

**APPLICATION FOR: 28723/APP/2017/2067**  
21 EASTCOTE ROAD RUISLIP

**COMMITTEE:** North PC

**DATE:** 12th September 2017

I confirm:-

- All consultations have been completec
- All consultations are reflected in the report.
- The report is free from spelling, typing and grammatical errors.

Final formatting:

Signed:- \_\_\_\_\_  
Case Officer

Signed:- \_\_\_\_\_  
Team Manager

Signed:- \_\_\_\_\_  
Senior Manager

I agree this report can go on the agenda for the above Committee.

Signed:- \_\_\_\_\_  
DC Tech Admin

**Item No.** Report of the Head of Planning, Building Control, Sport & Green Spaces

**Address** 21 EASTCOTE ROAD RUISLIP

**Development:** Part two storey, part single storey rear extension, creation of basement level and change of use of first floor from Use Class C3 to Use Class D1 for use as a surgery, alterations to elevations and parking.

**LBH Ref Nos:** 28723/APP/2017/2067

**Drawing Nos:** 15/12010  
15/12011  
15/12012  
Design & Access Statement

**Date Plans Recieved:** 06/06/2017 **Date(s) of Amendment(s):**

**Date Application Valid:** 16/06/2017

## 1. SUMMARY

The application seeks permission for a part two storey, part single storey rear extension, creation of basement level and change of use of first floor from C3 residential to D1 for use as a doctors surgery, alterations to elevations and access with the addition of 6 car parking spaces to the rear.

The proposals would result in the net loss of residential accommodation. The very substantial double storey deep rear extension would by virtue of its siting, scale and excessive depth have a detrimental impact on the character of the area and on the amenities of adjoining occupiers. In addition the activity associated with the use and site layout with 6 new car parking spaces to the rear of the property in addition to the 6 at the front, would result in unacceptable levels of noise disturbance to adjoining occupiers. The application also fails to demonstrate that the development could be implemented without a detrimental impact on existing trees and in the absence of a tree survey and arboricultural impact assessment the applicant has failed to demonstrate that trees will be unaffected by the development and has not made provision for their long term protection.

There is insufficient information to consider archaeological impacts at a location which may contain significant archaeological remains.

Taking into consideration the above, the application is recommended for refusal.

## 2. RECOMMENDATION

**REFUSAL for the following reasons:**

### 1 NON2 Loss of dwelling.

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

### 2 NON2 Design and Scale.

The proposed extension, by reason of its siting, size, scale, excessive depth and design would result in a visually intrusive and discordant development harmful to the

architectural composition, character and appearance of the original dwelling and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

**3 NON2 Privacy and Noise.**

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

**4 NON2 Amenity Impact.**

The proposed extension, by reason of its height and excessive depth, would have a visually intrusive and overbearing relationship to neighbouring properties and would unduly detract from the amenities of the adjoining occupiers, Nos.19 and 23 Eastcote Road. The proposal is therefore considered to constitute an un-neighbourly form of development contrary to Saved UDP Policies (November 2012) OE1, BE20, BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and section 3.0 of the HDAS: Residential Extensions.

**5 NON2 Trees.**

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

**6 NON2 Car Parking.**

The proposal has failed to provide a transport statement/assessment to demonstrate that the proposed car parking is sufficient to meet the demand arising from the proposed use, or demonstrate the the proposal would not have an unduly negative impact on the local highway network. As such, the proposal fails to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

**7 NON2 Archaeological Impact.**

Insufficient information has been submitted to clarify the archaeological potential of the site which lies within what is believed to be the outer bailey of Ruislip Castle on the line of an earthwork bank recorded by the Royal Commission for Historic Monuments (England) in 1937. The application involves a large extension to the existing property including a basement which would remove buried remains of the medieval defences and any associated structures or activities. It is not supported by any archaeological information despite being within an Archaeological Priority Area.

The application is therefore considered to be contrary to Policies BE 1 and BE 3 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and Policy 7.8 of the London Plan (2016).

## **INFORMATIVES**

**1 I59 Councils Local Plan : Part 1 - Strategic Policies**

On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon

Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

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

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

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

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
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.
EM6	(2012) Flood Risk Management
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
OE8	Development likely to result in increased flood risk due to additional

HDAS-LAY	surface water run-off - requirement for attenuation measures Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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 5.12	(2015) Flood risk management
LPP 7.4	(2015) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework
NPPF12	NPPF - Conserving & enhancing the historic environment

#### 4

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. The Council's supports pre-application discussions. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

### 3. CONSIDERATIONS

#### 3.1 Site and Locality

The site comprises a two storey detached property on the North side of Eastcote Road with the principal elevation facing South. The large extended property is finished in white render set under a hipped roof which has a projected two storey bay to the front with the entire ground floor used as the doctor's surgery. To the side of the existing entrance to the surgery is the entrance for the 3 bed residential flat which has stairs leading straight to the flat set out over the first floor. Further to the side, closest to the Eastern boundary is a single storey double garage which extends to the rear to a full width rear extension approximately 5.4 metres deep with a flat roof approximately 3.4 metres high.

