

Report of the Head of Planning, Sport and Green Spaces

Address 178 - 182 HIGH STREET RUISLIP

Development: Change of use of first and second floors from Use Class A1 (Retail) To Use Class C3 (Residential) to form 3 x 2-bedroom and 3 x 1-bedrom self contained flats involving first floor rear extension, glazed balustrades to form private/communal terraces to rear, external alterations and internal refuse bin and cycle storage (Resubmission)

LBH Ref Nos: 28388/APP/2015/3834

Drawing Nos: Location Plan
15/3369/1
15/3369/2
15/3369/4
15/3369/5
Design & Access Statement
15/3369/3 Rev B

Date Plans Received: 15/10/2015 **Date(s) of Amendment(s):** 15/10/2015
Date Application Valid: 05/11/2015 28/10/2015
26/10/2015

1. SUMMARY

This application seeks permission for the change of use of the first and second floors of the application property from Use Class A1 (Retail) to Use Class C3 (Residential) to form 3 x 2-bedroom and 3 x 1-bedroom self contained flats. As part of the proposed conversion, the proposal incorporates the erection of a flat-roof first floor rear extension, glazed balustrades to form private/communal terraces to the rear, external alterations involving two new first floor side windows and a replacement first floor rear window, and internal secure storage of refuse bins and cycle to the rearward part of the ground floor of the property. The proposal would also incorporate the retention of two off-street parking spaces to the rear.

The application is being referred to the Planning Committee because it has been called in by a Ward Councillor, and because it proposes the partial loss of the established lawful Class A1 retail space in the application property.

It is considered that the proposed development would result in an appropriate mix of retail and residential uses on the site, and that the retained retail space on the ground floor of the property would be adequate to ensure the continued retail core functioning, and the viability, vitality and vibrancy of the Ruislip Town Centre.

It is also considered that the bulk, positioning and design of the first floor rear extension, glazed balustrades/terraces and external alterations are such that the proposed development would not detract from the character and appearance of the existing and neighbouring buildings, and would preserve the appearance of the wider Ruislip Village Conservation Area. The development would therefore be compliant with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Extensions (December 2008).

The proposal would provide a satisfactory level of accommodation and amenity space for future occupants of the proposed flats, and would not have an adverse impact on the residential amenities of adjacent neighbouring occupiers, compliant with Policies BE20, BE21, BE22, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

Other than the retention of the existing two off-street parking spaces to the rear, the application does not propose any additional off-street car parking provision for the residential flats. The site has a high Public Transport Accessibility Level (PTAL) rating of 4 and it is situated within the Primary Shopping Area of the Ruislip Town Centre, and in close proximity to local facilities and local transport opportunities. As such, it is considered that any residential occupiers of the proposed development would have good access to local facilities and to the wider London area, via good public transport connections and is therefore considered to be acceptable and in accordance with planning policy.

Accordingly, the application is recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 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 COM4 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 15/3369/4 and 15/3369/3 Rev B (revised and received on 17/03/2016), and shall thereafter be retained/maintained 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 (2015).

3 COM7 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.

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 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

4 B16 Details/Samples to be Submitted

Development shall not begin until details and/or samples of all materials, colours and finishes of the following have been submitted to and approved by the Local Planning

Authority:

- The new brick work and parapet should match the existing, samples should be submitted for agreement;
- The new glazing should be metal Crittal type, details of their design and materials to be submitted;
- Details of the new external door to be submitted;
- Details of the design and fixing of glazed screens
- The location and type of all vents and flues to be submitted for agreement.

Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

REASON

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

5 H14 Cycle Storage - details to be submitted

No part of the development hereby permitted shall be commenced until details of the covered and secure cycle storage, for users of and visitors to the development have been submitted to and approved in writing by the Local Planning Authority. The details submitted should clearly demonstrate that the facility is capable of being accessed by users.

Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

REASON

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 6 of the London Plan (2015).

INFORMATIVES

1 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).

2 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 (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM14	New development and car parking standards.
BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.

BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
H4	Mix of housing units
H8	Change of use from non-residential to residential
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
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
S6	Change of use of shops - safeguarding the amenities of shopping areas
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 6.13	(2015) Parking
LPP 7.4	(2015) Local character
LPP 7.8	(2015) Heritage assets and archaeology
NPPF	National Planning Policy Framework

3 159 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), the 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.

4 147 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

5 115 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance 'The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Councils Environmental Protection Unit (www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

6

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a corner plot that is located at the southern end of the western side of High Street, Ruislip, and on the junction intersection between High Street and Kingsend to the west. To the east and south of the intersection are Pembroke Road and West End Road.

