

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

**Address** 132 RYEFIELD AVENUE HILLINGDON

**Development:** Single storey side extension to ground floor shop, conversion of first and second floors from 2 residential units to 1 x 1 bed and 2 x 2 bed flats, provision of amenity area and installation of external metal staircase at first floor level to the rear. Two storey detached building at the rear of the site to provide 2 x 1 bed flats, provision of amenity area at ground floor level and provision of 9 car parking spaces at the front of the site involving increase in width of existing crossovers

**LBH Ref Nos:** 1728/APP/2015/1070

**Drawing Nos:** Location Plan (1:1250)  
01C  
04D  
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Design and Access Statement

**Date Plans Received:** 23/03/2015

**Date(s) of Amendment(s):**

**Date Application Valid:** 23/03/2015

### 1. SUMMARY

This application seeks consent for the retention of three residential units above 132 Ryefield Avenue and the erection of a two storey building within the rear yard of this premises to accommodate 2 x 1 bed flats.

Whilst there is no objection to the retention of the residential units to the first and second floors of No.132 Ryefield Avenue, there are concerns with the proposed addition of a two storey building within the rear yard to provide 2 x 1 bed flats. The proposed building, by reason of its excessive scale, bulk, massing, siting and design would constitute an unacceptable and uncharacteristic overdevelopment of the rear of the site. The proposed building fails to reflect the underlying existing street pattern and established layout, and by reason of its layout and size, would result in two substandard units of accommodation being provided. The massing and proximity of the proposal to the surrounding residential properties is also considered unacceptable and to result in a development that appears overly dominant and visually intrusive when viewed from these residences.

There are further concerns with regards to the impact of the proposal on the general parking and pedestrian safety within the surrounding area. The scheme proposes a shortfall in parking spaces for both the existing and proposed residential and retail uses at the site. Given such, the proposal is considered to increase demand for on-street parking, in an area where this is already a significant problem.

Overall, the scheme fails to comply with the Councils adopted policies and guidance and is

recommended for refusal.

## 2. **RECOMMENDATION**

### **REFUSAL for the following reasons:**

#### **1 NON2 Design and scale**

The building to the rear, by reason of its, size, scale, bulk, massing, design and siting, is considered to form an incongruous overdevelopment of the site which would be out of character with the prevailing pattern of development and established built layout of the surrounding area to the detriment of the visual amenity of the street scene and the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE19 and OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 7.4 of the London Plan (March 2015), the adopted Supplementary Planning Document HDAS: Residential Layouts and the National Planning Policy Framework.

#### **2 NON2 Impact to neighbours**

The proposed building to the rear, by reason of its position, size, scale, bulk and proximity, with inadequate separation distances between the proposed building and existing residential units, would be detrimental to the amenities of Nos. 132 and 134 Ryefield Avenue, and any future resident of the proposed building, by reason of overdominance, visual intrusion, loss of outlook and loss of privacy, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE19, BE20, BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), and HDAS 'Residential Layouts'.

#### **3 NON2 Highways and parking**

The proposal fails to demonstrate that sufficient off street parking arrangements would be provided for both the existing retail unit and all residential units. The development is therefore considered to result in substandard car parking provision to the Council's approved car parking standards, leading to increased on street parking and reduction in the public footway to the detriment of pedestrian and highway safety, contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

#### **4 NON2 Quality of accomodation**

The proposal by reason of the siting, layout and design of the proposed building, would result in flats with poor outlook and restricted sunlight and daylight. Further, given the location of the proposed amenity space and retail unit within No. 132 Ryefield Avenue, no information has been submitted to demonstrate that the proposed units would not experience undue noise disturbance as a result of their proximity to the chiller units and activities associated with the retail unit. There is also the potential for a loss of privacy of these units from the amenity space and surrounding units, by reason of the proposed siting of windows. As such, the scheme would fail to provide a satisfactory residential environment for future occupiers, contrary to Policies OE1, BE19, BE21 and H7 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 3.5 of the London Plan (2015), The Mayor of London's adopted Supplementary Planning Guidance - Housing (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

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

The proposal would result in the provision of a crossover of excessive width, which would reduce existing on street parking and the public footway to the detriment of pedestrian and highway safety, contrary to Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

## INFORMATIVES

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

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

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

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

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE18	Design considerations - pedestrian security and safety
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.
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
LDF-AH	Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010
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 3.8	(2015) Housing Choice
LPP 7.4	(2015) Local character
OE1	Protection of the character and amenities of surrounding properties and the local area
NPPF	National Planning Policy Framework

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.

