

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

2 RES4 Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan numbers 14014/RP001 Rev P3; 14014/505 Rev P1; 14014/SPC002 Rev P2 and 14014/502 Rev P6, 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 (2016).

3 HO4 Materials

The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

4 HO6 Obscure Glazing

The rear and side windows facing 155 High Street and Pembroke House shall be glazed with permanently obscured glass and non-opening for so long as the development remains in existence.

REASON

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

5 RES17 Sound Insulation

Development shall not begin until a scheme for protecting the proposed development from road traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. All works which form part of the scheme shall be fully implemented before the development is occupied and thereafter shall be retained and maintained in good working order for so long as the building remains in use.

REASON

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) (air traffic) (other) noise in accordance with policy OE5 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and London Plan (2016) Policy 7.15.

INFORMATIVES

1 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils

Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

2 I47 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).

3 I25A The Party Wall etc. Act 1996

On 1 July 1997, a new act, The Party Wall etc. Act 1996, came into force.

This Act requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:-

- 1) carry out work to an existing party wall;
- 2) build on the boundary with a neighbouring property;
- 3) in some circumstances, carry out groundworks within 6 metres of an adjoining building.

Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations or planning controls. Building Control will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by Building Control should be taken as removing the necessity for the building owner to comply fully with the Act.

4 I15 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.

Part demolition of existing building (Application for Conservation Area Consent.)

Decision: 24-06-2010 Refused

64711/APP/2011/214 157-161 And Land Fronting High Street Ruislip

Two and half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (involving part demolition of existing building) and the retention of the beauty saloon use of the existing building, involving the change of use of the ground floor retail units (Class A1) and 4 existing flats (Class C3) (Part Retrospective Application).

Decision: 19-05-2011 Approved

64711/APP/2011/215 157-161 And Land Fronting High Street Ruislip

Part demolition of existing building (Application for Conservation Area consent).

Decision: 19-05-2011 Approved

64711/APP/2014/1587 157-161 High Street And Land Fronting Pembroke Road Ruislip

Details pursuant to conditions 4 (Demolition and Construction Management Plan), 6 (Landscaping Scheme), 8 (Landscape Maintenance), 17 (Sustainable Urban Drainage), 18 (Cycle Store) and 21 (Education Facilities) of planning permission Ref: 64711/APP/2011/214 dated 02/06/2011 (Two and half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (involving part demolition of existing building) and the retention of the beauty saloon use of the existing building, involving the change of use of the ground floor retail units (Class A1) and 4 existing flats (Class C3) (Part Retrospective Application))

Decision: 29-07-2014 Refused

64711/APP/2014/2821 157-161 High Street And Land Fronting Pembroke Road Ruislip

Details pursuant to conditions 2 (Materials), 4 (Demolition and Construction Management Plan), (Landscaping Scheme), 8 (Landscape Maintenance), 9 (Noise Scheme), 18 (Cycle Store) and 21 (Education Facilities) of planning permission Ref: 64711/APP/2011/214 dated 02/06/2011 (Two and half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (involving part demolition of existing building) and the retention of the beauty saloon use of the existing building, involving the change of use of the ground floor retail units (Class A1) and 4 existing flats (Class C3) (Part Retrospective Application))

Decision: 03-11-2014 Approved

64711/APP/2016/286 157-161 High Street And Land Fronting Pembroke Road Ruislip

Details pursuant to discharge conditions No.15 (Energy Efficiency), No.16 (Code for Sustainable Homes), No.17 (Sustainable Drainage), No.19 (Secure by Design) and No.20 (Parking Permit) of planning permission Ref: 64711/APP/2011/214 dated 02/06/2011 (Two and

half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (involving part demolition of existing building) and the retention of the beauty saloon use of the existing building, involving the change of use of the ground floor retail units (Class A1) and 4 existing flats (Class C3) (Part Retrospective Application))

Decision: 04-04-2016 Approved

Comment on Relevant Planning History

64711/APP/2011/215 - Part demolition of existing building (Application for Conservation Area consent) (approved)

64711/APP/2011/214 - Two and half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (approved)

64711/APP/2010/683 - Two storey attached building with accommodation in the roof space, comprising 2 two-bedroom and 6 one-bedroom flats and part ground floor for use as enlargement of existing beauty saloon, involving part demolition of existing building, change of use of a ground floor unit from Class A1 (refused)

64711/APP/2008/2050 - Residential development (refused, dismissed at appeal)

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.

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.