The site is situated within the Ruislip Village Conservation Area and the Primary Shopping Area of the Ruislip Town Centre, as identified in the policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site comprises a part two/three storey end-of-terraced building, which is currently in use as a Class A1 retail unit for the sale of furniture and beds (Quilters). The building has a three-storey height (with pitch roof recessed and a parapet wall) that fronts onto the High Street. It then steps to a flat-roof two

storey height along the southern boundary adjacent the Kingsend highway, which is mainly a residential street. The existing two storey projection almost extends to the rear boundary adjacent to Princess Lane, and it is set in from the northern side boundary with the adjoining property at No. 176 High Street (Wimpy) by 6.4m. A flat-roof single storey rear addition, which is set forward of the rear building line of the two storey rear projection, infills the area between the two storey projection and the northern side boundary. An external staircase at the rear forms secondary access to the retail space on the upper floors of the property, and the adjoining footpath to the rear, which is within the curtilage of the site, forms part of an informal servicing yard and area for two off-street parking spaces.

The High Street is a London Distributor Road and the site has a high Public Transport Accessibility Level (PTAL) rating of 4. The immediate locality has restrictions of on-street parking at the junction intersections and 'Pay and Display' parking bays directly in front of the application property and on the High Street. The site is within approximately 130m walking distance to the Ruislip Underground Station farther to the southeast.

3.2 Proposed Scheme

This application seeks permission for a change of use of the first and second floors from Use Class A1 (Retail) to Use Class C3 (Residential) to form 3 x 2-bedroom and 3 x 1-bedroom self contained flats. As part of the proposed conversion, the proposal incorporates the erection of a first floor rear extension, glazed balustrades to form private/communal terraces to the rear and external alterations, involving two new first floor side windows and a replacement first floor rear window.

The proposed first floor rear extension would be erected to the northern side of the existing two storey rear projection and on top of the existing single storey rear infill addition. The first floor rear extension would be 2.7m wide, 5.8m deep and 3.4m high. The existing external staircase to the rear would be retained and form primary access to the upper floor flats, while the rear extension would form an enclosure for internal access. The private terrace would form private amenity area for one of the 2-bedroom flats on the first floor, and it would be 2.65m deep and 5.1m wide. The communal terrace would be 7.43m deep and 5.1m wide, and it would be sited in front of the private terrace. The communal terrace would have a 1.5m high obscure-glazed balustrade, while the private terrace would have a 0.6m high obscure-glazed balustrade on top of an existing 1.2m high retaining wall.

Revised plans have been submitted, which show the provision of internal storage of 2 x 1100 litre Wheelie refuse bins and 6 cycles spaces to the rearmost part of the ground floor of the building. The bins and cycle storage spaces would be accessed via two existing external rear doors with level access.

Other than the retained two off-street parking spaces, no additional off-street parking spaces have been proposed for the application scheme.

3.3 Relevant Planning History

28388/APP/2012/3171 178-182 High Street Ruislip

Change of use of 1st & 2nd floors from A1 to C3. Extension to 1st, 2nd & 3rd floors (3rd floor formerly roof space) to provide C3 use. The provision of 9 no. two bed flats, 3 no. one bed flats, no. additional parking spaces, ancillary cycle storage & bin store.

Decision: 20-03-2013 Withdrawn

28388/APP/2013/1487 178-182 High Street Ruislip

Change of use of first and second floors from Use Class A1 (Shops) to Use Class C3 (Dwelling Houses), rear extensions to first and second floor, conversion of roofspace to habitable use involving extension to third floor, part demolition of ground floor to allow for the provision of 9 x 2 bed self contained flats, with associated balconies, parking and installation of cycle and bin stores, and alterations to all elevations

Decision: 24-07-2013 Withdrawn

28388/J/99/3117 178-182 High Street Ruislip

Installation of two externally illuminated fascia signs

Decision: 13-10-1999 Approved

49368/A/94/3152 178 High Street Ruislip

Installation of internally illuminated shop fascia sign and shop blinds

Decision: 30-01-1995 Approved

Comment on Relevant Planning History

28388/APP/2013/1487 - Change of use of first and second floors from Use Class A1 (Shops) to Use Class C3 (Dwelling Houses), rear extensions to first and second floor, conversion of roofspace to habitable use involving extension to third floor, part demolition of ground floor to allow for the provision of 9 x 2-bed self contained flats, with associated balconies, parking and installation of cycle and bin stores, and alterations to all elevations
Decision: Withdrawn on 24/07/2013.

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

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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LPP 3.5	(2015) Quality and design of housing developments
LPP 3.8	(2015) Housing Choice
LPP 6.13	(2015) Parking
LPP 7.4	(2015) Local character
LPP 7.8	(2015) Heritage assets and archaeology
NPPF	National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **9th December 2015**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

13 neighbouring properties (Nos. 155A, 157-161 & 176 High Street; Nos. 4, 5 & 7 Kingsend; Nos. 1, 2, 3, 4, 5 & 6 Kingsend Court, Kingsend; and Bridge House, The End), the Ruislip Residents Association, the Ruislip Village Conservation Panel and the Ruislip Chamber of Commerce were consulted by letter on 09/11/2015. A site notice was displayed in the area on 18/11/2015.

