

Report of the Head of Planning, Transportation and Regeneration

Address 178-182 HIGH STREET RUISLIP

Development: Change of use of part of ground floor from Use Class A1 (Shops) to Use Class A2 (Letting Office) including new entrance and alterations to rear and side elevations

LBH Ref Nos: 28388/APP/2018/1303

Drawing Nos: S-03
S-02
S-01.

Date Plans Received: 06/04/2018 **Date(s) of Amendment(s):**

Date Application Valid: 23/04/2018

1. **SUMMARY**

The application seeks permission for the change of use of part of ground floor from Use Class A1 (Shops) to Use Class A2 (Letting Office) including changing an existing window to a door and increasing the depth of 2 windows on the side elevation and changing an existing door to a window and reducing the depth of two windows on the rear elevation.

There is no objection in principle to the scheme as the scheme involves no complete loss of an A1 Use. The change of use is not considered to result in an adverse impact upon highway safety or parking and would not detract from the residential amenities of nearby properties. Therefore, the application is recommended for approval.

2. **RECOMMENDATION**

APPROVAL subject to the following:

1 COM3 **Time Limit**

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

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

2 COM4 **Accordance with Approved Plans**

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, number S-02 and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2016).

3 HO4 **Materials**

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

retained as such.

REASON

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

4 COM11 Restrictions on Changes of Uses (Part 3, Sch. 2 GPDO 1995)

Notwithstanding the provisions of Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building shall be used only as a letting office and for no other purposes within Use Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended).

REASON

To prevent potentially inappropriate changes of use without proper consideration of the impacts on the highway network or on the amenity of future residents of the scheme in accordance with Policy OE1 and AM14 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012).

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 (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.

2 I47 Damage to Verge - For Council Roads:

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

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

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

3 I15 Control of Environmental Nuisance from Construction Work

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

A. Demolition and construction works which are audible at the site boundary shall only be

carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

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

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

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

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

4 170 LBH worked applicant in a positive & proactive (Granting)

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

3. CONSIDERATIONS

3.1 Site and Locality

The application site is a corner plot that is located at the Southern end of the Western side of High Street, Ruislip, and on the junction intersection between High Street and Kingsend to the West. To the East and South of the intersection are Pembroke Road and West End Road.

The site is situated within the Ruislip Village Conservation Area and the Primary Shopping Area of the Ruislip Town Centre, as identified in the policies of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012). The site comprises a three storey end-of-terraced building, which has recently been extended. It is currently in use as a Class A1 retail unit on the ground floor, with residential above.

3.2 Proposed Scheme

This application seeks permission for the change of use of part of ground floor from Use Class A1 (Shops) to Use Class A2 (Letting Office) including a new entrance on the side elevation and alterations to the window details on the rear and side elevations.

3.3 Relevant Planning History

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

28388/APP/2016/3332 178 - 182 High Street Ruislip

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.

Decision: 11-01-2017 Refused **Appeal:** 25-07-2017 Allowed

28388/APP/2017/1447 178 High Street Ruislip

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

Decision: 09-10-2017 Approved

28388/APP/2017/4279 178-182 High Street Ruislip

Enclosed entrance area to rear

Decision: 19-01-2018 Approved

28388/APP/2017/4375 178-182 High Street Ruislip

Details pursuant to condition 4 (Refuse Storage screening) of the Secretary of State's Appeal Decision ref: APP/R5510/W/17/3173139 dated 25/07/2017 (LBH ref: 28388/APP/2016/3332 dated 03/09/2016): 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

Decision: 24-01-2018 Approved

28388/APP/2017/4376 178-182 High Street Ruislip

Details pursuant to condition 5 (Sound Insulation) of the Secretary of State's Appeal Decision ref: APP/R5510/W/17/3173139 dated 25/07/2017 (LBH ref: 28388/APP/2016/3332 dated 03/09/2016): 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.

Decision:

28388/APP/2017/4377 178-182 High Street Ruislip

Details pursuant to condition 6 (Cycle Storage) of the Secretary of State's Appeal Decision Ref: APP/R5510/W/17/3173139 dated 25/07/2017 (LBH ref: 28388/APP/2016/3332 dated 03/09/2016): 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

Decision: 24-01-2018 Approved

28388/APP/2017/4378 178-182 High Street Ruislip

Details pursuant to condition 7 (Wall/Fence Enclosures) of the Secretary of State's Appeal Decision ref: APP/R5510/W/17/3173139 dated 25/07/2017 (LBH ref: 28388/APP/2016/3332 dated 03/09/2016): 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.

