



Appeal Decision

Site visit made on 04 December 2020

by Kim Langford Tejrar LLB (Hons) BSc (Hons) PGDIP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 December 2020

Appeal Ref: APP/R5510/W/20/3256165

Land at Sidmouth Drive, Ruislip, London HA4 6LE

- 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 Daejan Investments Ltd against the decision of London Borough of Hillingdon.
 - The application Ref 74604/APP/2019/3293, dated 02 October 2019, was refused by notice dated 18 May 2020.
 - The development proposed is 'erection of 2 x two-storey, 2-bed semi-detached dwellings with associated parking and amenity space and cycle and refuse storage, involving demolition of existing garages'.
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Decision

1. The appeal is allowed and planning permission is granted for '*erection of 2 x two-storey, 2-bed semi-detached dwellings with associated parking and amenity space and cycle and refuse storage, involving demolition of existing garages*' at Land at Sidmouth Drive, Ruislip, London HA4 6LE in accordance with the terms of the application, Ref 74604/APP/2019/3293, dated 02 October 2019, subject to the conditions set out in the attached schedule.

Application for costs

2. An application for costs was made by Daejan Investments against London Borough of Hillingdon. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development on the application form was "*redevelopment of vacant, former garage site as a two-storey building providing 2. No. two-bedroom semi-detached houses. Along with ancillary structures including external refuse and cycle stores, boundary fencing, parking areas and raising of the land surface by 600mm*". This description was amended following submission of the application and the new description better reflects the development proposed. As such, I have referred to the amended description for the purposes of this appeal.

Main Issues

4. The main issues are the effect of the proposal on the character and appearance of the area and the effect of the proposal on the living conditions of occupiers of neighbouring properties.

Reasons

Character and Appearance

5. The appeal site is an area of hardstanding and former garage site, currently in use as informal vehicle parking. The site is bounded to the north by the side elevation of dwellings fronting Berkeley Close and west by the side elevation of dwellings fronting Sidmouth Drive. It is bounded to the east by a school and day nursery and to the south by Sidmouth Drive. The site is located towards the west end of Sidmouth Drive, a short distance from its junction with A4180 West End Road. Dwellings in the immediately surrounding roads are of a broadly uniform style.
6. The end of Sidmouth Drive at which the appeal site is located has a very mixed character; it features at its junction two blocks of semi-detached dwellings akin to the type in the surrounding residential roads, the appeal site situated behind poorly maintained vegetation, the single-storey pre-fabricated school building, a public carpark and a large recreational field. On the opposite side of the road at the junction is a block of three-storey flats which front onto West End Road, and the massive, sprawling and modern Ruislip High School, which is set back from the road. As a result, there is great variance in built form and building type and very little established building line.
7. The road is characterised by this variance and by openness by virtue of the large recreation field and car park on one side and the set-back High School on the other. Further along Sidmouth Drive there is a slightly greater sense of enclosure, due to a large and dense hedgerow bounding the road, along the sporadic placement of mature trees. Despite the massive and sprawling High School, the road is not dominated by built form due to the set-back and sense of openness.
8. Though the appeal site is not currently occupied by any substantial built form, it is a relatively small gap in a street scene which has a particularly open character due to the set-back of the High School on one side and the car park and recreational field on the other. The contribution which the site might make to this openness is limited by its size, utilitarian appearance and the partly evergreen vegetation which filters views into the site from the road. The site is not prominent in the street scene due to its limited size and street frontage and the built context of large and massive buildings. As such, the introduction of built form to the appeal site would not have an adverse impact on the character and appearance of the area.
9. The density of development and plot coverage in the area is varied and is denser within the other predominantly residential streets in the wider vicinity. Whilst the proposal would make an efficient use of the site and have a greater degree of plot coverage than the immediately surrounding dwellings, its overall scale would appear smaller within the street scene and the extent of its plot coverage would still be apparent. The proposed site coverage and proximity to other residential buildings would not be out of keeping with the overall pattern of the area. It is noted that a similar scheme with a similar proportion of plot coverage (albeit different relationship with the street scene) was granted planning permission in January 2020¹.

¹ Ref. 69863/APP/2019/3294

10. The design and size of the proposal are in keeping with the modest and simple design of the other semi-detached dwellings in the area. The side elevation of the semi-detached block would front the road as is typical of the area as the side elevation of several semi-detached blocks fronts roads on corner plots.
11. For these reasons, I find that the proposal would successfully integrate with the existing character and appearance of the street scene and wider area, in accordance with policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (LP pt1), adopted 2012, and policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two – Development Management Policies (LP pt2), adopted 2020 and policies 3.5 and 7.4 of the London Plan, adopted 2016. These policies seek, amongst other things, high quality design which takes into account local context and ensures development is well-integrated into the surrounding area.

