

Report of the Head of Planning & Enforcement Services

Address 1 - 2 BELL CLOSE RUISLIP

Development: Erection of a three storey building to include 3, one-bedroom and 6, two-bedroom flats and 2 light Industrial units (Use Class B1c), involving demolition of existing single storey building.

LBH Ref Nos: 63635/APP/2011/909

Drawing Nos: Flood Risk Assessment Report
1196-D4000 Rev. 04
1196-D4001 Rev. 07
1196-D1100
1196-D4201 Rev. 01
1196-D4200 Rev. 01
1196-D4103 Rev. 04
1196-D4703 Rev. 03
1196-D4102 Rev. 06
1196-D4101 Rev.05
1196-D4704
1196-D4702 Rev. 02
1196-D4701 Rev. 03
1196-D4701 Rev. 02 (Proposed and Existing Elevations B-B)
Noise and Vibration Assessment
Design & Access Statement
Transport Statement
Phase 1 Environmental Investigation

Date Plans Received: 12/04/2011 **Date(s) of Amendment(s):**

Date Application Valid: 15/06/2011

1. SUMMARY

Planning permission is sought for the erection of a part 2, part 3, storey building, comprising 9 one and two bedroom flats, together with 2 light industrial units and associated parking and landscaping (involving demolition of existing single storey industrial building).

Five letters of objection have been received, objecting to the proposal on the grounds of inadequate parking, traffic congestion, the scale of the development, impact on residential amenity and construction impacts. A petition bearing 128 signatures has also been received objecting on the grounds of loss of privacy to adjoining properties.

In terms of the overall scale, site coverage, design and layout, it is considered that the proposed development represents an over-development of the site, that would result in a cramped, unduly intrusive, visually prominent and inappropriate form of development, out of keeping with the character and appearance of the surrounding area.

The Council's Highway Engineer also raises objections to the proposed means of vehicular access to the site, which is considered inadequate to serve the proposed development. It is also considered that the scheme would result in inadequate provision for car parking to deal with the demands of the proposed development. Furthermore, no

agreement has been completed with the applicant in respect of contributions towards the improvement of education services and facilities required, arising from the demands created by the proposed development. It is therefore recommended that planning permission be refused for these reasons.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The applicants have failed to demonstrate that vehicular access to the site is adequate to serve the proposed development (in particular, regarding the significant intensification in use of a substandard access road and with respect to pedestrian visibility splays). The condition and width of the vehicular access to the site is not considered suitable for a development of this magnitude. As a result, it is likely that the proposal would give rise to conditions prejudicial to the free flow of traffic and would be detrimental to highway and pedestrian safety. The development is therefore contrary to Policy AM7 of the adopted Unitary Development Plan Saved Policies (September 2007).

2 NON2 Non Standard reason for refusal

The proposal represents an over development of the site, resulting in a cramped and inappropriate form of development, which by virtue of its siting, the excessive scale of the building and lack of opportunity for landscape enhancement, would be out of keeping with the character and appearance of surrounding properties and that of the area generally. The development is therefore contrary to Policies BE13 and BE19 of the adopted Unitary Development Plan Saved Policies (September 2007), Policy 3.4 of the London Plan 2011 and the adopted Supplementary Planning Document HDAS: Residential Layouts.

3 NON2 Non Standard reason for refusal

The development would result in inadequate provision for car parking to deal with the demands of the proposed development, which are unlikely to be addressed by public transport capacity and would be likely to cause on-street parking, to the detriment of highway and pedestrian safety. This is contrary to Policy AM14 of the Borough's adopted Unitary Development Plan Saved Policies (September 2007) and the Council's Parking Standards.

4 NON2 Non Standard reason for refusal

The proposal fails to make adequate provision for turning facilities for refuse collection vehicles and other HGVs servicing the development. This would be detrimental to highway and pedestrian safety along the alley way, contrary to Policy AM7 of the adopted Unitary Development Plan Saved Policies (September 2007).

5 NON2 Non Standard reason for refusal

The applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development (in respect of education, construction training, libraries, town centre/public realm improvements and health improvements). The scheme therefore conflicts with Policy R17 of the London Borough of Hillingdon Unitary Development Plan Saved Policies September 2007, and the adopted Supplementary Planning Document 'Planning Obligations.

INFORMATIVES

1 I52 **Compulsory Informative (1)**

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

2 I53 **Compulsory Informative (2)**

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

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H12	Tandem development of backland in residential areas
H4	Mix of housing units
H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

3

Although not refused for this reason, a reduction in balconies would result in less perception of over-looking to properties around the site.

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a triangular plot, accessed via a long un-adopted, single track, unmade access road known as Bell Close, leading from Roundways. The site contains a single storey building approximately 600 sq.m in floor area, currently used in the main as a car repair workshop and vehicular storage. It also appears that the building has been sub divided and that there are other industrial uses on the site.

To the east of the site lies the rear service yard of 3 storey premises fronting West End Road, with commercial uses on the ground floor and residential above. To the south west runs a car storage area with the railway line beyond. To the north are rear gardens of properties fronting onto Roundways.

3.2 Proposed Scheme

Planning permission is sought for the erection of an 'L' shaped, part 2 part 3 storey building to provide for to 6 x 2-bedroom and 3 x 1-bedroom flats and two 123.5 sq.m light industrial units, together with associated parking and landscaping. the proposal will involve the demolition of a single storey industrial building.

The residential element will be provided in a 3 storey wing, orientated on an east/west axis, running parallel with the alleyway (Bell Close), serving the rear gardens of properties fronting Roundways. This residential element is linked to a 2 storey commercial wing, comprising 2 units, each with a mezanine floor, orientated on a north south axis, running parallel with the service road serving the rear of commercial properties (with flats above), fronting West End Road.

Access to the residential units is provided via a 3 storey central core, linking the two wings. Separate access is provided for the two industrial units off the service road.

9 parking spaces (including one disabled parking bay) are provided for the flats, while 2 parking spaces and drop off points are provided for the industrial units. A communal courtyard serving the residential element is located to the rear of the building.

The application is supported by a number of reports that assess the impact of the proposal. A summary and some key conclusions from these reports are provided below:

Design and Access Statement

The statement shows how the applicant has analysed the site and its setting, and formulated and applied design principles to achieve good, inclusive design for buildings and public spaces and how the developer or designer has consulted or will consult on the issues.

Transport Assessment

The report seeks to demonstrate that the development can provide a satisfactory site access and would not result in a material impact in terms of traffic generation in comparison to permitted uses on the site and is in full compliance with the relevant policies. In addition, it seeks to demonstrate that sufficient parking can be provided to serve the proposed development.

