



Appeal Decision

Site visit made on 4 February 2025

by **D Wilson BSc (Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 February 2025

Appeal Ref: APP/R5510/W/24/3354911

Land & garage building rear of 1 & 2 Ashburton Court, Ashburton Road, Ruislip HA4 6AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R. J. Ryan against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 74981/APP/2024/946.
 - The development proposed is demolition of existing garages (Class B8 storage & distribution) and erection of single storey detached one bedroom dwelling with associated refuse, cycle stores and amenity space provision.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - the character and appearance of the area, and
 - whether adequate living conditions would be provided for future occupiers with regard to privacy and outlook.

Reasons

Character and appearance

3. The appeal site is located to the rear of Nos 1 and 2 Ashburton Court and contains garages which are proposed to be demolished as part of the appeal scheme. Access is provided from Hatherleigh Road and there is also a private service road to the rear which is next to No 2 Hatherleigh Road. The wider area is predominantly residential with mostly two-storey terraced dwellings which have a similar appearance and consistent building line, resulting in uniformity in the street scene.
4. The proposed development would be single storey and project forward of the established building line along Hatherleigh Road. The proposal would also have a flat roof which would be at odds with the prevailing design of other dwellings within the area. While there would be an active frontage, this would not mitigate the overall position and design which would erode the uniformity within the street scene and result in a feature that would be incongruous.

5. I acknowledge that built form exists on the appeal site and note that the proposal would be a similar size to the existing garages. However, the existing garages are well screened, self-contained and appear as garages in the street scene which are not uncharacteristic in a residential area. A dwelling would be considered in the context of other dwellings in the area, not outbuildings, and for the reasons outlined it would be out of character and incongruous. For the same reason, the proposed development would not 'tidy up' the site.
6. I therefore conclude that the proposed development would harm the character and appearance of the area. It would be contrary to Policy BE1 of the A Vision for 2026 Local Plan: Part 1 Strategic Policies (Adopted November 2012) (LP1), Policies DMHB 11 and DMHB 12 of the London Borough of Hillingdon Local Plan Part 2 Development Management Policies Adopted Version 16 January 2020 (LP2) and Policies D1, D3, D4 and H10 of the London Plan (2021). Amongst other things, these seek to secure good quality development which responds to local context, in terms of design, scale and existing development pattern.

Whether adequate living conditions would be provided for future occupiers

7. The proposed bedroom would be served by a single window that faces Hatherleigh Road. The closeness of the dwelling to the pavement and road would mean that passers by would have direct views towards the window and into the bedroom, resulting in a lack of privacy for future occupiers, particularly as this is the only window serving this bedroom. I note the appellant's suggestion that blinds or curtains could resolve this, however, these would need to be closed all the time to protect the privacy of future occupiers which would be unacceptable.
8. The Council consider that the proposed development would have a poor outlook through the potential for screening to alleviate the privacy concerns for the bedroom. However, other than a low wall, no screening is proposed and as such, the outlook from the bedroom window would be largely open and unobstructed and provide an acceptable level of outlook for future occupiers.
9. Notwithstanding my findings on outlook, the proposed development would fail to provide adequate living conditions for future occupiers in regard to privacy. It would be contrary to Policies DMHB 11 of LP2 and Policy D6 of the London Plan. Amongst other things, these seek to ensure that housing developments are of high quality design with comfortable and functional layouts which are fit for purpose.
10. The Council have alleged conflict with Policy DMHB 18 of the LP2. However, this relates to private outdoor amenity space which the Council have found to be acceptable and as such, there is no conflict with this Policy.

Other Matters

11. The appellant claims that the current lawful use of the appeal site would be attractive to a commercial tenant which would be intrusive to existing residents. However, the appeal building and site is small and there would be very limited scope for a commercial tenant to cause significant intrusion to local residents. I therefore attach very limited weight to this matter.

12. The appellant has provided some information on the increasing requirement for single person homes, but the benefits of contributing to this type of housing are tempered by only a single dwelling being proposed. As such, this only attracts very limited weight.
13. The amount of internal space provided would comply with Nationally Described Space Standards and the Council found that an adequate amount of private amenity space would be provided and there would be no unacceptable harm to highway safety. However, these are neutral matters.

Conclusion

14. For the reasons given above the appeal should be dismissed.

D Wilson

INSPECTOR