

Report of the Head of Planning, Sport and Green Spaces

Address 178 - 182 HIGH STREET RUISLIP

Development: First and second floor rear extension, conversion of roofspace to habitable use to include 3 x front dormers, 4 x side dormers and change of use from Use Class A1 (Retail) to Use Class C3 (Residential) to create 6 x 2-bed and 3 x 1-bed self-contained flats, balustrade to rear to from communal terrace and alteration to bin/cycle storage.

LBH Ref Nos: 28388/APP/2016/3332

Drawing Nos: 15/3369/14
15/3369/10
Location Plan
15/3369/12
15/3369/11
15/3369/13

Date Plans Received: 05/09/2016

Date(s) of Amendment(s):

Date Application Valid: 14/09/2016

1. SUMMARY

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 fail to harmonise with the existing street scene, and BE19 states the LPA will seek to ensure that new development within residential areas complements or improves the amenity and the character of the area.

The scheme proposes to erect a first and second floor extension to the rear of the premises and convert the roofspace to habitable use with the inclusion of dormer windows. The proposal is considered to be a large and visually intrusive addition, which fails to respect the character and appearance of the existing building and the wider Conservation Area. It also fails to achieve suitable living conditions for future occupiers.

It is therefore recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed first and second floor extensions with the conversion of the roofspace to habitable use including dormer windows set within a large flat roof, by virtue of its size, scale, bulk and design would be detrimental to the character and appearance of the existing building and the visual amenity of the street scene and the wider Conservation Area. Therefore the proposal would be contrary to 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 Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

2 NON2 Non Standard reason for refusal

The proposal would result in the provision of habitable rooms with their only window in very close proximity to the side wall of the rear projections, which would compromise a 45 degree line of sight and would thus result in habitable rooms with a lack of outlook and natural light/sunlight resulting in an oppressive environment, to the detriment of the residential amenity of future occupiers. The proposal is thus contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies, Policies 3.5 and 5.3 of the London Plan (2011) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

1 159 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), then London Plan Policies (2016). 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.

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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.

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 6.4 m. A flat-roof single storey rear addition, which is set forward of the rear building line of the two storey rear projection, in fills 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 130 m walking distance to the Ruislip Underground Station farther to the Southeast.

3.2 Proposed Scheme

This application seeks planning permission for the erection of a first and second floor rear extension, the conversion of the roofspace to habitable use to include 3 x front dormer window, 4 x side dormer windows and a change of use from Use Class A1 (Retail) to Use Class C3 (Residential), creating 6 x 2-bed and 3 x 1-bed self contained flats, with a balustrade to rear to form a communal terrace and alteration to the bin/cycle storage.

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, 3 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/APP/2015/3834 178 - 182 High Street Ruislip

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-bedroom 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)

Decision: 13-04-2016 Approved

Comment on Relevant Planning History

28388/APP/2015/3834 - 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-bedroom 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) (Approved)

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 (withdrawn)

28388/APP/2012/3171 - 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, 3 no. additional parking spaces, ancillary cycle storage & bin store.(withdrawn)

Synopsis. Whilst the change of use of the upper floors to residential is acceptable, further extending the building to accommodate further residential development raises issues about extending an important building on a corner site in the Conservation Area.

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:

AM14 New development and car parking standards.

AM7 Consideration of traffic generated by proposed developments.

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.

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

H4 Mix of housing units

H8 Change of use from non-residential to residential

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 (2016) Increasing housing supply

LPP 3.4	(2015) Optimising housing potential
LPP 3.5	(2016) Quality and design of housing developments
LPP 3.8	(2016) Housing Choice
LPP 6.13	(2016) Parking
LPP 7.4	(2016) Local character
LPP 7.8	(2016) Heritage assets and archaeology
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:- Not applicable
- 5.2** Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

10 neighbours were consulted for a period of 21 days expiring on the 7 October 2016.

There were 2 responses from neighbours who raised the following issues:

- The building is in a prominent position and any changes should be sympathetic to the local surroundings.
- The application involves filling in the present roof line increasing it to 4 storeys
- Overbearing on 4 Kingsend.
- Out of character with the Conservation Area and garden suburb image.
- Overdevelopment.
- No proper outside amenity space.
- No parking provision detrimental to highway safety.
- Plans suggest Quilters will remain as a retail outlet but they are closing. What demand is there for a double shop this size?
- Overdominant and at odds with the street scene.

