

Report of the Head of Development Management and Building Control

Address: NEYLAND COURT PEMBROKE ROAD RUISLIP

Development: Removal of the existing mansard roof, construction of additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity

LBH Ref Nos: 76364/APP/2023/321

Drawing Nos: P.314 A
P.303
L.301
P.301 A
P.304 A
P.305 A
P.306 A
P.307 A
P.308 A
P.309 A
P.310 A
P.311 A
P.312 A
P.313 A
B.301 A

Date Plans received: 02-02-2023 **Date(s) of Amendments(s):**

Date Application valid 02-02-2023

1. SUMMARY

The application proposes the removal of the existing mansard roof, construction of an additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity. This proposal is a re-submission following the refusal of planning application 76364/APP/2022/1249.

In the absence of any family sized flats (i.e. three-bedrooms or more), the proposal has failed to demonstrate that the development would provide a suitable housing mix. The proposed development would be detrimental to the character, appearance and visual amenities of the street scene and the setting of the adjoining Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character.

The proposed development would cause unacceptable harm to the living conditions of the existing

occupiers at Neyland Court, Pembroke House, No. 19 Pembroke Road, and Nos. 4, 6, 6a and 8 Brickwall Lane. Moreover, the quantity and quality of external amenity space being provided would be insufficient to serve the sizes and number of existing and proposed flats at the site. As such, the proposed development would provide substandard accommodation, in terms of external amenity space provision.

It is therefore recommended that the application be refused for the reasons set out in the following sections of this Committee Report.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Non Standard reason for refusal

The proposed development, by reason of its prominent location, size, scale, massing, height, design and choice of external finishes would result in an incongruous form of overdevelopment that would fail to harmonise with the character and architectural composition of the surrounding properties, appearing as a visually dominant and bulky form of development which would be detrimental to the character, appearance and visual amenity of the street scene and the setting of the adjoining Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

2. NON2 Non Standard reason for refusal

The proposed development, by reason of its built footprint projecting beyond the front and rear habitable room windows on the existing building, would cause harm to the living conditions of the existing occupiers at Neyland Court, in terms of loss of light, loss of outlook, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

3. NON2 Non Standard reason for refusal

The proposed development, by reason of its siting, size, scale, bulk, massing and height, would cause harm to the residential amenities of the neighbouring occupiers at Pembroke House, number 19 Pembroke Road and numbers 4, 6, 6a and 8 Brickwall Lane, in terms of loss of outlook, loss of light, overshadowing, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

4. NON2 Non Standard reason for refusal

The proposed development, by reason of its inadequate size, quality and functionality of external amenity space provision, would result in substandard forms of residential accommodation to the

detriment of existing and future occupants at the site. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

5. NON2 Non Standard reason for refusal

The proposed development fails to provide any three or more bedroom (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

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. I74 Community Infrastructure Levy (CIL) (Refusing Consent)

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012.

For more information on CIL matters please visit the planning portal page at:
www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan (2021) and national guidance.

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing

DMH 2	Housing Mix
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 4	Conservation Areas
DMHB 5	Areas of Special Local Character
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

3. CONSIDERATIONS

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3.1 Site and Locality

The application site is Neyland Court, which is located on the northern side of Pembroke Road. Neyland Court is a purpose-built building with a mansard roof occupied by twelve flats. To the rear of the building is an area of soft landscaping which serves as communal amenity space for the existing occupiers at Neyland Court. Beyond this amenity space, lies a car park which includes a block of garages positioned along the north-eastern site boundary. An unauthorised car port structure has been constructed adjacent to the rear boundary of the application site. A retrospective planning application seeking retention of the car port was refused by the Council on 19 August 2022 (refer to Section 3.3 of this report for further details). The car port is the subject of investigation by the Council's Planning Enforcement Team.

The application site falls adjacent to two heritage assets, the Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character (ASLC). The immediate surrounding area is predominately characterised by inter and post war properties. Number 19 Pembroke Road is a dormer bungalow located directly to the east of the application site. Pembroke House is located to the west of the application site and is a former office building that has been converted into flats. To the rear of the site are the neighbouring properties at numbers 2b, 4, 6, 6a and 8 Brickwall Lane.

The site lies within Ruislip Town Centre as identified within the Hillingdon Local Plan Part 2 - Development Management Policies (2020).

3.2 Proposed Scheme

The application proposes the removal of the existing mansard roof, construction of an additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity. This proposal is a re-submission following the refusal of planning application 76364/APP/2022/1249. The key changes that have been made as part of this current application include the relocation of proposed refuse and cycle stores to the rear car park of Neyland Court, changes to the proposed material finish of the building, changes to the rear building line/projection of the proposed additional storeys and changes to/part omission of a previously proposed steel frame structure to the front elevation. In addition, the application site (red line) has been extended in this current application to include the existing vehicular access into the site.

It should be noted that the application proposal description wording differs from the wording stated on the application form. However, this revised proposal description is considered to be a more accurate reflection of the proposed development, and was agreed in writing by the agent in an email dated 4th April 2023. Neighbouring residents were re-consulted based on this revised description.

Although the existing number of car parking spaces to the rear of Neyland Court has not been shown on the submitted block plan, the proposed site layout does provide details on the proposed car parking layout and the number of parking spaces being provided. It has also been noted that there is an existing refuse store located along the eastern site boundary which has not been shown on the submitted plans. Notwithstanding these issues, Planning Officers are satisfied that the scale drawings that have been submitted in support of this application provide sufficient details to enable the assessment of the proposal.

3.3 Relevant Planning History

76364/APP/2021/1569 Neyland Court Pembroke Road Ruislip

Demolition of existing garage block and construction of detached building to accommodate new management office accommodation above replacement parking spaces

Decision: 28-07-2021 Not Determined **Appeal:** 14-12-2021 Dismissed

76364/APP/2021/4604 Neyland Court Pembroke Road Ruislip

Construction of detached building to accommodate new management office accommodation above replacement parking spaces

Decision: 25-03-2022 Refused **Appeal:** 24-08-2022 Dismissed

76364/APP/2022/1249 Neyland Court Pembroke Road Ruislip

Removal of the existing mansard roof, construction of additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity.

Decision: 10-10-2022 Refused

76364/APP/2022/919 Neyland Court Pembroke Road Ruislip

Retention of a car port (Retrospective)

Decision: 19-08-2022 Refused **Appeal:** 20-02-2023 Invalid Appeal

Comment on Relevant Planning History

The relevant planning history attached to this site is referenced above.

Planning application reference 76364/APP/2022/1249 proposed the removal of the existing mansard roof, construction of an additional two storeys along with front extensions and external alterations to create an additional 8 units with associated amenity. It was presented to Members at the Borough Planning Committee on 4th October 2022, where it was refused. The decision notice was issued on 10th October 2022, with the grounds for refusal stated as follows:

1. The proposed development, by reason of its prominent location, size, scale, massing, height, design and choice of external finishes would result in an incongruous form of overdevelopment that would fail to harmonise with the character and architectural composition of the surrounding properties, appearing as a visually dominant and bulky form of development which would be detrimental to the character, appearance and visual amenity of the street scene and the setting of the adjoining Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One-Strategic Policies (2012) and Policies DMHB 1, DMHB 4, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

2. The proposed development, by reason of its built footprint projecting beyond the front and rear habitable room windows on the existing building, would cause harm to the living conditions of the existing occupiers at Neyland Court, in terms of loss of light, loss of outlook, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).
3. The proposed development, by reason of its siting, size, scale, bulk, massing and height, would cause harm to the residential amenities of the neighbouring occupiers at Pembroke House, number 19 Pembroke Road and numbers 4, 6, 6a and 8 Brickwall Lane, in terms of loss of outlook, loss of light, overshadowing, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).
4. The proposed refuse store and long stay cycle store, by virtue of their proximity to the ground floor habitable room windows of an existing flat at Neyland Court, would cause harm to the residential amenities enjoyed by this neighbouring occupier/occupiers, in terms of loss of outlook, loss of privacy, noise and disturbance. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).
5. Insufficient evidence has been provided to demonstrate that adequate refuse and recycling facilities can be provided for the existing and future occupiers of the proposed development without adversely impacting upon neighbouring residential amenity, on-site parking provision or highway safety. This issue is further exacerbated by the constrained nature of the site. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).
6. Insufficient evidence has been provided to demonstrate that secure, sheltered and accessible long stay cycle store parking spaces can be provided for future occupiers of the proposed development without adversely impacting upon the external amenity space provision at the site, on-site parking provision or highway safety. This issue is further exacerbated by the constrained nature of the site. The proposal would therefore fail to facilitate and encourage cycling as a sustainable mode of transport contrary to Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021) and the National Planning Policy Framework (2021).
7. The proposed development fails to provide any three or more bedroom (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).
8. The proposed development, by reason of its inadequate size, quality and functionality of external amenity space provision, would result in substandard forms of residential accommodation to the detriment of existing and future occupants at the site. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

9. The proposal fails to demonstrate how the development would achieve the highest standards of fire safety in regard to its design in incorporating appropriate features which reduce the risk to life in the event of a fire, its construction methods, means of escape, strategy of evacuation and providing suitable access and equipment for firefighting appropriate for the size and residential nature of the development. The proposal would therefore be contrary to Policies D5 and D11 of the London Plan (2021) and the National Planning Policy Framework (2021).

