



Appeal Decision

Site visit made on 22 November 2017

by S J Lee BA(Hons) MA MRTPI

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

Decision date: 15th December 2017

Appeal Ref: APP/R5510/W/17/3181601

47-49 High Street, Ruislip, Hillingdon HA4 7BD

- 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 Panayiotis Tsappis against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 46454/APP/2016/427, dated 3 February 2016, was refused by notice dated 8 February 2017.
 - The development proposed is part two storey, part single storey rear extension over flat roof to incorporate two additional 2 bedroom flats and 1 bedroom flat and enhance the two existing 1 bedroom flats to 2 bedroom flats.
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Decision

1. The appeal is allowed and planning permission is granted for part two storey, part single storey rear extension over flat roof to incorporate two additional 2 bedroom flats and 1 bedroom flat and enhance the two existing bedroom flats to 2 bedroom flats at 47-49 High Street, Ruislip, Hillingdon HA4 7BD in accordance with the terms of the application, Ref 46454/APP/2016/427, dated 3 February 2016, subject to the following conditions in the attached schedule.

Preliminary Matter

2. The appellant indicated that a Unilateral Undertaking relating to car free development was to be submitted with the appeal. However, no such document has been provided to the Inspectorate and thus I have not given this intention any weight in my decision.

Main Issues

3. The main issues in this case are (i) the effect of the development on the character and appearance of the area, including the Ruislip Village Conservation Area (RVCA) and (ii) the effect on highway and pedestrian safety, with particular regard to off-street parking provision.

Reasons

Character and Appearance

4. The appeal relates to a shop unit with vacant offices in the first and second floor. The unit is in a high street location and forms part of an unbroken row of buildings of different styles and ages. The ground floor of the unit projects into the rear servicing and parking areas with a combination of flat roof and pitched

- roof extensions. The rear of the site are accessed by a service road that serves a number of units.
5. I understand that prior approval has already been granted to convert the first and second floor offices into three flats. There is nothing to suggest that this approval has expired and I see no reason to conclude that this would not be a reasonable and realistic fallback position in the event the appeal were to be dismissed. The development would add two further flats to this, through internal alterations to the existing space and by extending out at first and second floor level.
 6. The site is within the RVCA. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Paragraph 132 of the National Planning Policy Framework (the Framework) advises that when considering the impact on a heritage asset, great weight should be given to the asset's conservation.
 7. The Ruislip Village Conservation Area Appraisal (CAA)(2010) suggests that the significance of the RVCA lies in the historic urban form, character and important buildings of the medieval village core, the character of the High Street, which largely reflects traditional early twentieth century architecture and the character and layout of the residential areas developed in the 1920s and 1930s, which were heavily influenced by the Garden Suburb Plan. The CAA splits the area into three distinct character areas. The site lies within the High Street character area. Here the significance lies in the quality of the detailing of the shop fronts and elevations. The document highlights some concern over the rear of shops owing to ad hoc storage structures, informal parking and servicing arrangements and the addition of such features as flues, vents, air conditioning units and the like.
 8. Paragraph 138 of the Framework states that not all elements of a Conservation Area will necessarily contribute to its significance. In this case, while the rear of these units are in full view of people walking to Church Field Gardens from Midcroft and users of the service road, the combination of service yards, uncoordinated alterations and extensions and the modern rear elevations of Cromwell House and Jebson House do not make a particularly positive contribution to the significance of the RVCA or the aesthetic quality of the area. Notwithstanding this, the scene presented to passers-by is not atypical of what might be expected to the rear of a shopping street, whether it be in a conservation area or not.
 9. I have noted the Council's comments that the development would exacerbate what is already a problematic area. However, the officer report also notes that the development would be similar in design to Jebson House and Cromwell House. I would agree that although the extension would add to the mass of development at the rear of the units, the resulting appearance would not be wholly dissimilar to that of Cromwell House next door, both in terms of the projecting flat roofs, stepped appearance and extensive use of brickwork. While these more modern buildings were constructed prior to the designation of the conservation area, they are nonetheless part of the RVCA and help to establish the character of the rear of these commercial units. The development

would be seen in the context of these buildings and would not appear incongruous as a result.