Decision: 24-01-2018 Approved

28388/APP/2017/849 178 - 182 High Street Ruislip

Single storey and first floor rear extension for use as an entrance lobby

Decision: 04-05-2017 Approved

28388/APP/2018/334 178-182 High Street Ruislip

Details pursuant to condition 3 (Materials) of planning permission Ref: 28388/APP/2017/4279 dated 19/01/2018 (Enclosed entrance area to rear)

Decision: 19-03-2018 Approved

28388/C/86/0322 180-182 High Street Ruislip

Alterations to elevation (P)

Decision: 12-03-1986 Approved

28388/D/86/3021 180-182 High Street Ruislip

Advertisement (P)

Decision: 18-04-1986 Approved

28388/E/86/3029 180-182 High Street Ruislip

Advertisement (P)

Decision: 21-04-1986 Approved

28388/F/86/3028 180-182 High Street Ruislip
Advertisement (P)

Decision: 18-04-1986 Approved

28388/J/99/3117 178-182 High Street Ruislip
Installation of two externally illuminated fascia signs

Decision: 13-10-1999 Approved

Comment on Relevant Planning History

There have been a number of planning applications relating to this site including a first and second floor extension and change of use of the upper floors from A1 to residential.

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

AM7 Consideration of traffic generated by proposed developments.

AM14 New development and car parking standards.

BE4 New development within or on the fringes of conservation areas

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

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

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

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

S11 Service uses in Primary Shopping Areas

NPPF National Planning Policy Framework

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **30th May 2018**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

3 neighbours and the Ruislip Residents Association were consulted for a period of 21 days expiring on the 22 May 2018. There was no response to the consultation.

Ruislip Village Conservation Panel - No response.

Internal Consultees

Conservation and Urban Design - No response.

Access Officer - No response.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

Policy S6 states 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.

Policy S11 states that in Primary Shopping Areas applications will be granted where i) the remaining retail facilities are adequate to accord with the character and function of the shopping centre and ii) the proposed use will not result in a separation of Class A1 uses or a concentration on non retail uses which might harm the viability or vitality of the centre. Use as a Class A2 (banks and building societies only) and Class A3 (food and drink) use is regarded as acceptable at ground floor level within shopping frontages of secondary shopping areas.

Ruislip High Street has a total frontage of 1,372 m within its boundary made up of 460.9m (67 units) in primary and 722.5m (95 units) in secondary shopping areas. A shopping survey was carried out by the Council in October 2016 which demonstrated that the share of A1 frontages within the Primary Shopping Area was 67%.

The proposed use is considered to fall within Class A2 and would occupy approximately 40% of the floor area of the existing unit, situated at the rear of the building with access from Kingsend. As this application site is located at the rear of the building it would not impact on the shopping frontage and as the use would remain predominantly A1, it is considered that the proposed development would not harm the retail function of the Ruislip Village Town Centre Secondary Shopping Area.

7.02 Density of the proposed development

Not relevant to this proposal.

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

As detailed with section 7.07.

7.04 Airport safeguarding

Not relevant to this proposal.

7.05 Impact on the green belt

Not relevant to this proposal.

7.07 Impact on the character & appearance of the area

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. This policy reflects the relevant legal duties.

Policies BE4 and BE13 ensures development harmonises with the existing street scene or other features of the area which are considered desirable to retain or enhance. Furthermore BE19 ensures new development complements or improves the amenity and character of the area.

The proposal would relocate an existing doorway from the rear to the side elevation and alter the heights of the existing window. These are relatively minor alterations to the building and are not considered to significantly impact on architectural character of the original property or the wider Conservation Area. As such the proposal complies with Part 1 Policy BE1 and Part 2 Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan (November 2012) and guidance in HDAS: Residential Layouts.

7.08 Impact on neighbours

Given the scale of the proposal, it would not cause an adverse impact on the neighbours' amenity. The nearest residential unit is set above from the application site and as such, there would be no loss of outlook, no loss of privacy or light, nor any overshadowing or visual intrusion.

As such, the application proposal would not represent an unneighbourly form of development and in this respect would be in compliance with policies BE20, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

7.09 Living conditions for future occupiers

Not relevant to this proposal.

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.

Given the site's location in a town centre, it is considered the change of use would not affect the current parking provision. The use would not generate additional parking demand over and above the previous use.

7.11 Urban design, access and security

Not relevant to this proposal.

7.12 Disabled access

There has been no response from the Access Officer to raise any specific concerns.

7.13 Provision of affordable & special needs housing

Not relevant to this proposal.

7.14 Trees, Landscaping and Ecology

Not relevant to this proposal.

7.15 Sustainable waste management

Not relevant to this proposal.

7.16 Renewable energy / Sustainability

Not relevant to this proposal.

7.17 Flooding or Drainage Issues

Not relevant to this proposal.

7.18 Noise or Air Quality Issues

Not relevant to this proposal.

7.19 Comments on Public Consultations

None.

7.20 Planning Obligations

Not relevant to this proposal.

7.21 Expediency of enforcement action

Not relevant to this proposal.