It is considered that the revised scheme under consideration has addressed previous reasons for refusal no. 4, 5, 6 and 9 (above). However reasons for refusal no. 1, 2, 3, 7 and 8 have not been overcome, as discussed in the relevant sections of this Committee Report.

4. Planning Policies and Standards

Development Plan:

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

The Local Plan: Part 1 - Strategic Policies (2012)

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

The West London Waste Plan (2015)

The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2021) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies:

DMCI 7 Planning Obligations and Community Infrastructure Levy

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DMEI 10 Water Management, Efficiency and Quality

DMEI 2 Reducing Carbon Emissions

DMEI 7 Biodiversity Protection and Enhancement

DMEI 9 Management of Flood Risk

DMH 1 Safeguarding Existing Housing

DMH 2 Housing Mix

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

DMHB 5 Areas of Special Local Character

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 14 Trees and Landscaping

DMHB 16 Housing Standards

DMHB 17 Residential Density

DMHB 18 Private Outdoor Amenity Space

DMT 1 Managing Transport Impacts

DMT 2 Highways Impacts

DMT 5 Pedestrians and Cyclists

DMT 6 Vehicle Parking

LPP D3 (2021) Optimising site capacity through the design-led approach

LPP D4 (2021) Delivering good design

LPP D5 (2021) Inclusive design

LPP D6 (2021) Housing quality and standards

LPP D7 (2021) Accessible housing

LPP DF1 (2021) Delivery of the Plan and Planning Obligations

LPP G7 (2021) Trees and woodlands

LPP H1 (2021) Increasing housing supply

LPP H10 (2021) Housing size mix

LPP HC1 (2021) Heritage conservation and growth

LPP SI12 (2021) Flood risk management

LPP SI13 (2021) Sustainable drainage

LPP SI2 (2021) Minimising greenhouse gas emissions

LPP T5 (2021) Cycling

LPP T6 (2021) Car parking

LPP T6.1 (2021) Residential parking

NPPF2 NPPF 2021 - Achieving sustainable development

NPPF4 NPPF 2021 - Decision-Making

NPPF5 NPPF 2021 - Delivering a sufficient supply of homes

NPPF9 NPPF 2021 - Promoting sustainable transport

NPPF11 NPPF 2021 - Making effective use of land

NPPF12 NPPF 2021 - Achieving well-designed places

NPPF14 NPPF 2021 - Meeting the challenge of climate change flooding

NPPF16 NPPF 2021 - 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

188 neighbouring properties were consulted by letter on 10th February 2023. 26 additional neighbouring properties were consulted on 1st March 2023. Following changes to the wording of the proposal description, neighbouring properties were re-consulted on 6th April 2023. The consultation period expired on 27th April. 12 objections were received. Their comments are summarised as follows:

- Out of character with the area
- Change to overall landscape and residential street scene

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- Loss of light, outlook and amenities
- Loss of privacy and overlooking issues
- Loss of communal amenity space for the occupiers at Neyland Court
- Encroachment, overwhelming and overbearing impact
- Loss of trees, despite application form stating otherwise
- Impact to health and well-being
- Harm to wildlife and the environment
- Concerns that the capacity size of the proposed refuse store would be inadequate
- Insufficient on-site car parking provision
- Car parking space 1 and 2 should be counted as one space due to their size
- Car parking spaces 10, 11 and 13 cannot be used for parking as there is insufficient space for manoeuvring
- Site is susceptible to flooding
- Increased footfall to the building
- Concerns about the age of the existing intercom system and drainage serving the building
- Proposal will require removal of the communal carpet that has recently been installed
- Potential damage to the pavement and highway by lorries
- Alleged use of the office buildings for residential accommodation purposes
- Disruption during the construction phase
- Current proposal is almost identical to 76364/APP/2022/1249 and should be refused for the same reasons.

PLANNING OFFICE RESPONSE: The points raised about the proposal's impact on the character and appearance of the area, neighbouring residential amenities, parking, trees, flooding and refuse storage are covered in the main body of this Committee Report.

It is acknowledged that only one vehicle can be accommodated within the garage area labelled as 1 and 2 within the office building to the rear of the site. However, this is no different to the existing arrangement. Similarly, spaces 10, 11 and 13 are located within an existing garage block which the proposal seeks to retain. As such, the proposal would not undermine the on-site car parking provision for the existing occupiers of Neyland Court over and above the existing situation. If this application had been recommended for approval, a condition would have been secured requiring the submission of a Construction Management Plan to minimise noise, disruption and pollution.

The points raised about the age of the intercom system and the carpet are not material planning considerations. If this application had been recommended for approval, an informative would have been included advising that the Council will recover costs of highway and footway repairs, if any damaged is caused to them during construction.

PETITION:

A petition in objection to the application has been received (25 signatures). The petition states:

'We would like to object to the proposed development mainly due to below reasons:

The proposed development, by reason of its prominent location, size, scale, massing, height, design and choice of external finishes would result in an incongruous form of overdevelopment that would fail to harmonise with the character and architectural composition of the surrounding properties. The proposed development, by reason of its built footprint projecting beyond the front and rear habitable room windows on the existing building, would cause harm to the living conditions of the existing occupiers at Neyland Court, in terms of loss of light, loss of outlook, sense of enclosure and overbearing impact.

The proposed development, by reason of its siting, size, scale, bulk, massing and height, would cause harm to the residential amenities of the neighbouring occupiers at Pembroke House, number 19 Pembroke Road and numbers 4, 6, 6a and 8 Brickwall Lane, in terms of loss of outlook, loss of light, overshadowing, sense of enclosure and overbearing impact.

Insufficient evidence has been provided to demonstrate that adequate refuse facilities can be provided for the existing and future occupiers of the proposed development without adversely impacting upon neighbouring residential amenity.'

PLANNING OFFICER RESPONSE: The matters raised in the petition are discussed in the main body of the Committee Report.

RUISLIP RESIDENTS' ASSOCIATION:

The Ruislip Residents Association (RRA) have considered the plans for "Construction of 2 additional storeys, erection of a front extension and external alterations to allow for 8 new flats" that are very similar to the last plans refused by Hillingdon Council Ref: 76364/APP/2022/1249 for "Removal of the existing mansard roof, construction of additional two storeys along with front extensions and external alterations to create an additional 8 units with associated parking and amenity." The reasons for the refusal of the last plan have not been addressed in this latest planning application that should again be refused.

Lack of detail:

It is good to see that some of the incorrect information submitted in previous applications has been corrected this time. This application contains very little detail:

1. Street Scenes: The Existing and Proposed Street Scene on P.314 yet again do not show the adjacent bungalow at no 19 Pembroke Road situated one metre to the east of Neyland Court, as shown on the Google Street view image below! By contrast the street scenes submitted only shows the 5- storey building at Pembroke House, a former office building that is much further away to the west of the application site.

PLANNING OFFICER RESPONSE: Whilst the above point is noted, there is no validation requirement for a street scene elevation drawing to be submitted. Notwithstanding, Section 7.07 of this Committee Report does discuss the harmful impact the proposed development would have on the surrounding street scene, which includes its relationship with the bungalow at No.19 Pembroke Road.

2. Existing Site Plan: There is no Existing Site layout to show existing trees. For instance, the cherry tree by the existing bin store that is proposed to be removed for the proposed cycle rack. Will the tree be replaced?

3. Tree Survey: No tree survey has been submitted to demonstrate that existing trees will not be affected by the proposed development and that provision would be made for their long-term protection.

PLANNING OFFICER RESPONSE: None of the trees at the site are protected by Tree Preservation Orders, nor are they considered to be of such high visual amenity value to warrant such protection. If this application had been recommended for approval, a condition could have been secured requiring the submission of details of tree protection measures and replacement trees (if necessary).

4. Waste Management Plan: I understand that the maximum distance for refuse to be collected is 10m from the public highway. This latest plan locates the refuse area at the rear of Neyland Court with access

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from the public highway via the carpark instead of the existing side access between Neyland Court and no 19 Pembroke Road, in excess of 10m?. The size of the bin store and its capacity is unstated. Will the capacity be sufficient to accommodate general waste and recycling refuse for the proposed 20 flats in total?. No Waste management Plan has been submitted to clarify the situation.

