

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

**Address** 54 PEMBROKE ROAD RUISLIP

**Development:** Change of use of ground floor from a Dwellinghouse (Use Class C3) to a mixed use comprising a Veterinary Clinic (Use Class D1) at ground floor and 1 x 2-bed and 2 x 1-bed self contained flats (Use Class C3) at first floor, involving part two storey, part single storey rear extensions, associated parking and demolition of element to side.

**LBH Ref Nos:** 10793/APP/2015/476

**Drawing Nos:** 0177/14/06B Rev B  
0177/14/01A Rev A  
0177/14/05C Rev C  
0177/14/07C Rev C  
0177/14/08B Rev B  
0177/14/09  
0177/14/DAS  
Tree Report  
Location Plan  
211596-SU-01

**Date Plans Received:** 09/02/2015

**Date(s) of Amendment(s):** 09/02/0015

**Date Application Valid:** 17/03/2015

### 1. SUMMARY

The application seeks permission for a change of use of ground floor from a Dwellinghouse (Use Class C3) to a mixed use comprising a Veterinary Clinic (Use Class D1) at ground floor and 1 x 2-bed and 2 x 1-bed self contained flats (Use Class C3) at first floor, involving part two storey, part single storey rear extensions, associated parking and demolition of element to side.

The proposals would result in the loss of single family dwellinghouse. The 16.75m deep rear extension would by virtue of its siting, scale and excessive depth have detrimental impact on the character of the area and on the amenities of adjoining occupiers. In addition to this the access road proposed either side of the no. 54 together with the parking in the rear garden area as well as the the housing of animals over night will cause unacceptable levels of noise disturbance to adjoining occupiers. The scheme also proposes substandard staff accommodation at first floor level as well as failing to demonstrate through the submission of a Transport Assessment/Statement that the level of proposed parking is sufficient for the proposed use.

### 2. RECOMMENDATION

**REFUSAL for the following reasons:**

#### 1 NON2 Non Standard reason for refusal

The proposal would result in the loss of a single family dwelling, therefore failing to safeguard the Council's existing housing stock, contrary to policy H2 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**2 NON2 Non Standard reason for refusal**

The proposed extension, by reason of its siting, size, scale, excessive depth and design would result in a visually intrusive and discordant development harmful to the architectural composition, character and appearance of the original dwelling and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

**3 NON2 Non Standard reason for refusal**

The proposed development, by reason of the activities associated with the proposed use and the layout of the site (including the layout of the vehicular accesses and parking areas) would result in a disturbance, loss of privacy and noise which would be adverse to the general amenity of the residential area and nearby occupiers. As such, the development would be contrary to Policies OE1 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

**4 NON2 Non Standard reason for refusal**

The proposed development would, by virtue of its failure to provide an adequate amount of private usable external amenity space for the occupiers of the proposed flats, result in an over-development of the site detrimental to the residential amenity of future occupiers. The proposal is therefore contrary to Policies BE19 and BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

**5 NON2 Non Standard reason for refusal**

The internal floor area for the proposed flats is below the minimum standard required for a one-bedroom and two bedroom flat. As such the proposal would fail to provide a satisfactory residential environment to the detriment of the amenity of future occupiers, contrary to Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 and Table 3.3 of the London Plan (2015) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

**6 NON2 Non Standard reason for refusal**

The proposed extension, by reason of its height and almost the full depth of the rear garden, would unduly detract from the amenities of the adjoining occupiers, Nos.52 and 56 by reason of visual intrusion and overdomination. Therefore, the application proposal would constitute an un-neighbourly form of development and would be in conflict with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) OE1, BE20, BE21 and BE24 and section 3.0 of the HDAS: Residential Extensions.

**7 NON2 Non Standard reason for refusal**

The proposed development, by reason of its siting, design and layout, would fail to harmonise with the existing local context of the surrounding area. The principle of intensifying the use of the site to the level proposed when considered with the cramped footprint of this backland development would have a detrimental impact on the character, appearance and local distinctiveness of the area. The proposal is therefore detrimental to the visual amenity of the surrounding character contrary to Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**8 NON2 Non Standard reason for refusal**

The application fails to demonstrate that the development could be implemented without a detrimental impact on existing trees or that appropriate replacement landscaping could be provided contrary to Policy BE38 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**9 NON2 Non Standard reason for refusal**

The proposal has failed to provide a transport statement/assessment to ensure parking proposed can meet the demand of the proposed use. As such, the proposal fails to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**INFORMATIVES**

**1 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 (2015). 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.

**2 I52 Compulsory Informative (1)**

The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

**3 I53 Compulsory Informative (2)**

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) 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 (2015) and national guidance.

