
Appeal Decision

Site visit made on 3 January 2018

by David Cliff BA Hons MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th February 2018

Appeal Ref: APP/R5510/W/17/3179983

5 Rockingham Wharf, Rockingham Road, Uxbridge UB8 2UB

- 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 John Emery against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 71923/APP/2017/721, dated 28 February 2017, was refused by notice dated 26 April 2017.
 - The development proposed is 'Provision of 3 no. studio apartments. Changes to external appearance of the building, provision of parking and landscaped communal amenity space'.
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Decision

1. The appeal is allowed and planning permission is granted for the provision of 3 no. studio apartments, changes to external appearance of the building, provision of parking and landscaped communal amenity space at 5 Rockingham Wharf, Rockingham Road, Uxbridge UB8 2UB in accordance with the terms of the application Ref 71923/APP/2017/721, dated 28 February 2017 and subject to the conditions set out in the attached schedule.

Preliminary Matter

2. Prior to this appeal, previous approvals/permissions have been granted for the conversion and alteration of the existing building for residential use. The development now proposed would amount to further alterations in addition to such previously approved schemes.

Main Issues

3. The main issues are (i) the effect of the resulting parking provision upon public and highway safety and (ii) whether the proposal would provide for satisfactory outdoor amenity space for future occupiers.

Reasons

Parking provision and highway safety

4. Policy AM7 of the Hillingdon Local Plan: Part Two – Unitary Development Plan Saved Policies November 2012 ('Saved Policies') seeks to prevent unacceptable traffic generation taking into account the capacity and functions of existing and committed principal roads. It goes on to state that permission will not be granted for developments whose traffic generation is likely to prejudice the free flow of traffic or conditions of general highway or pedestrian safety. Although

noting the comments of the appellant, this policy appears to have relevance to the proposal in the context of highway and pedestrian safety.

5. Policy AM14 of the Saved Policies states that permission will only be granted where development accords with the Council's adopted car parking standards. The parking standards supplied by the Council require a maximum of 1.5 spaces per flat. The foot notes to the standards also state that the precise level of provision will depend on a number of factors including location. These standards pre-date the National Planning Policy Framework, paragraph 39 of which refers to criteria that should be taken into account when setting parking standards. This limits the weight I have given to the Council's current parking standards.
6. The appellant refers to relevant material in the emerging Hillingdon Local Plan: Part 2 Development Management Policies including the facilitation of sustainable development and parking standards lower than those in the current development plan. However, as this has yet to be examined, it currently comprises only limited weight.
7. The current proposal, along with previous approvals would result in a total of nineteen dwellings in the scheme, for which the submitted drawings show nine dedicated residents' parking spaces with a further five spaces provided for the adjacent industrial use. In addition, around 40 cycle spaces would be provided.
8. The Council draws attention to the appeal site's PTAL rating of 3 (moderate), and says that there would be a reliance on the private car for trip making. However, I do not find the PTAL rating to be wholly conclusive in this respect. It appears to me that the site is within reasonable walking and cycling distance of Uxbridge town centre, comprising numerous shops and services along with public transport provision including the Metropolitan and Piccadilly underground lines. A bus service also runs along Rockingham Road, into and out of the town centre. Other bus services are also conveniently located to the site, providing transport to several other destinations. There are also other local facilities including a convenience store and public house very close to the site.
9. It seems to me that the location of site is such that there is a real opportunity for residents to access local facilities, services, employment and public transport without requiring the use of the private car. It is therefore a location for those people who might choose to not own a car. I accept that it cannot be ruled out that future residents would still possibly all wish to own a car. However, the location of the development, the limited allocated parking provided and the rather limited opportunities for parking in the locality is likely to make the development attractive for some non-car owners. The ample cycle parking provided would also help to encourage journeys by alternative means to the private car.
10. The Council refers to local parking stress although no detailed evidence has been provided to demonstrate this. Neither have details of parking stress been provided by the appellant. Notwithstanding this, from my observations at my site visit I accept that the surrounding area is likely to suffer from some parking stress. However, taking account of my findings above, any increased parking pressure from this proposal upon existing parking stress in surrounding streets is likely to be limited. This remains to be so even considering the reducing parking provided in relation to the previous schemes and the increase in flats.

11. Moreover there is no detailed evidence before me which demonstrates that, even should there be an additional pressure on local street parking, there would be any significant harm to highway or pedestrian safety. The Council has stated that the proposal would add to local parking stress but has not gone on to explain how in this case it would lead to any detrimental impacts to public and highway safety.
12. I note that other recently approved developments in the locality have a higher level of parking provision than the current appeal scheme. However, I have no information regarding the particular circumstances of their approval, including relating to the level of parking provided. I must consider each scheme on its particular merits and circumstances, which I have done in this case.
13. Matters raised by an interested party regarding the use of the spaces for the adjacent use do not alter my overall conclusion reached on the issue of parking. The site layout drawing shows how the parking would be organised and more detailed matters relating to this are a matter for resolution by the respective parties. In addition, there is no evidence to suggest that access would be significantly compromised and this is not a matter raised in the Council's objections.
14. I conclude on this issue that the proposed parking arrangements would not be likely to result in any significant public or highway safety implications. The proposal would satisfactorily accord with the relevant parking and highway safety aims of policies AM7 and AM14 of the Saved Policies. I also find no material conflict with the Supplementary Planning Document HDAS: Residential Layouts (SPD).

