

Report of the Head of Planning & Enforcement Services

Address 13 SWAKELEYS ROAD ICKENHAM

Development: Change of use from Class A2 (Financial and Professional Services) and Class B1 (Business) to Class C3 (Dwelling Houses) to include 3 x 1-bed, 1 x bedsit and 1 x 2-bed self-contained flats involving conversion of roof space of rear building with a dormer to front and alterations to elevations of front building

LBH Ref Nos: 19121/APP/2011/2066

Drawing Nos: 11-070-LS
3015-PL-1.04 Rev. A
3015-PL-2.01 Rev. E
3015-PL-2.02 Rev. E
3015-PL-2.03 Rev. D
3015-PL-2.04 Rev. C
3015-PL-3.01 Rev. D
3015-PL-3.02 Rev. F
3015-PL-3.03 Rev. C
3015-PL-3.04 Rev. F
3015-PL-3.05 Rev. A
Design and Access Statement
3015-PL-1.02 Rev. C
3015-PL-1.03 Rev. B

Date Plans Received: 22/08/2011 **Date(s) of Amendment(s):**
Date Application Valid: 05/09/2011

1. SUMMARY

This application seeks full planning permission for the change of use of an existing A2 and B1 use to additional residential units. The application site is within the boundary of Ickenham Local Centre as designated in the Hillingdon Unitary Development Plan Saved Policies (September 2007). The applicant has failed to provide sufficient marketing history of the properties to show the use as offices is no longer required. The offices are presently occupied by 5 local businesses. The evidence submitted shows that some of the units are unoccupied however this is insufficient to justify the loss of office space within the Core and Secondary Shopping Areas of Ickenham Local Centre. It would therefore be contrary to Policy H8 of the UDP

Furthermore, the accommodation would provide an inadequate standard of living for future occupiers due to the residential units size and layout and is therefore considered contrary to Policies H8 and BE19 of Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 3.5 of the London Plan (2011) and guidance within Section 4 of the Council's Supplementary Planning Document on Residential Layouts. It is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposal fails to provide sufficient information to demonstrate that the existing A2 and B1 office uses is unlikely to meet a demand for such accommodation in the foreseeable future and would therefore be contrary to Policy H8 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

2 NON2 Non Standard reason for refusal

The proposal would provide an indoor living area of an unsatisfactory size for the occupiers of Flats 1 and 2 of the rear building. The proposal would therefore give rise to a substandard form of living accommodation to the detriment of future occupiers contrary to Policies BE19 and H7 (iv) of the Unitary Development Plan Saved Policies September 2007, Policy 3.5 and Table 3.3 of the London Plan (2011) and the adopted Supplementary Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The proposal due to the lack of outlook afforded to the habitable ground floor rooms would result in an oppressive environment to those rooms. As such the proposal would give rise to a substandard form of living accommodation to the detriment of future occupiers contrary to Policy BE19 of the Unitary Development Plan Saved Policies September 2007 and the adopted Supplementary Document HDAS: Residential Layouts.

4 NON2 Non Standard reason for refusal

The proposed dormer window extension, by reason of its size, scale, design, position and bulk, would result in discordant and intrusive feature that would be harmful to the character and appearance of the original property and to the Ickenham Village Conservation Area. Therefore, the proposal would be contrary to policies BE4, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

5 NON2 Non Standard reason for refusal

The development is estimated to give rise to a significant number of children of school age and therefore additional provision would need to be made in the locality due to the shortfall of places in nurseries/schools/educational facilities serving the area. Given a legal agreement at this stage has not been offered or secured, the proposal is considered contrary to Policy R17 of the Unitary Development Plan Saved Policies September 2007.

INFORMATIVES

1 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to

	neighbours.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H4	Mix of housing units
H8	Change of use from non-residential to residential
LE1	Proposals for industry, warehousing and business development
LE4	Loss of existing industrial floorspace or land outside designated Industrial and Business Areas
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
LPP 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 3.9	(2011) Mixed and Balanced Communities
LPP 5.17	(2011) Waste capacity
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

2 152 Compulsory Informative (1)

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

3. CONSIDERATIONS

3.1 Site and Locality

The application comprises an L-shaped approximately 560sq.m plot located on the south side of Swakeleys Road in Ickenham. The site contains a two storey end of terrace property with a 5.6m deep two storey return which fronts the main commercial street. There is an attached first floor mid terrace element positioned above an access laneway which provides a passageway (vehicles and pedestrians) to the rear of the site. The front building is situated within Ickenham Core Shopping Area and is occupied by an A1 retail and A2 office on ground floor with the first floor providing approximately 100sq.m of A2 office space.