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.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties

	and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
AM14	New development and car parking standards.
AM7	Consideration of traffic generated by proposed developments.
LPP 3.3	(2015) Increasing housing supply
LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2015) Quality and design of housing developments
LPP 7.4	(2015) Local character
LPP 7.5	(2015) Public realm
LPP 7.6	(2015) Architecture
LPP 8.2	(2015) Planning obligations
LPP 8.3	(2015) Community infrastructure levy
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The application property comprises a two storey detached property on the south side of Pembroke Road. The application property has a reasonable sized rear garden and to the front, the property has a hardstanding area used for vehicle parking. The property is used as staff accommodation for the veterinary hospital at No.56 Pembroke Road.

The adjacent property No. 56 is a veterinary hospital with a large single storey side/rear extension which extends on to the application site. No.52 is a two storey detached house. The wider area comprises similar sized properties on large plots.

The site is located within the developed area as identified in the Hillingdon Local Plan Part Two - UDP Saved Policies (November 2012).

#### 3.2 Proposed Scheme

The application seeks permission for a change of use of ground floor from a Dwellinghouse (Use Class C3) to a mixed use comprising a Veterinary Clinic (Use Class D1) at ground floor and 1 x 2-bed and 2 x 1-bed self contained flats (Use Class C3) at first floor, involving part two storey, part single storey rear extensions, associated parking and demolition of element to side.

The rear extension measures 16.75m deep, 6m-6.75m high with gable pitched roof and the full width of the property. The two storey rear extension would be the full width of the property, 3.85m deep and match the height and design of the existing main roof of the property. The materials would match the existing. The existing vehicular access will create an in/out driveway, which will allow cars to drive from Pembroke Road and park to the rear of the site for the veterinary hospital. Six existing staff parking spaces will remain to the front of the site and seven parking spaces to the rear for customers.

The design and access statement indicates that No.56 will change from a veterinary hospital

to residential use, however this does not form part of the application proposals and would require the benefit of planning consent. No application for such consent has been submitted to the Local Planning Authority.

### **3.3 Relevant Planning History**

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

No relevant planning history.

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

The proposed development is assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2011, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

#### **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:

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.

BE38 Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.

OE1 Protection of the character and amenities of surrounding properties and the local area

OE3 Buildings or uses likely to cause noise annoyance - mitigation measures

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

LPP 3.3 (2015) Increasing housing supply

LPP 3.4 (2015) Optimising housing potential

LPP 3.5 (2015) Quality and design of housing developments

LPP 7.4 (2015) Local character

LPP 7.5 (2015) Public realm

LPP 7.6 (2015) Architecture

LPP 8.2 (2015) Planning obligations

LPP 8.3	(2015) Community infrastructure levy
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

5 adjoining and nearby properties notified of the application by means of a letter dated 18th March 2015. A site notice was also displayed on 29th March 2015.

The application has been requested by a Ward Councillor to be determined at committee. In addition a petition with 50 signatures has been received objecting to the application on the following grounds:

1. Noise and disturbance from use loss of privacy,
2. Loss of trees,
3. Layout and density of building,
4. Residential and visual amenity,
5. Impact on wildlife, and
6. Landscaping.

