

## Report of the Head of Planning, Sport and Green Spaces

**Address** 2 MIDCROFT RUISLIP

**Development:** Demolition of existing petrol station with tanks and erection of a four storey building comprising 14 residential units, 2 commercial units at the ground floor with associated access, underground car parking and cycle storage.

**LBH Ref Nos:** 4918/APP/2014/1274

**Drawing Nos:** 1329 - Design and Access Statement  
1329 CIL Form  
P101 - Location Plan  
P203 Rev C Proposed Floor Plan  
P204 Rev B Visibility Splays  
P202 Rev D Proposed Floor Plan  
P201 Rev D Proposed Elevations

**Date Plans Received:** 11/04/2014      **Date(s) of Amendment(s):** 11/04/2014  
**Date Application Valid:** 04/09/2014      20/08/2014  
26/09/2014

### 1. SUMMARY

This application proposes the demolition of an existing petrol station and the erection of a four storey building comprising 14 residential units, a commercial unit at the ground floor level and associated access, underground car parking and cycle storage.

It is considered that the proposed development would provide an acceptable use on the ground floor in this location and residential units of an acceptable standard for future occupiers. The design, layout, parking and scale of the proposal are deemed to conform with the requirements of the Hillingdon Local Plan (2012) and the London Plan (2011).

Therefore, subject to conditions, the application is recommended for approval.

### 2. RECOMMENDATION

**1. That delegated powers be given to the Head of Planning, Green Spaces and Culture to grant planning permission subject to:**

**A) Entering into an agreement with the applicant under Section 106 of the Town and Country Planning Act 1990 (as amended) and/or S278 of the Highways Act 1980 (as amended) and/or other appropriate legislation to secure:**

- i) Air Quality Management contribution £12,500;**
- ii) Construction Training: £2500 per £1m of building costs + £9600 per phase of development for coordinator costs or an in kind scheme.**
- iii) Travel Plan including a £20,000.00 bond;**
- iv) Project Management and Monitoring Sum: a financial contribution equal to 5% of the total cash contribution.**
- v) Affordable Housing Review Mechanism.**

**B) That in respect of the application for planning permission, the applicant meets the Councils reasonable costs in preparation of the Section 106 and/or 278**

Agreements and any abortive work as a result of the agreement not being completed.

C)That Officers be authorised to negotiate and agree the detailed terms of the proposed agreement and conditions of approval.

D)If the Legal Agreements have not been finalised by 4th December 2014, delegated authority be given to the Head of Planning, Green Spaces and Culture to refuse planning permission for the following reason:

'The applicant has failed to deliver necessary offsite highway works and to provide contributions towards the improvement of services and facilities as a consequence of demands created by the proposed development (in respect of employment, air quality management and Travel Plan). The proposals therefore conflicts with Policy AM2, AM7 and R17 of the adopted Local Plan and the Councils Planning Obligations SPG.'

E)That subject to the above, the application be deferred for determination by the Head of Planning, Green Spaces and Culture under delegated powers, subject to completion of the legal agreement under Section 106 of the Town and Country Planning Act 1990 and other appropriate powers with the applicant.

F)That if the application is approved, the following conditions be imposed subject to changes negotiated by the Head of Planning, Green Spaces and Culture prior to issuing the decision:

**1 RES3 Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990

**2 RES4 Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P201 Rev C, P202 Rev C, P203 Rev C and P204 Rev B.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

**3 RES5 General compliance with supporting documentation**

The development hereby permitted shall not be occupied until the following has been completed in accordance with the specified supporting plans and/or documents:  
Lifetime Home Standards and Accessibility (Design and Access Statement)

Thereafter the development shall be retained/maintained in accordance with these details for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan:

Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

#### **4 RES7 Materials (Submission)**

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

- i) Render- colour, texture and finish
- ii) Brick sample to be provided for agreement
- iii) Design and materials for balconies, railings and screening, including high level enclosures
- iv) Design details, colour and finish for external doors and windows

Details should include information relating to make, product/type, colour and photographs/images.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

#### **5 RES9 Landscaping (car parking & refuse/cycle storage)**

No development shall take place until a landscape scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -

- 1. Details of Soft Landscaping
  - 1.a Planting plans (at not less than a scale of 1:100),
  - 1.b Written specification of planting and cultivation works to be undertaken,
  - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
- 2. Details of Hard Landscaping
  - 2.a Refuse Storage
  - 2.b Cycle Storage for 14 bicycles
  - 2.c Means of enclosure/boundary treatments
  - 2.d Car Parking Layouts (including demonstration that 1 parking space will be served by electrical charging points)
  - 2.e Hard Surfacing Materials
  - 2.f External Lighting
  - 2.g Other structures (such as play equipment and furniture)
- 3. Living Walls and Roofs
  - 3.a Details of the inclusion of living walls and roofs or
  - 3.b Justification as to why no part of the development can include living walls and roofs
- 4. Details of Landscape Maintenance
  - 4.a Landscape Maintenance Schedule for a minimum period of 5 years.
  - 4.b Proposals for the replacement of any tree, shrub, or area of surfing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.
- 5. Schedule for Implementation

6. Other

6.a Existing and proposed functional services above and below ground

6.b Proposed finishing levels or contours

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON

To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies BE13, BE38 and AM14 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policies 5.11 (living walls and roofs) and 5.17 (refuse storage) of the London Plan (July 2011)

**6 RES12 No additional windows or doors**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**7 RES16 Code for Sustainable Homes**

The dwelling(s) shall achieve Level 4 of the Code for Sustainable Homes. No development shall commence until a signed design stage certificate confirming this level has been received. The design stage certificate shall be retained and made available for inspection by the Local Planning Authority on request.

The development must be completed in accordance with the principles of the design stage certificate and the applicant shall ensure that completion stage certificate has been attained prior to occupancy of each dwelling.

REASON

To ensure that the objectives of sustainable development identified in London Plan (July 2011) Policies 5.1 and 5.3.

**8 RES18 Lifetime Homes/Wheelchair Units**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards. Further 10% of the units hereby approved shall be designed and constructed to be fully wheelchair accessible or easily adaptable for residents who are wheelchair users, as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

REASON

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (July 2011) Policies 3.1, 3.8 and 7.2

**9 RES23 Visibility Splays - Pedestrian**

The access for the proposed car parking shall be provided with those parts of 2.4m x 2.4m pedestrian visibility splays which can be accommodated within the site in both

directions and shall be maintained free of all obstacles to the visibility between heights of 0.6m and 2.0m above the level of the adjoining highway.

