
Appeal Decision

Site visit made on 15 October 2019

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 November 2019

Appeal Ref: APP/R5510/W/19/3232952

59 Elm Avenue, Ruislip HA4 8PE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Ms Avril Stead against the Council of the London Borough of Hillingdon.
 - The application Ref 60130/APP/2019/1369, is dated 23 April 2019.
 - The development proposed is described as "Two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow."
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Decision

1. The appeal is allowed and planning permission is granted for two x 2-storey, 3-bed detached dwellings with associated parking and amenity space involving demolition of existing bungalow at 59 Elm Avenue, Ruislip HA4 8PE, in accordance with the terms of the application, Ref 60130/APP/2019/1369, dated 23 April 2019, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the surrounding area.

Reasons

3. The area surrounding the appeal site is densely populated with mainly residential properties. The appeal site is a prominent corner plot set next to a highway junction. The built development in the area is mixed with variant styles and design however the predominant form is two storey size dwellings. It is this two storey form and mix of architectural styles which positively contributes to the character of the area.
4. The proposed dwellings would be modest in size and would be in keeping with the scale of built development in the area. Whilst the proposed properties would appear prominent on the corner plot, they would not be visually intrusive due to the separation with neighbouring properties. The highway junction and surrounding verges maintains visual relief within the built form. The proposal, due to its size and positioning would not encroach on this visual gap and would not have a detrimental effect on openness. The proposed dwellings are sensitive in scale and would not appear as cramped or dominating features within the street scene or surrounding area.

5. My attention has been drawn to a previous refused scheme¹ however I do not have full details of this scheme and therefore cannot be sure that it represents a direct parallel with the appeal scheme particularly with regards to scale and positioning. In any case, I have determined this appeal on its own merits.
6. Accordingly, the proposed development would not have a harmful effect on the character and appearance of the surrounding area. The proposal would accord with Policy BE1 of the Hillingdon Local Plan: Part 1 – Strategic Policies 2012, Policies BE13 and BE19 of the Hillingdon Local Plan: Part 2 – Unitary Development Plan Saved Policies 2012 and the Hillingdon Design and Accessibility Statement Supplementary Planning Document Residential Layouts 2006 which seeks development to improve and maintain the quality of the built environment, harmonise with the existing street scene and the original building, and complements the character of the area.
7. I have had regard to comments made by local residents including concerns regarding effect on light, overshadowing, outlook, drainage, surface water and highway safety. These matters would not result in the proposal having a harmful effect on the surrounding environment including the living conditions of neighbouring occupiers. I also note that the Council have not raised any objections to some of these matters and they are not sufficient reasoning to withhold planning permission.

Conditions

8. The conditions imposed are those which have been mainly suggested by the Council. In the interests of precision and clarity I have undertaken some editing and rationalisation.
9. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. To protect the character and appearance of the area it is necessary to attach conditions relating to materials, landscaping, means of enclosure, hard surfacing and external lighting. In the interests of highway safety I have attached conditions relating to the accesses and the parking spaces. To protect the living conditions of occupiers of neighbouring properties it is necessary to include conditions in respect of a construction management plan.
10. The Council had requested that conditions were imposed for details of refuse storage, cycle storage and car parking layouts. These conditions are not necessary as the details are shown on the Site Plan and Details plan.

Conclusion

11. For the reasons set out above, the proposed development would accord with the development plan and therefore having had regard to all other matters raised the appeal should be allowed.

Chris Baxter

INSPECTOR

¹ Local Planning Authority Reference No: 60130/APP/2019/98

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: OS Plan; Site Plan and Details; Floor Plans and Elevations (Dwelling 1); Floor Plans and Elevations (Dwelling 2).
- 3) No development shall commence until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of landscaping. The scheme shall include indications of all existing trees and hedgerows on the land, identify those to be retained and set out measures for their protection throughout the course of development.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) No development shall commence until details of means of enclosures have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
- 7) No development shall commence until details of hard standing surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the approved details.
- 8) No development shall commence, including any works of demolition, until a Construction Method Statement outlining the sequence of development including demolition, building works and tree protection, has been submitted to and approved in writing by the local planning authority. The approved Construction Method Statement shall be adhered to throughout the construction period for the development.
- 9) The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.
- 10) The car spaces to be provided shall be kept available at all times for the parking of motor vehicles by the occupants of the dwellings and their visitors and for no other purpose.

- 11) The dwellings shall not be occupied until details of external lighting have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.