Noise Impact Assessment

The report concludes that the Noise Exposure Category of the site falls within NEC B. Internal. The main noise source affecting the development is rail traffic along the western boundary of the site. To enable an internal noise criterion of 35dB_LA_{eq} during the day and

30dB LAeq at night to be met, standard glazing and enhanced glazing will be required.

Flood Risk & Drainage Assessment

The assessment concludes that the Environment Agency view the site to be at low risk of flooding. Redevelopment should be possible with careful consideration of sustainable drainage solutions, such that the overall drainage regime is improved. The report concludes that the proposals do not increase flood storage volumes or impede flood flows.

Phase 1 Environmental Investigation

A desk top study notes that the former use includes servicing and repair of cars and may have had a number of industrial/commercial uses in its time. The report concludes that there is a significant potential for ground contamination from hydrocarbons as well as various metals and other inorganics. The report recommends that the ground is examined below the site and that investigations are carried out once demolition has been completed.

3.3 Relevant Planning History

Comment on Relevant Planning History

None.

4. Planning Policies and Standards

London Plan 2011

UDP / LDF Designation and London Plan

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

Part 1 Policies:

Part 2 Policies:

AM14	New development and car parking standards.
AM15	Provision of reserved parking spaces for disabled persons
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
BE13	New development must harmonise with the existing street scene.
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
BE35	Major development proposals adjacent to or visible from major road and rail connections to Heathrow and central London
BE38	Retention of topographical and landscape features and provision of new planting and landscaping in development proposals.
H12	Tandem development of backland in residential areas
H4	Mix of housing units

H5	Dwellings suitable for large families
OE1	Protection of the character and amenities of surrounding properties and the local area
OE7	Development in areas likely to flooding - requirement for flood protection measures
OE8	Development likely to result in increased flood risk due to additional surface water run-off - requirement for attenuation measures

5. Advertisement and Site Notice

5.1 Advertisement Expiry Date:- **26th July 2011**

5.2 Site Notice Expiry Date:- Not applicable

6. Consultations

External Consultees

A total of 57 surrounding owners/occupiers have been consulted and a site notice was posted on the site. 5 responses have been received objecting to the proposal for the following reasons:

1. Sightlines for vehicular traffic entering and exiting from/to Bell Close to Roundways are wholly inadequate at present and this would be exacerbated by increased traffic flow caused by the proposed development.
2. The proposal will generate more traffic, car parking difficulties and air pollution. The construction phase will cause noise, vibration, smell, fumes, dust and grit and will cause great disturbance.
3. Development will reduce sunlight and daylight, preventing enjoyment of adjoining gardens.
4. Loss of privacy, as surrounding homes will be overlooked by these flats, whilst the balconies will overlook the surrounding gardens.
5. At present, Bell Close is full of very large potholes, caused by continuous use from lorries accessing the rear of shops and the garage workshop. No-one seems to maintain it now. The developer should be required to maintain Bell Close to Highways standards.

In addition, a petition bearing 128 signatures has been received objecting to the proposed development on the grounds that the development will overlook surrounding homes and gardens, resulting in a loss of privacy.

ENVIRONMENT AGENCY

Although the proposed development is in Flood Zone 2, in this instance our concerns can be addressed by use of our Flood Risk Standing Advice (FRSA).

You will need to apply the sequential test to the application and then check that the Flood Risk Assessment requirements have been met.

We consider that the groundwater is protected from pollution by the presence of London Clay. We recommend that the requirements of PPS23 and the Environment Agency guidance 'Guiding Principles for Land Contamination' are followed.

Advice to Applicant

If any controlled waste is to be removed off site, then site operator must ensure a registered waste carrier is used to convey the waste material off site to a suitably authorised facility. The Duty of Care regulations for dealing with waste materials are applicable for any off-site movements of wastes.

RUSLIP RESIDENTS' ASSOCIATION: No response.

WARD COUNCILLOR

Subject to the scheme's planning approval, it would make sense that one of the conditions of the planning development is that the applicant upgrade the whole 60m of rear alleyway/service road.

Internal Consultees

WASTE MANAGER

Bell Close is too narrow for access by a bulk refuse vehicle. The department does not send a refuse collection vehicle into this alleyway, as the access point is too narrow. The 60 metre distance is too long to manually cart a bulk bins over. We always state 10 metres maximum.

S106 OFFICER

It is considered that education would be the only likely contribution arising from this proposal. Education will undertake the calculation based upon the following criteria.

No residential existing on site;

proposed:

3 x 1 bed flats (3hrms)

6 x 2 bed flats (4 hbrms)

Ward: Manor

EDUCATION SERVICES

Based on the creation of 2x 3-room and 4x 4-room private flats in Manor ward, with no existing residential demolished. a total contribution of £17,626 will be sought for the following:

PRIMARY: £8,273, SECONDARY: £5,870, POST-16: £3,483.

ENVIRONMENTAL PROTECTION UNIT

No objections are raised to this application.

Reference is made to the noise and vibration assessment carried out by Bickerdike Allen Partners dated 3rd March 2011 reference A9344/AH/R01.

Residential Use

Noise sources - Rail noise

The site is affected by noise from rail traffic to the west of the site. Reference is made to the contents of Section 2.0 entitled Considerations with respect to HS2.

Paragraph 5.1 of the document asserts that field measurements give a night-time L(A)eq, (23:00-07:00) of 51dB and a daytime L(A)eq, (07:00-23:00) of 57dB, which therefore places the site in

NEC B of PPG24. The site is clearly placed inside NEC B for rail traffic noise.

PPG 24 states that for sites falling within Noise Exposure Category B `Noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.

It is recommended that the following condition be applied to ensure the proposed development satisfies the requirements of the Borough's Noise SPD, Section 5, Table 2. This is based on BS 8233:1999 Code of Practice for internal noise criteria for residential dwellings. The applicant has shown how specification of acoustic glazing and mechanical ventilation can ensure the internal noise criteria in the Council's Noise SPD can be met to ensure compliance.

Conditions relating to protecting the proposed development from rail traffic noise, hours of use of the light industrial units, hours of deliveries and collections, including waste collections, details of air handling units and the site construction informative are recommended.

LAND CONTAMINATION

A desk top study by Terramech Investigations Ltd dated 31 July 2009 has been submitted with the application. The former use includes servicing and repair of cars. The report indicates the lay out of the site from the 1960 map is similar to today. Therefore the site may have has a number of industrial/commercial uses in its time. The report indicates they have been unable to determine the original use of the building.

As there is a change of use to a more sensitive end use the standard contaminated land condition needs to be included in any permission that may be given to ensure the development is made suitable for use.

