

## Report of the Head of Planning & Enforcement Services

**Address** 56-58 HIGH STREET RUISLIP

**Development:** Part first floor and part two storey extension to existing rear element to create a studio flat

**LBH Ref Nos:** 17961/APP/2012/1008

**Drawing Nos:** 1965/04A  
Block Plan to Scale 1:500  
Location Plan to Scale 1:1250  
Planning Statement  
1965/01A

**Date Plans Received:** 27/04/2012      **Date(s) of Amendment(s):**

**Date Application Valid:** 11/05/2012

### **DEFERRED ON 8th August 2012 FOR SITE VISIT .**

This application was deferred from the committee of the 8th August 2012 for a site visit. Members undertook the site visit on the 21st August 2012. Additional concerns which were identified at the site visit are considered in the main body of the report and are reflected in two additional reasons for refusal being added in comparison to the report before members on the 8th August.

#### **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. The proposal would not provide adequate amenities for future occupiers, 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 and it would result in loss of privacy to an existing garden area adjoining. Refusal is therefore recommended.

#### **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 and adjoining properties. As such, the proposal would have a detrimental impact on the character and appearance of the locally listed buildings at Nos. 54-68 High Street and the surrounding Ruislip Village Conservation Area generally, contrary to Policies BE4, BE8, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

##### **2 NON2 Non Standard reason for refusal**

The proposal, by reason of its inadequate separation distances between the habitable room windows in the proposed dwelling and the existing property at 54 High Street, would result in an unsatisfactory residential environment for future occupiers, by virtue of poor levels of outlook and sense of enclosure contrary to Policies BE19 and BE21 of the

Hillingdon Unitary Development Plan (Saved Policies September 2007), Policy 3.5 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

### **3 NON2 Non Standard reason for refusal**

The proposed development by reason of the siting of the habitable room windows and their proximity to the amenity area of the neighbouring property would result in a form of development which would not provide satisfactory amenities for that adjoining property, due to the loss of privacy that would arise. The proposal is therefore contrary to Policy BE24 of the Hillingdon Unitary Development Plan (Saved Policies September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

### **4 NON2 Non Standard reason for refusal**

The proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policy 3.8 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

## **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 of the units have rear extensions with residential accommodation above and are accessed from the rear. The application site itself comprises Nos. 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 No. 56 High Street, a bank, and to the south east lies No. 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 designated in the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007). The application site is also within 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 application proposal has been amended from that refused under application 13991/APP/2010/2460.

The proposed part two storey, part first floor extension would follow the configuration of the existing rear extension. The proposed new addition to the rear of No.58 is very similar to that previously refused under app ref 13991/APP/2010/2460. It has a similar footprint to the previous scheme and a small area of pitched roof to the access road elevation. The first floor side elevations would be finished in render and include a varied design of windows. The proposed studio flat would comprise a kitchen, living/bedroom and bathroom. The living room window in the side elevation would overlook the private garden area of the existing first floor flat (No. 56A).

### **3.3 Relevant Planning History**

13991/APP/2010/2460 58 High Street Ruislip

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

**Decision:** 07-04-2011 Refused

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

13991/APP/2010/2460 - was refused for a part first floor part two storey extension to form a studio flat for the following reasons:-

1. 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 locally listed buildings at Nos. 54 - 68 High Street, Ruislip and the Ruislip Village Conservation Area and the surrounding area generally, contrary to policies BE4, BE8, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007).

2. 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).

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

No additional policies for consideration.

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

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

Part 1 Policies:

PT1.10 To seek to ensure that development does not adversely affect the amenity and the character of the area.

Part 2 Policies:

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

AM14	New development and car parking standards.
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 3.3	(2011) Increasing housing supply
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 5.3	(2011) Sustainable design and construction

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

**5.1** Advertisement Expiry Date:- **13th June 2012**

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

## **6. Consultations**

### **External Consultees**

15 neighbours, the Ruislip Residents Association and the Ruislip Village Conservation panel were consulted by letter dated 14.5.12. No responses have been received to date.

A petition of objection has been received with 23 signatories. No detailed comments are provided as to the nature of the objection, other than to enable the opportunity to speak at the Planning Committee.