Further to the rear of the property is a large patio section which leads to the remaining garden area which is laid to lawn with mature trees and hedges to the rear boundary. The area to the front is covered entirely with hardstanding which provides car parking for the existing surgery. The neighbouring property to the East is a modest bungalow which is set slightly back so that the rear building line is in line with the existing extended application property. To the other side on the West is a two storey residential dwelling which shares the same building line to the front, however the application site at present already extends 5.4 metres beyond the rear elevation and is bounded with a solid white wall approximately 3.4 metres high.

The area is residential in character with mainly semi and detached residential dwellings in good sized plots. The site is located within the developed area set within the Moat Drive Area of Special Local Character and an Archaeological Priority Area as identified in the Hillingdon Local Plan Part Two - UDP Saved Policies (November 2012). In addition a section to the rear garden in the North-East corner of the site is covered by Tree Preservation Order (TPO) 466 which has a horse chestnut tree shown as T1 which is protected in that schedule. It also lies in an Archaeological Priority Area. The site is not in the floodplain, although some local comments suggest there may be surface water issues.

### 3.2 Proposed Scheme

The application seeks permission for a part two storey, part single storey rear extension, creation of basement level and change of use of first floor from C3 residential to D1 for use as a surgery, alterations to elevations and access with the addition of 6 car parking spaces to the rear.

The proposed rear extension would extend up to 28.4 metres deep including the blocked paving area providing parking to the rear, the ground floor single storey would extend 16.6 metres set under a hipped pyramid shaped roof with a maximum height of 5.7 metres across the full width of the building. The double storey element would extend 14.7 metres set in on both sides, with the first 5.4 metres set at the same ridge height as existing with the remaining extension set 0.5 metres below the ridge height. The existing garage and that section of the side dwelling would be removed and the area blocked paved providing new access directly from the front to the rear parking area which would provide 6 additional parking spaces. This block paved area is also substantial and would cover a total area of approximately 176 square metres. The total floor area of the surgery would increase from 302 square metres to 688 square metres.

### 3.3 Relevant Planning History

28723/80/1030                      21 Eastcote Road Ruislip  
Householder dev. (small extension,garage etc) (P)

**Decision:** 07-08-1980    Approved

28723/A/80/2171                      21 Eastcote Road Ruislip  
Extension/Alterations to Medical/Health prem. (P) of 20 sq.m.

**Decision:** 30-01-1981    Approved

28723/APP/2005/2002      21 Eastcote Road Ruislip  
ERECTION OF A FIRST FLOOR SIDE EXTENSION OVER COVERED WAY/GARAGE, FIRST FLOOR PART SIDE EXTENSION AND FIRST FLOOR PART REAR EXTENSION TO CREATE ADDITIONAL BEDROOM FOR THE FIRST FLOOR FLAT AND KITCHEN, STORAGE AND CONSULTING ROOMS FOR THE SURGERY AND NEW FRONT CANOPY

**Decision:** 08-09-2005    Refused

28723/B/81/1369                      21 Eastcote Road Ruislip  
Householder development - residential extension(P)

**Decision:** 12-10-1981    Approved

28723/D/89/1931                      21 Eastcote Road Ruislip  
Extensions to existing property and conversion to provide ground floor surgery accommodation, two 2- bed flats at first floor and car parking to frontage

**Decision:** 26-04-1990    Refused

28723/E/90/0857                      21 Eastcote Road Ruislip  
Part change of use of ground floor for surgery use and conversion of first-floor to form 3 bedroom flat with ancillary car parking

**Decision:** 21-08-1990    Approved

28723/F/90/1923

21 Eastcote Road Ruislip

Erection of first floor side, rear and front extensions, and external staircase to side. Internal alterations to provide two 2-bedroom flats on second floor above surgery

**Decision:** 14-03-1991 Withdrawn

28723/G/91/0453

21 Eastcote Road Ruislip

Erection of first floor front and rear extensions and single storey rear extension and new pitched roof

**Decision:** 11-06-1991 Approved

28723/M/91/1368

21 Eastcote Road Ruislip

Details of materials in compliance with condition 2 of planning permission ref. 28723G/91/453 dated 11.6.91; Erection of first floor front and rear extensions and single storey rear extension and new pitched roof

**Decision:** 04-09-1991 Approved

28723/N/92/0977

21 Eastcote Road Ruislip

Erection of a first floor side and rear extension enabling conversion of existing flat to form 2 flats

