
Appeal Decision

Site visit made on 25 April 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 23 May 2017

Appeal Ref: APP/R5510/W/17/3167933

Pembroke House, 5-9 Pembroke Road, Ruislip Ha4 8NQ

- 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 Anslip (UK) Ltd against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 38324/APP/2016/3586, dated 26 September 2016, was refused by a notice dated 23 November 2016.
 - The development proposed is the extension of 4th floor accommodation to provide 2 new 1 bedroom flats.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. As part of the appeal submission the appellant has submitted amended drawings refs: Existing Elevations, P10 Rev A; Existing Fourth Floor and Site plan, P11 Rev B, Proposed Elevations, P12 Rev B and Proposed Fourth Floor and Site Plan, P13 Rev B. The Council has had an opportunity to comment on these amended drawings. It is only appropriate to take the amended drawings into account if no party would be disadvantaged. Having regard to *Wheatcroft (Bernard) Ltd v Secretary of State for the Environment (1982) JPL 37*, it is necessary for me to consider whether the proposed changes would represent a substantial difference compared to the original application. It was held in this judgement that one of the main criteria is whether the development would be so changed by such amendments that to grant permission would deprive those who should have been consulted of the opportunity of consultation.
 3. The amended drawings show the floor plans of the existing fourth floor flat which were not submitted with the planning application and also show corrected existing and proposed elevations. Revised floor plans have also been provided which show a single skylight within the flat roof of each of the proposed new flats. These changes are minor design alterations to the original scheme and do not alter the original scale, form or layout of the appeal proposal and do not give rise to any new issues. I do not therefore consider that any party would be unfairly prejudiced by my determining the appeal with regard to the amended drawing refs: Existing Elevations, P10 Rev A; Existing fourth floor and site plan, P11 Rev B, Proposed Elevations, P12 Rev B and Proposed Fourth Floor and Site Plan, P13 Rev B and I have done so on this basis.
-

Main Issues

4. The main issues in this case are the effect on the:

- Character and appearance of Pembroke House and the surrounding area;
- Setting of Ruislip Village Conservation Area (CA) and Midcroft, Ruislip Area of Special Local Character (ASLC) ;
- Living conditions of existing and future occupiers, with particular regard to outlook, light, ventilation and external amenity space; and
- The efficient operation of the highway network in the vicinity of the appeal site.

Reasons

Character and appearance

5. Pembroke House occupies a prominent location opposite the entrance to Ruislip Train Station. It was originally designed as an office block, and has subsequently been converted into residential apartments. The recessed elements of the ground floor and third floor elevations provide some relief to what would otherwise be a monolithic block. Similarly, the existing fourth floor accommodation appears as a subservient addition which allows the form and design of the original building to remain clearly discernible.
6. The appeal proposal would introduce two further flats to the fourth floor of the appeal premises. When viewed from Pembroke Road, the additional accommodation would not significantly alter the character or appearance of Pembroke House. The extension in this location would be set well back from the edge of the existing roof, and would reflect the design and proportions of the adjoining apartment and display a similar roof terrace and balustrade.
7. However, the proposed accommodation to the rear portion of the roof, which would be clearly visible from both the car park to Pembroke House and from Brickwall Lane, would appear visually incongruous. It would substantially change the original proportions and design characteristics of the existing building. Rather than appearing subservient to the original building, its solid mass extending directly from the back wall of the existing building would be a prominent and dominant addition. When viewed alongside the proposed hit and miss timber screens, or indeed any other form of privacy screen in this location, the appeal proposal would not appear visually cohesive. The extension would not respond to the existing character and appearance of Pembroke House and would detract from the visual qualities of the area as a whole.
8. I have taken into account the development at Kings Lodge; however the roof accommodation and terraces on this building were developed as part of its original design rationale. Furthermore, the accommodation is set well back from the edge of the roof and is not therefore visually dominant as would be the case with this appeal proposal.
9. I conclude that the proposed development would have a significant and harmful effect on the character and appearance of Pembroke House and the surrounding area. It would therefore conflict with the development plan, and in particular with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic

Policies (LP Part One), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (LP Part Two) and adopted Supplementary Planning Document HDAS: Residential Layout (SPD) which seek to ensure, amongst other things, that new development be designed to be appropriate to its locality and context, complement and improve the amenity and character of the area, and that alterations to existing buildings harmonise with the scale, form, architectural composition and proportions of the original building. I also find conflict with Policies 3.5 and 7.4 of the London Plan, 2016 which aim to provide high quality design and to protect and enhance London's residential environment.

Setting of Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character.