ACCESS OFFICER

In assessing this application, reference has been made to London Plan Policy 3.8 (Housing Choice) and the Council's Supplementary Planning Document "Accessible Hillingdon" adopted January 2010.

Although the design and access statement accompanying the above application contains details of outdated guidance and legislation, the plans are satisfactory from an accessibility point of view.

Conclusion: acceptable.

SUSTAINABILITY OFFICER

No objections are raised to the development subject to the following:

Energy

Since an energy assessment has not been submitted the following condition is considered necessary:

Condition

Prior to the commencement of development a detailed energy assessment shall be submitted to and approved in writing by the Local Planning Authority. The detailed assessment shall set out the baseline energy consumption and associated CO2 emissions of the development as if constructed to 2010 Building Regulations. The assessment shall then provide clear details of a 25% reduction in CO2 emission from energy efficiency measures and renewable energy. The assessment shall

include specifications of any technology to be used and their locations on suitably scaled plans. The development shall proceed in accordance with the approved plans.

REASON

To ensure the development reduces CO2 emissions in accordance with Policy 5.2 of the London Plan (July 2011).

Sustainability

CONDITION

Prior to the commencement of development, the applicant shall submit a design stage assessment and certificate demonstrating the proposals will meet Code for Sustainable Homes Level 3. The certificate must be signed by a licensed Code for Sustainable Homes Assessor on behalf of the BRE.

Prior to the occupancy of the development, the applicant shall submit a completion certificate demonstrating the development has been built to Code for Sustainable Homes Level 3. The certificate must be signed by a licensed Code for Sustainable Homes Assessor on behalf of the BRE.

REASON

To ensure compliance with London Plan policies 5.3 and 5.15.

SUDS

CONDITION

No development approved by this permission shall be commenced until a scheme for the provision of sustainable drainage systems to drain surface water runoff has been submitted to and approved in writing by the Local Planning Authority. The scheme shall demonstrate that runoff can be attenuated as close to the source as possible in compliance with the London Plan's drainage hierarchy. The scheme should also outline how rainwater can be collected and reused on site further reducing the run-off to drainage bodies. The development shall proceed in accordance with the approved scheme.

REASON

To prevent the increased risk of flooding and aid adaptation to climate change in accordance with PPS25, and London Plan policies 5.3, 5.9, and 5.13.

TREE AND LANDSCAPE OFFICER

The site is currently occupied by small industrial storage/workshop units. Approximately triangular in shape the plot is bounded by the railway to the west and the rear of high street units on West End Road to the east and housing to the north. The most significant landscape features close to the proposed development are the trees on railway land which form a buffer between the adjacent vehicle storage area and the railway line to the west. There is also a single tree at the southern end of the Bell Close service road, whose approximate location and spread is indicated on Metropolis drawing No. 1196-D4103-rev 04. There are no Tree Preservation Orders on, or close to, the site, nor does it fall within a designated Conservation Area.

PROPOSAL: The proposal is to demolish the existing units and build new light industrial units at ground floor with two storeys of residential flats above. Access to the buildings and car parking will continue to be via the Bell Close service roads. The flats will form an 'L' shaped structure with front elevations facing to the north and east. No soft landscaping at ground level is proposed along the front elevations. A triangular-shaped courtyard garden is indicated along the west boundary.

LANDSCAPE CONSIDERATIONS: Saved policies BE13 and BE19 seek to ensure that new development complements or enhances the character and amenity of the area. 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 pre-application advice was provided which indicated the need for a tree survey and a comprehensive landscape masterplan in association with the development.
- No tree survey has been submitted and it is not clear whether the tree at the end of Bell Close can be retained in the light of the proposed re-surfacing of the access road. No arboricultural implications assessment has been submitted and any change of levels, underground services or surfacing close to the tree may adversely affect it.
- Drawing No. D4100 shows the shared garden amenity space to the west of the buildings. This should include structure planting (such as trees and hedges) rather than hard surfacing with raised planters.
- No landscape enhancement is indicated between the front elevations and the existing neighbouring properties, which will tend to be dominated by the proposed three storey development.
- If a satisfactory landscape scheme is feasible, provision should be made to ensure that the communal areas of landscape are properly established and maintained in accordance with the proposed landscape objectives.

RECOMMENDATIONS: The landscape proposals, as described above, do not comply with BE38. While additional planting (including trees), as suggested, would help to integrate the building into the landscape, the intensive layout does not give grounds for reasonable assurance that this matter could be dealt with by condition. If more effective landscaping can be indicated at this stage, the objection might be overcome subject to conditions TL5, TL6 and TL7.

HIGHWAY ENGINEER

Vehicular access to the site is via Bell Close off Roundways, which is an unclassified road and is a public highway. Bell Close is a narrow private road of approximately 3.6m and is in a poor state of repair. Bell Close provides access to the rear garages/parking areas of the nearby properties on West End Road (A4120) and Roundways and to the application site. The access road is open for vehicles and pedestrians to use. There is a pedestrian only access off West End Road (A4120) between nos. 276 & 278 West End Road.

The Transport Statement (TS) states that the application site is used for light industrial/commercial purposes comprising used car sale. The estimated daily vehicle trip generation of the existing use is 30. The residential element of the proposed development is estimated to result in 56 daily vehicular trips (50 car driver trip + 4 car passenger + 2 motorcycle) and the light industrial element of the proposed development is estimated to result in 11 daily vehicular trips, resulting in a total of 37 additional vehicular trips, which is equivalent to 123% increase in vehicular trips.

It is important to note that there are three hardstanding areas for vehicle parking/storage south and southeast of application site, which are accessed via Bell Close and are in use for the current use on the application site. The application site does not include these vehicle parking/storage areas, which would continue to remain in the same use as existing. Consequently the actual intensification in use of Bell Close is likely to be greater than the 123% increase estimated in the TS.

Gated access is proposed to be retained for the larger of the two vehicle storage areas at the rear of the development. Gates would also be retained at the two fences separating the hardstanding areas. At present, the other two vehicle storage/parking areas are accessed from the eastern end of Bell Close. Access and manoeuvrability for these two areas will be seriously affected by the proposed layout and given the type of their use; the layout would result in an unsatisfactory

arrangement.

The proposed development is considered to result in significant intensification in use of a substandard access road. The access road is narrow, not suitable for cars and/or lorries to pass each other. There are no footway, lighting and drainage within the access road. In addition, there is no lighting within the pedestrian only access.