PLANNING OFFICER RESPONSE: The proposed refuse/recycling store would be positioned in a similar location to the existing bin store. It is therefore considered that the servicing of the proposed development by the Council's refuse collection crew would be the same as the existing arrangements. This is notwithstanding the Council's guidance on bins being located no further than 10 metres from a collection point. Nevertheless, confirmation of the acceptability of the storage and collection arrangements will be sought from the Council's waste management service and reported in an addendum prior to the planning committee.

5. Design, Materials & Construction: The design of the building in terms of materials to be used, construction methods are not explained. No survey results are included to demonstrate that the existing foundations are adequate for an additional two storeys. If they are not adequate, then what is the plan? No measurements are provided for the supporting pillars. No evidence is provided in the documentation that the proposed extended building can be supported by these pillars. Is this subject to further planning conditions? How will the extra two storeys be built on top of the existing top floors?. In the previous application the existing mansard roof was to be removed. What is planned this time? There are no details. How will it affect existing residents living on the second floor?

PLANNING OFFICER RESPONSE: The structural integrity of the existing building and how the development would be constructed are not planning considerations, as these would be addressed through the Building Regulations. If this application had been recommended for approval, a condition could have been secured requiring details of the external finishes to be submitted to the Council for consideration.

6. Fire Safety: Without the details above how can it be demonstrated that the highest standard of fire safety will be implemented? Construction methods are unstated, the means of escape are not mentioned, the strategy of evacuation etc. from a five storey building are not included with these proposals.

PLANNING OFFICE RESPONSE: The submitted Planning and Design Access Statement confirms that the proposed development would be compliant with Approved Document B of the Building Regulations, and indicates the proposed safety measures. In the event of an approval, a condition would be secured requiring the submission of a fire safety strategy detailing how the development would achieve high standards of fire safety and emergency evacuation arrangements. Refer to Section 7.11 of this Committee Report for further details.

7. Renewable Energy: No details of the sustainability credentials of the proposed development or the type of renewable technologies that would be utilised have been provided. It is mentioned that gas will be supplied to the new flats. How will that be achieved? There is currently no gas supply to Neyland Court!

PLANNING OFFICER RESPONSE: If this application had been recommended for approval, a condition could have been secured requiring the submission of details for approval in relation to the sustainability credentials of the proposed development and the type of renewable technologies to be utilised. Refer to Section 7.16 of this Committee Report for further details.

Based on the information provided Ruislip Residents' Association considers that the application should be refused.

1. The proposed building will fail to appear as a well-integrated development along Pembroke Road. Any

increase in the height of the application site will be highly visible and loom above the buildings in very close proximity to the east in Pembroke Road. The scale, massing and design of the building will be significantly detrimental to the character of the local area.

2. The proposed building will not respect its unique location between the High Street within the RVCA and residential Midcroft ASLC where the proposed building will be easily viewable from the dwellings and amenity spaces at the rear of the High Street and behind in Brickwall Lane and South Drive. The proposals can be argued to provide a public benefit with the provision 8 new dwellings, but this benefit is outweighed by the impact upon the character and appearance of the local area within the CA and ASLC.

3. The proposed development, by reason of its siting, size, scale, bulk, massing and height, would cause harm to the residential amenities of the neighbouring occupiers at Pembroke House, number 19 Pembroke Road and numbers 4, 6, 6a and 8 Brickwall Lane, in terms of loss of outlook, loss of light, overshadowing, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

4. The additional storeys will not be built on the principal part of the existing building. It is proposed to extend the footprint of the building towards the front to accommodate balconies that will overhang by 1.5 m above the existing front windows below, to the rear with another overhang. The impact of these overhanging structures and moving the front doors southwards would result in loss of light, loss of outlook to the flats on the 2nd floor and below on the north and south elevations. It will create a sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

5. No Waste management Plan has been submitted. Insufficient evidence has been provided to demonstrate that adequate refuse and recycling facilities can be provided for the existing and future occupiers of the proposed development without adversely impacting upon the residential amenity of residents living at the rear of Neyland Court. This issue is further exacerbated by the excessive distance proposed for collecting the refuse from the highway. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2021).

6. No methodologies or impact survey findings are included to assess the structural stability of the existing building and impact upon the existing dwellings at Neyland Court.

7. No measurements are provided for the supporting pillars. No evidence is provided in the documentation that the proposed extended building can be supported by these pillars. Is this subject to further planning conditions?.

8. No schemes are included to ensure there is no harm to the amenity of neighbours at 19 Pembroke Road a metre away from potential excavations to strengthen the existing foundations of Neyland Court if required. Is this subject to further planning conditions?.

9. The plans fail to demonstrate how the development would achieve the highest standards of fire safety in regard to its design in incorporating appropriate features which reduce the risk to life in the event of a fire, its construction methods, means of escape, strategy of evacuation and providing suitable access and equipment for firefighting appropriate for the size and residential nature of the development. The proposal would therefore be contrary to Policies D5 and D11 of the London Plan (2021) and the National Planning Policy Framework (2021).

10. The proposed development fails to provide any three or more bedroom (family sized) units. Robust justification has not been provided to demonstrate that the provision of family sized units would be unsuitable or unviable. The proposal would therefore not provide a suitable mix of housing to support sustainable, inclusive and mixed communities contrary to Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy H10 of the London Plan (2021) and the National Planning Policy Framework (2021).

11. The provision of 8 balconies for the proposed 8 flats will only provide 55.6 sq m of amenity space. For 20 flats 400 sq m should be provided. The proposed development, by reason of its inadequate size, quality and functionality of external amenity space provision, would result in substandard forms of residential accommodation to the detriment of existing and future occupants at the site. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

12. No tree survey has been submitted to demonstrate that existing trees will not be affected by the proposed development and that provision would be made for their long-term protection.

13. The size of rear windows on the 3rd and 4th floors are not indicated, but they seem very small and thus may indicate insufficient natural light for future inhabitants.

14. The side windows for proposed kitchens on east side will overlook down into roof windows a metre away at no 19 Pembroke Road. Can they be conditioned to be obscure glazed?

15. No disabled parking spaces seem to be planned or EVCP provision.

16. There is no mention of disabled access, unlike Pembroke House no lift is proposed.

Conclusion: The RRA conclude that these proposals will result in an incongruous addition that would have a detrimental impact on the character and appearance of the site and surrounding RVCA and Midcroft ASLC and loss of residential amenity. It is a blatant case of overdevelopment and should be refused.

PLANNING OFFICER RESPONSE: The points raised by Ruislip Residents' Association have been noted. Material planning considerations are discussed in the following sections of this report.

The proposal is for a car-free development. There is therefore no requirement for electric vehicle charging points to be provided. Policy T6.1 part H) of the London Plan (2021) states that all disabled persons parking bays associated with residential development must be for residents' use only (whether M4(2) or M4(3) dwellings). There is no policy requirement for the proposed flats to meet Category Part M4(2) or M4(3) of the Approved Document M of the Building Regulations, which means that there is no requirement - in planning policy terms - for disabled parking bays.

WARD COUNCILLOR:

Confirmed request to call-in the application for determination by the Borough Planning Committee and provided the following comments:

I'd begin by saying that this is almost identical to the previous application 76364/APP/2022/1249- and I believe many of the reasons for refusal apply to the current application. These include the fact that the development would result in height massing and bulk which are incompatible with its surroundings. It would result in unacceptable loss of amenity to residents of Neyland Court, number 19 Pembroke Road and

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residents in Brickwall Lane with an overbearing and overdominant structure. Loss of amenity would also arise from residents from the additional dwellings needing access to the garden area which would be reduced in size as a result. The bin storage area, which is barely adequate for existing residents is no larger in the proposals and its actual siting as set out in the plans would not be compatible with the existing layout. The outer support structure required to hold the additional two stories would deprive residents of the use of the footpath adjoining the boundary of number 19 Pembroke Road. The applicant has also misrepresented the existing layout of the site, with plans which show all existing garages accessible to vehicles when in reality at least one has an impossible turning circle, making it of use only for storage. I do wonder how many such repeat applications which are similar in nature we have to accept for determination before we are entitled as a local authority to accept no more. This application is contrary to policy and should be refused.

PLANNING OFFICER COMMENTS: The Ward Councillor's comments are noted and material issues raised have been addressed above and within the main body of the report. Comments regarding restriction of access for residents in respect of a footpath adjoining the boundary of number 19 Pembroke Road are noted. Whilst not considered to constitute a ground for refusal in its own right, there are concerns more generally regarding the provision of external amenity space, as discussed throughout the report and recommended refusal reason number 4.