H4	Mix of housing units
H7	Conversion of residential properties into a number of units
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
NPPF	National Planning Policy Framework
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

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **20th July 2016**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

14 neighbours were consulted for a period of 21 days expiring on the 8 July 2016.

5 responses were received from the neighbouring properties, raising the following issues:

- The building that has been erected was a suitable compromise to the previously refused scheme, with the roof designed to fit in with the street scene of the properties fronting High Street. The current proposal does not preserve, enhance or harmonise with the street scene and is contrary to policy.
- The proposed flat does not have sufficient headroom.
- Poor design with not windows apart from skylights. Adding dormer windows would be at odds with the Conservation area.
- Cramped living conditions for future occupants.
- Access to the flat looks difficult.
- Unacceptable to the existing occupants of no. 3 who bought properties on the basis the building was as built with no propose extensions.
- Overdevelopment.
- No car parking provision.
- Overlooking.
- Bought the property on the basis this was a top floor flat, which was the attraction of the property and would become a redundant feature.
- Not informed of the intention to build in the roof, has this been disclosed there is a strong possibility the conveyance would not have been completed.
- The building works will cause extreme disruption and noise to the existing owners, causing a legal nuisance.
- The builders would have to trespass upon the existing owners property.
- Value and marketability of the existing properties would be seriously diminished.
- Restrictions upon amenities and access to light.
- The roof height should be limited to that shown on the plans.

Ruislip Residents Association - We oppose the planning application in its current form, for a roof

conversion to create a 2-bedroom flat. Over the past 8-9 years there have been a number of applications and appeals relating to this site, some approved and some refused. Planners and conservationists have strived throughout that period to ensure that the new building on this site contains flats of good design, appropriate for healthy living and sustainable as 'lifetime homes'. This new application is of poor design apparently having no windows apart from skylights and with sloping roofs impinging on the living area creating a cramped living space. Such a poor design is unsuitable for a Conservation Area. We therefore request that this application, in its current form, be refused.

There may be an alternative design that would be more acceptable in our view. We would prefer it if (for example) they added four small dormers, two at the front (in the centres of the two "wings") and at a height that you can see out of, and two more at the back. This would give both bedrooms and the lounge real windows. Given the complex roof design we don't think these would stand out as odd as long as they were styled to match the existing, but larger, dormers that would be beneath them.

Ruislip Village Conservation Panel - This new application seeks to place a flat in the roof space, apparently of inferior design having no windows at a height suitable for people of normal stature to see out of and with sloping roofs impinging on the living area, creating a cramped living space. Although in the roof, there seems to be no provision for a lift, which could well make access difficult for the less nimble. Such a poor design is unsuitable for a Conservation Area. We beg that this application be refused.

Internal Consultees

Conservation and Urban Design - There will be no impact on the character or appearance of the Conservation Area. Acceptable.

Highways - No comments.

Access Officer- No accessibility issues.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF has a requirement to encourage the effective use of land by re-using land. This proposal applies to the loft space within an existing block of flats, which within planning considerations is considered to be a brownfield site.

The site lies within an established residential area where there would be no objection in principle to the intensification of the residential use of the site, subject to all other material planning considerations being acceptable, in accordance with the Hillingdon Local Plan (November 2012).

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2016) seeks to ensure that the new development takes into account local context and character, the design principles in Chapter 7 and public transport capacity development should optimise housing output for different types of location within the relative density range shown in Table 3.2. Development proposals which compromise this policy should be resisted.

The density matrix, however, is only of limited value when looking at small scale development such as that proposed with this application. In such cases, it is often more appropriate to consider how the development harmonises with its surroundings and its impact on adjoining occupiers.

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

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm contributes to community cohesion and a sense of place. Policies BE4, BE13 and BE15 also state that the layout and appearance of new development should harmonise with the existing street scene or other features of the area.

The proposal does not include any extension to the existing building, however it includes 6 additional rear rooflights, 2 front rooflights and 4 additional side rooflights. The rooflights are modest in size and the Conservation Officer has advised that there would be no impact upon the character or appearance of the Conservation Area as a result of this proposal. As such, it is considered that the proposal would not detract from the character and appearance of the original building and the surrounding Conservation Area generally, in compliance with policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Local Plan and section 7.0 of the Hillingdon Design & Accessibility Statement: Residential Extensions. Policy BE4 mirrors the relevant legal duties.

7.04 Airport safeguarding

Not applicable to this application.

7.05 Impact on the green belt

Not applicable to this application.

7.07 Impact on the character & appearance of the area

As discussed within the impact on the Conservation Area.

