

Report of the Head of Planning, Transportation and Regeneration

Address: 28B KINGSEND RUISLIP

Development: Addition of a first floor to provide 2 x 3-bed self-contained flats with associated parking and amenity space.

LBH Ref Nos: 73975/APP/2020/3392

Drawing Nos:

- Location Plan
- Block Plan
- PDP-0207-06
- PDP-0207-01
- PDP-0207-04
- PDP-0207-03
- PDP-0207-02
- PDP-0207-05

Date Plans Received: 20/10/2020

Date(s) of Amendment(s):

Date Application Valid: 30/10/2020

1. SUMMARY

The current application seeks planning permission for the addition of a first floor to provide 2 x 3-bed self-contained flats with associated parking and amenity space.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed development, by reason of its size, scale, bulk, and design would fail to harmonise with the architectural composition of the adjoining properties and would be detrimental to the character, appearance and visual amenities of the surrounding area and the Ruislip Village Conservation Area. Therefore the proposal would be contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies 3.5, 7.4 and 7.8 of the London Plan.

2 NON2 Non Standard reason for refusal

The proposed development by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupier at 26a Kingsend by reason of overdominance, visual intrusion, loss of outlook, overlooking and loss of privacy. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies.

3 NON2 Non Standard reason for refusal

The site lies within the area covered by TPO 658 which protects a cedar tree, T1, on the schedule. The tree is a dominant feature in the streetscene and considered to be of high amenity value. The protected tree is very close to the proposed extension. It is considered given the absence of a tree report and given the close proximity of the protected tree to the proposed building works that it is likely that the proposals could cause harm to the

protected tree and jeopardise its long term retention. The proposed development therefore fails to demonstrate that it would safeguard a protected tree and is therefore contrary to Policy DMHB 14 of the Hillingdon Local Plan Part Two : Development Management Policies (2020).

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 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMH 4	Residential Conversions and Redevelopment
DMH 6	Garden and Backland Development
DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP 3.3	(2016) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 7.4	(2016) Local character
LPP 7.5	(2016) Public realm
LPP 7.6	(2016) Architecture
LPP 7.8	(2016) Heritage assets and archaeology

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the north side of Kingsend to the west of Ruislip Town Centre and comprises a large modern detached bungalow. The site is located to the rear of the gardens of 26 and 26b Kingsend.

The land formerly known as 30 Kingsend, has been redeveloped to provide a two storey residential block with rooms in roofspace comprising eleven flats (known as 1-11 Elthorne Court) to the south west. To the north of the site is Ruislip Methodist Church and the rear gardens of 21, 23 and 25 Ickenham Road.

To the east of the site is a detached bungalow, 26a Kingsend, which has a separate means of access from Kingsend. The access to the application site is via a 53m long driveway which runs between the site formerly known as 28 and 28a Kingsend and nos.1-11 Elthorne Court. Kingsend is designated as a Local Distributor Road.

The site is located approximately 400 metres to the west of Ruislip Station and has a Public Transport Accessibility Level (PTAL) score of 4 on a scale of 1 to 6 where 6 represent the highest level of accessibility. The application site lies within the Ruislip Village Conservation Area, a critical drainage area and it is also covered by Tree Preservation Order (TPO) 658.

3.2 Proposed Scheme

The current application seeks planning permission for the addition of a first floor to provide 2 x 3-bed self-contained flats with associated parking and amenity space.

3.3 Relevant Planning History

Comment on Relevant Planning History

73975/APP/2018/2572 - Conversion of 1 x 6-bed detached dwelling to 2 x 3-bed dwellings. Approved.

73975/APP/2018/2700 - Single storey rear extension (Application for a Certificate of Lawful Development for a Proposed Development). Refused 19/9/2018 for the following reason:

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as condition 5 of the planning permission (Ref: 5740 G/78/924) for the development of the dwelling removed permitted development rights for extensions.

73975/APP/2018/3959 - Single storey infill extension to rear - approved 7/2/2019.

4. Planning Policies and Standards

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

Development Plan

1.1 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

1.2 The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan - Consolidated With Alterations (2016)

Material Considerations

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

- (a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);
- (b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- (c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2020)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October 2019.

The Mayor considered the Inspectors' recommendations and, on 9th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for the Inspectors' recommendations that the Mayor did not wish to accept. The Secretary of State responded on the 13th March 2020 and stated that he was exercising his powers under section 337 of the Greater London Authority Act 1999 to direct that modifications are required.