**Decision:** 18-09-1992 Refused

28723/P/92/1829

21 Eastcote Road Ruislip

Erection of a first floor rear extension

**Decision:** 19-03-1993 Approved

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

The planning history is extensive with a total of 11 applications on file and the majority of which have been approved to extend the original dwelling both at ground and first floor level significantly. Only one was withdrawn and three refused, one of which was the most recent application back in 2005:

28723/APP/2005/2002 - Erection of a first floor side extension over covered way/garage, first floor part side extension and first floor part rear extension to create additional bedroom for the first floor flat and kitchen, storage and consulting rooms for the surgery and new front canopy. Refused 08.09.2005

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

The proposed development is assessed against the Development Plan Policies contained within Hillingdon Local Plan: Part 1, Saved Unitary Development Plan policies, the London Plan 2016, the NPPF and supplementary planning guidance prepared by both LB Hillingdon and the GLA.

#### **UDP / LDF Designation and London Plan**

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

## Part 2 Policies:

AM7	Consideration of traffic generated by proposed developments.
AM13	AM13 Increasing the ease of movement for frail and elderly people and people with disabilities in development schemes through (where appropriate): - (i) Dial-a-ride and mobility bus services (ii) Shopmobility schemes (iii) Convenient parking spaces (iv) Design of road, footway, parking and pedestrian and street furniture schemes
AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE1	Development within archaeological priority areas
BE3	Investigation of sites of archaeological interest and protection of archaeological remains
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BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
EM6	(2012) Flood Risk Management
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
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
HDAS-LAY	Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006
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 5.12	(2015) Flood risk management
LPP 7.4	(2015) Local character
LPP 7.8	(2016) Heritage assets and archaeology
NPPF	National Planning Policy Framework
NPPF12	NPPF - Conserving & enhancing the historic environment

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- Not applicable



5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

15 neighbouring properties along with Ruislip Residents Association were consulted on 20.06.2017 and a site notice was posted to the front of the site which expired on 14.07.2017.

Following comments received by the Residents Association additional neighbouring properties were added to the consultation list and the period extended to 24.07.2017.

Two local ward councillor's have requested the application be considered at Committee. One has stated: It does seem to be totally inappropriate for the area and not in keeping with the actual houses that surround the surgery. Can I request that it can be heard at planning please.

Another has stated:

I would ask that the concerns of Mr & Mrs Seagroatt are taken into consideration when this application is considered and that the application will be refused as it is an over development of the site which is in a residential area.

10 objections have been received including an objection from the Ruislip Residents Association:

The existing building has already been extended a number of times, and has also had several applications for extensions refused by LBH, including most recently in 2005 - which was for a smaller extension than now proposed.

This new application proposes a significant extension on this already-extended property which would more than double the floor space, adding a second floor at the rear as well as a basement, and extending almost to the end of the long rear garden, with the addition of rear parking and a side driveway. We have serious concerns about this application, which are amplified by the fact that the property lies within an Area of Special Local Character (Moat Drive ASLC) and also within an Archaeological Priority Area (Ruislip Motte & Bailey APA).

Main concerns are:

- significant depth of the proposed rear extension, breaches the 45-degree rule.
- size and scale of the extension (more than doubling the floor area) being out of character for the area (in an ASLC) and the original layout.
- Over-dominance, and loss of outlook & sunlight to adjacent properties (as highlighted as a reason for refusal for a previous application at this site in 2005 - though this would be an even bigger issue under this proposal).
- Undue noise and disturbance from rear parking, and inadequate parking leading to more on-street parking and detriment to safety - on a busy road close to Ruislip High Street.
- The archaeologically sensitive location.
- Flooding: Local residents have informed us that "ponding" occurs in the back gardens following heavy rain, and that the site is likely to be unsuitable for a basement.
- loss of trees.
- danger of precedent.
- alternative options: number of vacant sites in Ruislip High Street, e.g. old Morrisons store (97-99 High Street)

The remaining objections can be summarised as follows:

- proposed extension is huge.
- parking is a nightmare along Eastcote and although parking is proposed to the rear there will still be problems with patients parking in the front blocking residents driveways. .
- there is dentists nearby so parking is already a major problem.
- parking problems are also caused by deliveries of medical supplies and NHS vehicles.
- monstrosity not in keeping with the original dwelling and neighbouring properties, especially the small bungalow.
- adjacent area of special local character.
- significant increase to commercial premises set within a residential area, badly affect all neighbouring residential properties.
- totally out of keeping with the character and appearance of the existing/adjacent properties which is set within an area of special local character .
- scheme is contrary to the planning policy of the borough.
- concerns on security, privacy and noise that would impact on our home and on adjacent properties.
- the impact on the value of our home.
- the surgery should be strongly urged to purchase a purpose built block which is suitable for a future 7 day surgery which is likely to be open for longer hours and has future scope for expansion. This property does not satisfy any of these requirements.
- overlooking the properties that it is backing onto. This will be a breach to privacy and cause a block in light
- concerned about car park at the rear of the property. This will bring noise, pollution in terms of fumes and light pollution to all the neighbouring properties, including those to the rear especially during the winter months.
- concerns with the basement regarding noise and land movement causing adverse impact to the surrounding land and properties.
- increase risk of flooding in the area.
- Tree Preservation Order on the tree to the rear. The extension, basement and car park will be built in very close proximity to the tree endangering its natural health and species residing on it.
- The property edges within the Area of Special Local Character where changes to the street scene
- breaks all regulations.
- detrimental impact on local traffic flow.
- so close to our home this will impose on our privacy, and on the privacy of our friends, and family and grandchildren when they visit. We feel we would not be able to use our garden, it would block out the light and our garden view would become a car park .
- devalue the neighbouring homes.
- Eastcote Road is residential Road, this is an inappropriate location for the type and size of proposal
- the existing surgery needs to be re located out of a residential area not extended even further.
- hugely overbearing.
- when converted to a surgery, an excessive extension was added which took the building to 8 m behind the property line and extended it, for the full depth of the building, actually on to the boundary shared with our property. To extend the building a further 16.6 m down 3/4s of the length of the garden would be absurdly intrusive.
- would increase the floor space of the building from 302.m2 to 688.m2, which is a vast
- 2nd storey would cut out all the sunlight from our patio.
- noise from the patients and staff will impinge constantly on our privacy.
- building of this size is completely unsuited to a residential area.
- the flat is occupied and has not been vacant for years as stated.
- applicant contends only 2 extra staff required to man the enlarged surgery, seems surprisingly low
- plan shows seating in the conference room for 14 people. Who will attend these meetings and where will they park.
- noise and fume pollution if cars are allowed behind the building line.

- ancient underground stream which is one of the features of the Manor Farm site, defined in the Domesday Book and has tendency to flood. The area is therefore prone to flooding but no mention of this in plans or application. Basement is therefore inappropriate along with the extensions.
- great care needs to be taken not to disturb valuable archaeological remains in this area.
- possibly as many as some 550 people per day coming and going to and from the surgery. Assuming as many as half would be using public transport and therefore walking to the premises, the rest would be using their cars! That could be 270 cars per day, every day, not just passing by on the road, but driving in and out, parking on the street, in the front car parking facilities and in the back parking facilities of the surgery, as well as in front of our houses as it frequently happens already without the extension to the surgery.
- The current floor area of the building is a huge 302 m<sup>2</sup> and approval of the application would in effect result in more than doubling the size of the existing surgery to 688 m<sup>2</sup>.
- The noise pollution, air pollution and congestion on this part of Eastcote Rd would be unbearable to the entire neighbourhood.
- cause loss of view and destroy overall visual outlook for all surrounding properties.

The Greater London Archaeological Advisory Service (GLAAS):

The planning application lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Ruislip.

The application lies within what is believed to be the outer bailey of Ruislip Castle on the line of an earthwork bank recorded by the Royal Commission for Historic Monuments (England) in 1937. Ruislip was a substantial late Saxon rural settlement which had a castle and deer park added by the Normans in the 11th century. The medieval manor was held by the Abbey of Bec in Normandy and became the administrative centre for their properties in England.

The application involves a large extension to the existing property including a basement which would remove buried remains of the medieval defences and any associated structures or activities. It is not supported by any archaeological

information despite being within an Archaeological Priority Area I therefore recommend that the following further studies should be undertaken to inform the preparation of proposals and accompany a planning application: Desk Based Assessment and Evaluation.

Desk-based assessment produces a report to inform planning decisions. It uses existing information to identify the likely effects of the development on the significance of heritage assets, including considering the potential for new discoveries and effects on the setting of nearby assets. An assessment may lead on to further evaluation and/or mitigation measures.

An archaeological field evaluation involves exploratory fieldwork to determine if significant remains are present on a site and if so to define their character, extent, quality and preservation. Field evaluation may involve one or more techniques

depending on the nature of the site and its archaeological potential. It will normally include excavation of trial trenches. A field evaluation report will usually be used to inform a planning decision (pre-determination evaluation) but can also be required by condition to refine a mitigation strategy after permission has been granted.

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation.

Devaluation of property is not a material planning consideration.

Patient questionnaires from 98 patients have been received supporting the proposals.

### **Internal Consultees**

Trees/Landscape - objections:

This site is occupied by a two-storey building occupying a double width plot on the North side of Eastcote Road. There is a full width single-storey flat-roofed extension to the rear of the building. The garden to the rear is at a lower level and is currently accessed via the attached garage to the side. Much of the front garden has been hard surfaced to provide off-street parking for the site's

current use as a doctor's surgery. As noted in the D&AS, this area is primarily residential, characterised by detached houses set within spacious gardens. The site lies within an Area of Special Local Character. The proposed ground floor site plan indicates the approximate position of trees (on-site and off-site) towards the end of the rear garden. The horse chestnut tree in the north-east corner of the site is protected tree, T1 on the schedule of TPO466.