#### REASON

In the interests of highway and pedestrian safety in accordance with policy AM7 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

#### **10 RES24 Secured by Design**

The dwelling(s) shall achieve 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO). No dwelling shall be occupied until accreditation has been achieved.

#### REASON

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with London Plan (July 2011) Policies 7.1 and 7.3.

#### **11 RES26 Contaminated Land**

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

(iv) All soils imported or used for the development shall be clean and free of

contamination. Site derived soils and imported soils shall be inspected and tested for chemical contamination.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan (November 2012).

## **12 RES15 Sustainable Water Management (changed from SUDS)**

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
    - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
    - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
    - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
    - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
  - ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
  - iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.
- The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
- iii incorporate water saving measures and equipment.
  - iv. provide details of water collection facilities to capture excess rainwater;
  - v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

Reason:

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

## **13 COM17 Control of site noise rating level**

The rating level of noise emitted from the plant and/or machinery hereby approved shall

be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

#### **14 NONSC Non Standard Condition**

The ground floor commercial premises shall not be used for loading and unloading including rubbish collections outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 01:00 on Saturdays and not at all on on Sundays or Bank Holidays.

Reason: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

#### **15 H7 Parking Arrangements (Residential)**

The parking areas (including the marking out of parking spaces) shown on the approved plans, shall be constructed, designated and allocated for the sole use of the occupants prior to the occupation of the development and thereafter be permanently retained and used for no other purpose.

#### **REASON**

To ensure that an appropriate level of car parking provision is provided on site in accordance with Policy AM14 of the adopted Hillingdon Local Plan (November 2012). and Chapter 3C of the London Plan (July 2011).

### **INFORMATIVES**

#### **1**

Control of environmental nuisance from construction work

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

#### **2**

The applicant/developer is advised to review the Environment Agency's Pollution Prevention Guidelines (PPG) 7 'The safe operation of refuelling facilities'.

#### **3 I52 Compulsory Informative (1)**

The decision to GRANT 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).

#### **4 I53 Compulsory Informative (2)**

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (July 2011) and national guidance.

AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
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.
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.
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
BE4	New development within or on the fringes of conservation areas
BE26	Town centres - design, layout and landscaping of new buildings
H3	Loss and replacement of residential accommodation
H4	Mix of housing units
H8	Change of use from non-residential to residential
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 2.15	(2011) Town Centres
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments



LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
OE1	Protection of the character and amenities of surrounding properties and the local area

## **5 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 saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies.

On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

### **3. CONSIDERATIONS**

#### **3.1 Site and Locality**

The site is located within Ruislip Town Centre, Ruislip Village Conservation Area, and within an archaeological priority area. It is also adjacent to an Area of Special Local Character and located opposite a locally listed building at No. 63 High Street.

There is a good quality public park and a cemetery to the north of the site (Church Field Gardens public open space). It is therefore a sensitive context in which to bring forward redevelopment. The site currently comprises of a petrol filling station that is not currently operational and a car wash facility that does not benefit from planning permission as a planning unit operating in isolation.

The site fronts onto Midcroft, a residential street comprising good quality two storey suburban housing. It is positioned immediately to the rear of No 53 - 61 High Street. This comprises a 1970s three storey building (including mansard roof) that has commercial/retail units at ground floor with office use above. Surface car parking lines its rear courtyard area, immediately abutting the site. To its east lies an important pedestrian route, leading into the expansive open space of Church Field Gardens, with good quality two storey family houses lining Midcroft beyond. The nearest house, No 4 Midcroft, abuts the pedestrian route and is a two storey single family dwelling with flank windows at ground and first floor level together with a long and large rear garden (all of which are sensitive to issues of overlooking). To the more immediate north of the site lie a series of service yards associated with uses to businesses in 43-51 High Street. These uses have considerable parking and servicing associated with them and which are accessed via the road/right of way that forms the site's eastern edge. On the south side of Midcroft the site faces onto the return two storey flank and service yard of the locally Listed Building at No 63 High Street.

The site is on the border of PTAL score areas of 3 & 4 and within a developed area as designated by the policies contained within the Hillingdon Local Plan (November 2012).

### 3.2 Proposed Scheme

The proposed development relates to the demolition of the existing petrol station and removal of petrol storage tanks with the construction of a four storey building with a commercial unit on the ground floor and three storeys of residential use above to provide a total of 14 units (11 x 2 bed units and 3 x studios. Also proposed is a basement car park with 14no. spaces and one surface level disabled parking space and an additional standard space. Cycle parking for 14 units and bin storage is also located within the building at ground floor level.

### 3.3 Relevant Planning History

4918/AD/83/0633                      Jr Inwards Midcroft Ruislip

Alterations to elevations of sales building.

**Decision:** 07-06-1983    Approved

4918/AE/89/3615                      R/O 53-61 Fronting Midcroft High Street Ruislip

Installation of an internally illuminated pole sign, shop fascia, wall mounted promotional sign and canopy sign

**Decision:** 27-02-1990    Approved

4918/AG/94/1574                      Midcroft Self-Serve, Midcroft High Street Ruislip

Installation of underground fuel storage tank and erection of jet wash facility

**Decision:** 29-03-1995    Approved

4918/APP/2001/482                      Midcroft Self Service Midcroft Ruislip

INSTALLATION OF A 10,000 LITRE ABOVE GROUND DIESEL TANK TO THE REAR OF THE SERVICE STATION

**Decision:** 17-07-2001    Approved

4918/APP/2008/805                      Jet Petrol Station Midcroft Ruislip

Erection of a 60-bedroom hotel (involving demolition of existing petrol station) (outline application).

**Decision:** 29-08-2008    Withdrawn

4918/PRE/2006/36                      Jet Petrol Station Midcroft Ruislip

T P PRE - CORRES: RESIDENTIAL DEVELOPMENT

**Decision:**

#### Comment on Relevant Planning History

The site has been subject to a number of applications relating to its former use as a petrol station, such as the installation of fuel tanks. In relation to the current proposal an application was made in 2008 (ref. 4918/APP/2008/805) for a 60 bedroom hotel. This

application was withdrawn however prior to a determination on the schemes acceptability being made.

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

No additional policies.

