

## Report of the Head of Planning & Enforcement Services

**Address** 157-161 AND LAND FRONTING HIGH STREET RUISLIP

**Development:** Two and half storey linked building comprising 2 x two- bedroom flats, 2 x one-bedroom flats and 2 x studio flats, extension to the beauty saloon and the formation of a new Class A2 ground floor commercial unit (involving part demolition of existing building) and the retention of the beauty saloon use of the existing building, involving the change of use of the ground floor retail unit (Class A1) and 4 existing flats (Class C3) (Part Retrospective Application).

**LBH Ref Nos:** 64711/APP/2011/214

**Drawing Nos:** Location Plan to Scale 1:1250  
10/3208/5 Rev. B  
10/3208/8  
10/3208/13  
Design and Access Statement, January 2011  
10/3208/10 Rev. A  
10/3208/9 Rev. A  
10/3208/11 Rev. B  
10/3208/12 Rev. A  
Agent's E-mail dated 07/04/11  
Agent's E-mail dated 28/04/11

<b>Date Plans Received:</b>	31/01/2011	<b>Date(s) of Amendment(s):</b>	31/01/2011
<b>Date Application Valid:</b>	09/02/2011		03/02/2011
			09/02/2011
			17/03/2011
			07/04/2011
			11/04/2011
			28/04/2011

### 1. SUMMARY

This application is a third scheme for the re-development of this site which is situated within the Ruislip Town Centre and forms part of the Ruislip Village Conservation Area. The other two schemes were refused permission, the first scheme also being dismissed at appeal.

The current scheme seeks permission to erect a two storey building with accommodation in the roof to the rear and linked at ground floor level to the building on the High Street frontage which it would mimic in terms of its height, proportion and design. The new building would provide an extension to a beauty salon on part of the ground floor, with the rest of the ground floor providing an office (Class A2) unit at the rear and 2 x two-bedroom flats and a studio flat on the first floor and 2 x one-bedroom flats and a studio flat on the second floor, all of which with the exception of the second floor studio unit would have balcony areas. The application also seeks the change of use of the ground floor of the existing building from Class A1 (retail) to beauty salon (sui generis) and the former 4 one-bedroom flats above to form additional treatment rooms and ancillary office and storage accommodation for the beauty salon. The proposal involves partial demolition of the rear part of the existing building and is part retrospective as the changes of use of the existing building have already been undertaken. The proposed development is car free.

The scheme is considered to be acceptable within the Ruislip Village Conservation Area and will enhance its character and appearance. No objections were previously raised to the loss of retail on the ground floor of the existing building, given the nature of the beauty salon use which comprises a retail element and the scheme would increase the number of flats previously accommodated on site. Furthermore, the accommodation proposed is considered to provide suitable residential accommodation. The amenities of surrounding residential occupiers would not be adversely affected by the proposal. Also, no objections are raised to a car free development within the Ruislip Town Centre, close to the underground station.

The revised scheme is considered to have overcome the reasons for refusal of the previous two schemes and the concerns raised by the previous Inspector and is recommended for approval.

## 2. **RECOMMENDATION**

### **APPROVAL subject to the following:**

#### **1 T8 Time Limit - full planning application 3 years**

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

#### **REASON**

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

#### **2 M1 Details/Samples to be Submitted**

No development shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces, including, doors and windows, have been submitted to and approved in writing by the Local Planning Authority.

#### **REASON**

To ensure that the development presents a satisfactory appearance in accordance with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **3 OM1 Development in accordance with Approved Plans**

The development shall not be carried out otherwise than in strict accordance with the plans hereby approved unless consent to any variation is first obtained in writing from the Local Planning Authority.

#### **REASON**

To ensure that the external appearance of the development is satisfactory and complies with Policy BE13 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

#### **4 OM19 Construction Management Plan**

Prior to development commencing, the applicant shall submit a demolition and construction management plan to the Local Planning Authority for its approval. The plan shall detail:

- (i) The phasing of development works
- (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
- (iii) A programme to demonstrate that the most valuable or potentially contaminating

- materials and fittings can be removed safely and intact for later re-use or processing.
- (iv) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
  - (v) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
  - (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
  - (vii) The storage of demolition/construction materials on site.

The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

#### REASON

To safeguard the amenity of surrounding areas in accordance with Policy OE1 of the Hillingdon Unitary Development Plan (Saved Policies 2007).

#### **5 MCD4 Shop Window Display (Service Uses etc)**

A window display shall be provided along the High Street frontage within 1 month of the date of this permission and thereafter a window display shall be permanently retained on the High Street frontage.

#### REASON

To ensure the appearance of the frontage is appropriate to the shopping area and assists in maintaining its vitality in accordance with Policy S6 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and London Plan (February 2008) Policy 3D.3.

#### **6 TL5 Landscaping Scheme - (full apps where details are reserved)**

No development shall take place until a landscape scheme providing full details of hard and soft landscaping works has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. The scheme shall include: -

- Planting plans (at not less than a scale of 1:100),
- Written specification of planting and cultivation works to be undertaken,
- Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate,
- Implementation programme.

The scheme shall also include details of the following: -

- Proposed finishing levels or contours,
- Means of enclosure,
- Car parking layouts,
- Other vehicle and pedestrian access and circulation areas,
- Hard surfacing materials proposed,
- Minor artefacts and structures (such as play equipment, furniture, refuse storage, signs, or lighting),
- Existing and proposed functional services above and below ground (e.g. drainage, power cables or communications equipment, indicating lines, manholes or associated structures),
- Retained historic landscape features and proposals for their restoration where relevant.

#### REASON

To ensure that the proposed development will preserve and enhance the visual amenities

of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**7 TL6 Landscaping Scheme - implementation**

All hard and soft landscaping shall be carried out in accordance with the approved landscaping scheme and shall be completed within the first planting and seeding seasons following the completion of the development or the occupation of the buildings, whichever is the earlier period. The new planting and landscape operations should comply with the requirements specified in BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' and in BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. Thereafter, the areas of hard and soft landscaping shall be permanently retained.

Any tree, shrub or area of turfing or seeding shown on the approved landscaping scheme which within a period of 5 years from the completion of development dies, is removed or in the opinion of the Local Planning Authority becomes seriously damaged or diseased shall be replaced in the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority in the next planting season with another such tree, shrub or area of turfing or seeding of similar size and species unless the Local Planning Authority first gives written consent to any variation.

**REASON**

To ensure that the landscaped areas are laid out and retained in accordance with the approved plans in order to preserve and enhance the visual amenities of the locality in compliance with policy BE38 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**8 TL7 Maintenance of Landscaped Areas**

No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the arrangements for its implementation. Maintenance shall be carried out in accordance with the approved schedule.

**REASON**

To ensure that the approved landscaping is properly maintained in accordance with policy BE38 of the Hillingdon Unitary Development Plan (September 2007).

**9 NONSC Non Standard Condition**

Development shall not begin until a scheme for protecting the proposed development from road traffic and other noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To ensure that the amenity of the occupiers of the proposed development is not adversely affected by road traffic and other noise in accordance with policy OE5 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**10 HLC5 Industrial and Commercial Development**

The beauty salon shall not be used except between 08:00 hours and 20:00 hours, Mondays to Fridays, 08:00 hours to 18:00 hours on Saturdays and 10:00 to 16:00 hours on Sundays and Bank Holidays.

**REASON**

To safeguard the residential amenity of the occupiers of adjoining and nearby properties in accordance with Policy OE3 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**11 NONSC Non Standard Condition**

The premises shall not be used for deliveries and collections, including waste collections other than between the hours of 08:00 and 18:00, Mondays to Fridays, 08:00 to 13:00 Saturdays and not at all on Sundays and Bank and Public Holidays.

**REASON**

To safeguard the amenity of surrounding areas, in accordance with Policy OE1 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**12 NONSC Non Standard Condition**

No extraction /ventilation or air conditioning plant or equipment shall be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policies OE1 and OE3 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**13 NONSC Non Standard Condition**

The rating level of any noise emitted from any plant and/or machinery shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.

**REASON**

To safeguard the amenity of the surrounding area in accordance with policies OE1 and OE3 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and Policy 4A.20 of the London Plan (February 2008).

