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## Appeal Decision

Site visit made on 7 April 2014

by **G D Jones BSc(Hons) DMS DipTP MRTPI**

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

Decision date: 9 July 2014

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### Appeal Ref: **APP/R5510/A/14/2212968**

#### **Former Mill Works, Bury Street, Ruislip HA4 7TA**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
  - The appeal is made by Linden Homes against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 6157/APP/2011/1412, dated 23 May 2011, sought approval of details pursuant to condition No15 of a planning permission, granted on 2 March 2010.
  - The application was refused by notice dated 30 July 2013.
  - The development proposed is the erection of 66 dwellings comprising of 2 three storey apartment blocks providing 30 apartments (1 x studio; 5 x one-bedroom; 21 x two-bedroom; and 3 x three-bedroom units) and 32 x three-bedroom and 4 x four bedroom houses with associated car parking, landscaping and access (involving the demolition of existing buildings.)
  - The details for which approval is sought are: measures to minimise the risk of crime and to meet the specific security measures of the application site and the development.
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#### **Decision**

1. The appeal is allowed and the CCTV equipment details submitted pursuant to condition No 15 attached to planning permission Ref 6157/APP/2009/2069 granted on 2 March 2010 in accordance with the application dated 23 May 2011 and the plans, specifications and equipment list submitted with it are approved.

#### **Procedural Matter**

2. Prior to the determination of the appeal the government's planning guidance came into force on 6 March 2014. I have taken this into account but it does not alter my decision on the appeal.

#### **Background and Main Issues**

3. The development permitted by the planning permission in question, Ref 6157/APP/2009/2069, has been substantially completed and is largely occupied. Condition 15 of the permission requires that the development shall incorporate measures to minimise the risk of crime and meet security needs, details of which were to be approved in writing by the Council, as the local planning authority, before the development commenced.
4. The appellant made an application, Ref 6157/APP/2011/1412 (the application), to the Council in respect to that condition. The application was refused due to inadequate security lighting, locks to side garden gates and boundary treatment. The evidence indicates that, in view of subsequent additional

proposals by the appellant, the Council's only remaining concern is the security lighting.

5. The main parties have not reached an agreement regarding security lighting. However, as the application sought consent for details of CCTV equipment only, these other matters are not within the scope of this appeal. If, as the evidence indicates, the Council considers that condition 15 has been breached, there are other means by which it could pursue any such breach.
6. The main issue is, therefore, whether the proposed CCTV equipment would contribute to minimising the risk of crime and meeting the security needs of the development without causing harm to interests of acknowledged importance.

### **Reasons**

7. Although there are school playing fields to its west boundary and a linear park along the River Pinn a little to the north, the appeal site is located within a largely built up area. The surrounding area is in primarily residential use, although there is a Youth Centre to the northern boundary and commercial uses nearby, including those in and around the centre of Ruislip to the southeast. The site is entirely within the Ruislip Village Conservation Area. Mill House, a grade II listed building, abuts the eastern boundary. There are further listed buildings and a scheduled ancient monument at the Ruislip Manor House site, which is located on the opposite side of Bury Street to the east of the site.
8. The appeal site itself is a residential development incorporating 66 dwellings comprised of two three-storey apartment blocks and 36 two and three-storey houses. The only access into the site is from Bury Street to the northeast. The majority of the buildings are arranged around a landscaped area located towards the centre of the development. The remaining dwellings face Bury Street and are set behind landscaped parking and circulation areas. Much of the car parking is located to the front of the dwellings adjacent to the access roads. However, there are two reasonably large partly-covered parking areas located on the fringes of the site and an area of undercroft parking below one of the blocks of apartments. Due to their siting and the layout of the overall development, these three parking areas have limited natural surveillance.
9. While I note the concerns expressed by some residents of the site regarding the introduction of CCTV equipment, the officer's delegated report concludes that the CCTV details provided are acceptable. I have found no good reasons to disagree with this conclusion. I can also see that the proposed equipment would improve surveillance of those communal areas that currently have limited natural surveillance, thereby enhancing security and reducing the risk of crime.
10. For these reasons, therefore, the appeal proposal would contribute to minimising the risk of crime and meeting the security needs of the development without causing harm to interests of acknowledged importance. In this regard the proposal would accord with Policy BE1 of the Hillingdon Local Plan: Part 1 2012, Policies 7.1 and 7.3 of the London Plan 2011 and the Council's Community Safety by Design Supplementary Planning Guidance.

### **Other Matters**

11. There is no suggestion from the Council that the wider security measures proposed in this application would be unsympathetic to the character and appearance of the Conservation Area in which it sits. The Council has stated that the appeal proposal would not affect the setting of the nearby listed building. I have no reason to disagree in either case and so find that the proposal would preserve the character of the Ruislip Village Conservation Area and the setting of Mill House, the nearby grade II listed building.
12. The evidence covers a wide range of matters. However, the appeal application is not for the approval of a comprehensive submission of all matters which might be necessary to satisfy condition 15 which have not been submitted, such as lighting. There is no requirement for a submission of details to encompass all of the matters which might be needed to satisfy a condition; it is quite proper for a condition to be satisfied by a succession of submissions.
13. The evidence also refers to the Council's administration of the matters controlled by the condition in dispute and advice given to the appellant. However, these matters are not for my deliberation in considering this appeal.

### **Conditions**

14. For the reasons outlined above, the conditions suggested by the Council are unnecessary as they do not relate to the matter which is submitted for approval; the CCTV equipment.

### **Conclusion**

15. For all of the reasons given above, I conclude that the appeal should be allowed.

*G D Jones*

INSPECTOR