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

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

- AM13 AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): -  
(i) Dial-a-ride and mobility bus services  
(ii) Shopmobility schemes  
(iii) Convenient parking spaces  
(iv) Design of road, footway, parking and pedestrian and street furniture schemes
- AM14 New development and car parking standards.
- AM2 Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
- AM7 Consideration of traffic generated by proposed developments.
- 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.
- 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.
- BE3 Investigation of sites of archaeological interest and protection of archaeological remains
- BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
- BE4 New development within or on the fringes of conservation areas
- BE26 Town centres - design, layout and landscaping of new buildings
- H3 Loss and replacement of residential accommodation
- H4 Mix of housing units
- H8 Change of use from non-residential to residential
- 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 2.15	(2011) Town Centres
LPP 3.4	(2011) Optimising housing potential
LPP 3.5	(2011) Quality and design of housing developments
LPP 3.8	(2011) Housing Choice
LPP 5.3	(2011) Sustainable design and construction
LPP 6.13	(2011) Parking
LPP 6.9	(2011) Cycling
LPP 7.3	(2011) Designing out crime
LPP 7.4	(2011) Local character
LPP 7.6	(2011) Architecture
OE1	Protection of the character and amenities of surrounding properties and the local area

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th June 2014**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

46 neighbouring occupiers were consulted on the proposal on the 28/05/14 and a site notice was displayed. By the end of the consultation period thirteen comments or letters of objection had been received. These can be summarised as:

- Inappropriate use
- Out of scale
- Out of character
- Overlooking/loss of privacy
- Health and safety
- Impact of shop displays
- Delivery concerns
- Overdevelopment
- Poor design for the area
- Loss of light
- Insufficient parking
- Do they have the legal right to build over the rear access road?
- Insufficient height and width for refuse collection and delivery vehicles
- Detrimental impact on access to Churchfield Gardens
- Neighbouring properties would all be seriously inconvenienced by the construction
- The proposed structure comes too far towards the pavement
- Could set precedent for future proposals damaging to the quiet residential nature of the street
- Impact on outlook
- Potential youth problems and anti social behaviour
- The fence on the West side of the pedestrian access to Churchfield Gardens must be maintained and should be a condition of any consent
- Development is not environmentally friendly
- Strain on the waterworks and sewage system

- Oversight of playground (or not) and any attendant risks
- Fails to provide sufficient green areas that would make it compatible with its setting
- The proposed front and rear building lines do not follow the existing building lines.
- Devalue of property

#### RUISLIP, NORTHWOOD AND EASTCOTE LOCAL HISTORY SOCIETY

I am writing on behalf of the society to express our grave concerns about the application to demolish the garage and car wash at 2 Midcroft and replace them with a four storey block of flats.

The proposed development of four full storeys will be higher than the surrounding buildings and the monolithic solid looking design will make it obtrusive and over-dominant. The flat roof will not be in keeping with the predominant pitched roofs of all the surrounding properties especially the locally listed building opposite (the NatWest bank).

The site is very sensitive as it sits within the Ruislip Village Conservation Area and adjacent to an Area of Special Local character. When the Conservation Area was extended in 2008 to include the High Street it was to protect a remarkably intact Metroland suburban shopping centre with its two storey buildings in an attractive brickwork with pitched roofs and gables. The centre of Ruislip was planned as a garden suburb and the Area of Special Local Character has retained this feel with its good quality housing and mature gardens and tree-lined streets.

The site is also within an archaeology priority area and we are concerned that the necessary evaluation and assessments must be taken into account when making a planning decision.

We think that this proposed development will be detrimental to an important historical site and have a negative impact on the Ruislip Village Conservation Area and should be refused.

#### WARD COUNCILLOR

A local Ward Councillor also raised concerns regarding the scale of the development and an objection to the proposal on the grounds that it would be over dominant.

#### RUISLIP CONSERVATION PANEL

I am writing on behalf of the Ruislip Village Conservation Area Panel because of the effect such a development would have upon the Conservation Area, which it adjoins, and the High Street, upon which the Council has spent so much money in recent years, not to mention the lives of people living in the houses in Midcroft.

The main objections are to the height of the building and its monolithic appearance. It would be quite out of keeping with the High Street, which generally provides a pleasing townscape of low-rise buildings in brick, characterised by hipped roofs and gables, many with Arts and Crafts details, complementing the Garden Suburb principles of the 1914 Ruislip-Northwood Town Plan that guided Ruislip's suburban development.

If such a development were allowed to proceed, it would appear to residents that Conservation Areas are not valued in this Borough.

#### Case Officer's Comments:

The Conservation Panels comments relate to the original plans. The proposal has since been reduced in height to match the adjacent building.

#### ENVIRONMENT AGENCY

As potentially contaminating activities have previously been conducted at this site, an assessment of risks to controlled waters from the land should be carried out in accordance with the National Planning Policy Framework (NPPF) (Reference ID: 33-007-20140306).

National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that, after remediation, land should not be capable of being determined as Contaminated Land under Part 2a of the Environmental Protection Act 1990.

Responsibility for the safe development and secure occupancy of the site rests with the developer/landowner. Any visibly contaminated or odorous material encountered on the site during the development work, must be investigated. The Planning Authority must be informed immediately of the nature and degree of contamination present.

We also recommend that developers:

- Apply the risk- based framework set out in the Model Procedures for the Management of Land Contamination (CLR 11) and follow the guidance in that document so that you can make the best decisions for your site.
- Refer to the Environment Agency guidance on requirements for land contamination reports.
- Should the level of contamination exceed the Generic Risk assessments, a detailed Quantitative risk assessment should be carried in accordance with Environment Agency Remedial Targets Methodology (2006).
- Use MCERTS accredited methods for testing contaminated soils at the site.

#### Surface Water and foul drainage

Approved Document Part H of the Building Regulations 2000 establishes a hierarchy for surface water disposal, which encourages a SUDS approach giving preference to the use of infiltration. In all cases, it should be established that these options are feasible, can be adopted and properly maintained and would not lead to any other environmental problems. For example, using soakaways or other infiltration methods on contaminated land carries groundwater pollution risks and may not work in areas with a high water table. Where the intention is to dispose to soakaway, these should be shown to work through an appropriate assessment carried out under Building Research Establishment (BRE) Digest 365. We would like to refer the applicant/enquirer to our groundwater positions in Groundwater Protection: Principles and Practice (August 2013), this sets out our position for a wide range of activities and developments including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Drainage

#### Pollution Prevention Guidance

The applicant is advised to review our Pollution Prevention Guidelines (PPG), in particular PPG 27 on the Installation, Decommissioning and Removal of Underground Storage Tanks.

