

Appeal Decision

Site visit made on 7 May 2019

by J Bell-Williamson MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 May 2019

Appeal Ref: APP/R5510/W/19/3221140
128D & 130D Manor Way, Ruislip HA4 8HR

- 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 Mr & Mrs Mark & Judy Hallesy against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 73728/APP/2018/2718, dated 24 July 2018, was refused by notice dated 25 October 2018.
 - The development proposed is raising of roof to add 2 x studio flats, ground floor infill extension to enlarge the existing flats and convert them from 1 bed flats to studio flats.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would provide adequate living conditions for future occupiers of Flats 2 and 4, with regard to outlook and natural light.

Reasons

3. Nos 128D and 130D are single storey, flat-roofed residential units to the rear of the main part of the host buildings, which are two storey, with accommodation in the roof space, and which have their frontages on Manor Way. The appeal properties are accessed from a service driveway running off Windmill Hill.
 4. The depth of the existing flats would be increased by around two metres as a result of their conversion to studio flats. This would bring the front elevations closer to the properties' boundary and to the side wall of No 42 Windmill Hill, a large building, which is positioned directly behind Nos 128 and 130 on the other side of the driveway.
 5. At present the two flats each have a window facing No 42 serving a bedroom and a window to the side elevation serving the kitchen and living room. In the proposed development, each of the four studio flats would have only one window in what would be the front elevation, facing No 42. I accept that due to the orientation of the properties and the provision of a skylight for the ground floor flats, the available natural light would be sufficient for acceptable living conditions.
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6. However, the only available outlook from each of the flats, beyond limited views of the sky through the skylight, would be from the single window. For the ground floor Flat 2, the view from the window would be of the boundary wall of the appeal property and beyond this at close proximity the unrelieved, extensive side wall of No 42 Windmill Hill. The proximity and extent of views of the wall would result in it being a dominant and overbearing feature, which would materially harm the quality of the outlook from the rear window. The upper floor Flat 4 would benefit to a degree from the articulation to the upper rear of No 42, but the views from this flat would also largely be of the side elevation. For Flats 1 and 3, the view would be somewhat more open due to the position of the windows facing beyond the rear building line of No 42.
7. I accept that the appellants are seeking to increase the size of the existing properties, that this proposal seeks to respond to reasons for refusal of an earlier proposal and that two additional units would be provided. However, these matters do not outweigh the harm that has been found.
8. Therefore, for the above reasons, I conclude that the proposed development would not provide adequate living conditions for future occupiers of Flats 2 and 4, with regard to outlook. Consequently, it is contrary to Policy BE21 of the Council's Local Plan Part Two, which requires development not to result in a significant loss of residential amenity. The proposal would, however, provide adequate living conditions with regard to natural light and there is no conflict with development plan policies in this regard.

Other Matters

9. I have had regard to representations made by interested parties. These do not, however, raise any additional matters to the main issue in this appeal that would lead me to reach a different overall conclusion.

Conclusion

10. For the reasons given above and having regard to all other matters raised, it is concluded that the appeal should be dismissed.

J Bell-Williamson

INSPECTOR