Pedestrian visibility at the access point off Roundways is blocked by the high fence on the on the north-eastern side. Although the boundary wall of the adjoining property on the south-western side is low, the pedestrian visibility splays on this side fall on land outside the applicant's control. A van is frequently seen to be parked close to the eastern boundary wall of 1 Bell Close within the hardstanding area for parking, which interferes with the visibility southwest of the access point to Bell Close. Northeast of the crossover for Bell Close, on-street parking takes place on both sides of Roundways. The high fence and on-street parking northeast of Bell Close access interfere with the sightlines.

The application site is located in a PTAL 2. Car parking in accordance with the Council's maximum requirements i.e. 1.5 spaces per flat should be provided, in particular for the proposed 2 bedroom flats. The standard of 1.5 spaces has been set to provide adequate car parking for residents and visitors. On-street parking in the vicinity of site is congested. The provision of 9 car parking spaces for the residential element of the development as proposed is considered to be inadequate and unsuitable. The site is in a low PTAL area and is located considerably away from the public highway. The vehicles for both commercial and residential elements including visitors would arrive at the site via a substandard access road. The absence of adequate car parking would result in indiscriminate parking on site and/or the access road, leading to unsatisfactory vehicle manoeuvring and passing space. Those parking on-street in close proximity to the site would add further on-street parking pressure, which is likely to result in parking close to vehicular accesses and turning areas, and other indiscriminate parking.

As per the Council's requirements, sufficient space for the standing and manoeuvring of all goods vehicles likely to serve the development at one time is essential and the layout should allow all vehicles to enter and leave the site in a forward gear. No information has been submitted on the type, size, and number of goods vehicles likely to serve the proposed industrial units and no swept path analysis (vehicles turning in and out of the Bell Close and vehicles manoeuvring on Bell Close) has been submitted for the same and also for occasional delivery vehicles for the residential element.

Refuse and recycle vehicles (10.5m long) will be required to access the site via the access road. No swept path analysis has been provided for the refuse vehicle turning in and out of Bell Close. The turning space on Bell Close for the refuse vehicles will be very tight and unsatisfactory. The swept path drawing (drg no. K077/06) submitted in appendix-b of the TS cannot be relied upon as it fails to show essential details such as Vehicle chassis, safety/tolerance margin, track, wing mirrors, overhang etc and does not appear to have been drawn using Auto Track, which is an engineering design program and is required to be used by the Council. The swept paths rely on the space east of parking bay-1 parallel to the kerb line being available, which can realistically be occupied by a parked vehicle that would take-up the turning space needed for the refuse vehicles to perform the manoeuvre shown in Appendix-b of the TS. Given the deficiency of car parking provision, it is unrealistic to design a scheme on the basis that parking by occupiers and visitors will take place only within the proposed bays and other areas which can realistically be occupied by parked vehicles are shown empty on the submitted drawings to show that swept paths can be achieved.

The TS refers to drawing no. K077/01 in appendix-b for a fire tender vehicle, but this drawing is missing. However, in light of the above observations, the proposed site layout is unlikely to be suitable for a fire tender vehicle.

The applicant should provide a paper copy of the swept paths drawn using auto track and also submit the electronic version for auditing.

The proposed development is unacceptable from the Highways point of view and is recommended to be refused, as it is considered to be contrary to the Council's Policies AM7 and AM14 of the UDP.

URBAN DESIGN AND CONSERVATION OFFICER

COMMENTS: This is a back land site comprising single storey (commercial height) industrial buildings. It is located adjacent to the railway/tube line embankment and to the rear of a three storey purpose built commercial/residential block fronting West End Road. To the north are two storey, semi-detached houses with good sized rear gardens.

The application has been supported with a carefully considered Design and Access Statement. Whilst thought has clearly been given to the layout of the site and the design of the new buildings, within this type of location buildings should appear as secondary, particularly in terms of height, to those of the principle frontages. Ideally, new development on this site should be no taller than 2 storeys.

It is also highly likely that at three storeys the proposed developed would be clearly visible in angled views from the entrance to Bell Close and in some gap views between the houses, although some of the gardens appear to include mature trees that provide a good level of screening.

CONCLUSION: The residential element of the scheme should be reduced in height.

7. MAIN PLANNING ISSUES

7.01 The principle of the development

The site falls outside a designated Industrial Business Area. Policy LE4 relates to the loss of employment land outside identified Industrial and Business Areas. Briefly, Policy LE4 protects such uses unless:

1. The existing use seriously affects amenity, through disturbance to neighbours, visual intrusion, or an adverse impact on the character of the area;
2. The site is unsuitable for industrial or similar redevelopment due to its size, shape, location or lack of vehicular access;
3. There is no realistic prospect of the land being used for industrial, warehousing or employment generating land uses in the future;
4. The proposed use is in accordance with the Council's regeneration policies.

The proposal will involve the loss of 606sq. m of existing general/light industrial use. The application is not supported by documentation demonstrating that the site is surplus to employment requirements, or that adequate alternative supply exists elsewhere in the Borough. However, in order to demonstrate compliance with Policy LE4, the proposal now includes two replacement light industrial units, each being 123.5 sqm in floor area, totalling 252 sq. m. Given the site is considered unsuitable for industrial or similar redevelopment, due to its location and lack of suitable vehicular access, it is not considered that the net loss of 352 sq. m of industrial floor space is a sustainable reason to refuse this application.

Policy H8 states amongst other things that the conversion or change of use of premises to residential use will only be acceptable if a satisfactory residential environment can be achieved. The proposed use would need to provide an adequate residential environment, particularly given specific site constraints, such as the proximity of the site to the railway and other commercial uses and inadequate vehicular access. Subject to these concerns

being overcome, no objection would be raised to the redevelopment of the site for the residential element of the use. However, as detailed elsewhere in this report, vehicular access to the proposed development is considered to be substandard, and this is reflected in the reasons for refusal.

7.02 Density of the proposed development

Policy 3.4 of the London Plan (2011) advises that Boroughs should ensure that development proposals achieve the highest possible intensity of use compatible with local context and the site's public transport accessibility. The London Plan provides a density matrix to establish a strategic framework for appropriate densities at different locations.

The site has a PTAL of 2 and is located within a suburban setting. The London Plan provides for a residential density between 50 - 95 u/ha and 150 - 250 hr/ha at an average of 2.7 - 3.0 hr/unit.

The scheme provides for a residential density of 75 u/ha or 200 hr/ha, at an average of 2.8 hr/unit. The proposal is therefore within the density parameters for habitable rooms per hectare and units per hectare in the London Plan.

It will be important to demonstrate that the residential units will have good internal and external living space and that the scale and layout of the proposed development is compatible with sustainable residential quality, having regard to the specific constraints of this site, including the proximity to the railway line and the mixed use nature of the development proposed.