The access laneway provides an access to a large part single and part two storey building situated 18m back from the main building along the south western boundary. The building has a rectangular footprint that backs onto the rear boundaries of Nos. 13-19 Swakeleys Road. This rear building is currently occupied by 7 individual B1 office units on ground floor with a 2 bedroom flat above. Directly in front of this building is an area of hardstanding approximately 160sq.m in area which provides car parking related to the existing office use.

The site is bounded to the east by the Ickenham Inn Public House, with a commercial garage positioned directly behind the pub, to the west by a A1 retail store with storage units to the rear, to the north by Swakeleys Road, beyond which are residential property and to the south by the rear gardens of Nos. 7-9 Almond Avenue.

The entire site falls within the Ickenham Local Centre and within Ickenham Village Conservation Area as identified in the saved UDP, September 2007.

3.2 Proposed Scheme

This application seeks full planning permission for the change of use of existing office accommodation to 4 x 1 bedroom flats and 1 x 2 bedroom flat. The property to the front of the site would expand the A1 retail element at ground floor and would include a 1 x 2 bedroom flat/ maisonette partly on the ground floor and partly on the first floor and a 1 x bedroom flat on the first floor.

The building to the rear would provide 2 x 1 bedroom flats and part of the 1 bedroom flat/studio unit on the ground floor with a roof conversion providing a bedroom and bathroom within a mezzanine floorspace. Each unit would provide one or two bedrooms, a living/dining room with integrated kitchen unit, and a bathroom.

Externally there would be no changes to the existing doors and windows. Within the roof slope of the rear building, a dormer extension would be centrally located in the single storey element. It would measure 3.8m in width by 1.6m height projecting 3m out from the roof slope.

The proposal would include a small area of amenity space to the flank of the rear building which would be associated with Flat No.3 with proposed soft landscaping along the side boundaries. A total of 8 car parking spaces would be provided, 6 adjacent to the site's western boundary and a further 2 in front of the rear building. Two cycle stores would also be provided.

3.3 Relevant Planning History

19121/B/78/0298 13-15 Swakeleys Road Ickenham
Residential development-1 units (Full) (P)

Decision: 28-11-1978 Approved

19121/C/78/1012 13-15 Swakeleys Road Ickenham
Listed building consent to dev/alter (P)

Decision: 13-10-1978 Approved

19121/G/80/2041 13-15 Swakeleys Road Ickenham
Change of use to solicitor's office.

Decision: 10-02-1981 Refused

Comment on Relevant Planning History

No recent planning applications on the site. The original office unit to the rear received planning permission in 1974 (reference 19121/74/0442).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

- | | |
|------|---|
| BE4 | New development within or on the fringes of conservation areas |
| BE13 | New development must harmonise with the existing street scene. |
| BE15 | Alterations and extensions to existing buildings |
| BE19 | New development must improve or complement the character of the area. |
| BE20 | Daylight and sunlight considerations. |
| BE21 | Siting, bulk and proximity of new buildings/extensions. |
| BE23 | Requires the provision of adequate amenity space. |
| BE24 | Requires new development to ensure adequate levels of privacy to neighbours. |
| BE38 | Retention of topographical and landscape features and provision of new planting and landscaping in development proposals. |
| H4 | Mix of housing units |
| H8 | Change of use from non-residential to residential |
| LE1 | Proposals for industry, warehousing and business development |
| LE4 | Loss of existing industrial floorspace or land outside designated Industrial and Business Areas |
| OE1 | Protection of the character and amenities of surrounding properties and the local |

	area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE5	Siting of noise-sensitive developments
OE7	Development in areas likely to flooding - requirement for flood protection measures
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LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **5th October 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

37 local owner/occupiers consulted, 2 replies received objecting to the proposal on the following grounds:

- (i) The Council should be supporting local business and not the loss of the only service building in the area.
- (ii) It seems pointless in getting rid of the only service office space to build flats when there are

already 50 flats being building adjacent to West Ruislip Tube which would better service the need.
(iii) Traffic issues from the proposed use.