On 9th December 2020, the Mayor wrote to the Secretary of State to advise of his intention to formally approve a new draft London Plan, which included his best understanding of the modifications required. The Secretary of State responded on 10th December 2020 requesting that the draft London Plan was re-submitted with more specific amendments to address the 11 previous Directions and 2 additional Directions.

More limited weight should be attached to parts of draft London Plan policies where the Secretary of State has directed specific amendments. Greater weight may be attached to policies that are not subject to the specific amendments from the Secretary of State

UDP / LDF Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMH 4 Residential Conversions and Redevelopment
DMH 6 Garden and Backland Development
DMHB 1 Heritage Assets
DMHB 4 Conservation Areas
DMHB 11 Design of New Development
DMHB 12 Streets and Public Realm
DMHB 14 Trees and Landscaping
DMHB 16 Housing Standards
DMHB 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
DMT 1 Managing Transport Impacts
DMT 2 Highways Impacts
DMT 6 Vehicle Parking
LPP 3.3 (2016) Increasing housing supply
LPP 3.4 (2015) Optimising housing potential
LPP 3.5 (2016) Quality and design of housing developments
LPP 7.4 (2016) Local character
LPP 7.5 (2016) Public realm
LPP 7.6 (2016) Architecture
LPP 7.8 (2016) Heritage assets and archaeology

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- 2nd December 2020

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A number of properties were consulted by letter dated 3/11/2020. The consultation period expired on 24/11/2020

14 Written representations have been received objecting to the proposal together with a signed petition in objection with 27 signatures and these concerns and objections are summarised below:

1. Over dominant
2. Overlooking

3. Loss of privacy
4. Proximity to the boundary
5. Excessive height
6. Over development in a Conservation Area
7. Overshadowing
8. Loss of light
9. Exacerbation of parking and traffic issues
10. Out of character with the surrounding area
11. Restricted access to the site
12. Visually intrusive
13. Loss of the openness characteristic to the area
14. Noise & Pollution

Ruislip Residents Association commented as follows: -

The site lies within the Ruislip Village Conservation Area (RVCA) on an irregularly shaped back land development plot between Kingsend to the south and Ickenham Road to the north, and is accessed via a by long single track gated driveway from Kingsend. The original bungalow at 28B Kingsend was built in 1978 and was not visible from the road Kingsend.

Plans to demolish the bungalow and to build five terraced houses in 2008, Ref:5740/APP/2008/2969 and to build an additional detached bungalow Ref:5740/APP/2009/2541 were refused, and the latter dismissed on Appeal on 15/12/10.

The reasons for refusal of plan Ref:5740/APP/2008/2969 are valid for this latest planning application

- "The proposed development by reason of its location, size, bulk and height - would result in an obtrusive, incongruous and cramped over development of the site which would be out of keeping with the layout and open character of the surrounding area".
- "The proposals would result in an increase in vehicle movements to and from the site and the proposed access arrangements in proximity to surrounding properties is likely to result in an unacceptable increase in noise and disturbance to the detriment of the amenities of the existing and future occupiers of surrounding residential properties".

The original bungalow at 28B Kingsend has been substantially extended to become a pair of semi-detached bungalows labelled as 28B and 28C in the plans. The current building has a very large footprint and is now visible from Kingsend. The proposal to increase the height and bulk to a two-storey block of four flats would create an obtrusive, incongruous and cramped over development that would neither preserve nor enhance the character and appearance of the RVCA, but would have a materially harmful effect upon it.

The location 28B / 28C Kingsend is landlocked behind 2 storey houses in Ickenham Road, Sovereign Close and Kingsend (not 3 storeys as stated in the application) as well as Elthorne and Osborne Court in Kingsend. The proposed two storey flats would adversely affect the character of the Conservation Area, which is one of spaciousness, open views into and across gardens and of trees viewable beside and above mostly two-storey houses. The 2-storey block of flats will overlook into the currently very private gardens of 26, 26A, 26B Kingsend and 21, 23, 23A and 25 Ickenham and the private amenity spaces at Elthorne and Osborne Court.

The plans submitted lack detail regarding the location of amenity spaces for the first floor flats, the number and location of parking spaces allocated for each flat and arrangements for collection of weekly recycling and refuse via the narrow gated access driveway. These plans are an example of over-development and we request that this application be refused.