One response was received from the Ruislip Chamber of Commerce, which is outlined below:

- Although the ground floor will still be A1 (retail), the High Street will be losing two floors of retail space in a prime location.

Internal Consultees

CONSERVATION OFFICER:

This site is highly visible and lies at the southern entrance to the Ruislip Village Conservation Area. The current building is of a discrete and not unattractive design. It probably dates from the late 1950s, and is a purpose built structure of three floors plus a pitched roof behind a parapet. It appears to be traditionally constructed in a dark red brick with a tiled roof and original, metal framed casement windows. These are set within painted, projecting concrete "box like" framing and are symmetrically positioned and grouped across the front and side street elevations. The height of the building reduces to two storeys along Kingsend, where the street becomes residential in character.

There are no objections in conservation terms to these proposals as the external alterations would be fairly minor. It appears that the roof of the rear addition, to be used as a terrace, may need to be raised to be strengthened to provide this space and to provide level access from the adjacent landing as shown. If so, details should be provided.

The bike/bin store looks to result in the removal of parking, possibly for staff, at the rear of the building.

Should this application be recommended for approval, conditions should be applied to cover the following:

- The new brick work and parapet should match that existing, samples should be submitted for agreement
- The new glazing should be metal Crittal type, details of their design and materials to be submitted
- Details of the new external door to be provided
- Details of the design and fixing of glazed screens
- The location and type of all vents and flues to be submitted for agreement.

HIGHWAYS OFFICER:

The site located in a Good PTAL 4 rating.

The applicant was initially requested to submit a parking survey to provide evidence of car reliance and the availability of spare on-street parking availability, which the development could rely upon.

The assessment of on-street car parking (after excluding paid, private and controlled / restricted parking), indicated that there is very high levels of existing parking stress (100%) on the limited available unrestricted / free on-street car parking. Pay & Display parking is short-term and is therefore considered suitable for shoppers visiting the High Street and is well occupied.

There is clear and compelling evidence of reliance on car use in the area. Consequently, the proposed development (with nil on-site car park provision) is not considered acceptable.

A Section 106 agreement has been considered to remove parking permits for the future occupiers of the development. However the surrounding roads are not within a controlled parking zone, which would otherwise require resident parking permits. Therefore removing parking permits will not achieve its goal of removing additional parking demand associated with the development.

A secured cycle store is required, which is proposed at the rear of the site for six cycles. Although the cycle parking provision is considered acceptable, the cycle store would result in loss of 2 existing car parking spaces at the rear, which is unacceptable as the parking demand in the surrounding area is already very high.

Consequently, the application is considered to be contrary to Policies AM7 and AM14.

Case Officer comments: Following the submission of revised plans by the applicant, which show the retention of the existing two off-street rear parking spaces and internal secure storage of refuse bins and cycle spaces, the Highways Officer has provided additional comments.

Additional Highways Officer comments:

The Previous Highway comments remain valid except for the reference to the loss of two existing car park spaces.

Additional Case Officer comments: For full comments, see section 7.10 of this report. Whilst the comments set out by the Highways Officer above are noted, a recent Inspectors decision at the site across the road considered a car free development to be acceptable and sustainable within this town centre location. As such, it is not considered that a reason for refusal on the grounds of lack of car parking could be substantiated at appeal. As such, this application is considered acceptable with regard to it being a car-free proposal.

In addition, whilst ground floor cycle parking provision is provided, a condition will be imposed requiring further details to ensure the storage is accessible, safe and secure.

TREES OFFICER:

The site is occupied by a three-storey building at the junction of Ruislip High Street and Kingsend, and is situated within Ruislip Town Centre. The building is currently used for retail, with south and east elevations hard on the back edge of the footway. There is a service yard to the rear of the building (west elevation) accessed from Princess Lane. There are no trees or other landscape features on the site. The closest trees are those within the wide High Street footway to the front of the building.

There are no Tree Preservation Orders affecting the site. The site lies on the edge of the Ruislip Village Conservation Area.

Landscape Considerations:

- No trees or landscape features will be affected by the proposed development.
- The proposal is for a car-free development with space for bike storage.
- This is an urban / town centre location with no scope for external amenity space or landscape enhancement in association with this scheme.

No objection and, in this case, no need for landscape conditions.

ACCESS OFFICER:

I have considered the detail of this planning application and have no comments to make.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The National Planning Policy Framework (NPPF) emphasises the role of the planning system in enabling the provision of homes and buildings which are consistent with the principles of sustainable development.

