

## Report of the Head of Planning & Enforcement Services

**Address** FORMER RAF EASTCOTE LIME GROVE RUISLIP

**Development:** Conversion of 3 one bedroom live work units to 6 x one bedroom flats (Block L)

**LBH Ref Nos:** 10189/APP/2012/109

**Drawing Nos:** 5585L-WIM-WL-O1 Rev. A  
5585L-WIM-WL-O2 Rev. A  
5585L-WIM-WL-L-E1  
5585L-WIM-WL-L-E2  
5585L-WIM-WL-L-E3  
5585L-WIM-WL-L-P1  
5585L-WIM-WL-L-P2  
5585L-WIM-WL-L-P3  
5585L-WIM-WL-713-E1  
5585L-WIM-WL-713-P1  
Design and Access Statement  
Marketing Report Ref: GA/CW/1213211/R0001  
5585L-WIM-WL-O1

**Date Plans Received:** 12/01/2012 **Date(s) of Amendment(s):**

**Date Application Valid:** 12/01/2012

### 1. SUMMARY

Planning permission is sought for the conversion of 3 existing one bedroom Live/Work units to 6 x one bedroom apartments, representing a net gain of 3 one bedroom units.

6 letters and a petition have been received objecting to the proposal on the grounds of increased density and lack of parking provision.

No objections are raised to the principle of the loss of the 'work' element of the Live/Work unit to residential use. However, the overall amenity space provision for the block fails to meet the Council's amenity space standards, to the detriment of the residential amenity of existing and future occupiers of the block.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The development fails to provide an adequate level of private and communal amenity space for the proposed development to the detriment of the amenities of existing and future occupiers, contrary to Policy BE23 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

### 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 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.

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
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.
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
OE1	Protection of the character and amenities of surrounding properties and the local area
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
LPP 3.1	(2011) Ensuring equal life chances for all
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

## **3. CONSIDERATIONS**

### **3.1 Site and Locality**

The application relates to Block L (now known as Stanmore House), approximately 0.10ha in extent, located at the centre of the southern section of the former RAF Eastcote development, with access from Eastcote Road. The site comprises a three storey 'L' shaped residential building with associated parking, located to the south of the public footpath which bisects the RAF site. The block as approved contains 3 x one bedroom flats on the second floor and three one bedroom live/work units on the ground and first floors, granted as part of a Reserved Matters application for the erection of 385 residential

units (Ref: 10189/APP/2007/3046 dated 31/3/2008).

### **3.2 Proposed Scheme**

This application is one of 4 submissions, seeking provide 12 additional units at the RAF Eastcote site, by converting the 'work' element of the existing vacant Live/Work units into 12 one bedroom apartments.

There are a total of 12 live/work units located within four separate apartment buildings at RAF Eastcote (Blocks H1, J, L, and R). This application relates to Block L, where it is proposed to convert the 'work' space elements of 3 existing one bedroom Live/Work units on the ground and first floors, to 3 x one bedroom apartments, representing a net gain of 3 one bedroom units within this block.

### **3.3 Relevant Planning History**

#### **Comment on Relevant Planning History**

Outline planning permission was granted for residential development comprising 385 residential units, including 12 live work units and 134 affordable dwellings, along with a Community Hall and associated parking, landscaping and open space on the former RAF site (ref: 10189/APP/2007/3383) on 21st February 2008.

Reserved Matters approval ref: 10189/APP/2007/3046 (for the siting, design, external appearance and landscaping) pursuant to discharge of condition 3 of the outline planning permission was granted on 31 March 2008.

Phase 1 of the RAF site, comprising the southern parcel of land and the vehicular link to Lime Grove is presently under construction and well advanced. Phase 2, to the north of of the public footpath which bisects the RAF site is also under construction and well advanced.

Condition 10 of the outline planning permission states:

A minimum of 3% and a maximum of 5% of residential dwellings are to comprise live-work units. Live-work units are defined as follows:

'The genuine and permanent integration of living and working accommodation within a single self contained unit, with a greater proportion of the unit comprising working floorspace and where the principal occupier both lives at and works from the property'.

