

Report of the Head of Planning & Enforcement Services

Address 58 HIGH STREET RUISLIP

Development: Erection of a part first floor and part two storey extension to existing rear extension to create a studio flat.

LBH Ref Nos: 13991/APP/2010/2460

Drawing Nos: Location Plan - 1:1250
Photograph
1965/01
Design and Access Statement
Detail of Brick - West Hoathly Sharpthorne Mixture Stock
1965/02C

Date Plans Received: 25/10/2010 **Date(s) of Amendment(s):** 25/10/2010
Date Application Valid: 01/11/2010 04/02/2011

1. **SUMMARY**

Planning permission is sought for the erection of a part first floor and part two storey extension to the existing ground floor rear extension to form a studio flat. Although the proposal would provide adequate amenities for future occupiers and would not harm the residential amenities of adjoining properties, the overall bulk and scale of the development is such that it would not preserve or enhance the character and appearance of the Ruislip Village Conservation area.

2. **RECOMMENDATION**

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed part first floor and part two storey extension, by reason of its overall size, bulk, scale, design and appearance, would represent an incongruous and visually obtrusive form of development which would be out of keeping with the existing extensions along the terrace. As such, the proposal would have a detrimental impact on the character and appearance of the Ruislip Village Conservation Area and the surrounding area generally, contrary to policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

2 NON2 **Non Standard reason for refusal**

The proposal would result in the loss of an off-street car parking space while the proposal fails to make provision for its replacement. As such, the proposal would be likely to result in additional on-street car parking, to the detriment of highway and pedestrian safety contrary to Policies AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

INFORMATIVES

1 I52 **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).

2 153 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 (February 2008) 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.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
OE1	Protection of the character and amenities of surrounding properties and the local area
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
AM14	New development and car parking standards.
HDAS	Residential Layouts

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the south west side of High Street Ruislip, between the junctions of King Edwards Road and Ickenham Road, and forms part of a terrace of ground floor commercial units, some with rear extensions, and residential above accessed from the rear. The application site itself comprises 58 and 60 High Street, a doubled fronted ground floor restaurant with a covered area and single storey extension to the rear of no.58, and 2 off-street car parking spaces and amenity space for the first floor flats above, to the rear of no. 60 High Street. To the north west lies 56 High Street, a bank, and to the south east lies 62 High Street, a retail unit. A service road lies to the rear. The street scene is commercial in character and appearance and the application site lies within the Ruislip Village Conservation Area and the primary shopping area of the Ruislip Town Centre, as designate din the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is also covered by an Archaeological priority Area.

3.2 Proposed Scheme

Planning permission is sought for the erection of a part first floor and part two storey

extension to the existing rear extension for use as a studio flat.

The proposed extension would follow the configuration of the existing rear extension. Its design comprises distinct sections. The proposed first floor section above part of the main delivery entrance area would measure 4m wide, 3m deep and finished with a single membrane flat roof 5.2m high measured from ground level. The next section would measure 4.7m wide and 3.7m deep. It would also be finished with a flat roof but with an overhang, measuring 5.9m high.

The section beyond would measure 4.7m wide, 2m deep and would be finished with an overhanging mono-pitched slate tiled roof (sloping south), measuring 5.8m high at eaves level and 6.7m high at its highest point. The final section comprises a two storey rear extension attached to the rear wall of the existing extension. This part of the scheme would provide the entrance and staircase access for the studio flat. The ground floor element would measure 4.7m wide, 3m deep, extending to the rear boundary with the service road, while the proposed first floor above would measure 4.8m deep, attached to the mono-pitched roof section of the extension. This part of the proposed extension would be 5.9m high, measured from ground level, and would be finished with a 3.8m deep flat roof, attached to the mono-pitched roof section of the extension, and a 1.3m deep part flat and part catslide roof which would extend 1.5m beyond the flank elevation and wrap around part of this elevation to form a canopy, supported by timber piers, over the front entrance.

The first floor side elevations would be rendered finish and comprises a varied design of windows. The proposed studio flat would comprise kitchen, living/bedroom and bathroom.

One of the parking spaces to the rear of 60 High Street would be replaced with new bin store areas for the existing restaurant.

3.3 Relevant Planning History

Comment on Relevant Planning History

There are no relevant decisions.

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. |
| AM2 | Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity |
| 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. |

OE1	Protection of the character and amenities of surrounding properties and the local area
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
AM14	New development and car parking standards.
HDAS	Residential Layouts

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **8th December 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

20 adjoining owner/occupiers and the Ruislip Residents Association have been consulted. The application has also been advertised as a development that affects the character and appearance of the Ruislip Village Conservation Area. 1 letter with a petition with 23 signatories has been received making the following comments:

- (i) Increase in noise and disturbance from building works;
- (ii) The proposed extension would overlook 56a High Street and would have a visually intrusive impact;
- (iii) The re-siting of the bins would create a smell nuisance; and
- (iv) Insufficient parking

Ruislip Village Conservation Panel: No comments received.