10. There would be some effect on the pitched roof of the host building, but it has already been considerably altered by existing extensions and alterations. Indeed, while the development would add some height to the existing structures, the form of development would not be dissimilar to what already exists. I do not consider that change would be particularly harmful to the overall character of the host building itself or the contribution it makes to the significance of the RVCA, which is primarily as a result of the front elevation onto the High Street.
11. The development would alter the relationship with the neighbouring building to an extent. However, the appeal site is already the dominant feature as a result of the ground floor extensions that project out to the service road. Views of the appeal site and its neighbour from anywhere other than directly behind them are substantially restricted by Jebson House and Cromwell House. There is also some existing variety in the roof profile and design in this row of buildings. The development would add to this variety. In this context, I do not consider that the development would result in an unduly dominant or intrusive feature.
12. In terms of visibility, the extension would primarily be viewed from Midcroft, the service road and from the access into the open space. While visible from parts of the open space itself, it is likely that Cromwell House would provide a degree of screening, although parts of the first and second floor would project beyond the extent of this building. The open space forms part of the Ruislip Village Centre character area of the RVCA. This is the earliest part of the RVCA and contains the core of the original village. Any views of the development from this area would be set in the context of Cromwell House and other modern elevations and alterations. Thus the development would not have a significant effect on the setting or importance of the open space or any other part of village core.
13. The current view across the rear of the units from Midcroft is already dominated by the large bulky second and first storey projection of Cromwell House. This presents a blank brick wall to the road. There is also a tall brick wall which presents a similar appearance. Although it would be larger, the development would present a similar proposition, though it would also be broken up with some fenestration and render to provide some level of visual interest. The former petrol filling station, which is now in use as a car wash, is also a prominent visual feature in this street scene. In my view, while the development would itself be a prominent feature, it would not appear at odds in the context within which it would be set.
14. Taking all matters into account, I find that while there would be some change to the rear of the retail unit, this would not be unsympathetic or incongruous with the prevailing character and appearance of the immediate built form. Moreover, I am satisfied that the development would not have any effect on the characteristics of the RVCA which provide it with its significance as a heritage asset. As a result, it would have only a neutral impact and thus the character and appearance of the RVCA would be preserved. Accordingly, there would be no conflict with saved policies BE13, BE15, BE19 or BE21 of the Hillingdon Unitary Development Plan (UDP) (adopted 1998, saved in 2007)

which seek, amongst other things, to ensure extensions harmonise with their host buildings, complement the area and have no undue effect on amenity.

15. Although not referred to in the decision notice, I also see no conflict with Hillingdon Local Plan Part 1(2012) Policy HE1 which seeks, amongst other things, to ensure development conserves Hillingdon's historic landscape.

Highway and Pedestrian Safety

16. The development would not provide any off-street parking. The maximum parking standards set out in Annex 1 of the UDP suggest that provision should be made for a maximum of 1.5 spaces per flat irrespective of size. The development would therefore generate a need for up to 7.5 off-street spaces against these standards. However, the supporting text to the annex states that consideration would be given to the nature and location of the housing proposed. Moreover, the existing prior approval for the conversion to 3 flats is a reasonable and realistic fallback position.
17. The fallback position referred to above would generate a theoretical demand for 4.5 additional spaces against Annex 1. Any existing parking demand generated by the approved proposal would have to be met on the street. It is logical therefore to consider the likely additional demand over and above the extant approval and consider whether there would be any impact as a result. As the number of bedrooms is not factored into the standards, the development would therefore generate a need for 3 additional spaces. Nonetheless, with or without the fallback in place, in the context of the area as a whole, I am not convinced that the development would generate a significant increase in demand.
18. I saw that the site is excellently located for local services and facilities and is also well related to public transport links with regular services to a good range of locations. The site is within an area identified as PTAL3 by Transport for London, though it is also near to a PTAL4 area. Notwithstanding the Council's comments about relative levels of accessibility, this still represents a highly sustainable and accessible location. The lack of parking would also be known to any potential tenants of the flats. As a result, occupiers of the development may not be completely reliant on cars to meet their daily needs or necessarily be car owners. It is reasonable to assume that the high degree of accessibility of the site would help to reduce the demand for car use and parking to one extent or another.
19. I saw that the majority of dwellings on Midcroft near to the site had access to off-street parking on drives and forecourts. There are also on-street parking restrictions in the area which should ensure any inconsiderate or obstructive parking in the area can be adequately controlled. Although reference has been made to parking pressures by both the Council and interested parties, there is no substantive evidence before me which identifies where or how such pressures manifest themselves in the area. There is no persuasive evidence that there would be insufficient capacity to accommodate demand or that drivers associated with the development would park in an inappropriate manner. Moreover, there is no substantive evidence before me which identifies any incidents related to highway or pedestrian safety in the area associated with parking pressures.