### **Internal Consultees**

Conservation Officer:

PROPOSAL: Part first floor and part two storey extension to existing rear element to create a studio flat

BACKGROUND: The site is located in the Ruislip Village Conservation Area and forms part of a terrace of two storey Locally Listed Buildings in the Arts and Crafts style. These properties have paired, two storey wings to the rear, which appear to be original to the terrace. The area to the rear of the property also 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 commercial buildings on the corner with Ickenham Road also back onto the same service area and some have two storey flat roofed rear additions. These, however, are of a different design and scale to Nos. 58-70 and as such should not be used as a precedent for similar works on this site.

COMMENT: The proposed new addition to the rear of No. 58 is very similar to that previously refused under app ref 13991/ APP/2010/2460. It has a slightly larger footprint than the previous scheme and a small area of pitched roof to the access road elevation.

Like that proposal the new additions would result in a structure that would be taller and deeper than the other secondary structures immediately adjoining this site and to the rear of this terrace. It would also have a distinctive mainly flat roof form with a deep fascia. 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.

RECOMMENDATIONS: Objection to the design and size of the addition.

Officer comment: The applicant's agent have advised that the footprint is the same as that originally refused. The Conservation Officer has acknowledged that this is the case, but remains concerned about the height and bulk of the proposed extension. Strong objections are therefore maintained.

Highways Comments:

The site is located close to bus services and the nearest underground station is Ruislip.

Subject to provision of a secured and covered cycle parking space being secured through a planning condition, there is no objection from the highways perspective.

Access Officer:

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

The following access observations are provided:

1. The proposed development would result in limited living space, and could not reasonably incorporate the Lifetime Home Standards in accordance with the above policy requirements.
2. The scheme does not include provision of a downstairs WC, which would be contrary to Part M of the Building Regulations:2004. If planning permission is granted, it is unlikely that the proposal, as designed, would be permissible under the Building Regulations

Conclusion: Unacceptable.

Officer Comment: It is noted that the proposal would provide adequate internal floorspace in relation to a studio flat for amenity reasons, however the internal layout unusual for such a unit due to the nature of the site and the split level design, which also means that a portion of the floorspace is taken up by stairs, overall it is not considered that the internal layout proposed is capable of meeting the minimum requirements of a Lifetime Home.

## **7. MAIN PLANNING ISSUES**

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

The proposed development would make use of existing brownfield land to create one residential unit, in accordance with National Planning Policy Framework guidance on the location of new housing and Policy H4 of the adopted UDP (Saved Policies September 2007).

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

Policy 3.4 of the London Plan (July 2011) advises that Boroughs should ensure that development proposals maximise housing output having regard to local context, design principles, density guidance in Table 3.2 and public transport accessibility. Table 3.2 establishes a density matrix to establish a strategic framework for appropriate densities at different locations.

The site is located within an urban location and has a Public Transport Accessibility Level (PTAL) of 3. Taking these parameters into account, the matrix recommends a density of 200-450 hr/ha. This proposal equates to a density of 250 hr/ha. The proposal therefore satisfies the density standards as recommended by the London Plan 2011.

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

The site is located within the Ruislip Village Conservation Area. It is considered that the new additions would result in a structure that would be taller and deeper than the other secondary structures immediately adjoining this site and to the rear of this terrace. It would also have a distinctive mainly flat roof form with a deep fascia. 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 over large given its immediate surroundings, and hence unacceptable in conservation and design terms. As such, by reason of its overall bulk and scale, the proposal would have a detrimental impact 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).

### **7.04 Airport safeguarding**

Not applicable to this application.

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

Not applicable to this application.

### **7.06 Environmental Impact**

The Environmental Protection Unit have raised no objection to the proposal and the application is therefore considered acceptable in relation to policies OE1 and OE3 of the Hillingdon UDP (Saved Policies 2007).

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

There are two storey rear extensions to properties in the terrace, notably at No. 54 High Street. As such, the principle of a two storey rear extension is acceptable.

However, the revised proposal is for an extension with the same footprint as the previously refused scheme with a small area of pitched roof to the access road elevation. Like the former proposal the new additions would result in a structure that would be taller and deeper than the other secondary structures immediately adjoining this site and to the rear of this terrace. It would also have a distinctive mainly flat roof form with a deep fascia. 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 over large given its immediate surroundings, and hence unacceptable in conservation and design terms.