Internal Consultees

Please refer to Sections 07.03, 07.10, 07.12 and 07.14 of this report

7. MAIN PLANNING ISSUES

7.01 The principle of the development

There is no objection to the principle of extending a property in the developed area, subject to compliance with the Council's adopted planning policies.

7.02 Density of the proposed development

Not relevant to this application

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

Conservation & Urban Design commented as follows: -

Summary of comments: Objection

Historic Environment Designation (s) · Ruislip Village Conservation Area (RVCA)

Assessment - background/significance

The existing property is a detached modern bungalow, positioned to the rear of Nos. 26, 26B and 28. The building dates from the late 20th century and is by definition an infill, back land development. It was originally built as a single dwelling however in 2018 permission was granted to separate the existing building into 2 residential units. The existing bungalow is a modern red brick structure with a sprawling footprint. The roof form is pitched finished in a profiled tile. There are also two detached garage structures on the site. The application site is an irregular shaped plot which has most likely informed the irregular plan form of the building. The site is surrounded by residential properties to the east, south and west.

The northern boundary is shared with Ruislip Methodist Church. The nature of the development and architectural quality of the building detracts from the character of the conservation area. In isolation, the low rise nature of the bungalow ensures it sits quietly within its respective plot, avoiding any negative impact to neighbouring residential gardens and maintaining a sense of openness. Access to the site off Kingsend is shared with No 28 with a long narrow drive to the west of Osbourne Court (No. 28) leading to the bungalow. The site is secured by metal gates giving the site an inappropriate fortified appearance when approached. The south-west portion of the site is dominated by non-permeable hard standing. A small area of green space is evident along the eastern side of the site which also includes a protected tree. The tree positively contributes to the character and appearance of the conservation area, relating to the garden suburb aesthetic of the heritage asset. Whilst the site fronting onto Kingsend is dominated by a large modern flatted development (Osbourne Court), the gap view between No. 28 and No. 30 allows for pocket views of the bungalow from Kingsend street scene. Due to the positioning of the church pocket views can also be seen from Ickenham Road.

The property is located in the residential character area of the conservation area which predominantly comprises of early to mid-20th century houses. The development of the area as 'Metroland' was influenced by the expansion of London and the railway. Predominantly, properties have an overarching Arts and Crafts style and the area was designed as a typical garden suburb. Individual dwellings were set on individual plots with ample space around the building, including a notable set back from the road. The verdant appearance of the street scene has matured over the 20th century contributing to the area's garden suburb character.

The Ruislip Village Conservation Area Appraisal discusses this in greater detail. Kingsend predominantly comprises of residential houses, however many original properties within the central portion of the road were demolished and replaced with inappropriate flatted developments in the early part of the 21st century. Many of the existing flatted development were developed prior to the designation of this part of the conservation area and significantly detract from the character and appearance of the area. They negatively contribute to the appearance of the Conservation Area and would not be considered appropriate precedents.

Assessment - impact

The proposed development would unacceptably increase the height, scale and bulk of the existing building. The first-floor addition would extend across the entire footprint of the existing building. It would double the occupation of the site, with the potential to accommodate around 24 individual people. The development would significantly alter the character of the existing bungalow, and the site would no longer sit quietly within its landlocked setting. The design proposal would replicate the uninspiring appearance of the existing bungalow, exacerbating the detracting qualities of the site. Windows would be evident on every elevation at first floor. The scale and bulk of the development would erode the existing sense of openness.

The first-floor addition would have a stark, inappropriate and uncomfortable presence, particularly when viewed from neighbouring properties. It is assumed that the existing convoluted roof form would be copied however no roof plan appears to have been submitted. Whilst the footprint would remain the same, the volume of the built form would appear substantially larger than neighbouring properties due to the expansive footprint.

The proposal would be considered an over development of the site. The building is in close proximity to the rear gardens associated to the properties along Ickenham Road (Nos 21 and 23), primarily due to the angular nature of the site and footprint of the building. Therefore, the first-floor addition is likely to have a significant adverse impact on the private rear amenity space, further exacerbated by the lack of vegetation.

Views of the proposed building would be far more dominant than the existing single storey structure and it would be visible from further afield. It would have a greater presence when viewed from Kingsend and from Ickenham Road, in context with the Methodist church. The first-floor addition would block the existing gap that can be appreciated between built forms along the public street scenes. There would also be serious concerns that the development would be visible via the gaps between dwellings along Poplars Close and Sovereigns Close. This would have negative impact on these street scenes. Public views of the site would be evident via glimpses between buildings.