Condition 11 imposes the following restrictions on the live work units:

- the premises must be used only as a live/work unit and for no other purpose including wholly for residential or employment use
- the residential area within the live/work units must not be used or occupied other than by the user/occupier of the associated workspace and the dependants/partners of that person.
- The designated workspace shall be used only for business purposes within the meaning of Class B1 of the Use Class Order.
- the live-work units shall include no more than two bedrooms and the workspace element must be separate from the living space element in the unit.
- The workspace should not accommodate more than 2 employees which live off-site.

Condition 13 imposes the following time restrictions:

The workspaces in the live-work units and the community facility shall not be used outside the hours of 08.00 and 18.00, Monday to Friday, and between the hours of 08.00 and 13.00 on Saturdays. These premises shall not be used on Sundays or Bank Holidays.

Condition 14 imposes the following restrictions on deliveries:

The workspaces in the live-work units and the community facility shall not be used for the delivery and the loading or unloading of goods outside the hours of 08.00 and 19.00, Monday to Friday, and between the hours of 08.00 and 16.00 on Saturdays. The site shall not be used on Sundays or Bank Holidays.

Phase 1 of the RAF site, comprising the southern parcel of land (including Block R) and the vehicular link to Lime Grove is nearing completion. Phase 2, to the north of the public footpath which bisects the RAF site is also under construction and well advanced.

#### **4. Planning Policies and Standards**

National Planning Policy Framework.

#### **UDP / LDF Designation and London Plan**

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
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LPP 3.8	(2011) Housing Choice

## **5. Advertisement and Site Notice**

**5.1** Advertisement Expiry Date:- **23rd February 2012**

**5.2** Site Notice Expiry Date:- Not applicable

## **6. Consultations**

### **External Consultees**

Site notices were posted at the site. 46 surrounding property owners/occupiers have been consulted on this application. 6 letters and a petition with 31 signatures have been received objecting on the following grounds:

1. Congestion, lack of parking spaces already.
2. There is no proposal to increase the number of parking spaces, and assuming that each property will have at least one vehicle, this leaves no capacity for visitor parking. If any property has more than one vehicle, the parking problems will obviously become serious, on a development that overall suffers from a lack of parking spaces.
3. Further noise and disruption during construction.
4. Concerns that both this application, if approved, will result in more residents in this already densely populated development, and more importantly more vehicles.
5. Problems with further access as only one access via Lime Grove.

### **EASTCOTE VILLAGE CONSERVATION AREA ADVISORY PANEL**

Five applications have been recently submitted for this site. Each will increase the density. Taken together there will be an increase of 13 dwellings. For this reason, we ask that these applications are considered together.

Application Numbers.

- 10189/APP/2012/112
- 10189/APP/2012/108
- 10189/APP/2012/109
- 10189/APP/2012/106

These four applications are to change the work unit of the live/work units into dwellings

- 10189/APP/2011/3131

This to change one detached house into two semi-detached houses.

The applications for changes to the live/work units.

There is no allowance made within these applications for any extra shared amenity space. The usable amenity space, for the whole site, within the original planning permission was at the minimum level. Another 245m<sup>2</sup> of amenity space needs to be provided.

There is also a considerable parking problem within the estate which spills over into the surrounding roads. Another 12 dwelling will increase these problems.

### **Internal Consultees**

#### **POLICY AND ENVIRONMENTAL PLANNING**

Use Character: Within residential area; white land on the 1997 UDP Proposals Map.

CONSIDERATION: Whether loss of Live/Work Units is contrary to policy LE4 in the Saved UDP.

The applicants should provide information on what is available in the area in the way of alternative commercial accommodation for small/start-up businesses (which the Live/Work Units were presumably aimed at).

However, unless the Council has any local evidence to the contrary, experience elsewhere in north and east London (Waltham Forest & Newham) is that these type of units have rarely been successful and usually become fully residential uses. The only exceptions seem to have been on the fringes of the City of London.

Certainly, London wide the evidence seems to be that live-work units built speculatively are rarely let successfully. The applicants here have produced evidence of a campaign to try to sell these units for some time without success. The alternative proposal now to convert to a fully residential scheme is considered appropriate in view of that. The only concern is that the two larger units do not seem to meet the 2011 London Plan's minimum space standards for 2B/4P homes.

#### ENVIRONMENTAL PROTECTION UNIT (EPU)

EPU has no comments on this proposal.