As such, by reason of its overall bulk and scale, the proposal 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 No. 56a High Street. That first floor flat does not have habitable room windows in the rear

elevation and as such, the proposal is considered not 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.

The first floor of the proposed development would have three windows serving living/bedroom facing the private rear garden area of No. 56a High Street at a distance of some 1m. This garden is not particularly overlooked at present by any habitable room windows from the adjoining properties and thus enjoys a high level of privacy. The proposal would result in the direct overlooking of this area at a very short distance to the detriment of the amenities of the users of this space in terms of loss of privacy. As such the proposal is considered contrary to Policy BE24 of the Hillingdon UDP (Saved policies) 2007.

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

The internal size of the proposed studio unit equates to approximately 51sq.m and this would provide adequate internal floor space to satisfy the minimum area of 33m<sup>2</sup> considered by the SPD HDAS: Residential Layouts to be the minimum necessary to provide an adequate standard of amenity for studio flats and also complies with the relevant London Plan space requirements (This also meets the standards for a 1 bedroom unit as set out within the HDAS: Residential Layouts and the London Plan).

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.

However, the outlook from habitable rooms is considered unacceptable. Paragraph 4.9 of the council's adopted Supplementary Planning Document HDAS: Residential Layouts states that "where a two or more storey building abuts a property or its garden, adequate distance should be maintained to overcome possible overdomination" and recommends a minimum of 15m as being the acceptable distance. The only windows to the proposed residential units are some 7.8m from the two storey wall of the property at 54 High Street. As such, the proposal would provide an inadequate standard of residential accommodation, contrary to policies BE19 and BE21 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **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.

During the consideration of the previous application the officer's report stated that the proposal would involve the loss of an existing off-street parking space and the proposal failed to make provision for its replacement. As such, the former application was refused on the grounds that 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). The applicants have since clarified that this is not the case. There is only one allocated parking space at the rear which is included in the flat lease at No.56. The proposed development would formalise this space but would not result in the loss of a space. The proposal would not therefore detrimentally affect the parking situation in the locality. Cycle parking provision has been provided. The proposed development would therefore be in accordance with policies AM2, AM7 and 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**

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

Whilst the proposed unit would meet the minimum floorspace requirements in terms of amenity for a studio flat (or indeed a one bedroom flat), the internal design is unusual for a studio flat in that it is across a split level and the stair take up a proportion of the floorspace. Having regard to this arrangement it is considered that the level of space available is insufficient to incorporate Lifetime Homes Standards in accordance with the above policy requirements. The scheme does not include provision of a downstairs WC, which would be contrary to Part M of the Building Regulations:2004. As such, the proposal would fail to meet all relevant Lifetime Home Standards, contrary to Policy 3.8 of the London Plan (2011) and the Council's adopted Supplementary Planning Document HDAS: Accessible Hillingdon.

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

The proposal falls below the threshold for affordable housing.

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

The application does not contain any details of landscaping. Furthermore, in view of the location of the proposed dwelling partially at first floor level and partially on a service area, it is considered unnecessary to provide landscaping.

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

Not applicable to this application

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

Policy 5.3 of the London Plan 2011 requires the highest standards of sustainable design and construction to be achieved. To ensure the development complies with this policy a condition could be added for the development to be built to Code for Sustainable Homes Level 3, with an interim certificate and specification provided before the commencement of works.

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

Not applicable to this application.

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

Not applicable to this application.

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

A petition of objection has been received in respect of this application.

#### **7.20 Planning Obligations**

The application proposal does not result in a net gain of 6 rooms or more and as such, financial contributions by way of a S106 are not required.



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

Not applicable to this application.

#### **7.22 Other Issues**

None.

### **8. Observations of the Borough Solicitor**

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

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

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

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

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

### **9. Observations of the Director of Finance**

Not applicable to this application.

### **10. CONCLUSION**

The proposal would be unacceptable in terms of its visual impact, provision of inadequate amenities for future occupiers, it would result in loss of privacy to an existing garden area adjoining and its adherence to the Lifetime Homes Standards and so would not comply with the aforementioned policies of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007), this application is therefore recommended for refusal.