10. The appeal site lies adjacent to the boundaries of both the CA and ASLC. I consider the significance of the CA in this location to be derived from the form and position of the buildings in relation to High Street. The character of the adjoining ASLC is derived from the residential properties along Brickwall Lane which are situated in deep and verdant plots.
11. Pembroke House is predominantly viewed in the context of its position within Pembroke Road and alongside neighbouring contemporary development. Therefore, whilst Pembroke House is located close to the boundaries of these areas, and visible from them, the significance of the CA is not experienced from the appeal site. To my mind Pembroke House does not fall within its setting or the setting of the ASLC. Consequently the appeal proposals would not have any effect on the setting of these heritage assets.
12. I conclude that the appeal proposal accords with the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990 and preserve the setting of the CA. It would also preserve the setting of the ASLC. I therefore find no conflict with the development plan, and in particular Policies BE4 and BE5 of the LP Part Two, or policies within the National Planning Policy Framework, (the Framework) which seek to conserve or enhance the historic environment.

Living conditions

13. Although the existing fourth floor accommodation is single aspect, it has a kitchen/living area which is well lit by double opening glazed doors and a skylight. The double bedroom also has two full length glazed door/windows. The outlook from both these rooms is open with unobstructed views across the city. Furthermore, the accommodation has access to an external amenity area.
14. The proposed one bedroom two person flats would have a gross internal floor area of at least 50m² (GIA) which would meet the minimum space standards for single storey dwellings as set out in Table 3.3 of the London Plan, 2016. The accommodation would be well lit with full length glazed doors and would have an open aspect. Furthermore, I am satisfied from the evidence before me that the accommodation would be adequately ventilated, and in any event such matters would be a consideration for building regulations.
15. The external amenity areas proposed would be separated by privacy screens. Although one of the proposed areas would be marginally smaller than the 20sqm which is the recommended minimum area for a one bedroom flat set out in the SPD, this guidance acknowledges that within town centre areas

smaller areas of outdoor space may be acceptable for non-family housing. Therefore, whilst there may be a technical breach of the SPD, I am satisfied that the external space provided would be private and large enough in area to provide space for sitting out and the drying of clothes which I consider to be the main function of any external space.

16. The Council are concerned that the proposed accommodation would prevent a communal external amenity space being available to serve the existing residents of Pembroke House. However, there is no evidence that the roof has ever been used for this purpose, nor have I been made aware of any extant planning condition that requires it to be used for that purpose. The appeal proposal cannot therefore result in the loss of a communal space that has not been available to existing residents.
17. I conclude that the appeal proposal would provide acceptable living conditions for existing and future occupiers, with particular regard to outlook, light, ventilation and external amenity space. I find no conflict with the development plan, and in particular with Policy 3.5 of the London Plan and Policies BE13, BE19, BE20, BE23 and BE24 of the Local Plan Part Two which, together with the SPD, seek to ensure that new residential development protects the privacy of the occupiers and their neighbours, provides and maintains adequate internal and external space, and are laid out so that adequate daylight and sunlight can penetrate the accommodation.

The efficient operation of the highway network in the vicinity of the appeal site.

18. Pembroke House has an existing private car park which provides 20 spaces for the use of the residents of the existing 19 units. It would also be available for the use of future occupiers of the two additional units proposed.
19. Policy AM14 of the LP Part Two sets out the Council's adopted car parking standards and require flats with communal car parking to provide 1.5 spaces per dwelling. However, it recognised in the footnote to the standards that the precise level of provision may be dependent on the housing type and location. I am mindful that this Policy predates the Framework which advises that local planning authorities should only impose local parking standards for residential development where there is a clear and compelling justification that it is necessary to manage their local road network. Furthermore, residential car parking standards set out in the London Plan require less than one space per unit in areas which have good access to public transport.
20. The appeal site has a PTAL rating of 4 and is located in a highly sustainable area, close to the town centre, Ruislip train and bus station. Moreover, I have not been provided with any substantive evidence to suggest why 20 car parking spaces would be insufficient to serve the needs of existing and future residents of Pembroke House and would lead to increased parking and obstruction of the adjoining highway which is subject to traffic regulations.
21. Having regard to paragraph 39 of the Framework and the sustainable location of the appeal site, I conclude that in this case the parking spaces available at Pembroke House would be adequate to meet the needs of proposed development.
22. I conclude that the proposed development would not cause demonstrable harm to the efficient operation of the highway network in the vicinity of the appeal

site. I do not find conflict with the development plan, and in particular with Policies AM7 and AM14 of the LP Part Two and Policy 6.13 of the London Plan which seek to promote development in locations with high public transport accessibility and to ensure that new development does not prejudice the free flow of traffic or conditions of general highway or pedestrian safety.

Conclusion

23. Although I have found that the appeal proposal would not have a harmful effect on the setting of Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character, it would provide acceptable living conditions for existing and future occupiers and would not prejudice the efficient operation of the highway network in the vicinity of the appeal site, I have found that it would have a significant and harmful effect on the character and appearance of Pembroke House and the visual qualities of the area. Therefore, for the reasons given above and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Elizabeth Pleasant

INSPECTOR