Living conditions

12. The proposed dwellings would be sited in close proximity to the side elevations of the nearest dwelling fronting both Sidmouth Drive and Berkeley Close. Those dwellings have a couple of windows in their side elevations, which appear to serve non-habitable rooms, some of which are obscure glazed. The main entrance to the dwellings is also on the side elevation and their doors have limited glazing and are obscure glazed. As such, there is limited scope for loss of privacy from overlooking of facing windows.
13. The rear elevation of the proposed dwellings would face the Sidmouth Drive dwellings and would only feature first-floor windows serving bathrooms, which would be obscure glazed and high-level ground floor windows. The main door to the proposed dwellings would be sited on this elevation and would have limited glazing. In any case, some mutual ground-floor surveillance of the main accesses of the existing and proposed properties would have a positive effect in respect of security.
14. The proposed dwelling closest to no. 7 Berkeley Close would not include ground-floor windows in the side elevation. A side elevation window is proposed to the first-floor bedroom. The alignment of the proposed dwelling with the side elevation of no.7 Berkeley Close would prevent direct overlooking from this window of the rear gardens of the Berkeley Close dwellings and those dwellings have similar sized bedroom windows on their rear elevations overlooking neighbouring gardens in any case. Whilst the first-floor bedroom would be dual aspect and which would allow for the side-facing window to be obscure glazed, I do not consider it necessary to require this, as for the reasons set out, there would be no unacceptable loss of privacy to the neighbouring rear gardens or dwellings.
15. The proposed dwellings would have a rear-to-side relationship with the neighbouring dwellings on Sidmouth Drive and a side-to-side relationship with the Berkeley Close dwellings. The size and proximity of the proposed dwellings to the side elevations of existing dwellings is fairly typical of the side-to-side relationships between dwellings in the area and would not create any undue overbearing or overshadowing effects.
16. Representatives of the school have expressed concern regarding overlooking and safeguarding. Boundary treatments would prevent any overlooking from the proposed dwellings at ground-floor level. The first-floor bedroom windows

would overlook the site, though the bedrooms are unlikely to be in use during the same hours of operation as the school. Moreover, there is no inherent risk in residential development in proximity to a school. Indeed, there are existing dwellings in close proximity to the school and it is also possible to observe the school from the road and recreational field.

17. For these reasons, I conclude that the proposal would have an acceptable effect on the living conditions of occupiers of nearby properties, in accordance with policy DMHB 11 of the LP pt2. This policy seeks, amongst other things, development which do not adversely affect the living conditions of neighbouring properties.

Other Matters

18. Third parties have raised concerns regarding traffic generation and its effect on highway safety and air quality. The main parties are in agreement that development of this scale is unlikely to result in significant increases in traffic movements which could not be absorbed into the existing road network. I concur with this view for the same reasons.

Conditions

19. I have imposed the standard 3-year time limit and approved plans (including Flood Risk Assessment) conditions to ensure the development takes place in a timely manner in accordance with the details of the proposal.
20. I have imposed a condition in respect of materials to be used in the external finishes of the property and detailed landscaping to ensure the proposal integrates well into the character of the area and maintains a high-quality design, though I do not consider it necessary for this condition to be a pre-commencement condition.
21. I have not imposed a requirement in respect of landscape maintenance given the scale of the scheme and the likelihood of landscape maintenance being undertaken by future occupants.
22. I have imposed conditions in respect of car parking and visibility splays to ensure safe access and egress from the site for vehicles and pedestrians is maintained.
23. I consider it necessary to impose conditions relating to step-free access and accessibility to ensure the development meets the requirements of future occupiers, in line with local housing need. The condition relating to step-free access is a pre-commencement condition with the agreement of the Appellant.

Conclusions

24. For the reasons given above, the proposal would have acceptable effects on the character and appearance of the area and the living conditions of occupants of neighbouring properties, in accordance with the relevant policies of the Development Plan and the Framework. The appeal is therefore allowed.

Kim Langford Tejrar

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: P-Si-D-022 Rev C, P-00-D023 Rev C, P-01-D-024 Rev C, P-R-D-025 Rev C, E-SW-NE-D-026 Rev C, E-SW-NE-D-027 Rev C, X-AA-D-028 Rev C, Flood Risk Assessment HLEF74351.
- 3) Prior to the commencement of the superstructure works, details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.
- 4) Prior to the commencement of the superstructure works, details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - Details of Soft Landscaping
 - Planting plans (at not less than a scale of 1:100),
 - Written specification of planting and cultivation works to be undertaken,
 - Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate.
 - Details of Hard Landscaping
 - Refuse Storage (inc. elevations),
 - Cycle Storage (inc. elevations),
 - Means of enclosure/boundary treatments (inc. elevations),
 - Car Parking Layouts,
 - Hard Surfacing Materials,
 - External Lighting,
 - An implementation programme.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme.
- 5) The dwellings shall not be occupied until the access for the proposed car parking has been provided with 2.4m x 2.4m pedestrian visibility splays 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. The access shall be retained thereafter.

- 6) The dwellings shall not be occupied until the car parking spaces have been provided in accordance with the approved plans. The car parking spaces shall be retained thereafter.
- 7) Prior to the commencement of development, details of step-free access via the principle private entrance shall be submitted to, and approved in writing by, the Local Planning Authority. The dwellings shall not be occupied until the access has been provided in accordance with the approved plans. The access shall be retained thereafter.
- 8) The dwellings hereby approved shall be constructed to meet the standards for a Category 2 M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, and shall be retained as such thereafter.