### **3. CONSIDERATIONS**

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

The application site is a former public house, (formerly known as The Oak Tree), on Ryefield Avenue. The building has now been converted into a retail unit on ground floor, occupied by Costcutter, and the upper two floors retained as residential. The site is roughly rectangular in shape with a street frontage of approximately 22m and is located within the Ryefield Avenue Shopping Parade. The site has a public transport accessibility level of 1b.

A service/access road is located adjacent to the site which provides rear access to the site and neighbouring residential properties.

The building itself is set back from the primary building line providing a hardstanding area to the front. The former public house has a distinctive hipped roof appearance with tall chimneys and pane glass windows, which adds to the variety within the street scene.

The general locality is flat and the site is within a 'Developed Area' as identified in the Hillingdon Unitary Development Plan (UDP).

#### **3.2 Proposed Scheme**

This application seeks consent to increase the accommodation on the site as follows:

i) Erection of a single storey side extension to the ground floor shop. This would extend approximately 3.1 metres from the north west elevation of the building and 10 metres along the side of the building at a height of approximately 3.3 metres.

ii) Conversion of the first and second floors from two residential units (1 x 1 bed and 2 x 2 bed flats), that was approved within application 1728/APP/2011/1565. However changes are sought to this consent in terms of the parking layout and amenity space for the previously approved units.

Previously, it was proposed to demolish the garage to the rear of the site and provide five car parking spaces. It is now proposed to retain the garage and store and car parking for all the units is proposed to the front of the shop. Alterations are also proposed to the amenity space for these units. It was previously proposed to provide 106 sq.m of ground floor communal amenity space. This space is no longer proposed, and an area of approximately 51.2 sq.m is now proposed at ground floor level. The first floor amenity space of 66sq.m is retained also for the scheme.

iii) A two storey detached building to the rear of the site to provide 2 x 1 bed flats. The proposed building is approximately 9 metres in width, 7 metres in length and 3.5 metres to the eaves and 5.3 metres to the ridge.

iv) Nine car parking spaces at the front of the site for all of the residential units, accessed via the existing and a proposed crossover.

### 3.3 Relevant Planning History

1728/APP/2009/2566      132 Ryefield Avenue Hillingdon

Change of use of basement and ground floor from Class A4 (Drinking Establishments) to Class A1 (Shops), involving alterations to elevations, installation of ATM machine at front and demolition of existing single storey side extension, conversion of existing residential unit to 2 one-bedroom 1 two-bedroom and 1 studio flat, to include 2 rooflights to rear, alterations to south elevation to include re-installment of existing metal staircase leading to first floor flat and new roof terrace and associated parking (Resubmission.)

**Decision:** 09-08-2010      Refused

1728/APP/2010/2003      132 Ryefield Avenue Hillingdon

Installation of shopfront, part single storey front extension to house, automatic telling machine (ATM), awning and fascia, upper level front extension, replacement external staircase to the side, construction of brick wall with gate to east side of front elevation, insertion of new doors to side and new vehicular gates to the rear (Involving demolition of single storey side element and blocking up of 2 doors in front elevation, one door to side and double doors at rear).

**Decision:** 10-02-2011      Refused

1728/APP/2011/1123      132 Ryefield Avenue Hillingdon

Change of use to from Use Class A4 (Drinking Establishments) to Use Class A1 (Retail) (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 25-08-2011      Approved

1728/APP/2011/1513      132 Ryefield Avenue Hillingdon

Installation of chiller units to rear

**Decision:** 14-11-2011      Approved

1728/APP/2011/1565      132 Ryefield Avenue Hillingdon

Conversion of first and second floors to 2, two-bedroom flats and 1, one-bedroom flat, involving installation of external staircase at rear first floor level and demolition of single storey rear extension, rear store and detached garage to provide space for the creation of a private communal garden and 5 car parking spaces.

