

Report of the Head of Planning & Enforcement Services

Address FORMER MILL WORKS BURY STREET RUISLIP

Development: Installation of 3 sets of vehicular and pedestrian gates.

LBH Ref Nos: 6157/APP/2010/1383

Drawing Nos: Design and Access Statement
9W0801/TR01
9W0801/TR02 Rev. A
9W0801/TR03
P02 Rev. A
P03
S05 Rev. B
S09 Rev. B
Transport Statement ref: gW0801PL/L01001/310026/Cher

Date Plans Received: 14/06/2010 **Date(s) of Amendment(s):**
Date Application Valid: 14/06/2010

1. SUMMARY

Planning permission is sought for the installation of 3 sets vehicular and pedestrian gates and railings, close to the proposed entrance serving the recently approved residential development for 66 units, which was granted planning permission in March 2010. The scheme comprises 2 metre high swing main gates opposite the main entrance, two, 1.5 metre sliding gates on either side of the main entrance, together with pedestrian gates and associated railings and brick piers.

No objections are raised on highway safety grounds. However, the proposal would not reflect the pattern of development from which the conservation area derives much of its special interest, and which serves to distinguish it from other parts of Ruislip. The inclusion of gates in the approved residential scheme would therefore be out of keeping with its surroundings and would fail to preserve or enhance the character or appearance of the Ruislip Village Conservation Area.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 **Non Standard reason for refusal**

The proposed gates, by reason of their height, scale, and position would have a detrimental impact on the character and amenity of the Ruislip Village Conservation Area and the surrounding street scene, contrary to policies BE4, BE13 and BE19 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

INFORMATIVES

1 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).

2 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) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance.

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area

3. CONSIDERATIONS

3.1 Site and Locality

The site lies on the eastern side of Bury Street and within 200 metres and to the northwest of Ruislip High Street and is 1.24 hectares in extent. The site comprises a roughly rectangular shaped 1.24 ha plot with primary frontage to Bury Street. The site also benefits from an unused access strip, which runs from the site to Sharps Lane. There is a level difference across the site extending to approximately 3 metres with a gradient sloping down to the north-west.

A range of industrial and manufacturing buildings with associated offices and parking presently occupy the site. The buildings are typically pre-war and two storeys in height with some three storey elements present. The majority of the buildings have been vacant for some time, due to a reduction in activities, leading to an air of neglect on the site. The site is now totally vacant and the buildings are in the process of being demolished following the grant of planning permission and Conservation Area Consent for redevelopment of the site for residential purposes. Small areas of green space with mature trees are located along the Bury Street frontage.

The surrounding area is characterised by a range of developments, predominantly residential. The site is bounded to the north by Ruislip Youth Centre and associated car parking, beyond which runs the River Pinn. Bury Street lies to the east from which the main site access leads. The southern boundary is adjoined by the rear gardens of residential properties on Sharps Lane and Mill House (25 Bury Street), a grade II listed building. The residential development in Bury Street and Sharps Lane comprises typically two storey detached and semi-detached houses. To the west, the site abuts Green Belt land comprising the playing fields for Bishop Winnington-Ingram Church of England Primary School. Ruislip Town Centre extends southwards from the junction of Sharps Lane and Bury Street and from the Great Barn, also a Grade II listed building, located on the opposite side of Bury Street.

The entire site is located within the Ruislip Village Conservation Area and within an Archaeological Priority Area. The site is also within the vicinity of a cluster of Grade II listed and scheduled monuments (including the Ruislip Motte and Bailey and associated barn buildings) located to the east of Bury Street. In spite of the recent changes within the surrounding residential areas and also to the commercial centre of the village, the character of the Conservation Area remains that of an affluent residential suburb. The site has a Public Transport Accessibility Level of 1b, on a scale of 1 to 6 where 1 represents the lowest level of accessibility.