A petition has also been received with over 200 signatures against proposal objecting to the proposal on the following grounds:

- (i) The existing buildings are presently home to 5 local businesses and the disruption caused from a potential approval may impact the future of these businesses;
- (ii) The site represents the only service office buildings within the Ickenham Area;
- (iii) It would lead to the removal of a valuable local business resource in the area;
- (iv) The proposal represents overdevelopment of the site;
- (v) The proposal fails to provide adequate amenity space for future occupiers;
- (vi) It would lead to a cramped residential development;
- (vii) There is already an abundance of housing supply in the area, in particular, RAF West Ruislip site already adding 415 new homes in the general area;
- (viii) Traffic generated from the proposed change of use.

Ickenham Residents Association:

Having discussed this application at a full meeting of the committee this Association wishes to object to the proposal. We list below, in no particular order our reasons for objection.

- a. We do not feel this is a particularly desirable or appropriate site for the development of housing.
- b. We believe the current use as small offices meets a current and proven local need.
- c. We feel the current offices add to the viability of Ickenham's Local Centre.
- d. We believe the parking for both the retained retail and the proposed Flats to be inadequate.
- e. We consider the proposed Flats to be of cramped proportions with no visible Amenity space.
- f. We are concerned about the possible use of the Area outside the 2 Bed Flat at second floor level showing double casement doors on to a possible veranda/balcony, which if so, would give rise to overlooking of other properties and their subsequent loss of privacy.
- g. There does not appear to be any provision for pedestrian access to the Flats.
- h. There is a discrepancy between the application and the drawings where the application mentions change to C3 and the drawings show C1. We are sure this is a typing error but, just in case, if it were to be C1 our objection would be even stronger.

Internal Consultees

Conservation Officer:

This property, in the shopping parade in Ickenham Conservation Area would remain in retail use at ground floor, and there would be no significant changes to its exterior. The office building at the rear of the access drive would be converted to residential use at ground floor with the addition of a roof with dormer at one end. The elevation of the dormer appears to show it as an L shaped structure, which would not be acceptable. As the first floor plan shows a simple rectangular dormer, there is a discrepancy here.

Whilst in planning terms there are issues with this proposal, there are none in design terms (save for clarification on the design of the dormer window), and it is considered that the proposal would not have an adverse effect on the special character or appearance of the Conservation Area.

RECOMMENDATIONS: Acceptable (depending upon clarification of dormer window design)

Landscape Officer:

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of

merit and the provision of new planting and landscaping wherever it is appropriate. No trees or other landscape features would be affected by the development and the change of use will have little impact on views into the site, or the landscape setting. There is no space or opportunity for landscape enhancement in this village centre location.

RECOMMENDATIONS: No objection and, in this case, no need for landscape conditions.

Waste Officer:

Waste containers are shown on the plan. I am not certain as to whether these are intended for the residential or retail part of the development. For the 4 flats shown sack collection would be adequate. A point of storage or individual plastic dustbins would be sufficient.

Again for a retail premises dealing in eye care I would estimate sack collection a more cost effective and practical option than bulk bin commercial waste collection. If a bulk bin is needed for the commercial unit I would make the usual points:

a) The bulk bin should be sited on an area of hard-standing, with a smooth surface, so that it can be washed down with water and disinfectant. The surface should be cambered so the run off follows

towards a proper drain.

b) The collectors should not have to cart a bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The collection crew would therefore need to access the

storage point near the shop. Alternatively the owners would have to present the bulk bin at an agreed collection point on the allocated day.

c) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the path is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

Access Officer

In assessing this application, reference has been made to London Plan July 2011, Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

As the existing shop unit will essentially remain the same, allowing only a small bedsit at ground floor level, it is recommended that the above policy is not applied to this development application. The Lifetime Home standards could not be incorporated within the available space.