Policies H4 and H5 seek to ensure a practicable mix of housing units are provided within residential schemes. One and two bedroom developments are encouraged within town centres, while larger family units are promoted elsewhere. A mixture of 1 and 2, bedroom units is proposed and this mix of units is considered more appropriate to a town centre location.

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

There are no archaeological or historic issues associated with this site.

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 site.

7.06 Environmental Impact

A land contamination desk top study has been submitted in support of the application. The former use includes servicing and repair of cars. The report indicates the site may have had a number of industrial/commercial uses in its time. The report indicates they have been unable to determine the original use of the building.

As there is a change of use to a more sensitive end use, the Environmental Protection Unit advises that a contaminated land condition should be imposed, in the event of an approval, requiring a site survey, to assess the land contamination levels and a remediation scheme for removing or rendering innocuous all contaminants from the site. This is in order to ensure that the development is made suitable for use.

Had the scheme been acceptable in other respects, it is considered that the imposition of such a condition would adequately address land contamination issues, in compliance with Policy OE11 of the Hillingdon Unitary Development Plan Saved Policies (September 2007) and relevant London Plan (July 2011) policies.

7.07 Impact on the character & appearance of the area

Saved Policies BE13 and BE19 seek to ensure that new development complements or improves the character and amenity of the area, whilst Policy BE38 seeks the retention of topographical and landscape features and provision of new planting and landscaping in development proposals. The scale, bulk and siting of the buildings are key determinants in ensuring that the amenity and character of established residential areas are not compromised by new development. Policy BE35 requires developments adjacent to or visible from major rail connections to be of a high standard of design, layout and landscape and that, where the opportunity arises, important local landmarks are opened up from these transport corridors.

London Plan (July 2011) sets out a series of overarching design principles for development in London and specific policies to promote world-class, high quality design and design-led change in key locations. In addition, the London Plan contains policies relating to density and sustainable design and construction, which are also relevant.

The site does not have a direct street frontage and the proposed scheme is in effect a back land development. The surrounding residential properties to the north and north east comprise mainly detached and semi-detached two storey properties. The majority of the properties date from the 1930's and are of varied architectural styles typical of this period. The site is also located to the rear of a three storey purpose built commercial/residential block fronting West End Road.

The main concern from an urban design point of view relates to the 3 storey residential block, whose principle elevation backs onto the rear gardens of adjoining properties, with only a rear alleyway and parking forecourt in between. The Urban Design and Conservation Officer considers that whilst the application has been supported with a carefully considered Design and Access Statement and that thought has been given to the layout of the site and the design of the new buildings, within this type of backland location, buildings should appear as secondary, particularly in terms of height, to those of the principle frontages. Therefore, ideally, new development on this site should be no taller than 2 storeys.

It is considered the siting, layout and bulk will appear visually prominent and intrusive when viewed in context with the 2 storey semi-detached and terraced dwellings to the north and northeast. Furthermore, in the absence of appropriate soft landscaped boundary treatment, together with the proximity of the block to the property boundaries, means that the development cannot be effectively screened and softened to minimise the impact on its surroundings. It is also highly likely that at three storeys, the proposed developed would be visible in angled views from the entrance to Bell Close and in some gap views between the houses.

Due to the three-storey height of the proposal, the limited size of the plot and distances of the proposed building from the site boundaries, together with the level of hard surfacing, it is considered that this scheme represents a cramped and incongruous form of back land development, out of keeping with the character and appearance of the area. This would be contrary to Unitary Development Plan Saved Policies BE13 and BE19 and design principles established the Council's adopted SPD HDAS: Residential Layouts.

7.08 Impact on neighbours

Outlook

In relation to outlook, Saved Policy BE21 requires new residential developments to be

designed to protect the outlook of adjoining residents. The SPD HDAS: Residential Layouts advises that for two or more storey buildings, adequate distance should be maintained to avoid over dominance. A minimum distance of 15m is required, although this distance will be dependent on the extent and bulk of the buildings. The supporting text to Policies BE20 and BE21 of the UDP Saved Policies September 2007 states 'that while some proposals of substantial width, height and depth, may not cause loss of amenity by reason of daylight or sunlight, these may nonetheless still be over-dominant in relation to the adjoining property and/or its private amenity space. This in turn can result in a depressing outlook detracting from residential amenity'.

It is not considered that impact on outlook of neighbouring properties is justification alone to refuse the scheme, given the depth of the surrounding gardens and the fact that some of these gardens appear to include mature trees that provide a level of screening. Nevertheless, concerns remain regarding the cramped nature of the development and the lack of opportunity to provide landscape enhancement between the front elevations and the existing neighbouring properties to the north. This issue is dealt with elsewhere in the report.

Privacy

Saved Policy BE24 states that the design of new buildings should protect the privacy of occupiers and their neighbours. The proposed north facing balconies/terraces would be within 11 metres of the rear gardens of properties fronting Roundways, and 12 metres from the nearest residential dwelling facing West End Road (No 276).

Although a distance of 21 metres is maintained to the private amenity areas of properties in Roundways and West End Road, the submitted drawings show a bank of first and second floor windows, in addition to the balconies, on the north elevation of the proposed 3 storey block. The objection from residents of these adjacent properties relates to a lack of privacy in their rear gardens, and that the development will engender a sense of being under surveillance, thereby impairing the prospect and privacy neighbouring residents might reasonably expect to enjoy in a spacious suburban area such as this. However, given the the average depth of the rear gardens of these properties is some 40 metres and that the scheme meets the minimum design criteria for overlooking distances, it is not considered that there is adequate justification to refuse the scheme on this basis. Nevertheless, it is considered that the perception of being overlooked, which is the primary issue raised by surrounding residents, would be lessened, if the number of balconies on the northern elevation facing properties Roundways were reduced. An informative has been attached to this effect.

Sunlight

In relation to sunlight, Policy BE20 of the UDP seeks to ensure that buildings are laid out to provide adequate sunlight and preserve the amenity of existing houses. Although a detailed analysis has not been submitted by the applicant, the proposal is unlikely to impact on overshadowing or access to sunlight for adjoining residents, in compliance with Policy BE20 of the UDP, as the proposed building would be orientated or sited a sufficient distance away from adjoining properties.

Noise

The anticipated traffic levels are likely to result in further deterioration of the alleyway (Bell Close) and an increase in noise and dust levels along the lane. In addition, it will be

necessary to provide lighting along the access lane, which may result in light spillage to residents on either side of the alleyway. Accordingly, the level of traffic generation may result in detriment to the amenity of the surrounding residents, in terms of noise air and light pollution, contrary to Saved Policies OE1 and H12 of the UDP.