**14 NONSC Non Standard Condition**

No floodlighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of

illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

**REASON**

To safeguard the amenity of neighbouring properties in relation to light pollution accordance with policy OE1 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

**15 DIS5 Design to Lifetime Homes Standards & Wheelchair Standards**

All residential units within the development hereby approved shall be built in accordance with 'Lifetime Homes' Standards as set out in the Council's Supplementary Planning Document 'Accessible Hillingdon'.

**REASON**

To ensure that sufficient housing stock is provided to meet the needs of disabled and elderly people in accordance with London Plan (February 2008) Policies 3A.5, 3A.13, 3A.17 and 4B.5.

**16 SUS2 Energy Efficiency Major Applications (outline where energy s**

No development shall take place on site until an energy efficiency report has been submitted to, and approved in writing by the Local Planning Authority. The energy efficiency report shall demonstrate how the Mayors Energy Hierarchy will be integrated into the development, including a full assessment of the site's energy demand and carbon dioxide emissions, measures to reduce this demand and the provision of 20% of the sites energy needs through on site renewable energy generation. The methods identified within the approved report shall be integrated within the development and thereafter permanently retained and maintained.

**REASON**

To ensure that the development incorporates appropriate energy efficiency measures in accordance with policies 4A.1, 4A.3, 4A.4, 4A.6, 4A.7, 4A.9, and 4A.10 of the London Plan (February 2008).

**17 SUS4 Code for Sustainable Homes details**

No development shall take place until an initial design stage assessment by an accredited assessor for the Code for Sustainable Homes and an accompanying interim certificate stating that each dwelling has been designed to achieve level 3 of the Code has been submitted to, and approved in writing, by the local planning authority. No dwelling shall be occupied until it has been issued with a final Code certificate of compliance.

**REASON**

To ensure that the objectives of sustainable development identified in policies 4A.1 and 4A.3 of the London Plan (February 2008).

**18 SUS5 Sustainable Urban Drainage**

No development shall take place on site until details of the incorporation of sustainable urban drainage have been submitted to, and approved in writing by the Local Planning Authority. The approved details shall thereafter be installed on site and thereafter permanently retained and maintained.

**REASON**

To ensure that surface water run off is handled as close to its source as possible in compliance with policy 4A.14 of the London Plan (February 2008) /if appropriate/ and to ensure the development does not increase the risk of flooding contrary to Policy OE8 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), polices 4A.12 and 4A.13 of the London Plan (February 2008) and PPS25.

**19 H14 Cycle Storage - details to be submitted**

Notwithstanding the details shown on Drwg. No. 10/3208/8, prior to the commencement of works on site, revised details of covered and secure cycle storage for a total of 14 cycles have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be occupied or brought into use until the approved cycling facilities have been implemented in accordance with the approved plan, with the facilities being permanently retained for use by cyclists.

**REASON**

To ensure the provision and retention of facilities for cyclists to the development and hence the availability of sustainable forms of transport to the site in accordance with Policy AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and Chapter 3C of the London Plan. (February 2008).

**20 OM14 Secured by Design**

The development hereby approved shall incorporate measures to minimise the risk of crime and to meet the specific security needs of the application site and the development. Details of security measures shall be submitted and approved in writing by the Local Planning Authority before development commences. Any security measures to be implemented in compliance with this condition shall reach the standard necessary to achieve the 'Secured by Design' accreditation awarded by the Hillingdon Metropolitan Police Crime Prevention Design Adviser (CPDA) on behalf of the Association of Chief Police Officers (ACPO).

**REASON**

In pursuance of the Council's duty under section 17 of the Crime and Disorder Act 1998 to consider crime and disorder implications in exercising its planning functions; to promote the well being of the area in pursuance of the Council's powers under section 2 of the Local Government Act 2000, to reflect the guidance contained in the Council's SPG on Community Safety By Design and to ensure the development provides a safe and secure environment in accordance with policies 4B.1 and 4B.6 of the London Plan.

**21 NONSC Non Standard Condition**

Before the development hereby permitted is commenced arrangements shall be agreed in writing with the Local Planning Authority and be put in place to ensure that, with the exception of disabled persons, no resident of the development shall obtain a resident's parking permit within any controlled parking zone which may be in force in the area at any time.

**Reason:**

In order to reduce pressure on existing on-street parking and to ensure that the development does not prejudice the free flow of traffic and conditions of safety along the neighbouring highway in compliance with Policies AM7 and AM14 of the Hillingdon Unitary Development Plan Saved Policies (September 2007).

**22 MRD8 Education Contributions**

Before the development hereby permitted is commenced, a scheme shall be submitted

to, and approved in writing by the Local Planning Authority detailing how additional or improved educational facilities will be provided within a 3 miles radius of the site to accommodate the nursery, primary and secondary school child yield arising from the proposed development. This shall include a timescale for the provision of the additional/improved facilities. The approved means and timescale of accommodating the child yield arising from the development shall then be implemented in accordance with the agreed scheme.

#### REASON

To ensure the development provides an appropriate contribution to educational facilities within the surrounding area, arising from the proposed development, in accordance with Policy R17 of the adopted Hillingdon Unitary Development Plan (Saved Policies, September 2007) and the Council's Supplementary Planning Guidance on Educational Facilities.

### INFORMATIVES

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

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

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

The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (February 2008) and national guidance

BE4	New development within or on the fringes of conservation areas
BE13	New development must harmonise with the existing street scene.
BE14	Development of sites in isolation
BE15	Alterations and extensions to existing buildings
BE18	Design considerations - pedestrian security and safety
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE26	Town centres - design, layout and landscaping of new buildings
OE5	Siting of noise-sensitive developments
OE1	Protection of the character and amenities of surrounding properties and the local area
OE3	Buildings or uses likely to cause noise annoyance - mitigation measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
H2	Restrictions on changes of use of residential properties
H3	Loss and replacement of residential accommodation



H4	Mix of housing units
S6	Change of use of shops - safeguarding the amenities of shopping areas
S12	Service uses in Secondary Shopping Areas
R17	Use of planning obligations to supplement the provision of recreation leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS	Residential Layouts

### **3            I1                    Building to Approved Drawing**

You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.

### **4            I3                    Building Regulations - Demolition and Building Works**

Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Planning & Community Services, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).

### **5            I6                    Property Rights/Rights of Light**

Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

### **6            I15                    Control of Environmental Nuisance from Construction Work**

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

A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

**7            I21                    Street Naming and Numbering**

All proposed new street names must be notified to and approved by the Council. Building names and numbers, and proposed changes of street names must also be notified to the Council. For further information and advice, contact - The Street Naming and Numbering Officer, Planning & Community Services, 3 North Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250557).

**8            I25                    Consent for the Display of Adverts and Illuminated Signs**

This permission does not authorise the display of advertisements or signs, separate consent for which may be required under the Town and Country Planning (Control of Advertisements) Regulations 1992. [To display an advertisement without the necessary consent is an offence that can lead to prosecution]. For further information and advice, contact - Planning & Community Services, 3N/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250574).

**9            I34                    Building Regulations 'Access to and use of buildings'**

Compliance with Building Regulations 'Access to and use of buildings' and Disability Discrimination Act 1995 for commercial and residential development.

You are advised that the scheme is required to comply with either:-

- The Building Regulations 2000 Approved Document Part M 'Access to and use of buildings', or with
- BS 8300:2001 Design of buildings and their approaches to meet the needs of disabled people - Code of practice. AMD 15617 2005, AMD 15982 2005.

These documents (which are for guidance) set minimum standards to allow residents, workers and visitors, regardless of disability, age or gender, to gain access to and within buildings, and to use their facilities and sanitary conveniences.

You may also be required make provisions to comply with the Disability Discrimination Act 1995. The Act gives disabled people various rights. Under the Act it is unlawful for employers and persons who provide services to members of the public to discriminate against disabled people by treating them less favourably for any reason related to their disability, or by failing to comply with a duty to provide reasonable adjustments. This duty can require the removal or modification of physical features of buildings provided it is reasonable.