20. In conclusion, there is insufficient evidence to conclude that the likely moderate additional parking demand generated by the development would result in unacceptable risks to highway or pedestrian safety. As the parking standards allow consideration to be given to housing type and location, I am satisfied that a reduced provision against the standard would not result in unacceptable harm. Consequently, there would be no conflict with UDP Policy H7(ii) which seeks to ensure development does not result in parking congestion.

Other Matters

21. Concerns over whether the building is structurally able to accommodate the development would be addressed through other legislation and is not a matter before me. Concerns over noise and disturbance during construction are noted. However, this would be a temporary factor and I do not consider that it justifies withholding permission in this case. In coming to this conclusion, I have had regard to the nature of the neighbouring use. However, this does not alter my conclusion.
22. Concerns over the use of the service road are also noted. However, any conflict caused by inconsiderate or obstructive parking would be a matter for the owner and users of the road and/or the Council's parking officers. There should be adequate measures to ensure the service road is not unduly obstructed, either during construction or once the flats are occupied. I saw nothing to suggest that the development would have an unacceptable long term effect on the operation of nearby businesses or living conditions of any nearby residents, whether this be through noise, light or outlook.
23. I note that the Council highlighted a concern regarding the outlook of future occupants in its officer report. This did not however form a reason for refusal. I am satisfied that the quality of accommodation would be acceptable, both in terms of scale and outlook and thus this factor does not alter my overall conclusion as to the acceptability of the development.

Conditions

24. I have considered the suggested conditions from the Council in accordance with the Planning Practice Guidance (PPG) and paragraph 206 of the Framework. In addition to the standard condition which limits the lifespan of the planning permission, I have imposed a condition specifying the relevant drawings as this provides certainty.
25. I have imposed a condition requiring the details of waste storage and sound proofing to be approved in the interests of the living conditions of future and neighbouring occupants. I have imposed a condition requiring approval of the details of cycle storage in the interests of facilitating travel choice.
26. I have amended the suggested wording on sound proofing to remove the dates by which the details of any scheme would have to be approved and implemented. Instead, it would be necessary for any scheme to be approved prior to commencement and for the approved measures to be implemented prior to occupation. The permission lasts for three years and no justification has been provided which indicates why it would be necessary or reasonable to expect the sound proofing to be installed within 6 months of the date of the decision.

27. I have made other minor amendments to the suggested conditions in the interests of precision, clarity and consistency. Conditions 3, 4 and 5 are pre-commencement conditions by necessity to ensure the development is carried out in accordance with the approved details.
28. I have not imposed the suggested condition on materials as this is adequately addressed by the approved plans and thus is not necessary. I have also not imposed the suggested condition on boundary treatments. There is nothing to suggest that the existing boundary treatments are to be altered.

Conclusion

29. For the reasons given above I conclude that the appeal should be allowed.

S J Lee

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: PA-01; PA-02 Revision A; PA-03 Revision A; PA-04; PA-05; PA-06; PA-07 Revision A; PA-08; PA-09; PA-10.
- 3) No development shall commence until details of facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details prior to first occupation of the flats hereby permitted and thereafter the facilities shall be permanently retained.
- 4) No development shall commence until details of a sound proofing scheme, certified or to the certifiable standards of the Association of Noise Consultants (ANC) or UK Accreditation Services (UKAS), between each floor has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented in accordance with the approved details prior to the first occupation of the flats hereby permitted and thereafter permanently retained.
- 5) No development shall commence until details of covered and secure cycle storage have been submitted to and approved in writing by the local planning authority. The facilities shall be provided in accordance with the approved details prior to the first occupation of the flats hereby permitted and thereafter permanently retained.

Schedule ends.