The gaps between site and views of trees and space contribute to the character and appearance of the conservation area. Views of the development would however be highly visible from neighbouring properties that encircle the application site. Private views from rear gardens and within the site itself also form part of how the heritage asset is experienced therefore it should not lessen the desire to preserve or enhance the character and appearance of the conservation area just because they are not public views.

The proposed scheme would have a greater, negative presence within the conservation area failing to harmonise with the surrounding environment. It would fail to respect the original principles in which the back-land development was deemed appropriate. As

proposed, it would be deemed in principle unacceptable.

The proposed development would result in less than substantial harm to the conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 would need to be considered in terms of preserving or enhancing the character and appearance of the conservation area. From a historic environment perspective, it would fail to preserve or enhance in this instance.

Conclusion: Objection - Less than substantial harm.

Tree Officer:

This site is occupied by a bungalow built as backland development, located behind numbers 28 and 30 Kingsend. Access to the site is between these two properties. The site lies within the area covered by TPO 658 which protects a cedar tree, T1, on the schedule, situated to the east of the bungalow, between the building and a garage/ outbuilding. COMMENT According to the response to the planning questionnaire, Q.10, there are no trees on the site? The protected tree is a dominant feature, close to the building and very much evident on the latest aerial photographs. The brief D&AS states that 'the proposed development will not result into cutting any trees or bushes'. It is not clear whether the addition of a second floor will involve the construction of new foundations to support the additional load, which could affect the roots of the tree. nor is it known whether the raising of the building height will affect the canopy spread of the tree. In addition to the potential impact of the proposed building on the roots or branches of the protected tree, it is not known whether there could be post-development pressure due to overshading of habitable rooms. If future occupants applied to reduce the tree due to physical damage to the building, or loss of natural light, it might be difficult for the Council to refuse an application to carry out work on the tree. RECOMMENDATION A tree report to BS 5837:2012 is required to address these issues, without which the application is unacceptable and should be refused. In the absence of a tree report, or acknowledgement of the presence of the tree, the application fails to safeguard the protected tree

7.04 Airport safeguarding

Not relevant to this application

7.05 Impact on the green belt

Not relevant to this application:

7.07 Impact on the character & appearance of the area

The NPPF (2019) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

Policy 7.1 of the London Plan states that "design of new buildings and the spaces they create should help reinforce or enhance the character, legibility, permeability and accessibility of the neighbourhood".

Policy 7.4 of the London Plan states, "Development should have regard to the form, function, and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establishing an enhanced character for the future function of the area".

Policy 7.8 of the London Plan states "Development should incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology. It should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate. Development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. New development should make provision for the protection of archaeological resources, landscapes and significant memorials. The physical assets should, where possible, be made available to the public on-site. Where the archaeological asset or memorial cannot be preserved or managed on-site, provision must be made for the investigation, understanding, recording, dissemination and archiving of that asset"

Policy BE1 of the Hillingdon Local Plan (November 2012) requires that all new development achieves a 'high quality of design in all new buildings, alterations and extensions'.

Policy DMH 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that residential conversions and the redevelopment of dwellings into new blocks of flats will only be permitted where:

- i) it is on a residential street where the proposal will not result in more than 10% of properties being redeveloped into flats;
- ii) On residential streets longer than 1km the proposed redevelopment site should be taken as the midpoint of a 1km length of road for assessment purposes;

Planning history indicates that Nos. 3, 16, 18, 28, 30, 41, 45 and 54 Kingsend are flatted developments in addition to the subject site which equates to 8% of the properties on this residential street.

Policy DMHB 4 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will:

- A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area.
- B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification.
- C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including:

- i) harmonising with the local context by taking into account the surrounding: scale of development, considering the height, mass and bulk of adjacent structures; · building plot sizes and widths, plot coverage and established street patterns; · building lines and setbacks, roof lines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.
- ii) ensuring the use of high quality building materials and finishes;
- iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;
- iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and
- v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

The proposal comprises the addition of a first floor element which would raise the roof ridge to a maximum height of 7.5 m to provide a further 2, three bedroom flats labelled as Flats C and E on the submitted plans.

The first floor extension would cover the entire ground floor foot print of the existing building which would significantly alter the style and character of the original bungalow. It is considered that the resulting scale and bulk would detract from the current openness of the area in what is essentially a land locked 'back land' site.