Ruislip Residents Association - The increase in roof height in the High Street will destroy the street scene on that important junction, and damage the Garden Suburb image. Hence the proposed plans will completely change the character of the Conservation Area. The large 4 storey building will dwarf No.4 Kingsend behind and will be generally over dominant in its surroundings. There is no proper outside amenity space for residents of the proposed flats. - The increase in the number of flats from the previous approved plan and the lack of additional parking spaces will cause adverse affects in local roads where there are already few parking spaces. There is nowhere for emergency, delivery or service vehicles to park on the busy corner of Kingsend and Princess Lane.

Ruislip Village Conservation Panel - The Panel have grave concerns about the effect upon the Conservation Area. The proposal would create a four storeyed building and an unattractive 3-4 storey extension along Kingsend, overwhelming the properties to the rear. The plans constitute an overdevelopment on a very busy corner, beside traffic lights, where the pavement is narrow for

pedestrians and extra traffic engendered by so many flats would constitute an added danger. Inevitably the inhabitants of the new flats and their visitors including health workers, will have cars and no adequate parking spaces. We beg that this application be refused for all these reasons and especially because the enlarged building would permanently have an adverse effect upon the character of the Conservation Area.

Internal Consultees

Access Officer - No comments to make

Conservation and Urban Design -

BACKGROUND: This building is highly visible and lies on a prominent corner at the southern entrance to the Ruislip Village Conservation Area. It is of a discrete and generally attractive design and probably dates from the late 1950s. It is a purpose built structure of three floors plus a pitched roof behind a parapet along the High Street elevation. 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 more modest and residential in character.

COMMENTS: Whilst there would be no objection to the change of use of the upper floors in design terms, the extended building as currently proposed would appear unduly large and bulky. When seen from Kingsend, the building would comprise 3 sheer storeys and would have an additional floor within a flat roofed, non traditional, mansard addition. This would be visible from the south and east, where the surrounding properties within the conservation area are mostly of 2 storeys with traditional roof forms. To the rear and visible from the west, the top floor would be within a sheer storey, as the mansard would not be continued to the rear of the building. As such it would be seen as 4 storeys and would appear even larger and more prominent on the skyline.

Whilst the addition of a traditional mansard to the existing building at second and third floor and may be acceptable in principle, extending the building as proposed would result in a significantly taller and overly large structure in a highly visible location. Its non traditional roof form would be very obvious and it would create a visually jarring change in scale between the building and the adjacent two storey structures. It is considered that this would be detrimental to the character and appearance of the conservation area.

As proposed, it is considered that this structure would have a negative impact on the character and appearance of the Ruislip Village Conservation Area. As such objections are raised to this proposal.

Highways - The existing retail unit at ground floor is to be retained and the two parking spaces appear to be used by the existing retail business. A previously approved scheme was supported by a Lambeth Methodology Parking Survey that showed there were small amounts of on street parking available to accommodate car trips from the proposed development. The site has a PTAL value of 4 (good). This application is for a slightly greater number of flats but has provided no explanation of why no car parking is provided. However as this application is for 3 more units on the same site, I am willing to accept the findings of the 2016 parking survey, so I have no significant concerns.

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 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 278 sq.m, which 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 and second 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 (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

The site is situated within the Ruislip Village Conservation Area. A detailed assessment of the design merits of the proposed development incorporating a first and second floor rear extension and conversion of roofspace including dormer windows and glazed balustrades to form private/communal terraces has been provided in the 'Impact on the Character and Appearance of the Area' section below.