Policy 3.4 of The London Plan (2015) promotes the optimisation of housing output within

different types of location. Policy 3.8 of The London Plan also encourages the Council to provide a range of housing choices in order to take account of the various different groups who require different types of housing. Consideration will also be given to the accessibility of the site to services and amenities.

Policy H4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) also seeks to encourage additional housing in Town Centres. The supporting text states: "The Council recognises the importance of residential accommodation in town centres as a part of the overall mix of uses which is necessary to ensure their vitality and attractiveness. Such housing offers particular advantages in terms of accessibility to town centre facilities, employment opportunities and public transport. In order to maximise the residential potential of town centre sites, residential development within them should comprise predominantly of one or two-bedroom units".

Policy H8 of the Local Plan (Part Two) specifies that change of use from non residential to residential will be permitted if

- (i) a satisfactory residential environment can be achieved
- (ii) the existing use is unlikely to meet the demand for such accommodation and
- (iii) the proposal is consistent with other objectives of the Local Plan.

The site is located within a 'Developed Area' as defined in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012). Whilst general policies are supportive of residential development in principle, this is subject to compliance with a number of detailed criteria, including the consideration of the loss of any existing use of the site.

Policy S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that changes of use applications will be granted where i) a frontage of design appropriate to the surrounding area is maintained or provided; ii) the use would be compatible with neighbouring uses and will not cause unacceptable loss of amenity to nearby residential properties; and iii) would have no harmful effect on road safety or worsen traffic congestion.

The objection from the Ruislip Chamber of Commerce in respect of the loss of the upper floor retail space in a prime location is noted.

The dominant use in the Primary Shopping Area of the Ruislip Town Centre is Class A1 retail, and even though the proposed development would result in the loss of the existing retail space on the first and second floors of the application property, it would incorporate the retention of the larger retail space on the ground floor with associated shopfront and display window. The retained ground floor would have a trading floor area of 323 sq.m, given that a small section would be partitioned off for the provision of secure refuse bin and cycle storage. The retained retail trading floor area of 323 sq.m is considered adequate to maintain the viability, vibrancy and maintenance of the vitality of the Primary Shopping Area of the Town Centre. The siting of the proposed first floor rear extension is such that it would not displace the space in the servicing yard and off-street parking area to the rear.

The Ruislip Town Centre comprises terraced parades of buildings with mainly ground floor commercial uses and upper floor residential accommodation, so the proposed conversion of the upper floors to residential accommodation would not be a departure from the Local Plan policies. Given that adequate retail space would be retained in the ground floor of the property, and a substantial element of its services provided to visiting members of the public, it is considered that the proposed mixed use development would be appropriate to the retail function and the role of the Primary Shopping Area of the Town Centre. It would

therefore be of economic benefit to the Town Centre and ensure its continued vitality and vibrancy. Even though the proposal would result in a partial loss of retail space, it is instructive to note that the Council's most recent Town Centre survey indicates that the predominant use in the shopping frontage of the Primary Shopping Area of the Ruislip Town Centre is still Use Class A1 retail.

Having regard to The London Plan and the Council's policies and guidelines, it is considered that in general, there is no objection to the principle of the proposed mixed use development on the site incorporating retail and residential uses. It is considered that the proposal would provide an increase in smaller to medium housing stock within the Borough and is acceptable in principle, as it would provide additional housing within an area of very high public transport accessibility.

The principle of the development is therefore considered acceptable, as it would accord with the objectives of Policies 3.3, 3.4, 3.5 and 3.8 of The London Plan (2015) and Policies H4, H8 and S6 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2015) seeks to ensure that new development 'take into account local context and character, the design principles in Chapter 7 and that public transport capacity development should optimise housing output for different types of location within the relevant density range shown in Table 3.2. Development proposals that compromise this policy should be resisted'.

Paragraph 4.1 of the Council's adopted HDAS SPD: Residential Layouts (July 2006) 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.

However, density is only one indicator for the acceptance of the scheme, and other considerations such as impact to the character of the area, internal floor areas and external amenity space would carry far more weight. 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

The application site is not situated within an Archaeological Priority Zone or Area of Special Local Character. The site does not comprise any statutorily or locally listed buildings.

However, the site is situated within the Ruislip Village Conservation Area. A detailed assessment of the design merits of the proposed development incorporating a flat-roof first floor rear extension, glazed balustrades to form private/communal terraces and external alterations involving the insertion of new side and rear windows, has been provided in the 'Impact on the Character and Appearance of the Area' section below.

The Conservation Officer has not raised any objection to the bulk and design of the proposed development, and it is considered that it would not detract from the character and appearance of the existing and neighbouring buildings, and would preserve the appearance of the wider Ruislip Village Conservation Area, thereby compliant with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Extensions (December 2008).