The duty to make reasonable adjustments can be effected by the Building Regulation compliance. For compliance with the DDA please refer to the following guidance: -

- The Disability Discrimination Act 1995. Available to download from [www.opsi.gov.uk](http://www.opsi.gov.uk)
- Disability Rights Commission (DRC) Access statements. Achieving an inclusive environment by ensuring continuity throughout the planning, design and management of building and spaces, 2004. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Code of practice. Rights of access. Goods, facilities, services and premises. Disability discrimination act 1995, 2002. ISBN 0 11702 860 6. Available to download from [www.drc-gb.org](http://www.drc-gb.org).
- Creating an inclusive environment, 2003 & 2004 - What it means to you. A guide for service providers, 2003. Available to download from [www.drc-gb.org](http://www.drc-gb.org).

This is not a comprehensive list of Building Regulations legislation. For further information you should contact Building Control on 01895 250804/5/6.

## **10            I45                    Discharge of Conditions**

Your attention is drawn to condition(s) 2, 4, 6, 8, 9, 16, 17, 18, 19, 20, 21, 22 and 23 which must be discharged prior to the commencement of works. You will be in breach of planning control should you commence these works prior to the discharge of this/these condition(s). The Council may consider taking enforcement action to rectify the breach of this condition(s). For further information and advice contact - Planning & Community Services, Civic Centre, Uxbridge, UB8 1UW (Tel: 01895 250230).

## **11**

In respect of Condition 22, you are advised that the Council considers that one way to ensure compliance with this condition is to enter into an agreement with the Council to ensure the provision of additional educational facilities locally proportionate to the needs arising from the development.

### **3.            CONSIDERATIONS**

#### **3.1        Site and Locality**

The application site is a prominent corner plot located at the southern end of Ruislip High Street, at its junction with Pembroke Road, West End Road and Kingsend within Ruislip Town Centre. It forms a 0.04 ha site with frontages of 12.2m and 35.3m onto Ruislip High Street and Pembroke Road respectively and comprises a detached two storey building with a rear wing and extensions, incorporating accommodation in its mansard roof, the whole of which is occupied by a beauty salon, known as The Synergy Spa. There is an overgrown area at the rear, part of which appears to be used for informal parking, accessed by a narrow service road between this and the adjoining parade buildings, Nos. 153/155 High Street to the north.

The surrounding area, particularly High Street to the north and west is a traditional mix of town centre uses, predominantly retail use on the ground floor with residential and office use above. A 4 storey office block adjoins the site to the east, beyond which the road becomes more suburban with a mix of residential properties whereas to the south, on the opposite side of Pembroke Road is the 6 to 8 storey former Times House office building,

now converted to residential flats.

The application site lies within the Ruislip Village Conservation Area on its south eastern edge and also lies within the secondary shopping area of the Ruislip Town Centre as designated within the Unitary Development Plan, Saved Policies (September 2007). It also lies some 30m to the south of the Midcroft Area of Special Local Character and 100m to the north of Ruislip Underground Station.

### **3.2 Proposed Scheme**

Full planning permission is sought for the erection of a two storey building with accommodation in the roof to the rear of and linked to the existing beauty salon unit at ground floor level. On the ground floor, the building would extend the beauty saloon and provide an office (Class A2) unit at the rear. On the upper floors, the building would form 6 residential flats in total, 2 x two-bedroom units and a studio flat on the first floor with balconies at the front and 2 x one-bedroom units and a studio flat on the second floor, with the one-bedroom flats having recessed terraces within the roof space. Amended plans have been received which set back the proposed building further on the upper floors, increasing the size of the first floor balconies. The application also seeks permission for the change of use of the ground floor retail units and the first and second floors from 4 one-bedroom flats within the existing building to use as part of the beauty salon (*sui generis*). The proposal involves the demolition of the rear two storey wing and garage of the existing building, with its main bulk to the front being retained. The change of use of the existing building has already been implemented.

The proposed two storey building would mimic the proportions, height and design of the existing Queen Anne style building on site. It would have a main width of 21.2m and overall depth of 11.8m on the ground floor, reducing to 10.1m on the first floor, with a similar mansard roof with matching eaves and ridge heights of 6.6m and 12.1m respectively.

The front part of the ground floor of the proposed building would be utilised as an extension to the existing beauty salon and to provide bin and cycle storage for the proposed block. A large treatment room would be provided in the linked block on the ground floor, internally accessible to both the former shop units, effectively combining the two units into one, although a dividing wall would remain at the front. The front of the corner unit, No.161, would provide retail sales, with No.157 a treatment room. The first and second floors of the existing building would provide 5 additional treatment rooms, a shower room and office and storage space for the beauty salon use. No car parking is proposed.

A Design and Access Statement has been submitted with the application, which is discussed in the relevant sections of the main report.

### **3.3 Relevant Planning History**

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

64711/APP/2010/683: Full planning permission was sought for a similar style and design of building, albeit incorporating front and rear bays, which comprised 6 one-bedroom units and 2 two-bedroomed units, omitting the ground floor office unit was refused on the 24/06/11 for the following reasons:

1. The proposal, by reason of the siting of the proposed building, within 1.1m of the re-instated rear elevation of the existing building, and design, including crown roof elements, full height flat roof bays on the front elevation, detailing of the commercial frontage on Pembroke Road and overlarge three storey flat roofed projecting wing and lack of matching

detailing at the rear, would appear as an unduly cramped and incongruous form of development on this prominent corner plot within the Ruislip Village Conservation Area. The proposal would be detrimental to the character and appearance of the original building, the visual amenities of the street scene and fails to maintain or enhance the conservation area, contrary to Policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

2. The proposed ground floor flats, by reason of the siting and proximity of the front habitable room windows and terraces to the adjoining public footpath, would fail to afford adequate privacy for their occupiers. As such, the proposed ground floor units would not provide an adequate standard of residential amenity for future occupiers, contrary to Policy BE24 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

3. The proposed balconies/terraces with an area of approximately 2m<sup>2</sup> are not considered to be of a sufficient size to provide usable external amenity space. The proposal therefore represents sub-standard residential accommodation for future occupiers, contrary to Policy BE23 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

4. In the absence of any supporting information, the Local Planning Authority was unable to assess the adequacy of natural daylight reaching the bedroom window of the ground floor flat at the eastern end of the building, being sited beneath a first floor balcony. As such, the Local Planning Authority was unable to assess whether the proposal would afford an adequate standard of residential amenity for this property and not to be reliant on artificial light, contrary to energy conservation objectives. As such, the proposal fails to demonstrate compliance with Policies BE20 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007), 4A.3 of the London Plan (February 2008) and the Council's adopted Supplementary Planning Document HDAS: Residential Layouts.

5. The proposal fails to provide adequate arrangements to access the landscaped areas in order to allow for its maintenance. As such, these areas are likely to become overgrown and neglected, contrary to Policies BE4 and BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

6. The siting of the proposed refuse store exceeds the normal 10m maximum trundle distance and would be likely to be prejudicial to highway and pedestrian safety. Furthermore, the proposal fails to demonstrate that appropriate control would be maintained over the service road to the north of the site to allow access to the refuse/recycling and cycle storage facilities in perpetuity. The proposal is therefore contrary to Policies OE1, AM7 and AM9 of the Hillingdon Unitary Development Plan Saved Policies (September 2007), Chapter 3C and Policies 4A.22 and 4B.1 of the London Plan and the Council's adopted Supplementary Planning Document HDAS: 'Residential Layouts'.

7. The development is estimated to give rise to a number of children of school age and additional provision would need to be made in the locality due to the shortfall of places in schools serving the area. Given that a legal agreement at this stage has not been offered or secured, the proposal is considered to be contrary to Policy R17 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and the adopted London Borough of Hillingdon Planning Obligations Supplementary Planning Document

(July 2008).

A conservation area consent application (64711/APP/2011/684) was also refused on the 24/06/11 for the following reason:

1. Planning application reference 64711/APP/2010/683 to erect a two storey building and convert the existing building on site, involving its part demolition has been refused. As such, there are no acceptable and detailed plans for any redevelopment. As such, the Local Planning Authority does not have full information about what is proposed for the site after demolition. In the absence of this information the proposed works are considered to be detrimental to the character and appearance of the Ruislip Village Conservation Area. The proposal is therefore contrary to Policy BE4 of the adopted Hillingdon Unitary Development Plan, Saved Policies (September 2007).