#### S106 OFFICER

In in this instance no planning obligations are required to address this proposal.

#### ACCESS OFFICER

The details contained within this latest application state that all issues related to the provision of Lifetime Home Standards were satisfied, however, such compliance is not reflected on the latest set of plans which would result in additional units. To this end, the ground floor elements of the proposal should be revised to ensure compliance with all relevant Lifetime Home standards.

The following access observations are provided:

1. The bathrooms/ensuite facilities should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100mm provided between the front edge of the toilet pan and a door or wall opposite.
2. To allow bathrooms to be used as a wet room in future, plans should specify the type of floor gully drainage to be incorporated.

The Design & Access Statement should be revised to demonstrate how each of the relevant Lifetime Home Standards would be satisfied.

Conclusion: unacceptable.

#### TREE AND LANDSCAPE OFFICER

The young trees on the site form part of the approved and implemented landscaping scheme for this part of the former RAF Eastcote site. The applicants have indicated that there are no proposed changes to the layout and the landscaping and, hence, no loss of trees. However, it seems that an additional cycle store is proposed adjacent to the road/drive to the north of the block.

If an additional cycle store is proposed, the location of it should be reconsidered, so that it fits better with the approved layout and landscaping.

Subject to any necessary landscape-related conditions and, if necessary, changes to accommodate an additional cycle store, the application is acceptable in terms of Saved Policy BE38 of the UDP.

## HIGHWAY ENGINEER

Information provided with submitted plan for conversion of 3 live/work units to 6 one bed flats and their associated off site parking space in block H1, complies with Policy AM14 of the adopted Hillingdon Unitary Development Plan, Saved Policies, September 2007.

Furthermore, with reference to Live/Work Marketing Report, it appears that the applicant is seeking to change use of three other approved and constructed 1 bed Live-work units to 6 x 1 bed flats providing one off street parking space for each flat within blocks J, L and R. Proposal will add a total of twelve one bed flats within the entire development site. Although proposal may have some traffic/parking impact within the immediate area of those blocks, its overall impact is considered to be insignificant compared to the total number of proposed dwelling (385), and therefore no objection is raised on the highways aspect of proposal.

### **7. MAIN PLANNING ISSUES**

#### **7.01 The principle of the development**

The principle of residential development on this site has already been established by virtue of the outline planning permission. The general layout, design and landscaping of the development has been established by virtue of the reserved matters approval.

#### Loss of Employment Land

Policy LE4 relates to the loss of employment land outside identified Industrial and Business Areas and seeks to protect such employment land unless one or more of the following criteria can be satisfied:

1. The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion, or an adverse impact on the character of the area;
2. The site is unsuitable for industrial or similar redevelopment due to its size, shape, location or lack of vehicular access;
3. There is no realistic prospect of the land being used for industrial, warehousing or employment generating land uses in the future.
4. The proposed use is in accordance with the Council's regeneration policies.

In order to demonstrate compliance with Policy LE4, any application should be supported by documentation demonstrating that the site is surplus to employment requirements.

The applicants argue that the proposed conversion of the live/work units does not, by its nature, sit comfortably with Policy LE4 criteria, as these requirements would appear to be aimed at preventing the loss of larger industrial sites, where there may be some prospect of alternative industrial uses through redevelopment, if existing operations have ceased.

The Live/Work units in question are located in brand new, purpose built blocks, the remainder of which comprise residential accommodation. The internal layout of the blocks and the provisions made for car parking and servicing would not lend themselves to a solely business or industrial use, whilst the surrounding residential properties would clearly prevent any noise, vibration or pollution generating uses.

It is therefore considered that there is no realistic prospect of the site being put to any other industrial or business use without the blocks being demolished to make way for alternative accommodation. However, the units are capable of being occupied in their current state to be operated for live/work purposes as intended. Therefore, in order to satisfy the requirements of criteria (3), it is necessary to demonstrate that the units have no realistic

prospect of being occupied in their current use.

The applicants have submitted a Marketing Report which demonstrates that the units have been comprehensively marketed for over two years without being sold. The report documents that despite concerted efforts to sell the units through incentive schemes such as price reductions, that there has been a diminutive interest in the units.