Although it is noted that the properties to the south and south west of the site at Osbourne Court and Elthorne Court are substantial two storey buildings comprising flats and that the majority of the properties that abut the site to the south east and north west are two storey dwellings the fact remains that this is a building located on a back land site and is therefore more moderate in size than those on the frontages. This is in line with Policy DMH 6 which states that development on backland sites must be more intimate in mass and scale and lower than frontage properties. Whilst it is appreciated that this is an existing property, the addition of a first floor would increase the height, scale, bulk and mass of the building to be equal to that of those in the vicinity with the exception of No. 26a Kingsend to the east of the site.

Consequently, it is considered that the proposal would be contrary to the aims and principles of Policies DMH 6, DMHB 4 and DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020)

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The application site adjoins Nos. 21, 23 and 25 Ickenham Road to the north west together with the Ruislip Methodist Church to the north. To the south and south west is Elthorne Court, Osborne Court and Nos. 26, 26b and 28 Kingsend and to the south east Nos. 1 and 3 Sovereign Close.

The Ickenham Road properties are in excess of 45 m from the subject site, Elthorne Court is over 40 m, 26, 26b and 28 Kingsend and Osbourne Court over 30 m and Nos. 1 and 3 Sovereign Close between 29 m and 38 m. Although these are fairly substantial separation distances the site does abut the rear amenity spaces of the Ickenham Road properties to the north west and the views from the additional first floor windows would give rise to an element of overlooking of these rear gardens leading to a loss of privacy and a curtailment of the enjoyment of these private amenity spaces.

The property most likely to be more adversely affected by the proposal is located to the east of the site with a separation distance of approximately 13 m from side elevation to side elevation at 26a Kingsend. This property is a single storey bungalow and the proposed first floor windows in the east facing side elevation at the subject site would give rise to the overlooking of and loss of privacy to the private amenity space of this neighbouring property. In addition, the proposed first floor would appear over dominant due to its proximity to the shared side boundary.

Consequently, it is considered that the proposal would be contrary to the aims and principles of Policy DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020)

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards"). These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards through a minor alteration to The London Plan.

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. Table 3.3 of this Policy states that the minimum floor space required for a three bed flat is 86 sqm and both flats exceed this standard.

Policy DMHB 18: Private Outdoor Amenity Space of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3 of this policy which states that a 3 bedroom flat should be provided with a minimum of 30 sqm of private amenity space. Although there is no individually dedicated or allocated amenity space for the proposed additional flats the communal amenity space to the rear of the site, which can be accessed by any occupant of the proposed flats and is in excess of 200 sqm is considered to be acceptable in this regard.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Highways & Transportation commented as follows: -

Site Characteristics & Background

The application site is located on the north side of Kingsend (a 'classified' road) to the east of Ruislip Town Centre and comprises of a large detached bungalow which is positioned to the rear of No's 26-28. There is an extant 2018 permission (73975/APP/2018/2572) for the conversion of the bungalow to 2x3 bedroom dwellings which is in place. It is now proposed to extend the build by adding a first floor thereby providing two additional 3-bedroom self-

contained flatted units.

The plot has extensive parking availability on its frontage. Pedestrian and vehicular access to this 'back-land' development would continue to be facilitated via an existing private and gated service road located between No's 28 & 30. The surrounding road network exhibits all day parking controls (Monday to Saturday - 8am to 6.30pm) and the location displays a public transport accessibility level (PTAL) of 3 which is considered as average which results in an element of dependency on the ownership and usage of private motor transport.

Parking Provision

Local Plan: Part 2 Policy DMT 6 requires that new development will only be permitted where it accords with the Council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

In accord with the Council's parking standard, the proposal would demand 2 spaces per unit (4 in total). 5 spaces are shown on the existing frontage arrangement with 2 double garages (i.e. potentially providing up to 9 spaces) catering for the existing 2x3 bedroom units. It would therefore appear that the required 4 spaces can be satisfactorily accommodated on-site within the available quantum. However, this provision should be subject to a parking allocation plan (secured via planning condition) in order to ensure that the appropriate level of parking provision is allocated for each flat.

Electric Vehicle Charging Points (EVCP's)

In line with the emerging London Plan, within any final parking quantum there is a requirement for a minimum of 20% 'active' EVCP provision with all remaining spaces being designated as 'passive' provisions. This aspect should be facilitated together within the aforementioned parking allocation plan with both being secured via planning condition in order to secure the appropriate level of EVCP and parking provision for each flat.