**Decision:** 05-01-2012      Approved

1728/APP/2011/226      132 Ryefield Avenue Hillingdon

Change of use from A4 (Drinking Establishments) to A1 (Shops) (Application for a Lawful Development Certificate for A Proposed Use).

**Decision:** 21-02-2011 Refused

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

The most relevant planning history is listed above.

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

##### **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:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE18 Design considerations - pedestrian security and safety

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.

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

LDF-AH Accessible Hillingdon , Local Development Framework, Supplementary Planning Document, adopted January 2010

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 3.8 (2015) Housing Choice

LPP 7.4	(2015) Local character
OE1	Protection of the character and amenities of surrounding properties and the local area
NPPF	National Planning Policy Framework

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

39 residents were notified of the application and 4 objections were received from local residents and Oak Farm Residents Association. A petition with 60 signatures was received and a request for the application to be referred to the planning committee from a local ward Councillor.

The objections raised were as follows:

1. Traffic has already increased in the area as a result of costcutters at the site;
2. Double parking occurs and the proposed 9 spaces to the front of the shop for residents will reduce where customers can park;
3. Customers and deliveries by large lorries already block the roads, making it dangerous to pedestrians and vehicles;
4. 9 spaces is therefore insufficient for residents of the proposed flats and staff vehicles and customers;
5. Security concerns from having access to the detached building via the alleyway;
6. There is insufficient space for the outbuilding at the rear;
7. The road to the rear is not a service road, as referred to in the application, but an access road which should be accessible at all times;
8. The road is a main bus route and the additional parking and proximity of the bus stops will be detrimental to driving and pedestrian safety;
9. Concern with regards to the construction of the building and impact on residents. They often work late at night and do not adhere to construction rules/health and safety.

The submitted petition, raised the following concerns:

10. Ryefield Avenue is a very busy road with severe traffic and parking problems that would be made worse by the proposals. The proposals would be very dangerous for both vehicles and pedestrians.

### Internal Consultees

#### HIGHWAYS

a. The proposal to relocate the car parking spaces from the rear to the front of the site is not supported because it would reduce the pedestrian footpath (private) environment/width, it would require an unacceptably wide vehicular cross-over, it would cause a loss of on-street parking space and adversely impact on highway safety, Furthermore, it would be difficult to manage the use of car park spaces between retail and residential user demands.

b. The layout of the car park area to the front of the property would require use of land that is

currently designated as public highway. This would need a stopping up order and that would first have to demonstrate that the highway was no longer required. This is difficult to argue and unlikely to succeed. Alternatively, it would have to be shown that the development cannot proceed without this highway land. Again, this argument would be difficult to justify.

c. The site has very poor public transport accessibility (PTAL 1b). LBH parking standards require 1.5 car park spaces per dwelling and there is no justification for reducing provision for car parking. The proposals include provision for 9 spaces but that includes for demand generated by the retail use of the ground floor. The proposed level of provision for car parking is considered inadequate and likely to increase demand for on-street parking.

d. Car parking should include provision for electric vehicles at a rate of 20% active and 20% passive.

The development is considered contrary to Policies AM7(ii) and AM14.

## **7. MAIN PLANNING ISSUES**

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

The upper floors of the building were previously used as residential accommodation associated with the former public house. Application 1728/APP/2011/1565 approved the use of the first floor of the building for self contained residential accommodation. There is no objection in principle to the continued use of the upper floors as residential accommodation, subject to compliance with the relevant policies and guidance of the adopted Local Plan and policies.

With regards to the addition of a building in the rear of the site, this part of the proposal would represent backland development to which there have been changes to policy since the previous application on the site, as contained within both the London Plan 2015 and the National Planning Policy Framework.

One of the core planning principles of the National Planning Policy Framework is to encourage the effective use of land by reusing land that has been previously developed (Brownfield Sites).

With regard to the London Plan, Policy 3.5 states that developments should be of the highest quality internally, externally and in relation to their context and to the wider environment, taking account of strategic policies in the plan to protect and enhance London's residential environment and attractiveness as a place to live.