3.2 Proposed Scheme

Planning permission is sought for the installation of gates and railings, to be located at the entrance of the proposed residential development for 66 units at the Former Mill Works site, for which planning permission was granted in March 2010. The gates are proposed to prevent the occasional parking within the development by the wider public and to provide additional security for the future occupiers of the estate. They comprise:

1. A double swing gate for vehicles and a pedestrian gate at the central entrance, set back from the road edge by 25 metres. These gates would be 2 metres high.
2. A sliding gate for vehicles and a swing pedestrian gate with associated railings to the left hand parking court serving plots 7-12. These would be set back from the primary access road by 8 metres and would be 1.5 metres in height.
3. A sliding gate for vehicles and a swing pedestrian gate with associated railings to the right hand parking court serving plots 1-6. These would be set back from the primary access road by 8 metres and would be 1.5 metres in height.

The railings and gates would be constructed from metal, with a vertical emphasis and finished in black paint. The gateposts would be constructed in the same orange/red brick as the remainder of the approved development.

3.3 Relevant Planning History

Comment on Relevant Planning History

The site has been used for manufacturing purposes since the Second World War when the single/two storey warehouse building was used by EMI Electronics Ltd to help with the war effort. An application, approved in 1951 (209/MISC/51), regularised this use but restricted it to a 50 year permission, after which the buildings were to be removed and the land reinstated.

Planning permission for the part two, part three storey office building was granted in 1973 (6157/C/73/1501) but was subject to the same temporary permission. Various minor alterations and extensions were approved in 1981 (6157/N/80/0536).

Removal of the time restrictive conditions on the 1951 and 1973 permissions was granted in 1991 (6157/T/91/1093 and 6157/S/91/1091).

Planning permission was granted on 2/3/2010 for redevelopment of the site for 66 residential units, comprising 2 x three storey apartment blocks, 1 studio flat, 5 x one bedroom, 21 x two bedroom and 3 x three bedroom flats and 32 x three bedroom and 4 x four bedroom houses, with associated parking and landscaping (Ref:6157/APP/2009/2069).

Conservation Area Consent was granted for the demolition of the existing commercial buildings on 2/3/2010 (Ref:6157/APP/2009/2070).

4. Planning Policies and Standards

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
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.
BE19	New development must improve or complement the character of the area.
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
OE1	Protection of the character and amenities of surrounding properties and the local area

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **28th July 2010**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

The application has been advertised as a development likely to affect the character of the Ruislip Village Conservation Area. 16 surrounding property owners/occupiers were consulted. 5 letters have been received objecting on the following grounds:

1. The original application made no mention of this being a gated community. If it had there would have been considerable objection from the start from many neighbours that were supportive to the scheme.
2. Gated estates are anti social and preclude the rest of the community from access to carry out neighbourhood business. They also exclude local essential trades people from carrying out their normal business, such as milkmen, window cleaners, charity collectors and Residence Association representatives.
3. They are a delay factor for emergency services.
4. They add an additional cost to Utility services and in some cases cause additional cost to Hillingdon Council Tax Payers. For example Refuse Collections are often held up obtaining access.
5. In view of the very limited parking available within the estate there is even more reason for there to be overspill on the surrounding roads when estate visitors find they cannot easily gain access, they will park and try on foot.
6. This proposal is a carefully planned last minute attempt to give the estate some exclusivity in order to increase the sale price of the properties and should not be approved.
7. It would be unreasonable to allow these gates to be installed and then for the people visiting the new houses to take up the parking spaces in our road
8. It will add to the congestion on Bury Street, as people try and get in/or wait to get in.
9. Cars waiting to be allowed in may protrude out into the road and cause a highway safety hazard.

10. Gated estates lead to a ghetto mentality of 'them and us'. This in turn inhibits neighbourliness and friendly participation as equals in the local community.

11. It is especially unsuitable in a Conservation Area.

12 British tradition has usually allowed free access to pathways and estates for interest and recreation.

13. The requirement for all residents to carry a 'key fob' as proposed does not allow for visitors, trades people, news boys, doctors, carers and emergency services etc.

14. As recently as June and July this year two children were crushed to death by automated gates in Wales and Manchester.