Comments: The proposal to provide to extend the building and install a new car park in the rear garden will have an urbanising effect on the ASLC - the existing single-storey extension already extends beyond the typical rear elevations of the surrounding residential properties. The proposed car park to the rear also encroaches on the root protection areas (RPA) of two off-site trees on the east boundary in the neighbouring garden. It possibly encroaches onto the RPA of the protected tree and other along the north boundary. No tree survey or arboricultural impact assessment has been provided, without which it is unsafe to assume that trees will not be affected by the proposed layout.

Recommendation - the proposal is unacceptable:

1. In the absence of a tree survey and arboricultural impact assessment to BS5837:2012, the applicant has failed to demonstrate that trees will be unaffected by the development and has not made provision for their long-term protection.

2. The proposed extension and car park will dominate the rear garden and be detrimental to the visual amenity of this ASLC.

Highways - objection:

The proposal has failed to provide a transport statement/assessment to demonstrate that the proposed car parking is sufficient to meet the demand arising from the proposed use, or demonstrate that the proposal would not have an unduly negative impact on the local highway network.

Floods and Water - Objection No Site Groundwater Investigation

The proposal includes a basement therefore a site groundwater investigation is required to determine if groundwater is present. If groundwater is found on site suitable mitigation is needed.

When determining proposals for basement and other underground development, the Council will require an assessment of the scheme's impact on drainage, flooding, groundwater conditions and structural stability, where appropriate. The Council will only permit basement and other underground development that does not cause harm to the built and natural environment and local amenity and does not result in flooding or ground instability. We will require developers to demonstrate by methodologies appropriate to the site that their proposals:

- a) Maintain the structural stability of the building and neighbouring properties;
- b) Avoid adversely affecting drainage and run-off or causing other damage to the water environment;
- c) Avoid cumulative impacts upon structural stability or the water environment in the local area;

Officer Comment: Recent appeals have demonstrated that unless the Council can evidence through its GIS mapping an existing sensitivity (e.g. Site within a flood plain or critical drainage area) the Council can condition further information concerning the drainage impact of a basement where it does not cover all of the site curtilage (Note: This position will change when policy DMHD 3 of the Part Local Plan is adopted).

Conservation - objections:

This site is located in a highly sensitive area in terms of archaeology, and GLAAS have raised very serious concerns with regards to the potential impact of the works on the remains of the outer bailey of Ruislip Castle. Clearly this issue has not been addressed by the applicant and further studies relating to this matter are required before this application can be determined.

The site also lies within the Moat Drive Area of Special Local Character, which is characterised by mainly detached, 1930s two storey houses. The existing building has already been extensively enlarged, and is quite prominent in the street scene because of this. The proposed rear additions would be uncharacteristically large in terms of footprint and bulk, and would be positioned close on the Western site boundary. It is likely that the proposed additions because of their depth will also be visible from Eastcote Road, and will be seen over the ridge line of no 23, which is a bungalow.

Objections are, therefore, raised to this proposal in terms of potential impact on the archaeology of the site, and also to the overall size, bulk and positioning of the addition, which will be at odds with the more modest scale and layout of this traditional residential area.

#### PLANNING OFFICER COMMENTS:

The numerous objections are noted and if the proposal was considered more appropriate then requests for further information, surveys and specialist reports etc. would have been requested. As explained above the flood and water management officer's concerns could be addressed via condition, this does not apply however to the highway, tree, conservation and archaeological concerns for the reasons explained in this report.

## **7. MAIN PLANNING ISSUES**

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

Policy H2 states that the Local Planning Authority will not normally grant planning permission for a change from residential use (including residential use above shops and in other mixed developments) of any building or part of a building that is suitable with or without adaptation for residential use. The proposal would result in the loss of residential accommodation that although currently stipulated as being vacant, could still easily be used as residential accommodation.

The D&S statement simply states that in justification for the removal of the residential flat that is has been vacant, therefore it fails to adequately address this issue. Notwithstanding the in principle concerns surrounding the loss in residential accommodation and although it is acknowledged that a doctors surgery has operated on the site for an extended period of time, it is considered that the intensification of this use, the car parking in the rear and the large extensions would result in significant harm to amenities of surrounding residential occupiers. These matters are further explained elsewhere in the report.

The proposed extensions are significant and considerable resulting in an increase of the total floor area of the surgery from 302 square metres to 688 square metres spread over three floors, including the addition of an extra floor created in the basement. The resultant increase in noise, vehicle pollution and general activity would have an unduly negative impact on amenities of nearby residential properties. The proposals are therefore considered to be incompatible with other existing uses within the residential street.