7.08 Impact on neighbours

There are no proposed extensions to the existing building however the proposal includes rooflights to all four elevations as well as on the crown roof. The rooflights to the rear overlook the rear of 155 High Street, these serve the stair case and could be conditioned to be obscure glazed and fixed shut. On the western side 157/161 High Street has 2 dormer windows currently facing the roofslope of the application site, however these are set a the floor level below that proposed and given the angle of the roof slope is unlikely to result in any direct overlooking between the properties. To the East is Pembroke House, the top floor of which is fully glazed serving habitable rooms of residential accommodation on the floor above the proposed flat with a direct view between the properties. However it is noted that there are other proposed rooflights to the living room, so the side facing rooflights could be conditioned to be obscure glazed and fixed shut. Therefore it is not considered that the proposals would significantly harm the residential amenities of the occupiers of the adjoining properties from increased loss of privacy. Therefore the proposal complies with the requirements of Policy BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS: Residential Extensions

7.09 Living conditions for future occupiers

Residential Amenity of 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 through a minor alteration to The London Plan (March 2016).

The Housing Standards (Minor Alterations to the London Plan) March 2016 sets out the minimum internal floor spaces required for developments in order to ensure that there is an adequate level of amenity for existing and future occupants. The standards require a 1

bedroom (2 person) flat to have a minimum internal floor area of 50 sq m with an additional 1.5 sq m of internal storage (51.5 sq m total). The proposed layout indicates the flat has a floor area of approximately 57.15 sq m in excess of the standard required. The proposal therefore provides a satisfactory living environment for the future occupants of property in accordance with Policy 3.5 of the London Plan 2015.

The Hillingdon Design and Accessibility Statement Residential Layouts, requires the provision of adequate private amenity space and for a 1 bed flat, 20 sq m would be required. An additional area of amenity space (25 sq m) has been provided to the side of the building. It is therefore considered that the proposal would comply with the requirements of policy BE23 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and HDAS Residential Layouts.

7.10 Traffic impact, car/cycle parking, pedestrian safety

No objections were previously raised to the principle of a car free development on this site by the Local Planning Authority or by the Planning Inspectorate. The Planning Inspector previously considered that the site is located in a sustainable location from a public transport point of view and there are existing opportunities for off-street parking, and therefore the development proposed accorded with Government guidance on sustainable development and that on-site parking was not essential. The Council's Highway Officer has raised no objections.

7.11 Urban design, access and security

There are no specific access, safety or security concerns raised by the proposal, which would continue to be the responsibility of the current occupier.

7.12 Disabled access

The Access Officer has not raised any concerns with regard to this proposal.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

Not applicable to this application.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Not applicable to this application.

7.19 Comments on Public Consultations

The concerns raised by the neighbours are noted; however issues relating to the conveyance, trespass and property value are not material planning considerations. These are civil issues which would need to be addressed accordingly. It should be noted that any planning approval granted does not override any other civil issue, and right of access is not conferred by the approval of planning permission. It is acknowledged that building works would cause some disruption, but as this would be transitory in nature would not be such that planning approval could be refused on this basis alone. All other issues are addressed within the report.

7.20 Planning Obligations

The proposal would not necessitate the provision of planning obligations, however based on

the information before officers at this stage it would be liable for payments under the Community Infrastructure Levy.

7.21 Expediency of enforcement action

Not applicable to this application.

7.22 Other Issues

No details have been provided to demonstrate that adequate sound insulation could be provided, however this could be dealt with by way of a condition.

8. Observations of the Borough Solicitor

General

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

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

Members should also ensure that their involvement in the determination of planning applications adheres to the Members Code of Conduct as adopted by Full Council and also the guidance contained in Probity in Planning, 2009.

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal. Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

Members must be satisfied that any planning obligations to be secured by way of an agreement or undertaking pursuant to Section 106 of the Town and Country Planning Act 1990 are necessary to make the development acceptable in planning terms. The obligations must be directly related to the development and fairly and reasonably related to the scale and kind to the development (Regulation 122 of Community Infrastructure Levy 2010).

Equalities and Human Rights

Section 149 of the Equalities Act 2010, requires the Council, in considering planning applications to have due regard to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different protected characteristics. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where

equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

Members should also consider whether a planning decision would affect human rights, in particular the right to a fair hearing, the right to respect for private and family life, the protection of property and the prohibition of discrimination. Any decision must be proportionate and achieve a fair balance between private interests and the public interest.

9. Observations of the Director of Finance

10. CONCLUSION

The proposed external alterations are minimal and would have no adverse impact on the character and appearance of the existing building or the wider Conservation Area. The proposed flat would achieve suitable living conditions for future occupiers and provide adequate amenity space.