64711/APP/2008/2050: An outline application (with only details of appearance and landscaping being reserved for subsequent approval) for the erection of a part four, part five storey block linked to the existing units at ground floor level to provide a ground floor extension to the beauty salon and 12 two-bedroom and 1 three-bedroom flats on the second to fifth floors (involving partial demolition) was refused on the 10th December 2008 due to (i) excessive height, scale, bulk, layout and lack of opportunity for soft landscaping, detrimental to the character and amenity of the street scene, (ii) inadequate provision of internal floor space and external amenity space would fail to provide an appropriate level of residential amenity for future occupiers, (iii) inadequate storage and servicing of refuse and recycling, (iv) lack of provision of a disabled car parking space, and inadequate provision for the needs of people with disabilities, and (v) lack of a S106 contribution.

A subsequent appeal was dismissed.

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

Planning Policy Statement 1: Delivering Sustainable Development  
Planning Policy Statement 3: Housing  
Planning Policy Statement 4: Planning for Sustainable Economic Growth  
Planning Policy Statement 5: Planning and the Historic Environment  
Planning Policy Statement 22: Renewable Energy  
Planning Policy Guidance 13: Transport  
Planning Policy Guidance 24: Planning and Noise  
London Plan (Consolidated with Alterations since 2004)  
London Plan Interim Housing Supplementary Planning Guidance (April 2010)  
Supplementary Planning Guidance - Community Safety by Design  
Supplementary Planning Guidance - Noise  
Supplementary Planning Guidance - Air Quality  
Supplementary Planning Guidance - Planning Obligations  
Supplementary Planning Guidance - Residential Layouts  
Supplementary Planning Guidance - Accessible Hillingdon

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

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

Part 1 Policies:

PT1.8 To preserve or enhance those features of Conservation Areas which contribute to their special architectural and visual qualities.

- PT1.18 To maintain, enhance and promote town centres as the principle centres for shopping, employment and community and cultural activities in the Borough.
- PT1.16 To seek to ensure enough of new residential units are designed to wheelchair and mobility standards.
- PT1.14 To not normally grant planning permission for a change from residential use.
- PT1.20 To give priority to retail uses at ground floor level in the Borough's shopping areas
- PT1.30 To promote and improve opportunities for everyone in Hillingdon, including in particular women, elderly people, people with disabilities and ethnic minorities.
- PT1.31 To encourage the development and support the retention of a wide range of local services, including shops and community facilities, which are easily accessible to all, including people with disabilities or other mobility handicaps.
- PT1.39 To seek where appropriate planning obligations to achieve benefits to the community related to the scale and type of development proposed.

Part 2 Policies:

- BE4 New development within or on the fringes of conservation areas
- BE13 New development must harmonise with the existing street scene.
- BE14 Development of sites in isolation
- BE15 Alterations and extensions to existing buildings
- BE18 Design considerations - pedestrian security and safety
- BE20 Daylight and sunlight considerations.
- BE21 Siting, bulk and proximity of new buildings/extensions.
- BE22 Residential extensions/buildings of two or more storeys.
- BE23 Requires the provision of adequate amenity space.
- BE24 Requires new development to ensure adequate levels of privacy to neighbours.
- BE26 Town centres - design, layout and landscaping of new buildings
- OE5 Siting of noise-sensitive developments
- OE1 Protection of the character and amenities of surrounding properties and the local area
- OE3 Buildings or uses likely to cause noise annoyance - mitigation measures
- OE8 Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures
- H2 Restrictions on changes of use of residential properties
- H3 Loss and replacement of residential accommodation
- H4 Mix of housing units
- S6 Change of use of shops - safeguarding the amenities of shopping areas
- S12 Service uses in Secondary Shopping Areas

R17	Use of planning obligations to supplement the provision of recreation, leisure and community facilities
AM2	Development proposals - assessment of traffic generation, impact on congestion and public transport availability and capacity
AM7	Consideration of traffic generated by proposed developments.
AM9	Provision of cycle routes, consideration of cyclists' needs in design of highway improvement schemes, provision of cycle parking facilities
AM14	New development and car parking standards.
HDAS	Residential Layouts

## 5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **23rd March 2011**

5.2 Site Notice Expiry Date:- Not applicable

## 6. Consultations

### External Consultees

#### ORIGINAL PLANS:

119 surrounding properties have been consulted and press and site notices have been posted. 3 responses have been received, raising the following concerns:

(i) Amendments made to scheme do little to change the scale, bulk and massing of the proposal and gap with existing building has only been increased to 2.15m which is still very close. As such, building would appear unduly cramped and incongruous.

(ii) The building, to the south of No.155 would cast that property into shadow for most of the day, including the flat.

(iii) Proposal would prejudice the development of land to the rear of No.155 and it has been confirmed with the LPA that there is development potential so scheme would be contrary to BE14 of the UDP.

(iv) Scheme would contravene the 15m separation distance from face of new building to existing buildings and 45° splay from centre of windows to avoid overdomination.

(v) Ground floor unit may be used as a pub or a bar, and Ruislip High Street and residents of Kings Lodge already suffer with two late night drinking establishments, which cause problems of noise, general disturbance and anti-social behaviour, particularly during the hours of 11:00PM and 02:00AM with revellers heading to tube/bus station and cab office.

(vi) I was not notified of this or the previous application, despite objecting and submitting petitions to a previous application on this site,

(vii) Inspector on previous scheme (64711/APP/2008/2050) was concerned about the amenity space provision and family accommodation. This scheme proposes balconies, but is it appropriate for families as 9m<sup>2</sup> falls well below the 25m<sup>2</sup> required by design guidance. This does refer to use of balconies for higher flats but this is meant to supplement a ground floor sunlit amenity space. The guidance also makes clear that no amenity space will only be acceptable in special circumstances and only with non-family housing.

(viii) Inspector noted that there was uncertainty as to whether the entitlement of occupiers to use the side access road would extend to a more intensive use.

(ix) Service road is located close to traffic lights at the corner of High Street and Pembroke Road and being narrow, vehicles tend to reverse out into the High Street, with waiting vehicles and pedestrians.



- (x) There is no disabled parking or parking provision for visitors or customers of Synergy Spa or parking/servicing of the flats.  
(xi) Details of the storing and collecting of refuse needs to be considered before proposal is agreed.

Ruislip Residents Association: No response received.

Ruislip Chamber of Commerce:

The Chamber wishes to object to this application to carry out major building works on this site which will include the provision of 2 x 2 bedroom flats, 2 x 1 bedroom flats and 2 studio flats as well as alterations to the ground floor involving some demolition. We have looked at the plans on line and it appears to us that the corner shop, formerly occupied for many years by Ruislip Office Supplies, will no longer exist as a shop and this will mean the loss of an A1 (retail) unit in the High St. which the Chamber feels is completely unacceptable. We would like assurances from the Council that should these plans be passed they will not be allowed to include the loss of this A1 Retail outlet in the High Street.

AMENDED PLANS:

120 surrounding properties have been consulted. To date, no responses have been received.

THAMES WATER:

Thames Water would advise that with regard to sewerage infrastructure, we would have no objection to the above planning application.

With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of Ground Water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. With regard to water supply, this comes within the area covered by the Veolia Water Company.

#### **Internal Consultees**

URBAN DESIGN/CONSERVATION OFFICER:

ORIGINAL PLANS:

PROPOSAL: The erection of a two and a half storey building comprising 2 x two bed flats and 2 x one bed unit and 2 x studio flats plus an extension to the Synergy Spa and ground floor business unit, involving some demolition.

COMMENTS: The site is located at a prominent junction within the Ruislip Village Conservation Area and the works will require the demolition of the two storey wing and single storey garage to the rear of the existing building which fronts the High Street. This building is one of a pair of similar and quite distinctive properties in the 'Queen Anne' style.

CONSIDERATION: There would be no objection in principle to the removal of the rear wing of the existing property and to the redevelopment of the remainder of the site provided the proposed scheme were appropriate in design/conservation terms as noted re the previous application. The design approach is acceptable in principle, but there are a number of design issues that still need to

be addressed:

\* The proposed commercial frontage should be finished with a traditional shopfront. Whilst the side elevation of the existing frontage building includes some areas of undivided plate glass, these are less than attractive and are not considered suitable for the main elevation of the new building.

\* The design of the street level doors should reflect the style of the building ie be a traditional panelled door and the glazing details of dormer windows should follow those of the original frontage building and include subdivision.