RUISLIP VILLAGE CONSERVATION AREA ADVISORY PANEL

The original application for this site caused considerable concern for local residents, much of which was alleviated by the reduction in property numbers, the more open style of the final design and an expressed desire to make the new estate appropriate for a Conservation Area. However you are aware that the inevitable problems of overspill parking have not been received well by those residents who will ultimately bear the brunt of those cars unable to park within the estate curtilage. The Design and Access Statement issued by the Architects states that the proposed gates are to provide additional security for the residents within the development, and to prevent the occasional parking within the development by the wider public.

Now we have their application to provide protection for the new residents from the very problems deliberately ignored with regard to those already living in the surrounding roads. This very one-sided approach only reinforces the them and us attitude so prevalent with private gated estates, for make no mistake, this is what is being attempted here.

There may be new buildings but this is still in the heart of the Conservation Area, traditionally open to all residents to walk around and enjoy. The developer has already received massive support from the Planning Committee but this is clearly one step too far. The safety aspects of the proposed installation have already been rehearsed by others and this Panel agrees with the fears expressed. In addition there is the danger of access queues backing into an increasingly busy major road used by heavy traffic, buses, and emergency vehicles. Sixty six properties will be constantly visited by a host of unscheduled delivery vehicles and many other unexpected callers. Free access to this site is essential for all the foregoing reasons.

This Conservation Panel formally requests our local planners to heed the reasonable fears of local residents, both in regard to this somewhat arrogant and last minute application and the protection of the spirit of the Ruislip Conservation Area.

RUISLIP RESIDENTS' ASSOCIATION

In the design and Access Statement accompanying the original application there were several references to the development being in character and sympathetic to the Conservation Area. A feature of the Conservation Area is the openness and ease of access to buildings on the Manor Farm site and surrounding residential streets. Our members have expressed their objections to this proposal. Installation of security gates would effectively isolate the new development from the neighbourhood. Apart from creating a feeling of detachment from the wider community, it would make access difficult for a variety of visitors to the development. Consideration should be given to the possibility of children being trapped in electronically controlled security gates. For these reasons, the proposal is an inappropriate variation to the original planning approval.

CLLR CORTHORNE

Request that this application be determined by Committee.

METROPOLITAN POLICE CRIME PREVENTION OFFICER.

Prefer to see security arrangements dealt with by other means, such as CCTV.

Internal Consultees

TREES AND LANDSCAPE OFFICER

There are no tree/landscape concerns about the main gates and the sliding gates in proximity to retained trees/hedges on the road frontage, because the gates and associated structures will be outside the fencing / protected areas around the trees and the hedge.

The application is acceptable in terms of Saved Policy BE38 of the UDP.

CONSERVATION OFFICER

BACKGROUND: This site is located within the Ruislip Village CA and is close to the Ruislip Manor site, which includes a number of listed buildings and a Scheduled Ancient Monument. Mill House, no 25 Bury Street, is a timber framed grade II listed property, dating from the seventeenth century which lies close to the site.

CONSIDERATION: The overall character of the conservation area is village like and quite open, and there are no inward looking gated developments. The new housing scheme has been designed to integrate with the surrounding area and the proposed gates and railings, which would appear quite tall and visually intrusive, would separate the development from its wider context. As such, this type of development would be quite out of character with the surrounding area.

Other methods of restricting parking within the development should be considered.

Not acceptable.

HIGHWAY ENGINEER

The proposed gates would be set back from the highway, hence would not cause vehicles to wait and/or overhang onto the highway. Consequently no objection is raised on the highway aspect of the proposals.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The principle of residential development has been established by virtue of planning permission ref: 6157/APP/2009/2069. There is no objection in principle to the inclusion of gates to serve the residential development. However, the main issues in this case are considered to be highway safety considerations and the effect of the proposed gates on their surroundings, bearing in mind their scale and location, their relationship to nearby buildings and their position within the Ruislip Village Conservation Area. These issues are dealt with elsewhere in the report.

7.02 Density of the proposed development

Not applicable to this development.

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

Policy BE4 states that new development within or on the fringes of conservation areas will be expected to preserve or enhance the features, which contribute to the Conservation Area's special architectural or visual qualities. This would include the existing vegetation

along the Bury Street frontage. The test to be applied in relation to the conservation area is whether its character or appearance would be preserved or enhanced by the development proposed.

