, the Inspector identified a harmful impact to the spacious character of the area and ASLC would arise from a proposed extension to the building and the resultant size of the garden. Whilst I acknowledge the changes made to the scheme, I do not find the differences to be compelling. The previous Inspector's findings therefore reinforce my conclusions on these matters.
15. The appellant suggests that removing the existing side extension would improve the appearance of the building, addressing a visual imbalance. Given the subordinate proportions and scale, that extension does not harm the character and appearance of the area. This consideration therefore carries very limited weight.
16. I therefore conclude that the principle of development is not acceptable in this location as the proposal would harm the character and appearance of the area and the significance of the ASLC. This would conflict with the relevant provisions of Policy BE1 of the Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012), Policies DMH 6, DMHB 5 and DMHB 11, of the Local Plan DMP, and Policies D3, D4 and D6 of The London Plan (2021). Those policies, amongst other things, seek to maintain the quality of the built environment and for proposals to harmonise with the local context. It would also conflict with those provisions of the Framework that seeks to conserve heritage assets in a manner appropriate to their significance.

#### *Living conditions*

17. The total area of private amenity space as proposed would exceed the minimum of 40sqm required by Policy DMHB 18 of the Local Plan DMP. The attractiveness of the rear amenity area (broadly labelled Zone 1) would be somewhat compromised by its shape, which would decrease in width given the splay of the site boundary together with being confined by buildings and boundary walls on all sides.
18. However, further amenity space would be provided to the side of the plot (Zone 2) with convenient direct access from a door at the side elevation. The floor area appears to be greater than what was proposed in the previous appeal scheme and its design better facilitates access between the side and rear parts of the site. This larger area could be used for a broad range of outdoor domestic activities, whilst proposed fencing would ensure privacy of its users. Despite the shortcomings of the rearmost area when considered in isolation, overall there would be good quality and useable private amenity space for future occupiers of a sufficient size.
19. I therefore conclude that the proposal would provide adequate living conditions for future occupiers with particular regard to provision for outdoor amenity space. This

would comply with the relevant provisions of Policy DMHB 18 of the Local Plan DMP.

### **Planning Balance and Conclusion**

20. In favour of this appeal, the proposal would provide one additional dwelling to the supply of housing in the local area, contributing to choice in the size of housing. The proposal would make efficient use of a small site, which could be delivered relatively quickly, in an area with reasonable accessibility to a town centre and public transport options. Ecological enhancement is also proposed which, if appropriately secured, would result in biodiversity net gain beyond the statutory minimum. However, in view of its small scale, the scheme's economic, environmental and social benefits could reasonably be described as limited.
21. I have found that the proposal would provide adequate living conditions with particular regard to provision for outdoor amenity space. I also acknowledge that the Council has not raised any concerns in terms of living conditions with respect to adequate provision of daylight, outlook and dual-aspect. However, as this would be an expectation for any residential development, this has been a neutral factor in my consideration.
22. Whilst there would be benefits from the proposal, this should not be at the expense of securing well-designed and attractive places. The site is within a designated ASLC, where maintaining the area's prevailing character is clearly desirable. I have found that the proposal would harm the character and appearance of the area, and this harm carries significant weight.
23. Consequently, whilst there are considerations in favour of the proposal, these are not sufficient to outweigh the harm I have found. The proposal would conflict with the development plan taken as a whole, and the material considerations do not indicate that a decision should be made other than in accordance with the plan. I therefore conclude that the appeal should be dismissed.

*S F Barnes*

INSPECTOR