\* To the rear, the quality of the detailing of the frontage should also follow through to the back of the building e.g. rubbed/segmental brick arches, rather than the more basic modern soldier course detail. The windows and dormers should also be of the same pattern/design as the frontage.

\* The new building would step forward of Pembroke House on Pembroke Road. The type and scale of planting in the raised bed to the flank of the building will be important as it will need to soften the visual impact of the buildings forward position in the street scene. A more preferable approach would be to step the footprint of the new building towards the east to link with the building line on Pembroke Road.

\* It is noted that amenity space/parking has not been provided as part of this scheme.

\* A similar scheme is currently proposed for the adjoining site at nos 153 -155, which may need to be considered when determining this application.

\* Subject to the above and if minded to agree, conditions should be attached to any approval re samples of all materials to be provided for approval, plus detailed drawings of architectural features such as the timber dentil cornice, shopfronts, brick arches over the windows, windows and dormers, the chimney stacks and projecting brickwork corbels, this level of detail will be important to the success of the scheme. We should also ensure the rear of the frontage building is fully completed as agreed.

CONCLUSION: Improved, but design revisions required.

AMENDED PLANS:

The amended plans are acceptable.

TREE OFFICER:

BACKGROUND: The site is located on a prominent corner within the Ruislip Village Conservation Area. It occupies the land behind the High Street address and fronts onto Pembroke Road at the interface between the town centre and a residential area. The plot is currently vacant. There are no trees or other significant landscape features on the site which constitute a constraint on development.

PROPOSAL: The proposal is an amended scheme to develop the site to include flats, a ground-floor business unit and an extension of the synergy Spa. Macleod drawing No. 10/3208/8 indicates a small planted area between the entrances to unit 1 and the proposed treatment room, with a larger plot of soft landscape in the south-east corner of unit 1.

LANDSCAPE CONSIDERATIONS: Saved policy BE38 seeks the retention and utilisation of topographical and landscape features of merit and the provision of new planting and landscaping wherever it is appropriate.

\* In this case no landscape features will be lost and at issue is the potential to provide landscape enhancement at the junction between the hard landscape associated with the town centre and the soft landscape fronting the properties further along Pembroke Road.

\* The proposed planting near the entrances to the building on the Pembroke Road frontage may contribute to the landscape quality provided that it is suitably planted and maintained. Similarly the larger plot of landscaping will be capable of providing a visual oasis, again subject to detailing and

ongoing management. From the information available it is not clear how this plot will be accessed, for the purpose of maintenance.

\* A management/maintenance plan is required to ensure that the landscape is maintained in accordance with the landscape proposals.

RECOMMENDATIONS: No objection, subject to the above observations and conditions TL5, TL6 and TL7.

HIGHWAY OFFICER:

There have been two previous planning applications refs. 64711/APP/2008/2050 and 64711/APP/2010/683 proposing similar commercial uses but more residential units than this application.

No car parking was proposed on the previous applications and there are none proposed in this application. The Council has not previously raised any objection on this aspect of the proposals. The Planning Inspector for the appealed application ref. 64711/APP/2008/2050 considered that the site is located in a sustainable location from the public transport point of view and there are existing opportunities for off-street parking, therefore the development proposed accords with the Government guidance on sustainable development and that on-site parking is not essential. The proposals are therefore not considered to merit refusal on parking grounds.

The Council raised objection on the location of the refuse/recycle storage on the previous applications. The drawings show the refuse/recycle storage being relocated further west than the first application (approximately 20.5m from the carriageway). The Council's standard requirement is a maximum of 10m trundle distance for bins. Although the trundle distance for the proposed bins would exceed the standard requirements and refuse collection vehicles would need to stop near a traffic signal controlled junction, given that the existing/previous refuse/recycle storage and collection is further away from the highway than the one proposed and the refuse collection vehicles previously/currently wait near the traffic signal controlled junction, the proposals are not considered to worsen the existing situation, therefore do not merit refusal on this ground.

Cycle storage is proposed for a total of 6 no. cycles, which is not considered to be adequate. A suitable condition should be applied to provide covered and secured cycle storage for 14 no. cycles (4 no. for A2, 6 no. for C3, and 4 no. for the Heath SPA).

There is no objection on the highways aspect of the proposals subject to cycle parking being covered through a planning condition.

ACCESS OFFICER:

In assessing this application, reference has been made to London Plan Policy 3A.5 (Housing Choice) and the Council's Supplementary Planning Document 'Accessible Hillingdon' adopted January 2010.

Whilst the internal layout of the proposed flats at first and second floor would allow a wheelchair user to use the accommodation, there appears to be no means of wheelchair access from the ground to the first and second floors. To remain in keeping with the Council's Supplementary Planning Document 'Accessible Hillingdon' (adopted January 2010), a design amendment which incorporates a lift should be sought.

Conclusion:

On the basis that the above could be incorporated, no other concerns are raised from an access

point of view.

Officer Comments: The development is for less than 10 units, hence there is not a wheelchair accessible unit. The Council would find it difficult to justify requiring a lift on this site given the scale of the development as revised. Such a position is unlikely to be supported at appeal.

#### ENVIRONMENTAL PROTECTION OFFICER:

The site is on a busy junction so some protection from noise will be required for the residential portion of the development. The neighbouring property has an extensive area of outbuildings to the rear so please check they are not permitted for any use which is likely to be noisy, if no such uses are permitted then the following conditions should be sufficient.

1. Development shall not begin until a scheme for protecting the proposed development from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall meet acceptable noise design criteria both indoors and outdoors. The scheme shall include such combination of sound insulation and other measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To ensure that the amenity of the occupiers of the proposed development is not adversely affected by (road traffic) (rail traffic) and (other) noise in accordance with policy OE5 of the Hillingdon Unitary Development Plan

2. Please attach a condition controlling the hours of operation.

3. Please attach a condition controlling Loading/unloading/deliveries.

4. The extraction /ventilation or air conditioning plant or equipment hereby approved shall not be used on the premises until a scheme which specifies the provisions to be made for the control of noise emanating from the site or to other parts of the building, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include such combination of measures as may be approved by the LPA. Thereafter, the scheme shall be implemented and maintained in full compliance with the approved measures.

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

5. The rating level of noise emitted from the plant and/or machinery hereby approved shall be at least 5dB below the existing background noise level. The noise levels shall be determined at the nearest residential property. The measurements and assessment shall be made in accordance with British Standard 4142 'Method for rating industrial noise affecting mixed residential and industrial areas'.

REASON: To safeguard the amenity of the surrounding area in accordance with policy OE1 of the Hillingdon Unitary Development Plan.

6. No floodlighting shall be installed unless it is in accordance with details which have previously been submitted to and approved in writing by the Local Planning Authority. Such details shall include location, height, type and direction of light sources and intensity of illumination. Any lighting that is so installed shall not thereafter be altered without the prior consent in writing of the Local Planning Authority other than for routine maintenance which does not change its details.

REASON: To safeguard the amenity of neighbouring properties in relation to light pollution accordance with policy OE1 of the Hillingdon Unitary Development Plan.

Informative: Control of environmental nuisance from construction work.

#### EDUCATION SERVICES:

A S106 contribution of £2,176 is required (Nursery - £0, Primary - £301, Secondary - £1,119 and Post-16 - £756).

#### WASTE SERVICES:

Flats:

a) I would estimate the waste arising from the development to be as shown below:

Studio/ one-bedroom flats: 4 x 100 litres = 400 litres

Two-bedroom flats: 2 x 170 litres = 340 litres

Total: 740 litres.

The above waste would therefore be accommodated in a total of one bulk bin. The three bulk bins shown would therefore be more than sufficient. Initially all bulk bins on site would be for residual waste, then one of these could be exchanged for recycling at a latter date, or an additional recycling bin added.

Commercial Premises:

The occupier of the commercial premises would need to make an arrangement for a commercial waste collection either with the Council, or a private waste company (that is a licensed waste carrier). The waste should be presented in a separate waste container from the waste produced by the flats.