Conclusion: acceptable.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The application site falls within the Ickenham Local Shopping Centre as designated in the Hillingdon Unitary Development Policies (September 2007) (UDP) which aims to protect A1 retail uses. The proposed use would not lead to a loss of any retail units and would therefore not reduce the vitality or viability of the Core Shopping Area.

Policy H4 of the UDP states that 1 and 2 bedroom units would be suited for town centre location and although the proposal is not within a Town Centre, the principle of this policy would apply to Local Centres also and Policy H8 focuses on non-residential conversions and states that conversions would be allowed where the existing use is unlikely to meet a demand for such accommodation in the foreseeable future.

The applicant has submitted a supporting statement highlighting the letting history on the property. The unoccupied offices have been advertised on Baker Pearce (estate agents) website and within the local Observer newspaper. The information provided identifies 3 office units that are currently on the market. Suites 3(15sq.m floor space) and 6 (13sq.m) in the rear building have been on the market since August 2010. Both of these units are marketed on flexible rent. While an office space of 52sq.m within the front building has been marketed since October 2010. The statement indicates that the marketing of this front unit is seeking a higher rent value than previously leased.

The Statement highlights the poor demand of the office commercial market at present and identifies reasons for this poor demand including:

- (i) fewer businesses looking to take on commercial space
 - (ii) shifting trends towards individuals and small businesses working from home
 - (ii) the continuous conversion of larger office complexes into service office space which are more appealing to smaller businesses with shorter leases and ancillary services.
- It also includes a list of service offices in the area with empty suites that the applicant is competing with.

The supporting information received fails to justify the loss of these prominent A2 and B1 units within Ickenham Local Centre. Although there are currently 3 units advertised for a period of time, most of the building remains occupied. Information received indicates that there are presently 5 individual companies utilising the building. There is no evidence submitted by the applicant to counteract this claim. The marketing evidence suggests that the unoccupied units have been advertised in the local paper, the estate agents website and to the front of the building. No other marketing incentives (such as reducing rent or refurbishment of interior space) in order to attract potential leaseholders has been carried out. The supporting information seems to indicate that the owner is seeking a higher rent for the available front office unit than previously demanded and in the current economic environment would possibly contribute to the lack of demand for this unit.

Without any further marketing incentives, it would be difficult to justify the loss of these office units in this prominent location, particularly given the fact that the majority of the space is occupied. It would be important to protect service uses within Local Centres due to their secondary role in contributing to the vitality of A1 retail uses. Taking on board the applicant's arguments, relevant planning policy and the marketing history of the site, it is considered that, on balance, insufficient information has been provided to demonstrate that there is no realistic prospect of the land being used for offices purposes in the future and it would therefore be contrary with Policy H8 and LE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.02 Density of the proposed development

The site has a PTAL of 2. The London Plan 2011 range for sites with a PTAL of 2 in a urban area (an area within 800m walking distance of a district centre) is 200-450 habitable rooms per hectare and 45-120 units per hectare. The proposed conversion would have a density of 286 habitable rooms per hectare, which would comply with Policy 3.4 of the London Plan (2011).

7.03 Impact on archaeology/CAs/LBs or Areas of Special Character

The application site is situated within Ickenham Village Conservation Area, however, the proposal would consist mainly of internal alterations. However, the dormer window located on the rear of the building, whilst set in from the ridge and eaves, given its L-shaped design, overall size, scale, bulk and position would create a discordant and intrusive feature that would be harmful to the character and appearance of the original building, the proposed residential units to the front, and the Conservation Area as a whole. It is

therefore considered contrary to policies BE4, BE13, BE15 and BE19 of the Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.06 Environmental Impact

Not applicable to this application.

7.07 Impact on the character & appearance of the area

The dormer window, whilst set back 42m to the rear of the site and therefore not impacting immediately on the street scene, would have a negative impact on the character of the area. The dormer would be positioned within the front roof slope of the rear building and would not improve the overall appearance of the building or the general area. This building is situated to the rear of several residential/commercial units. The dormer would be visible from these properties and the proposed L-shaped design, overall size, scale, bulk and position would create a discordant and intrusive feature that would be harmful to the character and appearance of the original building, the proposed residential units to the front, and the Conservation Area as a whole. It is considered that the proposal would therefore be contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.08 Impact on neighbours

It is considered that the proposed change of use of the both buildings would not cause a detrimental impact on surrounding properties. There would be no increase in overlooking to residential properties above Nos.15 and No.17 Swakeleys Avenue and the additional dormer window would be positioned over 24m away from first floor bay window on the proposed 2 bedroom flat No.2.