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application as the site is not situated within the Green Belt.

7.07 Impact on the character & appearance of the area

Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) require all new development to maintain the quality of the built environment including providing high quality urban design and the preservation/enhancement of sites with heritage assets such as Conservation Areas.

Policy BE4 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that new development within or on the fringes of conservation areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities; development should avoid the demolition or loss of such features. As such, there will be a presumption in favour of retaining buildings, which make a positive contribution to the character or appearance of a conservation area.

Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements, improves and/or harmonises with the character and visual amenity of a streetscene and surrounding residential area in which it is situated.

Paragraph 1.20 of the adopted HDAS SPD: Residential Extensions (December 2008) gives advice that proposals for sites within a Conservation Area will require: a higher standard of design, traditional materials and features that are complementary to the existing building.

The extensive depth of 5.8m for the proposed first floor rear extension is noted. However, the first floor rear extension would have a flat roof with height equal to that of the existing two storey rear projection (which it would be attached to). The first floor rear extension would be set forward of the rear building line of the two storey rear projection by 7.8m. As such, it would not project to a depth where it could be visually prominent or intrusive on the Kingsend and Princess Lane streetscenes to the rear. The first floor rear extension would be set in from the northern side boundary with the adjoining property at No.176 High Street by 5m, and it would have a width of 2.7m. As such, it would have a modest footprint of 15.66 sq.m relative to that of the existing property. The first floor rear extension would not be visible from the High Street streetscene, and the Conservation Officer has not raised any objection to its form, scale, bulk and design. It is considered that the use of obscure-glazed panels for the balustrades (to enclose the terraces) is acceptable, as it is a material that is complementary to the traditional red facing brickwork of the existing property. It is also considered that the scale, proportions and design of the new first floor windows to the southern side elevation and the replacement larger first floor window are in keeping with those of existing openings in the property. The Conservation Officer has not raised any objection to these elements of the proposal.

Subject to the imposition of suitable conditions, which require the submission and approval of details of the materials to be used in the construction of the proposed development, it is considered that the proposed development would not detract from the character and appearance of the existing and neighbouring buildings, and would preserve the appearance of the wider Ruislip Village Conservation Area, thereby compliant Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Extensions (December 2008).

7.08 Impact on neighbours

Paragraph 4.11 of the Council's adopted HDAS SPD: Residential Layouts (July 2006) gives advice that the 45 degree line of sight principle will be applied to new development, to ensure the amenity of adjoining occupiers and future occupiers are protected.

Paragraph 4.9 of the HDAS SPD specifies that a minimum acceptable distance to minimise the negative impact of overbearing and overshadowing is 15m. Paragraph 4.12 of the HDAS SPD requires a minimum of 21m distance between facing habitable room windows to prevent overlooking and loss of privacy.

Policy BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) specifies that planning permission will not be granted for new buildings, which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity.

The proposed first floor rear extension would be screened off from views of the closest adjacent properties on the southern side of Kingsend by the existing two storey rear projection. The existing and new first and second floor windows in the southern side elevation of the property would serve habitable rooms in flats on those floors. The side windows would offer views out directly towards the front garden of the dwelling at No. 5 Kingsend and the apartment block at Nos. 1 to 6 Kingsend Court to the south. However, there would be a separation distance of 25m between the side windows and the facing habitable front windows at those properties. Given that the separation distance exceeds the required minimum of 21m, it is considered that there would be no detrimental impact on the neighbouring amenities of the properties on the southern side of Kingsend in terms of loss of natural light, outlook, over-looking, over-shadowing, loss of privacy, over-dominance and/or visual intrusion.

The closest adjacent residential property to the rear (west) of the application site and on the northern side of Kingsend across Princess Lane is No. 4 Kingsend. There would be separation distances of 13m and 17m between the eastern flank elevation of No.4 and the proposed first floor rear extension and communal terrace respectively. It is noted that the eastern flank elevation of No.4 features first floor non-habitable windows and there is a single storey rear extension at that dwelling. It is considered that the 1.5m height of the obscure-glazed balustrade enclosing the communal terrace is such that any direct and/or oblique views out towards the flank elevation and rear garden of No.4 would be severely restricted. As such, it is considered that there would be no detrimental impact on the neighbouring amenities of No.4 in terms of loss of natural light, outlook, over-looking, over-shadowing, loss of privacy, over-dominance and/or visual intrusion.

The adjoining property to the north at No. 176 High Street does not comprise any residential units or accommodation on any of its three floors. As such, there are no concerns to address in terms of impact on residential amenity at that adjoining property.