MOD- RAF NORTHOLT (comments summarised):

I can confirm the MOD has no safeguarding objections to this proposal. However, the MOD recognises that cranes may be used during the construction of tall buildings at this site. These may affect the performance of the Precision Approach Radar (PAR) and air traffic safety. If the proposal at this site does progress, it will be necessary for the developer to liaise with the MOD at RAF Northolt prior to the erection of cranes or temporary tall structures. The MOD would request that a condition such as the one below be included in any planning permission granted to ensure that the MOD is notified of when and where cranes will be erected.

Submission of a Construction Management Strategy:

Development shall not commence until a construction management strategy has been submitted to and approved in writing by the Local Planning Authority covering the application site and any adjoining land which will be used during the construction period. Such a strategy shall include the details of cranes and other tall construction equipment (including the details of obstacle lighting). The approved strategy (or any variation approved in writing by the Local Planning Authority) shall be implemented for the duration of the construction period.

Reason: To ensure that construction work and construction equipment on the site and adjoining land does not obstruct air traffic movements or otherwise impede the effective operation of air traffic navigation transmitter/receiver systems.

PLANNING OFFICER COMMENTS: The MODs comments are noted and had the application otherwise been recommended for approval, the suggested condition would have been included in the recommendation.

Internal Consultees

COUNCIL'S ACCESS OFFICER:

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the extension of this existing flatted development, deemed not to be accessible to wheelchair users in its current form.

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Conclusion: no objections raised from an accessibility perspective.

COUNCIL'S HIGHWAYS OFFICER:

This is a resubmission of an application previously refused in October 2022 for a comparable scheme (76364/APP/2022/1249). Refusal reasons 5 & 6 (siting of refuse/cycle store respectively) have now been addressed hence the 'Highway/Transport' related comments applied to the 2022 determination are still applicable. The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan (2020) Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

PREVIOUS HIGHWAY COMMENTS RELATING TO APPLICATION 76364/APP/2022/1249 (referenced by Highway Officer above):

Site Characteristics & Background:

This site is located on the edge of Ruislip Town Centre in proximity of Ruislip LU station and a generous local bus service provision. The local road network is extensively covered by all day and 24/7 parking controls and given the relatively good access to rail and bus services, the public transport accessibility level (PTAL) is rated at a level of 4 which therefore significantly reduces dependency on the ownership and use of private motor transport.

The application site comprises of a block of 12 one-bedroom flatted residential units fronting Pembroke Road with parking to the rear with some 16 on-plot residential parking spaces of which 6 are in garage blocks and under existing office units. The proposal intends to create additional 8x1 bedroom flats by way of the addition of two extra storeys on a 'car-free' basis.

Parking Provision:

Hillingdon Local Plan: Part 2 Policy - DMT 6 requires that new development will only be permitted where it accords with the council's adopted parking standards unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

London Plan (2021): Policy T6.1 (Residential Parking) requires that new residential development should not exceed the maximum parking standards as set out in table 10.3.

It is proposed to add 8x1 bedroom flats to the address. To comply with the adopted Hillingdon parking standard, the maximum on-site requirement demands up to 8 to 12 spaces. In contrast for a PTAL rating of 4, the London Plan (2021) parking standard suggests a lesser quantum to a maximum of 4-6 spaces. The proposal is presented as 'car-free'.

It is noted that the surrounding road network exhibits certain characteristics which arguably support a lower provision or 'car-free' development. To expand - the roadways are extensively covered by parking controls which is likely to deter any potential untoward parking displacement associated with the proposal. This fact, coupled with the relatively sustainable nature of the location, is likely to discourage ownership and therefore dependency on private motor transport in the first place. Based on the above reasoning, a similar stance would be anticipated from the Planning Inspectorate if the application were to be refused on insufficient parking grounds and appealed thereafter. Therefore, on-balance the 'car-free' proposal is considered acceptable.

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Cycle Parking:

In terms of cycle parking there would be a requirement to provide 1 secure and accessible space for each unit to accord with the council's adopted cycle parking standard. This would total a requirement of 8 suitably located spaces. The applicant has accepted this aspect with a capacity of up to a total of 10 spaces located within a secure enclosure to the rear of the premises. There are no further observations.

Vehicular Trip Generation:

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety.

As a consequence of the 'car-free' nature of the proposal, vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns or objection.

Operational Refuse Requirements:

Refuse collection would continue to be conducted via Pembroke Road. A main bin storage location should be located in proximity of the public highway in order to conform to the council's 'waste collection' maximum distance parameter of 10m i.e. distance from a refuse vehicle to the point of collection. A new bin storage area is depicted on the frontage of the build which conforms to the above parameter. There are no further observations.

Conclusion:

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies T4, T5 and T6 of the London Plan (2021).

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The NPPF (2021) encourages the effective use of land in meeting the needs for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. An important component of this is to ensure that as much use as possible of previously-developed or 'brownfield' land is made.

Policy GG4 of the London Plan (2021) seeks to create a housing market that works better for all Londoners, those involved in planning and development must: A) ensure that more homes are delivered; and C) to create mixed and inclusive communities, with good quality homes that meet high standards of design and provide for identified needs, including for specialist housing.

Policy H1 of the London Plan (2021) states that Boroughs should optimise the potential for housing delivery on all suitable and available sites through their Development Plan and planning decisions, especially the following sources of capacity: e) small sites (see Policy H2 Small sites).

Policy H2 of the London Plan (2021) states that Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs
- 2) diversify the sources, locations, type and mix of housing supply
- 3) support small and medium-sized housebuilders
- 4) support those wishing to bring forward custom, self-build and community-led housing
- 5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1.

At a local level, Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the net loss of existing self-contained housing will be resisted unless the housing is replaced with at least equivalent residential floor space.

The proposed development would involve the construction of an additional two storeys along with front extensions and external alterations to create an additional 8 flats. The proposal would not result in the loss of floor space for the existing flats at the site, nor would it result in the reduction of habitable rooms within these existing flats. The proposed development would therefore be compliant with Policy DMH 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), in this respect. However, this is notwithstanding the unacceptable harm that would be caused to the residential amenities of the existing occupiers at Neyland Court (as discussed in Section 7.08 of this Committee Report).

The proposal would make use of a brownfield site in a sustainable town centre location. In this context, there is no objection, in principle, to the creation of additional residential units at the site in land use terms. However, this would be subject to an appropriate housing mix, density levels, design, residential amenity, parking and highway safety, and the proposal being in accordance with the relevant planning policies and guidance set out in the Development Plan.

HOUSING MIX:

Policy H10 of the London Plan (2021) states that new development should consist of a range of unit sizes.

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly 3 bedroom properties, as identified in the Strategic Housing Market Assessment 2016.

The proposed development would provide an additional 8 x one-bedroom units. No three-bedroom units are being proposed, despite there being a need within the Borough for this particular housing type. No robust justification has been provided as to why the proposal fails to provide any three-bedroom units. The proposal would therefore fail to provide an appropriate housing mix which would undermine the Council's housing strategy, and conflict with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy H10 of the London Plan (2021).

7.02 Density of the proposed development

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling. In other areas, incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. This should be interpreted in the context of Policy H2 of the London Plan (2021) which states that Boroughs should proactively support well-designed new homes on small sites below 0.25 hectares in size.

Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2, which recommends a density range of 155-396 habitable rooms per hectare and 50-120 units per hectare.

The site is located in Ruislip Town Centre and has a PTAL rating of 4. Based on the total site area of 0.1103 hectares, the proposed development would have a total density level of 363 habitable rooms per hectare and 181 units per hectare. The proposal would clearly exceed the Council's maximum density levels of units per hectare by 51%. Whilst it is acknowledged that density levels should not be applied mechanistically, the ranges set out in Table 5.2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) have been calculated taking account of a number of factors, such as public transport accessibility, design and local context.

In this case, it is considered that the significant exceedance in the maximum recommended density levels adds further weight to the stance that the proposed development seeks to unacceptably maximise the number of flats at the site at the expense of harm to the character and appearance of the area and residential amenity.

Please refer to the sections 7.07 to 7.08 of this Committee Report which assess these planning considerations in further detail.

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

Refer to the section of the report titled 'Impact on the character & appearance of the area'.

7.04 Airport safeguarding

Policy DMAV 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will ensure that uses such as housing, education and hospitals are not located in areas significantly affected by aircraft noise without acceptable mitigation measures.