It is considered that such an intensification of use within a sensitive and residential location is in principle unacceptable. The proposal would result in unacceptable loss of amenity to the nearby residential properties and it is therefore recommended for refusal.

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

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

rather than a consideration of the density of the proposal.

As commented earlier, such an intensification of use within a sensitive and residential location is in principle unacceptable. The proposal would result in unacceptable loss of amenity to the nearby residential properties and it is therefore recommended for refusal.

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

The NPPF (2012) notes the importance of achieving design which is appropriate to its context stating that 'Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.'

The application site is located within the developed area set within the Moat Drive Area of Special Local Character and an Archaeological Priority Area as identified in the Hillingdon Local Plan Part Two - UDP Saved Policies (November 2012). In addition a section to the rear garden in the north-east corner of the site is covered by TPO466 which has a horse chestnut tree shown as T1 which is protected in that schedule.

Furthermore the surrounding area and street scene is residential in character with mainly semi and detached residential dwellings in good sized plots. Therefore given the size and scale of the proposal in addition to an existing property which has already been significantly extended is considered unacceptable due to significant harm it would cause to the surrounding area of special local character.

The Greater London Archaeological Advisory Service (GLAAS) has also commented confirming that the site lies in an area of archaeological interest (Archaeological Priority Area) identified for the Local Plan: Ruislip.

The application lies within what is believed to be the outer bailey of Ruislip Castle on the line of an earthwork bank recorded by the Royal Commission for Historic Monuments (England) in 1937. Ruislip was a substantial late Saxon rural settlement which had a castle and deer park added by the Normans in the 11th century. The medieval manor was held by the Abbey of Bec in Normandy and became the administrative centre for their properties in England.

The application involves a large extension to the existing property including a basement which would remove buried remains of the medieval defences and any associated structures or activities. It is not supported by any archaeological information despite being within an Archaeological Priority Area. The GLAAS therefore recommend that further studies should be undertaken to inform the preparation of proposals and accompany a planning application which were Desk Based Assessment and Evaluation.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design. Policies BE13 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) seek to ensure that new development complements and improves the character and amenity of the area. Policy BE5 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) requires new developments in an Area of Special Local Character to harmonise with the materials, design features, architectural style and building heights predominant in the area.

The proposed double storey extension, involving an extension of 16.6 metres at ground level, 14.7 metres at first floor level and the introduction of a basement with the provision of additional parking space and a block paved area of approximately 176 square metres to the rear; would result in a significant adverse impact to this area of special local character and a site set in an Archaeological Priority Area.

The proposal is unacceptable in regards to its bulk, scale and design and will therefore have a detrimental impact on the character and appearance of the area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies BE1, BE3, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The site which lies within what is believed to be the outer bailey of Ruislip Castle on the line of an earthwork bank recorded by the Royal Commission for Historic Monuments (England) in 1937. The application involves a large extension to the existing property including a basement which would remove buried remains of the medieval defences and any associated structures or activities. It is not supported by any archaeological information despite being within an Archaeological Priority Area. The proposal is therefore in conflict with Policies BE1 and BE3 of the Hillingdon local Plan: Part Two - Saved UDP Policies (November 2012) and Policy 7.8 of the London Plan (2016).

#### **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**

Please refer to section 7.03.

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

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

The Council's adopted Supplementary Planning Document, the Hillingdon Design and Accessibility Statement: Residential Extensions (December 2008) (HDAS) sets out the design criteria including external dimensions by which proposals are assessed with the general aim of ensuring that these are 'subordinate' to the original house. Rear extensions will only be allowed where there is no significant over-dominance, overshadowing, loss of outlook or daylight. Paragraph 3.4 states that, for a detached dwelling, an extension of up to 4 metres deep is acceptable. Paragraph 3.6 states that a flat roofed extension should not exceed 3 metres in height. Paragraph 3.7 states that a pitched roof should not exceed 3.4 metres.

In regard to the above the proposed extension, by reason of its overall height and extensive depth both at ground and first floor level, would unduly detract from the amenities of the adjoining occupiers, Nos.19 and 23 Eastcote Road by reason of visual intrusion, loss of outlook and overdomination.

In addition the proposed development by reason of the extensive use of the rear garden area for parking along with the proposed access to the side boundary and the proximity of the car parking spaces and access way, to the surrounding properties, would result in a significant increase in noise and general disturbance to the adjoining residential properties. Therefore it is also considered that the proposal would provide a poor residential environment and would constitute an un-neighbourly form of development, resulting in a material loss of residential amenity, contrary to Policy OE1 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

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

Not applicable to this application.

#### **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.

Eastcote Road is a busy classified highway and a main distributor route. The site has a PTAL rating of 2 (poor) meaning that there will be strong reliance on private vehicles. Access to the front of site will remain unchanged from Eastcote Road and the provision of the existing 6 parking spaces would continue to be in use.