Given the above considerations, it is considered that the proposed development would not have an adverse impact on the residential amenities of adjacent neighbouring occupiers, compliant with Policies BE20, BE21, BE22, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

7.09 Living conditions for future occupiers

On 25 March 2015, the Government introduced new technical housing standards in England, which comprise of new additional 'optional' Building Regulations on water and access, and a nationally described space standard (referred to as "the new national technical standards").

These new standards came into effect on 1 October 2015. The Mayor of London has adopted the new national technical standards in the form of 'Housing Standards Minor Alterations to The London Plan (MALP) (March 2016). Appendix 1 of the alterations sets out how the standards stemming from the policy specified in the 2012 Housing SPG should be interpreted in relation to the national standards.

Policy 3.5 and Table 3.3 of The London Plan (March 2015), which is substituted by Table 1 of the nationally described space standard, specify that the minimum internal floor space area/standard for a one-bedroom, two person flat and two-bedroom, three person flat should be 50 sq.m and 61 sq.m respectively. The nationally described space standards define the Gross Internal Area (GIA) or internal floor space area of a dwelling as 'the total floor space measured between the internal faces of perimeter walls that enclose a dwelling. This includes partitions, structural elements, cupboards, ducts, flights of stairs and voids above stairs.

The proposed 6 flats on the first and second floors would all have internal floor areas that exceed the minimum required areas. It is therefore considered that the proposed flats would result in the provision of satisfactory internal accommodation of adequate sizes for future occupiers. All 6 flats would have single and double sized bedrooms with areas that exceed the minimum required nationally described space standards of 7.5 sq.m and 11.5 sq.m respectively. The living and kitchen/dining area on the ground floors would have combined areas that exceed the minimum required space standards specified in The London Plan. However, it should be specified and noted here that the new nationally described standards have removed the standards for combined living/kitchen and dining areas in residential developments. The new nationally described space standards specify that plans for new dwellings should demonstrate that all homes are provided with adequate space and services to be able to work from home. Given that the proposed flats in the new building would have adequate widths and areas for living areas, it is considered that there would be adequate scope for the provision of services to enable occupiers to work from home.

It is considered that the habitable rooms in the flats would have windows with front, side and rear aspects, and would have adequate and acceptable levels of outlook and entry of daylight/sunlight. As a result, the proposal would be compliant with the related guidance contained in The London Plan (2015), Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Residential Layouts HDAS SPD (July 2006).

With regards to the provision of adequate usable communal amenity space, paragraph 4.17 of the HDAS SPD requires a minimum of 20 sq.m for a one-bedroom flat and 25 sq.m for a two bedroom flat. As a result, the required minimum for the proposed 6 flats is 135 sq.m (60 sq.m for the 3 x 1-bedroom flats and 75 sq.m for the 3 x 2-bedroom flats). However paragraph 4.19 states 'Exceptions to the garden area requirements will only apply in special circumstances such as the provision of non-family housing, predominantly made up of 1 bedroom units, in town centres or the provision of small non-family housing above shops'. The proposed private terrace and communal terrace would have a combined area of 51.4 sq.m, which is below the required 135sq.m however, in light of the guidance, it is not considered necessary to adhere to the exact requirements in this town centre location, especially as the scheme makes provision for some usable amenity space throughout the development.

In addition, the applicant has provided a schedule of 16 parks and sites with communal

play grounds/fields in the surrounding area, which can provide amenity area to offset the significant shortfall of amenity provision on the site. The closest of the parks and grounds are the Ruislip Rugby Club and Churchfield Gardens, which are within 450 metres walking distance from the application site. As such, the on-site provision and close proximity to sites with adequate public amenity areas would be adequate to provide satisfactory standards of amenity for the future occupiers of the proposed flats, thereby compliant with Policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the guidance contained in the HDAS SPD: Residential Layouts (July 2006).

7.10 Traffic impact, car/cycle parking, pedestrian safety

Paragraph 32 of the National Planning Policy Framework (NPPF) which states that "Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe". A Ministerial Statement (reference HCWS488, 25 March 2015) further adds to this and states "Local Planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network."

Policy 6.13 (b) states that: 'in locations with high public transport accessibility, car free developments should be promoted'. The applicant has highlighted that this site has a high PTAL rating of 4 and is therefore one of the more accessible locations in the Borough.

Policy AM7 of the Hillingdon Local Plan: Part Two - 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 Local Plan (Part Two) specifies that new development will only be permitted where it is in accordance with the Councils adopted car parking standards.

Other than the retention of two existing off-street parking spaces to the rear, the proposed development does not propose any additional off-street parking provision. As mentioned in the 'Internal Consultees' section above, the Highways Officers has raised an objection to the 'car-nil' provision. The Highways Officer has commented that the submitted parking survey studies from the applicant indicate that there are very high levels of existing parking stress (100%) on the limited available unrestricted / free on-street spaces on the road network in the surrounding area. The Highways Officer has commented that the studies discount the capacity of the short-term paid, private and controlled / restricted parking availability during daytime hours.