In addition, Saved Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. London Plan Policy 4B.1 sets out a series of overarching design principles for development in London and policy 4B.2 seeks to promote world-class, high quality design and design-led change in key locations. In addition to Chapter 4B, London Plan policies relating to density (3A.3) and sustainable design and construction (4A.3) are also relevant.

The site is located within the Ruislip Conservation Area, which was designated in 1969. In 2009, the Conservation Area, which originally only included the medieval village centre, was extended to include the later residential suburbs to the west and south and all of the High Street. The site is also within the vicinity of a cluster of listed and scheduled monuments (including the Ruislip Motte and Bailey and associated barn buildings) located to the east of Bury Street. The Conservation Area is predominantly residential in terms of use and the housing stock comprises mostly privately owned, single family dwellings.

In terms of the built form and general layout of the area, the Ruislip Village Conservation Area varies in character. There is the early village core, containing the oldest and most historically significant buildings and spaces; the High Street, a densely developed street running north-south from the old village to the station and the residential areas to the west of the High Street, which were originally developed in the Garden Suburb tradition and contain buildings of generally good architectural quality, set in large, mature gardens. Sharps Lane for instance has a spacious, green and leafy appearance. There are no inward looking gated developments.

The Urban Design and Conservation Officer notes that the overall character of the conservation area is village like and quite open, with no gated communities. The Urban Design and Conservation Officer also observes that that new housing scheme has been designed to integrate with the surrounding area and considers that the proposed gates and railings, which would appear quite tall and visually intrusive, would separate the development from its wider context. As such, this type of development would be quite out of character with the surrounding area. This view is shared by both the Ruislip Village Conservation Area Advisory Panel and the Ruislip Residents' Association.

It is considered that the proposal to introduce vehicular and pedestrian entrance gates with associated railings and piers to the approved scheme would not reflect the pattern of development from which the conservation area derives much of its special interest and which serves to distinguish it from other parts of Ruislip. It is therefore considered that the proposal would be contrary to objectives underlying Unitary Development Plan (UDP) Saved Policies BE4, BE13 and BE19, be out of keeping with its surroundings and would fail to preserve or enhance the character or appearance of the Ruislip Village Conservation Area.

7.04 Airport safeguarding

There are no airport safeguarding objections to this proposal.

7.05 Impact on the green belt

Not applicable to this development.

7.06 Environmental Impact

Not applicable to this development. Noise issues are dealt with elsewhere in this report.

7.07 Impact on the character & appearance of the area

This issue is dealt with in section 7.03 of this report.

7.08 Impact on neighbours

Given the distance of the proposed gates and railings from surrounding dwellings, it is not considered that their inclusion would result in any adverse impact in terms of overdominance to these properties, in accordance with Policy BE21 of the UDP Saved Policies September 2007.

7.09 Living conditions for future occupiers

Given the distance of the proposed gates and railings from the proposed dwellings, it is not considered that their inclusion would result in any adverse impact in terms of overdominance to these properties, in accordance with Policy BE21 of the UDP Saved Policies September 2007.

7.10 Traffic impact, car/cycle parking, pedestrian safety

The applicants have submitted that a key purpose of the gates is to prevent parking in the development by non residents which may occur, given the site's proximity to Ruislip Town Centre. The introduction of the gates would therefore prevent any on street parking that currently takes place, gravitating into the development. However, it is considered that entrance gates are not essential for this purpose, as other measures, such as a parking management scheme could be introduced to control parking on the estate. It is therefore not considered that the need to control unwanted parking outweighs other policy considerations set out within this report.

The proposed gates do not require amendment to the approved scheme in terms of the nature and location of the pedestrian and vehicular access to the development. This remains as previously approved, via Bury Street at the front of the site. The double swing gates for vehicles are set back from the road edge by 25 metres, which is considered sufficient to allow space for cars and larger vehicles to exit the public highway and wait for the gates to open. Similarly the sliding gates, serving the right and left parking courts are set back by 8 metres from the primary access road, to allow space for cars to wait whilst the gates open but not obstructing the primary access road.