The Council consider that the addition of a building to the rear of No. 132 Ryefield Avenue would be wholly detrimental to the street scene and the character of the locality, and the scheme would not 'enhance and contribute positively to the appearance of an area' as required by HDAS: Residential Layouts. It is evident from looking at the character of the surrounding area that the building proposed at the rear does not reflect the underlying existing street pattern and established layout. The scheme would be detrimental to the character and appearance of the street scene as the building would appear cramped onto a site where there is not a prevailing street pattern for large backland buildings. Further the proposed overall size and bulk of the building is considered excessive. The proposed addition would harm the views into and out of the site and detract from the overall appearance of the area. Overall, it is felt that the proposal would constitute development that would not relate to the established layout and character of the area.

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



Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

**7.04 Airport safeguarding**

There are no airport safeguarding concerns with this application.

**7.05 Impact on the green belt**

Not applicable to the consideration of this application as the site is not located within the Green Belt.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policy BE13 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) states that development will not be permitted if the layout and appearance fails to harmonise with the existing street scene, whilst Policy BE19 seeks to ensure that new development within residential areas compliments or improves the amenity and character of the area.

Policy 3.5 of the London Plan states that the design of all new housing developments should enhance the quality of local places, taking into account physical context and local character and Policy 7.4 states that buildings, should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass and allows existing buildings and structures that make a positive contribution to the character of a place to influence the future character of the area is informed by the surrounding historic environment.

The Council consider that the addition of a building to the rear of No. 132 Ryefield Avenue would be wholly detrimental to the street scene and the character of the locality, and the scheme would not 'enhance and contribute positively to the appearance of an area' as required by HDAS: Residential Layouts.

It is evident from looking at the character of the surrounding area that the building proposed at the rear does not reflect the underlying existing street pattern and established layout. The scheme would be detrimental to the character and appearance of the street scene as the building would appear cramped onto a site where there is not a prevailing street pattern for large backland buildings. Further the proposed overall size and bulk of the building is considered excessive and constitutes an unacceptable overdevelopment of the site. The proposed addition would harm the views into and out of the site and detract from the overall appearance of the area. Overall, it is felt that the proposal would constitute a back land development and would not relate to the established layout and character of the area.

A single storey side extension is proposed to the north west elevation of the building. By reason of the acceptable design, size, scale and siting of this addition, it is not considered to have a detrimental impact on the overall character and appearance of the surrounding area or host building. The only external alteration proposed to the existing building is at first floor level, with the addition of further screening to the landing area of the external staircase. Given the limited gap between this and the adjacent building, set back from the front elevation, and modest height of this addition, it is not considered to erode the gap between the buildings to an unacceptable degree nor to have a detrimental impact on its setting.

**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.

Paragraph 4.11 of HDAS: Residential Layouts states that the 45° principle will be applied to new development to ensure the amenity of adjoining occupiers and future occupiers are protected. Paragraph 4.9 of the SPD HDAS: Residential Layouts further advises that all residential developments and amenity spaces should receive adequate daylight and sunlight and that new development should be designed to minimise the negative impact of overbearing and overshadowing. Generally, 15m will be the minimum acceptable distance between buildings. Furthermore a minimum of 21m overlooking distance should be maintained.

The proposed building is located to the rear of No. 132 Ryefield Avenue. The rear gardens of the properties along Midhurst Gardens to the west, face onto the application site. The adjacent building, No. 134 Ryefield Avenue, additionally contains a maisonette on the upper floors above the ground floor takeaway. Whilst the proposed building is not considered to have a detrimental impact on the visual amenities of the properties along Midhurst Gardens, there are concerns with regards to the proximity, height and scale of the building in relation to the residential flats at No. 132 and 134 Ryefield Avenue. The proposed building, by reason of its height, scale, size and siting, is considered to appear unduly overbearing and visually obtrusive to the occupants of Ryefield Avenue, and to erode their outlook to an unacceptable degree. Given the location of the windows for the proposed building, and orientation of this in relation to the surrounding properties, the proposal is not considered to result in a loss of privacy to the surrounding occupants.