However, had the development been acceptable in other respects, it is considered that these amenity issues could be satisfactorily be addressed by the imposition of an appropriately worded condition or legal agreement, to upgrade the access road. However, it should be noted that the mere resurfacing of the alleyway would not address the fundamental highway objection relating to the length and narrowness of the alleyway, and its unsuitability for the development proposed.

7.09 Living conditions for future occupiers

Amenity Space

The scheme is supported by an amenity space schedule which indicates that 303.7m² will be provided as follows:

- 199.5m² - Ground floor shared courtyard
- 43.2m² Ground floor terrace
- 30.5m² first floor balconies
- 30.5m² second floor balconies.

The HDAS requires communal amenity space to be provided for flats at a rate of 20m² per one bedroom unit, 25m² per two bedroom units. In accordance with the above standards, a minimum of 210m² of usable communal amenity space should be provided. The amenity space provided is considered acceptable, in compliance with the Hillingdon Design and Accessibility Statement (HDAS) Residential Layouts and Saved Policy BE23 of the UDP.

Each of the units benefit from a reasonable level of privacy, outlook and light and overall, it is considered that good environmental conditions can be provided for future occupiers in compliance with relevant UDP saved Policies BE20, BE23, BE24, OE1 and OE5 of the UDP Saved Policies September 2007, HDAS: Residential Layouts and the provisions of the London Plan.

7.10 Traffic impact, car/cycle parking, pedestrian safety

Vehicular access to the site is via Bell Close off Roundways, which is an unclassified road and is a public highway. Bell Close is a narrow private road of approximately 3.6m and is in a poor state of repair. Bell Close provides access to the rear garages/parking areas of the nearby properties on West End Road (A4120) and Roundways and to the application site. The access road is open for vehicles and pedestrians to use. There is a pedestrian only access off West End Road (A4120) between nos. 276 & 278 West End Road. However, there is no lighting within this pedestrian only access.

TRAFFIC GENERATION

The Transport Statement (TS) states that the application site is used for light industrial/commercial purposes comprising used car sales. The estimated daily vehicle trip generation of the existing use is 30. The residential element of the proposed development is estimated to result in 56 daily vehicular trips and the light industrial element of the proposed development is estimated to result in 11 daily vehicular trips, resulting in a total of 37 additional vehicular trips. This is equivalent to a 123% increase in vehicular trips above the existing situation.

The Highway Engineer notes that the vehicle storage area adjacent to the railway line does not form part of the application site and the current use for vehicle parking and storage will remain. Therefore, the actual intensification in use of Bell Close is likely to be greater than the 123% increase estimated in the Transport Statement.

ACCESS

The development will be accessed via the common driveway to the north, approximately 60 metres long. This alleyway is very narrow along most of its length, thus preventing 2 cars being able to pass. There are no footway, lighting, and drainage within the access road. The driveway surface is poor and contains pot holes and broken concrete along its length. It is therefore not considered to be of an acceptable standard for the level of traffic being generated.

The Council's Highway Engineer advises that the minimum carriageway width should be 4.1 metres to allow two-way access. In addition, the footpath must be a minimum of 1 metre in width to support wheelchair users and safe pedestrian movement. Considering that the adjoining commercial uses also utilise this access for delivery and access purposes, the use of the existing sub standard access to service the proposed development is not considered to be acceptable.

The Highway Engineer also raises concerns regarding the impact of the proposed development on access and manoeuvrability for the adjoining car storage areas, which are likely to be seriously affected by the proposed layout, given the type of their use. The proposed layout would therefore result in an unsatisfactory arrangement.

Pedestrian visibility at the access point off Roundways is blocked by the high fence on the north-eastern side. Although the boundary wall of the adjoining property (1 Bell Close) on the south-western side is low, the pedestrian visibility splays on this side fall on land outside the applicant's control. The Highway Engineer notes that a van is frequently seen to be parked close to the eastern boundary wall of 1 Bell Close within the hardstanding area for parking, which interferes with the visibility southwest of the access point to Bell Close. Northeast of the crossover for Bell Close, on-street parking takes place on both sides of Roundways. The high fence and on-street parking northeast of Bell Close access interfere with the sightlines.

The Highway Engineer notes that sufficient space for the standing and manoeuvring of all goods vehicles likely to serve the development at one time is essential and the layout should allow all vehicles to enter and leave the site in a forward gear. No information has been submitted on the type, size, and number of goods vehicles likely to serve the proposed industrial units and no swept path analysis (vehicles turning in and out of the Bell Close and vehicles manoeuvring on Bell Close) has been submitted for the industrial units and also for occasional delivery vehicles for the residential element.

Refuse and recycle vehicles (10.5m long) will be required to access the site via the access road. It is noted that the Waste Manager has confirmed that Bell Close is unsuitable for larger refuse vehicles. No swept path analysis has been provided for the refuse vehicle turning in and out of Bell Close. The turning space on Bell Close for the refuse vehicles will be very tight and unsatisfactory. The Highway Engineer observes that the swept path drawing submitted in appendix-b of the TS cannot be relied upon.

In addition, the Highway Engineer has raised concerns regarding access for emergency service vehicles. Fire appliances need to be able to approach to a point that is within 45

metres of a suitable entrance to any dwelling. The entrance to the proposed development is located some 70 metres from the main highway. Given the very narrow access to the development, concerns are raised on the grounds that access for emergency service vehicles has not been demonstrated and that the proposed site layout is unlikely to be suitable for a fire tender vehicle.

CAR PARKING

The scheme provides 1 parking space per residential unit. The application site is located in a low PTAL value of 2 and is located a considerable distance from the public highway. The vehicles for both commercial and residential elements, including visitors would arrive at the site via a substandard access road. The absence of adequate car parking is likely to result in indiscriminate parking on site and/or on the access road, leading to unsatisfactory vehicle manoeuvring and passing space. Those parking on-street, in proximity to the site would add further on-street parking pressure, which is likely to result in parking close to vehicular accesses and turning areas, and other indiscriminate parking.

The Highway Engineer therefore considers that car parking in accordance with the Council's maximum requirements i.e. 1.5 spaces per flat should be provided, in particular for the proposed 2 bedroom flats. The standard of 1.5 spaces has been set to provide adequate car parking for residents and visitors. It is noted that on-street parking in the vicinity of site is congested. The Highway Engineer considers that the provision of 9 car parking spaces for the residential element of the development is inadequate and unsuitable.

Overall, the proposed development is considered unacceptable from a highways point of view and it is recommended that the application be refused, as it is contrary to the UDP Saved Policies AM7 and AM14.

7.11 Urban design, access and security

These issues have been dealt with elsewhere in the report.

