

---

## Appeal Decision

Site visit made on 16 August 2022

**by Mr M Brooker DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 September 2022

---

**Appeal Ref: APP/R5510/W/22/3296099**

**128D & 130D Manor Way, Ruislip HA4 8HR, 509980.0, 187366.0**

- 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 Mark Hallesey against the decision of London Borough of Hillingdon.
  - The application Ref 73728/APP/2021/3884, dated 15 October 2021, was refused by notice dated 4 March 2022.
  - The development proposed is described as the "raising of roof to add 2 x studio flats, ground floor infill extension, single storey front extension and conversion of 2 x 1-bedroom flats into 2 x studio flats".
- 

### Decision

1. The appeal is dismissed.

### Main Issue

The main issue is whether or not the appeal scheme would provide adequate living conditions for future occupiers with particular regards to outlook, noise and privacy.

### Reasons

2. I saw at the site visit that the appeal properties, 128D and 130D Manor Way are single storey, flat-roofed residential units situated to the rear of a block of two-storey, with accommodation in the roof space, commercial and residential properties that front on to Manor Way. The appeal properties are accessed from a service driveway running off Windmill Hill that also serves commercial properties, including a garage.
3. The appeal scheme appears on the submitted plans as an almost total rebuilding of the ground floor flats (referred to as 1 and 2 on the submitted plans) to create significantly deeper and wider flats, including the incorporation of oriel bay windows, and stair access to the proposed first floor flats (referred to as 3 and 4 on the submitted plans) that incorporate large, angled windows to southeast elevation. The appellant's statement of case also refers to the removal of the boundary wall to the service road.
4. The submitted plans show a single roof light to the rear of each of the first and ground floor flats. Roof lights can increase the level of daylight to a property but to not greatly add to the outlook of properties.
5. The appellant's statement of case details that the ground floor oriel bay windows and removal of the boundary wall have been introduced into the

appeal scheme with the intention of improving the outlook for the future occupiers.

6. However, the submitted elevation plans clearly show that the windows would be partially obscured by and in close proximity to the proposed bin and cycle stores. I saw at the site visit that as a result of the proximity of the proposed ground floor flats to the service road and consequently the blank elevation of the adjacent building, the removal of the boundary wall would not meaningfully improve the outlook for the future occupiers of the ground floor flats.
7. The access to the flats is directly from the service road to the front of the proposed flats. In the absence of any definition to the boundary or landscaping in front of the flats any user of the service road, residents or visitors would pass directly in front of and in close proximity to the windows of the ground floor of the property. It is my planning judgement that this would result in noise and disturbance and a loss of privacy that would negatively impact on the living conditions of the occupiers of the ground floor flats.
8. Turning to the first-floor flats, future occupiers would benefit to a degree from the angled large windows and an outlook unobstructed by the bin and cycle store. Nonetheless the outlook for the occupiers of flat 4 will be dominated by blank elevation of 42 Windmill Hill, situated in close proximity. It is not at dispute between the parties that the outlook for the future occupiers of flat 3 is acceptable and based on the evidence before me I find no substantive reason to disagree.
9. On the basis of the evidence before me I find that the appeal scheme would not provide adequate living conditions for future occupiers of the ground floor flats, 1 and 2 with particular regards to outlook, noise and privacy, and first floor flat 4 with particular regard to outlook.
10. Consequently, the appeal scheme is contrary to Policy DMHB 15 and DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies, Policy D6 of the London Plan that amongst other matters seeks that new residential development is of a high quality of design that meets the future needs of the residents.

### **Other Matters**

11. I acknowledge that the appellant has made a number of alterations to the appeal scheme to respond to reasons for refusal of the earlier proposals and that two additional units and two enlarged units would be provided on a previously developed site in an accessible area.
12. Furthermore, the appellant has referred to a number of other developments and consents in the area, I have not been provided with all the details of these schemes and the policies and circumstances that applied when the decision was made and many of the developments referred to by the appellant are of little comparison to the situation of the appeal scheme.
13. Nonetheless these matters raised by the appellant are material considerations and I have had due regard to them in reaching my decision, they do not however outweigh the harm that I have identified previously.

**Conclusion**

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

*Mr M Brooker*

INSPECTOR