#### Case Officer's Comments:

The condition requested by the Council's Water and Flood Management Officer is designed to ensure both issues raised by the EA will be implemented.

GREATER LONDON ARCHEOLOGICAL ADVISORY SERVICE (GLAAS)

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

Despite several unreliable or questionable assertions (see below), the applicant's desk-based assessment has helped clarify the site's archaeological potential. Most valuably it has shown that although adjacent to the High Street and close to the village's medieval core, the site lay just within Ruislip's the medieval open fields and so is unlikely to have significant remains of that period.

Assertions that there is no evidence for the motte & bailey castle at Ruislip (4.2.3) is of course absurd - it is a scheduled monument situated c 400m to the north of the application site. It is stated that the site is not in an Archaeological Priority Area - this is incorrect as a simple reading of my pre-application advice letter would have shown, and if in doubt could have been checked. The assumption that the archaeological interest would have been removed by use as a petrol station is too sweeping a generalisation to be acceptable without further site-specific evidence - whilst some disturbance will have occurred examples are known of sites which nevertheless have significant surviving interest.

Overall however despite these technical flaws the relatively modest scale of the development, location outside the known extent of the medieval village and modern ground disturbance overall do taken together support an assessment of low potential. No further assessment or conditions are therefore necessary.

### **Internal Consultees**

#### **ENVIRONMENTAL PROTECTION UNIT:**

This Phase 1 report follows the correct procedure in assessing the site for a desk study. The report details a conceptual model showing the potential pollutant linkages and classifies the site as 'Medium to High' risk. The main potential problems are anticipated to be from the fuel tanks (above and below ground tanks), the fuel interceptors, any other associated pipework and spillage of fuel affecting the soil or ground water. The ground water under the site appears to be in an unproductive aquifer with 300 metres to a more sensitive secondary A aquifer.

The tanks and infrastructure are not removed and the application is at the stage of the desk study only. A remediation strategy cannot be proposed until the site investigation and risk assessment is completed.

For this application I would ideally like sufficient ground investigation information to confirm what likely level of remediation is required at the site including the removal of all tanks and infrastructure. I cannot currently assess whether or not there is likely to be a problem with a sensitive residential use. It is possible that the building of the basement (523 m<sup>2</sup>) may remove most of the contaminated soil if found below the site.

If the past contamination investigations and assessments can be obtained from the developer or current owner (if the site is not yet purchased) these may help clarify the likely pollution levels below the site. I appreciate that the site is full of cars so new boreholes by a rig or even window sampling may be difficult prior to the application being considered.

We have a number of residential developments mainly flats on former petrol stations in the borough. These have been remediated but at each site a precautionary gas/vapour membrane has been installed. I would anticipate a similar membrane at this site.

Should a decision be taken to allow a planning permission for residential flats with some commercial units it is essential to apply our full contaminated land condition below to the consent.

## Contaminated Land Condition

### RES26 - Contaminated Land

(i) The development hereby permitted shall not commence until a scheme to deal with contamination has been submitted in accordance with the Supplementary Planning Guidance Document on Land Contamination and approved by the Local Planning Authority (LPA). The scheme shall include all of the following measures unless the LPA dispenses with any such requirement specifically and in writing:

(a) A desk-top study carried out by a competent person to characterise the site and provide information on the history of the site/surrounding area and to identify and evaluate all potential sources of contamination and impacts on land and water and all other identified receptors relevant to the site;

(b) A site investigation, including where relevant soil, soil gas, surface and groundwater sampling, together with the results of analysis and risk assessment shall be carried out by a suitably qualified and accredited consultant/contractor. The report should also clearly identify all risks, limitations and recommendations for remedial measures to make the site suitable for the proposed use; and

(c) A written method statement providing details of the remediation scheme and how the completion of the remedial works will be verified shall be agreed in writing with the LPA prior to commencement, along with details of a watching brief to address undiscovered contamination.

(ii) If during development works contamination not addressed in the submitted remediation scheme is identified, the updated watching brief shall be submitted and an addendum to the remediation scheme shall be agreed with the LPA prior to implementation; and

(iii) All works which form part of the remediation scheme shall be completed and a comprehensive verification report shall be submitted to the Council's Environmental Protection Unit before any part of the development is occupied or brought into use unless the LPA dispenses with any such requirement specifically and in writing.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with policy OE11 of the Hillingdon Local Plan (November 2012).

Please attach the following conditions:

#### Noise affecting residential property

The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5 dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 "Method for rating industrial noise affecting mixed residential and industrial areas".

Reason: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

#### Loading/unloading/deliveries

The premises shall not be used for loading and unloading including rubbish collections outside the hours of 08:00 and 18:00, Monday to Friday, and between the hours of 08:00 and 01:00 on Saturdays and not at all on on Sundays or Bank Holidays.



Reason: To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the Hillingdon Unitary Development Plan.

INF 20 Control of environmental nuisance from construction work (~ Informative 20)

Nuisance from demolition and construction work is subject to control under the Control of Pollution Act 1974, the Clean Air Act 1993 and the Environmental Protection Act 1990. You should ensure that the following are complied with:

- (i) Demolition and construction works should only be carried out between the hours of 0800 and 1800 on Monday to Friday and between the hours of 0800 and 1300 on Saturday. No works should be carried out on Sundays, Public or Bank Holidays;
- (ii) All noise generated during such works should be controlled in compliance with British Standard 5228, and use "best practicable means" as defined in section 72 of the Control of Pollution Act 1974;
- (iii) Measures should be taken to eliminate the release of dust, odours and other emissions caused by the works that may create a public health nuisance. Guidance on control measures is given in "The control of dust and emissions from construction and demolition: best practice guidelines", Greater London Authority, November 2006; and
- (iv) No bonfires that create dark smoke or cause nuisance to local residents should be allowed at any time.

#### TREES AND LANDSCAPING

The site is occupied by a small petrol station and forecourt to the rear of Ruislip High Street. The site is situated at the interface of the Town Centre and a residential street, whose character and visual amenity is enhanced by front gardens and street trees.

