

## Appeal Decision

Site visit made on 11 April 2017

**by Michael Moffoot DipTP MRTPI DipMgt MCMI**

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

**Decision date: 05 May 2017**

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**Appeal Ref: APP/R5510/W/16/3167502**

**2 Park Cottages, The Oaks, Ruislip, Middlesex HA4 7LF**

- 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 & Mrs F Bennett against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref: 27553/APP/2016/2829, dated 20 July 2016, was refused by notice dated 22 November 2016.
  - The development proposed is a one bedroom terrace house.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this case are:
  - (i) the effect of the proposed development on the character and appearance of the area and, in relation to the Ruislip Village Conservation Area, whether it would preserve or enhance its character or appearance;
  - (ii) the effect on highway and pedestrian safety; and
  - (iii) whether occupiers of the existing dwelling and future occupiers of the proposed dwelling would enjoy satisfactory living conditions, with particular reference to internal and external amenity space.

### Reasons

#### *Character and appearance*

3. Nos 1 and 2 Park Cottages comprise a matching pair of semi-detached, two-storey dwellings with distinctive gabled wings at each end and symmetrical fenestration. The buildings are prominently located in an area of mixed uses, including commercial, office and residential properties of varying age, scale, design and materials, many of which are traditional in appearance and make a pleasing contribution to the character of the locality.
  4. The *Ruislip Village Conservation Area Appraisal* (2010) notes that The Oaks developed from one of the earlier routes within the area and identifies the 18<sup>th</sup> century Park Cottages as a feature of the street scene together with the adjacent Swan Inn (now Café Rouge); a listed building and an important local landmark in the High Street. The predominantly commercial character of The Oaks and the High Street gives way to 20<sup>th</sup> century housing on Manor Road and
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Church Avenue to the west, which include large detached dwellings many with half-timbered and rendered elevations in varying styles and strong gable features.

5. Within this context, the proposed dwelling would be a bulky, prominent and assertive addition to the street scene in this part of the Conservation Area, effectively creating a terrace of three dwellings where two modest buildings presently sit comfortably within their surroundings. It would severely harm the attractive symmetry and composition of the two dwellings, which have not been compromised by the small single-storey extension to No 1, and would dominate the pair rather than comprise a subordinate adjunct. The loss of symmetry would be accentuated by the discordant pyramidal roof form of the proposal together with the introduction of ground and first floor windows to the existing gabled wing and the asymmetrical pattern of fenestration in the new dwelling. The inclusion of a matching bay window to the front elevation of the proposal would not offset this harm.
6. The proposal would also result in a marked reduction in the gap between No 2 and the adjacent office building which currently provides some relief from built development, and would unacceptably diminish the present sense of spaciousness which enhances the character of the Conservation Area here.
7. For these reasons, I conclude that the proposed development would materially harm the character and appearance of the area in conflict with Policy BE1 of Part 1 of the Local Plan (LP1)<sup>1</sup> which, amongst other things, requires new development to achieve high quality design which enhances the local distinctiveness of the area and contributes to a sense of place. It would also breach those parts of Policies BE4, BE13, BE15 and BE19 of Part 2 of the Local Plan (LP2)<sup>2</sup> which variously aim to ensure that new development within residential areas complements or improves the amenity and character of the area and harmonises with existing buildings and the street scene. Conflict with similar objectives in Policies 3.5 and 7.4 of *The London Plan* (TLP) would also arise.
8. In addition, the proposal would fail to preserve or enhance the character and appearance of the Conservation Area, contrary to LP1 Policy HE1 which seeks to conserve and enhance designated heritage assets such as Conservation Areas, and similar objectives in Policy BE4 of LP2.
9. Given that the proposal is a relatively small-scale development in a sizeable Conservation Area, the harm caused to its significance as a heritage asset would be less than substantial in terms of paragraph 134 of the *National Planning Policy Framework* ('the Framework'). The Framework requires that this harm should be weighed against the public benefits of the proposal. The appellants submit that the development in this accessible location would meet a local demand for starter housing or suit a professional couple. However, the small public benefit arising from an additional dwelling does not outweigh the harm that I have identified to the character and appearance of the area and the Conservation Area.