English Heritage (Archaeology): The present proposals are not considered to have an effect on any significant historic assets of archaeological interest.

Internal Consultees

Conservation Officer:

The site is located in the Ruislip Village Conservation Area and forms part of a terrace of Locally Listed Buildings. The area to the rear of the property includes a number of ad hoc single storey additions and most of the other properties forming part of this two storey terrace have similar extensions. The three storey group of buildings on the corner with Ickenham Road, also back onto the same service area and have two storey flat roofed rear additions. These, however, are of a different design and scale to no.58 and as such should not be used as a precedent for similar works at this address.

The proposed new building to the rear of no.58 would be taller and deeper than the other secondary structures to the rear of this terrace. It would also have a distinctive flat roof form. As the service road is fully accessible it would be highly visible from the public realm. The proposed addition is considered to be of a poor design and overlarge given its immediate surroundings and hence unacceptable in conservation and design terms.

Environmental Protection Unit:

I do not wish to object to this proposal subject a condition to address sound transmission from the non-residential use on the ground floor.

Waste Management:

The plan does show that a space has been allocated for the storage of waste, which is good practice. However, Hillingdon is not a wheeled bin borough so a refuse bin or other containment could be provided by the developer. The current waste and recycling collection systems are:

Weekly residual (refuse) waste, using sacks purchased by the occupier;

Weekly dry recycling collection, using specially marked sacks provided by the Council.

The residents would be required to present the waste and recycling at an agreed point based on access from King Edwards Road.

7. MAIN PLANNING ISSUES

7.07 Impact on the character & appearance of the area

There are two storey rear extensions to properties in the terrace, notably at 54 High Street. As such, the principle of a two storey rear extension is acceptable.

However, the proposed new building to the rear of 58 High Street would be taller and deeper than the other secondary structures to the rear of this terrace. Although the amended design is considered to be an improvement over the originally submitted scheme, which comprised a continuous flat roof design, the resultant development, by reason of its overall bulk and scale, would have a detrimental impact on the character and appearance of the surrounding area generally and would not preserve or enhance the character and appearance of the Ruislip Village Conservation Area. 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

Paragraph 4.9 of the Hillingdon Design & Accessibility Statement: Residential Layouts advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. It goes on to advise that 'where a two storey building abuts a property or its garden, adequate distance should be maintained to overcome possible domination'. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore, and a minimum of 21m overlooking distance should be maintained.

The proposed first floor rear extension would be some 4.7m from the rear elevation of 56a High Street. That first floor flat does not have habitable room windows in the rear elevation and as such, the proposal is not considered to have a visually intrusive and overdominant impact on the living conditions of the occupiers of that flat. No windows are proposed facing the first floor flats and therefore, no overlooking will result. Furthermore, the proposal would not affect the existing access leading to 56a High Street.

Finally, the proposed siting of the bin stores are some distance from the first floor flats above the commercial units and as such are unlikely to create a smell nuisance.

Subject to details relating to noise insulation, it is considered that the proposal would not harm the residential amenities of nearby residential properties, in accordance with policies BE20, BE21, BE24 and OE1 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.09 Living conditions for future occupiers

The internal size of the proposed studio unit equates to approximately 36sq.m and this would provide adequate internal floor space to satisfy the minimum area of 33m² considered by the SPD HDAS: Residential Layouts to be the minimum necessary to provide an adequate standard of amenity for studio flats. As such, the proposal would provide an adequate standard of residential accommodation, in accordance with policy BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and paragraphs 4.6 to 4.8 of the Council's Hillingdon Design & Accessibility Statement: 'Residential Layouts'. Given the location of the proposed unit, it would not be possible to provide private amenity space and the Council's policies state that where residential units are provided above commercial units in town centres, the lack of amenity space provision would be acceptable.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The proposal would not lead to a significant increase in traffic generation given its proposed use and location within a town centre. As such, the proposal would comply with policy AM2 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

The area has a PTAL accessibility rating of 3, which means within a scale of 1 to 6, where 6 is the most accessible, the area has a reasonable accessibility level.

No off-street parking has been provided. However, given the location of the site within a town centre and the size of the proposed unit, it is considered that no off-street parking spaces for the proposed unit are required. Notwithstanding this, the proposal involves the loss of an existing off-street parking space while the proposal fails to make provision for its replacement. As such, the proposal would be likely to result in additional on-street car parking, to the detriment of highway and pedestrian safety, contrary to Policies AM7(ii) and AM14 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

Cycle parking provision has been provided within the proposed development in accordance with policy AM9 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

7.11 Urban design, access and security

With regards to access, given the location of the proposed studio flat it would not be possible to provide a fully accessible unit.