The proposal involves a significant increase in the total floor area and thus capacity to the range of services that could be provided, indeed the total floor area would increase from 302 square metres to 688 square metres. However limited information has been provided with only the application form stipulating that the number of full time employees would only increase by two. Given the scale of the proposal and the existing parking stress on the main road and surrounding residential properties it is considered that a transport statement would be required and its absence the proposal fails to demonstrate that it meets the necessary requirements to ensure that the parking proposed can meet the demands of the proposed use. As such, the proposal fails to comply with Policies AM7 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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

Urban design issues have been covered elsewhere in the report and with regard to and access and security, had the application not been recommended for refusal, conditions would have been sufficient to ensure compliance with these requirements.

Secured by Design is now covered by Part Q of the Building Regulations which the development will be required to accord with should the application be recommended for approval.

#### **7.12 Disabled access**

If the scheme was found acceptable a condition would have been recommended to secure the development was built to M4(2) in accordance with Policy 3.8 c of the London Plan.

It is however noted that the proposal would involve the introduction of an internal lift providing wheelchair access to the first floor, whilst ensuring level access is maintained at ground level.

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

Not applicable to this application.

#### **7.14 Trees, Landscaping and Ecology**

Hillingdon Local Plan Part Two Policy BE38 seeks the protection and retention of existing trees and landscape features of merit and considers where appropriate the provision of additional landscaping as part of a proposed development.

This site is covered by TPO 234 and also within the Copse Wood Estate Area of Special Local Character (ASLC),

This site is occupied by a two-storey building occupying a double width plot on the north side of Eastcote Road. There is a full width single-storey flat-roofed extension to the rear of the building. The garden to the rear is at a lower level and is currently accessed via the attached garage to the side. Much of the front garden has been hard surfaced to provide



off-street parking for the site's current use as a doctor's surgery. As noted in the D&AS, this area is primarily residential, characterised by detached houses set within spacious gardens. The site lies within an Area of Special Local Character. The proposed ground floor site plan indicates the approximate position of trees (on-site and off-site) towards the end of the rear garden. The horse chestnut tree in the north-east corner of the site is protected tree, T1 on the schedule of TPO466.

Comments: The proposal to provide to extend the building and install a new car park in the rear garden will have an urbanising effect on the ASLC - the existing single-storey extension already extends beyond the typical rear elevations of the surrounding residential properties. The proposed car park to the rear also encroaches on the root protection areas (RPA) of two off-site trees on the east boundary in the neighbouring garden. It possibly encroaches onto the RPA of the protected tree and other along the north boundary. No tree survey or arboricultural impact assessment has been provided, without which it is unsafe to assume that trees will not be affected by the proposed layout.

Recommendation - the proposal is unacceptable:

1. In the absence of a tree survey and arboricultural impact assessment to BS5837:2012, the applicant has failed to demonstrate that trees will be unaffected by the development and has not made provision for their long-term protection.
2. The proposed extension and car park will dominate the rear garden and be detrimental to the visual amenity of this ASLC.

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

Although it is considered that the proposed ground floor Pharmacy/Doctor's Surgery and upper floor residential uses would not generate significant quantities of clinical and other associated waste, it is important that the Hazardous Waste Regulations 2005 are complied with.

If the application was considered acceptable in all aspects, an informative to that effect would have been recommended.

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

Not applicable to this application.

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

Although local residents comments regarding surface water drainage are noted the Council does not currently have data identifying this site as being at risk of flooding. Recent appeals have demonstrated that unless the Council can evidence through its GIS mapping an existing sensitivity (e.g. Site within a flood plain or critical drainage area) the Council can condition further information concerning the drainage impact of a basement where it does not cover all of the site curtilage (Note: This position will change when policy DMHD 3 of the Part Local Plan is adopted).

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

Not Applicable to this application.

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

Addressed in the main body of the report.

#### **7.20 Planning Obligations**

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

As the proposal is for a D1, Mayoral CIL Charges would be applied for the proposed development of 105 sq metres of additional floorspace are as follows:

Mayoral CIL = £4,746.19

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

Not applicable to this application.

## **7.22 Other Issues**

No other issues.

## **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**

The proposals would result in the net loss of residential accommodation. The very substantial double storey deep rear extension would by virtue of its siting, scale and excessive depth have a detrimental impact on the character of the area and on the amenities of adjoining occupiers. In addition the activity associated with the use and site layout with 6 new car parking spaces to the rear of the property in addition to the 5 at the front , would result in unacceptable levels of noise disturbance to adjoining occupiers.

The application also fails to demonstrate that the development could be implemented without a detrimental impact on significant and sensitive archaeological remains

In the absence of a tree survey and arboricultural impact assessment the applicant has failed to demonstrate that trees will be unaffected by the development and has not made provision for their long term protection.