Containment of Waste:

a) The bin enclosures must be built to ensure there is at least 150mm clearance in between the bulk bins and the walls of storage area. The size and shape of the bin enclosures must also allow good access to bins by residents, and if multiple bins are installed for the bins to be rotated in between collections.

b) Arrangements should be made for the cleansing of the bin store with water and disinfectant. A hose union tap should be installed for the water supply. Drainage should be by means of trapped gully connected to the foul sewer. The floor of the bin store area should have a suitable fall (no greater than 1:20) towards the drainage points.

c) The material used for the floor should be 100mm thick to withstand the weight of the bulk bins. Ideally the walls of the bin storage area should be made of a material that has a fire resistance of one hour when tested in accordance with BS 472-61.

d) The gate/door of the bin stores need to be made of either metal, hardwood, or metal clad softwood and ideally have fire resistance of 30 minutes when tested to BS 476-22. The door frame should be rebated into the opening. Again the doorway should allow clearance of 150mm either side of the bin when it is being moved for collection. The door(s) should have a latch or other mechanism to hold them open when the bins are being moved in and out of the chamber.

e) Internal bin chambers should have appropriate passive ventilators to allow air flow and stop the build up of unpleasant odours. The ventilation needs to be fly proofed.

f) The collectors should not have to cart a 1,100 litre bulk bin more than 10 metres from the point of storage to the collection vehicle (BS 5906 standard). The access road would therefore have to be

able to take the load of a 26 tonne refuse collection vehicle.

h) The gradient of any path that the bulk bins have to be moved on should ideally be no more than 1:20, with a width of at least 2 metres. The surface should be smooth. If the storage area is raised above the area where the collection vehicle parks, then a dropped kerb is needed to safely move the bin to level of the collection vehicle.

#### General Points

i) The value of the construction project will be in excess of £300,000, so the Site Waste Management Plans Regulations 2008 apply. This requires a document to be produced which explains how waste arising from the building works will be reused, recycled or otherwise handled. This document needs to be prepared before the building work begins.

j) The client for the building work should ensure that the contractor complies with the Duty of Care requirements, created by Section 33 and 34 of the Environmental Protection Act.

## **7. MAIN PLANNING ISSUES**

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

The site is located within the secondary shopping frontage of Ruislip Town Centre as designated in the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007). Accordingly, the main policy consideration concerns the appropriateness of the loss of retail floorspace and the loss and replacement of residential accommodation.

Policy S12 of the saved UDP sets out the circumstances under which certain uses are considered appropriate within secondary shopping areas.

As part of the officer's consideration of the previous application (64711/APP/2008/2050), it was noted that the proposed spa would provide a number of facilities including, but not limited to, beauty therapy, hair dressing, tanning, nails, osteopathy, sports injuries therapy, chiropody and a photograph studio. In combination, the mix of uses gave a sui generis use to the premises but it was noted that a number of the uses would represent an A1 retail use if carried out separately.

The report went on to advise that the proposal would result in the loss of approximately 88m<sup>2</sup> of existing floorspace within the secondary frontage. However, given that a number of the use elements within the spa are commensurate with A1 use and the increased overall provision of facilities for consumers visiting Ruislip and the level of A1 use that would remain, the proposal was considered to comply with Policy S12 of the adopted UDP (Saved Policies). There has been no change in circumstance to suggest that such an assessment is no longer appropriate.

Although the proposal would result in the loss of 4 one-bedroom flats, 2 studios, 2 one-bedroom and 2 two-bedroom flats would be provided on site which would replace and increase the number of residential units provided on site, whilst improving the standard of residential accommodation. As such, no objections are raised to the proposal in terms of Policies H2 and H3 of the saved UDP. Again, no objections were raised to this element of the proposal and the principle of the development on the previous applications.

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

Policy 3A.3 of the London Plan (February 2008) seeks to maximise the potential of sites, having regard to local character and its accessibility by public transport, in line with Table 3A.2 which advises of an appropriate residential density range.

The site is considered to have an urban setting given its town centre location and has a

PTAL score of 4. The average unit size of the units at 2.3 habitable rooms per unit is below the range cited in Table 3A.2. The smallest average unit size range cited in the Table is 2.7 - 3.0 and for this unit size, guidance suggests an appropriate range of 70 - 260 u/ha and 200 - 700 hr/ha. The scheme would achieve a residential density of 147 u/ha and 342 hr/ha, well within the Mayor's guidance. However, this proposal is for a mixed scheme where the normal density guidelines are not directly applicable. The London Plan Interim Housing Supplementary Planning Guidance, April 2010 at Para. 3.35 advises that in mixed use developments where more than 35% of the total floor space is for uses other than residential such as this scheme, density is more appropriately assessed in line with guidance on commercial developments. Paragraph 4.105 of the London Plan states that commercial developments should fulfil Policy 3A.3 by maximising plot ratios, and average site densities of at least 3:1 should be achieved wherever there is good public transport accessibility and capacity. This scheme would achieve a plot ratio of 2.5:1. However, Paragraph 4.105 goes on to state that the ability of plot ratios to be maximised will depend on the local context, including built form and character, and given that this site forms part of the Ruislip Village Conservation Area and has been designed to mimic the existing built form on site, it is considered that a higher density and a reason for refusal would not be appropriate.

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

The proposal would involve the demolition of a part two storey, part single storey rear wing and single storey extensions to the existing building on site. As with the previous applications, it is considered that the single storey extensions have no architectural merit and the Council's Urban Design/Conservation Officer advises that there would be no objection to the loss of the rear wing.

The Inspector, in assessing the initial scheme (64711/APP/2008/2050) for a part four storey, part five storey flat roofed block, mimicking the scale and design of the adjoining Pembroke House, considered that whilst the adjoining Pembroke House was prominent in local views, it did not provide a compelling precedent to justify allowing buildings of a similar height and scale. He considered that the proposed building by reason of its size, siting and monolithic appearance would dominate its situation and relate unsatisfactorily to Nos. 157 to 161 High Street, the building to which it would be attached and with which it would be most closely associated in most public views. He concluded that the building would fail to preserve or enhance the character and appearance of the Ruislip Village Conservation Area.

The last refused scheme (64711/APP/2010/683) represented a significant reduction in the bulk and scale of the initial proposal, so that it reflected the scale and proportion of Nos. 157 to 161. However, the new building would have been sited 1.1m from the re-instated main rear elevation of the existing building, as compared to a 2m gap retained by the previous proposal. It was considered that the proposal with this relationship would appear unduly cramped. Furthermore, the proposed design, whilst generally replicating the scale, height, proportion and design of the existing building on this and the adjoining site, did include flat roofed bays on the Pembroke Road frontage and a three storey flat roofed projecting wing at the rear. It was considered that these elements would appear as incongruous features, with the rear element appearing overlarge in the confined space. Furthermore, the proposed commercial frontage on Pembroke Road was not finished with a traditional shopfront, or follow the fenestration of the adjacent flat units with a more residential appearance. It was also considered that the bulk of the roof to the rear should be 'broken' to reduce its apparent scale, whilst also enabling the area of crown roof to be reduced and ideally, the quality of the detailing of the frontage should follow through to the back of the building with rubbed red brick arches.

This proposal would increase the gap between the flank of the proposed building and the re-instated rear elevation of the existing building by 1m to 2.1m. It is considered that the enlarged gap would assist in defining the space between the buildings so that they would now read as two separate buildings, albeit linked at ground floor level. Furthermore, the flat roofed bays at the front and rear have been omitted, the mansard roof proposed would better match the mansard roof of the adjoining buildings, with no crown roof element being proposed. Following detailed comments made by the Council's Urban Design/Conservation Officer, further revisions have been made to the detailed design of the scheme, including the incorporation of more traditional 'shopfronts', avoiding the use of undivided plate glass, panelled doors, dormer window detail to match the rest of building and detailing at the front, notably brick arches above the windows to be carried through to the rear. Following the receipt of revised plans, the Urban Design/Conservation Officer raises no further objection to the proposal.

The proposal is now considered to enhance the character and appearance of Ruislip Conservation Area, in compliance with Policies BE4, BE13, BE15 and BE19 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and overcomes the previous reasons for refusal.

#### **7.04 Airport safeguarding**

There are no airport safeguarding issues related to this development.

#### **7.05 Impact on the green belt**

There are no Green Belt issues associated with this town centre site.

#### **7.06 Environmental Impact**

Not applicable to this scheme.

#### **7.07 Impact on the character & appearance of the area**

This is dealt with in Section 7.03 above.

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

The nearest residential properties to the application site are the first floor flat above No. 155 High Street and at Kings Lodge, a converted office block, on the opposite side of Pembroke Road.