The application site is within 3km of the RAF Northolt Buffer Zone. However, as the site is within an established mixed use area, comprising both commercial and residential developments, it is considered that visibility and audibility of aircraft operations associated with RAF Northolt would not be of significant harm to the living conditions of future occupiers, especially given the existing residential use of the site. It is therefore considered that it would be unreasonable to refuse the application on the ground of harm to the residential amenity of future occupiers, in respect to aircraft noise associated with RAF Northolt.

As noted in Section 6 of this Committee Report, the MOD has confirmed no aircraft safeguarding objections subject to the inclusion of a construction management condition.

7.05 Impact on the green belt

Not applicable.

7.06 Environmental Impact

Not applicable.

7.07 Impact on the character & appearance of the area

Paragraph 126 of the NPPF (2021) seeks the creation of high quality, beautiful and sustainable buildings. Parts b) and c) of paragraph 130 of the NPPF (2021) state that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment.

Policies D3 and D4 of the London Plan (2021) require development proposals to be of a high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

Policy HC1 of the London Plan (2021) states that development proposals affecting heritage assets, and their settings, should conserve their significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

Policy DMHB 4 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that new development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. Policy DMHB 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that within Areas of Special Local Character, new development should reflect the character of the area and its original layout.

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping.

Policy DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) re-emphasises the need for new development to be well integrated with the surrounding area and provides design criteria as to how this would be achieved.

The application site is adjacent to, but not within both the Ruislip Village Conservation Area and Midcroft, Ruislip, Area of Special Local Character. The Ruislip Village Conservation Area was first designated in 1969. Its significance is derived in part from the attractive and historic, largely early twentieth century townscape which extends along the High Street to the west of the site. Its setting to the south-east is an urban one of large late twentieth century buildings. The Midcroft, Ruislip, Area of Special Local Character lies to the north of the site and is largely characterised by attractive suburban houses set in tree lined streets. Neyland Court currently comprises two storeys with the third storey contained within its mansard roof profile. Its current size, scale and height, mediates well between the adjoining chalet style bungalow at number 19 Pembroke Road to the east, and the adjacent five storey building at Pembroke House which was formerly offices but has since been converted to flats.

The proposed development would replace the existing mansard roof with two additional storeys and include the erection of front extensions (the height of the building would be increased from 3 to 5 storeys). The proposed development would significantly increase the massing of the building, due to

the additional height, built form and bulk proposed. As a result, the proposed development would appear disruptive and incongruous within the street scene. The transition in scale between the proposed building and the modest chalet style bungalow at No. 19 Pembroke Road would be unduly harsh, and represent a visually obtrusive and awkward juxtaposition. The development would therefore fail to integrate appropriately to its immediate surroundings, due to its prominence and poor relationship to the neighbouring bungalow properties to the east of the site.

The footprint of the proposed additional storeys would project beyond the front and rear facades of the existing building. The top heavy appearance of the proposed building with the absence of any set-back from the front elevation or set-in from the sides, would mean that the proposed additional storeys would appear overly dominant. This would be seen from both direct and long views on Pembroke Road, noting in particular the single storey storey bungalows immediately to the east of the site. Due to the site's proximity to the junction on Station Approach and West End Road, public views of the development would be readily visible from this public vantage point which borders Ruislip Village Conservation Area. Furthermore, views of the upper elements of the proposed building would be seen from Brickwall Lane which is designated within Midcroft, Ruislip, Area of Special Local Character. It is therefore considered that the proposal would cause harm to the setting of Ruislip Village Conservation Area and Midcroft, Ruislip, Area of Special Local Character.

In terms of design, whilst it is noted that the applicant has made changes to the proposed materials in this scheme (in comparison with the refused scheme) in order to better integrate the proposed additional storeys with the existing building, this has not been entirely successful, as it is considered that the additional storeys would still appear at odds with the existing lower floors of the building. Thus, resulting in an incoherent building that bears little relationship with its surrounding context. Furthermore, the proposed building would be poorly articulated, and is not considered to represent high quality design. As a result, the proposed development would have a negative impact upon the character and appearance of the area and the setting of the adjoining Conservation Area and Midcroft, Ruislip, Area of Special Local Character.

It is noted that an Appeal was allowed at Pembroke House for the extension of the fourth floor to provide 1 x two-bedroom unit (LPA ref: 38324/APP/2017/2287, Appeal ref: APP/R5510/W/17/3185312). However, the material considerations relating to Pembroke House are not directly comparable to the subject scheme at Neyland Court. The Inspector's Appeal Decision for Pembroke House specifically refers to the proposed extension appearing as a subservient feature due to its design and for it being set-back on three sides. The two additional storeys being proposed at Neyland Court would not only have no set-backs, but would in fact project beyond the front and rear walls of the existing building. Furthermore, Pembroke House is located closer towards the Town Centre and is sited adjacent to a three storey mixed use building known as Pembroke Lodge. Neyland Court is located further east and sits directly adjacent to a row of single storey bungalows. It is therefore considered that very limited weight should be afforded to the fourth storey extension allowed at Pembroke House.

Having regard to the above, it is considered that the proposed development would have a harmful impact on the character, appearance and visual amenities of the local area, and would neither preserve nor enhance the setting of the adjoining Ruislip Village Conservation Area and Midcroft, Ruislip, Area of Special Local Character. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies HC1, D3 and D4 of the London Plan (2021) and the NPPF (2021).

The harm arising from the proposed development to the Ruislip Village Conservation Area is considered to be less than substantial. In line with paragraph 202 of the NPPF (2021), the public benefit of the proposal must be weighed against the harm. (Please refer to section 7.22 of this report for the 'planning balance' assessment).

7.08 Impact on neighbours

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

Paragraph 5.40 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "For the purposes of this policy, outlook is defined as the visual amenity enjoyed by occupants when looking out of their windows or from their garden. The Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook."

Paragraph 5.41 of the Hillingdon Local Plan: Part 2 (2020) states: "The Council will aim to minimise the impact of the loss of daylight and sunlight and unacceptable overshadowing caused by new development on habitable rooms, amenity space and public open space. The Council will also seek to ensure that the design of new development optimises the levels of daylight and sunlight. The Council will expect the impact of the development to be assessed following the methodology set out in the most recent version of the Building Research Establishments (BRE) "Site layout planning for daylight and sunlight: A guide to good practice".

The proposed additional two storeys would project beyond the front and rear windows of the existing flats at Neyland Court. As a result, the occupants of the flats set beneath the proposed two additional storeys would experience a sense of enclosure and overbearing impact. In the absence of a BRE daylight/sunlight study, the proposal fails to demonstrate that it would not result in an unacceptable loss of light or cause overshadowing issues for the existing occupiers at Neyland Court. Furthermore, it is considered that the proposed development would overshadow the communal garden at Neyland Court due to its height, scale, bulk and massing, undermining the quality of outdoor external amenity space for existing occupiers.

Number 19 Pembroke Road is a modest chalet-style bungalow located immediately to the east of the application site. Although the submitted plans show the nearest rear wall at Neyland Court being in alignment with No. 19 Pembroke Road, this is not an accurate depiction of the actual situation. No. 19 has a plastic canopy spanning across its rear elevation, with its actual rear wall being set behind Neyland Court by approximately 1.8 metres. The increased built form, scale, bulk, mass and height of the proposed development, in combination with its close proximity to the shared boundary, would be unacceptably overbearing, create a sense of oppression and a loss of outlook for the occupiers of No.19 and their associated rear garden space. For the same reasons, it is considered that the proposed development is likely to result in a loss of light and overshadowing for the occupiers at

No.19 and their rear garden space. A BRE daylight/sunlight study has not been submitted to demonstrate otherwise.

The rear boundary of the application site adjoins the rear gardens of the bungalows at Nos. 4, 6, 6a and 8 Brickwall Lane. These neighbouring properties have habitable windows facing south. Due to the five storey scale of the proposed building, and its position in relation to the bungalows, there are concerns that the proposal would cause overshadowing issues for residents of Nos. 4, 6, 6a and 8 Brickwall Lane. A BRE daylight/sunlight study has not been provided which means there is no substantive quantitative evidence to suggest otherwise. It is considered that the separation distance between the proposed building and Nos. 4, 6, 6a and 8 Brickwall Lane would not be sufficient to mitigate the identified harm, especially noting the single storey scale of these properties and their small garden sizes.

Pembroke House is a five storey former office building that has been converted into flats. This neighbouring building has habitable room windows fitted in its side elevation which face towards Neyland Court. Due to this relationship, and noting the increased scale, bulk and height of the proposed development, it is considered that the proposal would result in a loss of outlook and a sense of enclosure to both the side (east) and some of the rear habitable windows at Pembroke House. As highlighted above, in the absence of a BRE daylight/sunlight study, it has not been demonstrated that the proposal would not result in an unreasonable loss of light for the residential occupiers at Pembroke House.

