

Appeal Decision

Site visit made on 13 September 2016

by **C L Humphrey BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 22nd September 2016

Appeal Ref: APP/R5510/W/16/3150494

65 Mahlon Avenue, Ruislip HA4 6SZ

- 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 Robert Chapman against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 70156/APP/2016/621, dated 16 February 2016, was refused by notice dated 10 May 2016.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is allowed and planning permission is granted for a new dwelling at 65 Mahlon Avenue, Ruislip HA4 6SZ in accordance with the terms of the application, Ref 70156/APP/2016/621 dated 16 February 2016, subject to the conditions set out in the Schedule to this decision.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and on highway and pedestrian safety.

Reasons

Character and appearance

3. The appeal site is located on the corner of Mahlon Avenue and Masson Avenue. The proposed dwelling would be an extension of the existing residential terrace of 4 properties fronting Mahlon Avenue.
 4. To the south west of the appeal site, houses are positioned at or near the back of the footway and are set at right angles to Masson Avenue. The appeal proposal would follow this pattern of development. A space of 2m would be retained between the side of the proposed dwelling and the footway, reflecting the siting of 74 Mahlon Avenue on the corner directly opposite the appeal site.
 5. Although the side elevation of the proposed development would be positioned closer to the street than its neighbour to the north east at 1 Masson Avenue, this house is itself set forward of 3 Masson Avenue which in turn is positioned in front of the pair of houses at 5 and 7 Masson Avenue. Therefore, the siting of the proposed dwelling would follow the established pattern of development which gradually steps forward along the Masson Avenue towards the junction with West End Road.
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6. Roof designs vary in the vicinity of the appeal site, and include hips, gables and a double gable feature to the front of No 1. The proposed hipped roof over the 2 storey rear projection would echo the roof of the adjacent development at No 65. It would be subordinate to and reflective of the main roof over the proposed dwelling, and would be set in from the side elevation thereby reducing its prominence in views along the street.
7. For the reasons set out above the proposed development would not have a harmful effect on the character and appearance of the area. As such, the appeal proposal would accord with the design aims of Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies, Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two – Saved Unitary Development Plan Policies (LP2) and the Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Layouts.

Highway safety

8. Masson Avenue is a fairly straight and level road and affords good visibility both of and from the appeal site. Most properties to the north east of the appeal site along Masson Avenue have wide vehicular accesses serving substantial hard surfaced areas within the front gardens, many of which are capable of accommodating a number of vehicles. The submitted plans indicate that a hard surfaced area would be provided within the rear garden of the appeal site, adjacent to the boundary with No 1. Therefore, the appeal proposal would provide adequate parking to serve the proposed dwelling and would reflect the established pattern of vehicular accesses serving within-curtilage parking along this section of Masson Avenue.
9. To ensure acceptable visibility is achieved and the car parking spaces can be independently used, precise details of the layout of the proposed car parking area and details of landscaping including boundary treatment could be secured by condition. The reconfiguration of the kerb and pavement would be undertaken by the Highway Authority and so no planning condition is necessary to secure these works.
10. For the reasons set out above the proposed development would not have a harmful effect on highway and pedestrian safety. As such, the appeal proposal would accord with the parking and highway safety aims of LP2 Policies AM7 and AM14.

Conditions

11. I have imposed a condition specifying the relevant drawings as this provides certainty. In order to ensure the suitable appearance of the development, I have also imposed conditions relating to materials and landscaping, including details of boundary treatment. A condition relating to the car parking layout is required in the interests of highway safety.

Conclusion

12. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

C L Humphrey

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan and Drawing No. 3625/01C.
- 3) Notwithstanding Condition 2, prior to the commencement of any superstructure works on site, details and samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted shall be submitted to and approved in writing by the local planning authority. Development shall be carried out and retained thereafter in accordance with the approved details and samples.
- 4) Notwithstanding Condition 2, prior to the commencement of any superstructure works on site, a scheme of hard and soft landscaping shall be submitted to and approved in writing by the local planning authority. The scheme shall include:
 1. Details of Soft Landscaping
 - a. Planting plans (at not less than a scale of 1:100)
 - b. Written specification of planting and cultivation works to be undertaken
 - c. Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
 2. Details of Hard Landscaping
 - a. Refuse Storage (including elevations if appropriate)
 - b. Cycle Storage (including elevations if appropriate)
 - c. Means of enclosure/boundary treatments including elevations
 - d. Hard Surfacing Materials
 3. Living Walls and Roofs
 - a. Details of the inclusion of living walls and roofs or justification as to why no part of the development can include living walls and roofs
 4. Details of Landscape Maintenance
 - a. Landscape Maintenance Schedule for a minimum period of 5 years.
 - b. Proposals for the replacement of any tree, shrub, or area of turfing/seeding within the landscaping scheme which dies or in the opinion of the local planning authority becomes seriously damaged or diseased
 5. Schedule for Implementation
 6. Other
 - a. Existing and proposed functional services above and below ground
 - b. Proposed finished levels or contoursDevelopment shall be carried out and maintained in accordance with the approved details.
- 5) Notwithstanding Condition 2, the development hereby permitted shall not be occupied until full details of car parking to be provided on site have been submitted to and approved in writing by the local planning authority and implemented in accordance with the approved details. The car parking shall thereafter be kept available for the parking of a car at all times.