The lack of interest in the live/work units corresponds with the findings of the Council's Employment Land Study (ELS), dated July 2009. It states at para 5.49 that there are currently 180 vacant units within allocated Industrial and Business Areas (IBAs) alone, whilst para 5.72 states that the Borough benefits from an overall strong supply of office accommodation. This suggests that there is both an over-provision of office accommodation in the Borough and provides an indication of the reasoning behind the lack of demand for the live/work units identified in the Marketing Report.

Suitability of units for residential use

UDP Saved Policy H8 encourages the change of use from non-residential to residential accommodation,

where a satisfactory residential environment can be achieved and the existing use is demonstrated

to be redundant. Given that it is not considered that there is a realistic prospect of the units being used for business purposes in the future and that the wider development area is residential in nature, the proposal to convert the 'work' element of the Live/Work units to residential use would be compatible with the surrounding residential environment.

No objections are therefore raised to the principle of the change of use of the work element of the Live/Work units to residential, subject to an acceptable density being achieved, good environmental conditions being provided for future and surrounding occupiers and adequate car parking being maintained for the new units. These issues are dealt with elsewhere in this report.

## **7.02 Density of the proposed development**

From a strategic land use planning viewpoint, the Government's land use planning policy is outlined in The National Planning Policy Framework. This is reflected in the Mayor's London Plan, which provides planning policy at the regional level. On matters of density of housing, the Mayor's London Plan superseded the Adopted Unitary Development Plan for Hillingdon at the time the outline application for the former RAF Eastcote was considered.

The Mayor's London Plan seeks to accommodate demand for housing growth through maximising the density of development on previously developed land. This is done with reference to density guidance to guide the extent of development that might be acceptable on individual sites. In this case, an outline planning permission has already been granted. That application considered the matter of the acceptable density of development for the site and defined this as up to 50 units per hectare. This was stipulated by way of a planning condition on the outline permission. This is a material consideration, which guided the determination of the subsequent reserved matters application, which was approved at an average density of 50 dwellings per hectare (dph). This was in excess of the national indicative minimum target of 30dph set by PPS3 at that time and was in accordance with the maximum density of 50dph approved by the outline consent.

The proposal will result in an increase in dwelling density across the larger RAF site from



50 to 50.39 dph. In terms of this red line application, the density would be 75 dwellings per hectare. Table 3.2 of the London Plan recommends that developments within suburban residential setting with a PTAL score of 1 and with 2.7-3.0 hr/unit, should be within the range of 50-75 units/ha or 150-200 hr/ha. The proposed density is therefore within the London Plan guidelines for this red line site in terms of units per hectare and habitable rooms per hectare.

Nevertheless, it is considered important for this red line application site, having regard to its locational constraints, to ensure that the proposed development harmonises with the character of the surrounding residential area and that good environmental conditions can be provided for future and surrounding occupiers. It is noted that the proposed density results in sub standard amenity space and this issue is dealt with elsewhere in this report.

In terms of the mix of units, Saved Policy H4 states that wherever practicable, new residential developments should have a mix of housing units of different sizes, including units of one or two bedrooms. Policy H5 states that the Council will encourage the provision of dwellings suitable for large families. In the context of the overall mix of units in the wider site, the addition of 3 one bedroom units is considered acceptable, in compliance with these policies.

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

Saved Policy BE4 requires any new development within or on the fringes of a Conservation Area to preserve or enhance those features that contribute to its special architectural and visual qualities, and to make a positive contribution to the character or appearance of the conservation area. Saved Policy BE10 seeks to protect the setting of listed buildings.

There are no archaeological or historic issues associated with this application. It is not considered that the proposed changes would have a direct impact on the character of the Eastcote Village Conservation Area, which is located to the north of the site, in compliance with Saved Policy BE4 of the Hillingdon Unitary Development Plan.

### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development.

### **7.05 Impact on the green belt**

There are no Green Belt issues associated with this site.

### **7.06 Environmental Impact**

Issues relating to land contamination have already been dealt with for the former RAF Eastcote site as a whole. It is not considered that the uplift for 3 additional units would raise any further issues in this regard.