It is proposed to maintain the roof terrace approved as part of the 2011 application, with access to this via the existing external stairs. The impact of the roof terrace on the amenities of the surrounding occupants was considered within application 1728/APP/2011/1565, and no objection raised to its addition. The privacy screens have been erected around the terrace and given such, these are not considered to give rise to unacceptable levels of overlooking to the surrounding area.

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

The London Plan (March 2015) in Policy 3.5 sets out the minimum floor areas required for proposed residential units in order to ensure that they provide an adequate standard of living for future occupants. London Plan Table 3.3 sets out minimum space standards for dwellings of different sizes. For 1 bedroom two person dwelling and two-bedroom three person unit it seeks an internal floorspace provision of 50sq.m and 61sq.m respectively. All of the proposed units are in accordance with these requirements.

The HDAS: Residential Layouts and Policy BE20 of the UDP seek to ensure that residential developments receives adequate daylight and sunlight. All habitable rooms within the proposed residential units would be served by windows and accordingly they would receive adequate levels of daylight and sunlight. Further, consideration is also given to the ability of residential developments to provide high standards of interior qualities to guarantee satisfactory indoor living space.

Whilst the existing residential units in No. 132 are considered to provide a suitable standard

of accommodation, there are concerns with the quality of the residential accommodation proposed within the new building to the rear. Given the location of the building in relation to the surrounding development, the main windows to the units are located on the western and eastern elevations. By virtue of its layout and the close proximity of the surrounding boundary fences and buildings, it is considered that the ground floor unit in particular would have poor outlook and limited levels of natural sunlight and daylight. Further, it does not appear that any boundary fence is proposed between the amenity space and proposed building. It is understood from the submission that the amenity space adjacent to the proposed building, is to be used as communal garden space for the proposed units. Given the close proximity of this space to the habitable room windows of both units, there is the potential for noise, disturbance and loss of privacy to any future occupants as a result, to the detriment of their amenity.

Similarly, the close proximity of the proposed units to the ground floor retail space, gives rise to further concerns in relation to the living conditions of any future occupier. The shops waste bins and 7 chiller units are located at the rear and there is the potential for further noise disturbance from these. No information has been provided as to the likely impact the noise from the chiller units would have on any future occupant of the building. This relationship is therefore considered unacceptable and further highlights how the scheme forms an unsatisfactory overdevelopment of the site.

#### EXTERNAL AMENITY SPACE

Policy BE23 of the Saved Policies UDP requires that all residential units are served by adequate levels of usable external amenity space. The SPD HDAS: Residential Layouts recommends, as a minimum, 20sqm of amenity space be provided for one-bedroom unit and 25sqm per two bedroom unit. For this scheme amenity space of 70sqm would be required for the existing units within No. 132 Ryefield Avenue and a further 40sqm for the proposed building. The HDAS guidance states that exceptions to garden area requirements can apply in circumstances such as the provision of small non-family housing above shops.

The proposal would provide approximately 66sqm of communal space for the existing three flats and 51.2 sqm for the proposed two flats. It is considered that in the context of this site, this would be sufficient and comply with the Council's policies.

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

Policy AM7 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) considers whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. Policy AM14 of the Hillingdon Local Plan: Part 2 - Saved UDP Policies (November 2012) seeks to ensure that all development is in accordance with the Council's adopted Car Parking Standards.

Previously, 5 car parking spaces for the existing residential units at 132 Ryefield Avenue, were approved to the rear of the site. It is no longer proposed to add car parking to the rear and this proposal seeks to provide 9 car parking spaces to the front of the site. There are two existing crossovers at the site and this scheme proposes to install a third between them.

The scheme has been reviewed by the Council's Highways Officer and there are significant concerns with the proposal.

The site has very poor public transport accessibility (PTAL 1b). Car parking standards

require 1.5 car park spaces per dwelling and 1 space per 30sqm of floor area for the retail use. The scheme would therefore require a maximum of 11 spaces to be provided, 8 for the residential units and 3 for the retail unit. Given the congestion and demand for car parking within the surrounding area, the application would need to demonstrate that an under provision of car parking can be accommodated within the surrounding roads. The scheme is not accompanied by any transport surveys or assessments and the proposed level of provision for car parking is considered inadequate and likely to increase demand for on-street parking.