7.12 Disabled access

HDAS was adopted on the 20th December 2005 and requires all new residential units to be built to lifetime home standards and 10% of units designed to wheelchair accessible standards. Further guidance is also provided on floor space standards for new residential development to ensure sound environmental conditions are provided on site. As a guide, the recommended minimum standard for 1 bedroom flats is 50sq. m and 63sq. m for 2 bedroom flats. Additional floorspace would be required for wheelchair units.

The floor plans indicate that the development generally achieves HDAS recommended floor space standards and that Lifetime Home Standards could be met for these flats in terms of size.

The Access Officer is satisfied with the level of facilities provided and raises no objections to the access arrangements or internal layout. It is considered that had the scheme been acceptable in other respects, the proposed development would be in accord with the aims of Policies 3.14 and 7.2 of the London Plan (July 2011), the Hillingdon Design and Access Statement (HDAS) Accessible Hillingdon and Saved Policy AM15 of the UDP.

7.13 Provision of affordable & special needs housing

Not applicable in this case. The scale of the development does not trigger a requirement for the provision of affordable housing.

7.14 Trees, Landscaping and Ecology

Policy BE38 of the Unitary Development Plan Saved Policies states, amongst other things that development proposals will be expected to retain and utilise topographical and landscape features of merit.

The most significant landscape features close to the proposed development are the trees on railway land which form a buffer between the adjacent vehicle storage area and the railway line to the west. There is also a single tree at the southern end of the Bell Close service road. The Tree and Landscape Officer notes that no tree survey or arboricultural implications assessment has been submitted and it is not clear whether the tree at the end of Bell Close can be retained in the light of the proposed re-surfacing of the access road and any change of levels, underground services or surfacing close to the tree may adversely affect it.

The shared garden amenity space to the west of the buildings comprises hard surfacing with raised planters, rather than structure planting such as trees and hedges, whilst no landscape enhancement is indicated between the front elevations and the existing neighbouring properties to the north, which will tend to be dominated by the proposed three storey residential block. While additional planting (including trees), would help to integrate the building into the landscape and screen the building from properties to the north, the intensive layout does not provide the scope that this could be achieved, or that this matter could be dealt with by condition. The Tree and Landscape Officer therefore considers that the landscape proposals do not comply with Saved Policy BE38. These concerns are reflected in the reasons for refusal.

7.15 Sustainable waste management

The Waste Strategy Manager advises that refuse and recycling bins for residential developments should be provided at the ratio of 1 bin per 10 units plus 1 per waste stream. For example, a 20 unit scheme should provide 3 bins for recycling and 3 for refuse. Alternative uses will be assessed on their own merits.

Refuse is provided in refuse stores at ground floor level at the front of the buildings. Although adequate refuse storage can be provided on site, the applicant has failed to demonstrate that the necessary pulling distance and vehicle access requirements can be achieved and the application is recommended for refusal on this basis.

7.16 Renewable energy / Sustainability

Policy 5.2 of the London Plan July 2011, seeks to ensure the development reduces CO2 emissions. An energy assessment has not been submitted with the application. Nevertheless, it is considered that sustainability issues could be dealt with by suitably worded conditions in the event of an approval. Such conditions would require the submission of a detailed energy assessment, setting out the baseline energy consumption and associated CO2 emissions of the development as if constructed to 2010 Building Regulations. The assessment would then need to provide clear details of a 25% reduction in CO2 emission from energy efficiency measures and renewable energy. The assessment would also include specifications of any technology to be used and their locations on suitably scaled plans.

The Council's Sustainability Officer also recommends a requirement for a design stage assessment and certificate demonstrating the proposals will meet Code for Sustainable Homes Level 3 and a completion certificate would be required in order to comply with London Plan policies 5.3 and 5.15.

7.17 Flooding or Drainage Issues

Policies OE7 and OE8 of the Hillingdon Unitary Development Plan Saved Policies September 2007 seek to ensure that new development incorporates appropriate

measures to mitigate any potential risk of flooding.

There are no specific flooding or drainage issues associated with this application. However, in the event that this application is approved, a scheme for the provision of sustainable drainage systems to drain surface water run off would also be required, to demonstrate that run off can be attenuated as close to the source as possible in compliance with the London Plan's drainage hierarchy, to prevent the increased risk of flooding and aid adaptation to climate change in accordance with PPS25, and London Plan policies 5.3, 5.9, and 5.13.

7.18 Noise or Air Quality Issues

A noise and vibration assessment has been submitted in support of this application. The site is affected by noise from rail traffic to the west of the site. The site falls within Noise Exposure Category B for rail traffic noise. PPG24 states that for sites falling within Noise Exposure Category B noise should be taken into account when determining planning applications and, where appropriate, conditions imposed to ensure an adequate level of protection against noise.

The Council's Environmental Protection Unit (EPU) has assessed the submitted Noise Report and advises that the acoustic assessment contains recommendations which, if implemented, would reduce noise to levels that comply with reasonable standards of comfort, as defined in British Standard BS 8233:1999 'Sound insulation and noise reduction for buildings - Code of Practice'.

The EPU therefore raises no objections to the proposed scheme, subject to conditions to ensure the proposed development satisfies the requirements of the Borough's Noise SPD. The Council's Environmental Protection Unit also recommend conditions controlling the hours of use, delivery and waste collections and external plant for the commercial units, in the event of an approval.

It is considered that had the development been acceptable in other respects, the issue of sound insulation and potential disturbance from the commercial units on the residential element of the scheme could be addressed by the imposition of a suitable conditions, as suggested by the Council's Environmental Protection Unit. Subject to compliance with these conditions, it is considered that the scheme would be in compliance with Saved Policy OE5 of the UDP.

7.19 Comments on Public Consultations

Disturbance from construction activity is covered by separate legislation. Other points raised by local residents have been addressed in the relevant sections of this report.

7.20 Planning Obligations

Policy R17 of the Hillingdon UDP is concerned with securing planning obligations to supplement the provision 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. These UDP policies are supported by more specific supplementary planning guidance. As the application is being recommended for refusal, no negotiations have been entered into with the developer in respect of these contributions. However, if the application were to be considered for approval, the following broad Section 106 Heads of Terms would be pursued by the Council at that time:

Education contributions: The Director of Education has advised that the proposed development will lead to additional pressure for school places in the Ruislip area. A contribution of £17,626 will be sought comprising of the following:

Primary: £8,273, Secondary: £5,870, Post-16: £3,483 in the Ruislip Area would be required to address the cost of the proposed development. No legal agreement to address this issue has been offered and it is recommended the application should be refused on this basis.