### **7.07 Impact on the character & appearance of the area**

Saved Policy BE13 of the UDP states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area which the local planning authority considers it desirable to retain or enhance. Saved Policy BE19 seeks to ensure that new development within residential areas complements or improves the amenity and character of the area. Saved Policy BE4 requires any new development within or on the fringes of a Conservation Area to preserve or enhance those features that contribute to its special architectural and visual qualities and to make a positive contribution to the character or appearance of the conservation area. Saved Policy BE38 stresses the need to retain and enhance landscape features and provide for appropriate (hard and soft) landscaping in new developments.

No external changes are proposed to the block. As such the conversion would not result in detriment to the appearance of the scheme as a whole, in accordance with Saved Policies BE13, BE19 and BE38 of the UPD.

#### **7.08 Impact on neighbours**

Policy BE20 of the Unitary Development Plan Saved Policies September 2007 states that the Local Planning Authority will seek to ensure that buildings are laid out so that adequate daylight, sunlight and amenities of existing houses are safeguarded. Policy BE21 of the Unitary Development Plan Saved Policies September 2007 states that planning permission will not be granted for new development, which by reason of its siting, bulk and proximity, would result in a significant loss of residential amenity of established residential areas.

It is not considered that the amenity of surrounding residents will be adversely affected by the scheme, as only internal modifications are proposed. It is therefore not considered that there would be any issues arising in terms of loss of privacy, light or overdominance. In addition, the proposed residential use of the 'work' element of the live/work units are compatible with surrounding residential uses.

#### **7.09 Living conditions for future occupiers**

In relation to outlook and privacy, Policies BE21 and BE24 require new residential developments to be designed so as to ensure adequate outlook and privacy for occupants of the site. In relation to sunlight, Policy BE20 of the UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. The Council's Supplementary Planning Document Hillingdon Design and Access Statement (HDAS) states that where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible over domination. The distance provided will be dependent on the bulk and size of the building but generally 15m would be the minimum acceptable separation distance.

All of the units benefit from a reasonable level of privacy, outlook and light. Also, all units would comply with the minimum overall space standards for residential properties as set out in the London Plan (2011).

Saved Policy BE23 of the UDP requires the provision of external amenity space, sufficient to promote the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting. The Council's Supplementary Planning Document, specifies amenity space standards for dwellings. As a guide 20sq.m should be provided as a minimum for 1 bedroom flats. Three additional one bedroom flats will be created as a result of this proposal, requiring a minimum of an additional 60 sq.m of external amenity space. However, no additional amenity space has been provided as part of this scheme.

The applicants rely on areas of public amenity space elsewhere on the wider RAF Eastcote site, outside the red line application boundary. A number of informal areas of green public open space are spread around the site and cumulatively equate to approximately 0.7ha. This space is provided as follows:

§ Land along the public right of way adjacent to the boundary with Highgrove House. This space is rising ground and incorporates a number of existing good quality trees.

§ Land along the northern boundary with Flag Walk. This space comprises a small copse of existing trees which are retained. They provide a setting for and act to protect the amenity of these properties which lies within close proximity of the Conservation Area.

§ Land within the southern part of the site. This parcel incorporates the LEAP, informal space and a meeting space for the Community Building.

Notwithstanding these areas of public open space, the former RAF site is a relatively dense form of development and these public areas within the wider scheme referred to above were provided because communal amenity spaces for the individual apartment blocks and the size of individual gardens to most of the dwellings fail to meet the Council's minimum standards.

Whilst it was considered that the overall amenity space on the wider site was sufficient to meet the needs of future occupiers of the approved scheme, the RAF development was not designed to cater for these additional units. The proposal will result in Block L containing 9 x 1 bedroom flats. This density, compared to the approved 3 x 1 bedroom flats and 3 x 1 bedroom live/work units in Block L would result in a minimum requirement for an additional 60 sq.m of external amenity space, to cater for the demands arising from the increased population density.

The amenity space provision for Block L therefore fails to meet the Council's amenity space standards and it is therefore considered that the proposal fails to provide good environmental conditions for existing and future occupants of the block, contrary to Saved Policy BE23 of the UDP and the Supplementary Planning Document HDAS: Residential Layouts.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

Based on the Council's maximum parking standards, the proposed development for the wider RAF site would generate a requirement for a maximum of 654 parking spaces across the site. The level of provision proposed has regard to these standards and the national objective to reduce car usage, whilst also accepting that the convenience of future residents should not be compromised. Consequently, the provision of a total of 612 parking spaces is proposed across the wider site, which equates to an average of 1.58 spaces per unit. Considering the sustainability of the site in terms of accessibility to local services and facilities and to the public transport network, this level of provision, close to the maximum standard was considered acceptable.