However it is noted that the Conservation Officer has raised an objection to the bulk and design of the proposed development, which is considered to have a negative impact on the character and appearance of the Ruislip Village Conservation Area and thereby fails to comply 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 Design and Access Statement accompanying this proposal has advised that the increase in height and design of the dormer windows are very similar to those recently approved on the new development in Pembroke Road and will not detract from the appearance of the Conservation Area. However it is noted that 3 Pembroke Road is a separate building set behind no. 157 High Street with the upper floors set back from the street. The main roof height of that building is 10.75m (11.3m at the side ridges) against 12.45m of this application site. It is further noted that 3 Pembroke Road sits between no. 157 and Pembroke House, a 4 storey building, and opposite Kings Lodge, which is substantially larger. The approved development at 3 Pembroke Road was subject to a number of planning applications, which were refused initially on the scale and design of the proposal.

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

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. Policy BE4 reflects the relevant legal duties.

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.

Whilst there would be no objection to the change of use of the upper floors in design terms, the extended building as currently proposed would appear unduly large and bulky. When seen from Kingsend, the building would comprise 3 sheer storeys and would have an additional floor within a flat roofed, none traditional, mansard addition. This would be visible from the South and East, where the surrounding properties within the conservation area are mostly of 2 storeys with traditional roof forms. To the rear and visible from the West, the top floor would be within a sheer storey, as the mansard would not be continued to the rear of the building. As such it would be seen as 4 storeys and would appear even larger and more prominent on the skyline.

The Conservation Officer has raised concerns and advised that whilst the addition of a traditional mansard to the existing building at second and third floor may be acceptable in principle, extending the building as proposed would result in a significantly taller and overly large structure in a highly visible location. Its non traditional roof form would be very obvious and it would create a visually jarring change in scale between the building and the adjacent two storey structures. It is considered that this would be detrimental to the character and appearance of the conservation area.

It is therefore considered that the proposed development would be out of keeping with the character and appearance of the surrounding Conservation Area and that its visual impact is unacceptable. As such the proposal fails to comply with the requirements of policies BE4, BE13 and BE19 of the UDP saved policies.

7.08 Impact on neighbours

Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) that uses that become detrimental to the amenity of the adjoining occupiers or area will not be approved. Policy BE20 states that buildings should be laid out to allow adequate daylight to penetrate and amenities of existing houses safeguarded. Policy BE24 states that the proposals should protect the privacy of the occupiers and their 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 15 m. Paragraph 4.12 of the HDAS SPD requires a minimum of 21 m distance between facing habitable room windows to prevent overlooking and loss of privacy.

The proposed first and second floor rear extension and addition to the roofspace would be largely screened off from views of the closest adjacent properties on the Northern side of site by the existing two storey rear pitched roof projection at the rear of 176 High Street. The proposed extensions although substantial would also be separated from the flank wall of the nearest property to the West, no. 4 Kingsend, by Princess Lane at a distance of 8.5 m. The nearest properties to the South are 5 Kingsend and Kings End court situated on the opposite side of the road approximately 34 m away. Therefore, the proposed extensions are not considered to result in an unacceptable degree of over dominance, visual intrusion and over shadowing and would comply with Policy BE1 (Built Environment) of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE13, BE15 and BE19 of the adopted Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The proposed windows on the Northern elevation looking over the shared roof terrace and the roof line of the two storey pitched roof projection at the rear of no. 176, all serve non habitable rooms and can be conditioned to be obscure glazed and fixed shut below 1.8 m. The existing and new first floor, second floor and dormer 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 24 m between the side windows and the facing habitable front windows at those properties. Given that the separation distance exceeds the required minimum of 21 m, 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 privacy.

To the rear (West) of the application site and the windows facing no. 4 Kingsend look towards the front garden and flank wall. To the side of the extension, the proposed communal terrace would have a separation distance of approximately 11.3 m from the Eastern flank and the rear garden. 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 1.5 m 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 loss of privacy.

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 through a minor alteration to The London Plan.

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 2 bed three person dwelling set over 1 storey should have a minimum internal floor area of 61 sq m with an additional 2 sq m of internal storage and a 2 bed four person dwelling set over 1 storey should have a minimum internal floor area of 70 sq m with an additional 2 sq m of internal storage. The proposed layouts indicate the properties would provide floorspace in accordance with Policy 3.5 of the London Plan 2016.