No other additional windows are proposed and it is considered that the distance from the rear building and the rear walls of the properties it projects onto are sufficient, There are no windows proposed on the southern wall which faces onto the rear gardens on Almond Avenue. While the proposed private garden to Flat No.3 would not be overlooked by any of the adjacent properties due to the orientation of the garden facing the western boundary.

As such, the application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and section 4.0 of the Hillingdon Design & Accessibility Statement (HDAS): Residential Layouts.

7.09 Living conditions for future occupiers

The Council's Supplementary Planning Document: Residential Layouts states that a minimum of 50m² internal floor space should be provided for one-bedroom flats, increasing to 63m² for two-bedroom units. Flat 1 in the rear of the building is described as studio flat on the application form and floor plan however, it appear to resemble a 1 bedroom flat with a mezzanine floor providing a separate bedroom and bathroom area from the main living space on ground floor. The total internal floor space of Flat 1 would measure 36sq.m which is significantly lower than the space required within the Supplementary Planning Document HDAS: Residential Layouts and the London Plan (2011). Flat 2 in the rear building would also be lower than the SPD and London Plan requirements measuring 45sq.m. Although, the remaining units proposed would be of a suitable size, it is considered that the internal floor space to Flat 1 and 2 would not be

adequate and would lead to a cramped living space for future occupiers. It is therefore contrary to Policies BE19 and H7 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 3.5 of the London Plan 2011 and Section 4 of the SPD HDAS: Residential Layouts.

Furthermore, the windows serving some of the residential units would not provide adequate daylight especially on the ground floor. The windows serving the living/lounge and bedroom space of flats 2 and 3 of the rear building would project onto the neighbouring property boundary. The proximity of these windows to the boundary is a significant concern as the boundary treatment on the neighbours property could potentially be altered at any stage in the form of a fence/wall or landscaping. A wall or fence up to 2m in height would completely alter the outlook into these rooms causing a detrimental impact on future occupier living conditions.

The ground floor windows of flat 1 in the rear building would project onto a car park. Directly in front of these windows is a car space. The outlook onto the hard surfaced car park would have a detrimental impact on the residents amenity due to the comings and goings of people and vehicles. Given the limited floorspace of this flat, it would lead to a confined living space with privacy reduced and therefore impacting on future occupiers living standards.

Similarly, Flat 2 of the front building would have a ground floor bedroom window projecting onto the access into the site. This is a very narrow passageway with no defining boundary between the flank wall of the building and the vehicular access. The proximity of this access to the bedroom window would question this potential use as a habitable room as it would lie directly adjacent to the main accessway with both noise and security issues to the future occupiers.

It is therefore considered that the windows serving some of the proposed habitable rooms would not be adequate to provide satisfactory level of outlook and light to future occupiers and therefore would have a detrimental impact on their living conditions. It is therefore contrary to Policy BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), Policy 3.5 of the London Plan (2011) and Section 4 of the Council's Supplementary Planning Document HDAS: Residential Layouts.

The Council's Supplementary Planning Document on Residential Layouts states that 20m² of external private amenity space should be provided for one-bedroom units and 25m² for two bedroom units. It does however, provide exceptions to garden standards where the units proposed are small non-family housing units located in town centres or above shops. In this instance, given the proposal's location within Ickenham Local Centre and the fact the units are small scale (1 bedroom and 2 bedroom units), designed specifically towards the non-family market, an exception to the normal amenity space requirements is acceptable. The application site has provided some amenity space for flat 3 which would be over 30sq.m and some communal amenity space within the courtyard area. Given the proximity of the remaining flats, within walking distance, to public parks and its location inside the Core Shopping Centre, it is considered that it would be difficult to justify refusing the application on the lack of amenity space. The proposal would thus be acceptable in terms of Policy BE23 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

The plans indicate that a total of 9 car parking spaces, would be provided. One of these would be positioned to the front of the retail unit serving the shop with a further two

located to the front of the rear building and the remaining 6 spaces would be situated along the western boundary. Whilst this is below the Council's maximum parking provision standards it exceeds London Plan Policy which requires one space or less to be provided for one/two bedroom units. Although the site has a low PTAL it is located within the Ickenham Centre and within 350m walking distance of Ickenham Underground Station with a bus stop within 20m. Accordingly the proposed parking provision is considered to be acceptable in this location.