It is considered however that refusing permission on the above grounds could not be sustained for the following reasons. It is instructive to note that the existing parking spaces on the site would alleviate some of the parking stress on the surrounding roads, which the Highways Officer has made reference to. Furthermore, it is instructive to note that the presence of double yellows and restrictions of on-street parking at the junction intersections of High Street, West End Road, Pembroke Road and Kingsend are such that it is impractical to provide any off-street parking in the site and is likely to discourage car ownership. As such, it is considered that the specific circumstances of the restrictions in and around the site would cause no detrimental harm to pedestrian and highway safety.

It is instructive to note that a number of previous permissions have been granted that form precedents for car-free developments in the immediate locality. In an appeal for 6 flats at 157-161 High Street, Ruislip (located directly opposite the site), whilst the appeal was

dismissed by the Inspector on other grounds, with specific reference to the proposals for a car free development, the Inspector commented that 'the site is in a sustainable location from the public transport point of view, and there are existing opportunities for off-street parking, therefore the development proposed accords with the Government guidance on sustainable development and that on-site parking is not essential. The proposals are therefore not considered to merit refusal on parking grounds.' The Inspector's conclusion is such that it is considered that a car free development within the Ruislip Town Centre and close to the Ruislip Underground Station is considered acceptable and a refusal on these grounds could not be upheld in an appeal.

The immediate locality has a high Public Transport Accessibility Level (PTAL) rating of 4 and the site is in close proximity to local facilities and local transport opportunities. As such, it is considered that any residential occupiers of the proposed development would have good access to local facilities and to the wider London area, via good public transport connections.

Given the above considerations, the car free element of the proposed development would not have any conflict with the objectives of the NPPF, Policy 6.13b of The London Plan (2015) and Policies AM7 and 14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.11 Urban design, access and security

In terms of design, it has been discussed that the proposed development would constitute a level of design that would ensure the preservation of the appearance of the wider Ruislip Village Conservation Area.

In terms of security, the use of an existing staircase access to the rear and adjacent siting to the Princess Lane highway are such that adequate surveillance would be provided from the public realm. The proposal would therefore comply with 'secured by design' principles.

7.12 Disabled access

In terms of suitable access for all persons, the existing level and inclusive access into the ground floor retail shopfront would be retained.

The upper floor flats would have adequate sized bathrooms with adequate opening door widths. The upper floor flats have internal areas that comply with the required space standards, and it is considered that there is adequate scope within the flats to create larger sized bathrooms should the need arise for inclusive access.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are no protected trees on the site and the proposal would not be sited in close proximity of any trees with high amenity value adjacent or near to the site. The Trees Officer has not recommended the requirement of any landscaping scheme, given the Town Centre location of the site.

7.15 Sustainable waste management

The proposal incorporates adequate and secure recycling and refuse storage provision for both the retail and residential uses on the site.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

The application site is not situated within any Flood Zone, and even though the proposal

incorporates residential development, the upper floor siting of the proposed development is such that it would not result in the generation of any localised flooding on the site.

7.18 Noise or Air Quality Issues

There are no adverse air or noise quality issues to address, as the proposal would result in an appropriate and acceptable mix of retail and residential uses on the site.

7.19 Comments on Public Consultations

The representation (objection) from the Ruislip Chamber of Commerce in respect of the loss of the retail space on the upper floors has been discussed in the main section of this report above.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

Not applicable to this application.

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

Not applicable to this application.

10. CONCLUSION

It is considered that the proposed development would result in an appropriate mix of retail and residential uses on the site, and that the retained retail space on the ground floor of the property would be adequate to ensure the continued retail core functioning, and the viability, vitality and vibrancy of the Ruislip Town Centre.

It is also considered that the bulk, positioning and design of the first floor rear extension, glazed balustrades/terraces and external alterations are such that the proposed development would not detract from the character and appearance of the existing and neighbouring buildings, and would preserve the appearance of the wider Ruislip Village Conservation Area. The development would therefore be compliant with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Extensions (December 2008).

The proposal would provide a satisfactory level of accommodation and amenity space for future occupants of the proposed flats, and would not have an adverse impact on the residential amenities of adjacent neighbouring occupiers, compliant with Policies BE20, BE21, BE22, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted HDAS SPD: Residential Layouts (July 2006).