Two letters of representations have been received with the following summarised objections:

1. Backland development;
2. Impact on standard of living to adjoining neighbours;
3. Contrary to policy;
4. The proposal will result in unacceptable levels of noise and constant disturbance caused by customer vehicles coming and going (which is currently proposed 7 days a week), their passengers (i.e people and animals, particularly dogs barking) and the vehicles of the staff of the veterinary practice. This noise will not only be felt in the back garden but also the house and front garden of no. 52 as you will see from the plans that the proposed exit for cars is directly adjacent to the eastern wall of no. 52. There is also a risk of damage caused by vehicles to the house itself given the immediate proximity of the exit route.
5. The privacy of the garden at no. 52 will not be maintained as a result of this proposal. The proposed development would completely alter the current status of neighbouring residential gardens. It would mean that this area would then be accessible to the public, their vehicles, an extensive building, as well as the animal patients of the veterinary practice itself. Any fence erected in the garden of no. 54 to act as a "privacy" shield would not avoid this fundamental loss of privacy.
6. The proposal will have an impact on light because of the bulk and scale of the extension. The backland site is not more intimate than the frontage property and represents over development. It involves the complete alteration of a much larger area than the frontage property of no. 54.
7. Loss of trees;
8. The visual amenity of the garden is a major contributor to the visual amenity of the neighbouring gardens. The proposal would completely change that visual amenity.

9. Loss of biodiversity;

10. The Design and Access Statement, under "Scale and Height" the Statement suggests the extensions are comparable in scale to the existing veterinary hospital (i.e. no.56). This assertion completely misses the point, and again points to the applicant's views that the properties are all part of some larger "site". The key point is the extension is not comparable in scale to no. 54 and as set out above is not more intimate in mass and scale than the frontage property.

Officer comment: The above issues are addressed in the main body of the report.

### **Internal Consultees**

Access Observations:

Arden House Veterinary Hospital seeks planning permission to relocate the existing veterinary hospital into the adjoining building (no. 56). The proposal would involve extending the building. The Design and Access statement refers to reverting the existing veterinary surgery to residential, but no plans are available; comments are therefore limited to the resiting of the surgery.

The plans show that the proposed new veterinary centre would have its main entrance for customers at the rear of the building (as existing). The ground floor would be of a split level design, with the staff areas sited some 900mm below the new upper ground floor. The car park is said to provide level access throughout and a level approach to the building. An accessible toilet is shown on plan and is understood to accord with Approved Document M to the Building Regulations.

No objection to the proposal is raised from an accessibility standpoint, however, the following informative should be attached to any grant of planning permission:

1. The Equality Act 2010 seeks to protect people accessing goods, facilities and services from discrimination on the basis of a 'protected characteristic', which includes those with a disability. As part of the Act, service providers are obliged to improve access to and within the structure of their building, particularly in situations where reasonable adjustment can be incorporated with relative ease. The Act states that service providers should think ahead to take steps to address barriers that impede disabled people.

Conclusion: acceptable

Highway comments:

A total of 16 car parking spaces are proposed, including 6 existing accessed off 2 existing cross overs. One parking space at the rear should be converted to a disabled bay.

The design and access statement states that car parking is being provided in accordance with Council requirements. Pre application advice was not sought and the Council's parking standards for the proposed use are to be determined by a transport statement/assessment. Whilst the use is being relocated from the adjoining building an intensification of use with the new improved facility cannot be ruled out. It needs to be demonstrated that parking proposed can meet demand.

Cycle parking is required at 2 spaces per consulting room to comply with Council standards in a covered area. Bin locations should also be shown on plans.

## **7. MAIN PLANNING ISSUES**

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

Policy H2 states that the Local Planning Authority will not normally grant planning permission for a change from residential use (including residential use above shops and in other mixed developments) of any building or part of a building that is suitable with or without adaptation

for residential use. The proposal would result in the loss of residential accommodation that although currently used as staff accommodation for No.56, it could easily be used a single dwelling house.

The Design and Access Statement states that the veterinary hospital would swap sites from No.56 to No.54, although no application has been submitted to date and such a swap could not be secured under this application. Furthermore, the size and scale of the proposed veterinary hospital would be significantly larger than the existing at No.56. The proposal would also include parking to the rear of the site.

The proposed veterinary surgery, which would be in a larger premises than the existing surgery at 56 Pembroke Road, would not function similarly to that of C3 uses, in terms of activity of emission of noise, smell or fumes from cars and therefore there would be an impact to the nearby residential properties. The proposed use is considered to be incompatible with other existing uses within the residential street.

In terms of its effect on road safety, this is discussed under an appropriate heading within this report.

Therefore, the proposal would result in unacceptable loss of amenity to the nearby residential properties.