The site lies within the Ruislip Village Conservation Area. However, there are no trees, protected or otherwise, within the curtilage.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

- No trees or other landscape features of merit will be affected by the proposal.
- The Design & Access Statement proposes that the entrance forecourt will feature hard and soft landscape, providing pedestrian access and two off-street parking spaces (including one disabled access space).
- The visualisations and Location Plan: Proposed Floor Plans drawing No. 1329\_P202 indicate the provision of a specimen tree on the frontage, which will benefit both the setting of the building and the street scene.
- Planting in the form of low hedges / shrubs will define the site boundaries and wrap around the building. This layout drawing indicates one (disabled) parking space only.
- Drawing No. 1329\_P901 (aerial view) indicates the provision of photovoltaic cells and a green roof on the flat roof structure.
- With appropriate hard and soft landscape detailing the development could enhance this site and provide an enhanced transition between the High Street and the neighbouring residential street.
- If the application is recommended for approval, landscape conditions should be imposed to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment.

Recommendations:

No objection, subject to the above observations and COM9 (parts 1,2,3,4,5, and 6).

ACCESS OFFICER:

Located within Ruislip Town Centre the site consists of a disused fuel filling station and car wash facility. Planning permission is sought to form two commercial units on the ground floor, with 14 flats above over three floors. It is understood from the Design and Access Statement that the development would be constructed to comply with the Lifetime Homes Standards.

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 May 2013. Compliance with all 16 Lifetime Home standards (as relevant) should be shown on plan. In addition, 10% of new housing should comply with the Wheelchair Home Standards.

The proposed building would be of a contemporary design with a flat roof, an entrance forecourt with hard and soft landscaping. Two parking spaces are proposed on the forecourt, including one accessible bay.

The design incorporates a basement car park with 14 spaces, accessed via a 12.7% car ramp. Access to the residential units from the car park would be via a stair case and lift. The entrance to the residential core is in the middle of the layout, stepped back and facing Midcroft Road. Each floor typically comprises one studio flat and four, two bedroom units. All units have a private balcony leading from the living room.

It would appear that the proposed design does not include the requisite one unit which has been designed to meet the Wheelchair Home Standards.

The following access observations are provided:

1. A minimum of one bathroom in every flat should be designed in accordance with Lifetime Home standards. At least 700mm should be provided to one side of the WC, with 1100 mm provided between the front edge of the toilet pan and a door or wall opposite.
2. To allow a minimum of one bathroom in every flat to be used as a wet room in future, plans should indicate floor gulley drainage.
3. The development is required to incorporate a minimum of one dwelling which has been designed to meet the Wheelchair Home Standards. To ensure that the flat is designed to the correct specifications, reference should be made to the 'Accessible Hillingdon' SPD.

Case Officer's Comments:

The above issues have been addressed through revised plans and the attachment of an appropriate condition.

## FLOODING AND WATER MANAGEMENT OFFICER

The site already has underground tanks and a desktop study has been undertaken indicating the site should have a low risk of groundwater issues. Therefore please can I request the following condition be placed on the permission. A detailed site investigation should be submitted to support any drainage proposals, and the site should as a minimum meet the requirements of a 50% reduction in surface water discharge from the site ideally aiming for greenfield run off rates.

Prior to commencement, a scheme for the provision of sustainable water management shall be submitted to, and approved in writing by the Local Planning Authority. The scheme shall clearly demonstrate how it incorporates sustainable urban drainage in accordance with the hierarchy set out in Policy 5.15 of the London Plan and will:

- i. provide information on all Suds features including the method employed to delay and control the surface water discharged from the site and:
  - a. calculations showing storm period and intensity and volume of storage required to control surface water and size of features to control that volume.
  - b. any overland flooding should be shown, with flow paths depths and velocities identified as well as any hazards, ( safe access and egress must be demonstrated).
  - c. measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - d. how they or temporary measures will be implemented to ensure no increase in flood risk from commencement of construction.
- ii. provide a management and maintenance plan for the lifetime of the development of arrangements to secure the operation of the scheme throughout its lifetime. Including appropriate details of Inspection regimes, appropriate performance specification, remediation and timescales for the resolving of issues.
- iii. provide details of the body legally responsible for the implementation of the management and maintenance plan.  
The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
  - iii incorporate water saving measures and equipment.
- iv. provide details of water collection facilities to capture excess rainwater;
- v. provide details of how rain and grey water will be recycled and reused in the development.

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

Reason:

To ensure that surface water run off is controlled to ensure the development does not increase the risk of flooding contrary to Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) Policy 5.12 Flood Risk Management of the London Plan (July 2011) and National Planning Policy Framework (March 2012) and the Planning Practice Guidance (March 2014). To be handled as close to its source as possible in compliance with Policy 5.13 Sustainable Drainage of the London Plan (July 2011 or Jan 2014), and conserve water supplies in accordance with Policy 5.15 Water use and supplies of the London Plan (July 2011).

In response to comments received from the Environment Agency - there are two issues which they raise, firstly that of contamination and what the standard the site will be remediated too after development, and second is how the developer will manage water on site to ensure that controlled waters are not polluted and that sustainable drainage systems are utilised where ever possible. The condition I have requested is designed to ensure both will be implemented.

SUSTAINABILITY OFFICER

I have no objections to the proposed development subject to a roof plan showing the required m2 of PVs as set out in the energy report.

Case Officer's Comments:

The applicant has provided this detail in plan reference number P203 Revision C.

CONSERVATION AND URBAN DESIGN OFFICER

This site lies opposite a Locally Listed Building (The Natwest Bank), close to the village centre and within the Ruislip Village Conservation Area. It is also adjacent the Midcroft, Ruislip, Area of Special Local Character - all heritage assets. The existing building on the site is a petrol garage

and associated shop which has no architectural merit. The area can otherwise be characterised by the commercial post-War office premises relating to the High Street to one side and the inter-War semi-detached properties to the other. A public facing site, within and surrounded by heritage assets, the proposal should be of a quality that sustains and enhances the appearance of the area.

Comments: There is no objection to the demolition of the existing building; it is of no heritage merit. The site was formerly the rear garden/yard to 61 High Street, redeveloped as a garage in late 70s. A gap site, it is in need of careful redevelopment.

Position: The new building would be set back from the established building line and the plan-form generally integrates well within the plot. However, because it fills the plot, there is little by way of green amenity space for the occupants and little by way of green buffering to the side and rear. A smaller scheme would of course enable the incorporation of more green space as part of the development.

Scale/bulk: It would be hard to resist a building of a substantial size on this site given the scale of the existing commercial office blocks to the High Street and the existing petrol garage. However, I am concerned about the overall height, as it is higher than 61 High Street. Ideally, it could be reduced in height and width.

