



Appeal Decision

Site visit made on 14 January 2020

by Thomas Hatfield BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th February 2020

Appeal Ref: APP/R5510/W/19/3238532

Garages off Green Walk, Ruislip Manor, Hillingdon, HA4 8NL

- 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 Ruislip Manor Cottage Society against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73047/APP/2019/398, dated 9 January 2019, was refused by notice dated 17 April 2019.
 - The development proposed is demolition of the existing garages and erection of two semi-detached dwellinghouses, landscaping and parking.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council adopted a new Local Plan Part 2 - Development Management Policies in January 2020, after its refusal of planning permission. The new Local Plan Part 2 has superseded the saved policies of the previous Hillingdon Unitary Development Plan (1998). In these circumstances, I am required to determine the appeal against the current development plan for the area at the time of my Decision. In addition, the Council has confirmed that it has now withdrawn the Hillingdon Design and Accessibility Statement Supplementary Planning Document (2006), which is referred to in the Decision Notice.
3. Revised plans were submitted with the appeal that propose minor changes to the shape of the garden areas. This would involve the retention of a larger proportion of the existing rear gardens to Nos 17-19 Windmill Way. The Council has had the opportunity to comment on these plans through the appeal process, and I do not consider that any other party would be prejudiced by my acceptance of them. I have therefore determined the appeal based on the revised plans.
4. The appellant has submitted a Unilateral Undertaking (UU) that would secure the proposed dwellings as affordable housing in perpetuity. The UU is signed and dated, and I have taken it into account in reaching my Decision.

Main Issues

5. The main issues are, firstly, whether the development would preserve or enhance the character or appearance of the Ruislip Manor Way Conservation Area and, secondly, the effect of the development on the living conditions of

neighbouring occupiers with regard to overlooking and access to adequate outdoor amenity space.

Reasons

Conservation area

6. The appeal site is set within the Ruislip Manor Way Conservation Area which encompasses a historic residential area that dates mainly to the early 20th century. It is characterised by attractive collections of dwellings, the design of which was strongly influenced by the Arts and Craft Movement and early Garden City planning. Its significance stems from its well-preserved buildings and spaces that reflect the historic development of the area, which formed part of the 'Metro-Land' expansion of London.
7. The semi-detached houses along Green Walk are attractive historic properties with a strong consistency of design. They comprise 1.5 storey dwellings with steeply pitched roofs, small front gardens, and mature boundary hedges. These properties clearly make a positive contribution to the wider conservation area. The appeal site itself consists of a small court of domestic garages, dating to the 1970s, that is unremarkable in appearance.
8. The development proposes the demolition of the garage court and the introduction of 2 semi-detached dwellings. These properties would have a broadly similar design to the existing dwellings along Green Walk, although their footprint would be significantly larger. In this regard, they would have 2 storey side wings, an uneven roof pitch, and large rear dormers. In combination, these features would result in significantly larger, more imposing dwellings that would appear out of scale with the surrounding properties. The side gables in particular would have an awkward and bulky appearance that would be at odds with the character of the area. Whilst these would have limited visibility from the road, they would be clearly visible from the rear windows and back gardens of properties fronting both Windmill Way and Green Walk. By virtue of their height and scale, they would also be significantly more prominent, and in my view, less sympathetic than the existing garage court. In addition, the proposed frontages would be dominated by hardstanding and parking areas. This would contrast sharply with the existing properties along Green Walk, which are characterised by front gardens and mature boundary hedging.
9. It is asserted that the size and footprint of the dwellings are necessary in order to meet the internal space standards set out in the London Plan. However, the Gross Internal Areas of both properties is significantly in excess of the minimum requirement for a 4 bedroom, 6 person¹, 2 storey dwelling. Moreover, it is unclear from the information before me whether these design features are necessary in order to create family-sized accommodation.
10. My attention has also been drawn to a nearby modern development that is unsympathetic to the character of the conservation area. However, the full details of that scheme, and the reasons for its approval, are not before me. In any case, I do not consider that it justifies the introduction of a new development with the shortcomings I have identified.

¹ Paragraph 10.d of the Technical Housing Standards (which are adopted by the London Plan) states that in order to provide two bedspaces, a double (or twin bedroom) has a floor area of at least 11.5m².

11. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the Ruislip Manor Way Conservation Area. This harm would be 'less than substantial' in the context of Paragraphs 195-196 of the National Planning Policy Framework ('the Framework'). I return to this matter in my overall balance and conclusion, below.

Living conditions

12. The proposed dwellings would face towards the side and rear elevations of Nos 4-5 Green Walk. In this regard, it is asserted that the proposed first floor bedroom windows would face onto existing bedroom windows at a distance of around 11.9 metres, and at an angle of around 20 degrees. The appellant has not disputed these measurements, nor that the existing side windows in Nos 4-5 serve bedrooms. This arrangement would allow for clear intervisibility between those rooms at a very narrow distance, which would significantly undermine the privacy of both properties. Moreover, I do not accept that this loss of privacy is outweighed by the purported improvements to outlook.
13. Rear facing bedroom windows in the proposed dwellings would also look towards Nos 19-23 Windmill Way at a distance of 18.4 metres, 20.4 metres, and 24.6 metres respectively. Whilst the separation distances to Nos 19-21 would be below the distance usually expected by the Council, the angle at which these windows would face one another would be oblique. In this regard, the appellant states that it would be towards the limit of a 45 degree line drawn from the centre of the proposed bedroom windows. In these circumstances, the marginal shortfall against the Council's usual separation distances would not be unduly harmful in my view.
14. Separately, revised plans and additional details of the residual garden areas that would serve Nos 19-23 Windmill Way have been submitted. These confirm that the garden areas to Nos 19-23 would remain significantly above the minimum normally required by the Council for 3 bedroom houses. Accordingly, sufficient amenity space would be retained for these properties. However, that does not alter my concerns in relation to overlooking and loss of privacy.
15. For the above reasons, I conclude that the development would significantly harm the living conditions of neighbouring occupiers with regard to overlooking. It would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020), which seeks to ensure that proposals do not adversely impact on neighbour amenity.

Overall Balance and Conclusion

16. As set out above, I conclude that the development would result in 'less than substantial' harm to the character and appearance of the Ruislip Manor Way Conservation Area. It would also significantly harm the living conditions of neighbouring occupiers with regard to overlooking and would be contrary to the development plan in this regard.
17. Set against this, the development would provide 2 family-sized affordable houses that would contribute towards meeting a significant local need. It would also involve the redevelopment of a previously developed site, in a relatively accessible location, and would generate some modest economic benefits. I attach moderate weight to these considerations.

18. Overall, however, I consider that the public benefits of the development do not outweigh the harm I have identified in relation to either the conservation area or to living conditions. The development would therefore be contrary to Policies DMHB 1 and DMHB 11 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020), and guidance in the Framework relating to designated heritage assets.
19. For the reasons given above I conclude that the appeal should be dismissed.

Thomas Hatfield

INSPECTOR