Cycling Provision

In terms of cycle parking there should be a provision of at least 1 secure and accessible space for each of the dwelling units in order to conform to the adopted minimum borough cycle parking standard. This level is proposed within a suitable location and is therefore considered broadly acceptable.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

The proposal would clearly increase traffic generation from the site as compared to the existing activities generated by the plot. However peak period traffic movements into and out of the site would not be expected to rise beyond 1-2 vehicle movements during the peak morning and evening hours. Hence this uplift is considered marginal in generation terms and therefore can be absorbed within the local road network without notable detriment to traffic congestion and road safety.

Site Access

An existing and functioning vehicular and pedestrian access roadway exists between No's 28 & 30 Kingsend. It serves the extant 2x3 bedroom units and it is therefore considered

broadly fit for purpose in terms of facilitating access to the proposal site.

Operational Refuse Requirements

Refuse collection would continue with no change to the collection method applied to the existing residential units within the build. Appropriate bin storage area provisions are indicated hence there are no further observations.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.11 Urban design, access and security

As discussed below

7.12 Disabled access

The council's access officer commented as follows: -

This proposal has been reviewed against the requirements of the 2016 London Plan policy 3.8(c) and policy D7 of the 2019 (Intend to Publish) London Plan which should not be applied to the conversion of an existing dwelling.

Conclusion: no objections raised from an accessibility perspective.

7.13 Provision of affordable & special needs housing

Not relevant to this application:

7.14 Trees, Landscaping and Ecology

The site lies within the area covered by TPO 658 which protects a cedar tree, T1, on the schedule, situated to the east of the bungalow, between the building and a garage/outbuilding.

The protected tree is a dominant feature, close to the building.

The Council's Tree Officer comments that 'It is not clear whether the addition of a second floor will involve the construction of new foundations to support the additional load, which could affect the roots of the tree. nor is it known whether the raising of the building height will affect the canopy spread of the tree. In addition to the potential impact of the proposed building on the roots or branches of the protected tree, it is not known whether there could be post-development pressure due to overshadowing of habitable rooms. If future occupants applied to reduce the tree due to physical damage to the building, or loss of natural light, it might be difficult for the Council to refuse an application to carry out work on the tree. A tree report to BS 5837:2012 is required to address these issues, without which the application is unacceptable and should be refused...'.

It is considered given the absence of a tree report and given the close proximity of the protected tree to the proposed building works that it is likely that the proposals could cause harm to the protected tree and/or jeopardise its long term retention. The proposed development therefore fails to demonstrate that it would safeguard a protected tree and is therefore contrary to Policy DMHB 14 of the Hillingdon Local Plan Part Two : Development Management Policies (2020).

7.15 Sustainable waste management

Not relevant to this application

7.16 Renewable energy / Sustainability

Not relevant to this application

7.17 Flooding or Drainage Issues

Not relevant to this application

7.18 Noise or Air Quality Issues

Not relevant to this application

7.19 Comments on Public Consultations

Points of concern raised above, namely Nos. 1 to 13 are addressed within the body of this report.

No. 14 - Noise and disturbance from construction is considered transitory in nature and as such is not a sufficient reason for refusal in its own right.

In addition, the comments of the Ruislip Residents' Association are noted.

7.20 Planning Obligations

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014 and the Hillingdon CIL charge for additional floor space for residential developments is £95 per square metre and office developments of £35 per square metre. This is in addition to the Mayoral CIL charge of £35 per square metre.

7.21 Expediency of enforcement action

Not relevant to this application

7.22 Other Issues

None

8. Observations of the Borough Solicitor

General

Members must determine planning applications having due regard to the provisions of the development plan so far as material to the application, any local finance considerations so far as material to the application, and to any other material considerations (including regional and national policy and guidance). Members must also determine applications in accordance with all relevant primary and secondary legislation.

Material considerations are those which are relevant to regulating the development and use of land in the public interest. The considerations must fairly and reasonably relate to the application concerned.

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probit in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an

agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

Not applicable

10. CONCLUSION

The scheme is considered to have an unacceptable impact on the amenities of an adjoining property and on the visual amenity of the street scene. It would fail to either preserve or enhance the character of the Ruislip Village Conservation Area and fails to safeguard a protected tree.

The development is therefore considered contrary to a suite of Hillingdon Local Plan policies (2012 and 2020) and policies in the London Plan 2016 and is recommended for refusal.