Design: A contemporary design is proposed, and to the Midcroft frontage, it could certainly be said to sustain the appearance of the area - especially if high quality materials are used. The revised drawings locate bike storage and bins to the front of the ground floor. This creates a less active frontage, but does not harm the overall appearance of the front elevation. However, to the sides and rear, the square pilotis make the building look as if it is floating, albeit less visible to the streetscene. The side elevation is lacking in any articulation and the main entrance could be made more prominent, increasing legibility.

There is simple hard and soft landscaping.

Materials: There is no objection to the proposed materials, but the overall design could be let down if not of quality.

Conclusion: Acceptable in principle. on balance, it would be difficult to argue the building does not sustain appearance of the streetscene.

Case Officer's Comments:

Amendments have been made to the proposed plans following receipt of these comments, including the introduction of a 'green wall' in the front elevation and a reduction in the total height of the development.

S106 OFFICER

The S106 Heads of Terms sought are:

1. Construction Training: Training costs - £2500 per £1m build cost - £2500 x 5 = £12,500 + £9600 coordinator costs = £22,100 or an in-kind scheme.
2. Air Quality Monitoring: £12,500
3. Project management & Monitoring fee equal to 5% of total cash contributions.

HIGHWAYS OFFICER

No adverse comments received

## **7. MAIN PLANNING ISSUES**

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

Paragraph 17 of the National Planning Policy Framework states that one of the core principles of the document is the "effective use of land by reusing land that has been previously developed (brownfield land)."

The London Plan (July 2011) aims to provide more homes within a range of tenures across the capital meeting a range of needs, of high design quality and supported by essential social infrastructure. In terms of new housing supply, the Borough of Hillingdon has been allocated a minimum target of 4,250 in the period from 2011-2021.

The form of such housing should provide a mix of dwelling types in different locations with those at higher densities providing for smaller households focused on areas with good public transport accessibility.

The proposed site is located within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). The site is also located in a conservation area and the building is not listed. There are no policies which prevent the redevelopment of the site, in principle. The principle for redevelopment of the site is thus accepted.

Redevelopment of the site is not opposed and the opportunity to enhance the Conservation Area, support the town centre, and upgrade the quality of the pedestrian entrance to the park in this location is welcomed. Given the site is located in a town centre the Council's first preference in policy terms would be for a mixed use development with ground floor commercial units and residential above, as currently proposed.

Hillingdon Local Plan (November 2012) Policy H4 states that wherever practicable a mix of housing units of different sizes should be provided in schemes of residential development including in particular units of one or two bedrooms. Within town centres predominantly one and two bedroom development will be preferable, as proposed.

The development is considered an acceptable reuse of a brownfield site and would represent an increase in residential accommodation, in accordance with the NPPF and Policy H4 of the Hillingdon Local Plan (November 2012). Therefore, the development is considered acceptable in principle.

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

Table 3.2 of the London Plan (July 2011) recommends that developments on urban sites with a PTAL score of 3/4 should be within the ranges of 45 - 185 u/ha or 200 - 700 hr/ha. The application proposes 11 x 2 bedroom, 3 x studio units, with the site area being approximately 775 sqm. This equates to a development density of 180 units per hectare and 645 habitable rooms per hectare which is within the density range for dwelling numbers and the habitable room density thresholds contained within Table 3.2 of the London Plan (July 2011).

It is considered that the density of the development is acceptable and the site can accommodate the proposed level of development whilst maintaining a satisfactory environment within and around the site.

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

The Greater London Archeological Advisory Service (GLAAS) has reviewed the development and concluded that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. GLASS conclude that 'the relatively modest

scale of the development, location outside the known extent of the medieval village and modern ground disturbance overall do, taken together, support an assessment of low potential. No further assessment or conditions are therefore necessary. The impact of the development on the Archaeological Priority Area is therefore deemed acceptable.

The site lies opposite a Locally Listed Building, close to the village centre and within the Ruislip Village Conservation Area. It is also adjacent the Midcroft/Ruislip Area of Special Local Character - all heritage assets. However the existing building on the site is a petrol garage and associated shop which has no architectural value or heritage merit. The Council's Conservation and Urban Design Officer has reviewed the proposal and determined that the scheme is acceptable in principle and that it would be difficult to argue the building does not sustain the appearance of the streetscene as required by policy.

The proposed development is therefore deemed in accordance with Policies BE1, BE3 and BE4 of the Hillingdon Local Plan (November 2012).

#### **7.04 Airport safeguarding**

Not applicable to this application

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

Not applicable to this application

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

As stated above the existing building on the site is a petrol garage which has no architectural merit. The area can otherwise be characterised by the commercial post-War office premises relating to the High Street to one side and the inter-War semi-detached properties to the other.

Notwithstanding that the site is located in a designated conservation area and adjacent to a designated area of special local character, there is no objection to the principle of a contemporary architectural design as proposed. The site sits in a transitional position in townscape terms from the relative scale associated with the commercial High Street of Ruislip that lies to its west and the residential neighbourhood to its east. It is also directly opposite a 2 - 3 storey locally listed building.

To the Midcroft frontage, it is considered to sustain the appearance of the area, subject to the use of high quality materials. The proposal locates bike storage and bins to part of the front of the ground floor. This creates a less active frontage, but does not harm the overall appearance of the front elevation. The developer has agreed to introduce a green wall in this location, to be agreed by the Council's Landscape Team, so as to improve the appearance of the frontage.

The Council's Conservation and Urban Design Officer has reviewed the proposal and states that 'The new building would be set back from the established building line and the plan-form generally integrates well within the plot.'

With regards to the scale of the development they go on to say 'It would be hard to resist a building of a substantial size on this site given the scale of the existing commercial office blocks to the High Street and the existing petrol garage. However, I am concerned about the overall height, as it is higher than 61 High Street. Ideally, it could be reduced in height and width.'

Concerns regarding the height of the scheme were brought to the attention of the applicant during the planning process and the height of the development has now been reduced to match that of the adjacent property No. 61 High Street.

The Council's Conservation and Urban Design Officer has therefore considered the proposal as submitted and determined that the design of the scheme is acceptable and that on balance, it would be difficult to argue that the proposed building would not sustain the appearance of the streetscene. The proposed mass and height of the building, with a step down in height to the east, is considered to be acceptable in this location, responding to the existing transition in the townscape.

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

The nearest residential properties to the development site are located to the north on the opposite side of the access path for the adjacent Church Field Gardens public open space. The nearest house, No 4 Midcroft, abuts the pedestrian route and is a two storey single family dwelling with flank windows at ground and first floor level together with a long and large rear garden, all of which are sensitive to issues of overlooking.