The proposed relocation of the car parking spaces from the rear to the front of the site is considered wholly unacceptable. This is because it would reduce the pedestrian footpath environment and width; it would require an unacceptably wide vehicular cross-over; it would cause a loss of on-street parking space and adversely impact both highway and pedestrian safety. Furthermore, as the parking is located to the front of the retail unit, it would be difficult to implement any management plan to ensure that the retail and residential spaces remained separate and allocated to each use.

The layout of the car park area to the front of the property would also require use of land that is currently designated as public highway. This would need a stopping up order and that would first have to demonstrate that the highway was no longer required. This is difficult to argue and unlikely to succeed. Alternatively, it would have to be shown that the development cannot proceed without this highway land. No information has been submitted to support either justification and in the absence of such, the parking layout proposed is not considered feasible or acceptable.

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

Issues relating to urban design have been discussed within section 7.07 of the report.

##### **ACCESS**

The main pedestrian access into the proposed units is via the rear access road. Had the scheme been found acceptable in all other regards, no objection would have been raised to the use of this route.

##### **SECURITY**

Concerns have been raised by residents in relation to the security of the rear of the properties, if additional people are given keys to the gates that at present restrict access for residents only. Had the scheme been found acceptable a secure by design condition would have been added to ensure that concerns relating to security were addressed within the scheme.

#### **7.12 Disabled access**

The applicant has stated that the proposed units will be constructed to lifetime homes standards. Had the scheme been found acceptable in all other respects, a condition would have been added to any consent to ensure that the building was constructed to the lifetime homes standards.

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

The proposal seeks permission for less than 10 residential units, accordingly there is no requirement for the provision of affordable housing within the development under the London Plan or the Council's Supplementary Planning Document for Planning Obligations.

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

There are no trees that will be affected by this application. Had the scheme been found

acceptable, a condition would have been added requesting that details of the soft and hard landscaping proposed be submitted to and approved by the Local Planning Authority.

The application site does not contain any existing trees, accordingly the scheme does not give rise to any concerns with regard to tree protection.

Saved policy BE38 requires landscape enhancement of new developments. At present the rear of the site is mainly hard standing and rather unkempt in appearance. The proposed new arrangement to the rear would provide an opportunity to tidy up the rear external area and introduce some landscaping compliant with saved policy BE38.

Further details of the proposed communal garden area to the rear of the property are required. Should the application be approved, provision for, and details of, landscape management and maintenance would be required to ensure that the communal external spaces are suitably managed.

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

Officers are satisfied that the site is large enough to accommodate bin storage and subject to the imposition of a condition on any planning permission, no objection would be raised.

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

Had the scheme been acceptable in all other respects, a condition would have been recommended to ensure that the scheme incorporates measures to reduce its energy demands.

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

The proposal is not considered to give rise to any particular concerns regarding flooding or drainage. However, a condition requiring the use of sustainable urban drainage/porous paving would be necessary to ensure any sustainable drainage solutions were appropriately implemented within new areas of hard standing to the rear.

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

There are no noise or air quality concerns raised by this application.

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

The concerns raised within the public consultation have been addressed within the main body of the report.

#### **7.20 Planning obligations**

Not applicable to the consideration of this application.

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

Not applicable to the consideration of this application.

#### **7.22 Other Issues**

There are no other issues for consideration with this application.

### **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**

Not applicable to the consideration of this application.

### **10. CONCLUSION**

There are fundamental concerns with regards to the overall size, scale, siting and design of the building proposed to the rear of No. 132 Ryefield Avenue and the quality of accommodation provided as a result. Further, the proposed parking arrangement is considered wholly unacceptable in the context of the surrounding area, and to have a

detrimental impact on general highway and pedestrian safety. The scheme therefore fails to comply with the Councils adopted policies and guidance.

