
Appeal Decision

Site visit made on 12 October 2016

by Roy Merrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 November 2016

Appeal Ref: APP/R5510/W/16/3155076

Pembroke House, 5-9 Pembroke Road, Ruislip, Hillingdon HA4 8NQ

- 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 Anslip (UK) Limited against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref 38324/APP/2016/407, dated 2 February 2016, was refused by notice dated 24 June 2016.
 - The development proposed is the erection of a detached building to accommodate refuse storage at ground floor and office accommodation above.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a detached building to accommodate refuse storage at ground floor and office accommodation above at Pembroke House, 5-9 Pembroke Road, Ruislip, Hillingdon HA4 8NQ in accordance with the application Ref 38324/APP/2016/407, dated 2 February 2016 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: B.01; L.01; P.01; P.02; P.03; P.04; P.05; P.06; P.07.
 - 3) No development shall commence until details of the materials to be used in the construction of the external surfaces of the building 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.

Main Issues

2. The main issues are the effect of the development on i) the setting of the Ruislip Village Conservation Area (CA) and the Midcroft, Ruislip Area of Special Local Character (ASLC) and ii) the living conditions of the occupiers of the flats at Pembroke House with regard to external amenity space.
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Reasons

Character and Appearance

3. The appeal site is within the north-west corner of the car park situated to the rear of Pembroke House. It is immediately adjacent to the boundaries of the CA and ASLC to the west and north respectively.
4. It seems to me that the significance of the CA in this location lies in the form and appearance of buildings in relation to High Street and Pembroke Road. Several of the buildings in the immediate locality within the CA, though not Pembroke House which is marginally outside the CA, are characterised by a mansard design of roof accommodating rooms in the roof space.
5. The appeal site lies within the setting of the CA, in that the rear of buildings and associated yard spaces within the CA can be experienced from this location. Notwithstanding this, the car park where the appeal site is located is a private area serving Pembroke House, to which public access is therefore restricted and from which views of the CA are therefore restricted to car park users. The development and its surroundings would, however, also be visible to a degree from the rear of residential dwellings on Brickwall Lane to the north.
6. The backland space associated with the adjacent CA is generally characterised by single storey outbuildings. The proposal would be two storeys in height and therefore at odds with this prevailing pattern of development. However, the design of the proposed building, incorporating brick walls and a mansard roof with hanging tiles, whilst different in appearance to Pembroke House, would be consistent with the design of buildings in the adjacent CA. Furthermore it would be markedly subordinate in scale compared with the massing of the tall buildings which enclose the site to the north and west, substantially hiding it from the public realm.
7. Therefore whilst the proposal would be a departure from the prevailing pattern of development, its design and scale would have appropriate regard to its surroundings. Having regard to these factors including its private backland location, the building would not result in any significant impact in terms of the experience of the setting of the CA. It would not therefore cause harm to its heritage significance.
8. The character of the ASLC as it relates to the site is formed by the substantial rear gardens of dwellings on Brickwall Lane. These gardens incorporate tall mature tree planting along the boundary adjoining the site. Whilst the proposed building would exceed the height of the boundary planting its orientation, design, limited scale and degree of separation from residential dwellings would respect the setting of the ASLC. Although concern has been expressed regarding the impact of the development on boundary planting, I have not been presented with any evidence to suggest that it would result in harm to nearby trees.
9. The Council has referred in its case to a previous unsuccessful appeal at the site which included a proposal for a two storey office / storage building (Ref APP/R5510/W/14/3001657). However in that case, although the proposal involved the same uses, the design of the building differed from the present proposal. The Inspector referred to the visually intrusive, box-like external

appearance of the building which would have an awkward external relationship with Pembroke House. That proposal is not sufficiently similar for it to weigh against the current appeal which I must decide on its own individual merits.

10. For the above reasons I conclude that the development would not result in harm to the setting of the CA or ASLC. It would not therefore be in conflict with Policies BE1 and HE1 of the London Borough of Hillingdon Local Plan Part One Strategic Policies 2012 (LP) and Policies BE4, BE5, BE13, and BE19 of the London Borough of Hillingdon Local Plan Saved Unitary Development Plan Policies 2012 (UDP) insofar as they seek to promote good design that harmonises with its surroundings and protect designated and locally registered heritage assets. Policy BE15 of the UDP is not relevant to this proposal as that policy is concerned with extensions and alterations to existing buildings.

Living Conditions

11. The Council has conceded within its Committee report that the refusal of permission on grounds of a lack of amenity space would be inaccurate. However this refusal reason appears on the Council's decision notice and the Council within its statement does not say that that it no longer intends to run this argument.
12. During my visit I noted that the site of the proposed building is ostensibly a tarmac surfaced area used for the storage of refuse bins. The storage space would be incorporated within part of the proposed development. This part of the site, which is immediately adjacent to parked cars, did not appear to be amenable for use as an attractive private external space for residents of Pembroke House. Furthermore I have not been provided with any information to suggest that it has been used in this way.
13. I conclude that the development would not result in harm to the living conditions of occupiers of the flats at Pembroke House with regard to external amenity space. Accordingly it would not conflict with Policy BE1 of the LP or with the National Planning Policy Framework insofar as they seek to protect the living conditions of residents.

Other Matter

14. Concern has been expressed that the development would result in a loss of privacy for residents of dwellings on Brickwall Lane. Whilst the building would be close to residential property it would not incorporate any windows in its north elevation. Accordingly rear gardens would not be directly overlooked by the development.

Conditions and Conclusion

15. Conditions specifying the plans and requiring details to be agreed of the materials to be used in the external surfaces of the building are needed to safeguard the character and appearance of the area.
16. The Council has suggested that various additional conditions should be imposed. The impact of the proposal on car parking provision would be negligible. Accordingly there would be no need for a condition to improve highway and pedestrian visibility in relation to the site. The development would be within the existing car parking area which is surfaced in tarmac. This would not be conducive to the introduction of soft landscaping measures.

Moreover, I am not convinced that landscaping measures are required in order to protect the visual amenities of the area in this case. In terms of insulating the building from noise and providing an air extraction system to control the emission of noise and odour, the proposed use of the site as an office and general refuse storage area would not necessitate such measures.

17. For the above reasons, and having had regard to all other matters raised, I conclude that the appeal should succeed and planning permission be granted.

Roy Merrett

INSPECTOR