Two separate bicycle storage facilities would be provided, with space for seven bicycles. This is considered appropriate and aids security and would be in compliance with the Council's Cycle Parking Standards for C3 residential units. Full details of cycle parking allocation would be required by way of condition should approval be granted. No changes would be made to the existing access arrangements to the site. Notably the car parking spaces take up the same space currently allocated for parking for the existing offices at Panstar House. It is considered that sufficient space would be available for them to manoeuvre.

Accordingly, given it is an existing situation, and that the proposed use would be likely to generate less traffic than offices at the site if fully occupied, it is not considered that refusal could be justified on these grounds.

7.11 Urban design, access and security

This is considered in sections 7.03 and 7.07.

7.12 Disabled access

The Access Officer has been consulted and has no objection to the scheme.

7.13 Provision of affordable & special needs housing

There is no requirement to provide affordable or special needs housing for a development of this size.

7.14 Trees, landscaping and Ecology

The plans indicate a landscaped amenity area would be provided along the boundary of the site. It is considered that additional landscaping, in the form of a small hedge would enhance the appearance of this area and provide an appropriate buffer between this area and the adjacent car parking spaces. It is also considered that the opportunity should be taken to enhance the existing landscaping to the front of the rear building where necessary. Nevertheless, it is considered that these details could appropriately be required by way of condition should approval be granted. The proposal would thus be acceptable in terms of Policy BE38 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007).

7.15 Sustainable waste management

The plans indicate that refuse storage facilities for the proposed residential units would be provided where they would be easily accessible to refuse collection vehicles from Swakeleys Road. This location is considered to be acceptable and should approval be granted full details of the proposed bin stores could be required by way of condition.

7.16 Renewable energy / Sustainability

Given the relatively small scale of the proposal there is no requirement for the development to meet a portion of its energy needs through the use of renewable energy sources.

7.17 Flooding or Drainage Issues

A condition requiring the provision of sustainable urban drainage and the use of porous materials could be attached to any permission granted. It is therefore considered that proposal would not lead to any potential flooding issues. Furthermore, the site is not

located within a flood zone. The proposal would therefore comply with policy OE8 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.18 Noise or Air Quality Issues

Part of the proposal would be located above an existing retail unit and adjacent to a Public House. On balance, the proposed development would be acceptable on noise grounds, subject to conditions to ensure appropriate sound insulation and ventilation schemes are provided to allow potential occupiers satisfactory living standards.

It is considered that the proposal would not have any impact on air quality over and above the existing use on site. Accordingly, no objections are raised on air quality grounds.

7.19 Comments on Public Consultations

The issues raised have been addressed within the main report.

7.20 Planning obligations

Policy R17 of the UDP states that the Local Planning Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support the arts, culture and entertainment activities and other community, social and education facilities through planning obligations in conjunction with other development proposals. The Director of Education has advised that a contribution of £3,554 towards school places is required. As no agreement is in place to secure this it is recommended that the application also be refused for this reason.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