Policy BE20 requires that buildings should be laid out so that adequate daylight and sunlight can penetrate and Policy BE21 states permission will not be granted for proposals which by reason of their siting, bulk and proximity would significantly impact on residential amenity. Section 4 of the Council's HDAS: Residential Layouts advises that all residential developments should receive adequate daylight and sunlight, careful design can minimise the negative impact of overbearing and overshadowing. Due to the configuration of the blocked development, it is noted that the Westerly facing living rooms of the flats 1 and 4 are recessed between the two high walls of the rear projections of the application site and no. 176 and compromises a 45 degree line of sight from these windows within 3.5 m and 5.1 m. Although it is noted that this was not considered to be a issue in the previous proposal for the conversion of the upper floors, the increased height of this proposal, would result in the side wall increasing from one storey for flat 1 and none to flat 4, to tow storeys and one storey respectively. It is therefore considered that some of the proposed habitable rooms would fail to have an adequate outlook and source of natural light.

HDAS: Residential Layouts advises that two bedroom flats should provide at least 25 sq. m of amenity space. As a result, the required minimum for the proposed 8 flats is 200 sq.m. 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 59.65 sq.m, which is below the required 200 sq.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 consideration of the previous proposal the case officer advised 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. 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

Policy AM7 of the Hillingdon Local Plan: Part Two - Saved Unitary Development Plan Policies (November 2012) considers whether the traffic generated by the proposed development is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy AM14 states that new development will only be permitted where it is in accordance with the Council's adopted Car Parking Standards. These require a provision of 1.5 spaces per dwelling.

The Highways Officer has advised that;

* "the site was subject to a similar previous application for 6 flats that was approved by the Council in April 2016. That application was supported by a Lambeth Methodolgy Parking Survey conducted in January 2016 that showed that there were small amounts of on-street parking available to accommodate car trips from the proposed development. The site has a PTAL value of 4 (good) which suggests that there could be some for car trips to and from the site. This application is for a slightly greater number of flats (9) and there are only 2 parking spaces on site and they could well be reserved for the retail unit. The Design and Access Statement provides no explanation of why no on-site car parking is provided and no reference to any parking surveys that have been carried out.

* the previously approved development was granted permission with 6 units above the ground floor retail and relied on the information provided in a 2016 parking survey. On the basis of this application for 3 more units at the same site I am willing to accept the findings of the 2016 parking survey.

* there are 9 covered secure cycle parking spaces shown on the latest drawing, which is accepted along with 1100lt refuse bins. Both of these facilities have direct access from Princess Lane."

Therefore on this basis they have raised no significant concerns over the above application

As such, the proposed development is considered to comply with the principles of Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Hillingdon's Adopted Parking Standards and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

7.11 Urban design, access and security

Secured by Design is now covered by Part Q of the Building Regulations.

7.12 Disabled access

Not applicable to this application.

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.

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

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

Not applicable to this application.

7.19 Comments on Public Consultations

Issues raised have been addressed appropriately in 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

None.

8. Observations of the Borough Solicitor

General

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

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

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

Planning Conditions

Members may decide to grant planning consent subject to conditions. Planning consent should not be refused where planning conditions can overcome a reason for refusal.

Planning conditions should only be imposed where Members are satisfied that imposing the conditions are necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and reasonable in all other respects. Where conditions are imposed, the Council is required to provide full reasons for imposing those conditions.

Planning Obligations

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

Equalities and Human Rights

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

The requirement to have due regard to the above goals means that members should consider whether persons with particular protected characteristics would be affected by a proposal when compared to persons who do not share that protected characteristic. Where equalities issues arise, members should weigh up the equalities impact of the proposals against the other material considerations relating to the planning application. Equalities impacts are not necessarily decisive, but the objective of advancing equalities must be taken into account in weighing up the merits of an application. The weight to be given to any equalities issues is a matter for the decision maker to determine in all of the circumstances.

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

9. Observations of the Director of Finance

10. CONCLUSION

The proposal is considered to be a visually intrusive addition to the street scene which fails to respect the built form of the surrounding Conservation Area. It also fails to achieve suitable living conditions for future occupiers.

It is therefore recommended for refusal.

11. Reference Documents

The London Plan (2016).