Outdoor amenity space

15. Policy BE23 of the Saved Policies seeks to ensure that residential development provides sufficient external amenity space to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting. The current proposal would result in a decrease in amenity space on the site in relation to previous approvals.
16. The amenity space provided would be less than the guidelines set out in the SPD. Nevertheless, each of the studio flats now proposed would have a small external terrace area and I note that most of the approved flats would have balconies. An external shared amenity space of approximately 50 sqms is also proposed at one side of the site.
17. At my site visit I noted that the currently approved external amenity space for the conversion would be located immediately adjacent to the large and imposing flank wall of the adjacent industrial buildings. I consider that the adjacent wall would diminish the quality and usability of that approved space.
18. I do not consider the amenity space now proposed to be of particularly high quality given its limited size and its location in the corner of the site adjacent to both the main road and the access road to commercial buildings adjacent to the side of the site. However, of the total of nineteen residential units within the scheme as a whole, the large majority would be either studio flats or one bedroom flats. The development therefore is unlikely to be one that would be occupied by many families.

19. Furthermore, it is very material to this case that the site is in close proximity to large areas of public amenity space including the Rockingham Recreation Ground and Fassnidge Park. Such public space would provide for easily accessible and attractive amenity space for the occupants of the flats. Indeed, I consider it to be more likely that residents would opt to use these spaces for outdoor relaxation or recreation than either the previously approved or currently proposed areas of shared amenity space within the development. These factors along with the terraces and balconies provided to most of the individual flats, leads me to the conclusion that the level of amenity space provision is satisfactory in this case.
20. I have also considered the two previous appeal decisions relating to the neighbouring site, though they do not alter my findings in this case. Furthermore, taking account of the existing lack of significant landscaping, the level of amenity space and landscaping now proposed would be satisfactory in terms of its impact on the setting of the building and the surrounding area.
21. I therefore find that the proposal would provide for satisfactory amenity space and would accord with the relevant design and amenity aims of policies BE19 and BE23 of the Saved Policies.

Other matters

22. The Council has not objected to matters concerning the outlook from and the light received by the proposed studio flats. Whilst both would be to a degree limited, I consider that the overall standard of accommodation provided would be satisfactory.
23. Refuse storage provision is included within the scheme details and there is no evidence to indicate that this is inadequate for the proposed development.
24. I do not consider the likely vehicle generation arising from the combined residential proposals to be such to result in any significant pressure upon the access road serving both this and the adjacent development.

Conditions

25. I have considered the conditions suggested by the Council against the relevant tests and the Planning Practice Guidance. I have imposed a condition specifying the relevant drawings as this provides certainty. A materials condition is necessary in the interests of the character and appearance of the area. I have altered the condition from that suggested by the Council for clarity and to avoid confusion as some new materials are proposed which are not evident on the existing building. A refuse storage condition is required to safeguard the general amenities and appearance of the area. Sound proofing is necessary in order to provide for a satisfactory residential environment for future occupiers. Covered and secure cycle storage is needed to promote alternative means of travel to the private car. Details of means of enclosure need approval in order to provide for a good standard of amenity for future occupiers and to safeguard the appearance of the area.
26. Conditions 4, 5 and 6 require details to be submitted and approved prior to the commencement of development as these relate to the overall design of the scheme.

Conclusion

27. I have found that the proposed development would accord with the development plan when considered as a whole and there are no material considerations that have led me to find that permission should be withheld.
28. For all the reasons given above, and having regard to all other matters raised, I conclude that the appeal should be allowed.

David Cliff

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 431.016.050, 431.016.051, 431.016.052, 431.016.053, 431.016.057, 431.016.065, 431.016.067, 431.016.014.A, 431.016.061.A, 431.016.062.A, 431.016.063.A, 431.016.080, 431.016.081.
3. The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan no. 431.016.080 and as stated on the application form.
4. Prior to the commencement of the development hereby permitted, details of the facilities to be provided for the screened storage of refuse bins within the site shall be submitted to and approved in writing by the local planning authority. No part of the development shall be occupied until such approved facilities have been provided and thereafter they shall be permanently maintained.
5. Prior to the commencement of the development hereby permitted, details of a sound proofing scheme, certified or to the certified standards of the Association of Noise Consultants or UK Accreditation Services, between each floor shall be submitted to and approved in writing by the local planning authority. No part of the development shall be occupied until the sound proofing has been carried out in accordance with the approved details.
6. Prior to the commencement of the development hereby permitted, details of covered and secure cycle storage shall be submitted to and approved in writing by the local planning authority. The cycle storage shall be implemented in accordance with such approved details prior to the occupation of any part of the development and permanently retained thereafter.
7. Prior to the occupation of any part of the development hereby permitted, boundary walls, fences or other means of enclosure shall be erected in accordance with details which shall have been previously submitted to and approved in writing by the local planning authority.