Concerns have been raised throughout the pre-application process regarding what impact the scheme would have on the amenity of adjacent occupiers. As a result the proposed scheme has been through a number of redesigns in order to achieve an acceptable solution. The current proposal incorporates the units in a manner that allows them to benefit from acceptable levels of outlook and natural daylight without detrimentally impacting on the amenity of adjacent occupiers. The use of only high level windows in the side elevations is considered to have resolved concerns regarding overlooking. There is a roof garden proposed, however it will be set back from the edge of the building to again prevent issues of overlooking. Given the constraints on the site in terms of the proximity of adjacent buildings, the proposal is deemed to achieve an acceptable solution.

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

##### Floor Space

The proposed flats are 3 x studios with a stated floor area of 47.6sq.m flats and 11 x 2 bedroom 4 person flats with a stated floor area range of between 73.7sq.m and 86.7sq.m.

The standards required by Policy 3.5 of the London Plan 2011, are a minimum floor area of 70sq.m for a 2 bedroom 4 person flat and 39sq.m for a studio flat in order to ensure the development would be considered good quality housing stock. All of the proposed flats meet these standards and therefore the proposal provides an acceptable standard of living accommodation in accordance with Policy 3.5 of the London Plan.

##### External Amenity Space

The Council is committed to ensuring that new residential developments provide an acceptable standard of living accommodation for future occupiers, including the provision of acceptable levels of external amenity space. Policy H4 of the Hillingdon Local Plan (November 2012) states that in town centre locations predominantly one and two bedroom development will be preferable, as proposed. Council standards normally require 20sq.m of amenity space for 1 bedroom/studio flats and 25 sq.m for 2 bedroom flats. However Hillingdon Design and Accessibility Statement: Residential Layouts document goes on to state:

'Exceptions to garden area requirements will only apply in special circumstances such as the provision of small non-family housing, predominantly made up of 1 bedroom units, in town centres or the provision of small nonfamily housing above shops. However, even in these areas, care should be taken to provide some usable and reasonable private outdoor amenity space, perhaps in the form of balconies.'

The proposed development includes the provision of balconies for 12 of the proposed units and a roof garden of 50.8sq.m. On balance, given the location of the site within a

Town Centre, above a commercial unit on the ground floor and within close proximity to the adjacent Church Field Gardens public open space, the development is considered to provide sufficient levels of external amenity space. The proposal is therefore deemed in accordance with Policies H4 and BE23 of the Hillingdon Local Plan (November 2012) and the Hillingdon Design and Accessibility Statement: Residential Layouts SPD.

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

##### Traffic Impact

The highways officer has reviewed the proposal and raised no objection in terms of traffic generation. Therefore, the development is considered to comply with Policy AM2 of the Hillingdon Local Plan (November 2012).

##### Car Parking

The development proposes the creation of 14 basement car parking spaces and 2 surface level parking spaces, one of which will be a disabled access space, to service the 14 flats. The highways officer has reviewed the proposal and considers that the provision of more than 1 space per flat is acceptable in this location and in accordance with Policy AM14 of the Hillingdon Local Plan (November 2012) and the Council's adopted car parking standards.

##### Cycle Storage

The submitted plan shows the creation of a secure internal cycle storage room with space for 14 bicycles. This provision is considered acceptable and appropriate given the scale of the development.

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

##### Security

Should the application be approved, a condition is recommended to ensure that the scheme meets all Secured By Design Criteria.

##### Contamination

The Environment Agency and the Council's Environmental Protection Unit have reviewed the proposal. In terms of potential contamination concerns regarding the former use of the site as a petrol filling station neither the Environment Agency nor the Council's Environmental Protection Unit raised any objections to the proposal, subject to the attachment of appropriate conditions to any planning consent. As such the development is considered in accordance with policy OE11 of the Hillingdon Local Plan (November 2012).

#### **7.12 Disabled access**

The Council's Access Officer has reviewed the development and raised no objection to the development subject to it being in compliance with Lifetime Homes standards. To ensure this requirement is met it is recommended to be covered by way of a condition.

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

The development would introduce a total of 14 residential units, therefore triggering the affordable housing requirement threshold of 10 units as set out in Policy 3.13 of the London Plan.

Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies relates to Affordable Housing with the Council seeking 35% of all new units in the borough delivered as affordable housing. The Council note however, that subject to the provision of robust evidence, it will adopt a degree of flexibility in its application of Policy H2, to take account,



of tenure needs in different parts of the borough as well as the viability of schemes.

Whilst no affordable housing has been included within the proposed scheme a Financial Viability Assessment has been submitted with the application which has been independently assessed by a specialist third party contractor. They have confirmed that, with an obligations package of £236,430 accepted together with a review mechanism, the current proposal is deemed acceptable.

#### **7.14 Trees, landscaping and Ecology**

The site lies within the Ruislip Village Conservation Area. However, there are no trees, protected or otherwise, within the curtilage.

Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

The Council's Trees and Landscape Officer has reviewed the proposal and determined that no trees or other landscape features of merit will be affected. The visualisations and proposed floor plan indicate the provision of a specimen tree on the frontage, which will benefit both the setting of the building and the street scene. It is considered that with appropriate hard and soft landscape detailing the development could improve this site and provide an enhanced transition between the High Street and the neighbouring residential street.

A landscape condition is recommended to be attached to any approval to ensure that the proposals preserve and enhance the character and local distinctiveness of the surrounding natural and built environment. As such the development is considered to accord with Policy BE38 of the Hillingdon Local Plan (November 2012).

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

The proposal makes adequate provision for refuse/recycling storage.

#### **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 would be added to any approval for the development to be built to Code for Sustainable Homes Level 4, with an interim certificate and specification provided before the commencement of works.

The Council's Sustainability Officer has reviewed the submitted plans and raised no objections to the development subject to a roof plan showing the required m<sup>2</sup> of PVs as set out in the energy report. The applicant has provided this detail in plan reference number P203 Revision C.

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

The Environment Agency and the Council's Flooding and Water Management Officer have reviewed the development and raised no objection to the proposal subject to the attachment of an appropriate condition to any consent. As such the development is considered to accord with Policy EM6 Flood Risk Management in Hillingdon Local Plan: Part 1- Strategic Policies (Nov 2012) and Policy 5.12 Flood Risk Management of the London Plan (July 2011).