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

There is no objection in principle to the scheme as the scheme involves no complete loss of an A1 Use. The proposed alterations are minor and would not detract from the character of the existing building or the wider area.

11. Reference Documents

Hillingdon Local Plan Part 1 - Strategic Policies (November 2012).

Hillingdon Local Plan Part 2.

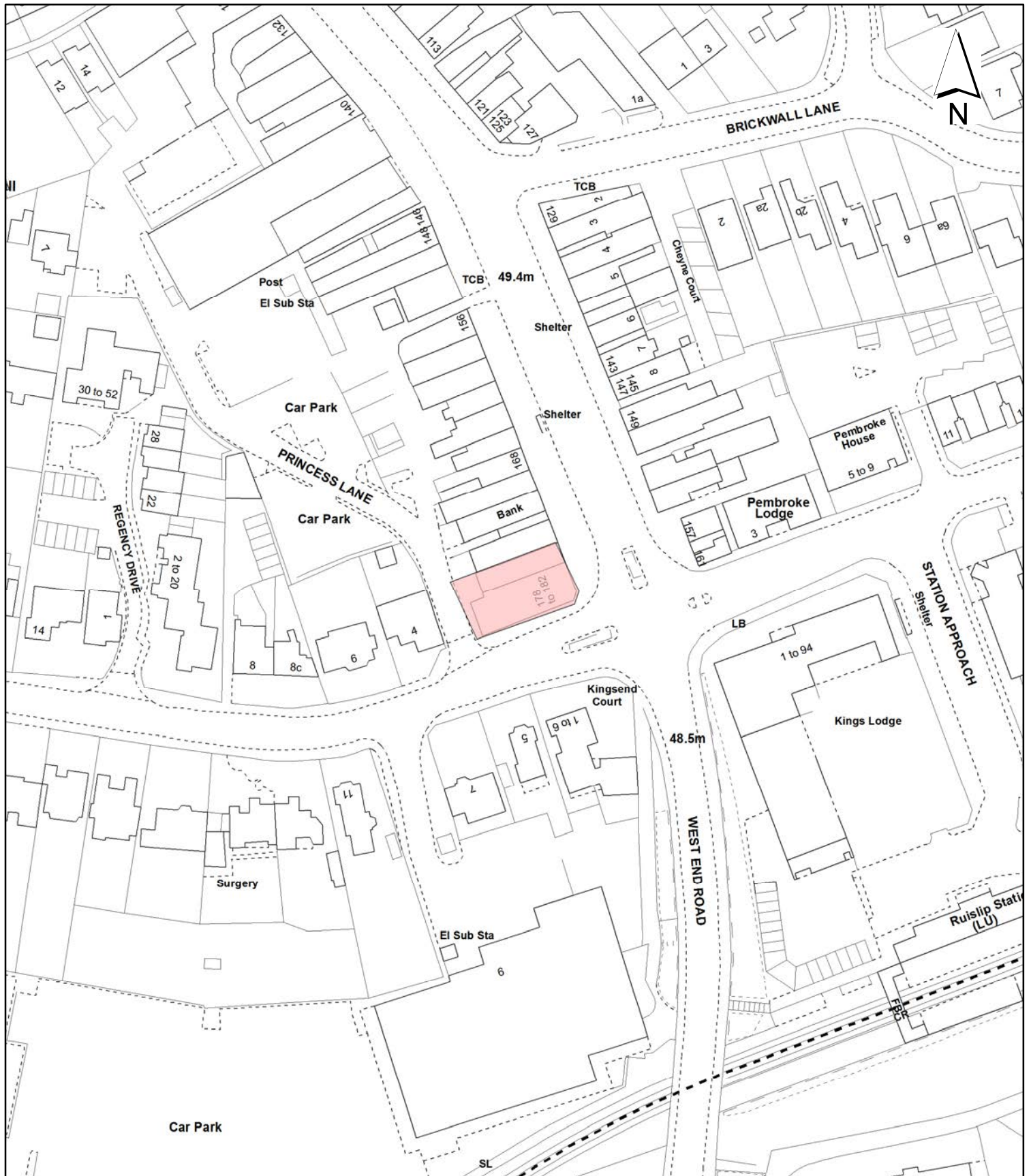
The London Plan (2016).

Supplementary Planning Document 'Accessible Hillingdon'.

National Planning Policy Framework.

Contact Officer: Liz Arnold

Telephone No: 01895 250230



Notes:

 Site boundary

For identification purposes only.
 This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).
 Unless the Act provides a relevant exception to copyright.
 © Crown copyright and database rights 2018 Ordnance Survey 100019283

Site Address:

**178-182 High Street
 Ruislip**

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

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

Planning Application Ref:

28388/APP/2018/1303

Scale:

1:1,250

Planning Committee:

North

Date:

July 2018

