

Appeal Decision

Site Visit made on 30 September 2021

by Mr M Brooker DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th December 2021

Appeal Ref: APP/R5510/W/21/3279874

Neyland Court, Pembroke Road, Ruislip HA4 8NQ

- 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 Anslip UK Limited against London Borough of Hillingdon.
 - The application Ref 76364/APP/2021/1569, is dated 19 April 2021.
 - The development proposed is the demolition of existing garage block and construction of detached building to accommodate new management office accommodation above replacement parking spaces.
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Decision

1. The appeal is dismissed and planning permission for the demolition of existing garage block and construction of detached building to accommodate new management office accommodation above replacement parking spaces is refused.

Preliminary Matters

2. The appeal arises from the Council's failure to determine the application. Following the submission of the appeal against non-determination, the Council resolved that had the application been determined it would have been refused.
3. The submitted plans label the adjacent properties as 21 Pembroke Road, 8 and 10a Brickwall Lane, the Council details that this is incorrect and my observations on site confirm this. The correct properties labels are 19 Pembroke Road, 6a and 8 Brickwall Lane respectively.

Main Issue

4. The main issue is the effect of the proposed development on the living conditions of the occupiers of 19 Pembroke Road, 6a and 8 Brickwall Lane, with particular regards to loss of light and outlook.

Reasons

5. Policy DMHB 11 of the Hillingdon Local Plan: Part 2 – Development Management Policies (the DM) requires, amongst other matters, that new development incorporates the principles of good design and takes into account the effect on neighbouring open spaces and environment and "should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space".

6. The appeal scheme relates to an existing garage block adjacent to the side boundary of the rear gardens with 19 Pembroke Road and 8 Brickwall Lane and the rear boundary of 6a Brickwall Lane.
7. The appeal scheme would replace the garage block with a two-storey building occupying a similar footprint and location to include car parking to the ground floor and office accommodation to the first floor. The first floor presents a blank and featureless brick wall to the side and rear elevations facing the adjacent residential properties.
8. As a result of the featureless elevation situated at some height and being of notable width, the proposed building situated in close proximity to the neighbouring dwellings and rear gardens, it is my planning judgement that the appeal scheme would have an overbearing impact on the residents using the adjacent gardens and harm the outlook enjoyed by residents from the rear elevation of No.19 and Nos.8 and 6a.
9. Therefore, I find that the appeal scheme would harm the living conditions of the occupiers of 19 Pembroke Road, 6a and 8 Brickwall Lane, with particular regards to loss of light and outlook contrary to Policy DMHB 11 of the DM.

Other Matters

10. I saw at the site visit that offices similar to the appeal scheme have been constructed at the neighbouring property, Pembroke House. The submitted plans however show that the specific relationship of those buildings and adjacent properties is notably different to the appeal scheme. While this is a material consideration that I afford some weight to, it does not outweigh the harm I have identified previously.
11. The appellant submits that the site is in a highly sustainable location, while little substantive evidence to support this statement has been provided, I saw at the site visit that the appeal site is situated within an existing urban area, located on an existing development and is well served by public transport. Nonetheless this does not outweigh the harm I have identified previously.

Conclusion

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

Mr M Brooker

INSPECTOR