With regard to Block J, a total of 9 parking spaces are provided for the 9 one bedroom units within the block. The applicant has stated that the visitor parking spaces intended for the 'work' element of each of the existing live/work units would be allocated to the new one bedroom units being created. The Highway Engineer considers that a minimum of one parking space should be provided for each of the units, given the low PTAL score for the site and the level of parking demand for the completed/occupier phases of the development. The Highway Engineer considers that the provision of 9 car parking spaces for the block is adequate in accordance with UDP Saved Policy AM14.

With regard to cycle storage facilities, the apartment block offers a secure cycle store, with capacity for one bicycle per unit, in accordance with Council standards, in compliance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **7.11 Urban design, access and security**

These issues have been dealt with elsewhere in the report.

#### **7.12 Disabled access**

The Access Officer has commented that the scheme should comply with all 16 Lifetime Home standards (as relevant) and should be shown on plan. It is considered that had the application been recommended for approval, further amendments to the internal layout of the units to comply with life time homes standards could have been addressed by condition.

#### **7.13 Provision of affordable & special needs housing**

The Council's Planning Obligations SPD (July 2008) requires and schemes with 10 units or more to secure 50% affordable housing. Since this application is for a net gain of 3 units, there would be no requirement to secure additional affordable housing in this case.

#### **7.14 Trees, Landscaping and Ecology**

The young trees on the site form part of the approved and implemented landscaping scheme for this part of the former RAF Eastcote site. Given that there are no proposed changes to the layout, there will be no changes to the landscaping and no loss of trees. Subject to any necessary landscape-related conditions, the application is acceptable in terms of Saved Policy BE38 of the UDP.

There are no specific flooding or drainage issues associated with this application.

#### **7.15 Sustainable waste management**

The approved scheme already provides for secure, covered bin and cycle storage for Block J. Had the application been acceptable in other respects, the requirement for the scheme to provide for appropriate covered and secure refuse and recycling bin storage facilities could be secured by a condition.

#### **7.16 Renewable energy / Sustainability**

The building has already been erected to comply with the 2006 Building Regulations. It is considered that on-site renewable energy generation could have been dealt with by means of suitably worded condition in the event of an approval.

#### **7.17 Flooding or Drainage Issues**

There are no specific flooding or drainage issues associated with this application.

#### **7.18 Noise or Air Quality Issues**

With respect to the noise impact the development may have upon surrounding residents, traffic to the proposed development would utilise the existing estate roads and it is not considered that any additional vehicle movements associated with the proposed development would result in the occupiers of surrounding properties suffering any significant additional noise and disturbance or visual intrusion, in compliance with Saved Policy OE1 of the UDP.

#### **7.19 Comments on Public Consultations**

The primary concerns relating to the increase in density, impact of the development on the character of the area, parking and the impact on residential amenity (loss of privacy and outlook) have been dealt with in detail in other sections of the report.

#### **7.20 Planning Obligations**

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals. These UDP policies are supported by more specific supplementary planning guidance.

No planning obligations are considered necessary to address this proposal in this case.

#### **7.21 Expediency of enforcement action**

Not applicable to this application.

#### **7.22 Other Issues**

There are no other issues arising from this application.