The lawful use of the two buildings situated to the rear of Pembroke House is office use, it is therefore considered that the proposed development would have no impact upon these buildings in respect of neighbouring residential amenity.

There would be a separation distance of approximately 25 metres between the proposed development and the flatted development at Corinthian Court, which lies due south of the application site on the opposite side of Pembroke Road. Given this separation distance, it is considered that the proposal would not adversely impact upon the residential amenities of the occupiers at Corinthian Court.

It is noted that the proposal would involve the introduction of balconies along the front elevation of Neyland Court and new windows in the sides and rear elevations. The proposed front balconies and windows would be separated by approximately 25 metres from the front balconies on Corinthian Court (as noted above). The outlook from the proposed rear windows would not be dissimilar to the existing windows fitted in this elevation. As such, it is considered that the proposed development would not result in a material loss of privacy or overlooking for the neighbouring occupiers at Corinthian Court or Brickwall Lane.

If this application had been recommended for approval, a condition would have been secured requiring the proposed side windows to be obscure glazed and non-opening up to 1.8 metres of the finished floor level. A condition of this nature would not have unduly impacted the quality of internal accommodation for future occupiers, given that the side windows serve as secondary windows to an open plan living/kitchen which is primarily served by glazed French doors leading to a balcony. Also, a condition would have been secured requiring 1.8 metre high privacy screening to be erected along the sides of the proposed balconies.

In light of the above, it is considered that the proposed development would cause unacceptable harm to the living conditions and external amenity space provision of the existing occupiers at Neyland

Court, Pembroke House, No. 19 Pembroke Road, and Nos. 4, 6, 6a and 8 Brickwall Lane. The proposed development would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 part f) of the NPPF (2021).

7.09 Living conditions for future occupiers

INTERNAL AMENITY SPACE PROVISION:

Policy D6 of the London Plan (2021) sets out the minimum internal floor space standards required for residential developments in order to ensure that there is an adequate level of amenity for future occupants. Table 3.1 of Policy D6 of the London Plan (2021) states that:

- A one storey dwelling with 1 bedroom, 2 person occupancy should provide a GIA of at least 50 square metres.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all housing development should have an adequate provision of internal space in order to provide an appropriate living environment.

All eight of the proposed flats would meet the minimum 50 square metre requirement set by Table 3.1 of the London Plan (2021). The proposed double bedrooms would have a width of at least 2.75 metres and would have a floor area in excess of 11.5 square metres, in compliance with parts 2) and 4) of Policy D6 of the London Plan (2021). The open plan kitchen/living rooms would be served by glazed doors leading onto a balcony, and the double bedrooms would be served by windows fitted in the rear elevation of the building. It is therefore considered that future occupants would receive an adequate level of outlook and natural light.

The proposed 8 flats would provide a satisfactory provision of internal amenity space for future occupants.

EXTERNAL AMENITY SPACE PROVISION:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and usable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.3. Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres. Table 5.3 states that:

- 1 bedroom flats should be provided with at least 20 square metres of private amenity space.

The proposed development would provide an additional 8 x one-bedroom flats, requiring an extra 160 square metres of external amenity space to be provided above the existing communal rear garden which currently serves the existing 12 flats at Neyland Court.

The proposed flats would have balconies measuring approximately 6.6 to 7.8 square metres, which falls significantly below the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). It is therefore considered that the proposed balconies would constitute substandard forms of private amenity space due to their limited size and lack of functionality. This, in turn, is likely to result in future occupiers having to rely on the existing communal rear garden as their outdoor space.

Although the proposed site plan indicates that the rear communal garden measures 137.9 square

metres, when actually measured this external amenity space only measures 117 square metres. The areas indicated as being 'landscaping buffer' are not useable external amenity space and have therefore been discounted. Similarly, the area of soft landscaping to the front of the site labelled as "front communal amenity" does not constitute as useable external amenity space. This is because this front area is readily visible from the public highway, thus limiting the opportunity for general outdoor activity that existing and future occupants could reasonably expect.

For guidance purposes, a flatted development with 20 x one-bedroom flats (i.e. the existing 12 x one-bedroom flats plus the proposed 8 x one-bedroom flats) should have a minimum of 400 square metres of external amenity space. At 117 square metres, the communal garden space would fall considerably below the 400 square metre requirement. The communal garden would therefore fail to provide adequate external amenity space for future occupiers, and the proposal would unacceptably undermine the external amenity space provision for the existing occupants at the site. This would result in poor living conditions for both existing and future occupants.

Whilst it is clear that the existing development at Neyland Court does not accord with Table 5.3 private amenity standards, this does not mean that the proposal, which would make an existing situation considerably worse by introducing an additional eight new flats at the site, should be accepted. Furthermore, public open spaces do not provide suitable private amenity areas that future occupiers of the proposed flats could enjoy. It is therefore considered that little weight should be afforded to the argument that there are public parks in the local area.

It is considered that the quantity and quality of external amenity space being provided would be insufficient to serve the sizes and number of existing and proposed dwellings at the site. Thus, limiting the opportunity for general outdoor activity that existing and future occupants could reasonably expect with dwellings of this size and type. As such, the proposed development would provide a substandard form of accommodation, in terms of external amenity space provision. The proposal therefore conflicts with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130(f) of the NPPF (2021).

7.10 Traffic impact, Car/cycle parking, pedestrian safety

Paragraph 111 of the NPPF (2021) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Policy DMT 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to meet the transport needs of the development and address its transport impacts in a sustainable manner.

Policy DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals must ensure that safe and efficient vehicular access to the highway network is provided, schemes do not contribute to the deterioration of air quality, noise or local amenity or safety of all road users and residents. Also, that impacts on local amenity and congestion are minimised and there are suitable mitigation measures to address any traffic impacts in terms of capacity and functions of existing roads.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires that proposals comply with the Council's parking standards in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary

these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

CAR-FREE DEVELOPMENT:

Appendix C of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that 1 bedroom flats should be provided with 1 to 1.5 spaces. Based on this, the proposal for 8 x one-bedroom flats would require between 8 to 12 car parking spaces.

In contrast, Policy T6.1 of the London Plan (2021) states that development comprising up to 1 bed units in outer London with a PTAL rating of 4 should provide a maximum of 0.75 car parking spaces per dwelling. For the proposed development, this would equate to a maximum of 4-6 car parking spaces, which is a lesser requirement than the Council's adopted Car Parking Standards.

It is worth noting that Policy T6 of the London Plan (2021) states that: "Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite'). Car-free development has no general parking but should still provide disabled persons parking in line with Part E of this policy.

The applicant in their planning application submission has identified that their proposal would be a car-free development. The determination of the suitability or non-suitability of a 'car free' proposal is reliant on a number of extraneous factors to the site itself. The local characteristics of the surrounding network is one of the main factors that needs to be taken into consideration as this can significantly influence the need (or otherwise) for new residential occupiers owning private motor transport.

The site has a Public Transport Accessibility Level (PTAL) rating of 4 on a scale of 1 to 6, where 1a is the lowest and 6b is the highest level of accessibility to public transport services. The site is within a 3 minute walking distance from Ruislip Underground Station giving access to the Metropolitan and Piccadilly lines. It has access to bus routes, which are close to the site and provide frequent and peak services to wider parts of the Borough. Moreover, the site is located on the edge of Ruislip Town Centre and has access to a number of shops, restaurants and services. Therefore, given the site's location amongst such services, and as it is within walking distance to buses and an underground station, it would not be necessary for future occupants of the proposed flats to use a car to access day-to-day services.

Additionally, it is apparent that the vast majority of the road network surrounding the site acts as a natural deterrent to an alternative parking facility for 'would be residents' of the proposed development. This deterrent is realised by virtue of the extensive local parking restrictions and yellow lines that surround the location which inherently assist in discouraging the likelihood of untoward parking displacement onto the public domain by a new 'car-free' development.

The site is not located within a Controlled Parking Zone. As such, it would not be necessary, fair or reasonable to secure a legal agreement to prevent future occupiers from obtaining residential parking permits. Besides, such a legal agreement would not meet the tests set out in paragraph 57 of the NPPF (2021). In particular, it would not be necessary to make the development acceptable in planning terms.

The Council's Highways Department were consulted and considered, on balance, that a car-free

development would be acceptable for similar reasons to those set out in the preceding paragraphs.

In light of the above combination of factors, it is considered that the car-free nature of the proposed development would be appropriate and is unlikely to have a significantly harmful pressure on street parking in the local area or have a severe impact on highway safety or the local road network. It is considered that accessible sustainable travel alternatives would be available to future occupiers of the proposed development to justify the zero parking.