**11. Reference Documents**

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

Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)

HDAS: Residential Layouts

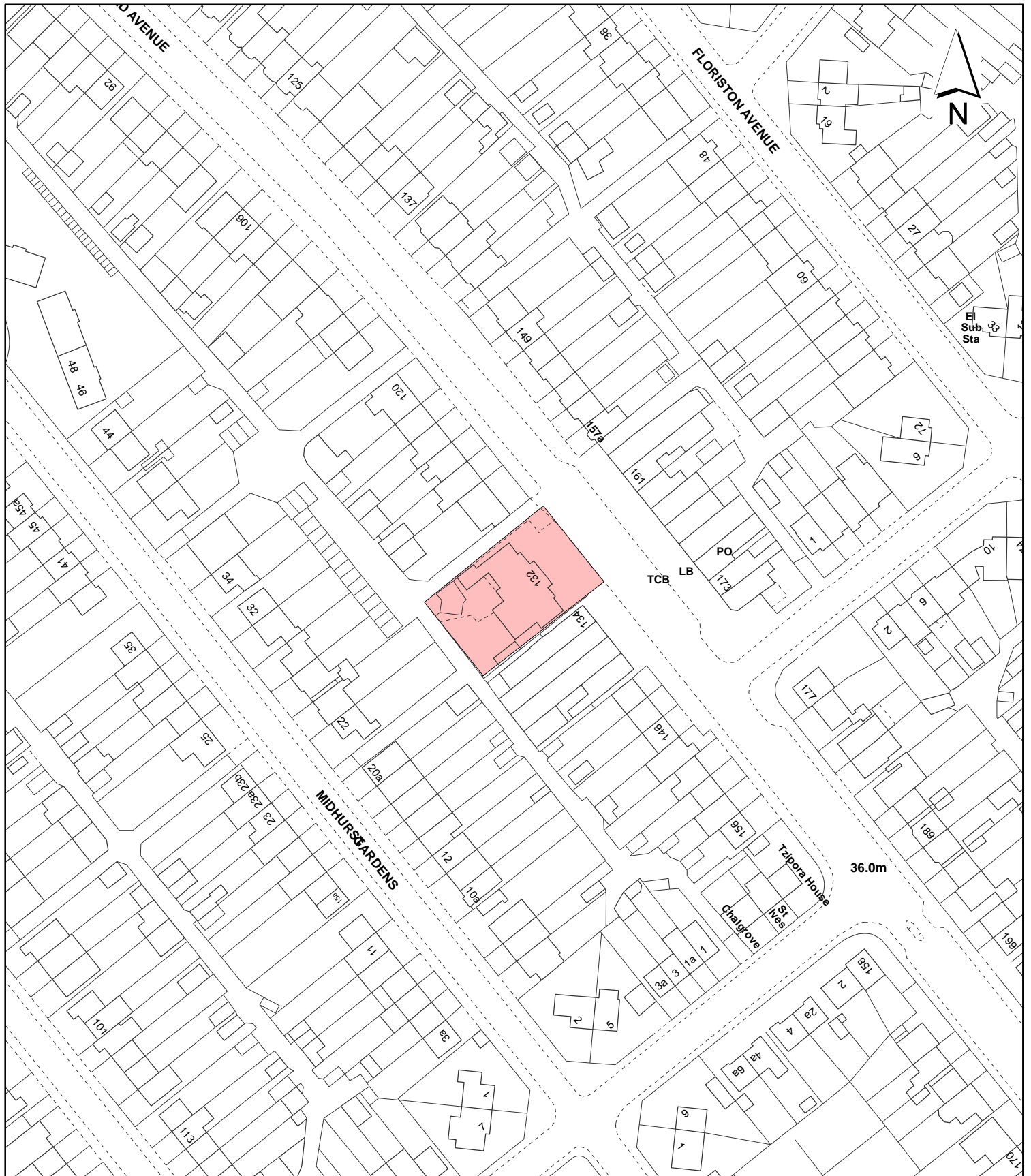
The London Plan 2015

HDAS: Accessible Hillingdon

National Planning Policy Framework

**Contact Officer:** Charlotte Bath

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**Notes:**

 Site boundary

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Site Address:

**132 Ryefield Avenue  
 Hillingdon**

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

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

Planning Application Ref:

**1728/APP/2015/1070**

Scale:

**1:1,250**

Planning Committee:

**Central and South**

Date:

**June 2015**



**HILLINGDON**  
 LONDON