In terms of No.155, the only existing side facing windows sited towards the rear of the property do not serve habitable rooms. There is a side lounge window, but this is secondary and sited towards the front of the property where it would not be overlooked. Given that this property does not have an external amenity area and the windows at the rear are to non-habitable rooms, the proposal would not result in a significant reduction to the residential amenities of this property, by reason of dominance, loss of light and/or loss of privacy.

As regards Kings Lodge, this property is at least 21m away from the application site, on the opposite side of a busy road. It is not considered that the proposed development would have an adverse impact upon these neighbouring occupiers.

There are side windows on the third floor of the adjoining block, Pembroke House on Pembroke Road but this building is in commercial use.

The proposal is considered to have an acceptable impact upon the amenities of adjoining properties, in accordance with Policies BE20, BE21 and BE24 of the adopted UDP (Saved Policies).

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



#### Private amenity space:

The initial scheme proposed 12 two-bedroom flats and 1 three-bedroom flat served by a 84m<sup>2</sup> communal roof terrace, substantially below the required 330m<sup>2</sup> area required by guidance. The Inspector considered that some, if not all, the accommodation would be occupied by a family of more than two people. The Inspector noted that the extent to which the site would be developed would leave little opportunity for outdoor amenity space and none of the two-bedroom units would have balconies or dedicated private open space. Given the exposure and relative inaccessibility of the roof terrace, this was unlikely to satisfy the needs of the residents. The Inspector also noted that there was public open space within walking distance but this would not compensate for the relatively inaccessible roof terrace.

By contrast, this scheme is for 2 studio, 2 one-bedroom and 2 two-bedroom flats, requiring a total of 130m<sup>2</sup> of shared space. However, the Council's HDAS: 'Residential Layouts' does advise at paragraph 4.19 that exceptions can be made in special circumstances, 'such as the provision of small non-family housing, predominantly made up of 1 bedroom units in town centres'. Guidance goes on to advise that even in these cases, care should be taken to provide some usable and reasonable outdoor amenity space, perhaps in the form of balconies. This scheme is considered to satisfy this exception criteria and it does provide all but one studio flat with balcony space. On the latest refused application (64711/APP/2010/683), it was noted that a similar scheme with 6 one-bedroom and 2 two-bedroom units did potentially fulfil this exception criteria, but in that case, with the balcony areas having a typical floor area of 2m<sup>2</sup>, they were considered too small to provide usable amenity space. In this case, following the receipt of amended plans, the 2 two-bedroom units would each have 1.5m deep balconies providing 11.25m<sup>2</sup> of external amenity space, the 2 one-bedroom units would have a recessed roof terrace, providing 5.4m<sup>2</sup> of amenity space, the first floor studio flat would have a 1.2m deep, 6.1m<sup>2</sup> balcony area, to only leave the second floor studio without any amenity space. It is considered that with appropriate privacy screens, controlled by condition, the amenity space proposed would be adequate for the type of unit that it would serve, with the larger units having the larger, more usable space. The only unit without external space would be a non-family studio unit. As such, it is considered that the proposal would comply with the exception criteria in the SPD, in accordance with Policy BE23 of the saved UDP and now overcomes reason 3 of the previous application (64711/APP/2010/683) and the previous Inspector's concerns when it was suggested that balconies were the preferable means of providing larger two-bedroom units with amenity space.

#### Amenities created for future occupiers

The proposed two-bedroom flats, excluding the balcony areas, would have floor areas of approximately 65m<sup>2</sup>, the one-bedroom flats 56m<sup>2</sup> (again excluding the recessed roof terraces) and the studios would have 35m<sup>2</sup> of internal floor space. The units would therefore have adequate floor areas to satisfy the Council's minimum internal floor areas of 63m<sup>2</sup>, 50m<sup>2</sup> and 33m<sup>2</sup> for two, one-bedroom and studio flats respectively. All the flats would be self-contained and have their main outlook to the front, with all habitable rooms having an adequate outlook and natural lighting. Furthermore, unlike the previous scheme (64711/APP/2010/683), no residential accommodation is proposed on the ground floor, so that reasons 2 and 4 which related to a lack of privacy, being 1m from the adjoining public footpath and possible restricted daylight to the ground floor residential unit(s) no longer arises.

The proposed building would be sited 2.1m from the rear of the existing building. However, the new rear elevation to the existing building on the first floor would only contain a shower room window to the right hand side of the building, with two roof dormer windows serving an office and treatment room. Given the nature and commercial use of the building, it is considered that there would be no requirement for a sense of outlook from these rooms and natural lighting to the dormer windows within the roof would be satisfactory.

#### **7.10 Traffic impact, car/cycle parking, pedestrian safety**

The application site is within a town centre location with a full range of shops and services and within 100m of the Ruislip Bus and Underground Station. The proposal is for a car free development and the adjoining Kings Lodge, with 94 residential flats is also car free.

No objections were previously raised to the principle of a car free development on this site by the Local Planning Authority or by the Planning Inspectorate. The Planning Inspector for the appealed application (ref. 64711/APP/2008/2050) considered that the site is located in a sustainable location from a public transport point of view and there are existing opportunities for off-street parking, and therefore the development proposed accorded with Government guidance on sustainable development and that on-site parking was not essential. The Council's Highway Engineer raises no objections now to this scheme which proposes fewer residential units.

The Council did raise objection to the location of the refuse/recycle storage on the previous applications. The current drawings show the refuse/recycle storage being relocated further west, closer to the road than the first application, but still approximately 20.5m from the carriageway, in a similar position to the last application (ref. 64711/APP/2010/683). The Council's standard requirement is for a maximum 10m trundle distance for bins. Although the trundle distance for the proposed bins would exceed the standard requirements and refuse collection vehicles would need to stop near a traffic signal controlled junction, given that the existing arrangements for the storage of refuse is further away from the highway being sited towards the rear of existing buildings than the one proposed, and the refuse collection vehicles currently wait near the traffic signal controlled junction, the Highway Engineer advises that the current proposal is not considered to worsen the existing situation, and therefore a refusal of permission on this ground would not be merited.

Cycle storage is proposed for a total of 6 no. cycles, which the Council's Highway Engineer does not consider to be adequate. A condition has been attached seeking revised details of covered and secured cycle storage for 14 no. cycles (4 no. for A2, 6 no. for C3, and 4 no. for the Heath SPA).

There is no objection to the highways aspect of the proposals subject to cycle parking being covered through a planning condition. As such, the scheme complies with policies AM7, AM9 and AM14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007) and is considered to have overcome the previous reasons for refusal and the Inspector's concerns.

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

A condition has been added to ensure that the development satisfies secured by design standards.

#### **7.12 Disabled access**

The comments of the Access Officer are noted. In terms of the requirement for a lift, London Plan policy 3A.5 only requires 10% of new housing to be fully wheelchair accessible and this scheme is for 8 units so that the threshold would not be met. Similarly, there would be no requirement for a disabled person parking space.

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

Not applicable to this development.

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

A small area of landscaping has been provided between the proposed building and the adjoining Pembroke House. The size and siting of this space would enable its ease of maintenance and its provision would enhance the Ruislip Village Conservation Area and would reflect the traditional front garden areas of the housing further along Pembroke Road. As such, the scheme complies with policy BE38 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **7.15 Sustainable waste management**

The Council's Waste Services advise that the storage provision made on site is adequate and capacity would be available to provide recycling facilities. As such, the scheme complies with Policy 4A.22 of the London Plan (February 2008).

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

The Greater London Authority (GLA), through the London Plan (February 2008) clearly outlines the importance of reducing carbon emissions and the role that planning should play in helping to achieve that goal. The London Plan contains a suite of policies relating to climate change at Chapter 4A.

In the supporting text to Policy 4A.1 which outlines the role of developments in contributing to mitigation of and adaptation to climate change it states Policies 4A.2-4A.16 include targets that developments should meet in terms of the assessment of and contribution to tackling climate change. Policy 4A.7 of the London Plan advises that boroughs should ensure that developments will achieve a reduction in carbon dioxide emissions of 20% from on site renewable energy generation (which can include sources of decentralised renewable energy) unless it can be demonstrated that such provision is not feasible.

The Design and Access Statement does briefly consider renewable energy, stating that 20% renewables will be provided. The Council's Sustainability Officer advises that this requirement can be conditioned.