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

Paragraph 4.1 of HDAS Residential Layouts specifies that in new developments numerical densities are considered to be more appropriate to larger sites and will not be used in the assessment of schemes of less than 10 units, such as this proposal. The key consideration is therefore whether the development sits comfortably within its environment rather than a consideration of the density of the proposal.

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

Not Applicable to this application.

#### **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**

The adopted Supplementary Planning Document (SPD) - Residential Extensions at Section 6.0 on two storey rear extensions allows a 4m deep extension and the new roof should appear subordinate to the original roof and so have a ridge height at least 0.5m lower than the original roof.

In terms of the design of the building itself, the proposed two storey extension would follow the design of the host dwelling in terms of the roof design. The set down of the roof and distance from highway would provide a sufficient sense of subservience to the proportions of the building and would not detract from the character and appearance of the existing house and the wider area.

HDAS: Residential Extensions Paragraph 3.4 allows detached houses an extension up to 4m deep and paragraph 3.7 allows pitched roofs on single storey extensions should not exceed 3.4m in height. This is to ensure the extension appears subordinate to the original house and would not block daylight and sunlight received by neighbouring properties. The



rear extension would have a maximum height of 6.75m with a pitched roof and would therefore conflict with guidance. The depth of the extension would be 16.75m, excessively deeper than normally allowed.

The introduction of a deep rear extension, with access on either side of the building to the parking area at the bottom of the garden would thus appear out of keeping due to its form and position. It is therefore not in scale with the surrounding properties and character of the area.

As such, the proposed extension would not appear subordinate and would represent a visually overdominant and unsympathetic form of development that would detract from the character, appearance and architectural composition of the original. The proposal would therefore be contrary to Policy BE1 of the Council's Local Plan: Part 1 - Strategic Policies and the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) BE13, BE15 and BE19 of Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) Policies and the SPD HDAS: Residential Extensions.

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

The Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seeks to safeguard the amenities of neighbouring residents in a number of ways. The effect of the siting, bulk and proximity of a new building on the outlook and residential amenity of these adjoining occupiers are considered under Policy BE20, whilst potential impacts on daylight/sunlight (Policy BE21) and privacy (Policy BE24) are also assessed.

Hillingdon Design & Accessibility Statement: Residential Extensions further advises that all residential extensions and amenity spaces should receive adequate daylight and sunlight and that extensions should be designed to minimise the negative impact of overbearing and overshadowing.

In this respect, the proposed extension, by reason of its height and almost the full depth of the rear garden, would unduly detract from the amenities of the adjoining occupiers, Nos.52 and 56 by reason of visual intrusion and overdomination.

The location of the proposed vehicular access along the sides of the property to the rear parking area would result in a loss of amenity to the occupiers of the existing flats on the application site and the occupiers of the adjoining dwellings at Nos. 52 and 56 Pembroke Road. In particular, noise, disturbance and loss of privacy would be adverse impact in residential amenity. As such, the development would be contrary to Policies BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

Policy OE1 of the UDP Saved Policies protects neighbouring occupiers from uses that are detrimental to the character or amenities of surrounding properties. Animal are to be kept overnight and as such, it is considered to be a serious noise generating use and the proposal therefore would result in noise impact on the neighbouring properties.

Therefore, the application proposal would constitute an un-neighbourly form of development and would be in conflict with the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) OE1, BE20, BE21 and BE24 and section 3.0 of the HDAS: Residential Extensions.

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

Amenity Space

Policy BE23 of the Hillingdon Local Plan Part 2 Saved Policies states that new residential buildings should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings and which is usable in terms of its shape and siting.

The Hillingdon Design and Accessibility Statement (HDAS) 'Residential Layouts' require residential developments to provide a minimum of 65 sq metres of amenity space for a two bed flat and two, one bed flats. The proposed development does not show a garden area for the flats. There is a poor quality garden space between the end of the proposed extension, the car park to the rear and the access roads on either side, which would be unacceptable. The proposed scheme thus is not considered to provide a satisfactory amount of private amenity space for three flats and would not be acceptable.

#### Internal Floor Space

Arden House Veterinary Hospital seeks planning permission to relocate the existing veterinary hospital into the adjoining building (no. 56). The proposal would involve extending the building. The Design and Access statement refers to reverting the existing veterinary surgery to residential, but no plans are available; comments are therefore limited to the resiting of the surgery.