11. Reference Documents

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

The London Plan (2016)

The Housing Standards Minor Alterations to The London Plan (March 2016)

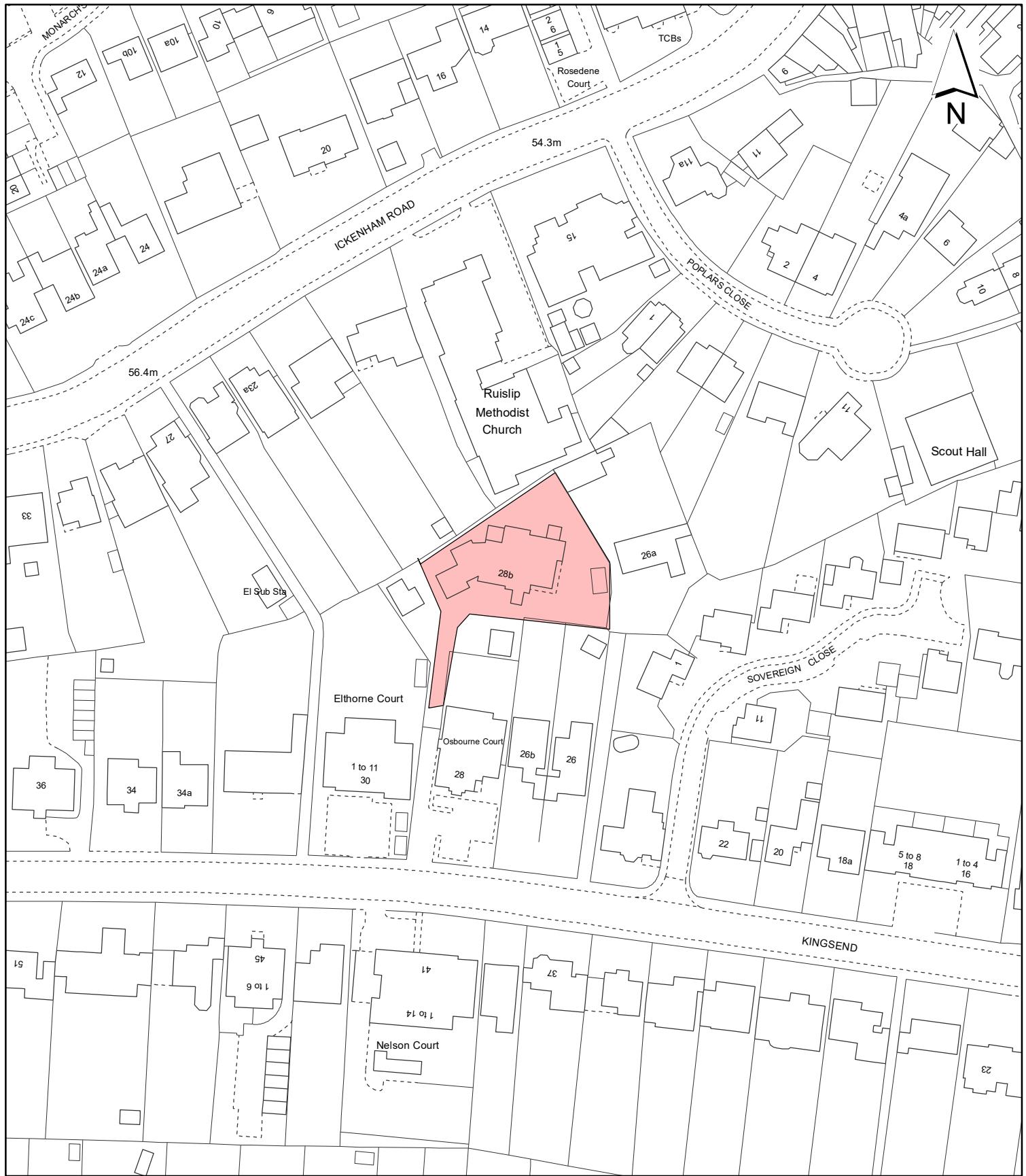
Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016)

Technical Housing Standards - Nationally Described Space Standard

National Planning Policy Framework

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Notes:

Site boundary

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**LONDON BOROUGH
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Planning Application Ref:

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Scale:

1:1,250

Planning Committee:

North

Date:

January 2021



HILLINGDON
LONDON