BICYCLE PROVISION:

Policy T5 of the London Plan (2021) states that development proposals should help remove barriers to cycling through securing the provision of appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Table 10.2 of the London Plan (2021) requires 1 long stay space per one bedroom dwelling and 2 short-stay spaces per 5-40 dwellings. In this case, the proposed development would need to provide 8 long stay spaces and 2 short stay spaces.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to ensure that safe, direct and inclusive access for pedestrians and cyclists is provided on the site connecting it to the wider network, including the provision of cycle parking in accordance with Appendix C, Table 1 or, in agreement with the Council.

Two short stay visitor cycle spaces are proposed to the front of the site. The proposed visitor cycle spaces would be located approximately 4.6 metres from the nearest front habitable ground floor window of the existing flats at Neyland Court. This separation distance, coupled with the proposed defensible space in the form of soft landscaping, would adequately mitigate issues with privacy, overlooking, noise and disturbance. There is therefore, no objection, to the capacity and location of the short stay cycle spaces. Full details of the cycle stands would be secured by condition, in the event of an approval.

Since the refusal of application reference 76364/APP/2022/1249, the proposed cycle store has been re-located from the communal amenity space. The submitted proposed site plan now shows that the cycle store would be located in the car park, along the eastern site boundary. In the event of an approvable scheme, provision of the cycle store could have been secured by planning condition.

Subject to the above conditions, it is considered that the proposal would provide secure and accessible cycle parking spaces for future occupants in compliance with Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy T5 of the London Plan (2021).

7.11 Urban design, access and security

FIRE SAFETY:

Policy D12 of the London Plan (2021) states that in the interests of fire safety and to ensure the safety of all building users, all development proposals must achieve the highest standards of fire safety. Policy D5 part B of the London Plan (2021) states development should be designed to incorporate safe and dignified emergency evacuation for all building uses.

The submitted Planning and Design Statement confirms that the proposed development would be compliant with Approved Document B of the Building Regulations and indicates the proposed safety measures. In the event of an approval, a condition would be secured requiring the submission of a

fire safety strategy detailing how the development would achieve high standards of fire safety and emergency evacuation arrangements. Subject to such a condition, the proposal would accord with Policies D5 and D12 of the London Plan (2021). It is considered that the additional information provided within this planning application has addressed previous reason for refusal number 9 of application reference 76364/APP/2022/1249.

7.12 Disabled access

Paragraph 3.7.1 of the London Plan (2021) states that "Policy D7 Accessible housing should apply to all dwellings which are created via works to which Part M volume 1 of the Building Regulations applies, which, at the time of publication of this Plan, generally limits the application of this policy to new build dwellings.

The proposal is for the erection of two additional storeys above an existing building to provide eight flats. As such, it is considered that the accessibility requirements set out in Policies D5 and D7 of the London Plan (2021) are not applicable in this instance.

7.13 Provision of affordable & special needs housing

The proposal is for less than 10 residential units and does not meet the threshold in order to require affordable housing provision. As such, the proposal is not contrary to Policy H2 of the Hillingdon Local Plan: Part 1 - Strategic Policies (2012) and Policy DMH 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) in this respect.

7.14 Trees, landscaping and Ecology

TREES AND LANDSCAPING:

Policy DMHB 14 of the Hillingdon Local Plan Part 2 - Development Management Policies (2020) states that planning applications for proposals that would affect existing trees will be required to provide an accurate tree survey showing the location, height, spread and species of trees. Where the tree survey identifies trees of merit, tree root protection areas and an arboricultural method statement will be required to show how the trees will be protected. Where trees are to be removed, proposals for replanting of new trees on-site must be provided or include contributions to offsite provision.

There are trees at and adjoining the application site; however, none of them are protected by a Tree Preservation Order (TPO). It is noted that there is a tree adjacent to the southern flank wall of the existing garage block which has not been shown on the submitted drawings. If planning permission were to be granted, conditions would be secured requiring details of tree protection measures and/ or replacement trees to be submitted to the Council for consideration.

ECOLOGY:

Policy DMEI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that if development is proposed on or near to a site considered to have features of ecological or geological value, applicants must submit appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The development must provide a positive contribution to the protection and enhancement of the site or feature of ecological value.

The site does not contain any ponds, open woodland or dense scrub and shrubbery. There are no protected sites of ecological interest adjacent to the site. It is therefore considered that the likelihood of protected species being present at the site is low, and as such, an ecology assessment is not required. This position would be in accordance with 'Circular 06/05: Biodiversity and Geological

Conservation - Statutory Obligations and their Impact within the Planning System' which states that, "...bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development.

Notwithstanding, the applicant still has a responsibility to fulfil their duties under the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 (as amended). An informative would be secured advising the applicant on this matter, in the event of an approval.

7.15 Sustainable waste management

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

The proposed site plan shows that an enclosed refuse and recycling store would be provided within the rear car park of Neyland Court that would accommodate 1x 1100L communal bin for waste and another 1x1000L bin for recycling. The siting of the store is in a similar position as the existing refuse storage area.

It would appear that the capacity is sufficient for 20x 1-bedroom flats at Neyland Court, and given that the siting is in the same location as existing, there are no immediate concerns raised. However, confirmation will be sought from the Council's waste services as to the acceptability of the capacity, manoeuvrability and access for collection. These comments and any alterations to the recommendation will be reported in an addendum prior to the Borough Committee meeting.

7.16 Renewable energy / Sustainability

Policy SI 2 of the London Plan (2021) states that residential development should achieve at least a 10% improvement beyond Building Regulations 2013.

Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies 2020) requires all developments to make the fullest contribution to minimising carbon dioxide emissions in accordance with the London Plan targets (2016 The London Plan).

No details of the sustainability credentials of the proposed development or the type of renewable technologies that would be utilised have been provided. However, it is considered that this matter could be resolved by the imposition of a planning condition, if planning permission were to be granted. Also, a condition would be secured requiring the proposed dwellings to achieve as a minimum, a water efficiency standard of no more than 105 litres per person per day, maximum water consumption.

Subject to the above conditions, the proposal would be compliant with Policies DMEI 2 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies

7.17 Flooding or Drainage Issues

Policy SI 12 of the London Plan (2021) states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Policy SI 13 of the London Plan (2021) states that development proposals should aim to achieve greenfield run-off rates and ensure

that surface water run-off is managed as close to its source as possible.

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused.

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

The site lies within Flood Zone 1 of the Environment Agency's Flood Risk Map. This means the site is classified as being at low risk and defined as having a less than 1 in 1,000 probability of fluvial and tidal flooding. As such, there are no restrictions on development, including more vulnerable uses such as the erection of additional flats, in this location, in terms of fluvial and tidal flood risk.

The site lies within a Critical Drainage Area. Sections of the highway on Pembroke Road to the front of the site, and a very small section of the site adjacent to the east boundary fall within a Surface Water Flooding Zone. Given that the proposal primarily relates to vertical extensions, there is limited scope to implement a comprehensive Sustainable Urban Drainage System (SuDS) at the site. Nevertheless, in light of the critical drainage and surface water flood risk designations, in the event of an approval, a planning condition would be recommended to secure submission of satisfactory drainage details, which could potentially include rainwater harvesting (e.g. through provision of water butts). This is notwithstanding the issues raised about the substandard provision of external amenity space for existing and future occupiers of the site (as discussed in Section 7.09 of the Committee Report). Also, a condition would be secured in the event of approval requiring the proposed paving to the front of the site to be permeable hard standing.

Having regard to the above and subject to conditions, it is considered that the proposed development would not increase the risk of flooding on the site or elsewhere, and would provide a drainage system that would remain functional throughout the lifetime of the development. The proposal would therefore be in compliance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

7.18 Noise or Air Quality Issues

NOISE FROM THE PROPOSED DEVELOPMENT:

Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential and non-aviation development proposals should manage noise by avoiding significant adverse noise impacts on health and quality of life.

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, Neyland Court would nevertheless continue to be used in an exclusively residential capacity. The proposed provision of eight additional flats at the site is not considered to lead to such a significant change in the local noise environment as to warrant a refusal of planning permission on those grounds.

It is noted that the living rooms of the proposed flats on the third floor level would be stacked above the bedrooms of the existing flats on the second floor level. However, the requirement of Approved Document E of the Building Regulation are deemed adequate for sound insulation transmission loss between floors and walls of adjoining residential dwellings. Had the application otherwise been

considered acceptable, no planning conditions related to the above matter would be considered necessary as they are part of Building Regulations.

It is therefore considered that the proposal would not cause harm to the residential amenities of neighbouring occupiers, in terms of noise and disturbance.

In the event of an approvable scheme, a planning condition would have been imposed to secure a construction management plan, in order to minimise noise and disturbance during the construction phase.