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<sup>1</sup> Hillingdon Local Plan: Part 1 - Strategic Policies (2012)

<sup>2</sup> Hillingdon Local Plan: Part 2 - Saved UDP Policies (2012)

### *Highway and pedestrian safety*

10. The proposal would result in the loss of an existing off-street parking area to the side of the property and makes no compensatory provision or off-street parking space for the proposed dwelling. It would therefore fail to accord with the parking standards set out in Policy AM14 of LP2 and similar requirements in *The Housing Standards: Minor Alterations to the London Plan* (MALP).
11. I acknowledge that the appeal site is in an accessible location with good access to a range of local services and facilities without reliance on the motor car. Moreover, the proposal makes provision for cycle storage within the site, although not for the existing dwelling. However, for most other journeys a vehicle is likely to be necessary. On-street parking in the vicinity of the appeal site is severely restricted. There is a loading bay on the carriageway fronting the site and a bus stop nearby, and a Controlled Parking Zone operates on The Oaks and part of Manor Road and Church Avenue together with Permit Parking for residents. Although No 1 Park Cottages and some flats in the vicinity have no off-street parking space, most residential properties do or rely on parking permits.
12. In these circumstances parking requirements of the proposal, together with the associated loss of parking for the existing dwelling, are likely to result in indiscriminate on-street parking to the detriment of highway and pedestrian safety. It would therefore conflict with Policy AM7 of LP2 which seeks to resist proposals which would prejudice the safety of road users and those on foot.

### *Living conditions*

13. For a 1 bedroom/2 person two-storey dwelling as proposed, the *Technical housing standards - nationally described space standard*<sup>3</sup> requires a minimum of 58m<sup>2</sup> internal floor area. In order to secure new housing of the highest quality the MALP requires similar provision. At some 50m<sup>2</sup> the appeal proposal would not achieve this standard. It would therefore fail to provide satisfactory internal space for future occupiers of the new dwelling.
14. Paragraph 4.14 of the SPD: *Residential Layouts*<sup>4</sup> requires developments to incorporate usable, attractively laid out, private and conveniently located garden space in relation to the properties they serve. For a one bedroom house a minimum of 40m<sup>2</sup> of amenity space is required. The proposal would result in the loss of the existing space serving No 2 and makes no provision for outdoor amenity space for the new dwelling; the open area to the side of the building effectively providing only cycle and bin storage space. Whilst there may be a public park within walking distance of the site at Manor Farm, the facility would not in my view adequately compensate for the absence of amenity space for the existing and proposed dwellings.
15. In reaching these findings, I acknowledge that No 1 and nearby flats do not have amenity space. However, this does not justify the perpetuation of residential accommodation without such provision, and does not outweigh my concerns regarding the matter in respect of the appeal proposal.

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<sup>3</sup> Department for Communities and Local Government (2015)

<sup>4</sup> Hillingdon Design and Accessibility Statement Supplementary Planning Document: *Residential Layouts*

16. Accordingly, I conclude that the proposed development would fail to provide satisfactory living conditions for the occupiers of the existing dwelling and future occupiers of the proposed dwelling. It would therefore conflict with relevant parts of Policies BE19 and BE23 of LP2 and Policy 3.5 of TLP which seek to achieve satisfactory internal and external space and amenity standards for housing developments.

### **Other Matters**

17. I have noted a historical permission for a single-storey extension to the side of the appeal property but have not been provided with the full circumstances of the case. As such, it has no bearing on my decision.
18. Other issues raised by the appellants, including the tenancy of No 1 and compliance with the Building Regulations, are not relevant to the planning merits of the proposal.

### **Conclusion**

19. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

*Michael Moffoot*

Inspector