The plans show that the proposed new veterinary centre would have its main entrance for customers at the rear of the building (as existing). The ground floor would be of a split level design, with the staff areas sited some 900mm below the new upper ground floor. The car park is said to provide level access throughout and a level approach to the building. An accessible toilet is shown on plan and is understood to accord with Approved Document M to the Building Regulations.

No objection to the proposal is raised from an accessibility standpoint.

Furthermore all units must comply with the minimum floor space standards as set out in the London Plan (March 2015). These are:

1 person flat = 39 sq m

3 person, 2 bed flat = 61 sq m

The proposed flats at approximately 34sq.m and 36 sq.m for 1 person and 38.5 sq.m for a two bed flat would not meet the minimum standard set out in Policy 3.5 and Table 3.3 of the London Plan (2015) and would thus result in the provision of accommodation of an inadequate size for future occupiers, in conflict with The London Plan, Housing SPG, November 2012 and Policy BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

#### Outlook

In terms of outlook for future residents, Policy BE21 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) seeks to ensure that new development would not have a significant loss of residential amenity, by reason of the siting, bulk and proximity of new buildings.

The rooms on the first floor provide an adequate outlook and is considered that the proposed flats for staff would afford the future occupiers with a sufficient level of outlook.

As such the proposed scheme would comply with policy BE21 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012) and HDAS: Residential Extensions.

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

A total of 16 car parking spaces are proposed, including 6 existing accessed off 2 existing cross overs. One parking space at the rear should be converted to a disabled bay.

The design and access statement states that car parking is being provided in accordance with Council requirements. Pre apps advice has not been sought and the Council's parking standards for the proposed use are to be determined by a transport statement/assessment. Whilst the use is being relocated from the adjoining building an intensification of use with the new improved facility cannot be ruled out. It needs to be demonstrated that parking proposed can meet demand.

Cycle parking is required at 2 spaces per consulting room to comply with Council standards in a covered area.

Given the above, the proposal has failed to provide a transport statement/assessment to ensure parking proposed can meet the demand of the proposed use. As such, the proposal fails to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**7.11 Urban design, access and security**

**SECURITY**

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

**7.12 Disabled access**

See section 7.11

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

Not Applicable to this application.

**7.14 Trees, Landscaping and Ecology**

The proposal involves the loss of trees. The site has no TPOs and the site is not within a conservation area. As such the proposal would comply with policy BE38 of the Hillingdon Local Plan Part 2 Saved Policies (November 2012).

**7.15 Sustainable waste management**

General waste storage area is to the rear of the premises where it is collected from the front of the site. However, as no details are provided with the submission a planning condition will be added to ensure suitable waste provision will continue to be provided on site.

**7.16 Renewable energy / Sustainability**

Not Applicable to this application.

**7.17 Flooding or Drainage Issues**

Not Applicable to this application.

**7.18 Noise or Air Quality Issues**

Not applicable.

**7.19 Comments on Public Consultations**

None received.

**7.20 Planning Obligations**

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

Therefore the Hillingdon & Mayoral CIL Charges for the proposed development of 364sq metres of additional floorspace are as follows:

Hillingdon CIL = £38,073.75

Mayoral CIL = £11,287.89

Total = £14,907.80

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

There are no enforcement issues.

#### **7.22 Other Issues**

None.