Taking into consideration the above, the application is recommended for refusal.

#### **11. Reference Documents**

Hillingdon Local Plan (November 2012)

London Plan (2016)

National Planning Policy Framework

HDAS: Residential Layouts

Supplementary Planning Guidance - Community Safety by Design

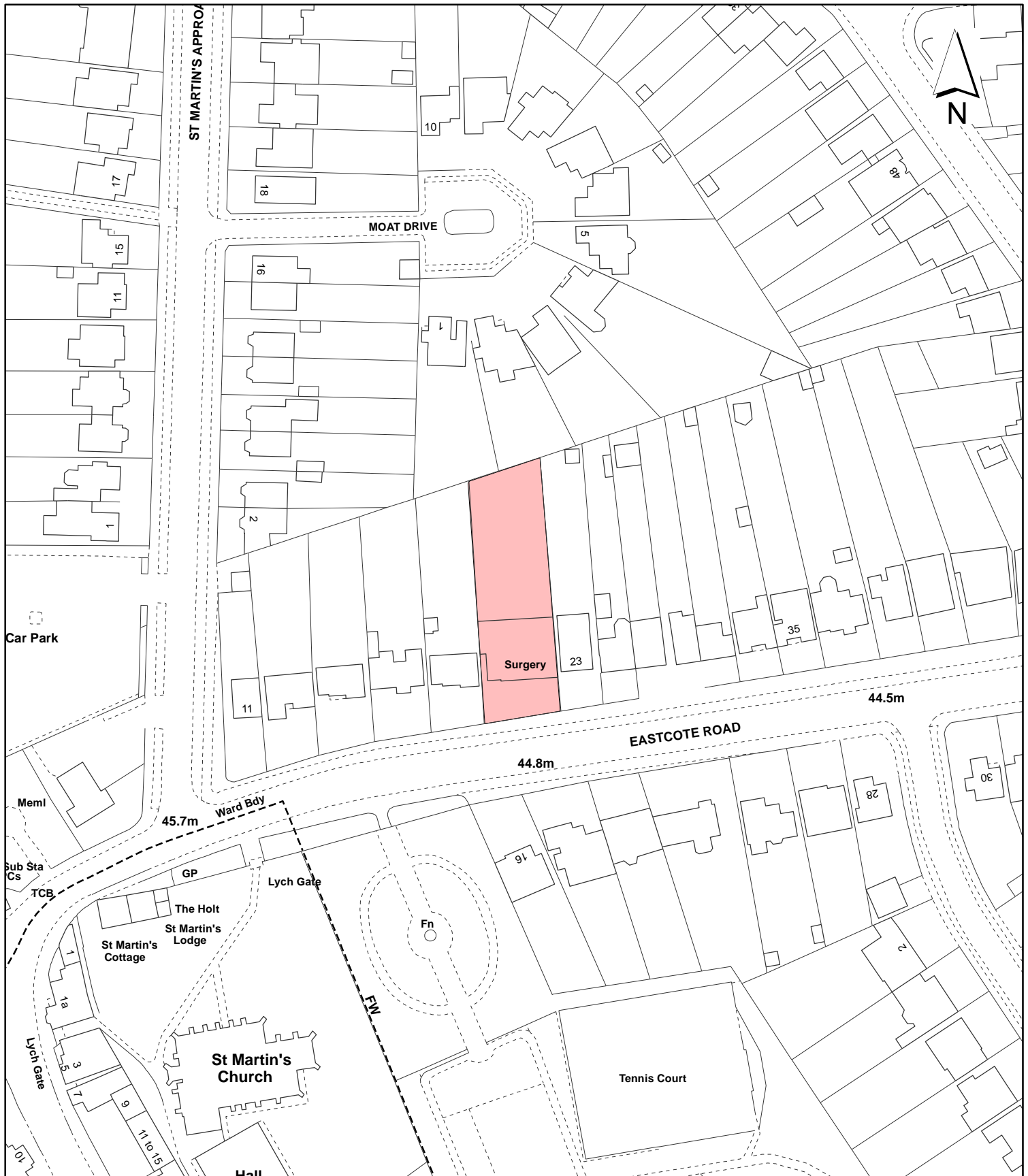
Supplementary Planning Guidance - Noise

Supplementary Planning Guidance - Air Quality

HDAS: Accessible Hillingdon

**Contact Officer:** Hardeep Ryatt

**Telephone No:** 01895 250230



**Notes:**

 Site boundary

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Site Address:

**21 Eastcote Road**

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

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

Planning Application Ref:

**28723/APP/2017/2067**

Scale:

**1:1,250**

Planning Committee:

**North**

Date:

**August 2017**



**HILLINGDON**  
 LONDON