### **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**

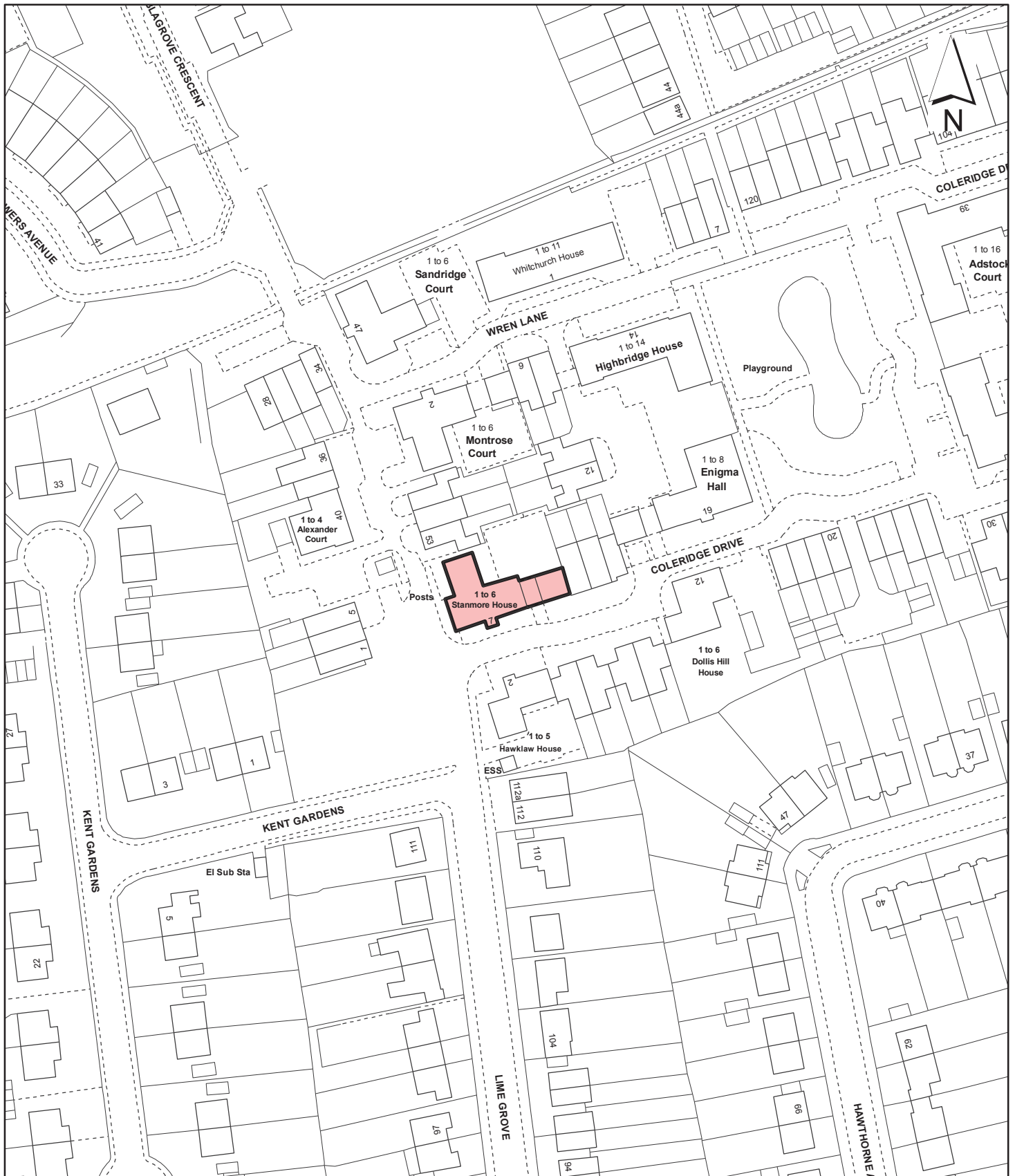
No objections are raised to the principle of the change of use of the work element of the Live/Work units to residential. However, the scheme would result in an intensification of use in this part of the RAF site that would fail to produce good environmental conditions for existing and future occupiers of the block, in terms of adequate amenity space. The application is therefore recommended for refusal.

## **11. Reference Documents**

The National Planning Policy Framework  
London Plan (2011)  
Hillingdon Unitary Development Plan Saved Policies (September 2007)  
HDAS: Accessible Hillingdon  
HDAS: Residential Layouts  
Supplementary Planning Guidance Community Safety by Design

**Contact Officer:** Karl Dafe

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**Former RAF Eastcote  
Lime Grove  
Ruislip**

Planning Application Ref:

**10189/APP/2012/109**

Planning Committee

**North**

Scale

**1:1,250**

Date

**August  
2012**

**LONDON BOROUGH  
OF HILLINGDON**  
Planning,  
Environment, Education  
& Community Services

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