AGENT OF CHANGE:

Policy D13 of the London Plan (2021) states that the Agent of Change principle places the responsibility for mitigating impacts from existing noise and other nuisance-generating activities or uses on the proposed new noise-sensitive development. Policy D14 of the London Plan (2021) states that in order to reduce, manage and mitigate noise to improve health and quality of life, residential development proposals should manage noise by reflecting the Agent of Change principle set out in Policy D13.

The neighbouring properties bordering the sides and rear of the application site are in residential use and office use (two buildings located to the rear of Pembroke House). The application site is set away from the nearest commercial uses on High Street by approximately 70 metres. There is a separation distance in excess of 100 metres between the application site and Ruislip Station and railway line.

Having regard to the agent of change principle, and noting the circumstances set out in the preceding paragraph, it is considered that the future occupiers would not be adversely impacted by noise from existing commercial premises to such a significant extent to necessitate the need for noise mitigation measures to be secured through the imposition of a planning condition (in the event of an approval).

AIR QUALITY:

Policy DMEI 14 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals should demonstrate appropriate reductions in emissions. It adds that, development proposals should, as a minimum:

- i) be at least "air quality neutral";
- ii) include sufficient mitigation to ensure there is no unacceptable risk from air pollution to sensitive receptors, both existing and new; and
- iii) actively contribute towards the improvement of air quality, especially within the Air Quality Management Area.

The site is designated within an Air Quality Focus Area. In the event of an approval, a condition would be secured requiring the submission of an Air Quality Management Assessment to demonstrate that the proposed development would be at least air quality neutral. Also, a condition would be secured requiring the submission of a Construction Management Plan to minimise air and other emissions caused during the construction phase. In light of these conditions, and noting the minor scale of the proposal, it is considered that it would not be necessary, fair or reasonable to require an air quality contribution to be secured through a legal agreement.

7.19 Comments on Public Consultations

Covered in other sections of this Committee Report.

7.20 Planning obligations

Policy DMCI 7 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that to ensure development is sustainable, planning permission will only be granted for development that clearly demonstrates there will be sufficient infrastructure of all types to support it. Infrastructure requirements will be predominantly addressed through the Council's Community Infrastructure Levy (CIL).

The Council adopted its own Community Infrastructure Levy (CIL) on 1st August 2014. The Hillingdon CIL charge for residential developments is £95 per square metre of additional floor space. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked. The proposal involves the erection of new dwellings and is therefore CIL liable, if planning permission were to be granted.

7.21 Expediency of enforcement action

A planning enforcement investigation relates to the site, however this is separate to the consideration of this planning application.

7.22 Other Issues

PLANNING BALANCE:

Paragraph 202 of the NPPF (2021) states that "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

The proposal would contribute to the Council's delivery of housing and provide some economic benefits during the construction stages. However, the scheme is only for 8 x one-bedroom private market flats, with unacceptable external amenity space provision for both existing and future occupiers at the site. Furthermore, the proposal would cause harm to the residential amenities of neighbouring occupiers and is unacceptable in design terms, even if there were no adverse impacts on an adjacent conservation area.

Whilst noting that some weight should be given to the delivery of housing, the Council is currently able to demonstrate a five-year supply of deliverable housing sites. The weight to be attached to housing delivery is substantially diminished by the adverse impacts of the scheme as set out above. Limited weight should be given to the proposals social and economic contribution. The NPPF requires that great weight be attached to any harm to a designated heritage asset. Overall, the public benefits would fall well short of outweighing the 'less than substantial harm' to the Ruislip Village Conservation Area.

LAND CONTAMINATION:

It is noted that the site is located on land identified as potentially contaminated. Therefore, in the event of an approval, the appropriate conditions for investigation and remediation would be included.

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.

10. CONCLUSION

For the reasons set out in this report, it is considered that the proposed development would conflict with national, regional and local planning policies and guidance. It is therefore recommended that the application be refused on the grounds set out in section 2 of this Committee Report.

11. Reference Documents

National Planning Policy Framework (July 2021)

The London Plan (March 2021)

Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

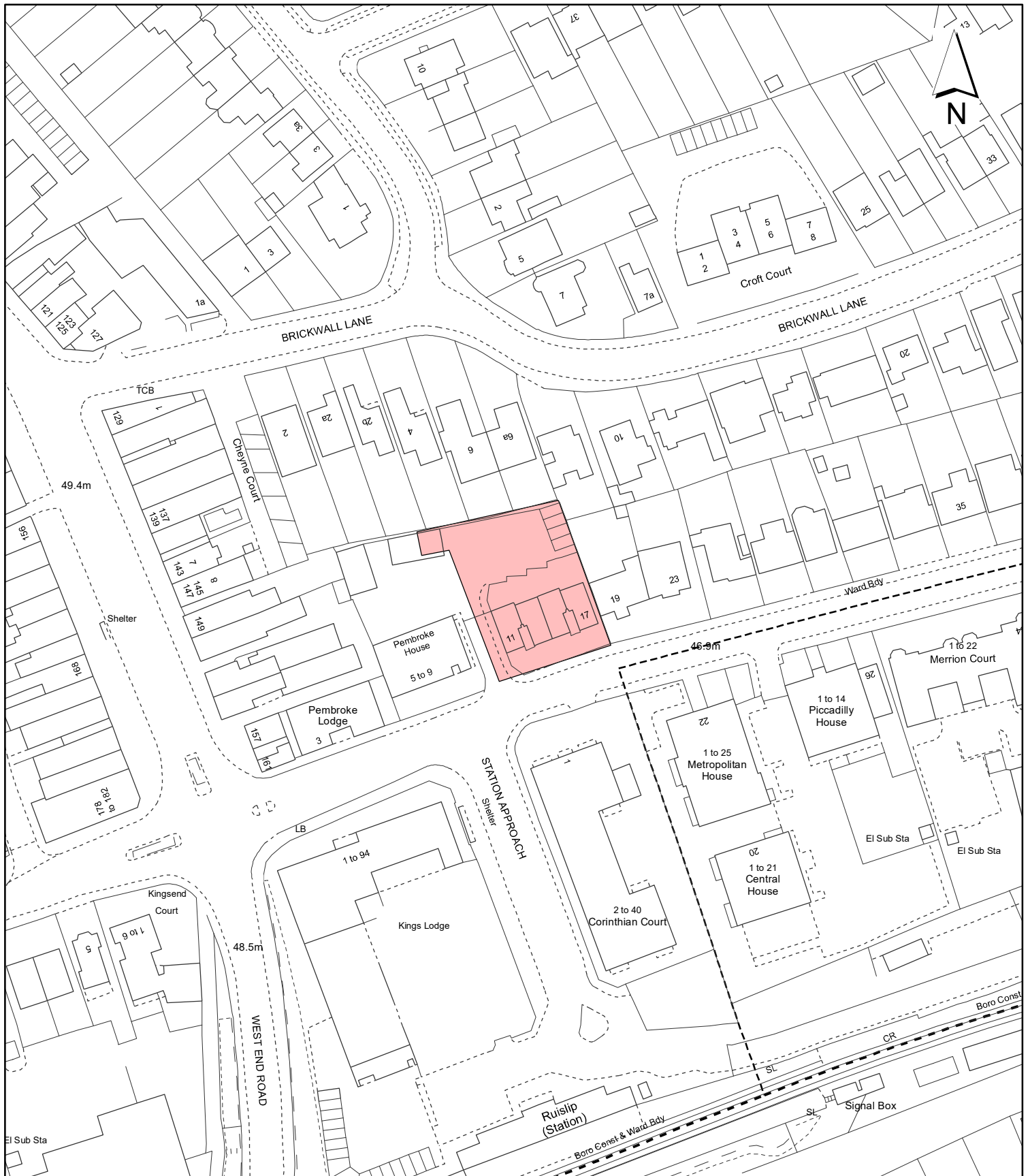
Hillingdon Local Plan Accessible Hillingdon Supplementary Planning Document (September 2017)



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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).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2020 Ordnance Survey 100019283</p>	<p>Site Address:</p> <p style="text-align: center;">Neyland Court</p>		<p style="text-align: center;">LONDON BOROUGH OF HILLINGDON</p> <p style="text-align: center;">Residents Services Planning Section</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 01895 250111</p>
<p>Planning Application Ref:</p> <p style="text-align: center;">76364/APP/2023/321</p>	<p>Scale:</p> <p style="text-align: center;">1:1,250</p>	 <p style="text-align: center;">HILLINGDON LONDON</p>	
<p>Planning Committee:</p> <p style="text-align: center;">Borough</p>	<p>Date:</p> <p style="text-align: center;">June 2023</p>		