



Appeal Decision

Site visit made on 21 August 2025

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 September 2025

Appeal Ref: APP/R5510/D/25/3368021

5 Ryan Close, Hillingdon, Ruislip, HA4 9LB

- 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 Araz Kay against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 79257/APP/2025/178.
 - The development proposed is described as '*Retrospective application for the boundary wall and pavement*'.
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Decision

1. The appeal is allowed and planning permission is granted for alteration to landscaping to include hardstanding, partial demolition of brick wall and installation of timber fence at 5 Ryan Close, Hillingdon, Ruislip, HA4 9LB in accordance with the terms of the application, Ref 79257/APP/2025/178, and the plans submitted with it.

Procedural Matters

2. The application was made retrospectively and at the time of my visit the garden area to No 5 had been laid to hardstand and a boundary fence had been erected.
3. My banner heading above quotes the description of development as it was given on the application form. My formal decision uses the words from the Council's decision notice, which more appropriately describe the nature of the works that have been undertaken.

Main Issue

4. The main issue is the effects of the development upon the character and appearance of the area, including having regard to trees protected by a Tree Preservation Order (TPO).

Reasons

5. The appeal relates to a modest, two-storey terraced dwelling which occupies a corner location at the entrance into Mansfield Avenue from Southbourne Gardens and which leads into a larger residential estate development dating from around the turn of the last century on the former Southbourne School site. Along with its attached neighbour at No 6, it forms a 'T-bar' shape at the end of a more conventionally aligned short terrace of properties at Nos 1-4 (consecutive) Ryan Close and is orientated obliquely towards the adjacent road junction within a

triangular shaped plot. The dwelling originally had a small side garden enclosed by an approximate 2m high brick wall, which extended along the back edge of the pavement along Mansfield Avenue and which I saw retained and which continues beyond as a means of enclosure to the backs of Nos 1-4, including where it cuts obliquely across the entrance to Ryan Close. The appeal property's originally open frontage has now been enclosed by a 1.8m tall close-boarded fence which runs as a continuation of the wall along the back edge of the pavement to Mansfield Avenue towards Southbourne Gardens and which returns at an angle along the boundary line separating Nos 5 and 6. The enclosed space has also been hard surfaced with brindle paving blocks in a herringbone pattern.

6. The Council has no objection to the hard surface, which they recognise would be capable of provision as permitted development. I have no reason to disagree.
7. The surrounding area, including along Southbourne Gardens, is residential in character. However, during my visit, I was struck by the unconventional form and layout of Nos 5 and 6 within the context of their wider setting. Due to their physical attachment to the remainder of the terrace, these two properties have facades to just their front and side elevations. Due to the position of No 6, I found its gabled side elevation to be associated more with the open and active frontages to Nos 1-4. In noticeable contrast, No 5 appeared to me as more visually associated with the enclosed rear gardens of Nos 1-4, which orientate themselves towards Mansfield Avenue, and as a consequence isolated without any logical sense of place or function within an active street scene. In my assessment, it fails to present itself to the public realm as having any semblance of a natural frontage.
8. My opinion on this matter is further endorsed by the mostly blank elevation to No 5 facing towards the junction, with a large and unrelieved expanse of solid wall at both ground and first-floor levels, save for a centrally positioned entrance door and small window at first-floor, mirrored by the same at No 6. Given all of this, contrary to the Council's assertions, I was unable to detect how the private space to the front of No 5 could have been an important and active part of the public realm, or one that benefitted from any advantageous amount of natural surveillance. Indeed, on the contrary, in the absence of any clear delineation between the public and private realm, I am of the opinion the space to the front of No 5 would have felt neither safe nor private, as evidenced by the numerous incidences of anti-social behaviour reported by the appellant to the authorities.
9. Given the nature of No 5, the fence that has been constructed appeared to me simply as a logical extension of the original walled enclosure to the side of the appeal property and which extends beyond. It did not appear out of place and to my mind merged appropriately with the dense belt of vegetation which runs along Southbourne Gardens away from the junction with Mansfield Avenue, and which gives the other properties in Ryan Close obvious and deliberate segregation from the adjoining road.
10. Although tall timber fences do not feature as front garden enclosures within the area, for reasons I have amplified above, the arrangement, form and setting of No 5 appeared unique to me. For this reason, I am not persuaded that the continued presence of the fence would set any precedent for the enclosure of more conventional garden frontages within the locality. Furthermore, neither the size, position nor type of the enclosure erected appeared alien to the area in general,

where I observed various tall fences, walls, and other means of enclosures along the back edges of the pavements in a different manner of places.

11. The Council has pointed to TPO 511 which covers the former school site. This includes a number of protected groups (G1-G5) and individual trees (T1-T6). I have been provided with a copy of the TPO plan and written first schedule. The appeal site is far removed from any of the groups or individually protected trees. I am satisfied that no trees of any significant amenity value have been impacted by the works that have taken place.
12. Overall, I find there to be no harm to the visual amenities of the area or any detriment to the function of the local public realm. As such, there is compliance with Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies (2012), Policies DMHD1, DMHB11, DMHB14 and DMHB15 of the Hillingdon Local Plan Part 2 Development Management Policies (2020), and Policies D3, D4 and G7 of The London Plan 2021. Between them, and amongst other things, these seek to ensure new development, including a front boundary, is of a high standard that harmonises and responds to local context, and achieves a safe place.

Other Matter

13. I have noted a concern that the fence has precluded access from other properties to Southbourne Gardens. However, based upon the information provided at the application stage, the land enclosed was under the sole ownership of the applicant.

Conditions

14. As the development has taken place, I have no reason to impose the standard time limit or plans conditions. As the private garden to No 5 is enclosed, and the size of the space is modest, I see no reason to require any landscaping to be undertaken.

Conclusion

15. For the reasons given above, the appeal is allowed.

John D Allan

INSPECTOR