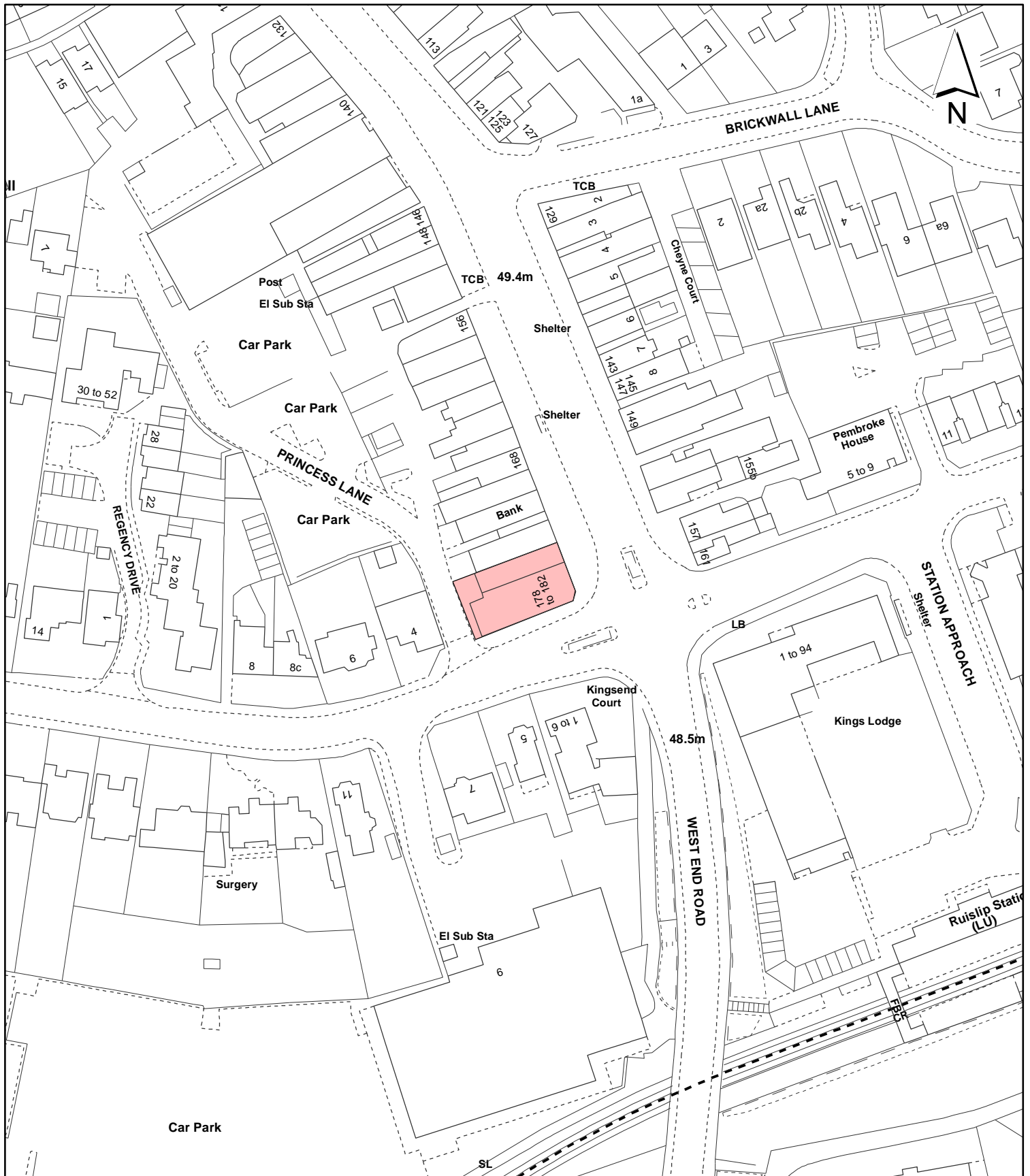
The application proposes a car free development for the residential flats. However, the site has a high Public Transport Accessibility Level (PTAL) rating of 4 and it is situated within the Primary Shopping Area of the Ruislip Town Centre, and in close proximity to local facilities and local transport opportunities. As such, it is considered that a car free development would have good access to local facilities and to the wider London area, via good public transport connections and therefore accords with local and regional planning policies.

11. Reference Documents

The London Plan (2015).
Hillingdon Local Plan Part One - Strategic Policies (November 2012)
Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)
Mayor of London's Housing Supplementary Planning Guidance (November 2012)
Housing Standards Minor Alterations to The London Plan (March 2016)
Parking Standards Minor Alterations to The London Plan (March 2016)
Supplementary Planning Document HDAS: Residential Layouts (July 2006)
Supplementary Planning Document HDAS: Residential Extensions (December 2008)
Supplementary Planning Document HDAS: Accessible Hillingdon (January 2010)
National Planning Policy Framework (March 2012)

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Notes:

 Site boundary

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Site Address:

178 - 182 High Street Ruislip

Planning Application Ref:

28388/APP/2015/3834

Planning Committee:

North

Scale:

1:1,250

Date:

April 2016

LONDON BOROUGH OF HILLINGDON
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 Planning Section

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HILLINGDON
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