None.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other

opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

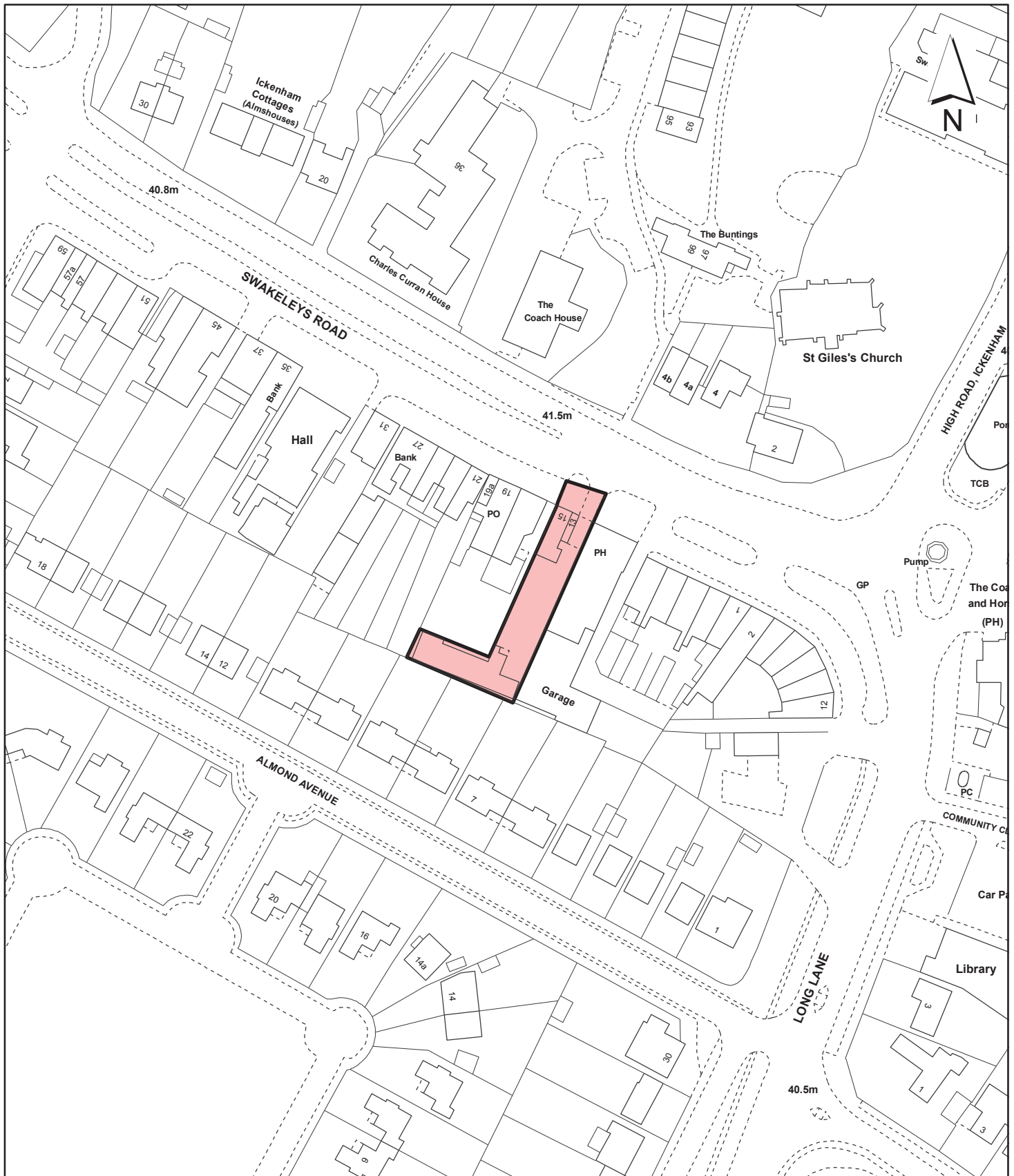
In conclusion, the proposed residential units would fail to be of a suitable standard and size and would lead to poor quality living standard of future occupiers. Furthermore the proposal fails to provide sufficient justification for the loss of the existing A2 and B1 Office uses or that they would not meet a demand for such accommodation in the foreseeable future and as such the proposal would be considered detrimental vitality and viability of the Ickenham Local Centre and is recommended for refusal.

11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies (September 2007)
London Plan (2011)
Planning Policy Statement 1: Delivering Sustainable Development
Planning Policy Statement 3: Housing
Planning Policy Statement 4: Planning for Sustainable Economic Growth
Planning Policy Guidance 13: Transport
Planning Policy Guidance 24: Planning & Noise
Supplementary Planning Document - Noise
Supplementary Planning Document - Planning Obligations
Supplementary Planning Document - Accessible Hillingdon

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Notes

 Site boundary

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Planning Application Ref:
19121/APP/2011/2066

Scale
1:1,250

Planning Committee
North

Date
**November
2011**



HILLINGDON
LONDON