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

#### General

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

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

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

## **10. CONCLUSION**

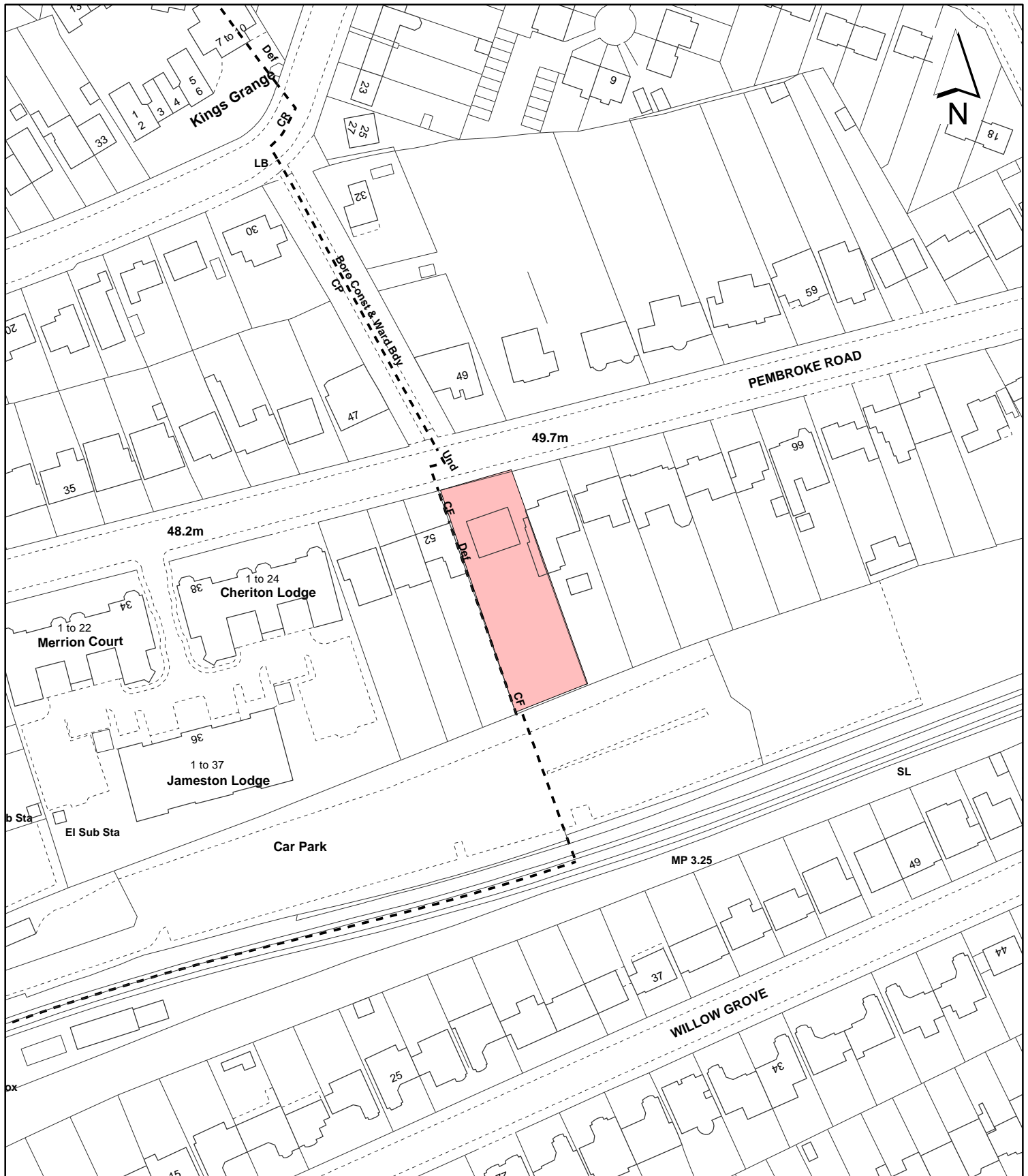
The proposals would result in the loss of single family dwellinghouse. The 16.75m deep rear extension would by virtue of its siting, scale and excessive depth have detrimental impact on the character of the area and on the amenities of adjoining occupiers. In addition the activity associated with the use and site layout would result in unacceptable levels of noise disturbance to adjoining occupiers. The scheme also proposes substandard staff accommodation as well as failing to demonstrate through the submission of a Transport Assessment/Statement that the level of proposed parking is sufficient for the proposed use.

## **11. Reference Documents**

Hillingdon Local Plan (November 2012)  
London Plan (July 2015)  
National Planning Policy Framework  
HDAS: Residential Layouts  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary Planning Guidance - Air Quality  
HDAS: Accessible Hillingdon

**Contact Officer:** Mandeep Chaggar

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**54 Pembroke Road  
 Ruislip**

**LONDON BOROUGH  
 OF HILLINGDON**  
 Residents Services  
 Planning Section

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

Planning Application Ref:  
**10793/APP/2015/476**

Scale:  
**1:1,250**

Planning Committee:  
**North**

Date:  
**June 2015**



**HILLINGDON**  
 LONDON