The Highway Engineer considers that the gates are set back a sufficient distance into the site to avoid vehicles waiting or overhanging onto the highway and therefore raises no objections to the highway aspect of the proposals. It is therefore considered that adequate vehicular access to the site can be provided and it is unlikely that traffic generated by the development would have an adverse impact on the adjoining highway network, in compliance with Saved Policy AM7 of the UDP.

7.11 Urban design, access and security

The applicants have stated that the proposed entrance gates will provide an enhanced level of security for future residents. However, the Metropolitan Police Crime Prevention Officer considers that other security arrangements, such as CCTV are more appropriate and could be employed. It is therefore not considered that the need to enhance security within the estate outweighs other policy considerations set out within this report.

7.12 Disabled access

All vehicle gates will be operated via a key fob held by residents to allow access. An entrance panel with a call button will be attached to the gates to allow access for visitors and deliveries. No details of the access panel have been provided. However, it is considered that these could be required by condition to ensure ease of use by people with a disability, in the event of an approval.

7.13 Provision of affordable & special needs housing

Not applicable to this application.

7.14 Trees, Landscaping and Ecology

There are no tree or landscape issues relating to the main and sliding gates in proximity to retained trees/hedges on the road frontage, as the gates and associated structures are outside the fencing and protected areas around the trees and the hedge. The Tree and Landscape Officer therefore considers that the application is acceptable in terms of Saved Policy BE38 of the UDP.

7.15 Sustainable waste management

Not applicable to this application.

7.16 Renewable energy / Sustainability

Not applicable to this application.

7.17 Flooding or Drainage Issues

Not applicable to this application.

7.18 Noise or Air Quality Issues

Had the application been acceptable in other respects, a condition could be imposed to ensure that any potential noise nuisance from the proposed gates is minimised.

7.19 Comments on Public Consultations

The issues relating to highway safety and the impact on the Conservation Area have been dealt with in the main body of the report.

With regard to public access to the estate, this is a civil matter which falls outside the remit of planning control.

With regard to the issue of pedestrian safety, there is no evidence that the proposed gates constitute a health and safety risk. Nevertheless, had the application been acceptable in other respects, a condition could have been imposed requiring details of measures to ensure the safe operation of the electronically operated gates.

7.20 Planning Obligations

Not applicable to this application.

7.21 Expediency of enforcement action

There are no enforcement issues relating to this site.

7.22 Other Issues

There are no other issues relating to this application.

8. Observations of the Borough Solicitor

When making their decision, Members must have regard to all relevant planning legislation, regulations, guidance, circulars and Council policies. This will enable them to make an informed decision in respect of an application.

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are 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).

Article 6 deals with procedural fairness. If normal committee procedures are followed, it is unlikely that this article will be breached.

Article 1 of the First Protocol and Article 8 are not absolute rights and infringements of these rights protected under these are allowed in certain defined circumstances, for example where required by law. However any infringement must be proportionate, which means it must achieve a fair balance between the public interest and the private interest infringed and must not go beyond what is needed to achieve its objective.

Article 14 states that the rights under the Convention shall be secured without discrimination on grounds of 'sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status'.