7.12 Disabled access

This is addressed above.

7.19 Comments on Public Consultations

With regards to the third party comments, these are addressed in the report.

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'.

10. CONCLUSION

For the reasons outlined above and that the proposal would not comply with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is recommended for refusal.

11. Reference Documents

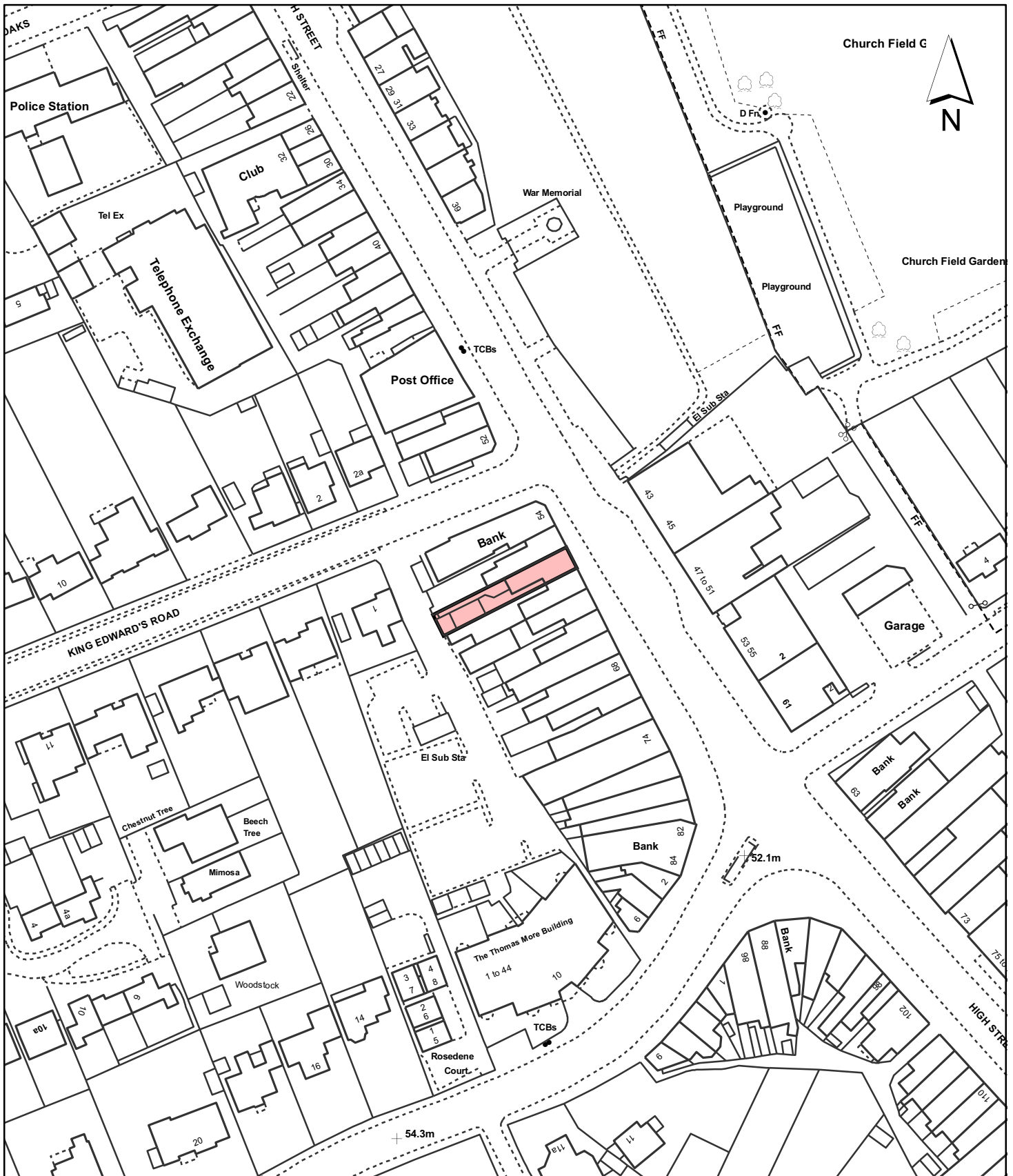
London Plan 2008

Adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)


Hillingdon Design & Accessibility Statement: Residential Layouts

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Notes

 Site boundary
For identification purposes only.

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London Borough of Hillingdon
100019283 2011

Site Address	
58 High Street Ruislip	
Planning Application Ref:	Scale
13991/APP/2010/2460	1:1,250
Planning Committee	Date
North	March 2011

**LONDON BOROUGH
OF HILLINGDON**

**Planning,
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