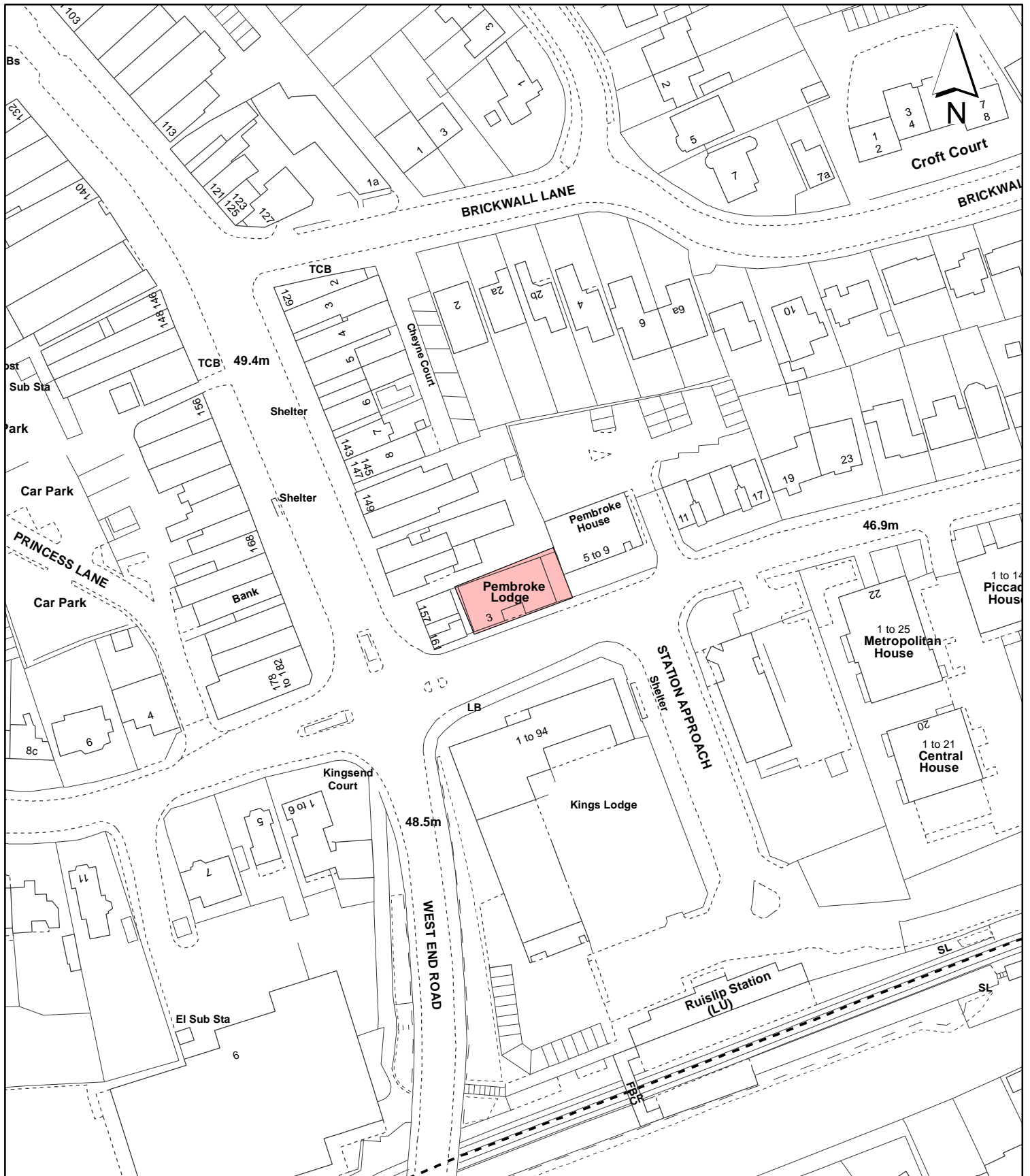
It is therefore recommended for approved.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).
Hillingdon Local Plan Part 2.
The London Plan (2016).
Supplementary Planning Document 'Accessible Hillingdon'.
National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

3 Pembroke Road

LONDON BOROUGH OF HILLINGDON
 Residents Services
 Planning Section
 Civic Centre, Uxbridge, Middx. UB8 1UW
 Telephone No.: Uxbridge 250111

Planning Application Ref:
64711/APP/2016/1793

Scale:
1:1,250

Planning Committee:
North

Date:
January 2017