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

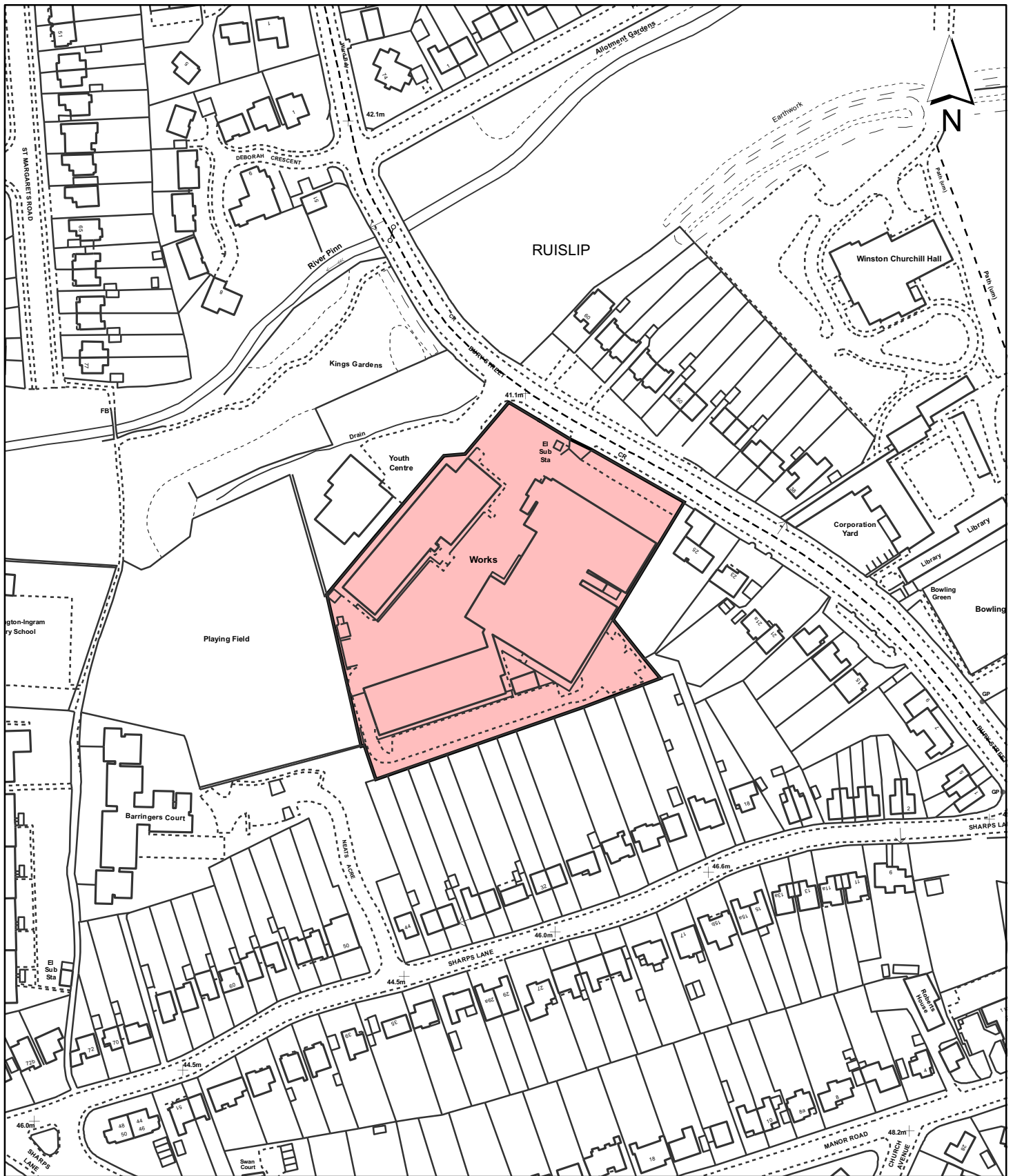
It is considered that the proposal will result in unacceptable harm to the character of the Ruislip Village Conservation Area and the street scene. These are overriding objections that outweigh arguments set out by the applicant regarding parking and security issues. It is considered that there is insufficient merit in these arguments to outweigh the conflict with Development Plan Policies and the application is therefore recommended for refusal.



11. Reference Documents

London Plan Consolidation (February 2008)
Planning Policy Statement Note 3 Housing
Planning Policy Guidance Note 13 Transport
Planning Policy Statement 5 (Planning for the Historic Environment)
Planning Policy Guidance Note 24 Planning and Noise
Hillingdon Design and Accessibility Statements (HDAS)
Council's Supplementary Planning Guidance Community Safety by Design
Council's Supplementary Planning Document: Planning Obligations Strategy

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<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>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.</p> <p>© Crown Copyright. All rights reserved. London Borough of Hillingdon 100019283 2009</p>	<p>Site Address</p> <p>Former Mill Works Bury Street Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON</p> <p>Planning & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p>	
	<p>Planning Application Ref:</p> <p>6157/APP/2010/1383</p>	<p>Scale</p> <p>1:2,000</p>	 <p>HILLINGDON LONDON</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>August 2010</p>		