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

Not applicable to this application.

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

The matters raised in submissions have been either been dealt with by amendments made to the proposed plans, conditions attached to any approval, covered in the body of the report or are not material planning considerations.

## **7.20 Planning obligations**

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning Authority will, where appropriate, seek to supplement the provision of 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'.

As of 1st August 2014, the Council's CIL would become effective which replaces a number of S106 requirements. In this instance new floorspace is CIL liable, which would require a payment calculated as:

627 x £35 = £21,945

1174 x £95 = £111,530

Total = £133,475

The new floorspace would also be liable for the Mayoral CIL at a payment calculated as: Mayoral CIL = £66,992.35 (this is an approximate figure as it needs to be adjusted for inflation).

The S106 Heads of Terms sought are:

1. Construction Training: Training costs - £2500 per £1m build cost - £2500 x 5 = £12,500 + £9600 coordinator costs = £22,100 or an in-kind scheme.
2. Air Quality Monitoring: £12,500
3. Project management & Monitoring fee equal to 5% of total cash contributions.

Subject to the payment of the above by the applicant, the scheme complies with Policy R17 of the Hillingdon Local Plan: Part Two - Saved UDP Policies.

## **7.21 Expediency of enforcement action**

Not applicable to this application

## **7.22 Other Issues**

No further issues for consideration

## **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 Probity 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**

None

#### **10. CONCLUSION**

It is considered that the proposed development would provide an acceptable use on the ground floor in this location and residential units of an acceptable standard for future occupiers. The design, layout, parking and scale of the proposal are deemed to conform with the requirements of the Hillingdon local Plan (2012) and the London Plan (2011).

The application, subject to appropriate conditions, is therefore recommended for approval.

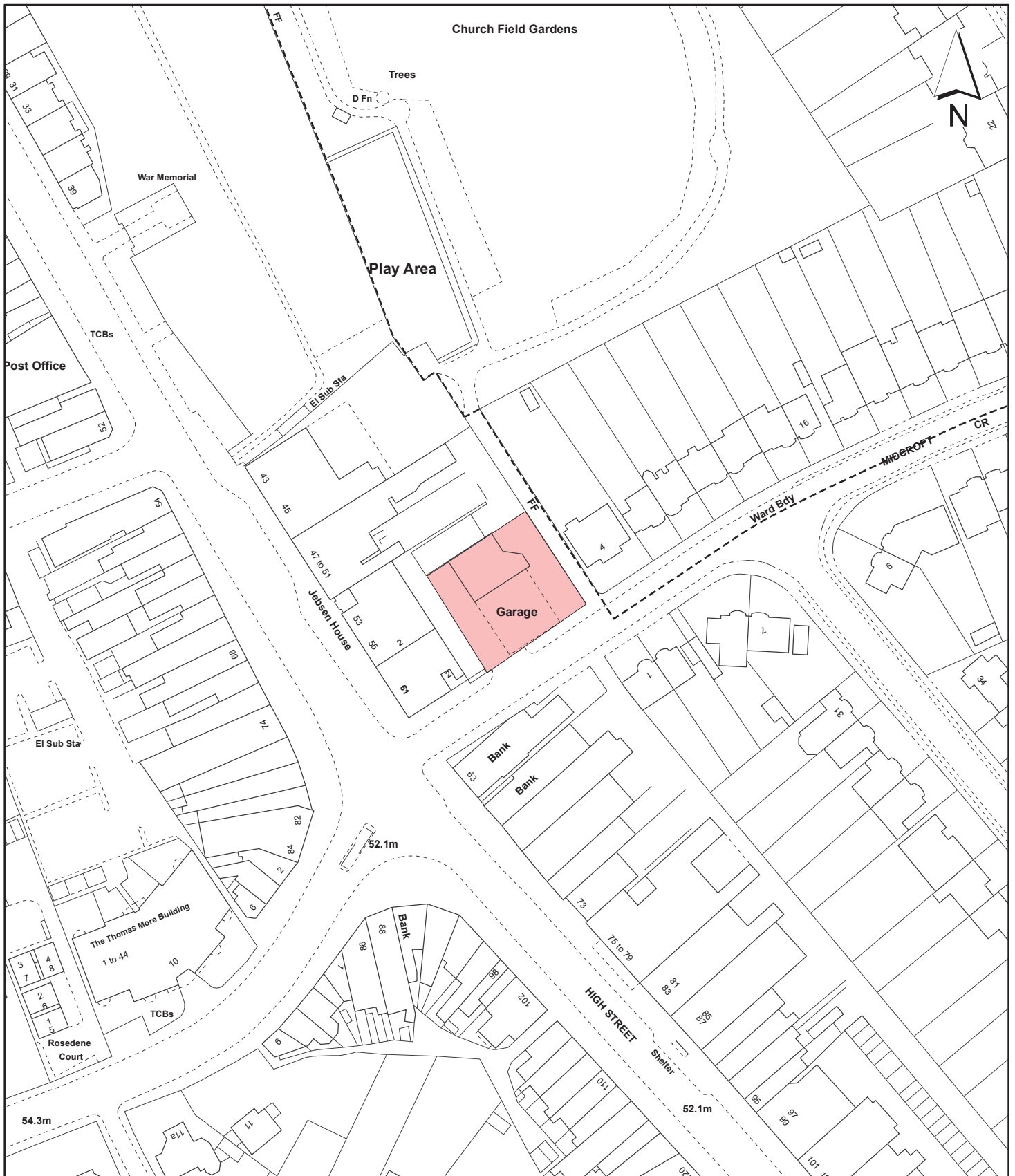
#### **11. Reference Documents**

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).  
National Planning Policy Framework.  
Hillingdon Design and Access Statement 'Residential Layouts'.

Supplementary Planning Document 'Accessible Hillingdon'.  
Supplementary Planning Document Noise.  
Supplementary Planning Guidance Planning Obligations.  
Supplementary Planning Guidance Planning Obligations - Revised Chapter 4 Education Contributions.  
The London Plan 2011.  
GLA's Supplementary Planning Guidance - Housing.

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**Notes**

 Site boundary

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Site Address

**2 Midcroft  
Ruislip**

Planning Application Ref:  
**4918/APP/2014/1274**

Planning Committee  
**Major**

Scale  
**1:1,250**

Date  
**October 2014**

**LONDON BOROUGH  
OF HILLINGDON**  
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Planning Section

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**HILLINGDON**  
LONDON