Had the application been acceptable in other respects, it is likely that a planning obligation would be sought to upgrade the access road (Bell Close), as this alleyway is in a considerable state of disrepair and is not fit for purpose. The applicants have offered to resurface the alleyway but have not offered lighting or drainage.

No contributions have been secured by way of a Unilateral Undertaking or S106 Agreement in relation to the above mentioned planning benefits associated with the proposal. It is therefore considered that planning permission should also be refused for this reason.

7.21 Expediency of enforcement action

There are no enforcement issues associated with this site.

7.22 Other Issues

There are no other issues relating to this application.

8. Observations of the Borough Solicitor

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

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

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

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

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

9. Observations of the Director of Finance

Not applicable.

10. CONCLUSION

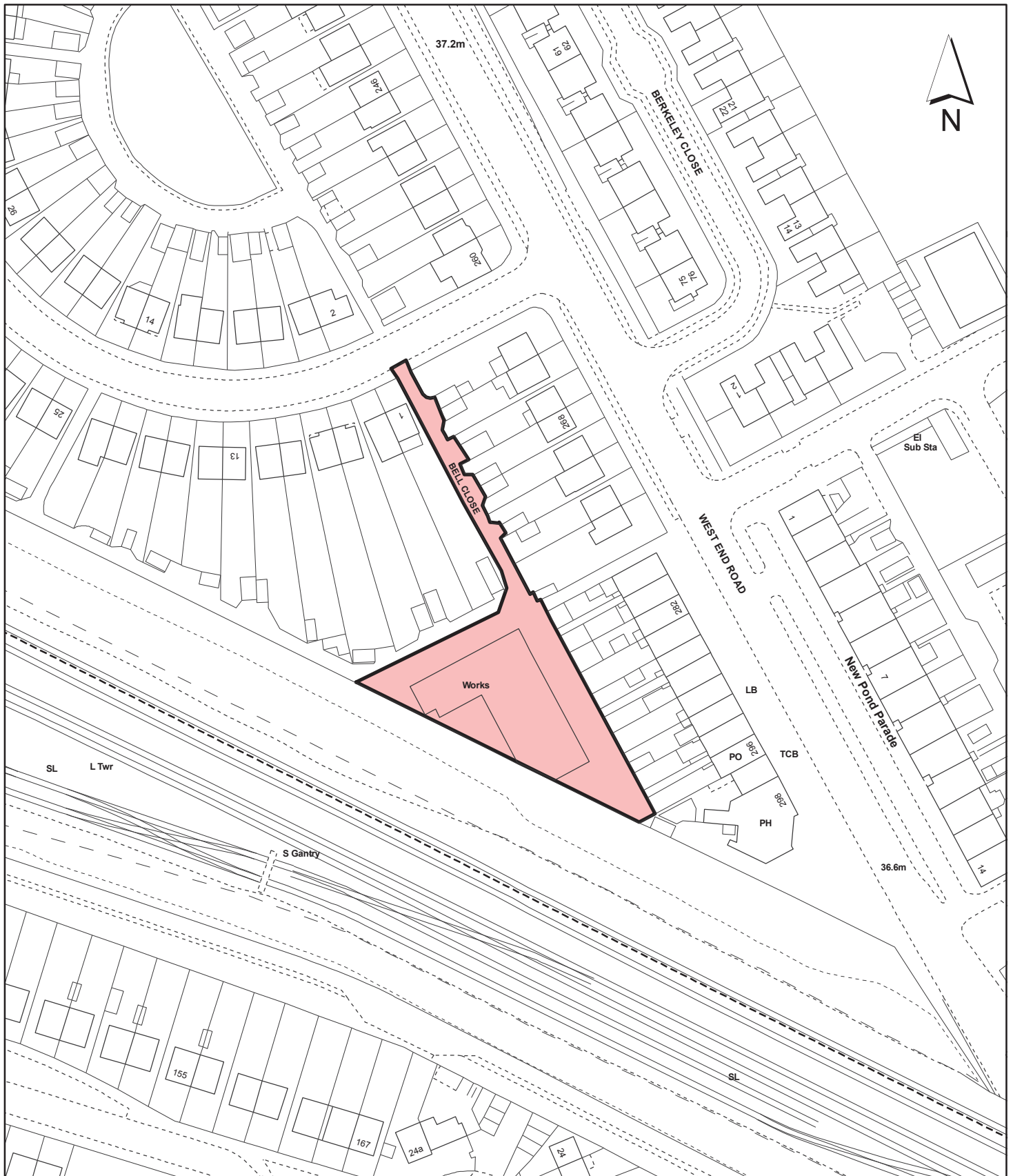
No objections are raised to the principle of this mixed use scheme. However, given the scale and massing of the proposed blocks, the development could not be achieved without adversely affecting the visual amenities and character of the area. The proposed development is also considered to result in significant intensification in use of a substandard access road. The access arrangements and the associated traffic generation would be unacceptable, to the detriment of the free flow of traffic and highway safety. Parking provision is considered inadequate, whilst the applicant has failed to provide contributions towards the improvements of services and facilities as a consequence of demands created by the proposed development in respect of education.



11. Reference Documents

Hillingdon Unitary Development Plan Saved Policies September 2007
HDAS: Residential Layouts
Planning Policy Statement 1 (Delivering Sustainable Development)
Planning Policy Statement 3 (Housing)
Planning Policy Statement 9 (Biodiversity and Geological Conservation)
Planning Policy Guidance Note 15 (Planning and the Historic Environment)
Planning Policy Guidance Note 13 (Transport)
Planning Policy Guidance Note 24 (Planning and Noise)
The London Plan (July 2011)
Representations
Petition

Contact Officer: Karl Dafe

Telephone No: 01895 250230



<p>Notes</p> <p> Site boundary</p> <p>For identification purposes only.</p> <p>This copy has been made by or with the authority of the Head of Committee Services pursuant to section 47 of the Copyright, Designs and Patents Act 1988 (the Act).</p> <p>Unless the Act provides a relevant exception to copyright.</p> <p>© Crown copyright and database rights 2011 Ordnance Survey 100019283</p>	<p>Site Address</p> <p>1 - 2 Bell Close Ruislip</p>		<p>LONDON BOROUGH OF HILLINGDON Planning, Environment, Education & Community Services</p> <p>Civic Centre, Uxbridge, Middx. UB8 1UW Telephone No.: Uxbridge 250111</p> <p> HILLINGDON LONDON</p>
	<p>Planning Application Ref:</p> <p>63635/APP/2011/909</p>	<p>Scale</p> <p>1:1,250</p>	
	<p>Planning Committee</p> <p>North</p>	<p>Date</p> <p>August 2011</p>	