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)

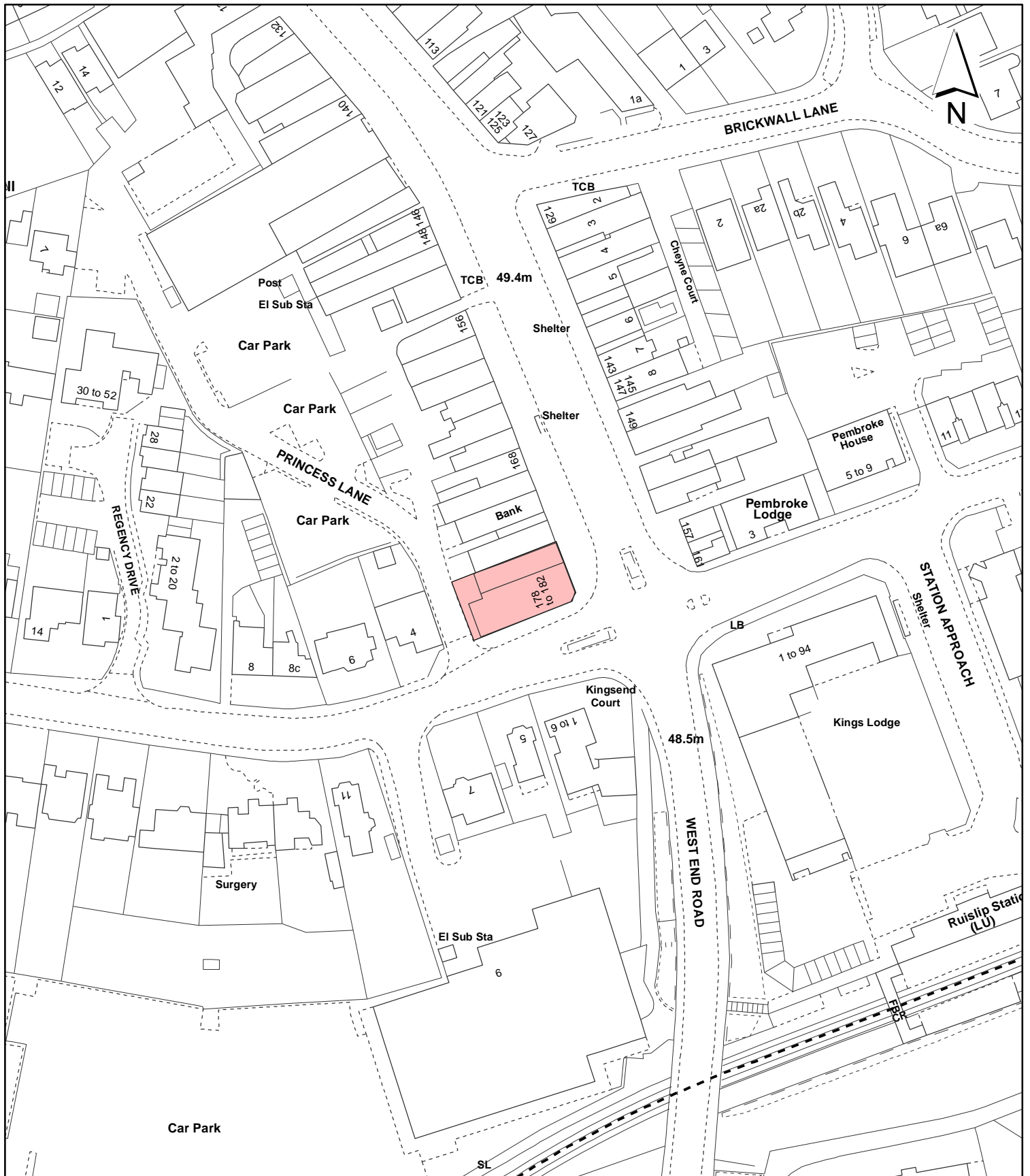
Housing Standards Minor Alterations to The London Plan (March 2016)

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)

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

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Site Address:

**178-182 High Street
 West Ruislip**

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

Planning Application Ref:

28388/APP/2016/3332

Scale:

1:1,250

Planning Committee:

North

Date:

January 2017



HILLINGDON
 LONDON