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

Policy OE8 seeks to ensure that new development incorporates appropriate measures to mitigate against any potential increase in the risk of flooding. The site is not within a flood zone. A sustainable urban drainage condition is attached.

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

The Council's Environmental Health Officer raises no objections to the scheme, subject to appropriate conditions to safeguard the residential units against noise. These are attached

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

Points (i) to (iv), (vii) and (ix) to (xi) raised by individual consultees and the comments made by the Ruislip Chamber of Commerce have been considered in the main report. As regards point (v), the use of the premises as a pub or bar does not form part of this proposal. In terms of Point (vi), the petitioner on the original application was not initially consulted on this application for which the LPA has apologised, but the petitioner has been consulted on the latest amended plans. As regards point (viii), the scheme considered by the Inspector was for 13 flats with a much greater intensity of use of the side service road as compared to this scheme, with the 6 flats not significantly increasing the use associated with that of the 4 previous flats accommodated on site.

### **7.20 Planning Obligations**

Policy R17 of the Council's Unitary Development Plan states that: 'The Local Planning

Authority will, where appropriate, seek to supplement the provision of recreation open space, facilities to support arts, cultural and entertainment activities, and other community, social and education facilities through planning obligations in conjunction with other development proposals'.

Given the nature and scale of this proposal, the development only gives rise to the requirement for a £2,176 is required (Nursery - £0, Primary - £301, Secondary - £1,119 and Post-16 - £756).

This can be secured by means of a condition to which the applicant has agreed.

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

The approval of this application would regularise the existing uses on site. No other enforcement issues are raised by this application.

#### **7.22 Other Issues**

The only other relevant planning consideration raised by this application is the likely impact of the proposal upon the development potential of the adjoining site(s), Nos. 153 and 155/155b High Street. The proposal building would have a similar siting and height to the rear wing it would replace, although the building would extend along much of the depth of the application site. Although the majority of the habitable room windows of the residential units face onto Pembroke Road, there are two first floor bedroom windows that face Nos. 153 and 155/155b High Street, separated by the width of the service road. There are no extant permissions for any comprehensive re-development of this site and unlike the application site, the area at the rear of the adjoining site has no road frontage, abutting the rear yard areas/service road/car parking areas of adjoining plots. It therefore has only limited re-development potential, certainly for in-depth residential use and its comprehensive re-development for residential use is not something the Council would wish to encourage. As such, it is considered that the scheme would not be contrary to Policy BE14 of the adopted Hillingdon Unitary Development Plan Saved Policies (September 2007).

### **8. Observations of the Borough Solicitor**

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

In addition Members should note that the Human Rights Act 1998 (HRA 1998) makes it unlawful for the Council to act incompatibly with Convention rights. Decisions by the Committee must take account of the HRA 1998. Therefore, Members need to be aware of the fact that the HRA 1998 makes the European Convention on Human Rights (the Convention) directly applicable to the actions of public bodies in England and Wales. The specific parts of the Convention relevant to planning matters are Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).

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

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

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

## **9. Observations of the Director of Finance**

## **10. CONCLUSION**

The scheme is considered to be acceptable within the Ruislip Village Conservation Area and will enhance its character and appearance. No objections were previously raised to the loss of retail on the ground floor of the existing building, given the nature of the beauty salon use which comprises a retail element and the scheme would increase the number of flats previously accommodated on site. Furthermore, the accommodation proposed is considered to provide suitable residential accommodation. The amenities of surrounding residential occupiers would not be adversely affected by the proposal. Also, no objections are raised to a car free development within this town centre location, close to the Ruislip Underground and Bus Station.

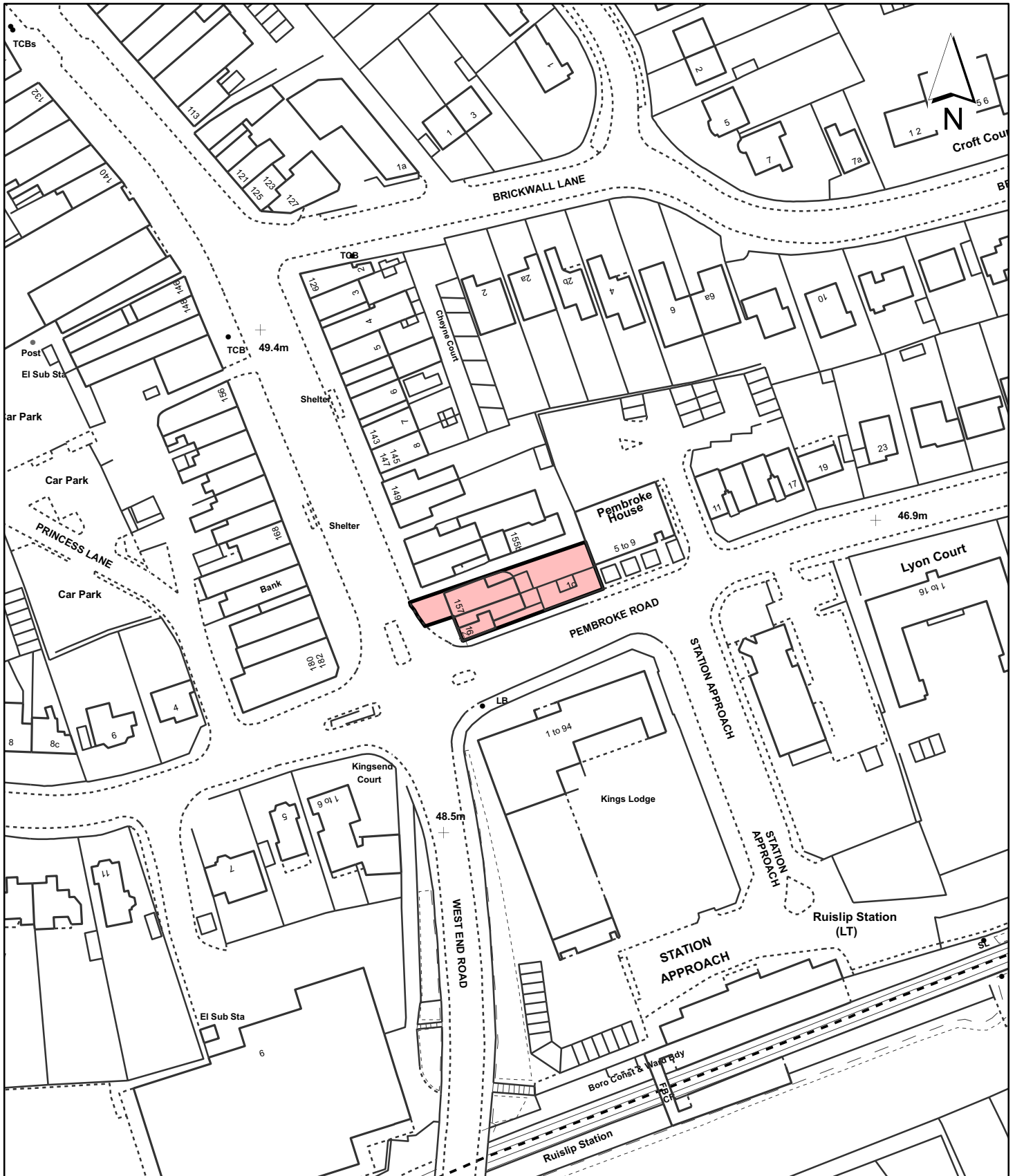
The revised scheme is considered to have overcome the reasons for refusal of the previous two schemes and the concerns raised by the previous Inspector and is recommended for approval.

## **11. Reference Documents**

Planning Policy Statements and Guidance  
London Plan (February 2008)  
London Plan Interim Housing Supplementary Planning Guidance, April 2010  
Adopted Hillingdon Unitary Development Plan Saved Policies (September 2007)  
HDAS: Residential Layouts & Accessible Hillingdon  
Planning Obligations Supplementary Planning Document, July 2008  
Consultation responses

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**Notes**

 Site boundary

For identification purposes only.

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Site Address

**157 - 161 High Street  
Ruislip**

Planning Application Ref:

**64711/APP/2011/214**

Planning Committee

**North**

Scale

**1:1,250**

Date

**May 2011**

**LONDON BOROUGH  
OF HILLINGDON**  
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