### **11. Reference Documents**

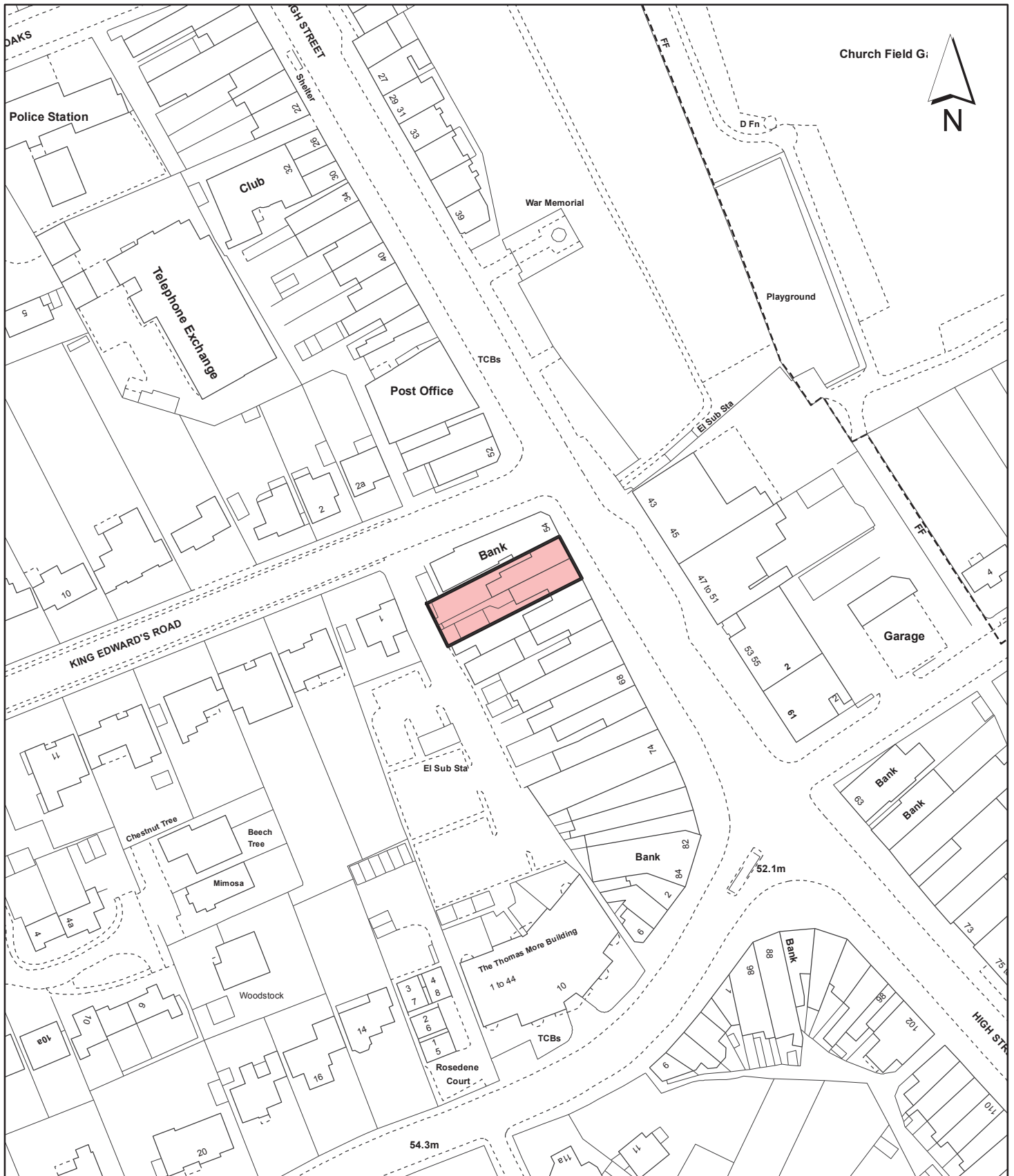
London Plan 2011.

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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Site Address

**56 - 58 High Street  
Ruislip**

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

Civic Centre, Uxbridge, Middx. UB8 1UW  
Telephone No.: Uxbridge 250111

Planning Application Ref:

**17961/APP/2012/1008**

Scale

**1:1,250**

Planning Committee

**North**

Date

**August  
2012**



**HILLINGDON**  
LONDON