



Appeal Decision

Site visit made on 31 May 2019

by P D Sedgwick BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th July 2019

Appeal Ref: APP/R5510/W/19/3224792

123 Bedford Road, Ruislip, London, HA4 6LY

- 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 Ms Laksha Satchithanathan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73547/APP/2018/2040, dated 24 May 2018, was refused by notice dated 19 September 2018.
 - The development proposed is vehicle crossover - dropped kerb to front garden that belongs to 123 Bedford Road.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the living conditions of occupiers of 125 Bedford Road with particular regard to noise and disturbance.

Reasons

3. The building in which the appellant lives comprises four apartments and is set back from the road. A footpath runs between a front garden area and paved forecourt to the central entrance to the building which serves 121 and 123 Bedford Road. The entrances to Nos 119 and 125 are on the sides of the building. They are accessed by footpaths that branch off from the main central footpath and run closely along the front of the building and then turn down the side of it. The parking space would be on the forecourt near the boundary with the neighbouring house. It would be in front of an area of lawn along the side of the building which serves No 125.
4. I understand from third party comments that the applicant lives on the first floor of the building and that the windows on the ground floor nearest to the proposed parking space serve the kitchen and a bedroom at No 125.
5. The kitchen window of No 125 is a few feet away from the entrance to Nos 121 and 123 and the footpath that leads up to it. Consequently, the occupant of No 125 will, to an extent, already be affected by noise and disturbance from residents and visitors to Nos 121 and 123 as they approach and use the entrance.

6. There is enough space to the front of the building that the proposed parking space would not, as the Council suggest, be in front of the ground floor bedroom window. Nevertheless, people using it would cross directly in front of the window to access the entrance to No 123. Car lights would shine into the bedroom window as they enter and exit the forecourt to park. There would also be noise and general disturbance from car doors opening and closing and loading and unloading. Although the duration of such noise, light and general disturbance would be short there would nevertheless be an adverse impact on the living conditions of occupants of No 125.
7. I note that most houses on Bedford Road have off street parking. However, it appears to serve single properties rather than several apartments. As such any adverse effects of parking would likely affect a single household and therefore be expected and accepted by the occupants and not directly impact on their neighbours. In this context such adverse impacts are acceptable. Also, most bedrooms are likely to be on the first floor and as such sources of light, noise and general disturbance would be from below and indirect. This would not be the case with the proposed development.
8. I accept that off street parking where houses are semi-detached or terraced will be very close to neighbouring properties and therefore levels of noise, light and disturbance would be similar to that which would arise from the proposed development. However, the fact that the source of such disturbance would cross in front, and within a few feet, of the neighbour's window and be unrelated to their activities would, in my view, make the harm to living conditions greater than would otherwise be the case.
9. I therefore conclude that the proposed development would cause unacceptable harm to the living conditions of occupants of No 125 in terms of disturbance caused by noise, light and people walking past and within a few feet of their ground floor windows and as such the proposal conflicts with Policies BE19, BE21, OE1 and OE3 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (2012) which do not permit development which would be detrimental to residential amenity including from noise. The Hillingdon Design and Accessibility Statement (HDAS) Supplementary Planning Document Residential Extensions (2008) (SPD) listed in the reason for refusal is not relevant as it does not deal with the amenity impacts of off-street parking.

Other Matters

10. I have had regard to third party representations which raised concerns over security, property values, noise, drainage, disturbance, privacy, pollution, landscaping, light pollution, accuracy of the plans, parking and fly tipping. However, these do not add to my reasons for dismissing the appeal.

Conclusion

11. For the reasons given above I conclude that the appeal should be dismissed.

P D Sedgwick

INSPECTOR