

DELEGATED DECISION

- Please select each of the categories that enables this application to be determined under delegated powers
 - Criteria 1 to 5 or criteria 7 to 9 must be addressed for all categories of application, except for applications for Certificates of Lawfulness, etc.

APPROVAL RECOMMENDED: GENERAL

Select an Option

1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

6.	Application is contrary to relevant planning policies/standards	☐
7.	No petition of 20 or more signatures has been received	☐
8.	Application has not been supported independently by a person/s	☐
9.	The site is not in Green Belt (but see 11 below)	☐

RESIDENTIAL DEVELOPMENT

10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	☐
11.	Householder application in the Green Belt	☐

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

12.	Change of use of retail units on site less than 1 ha or with less than 1000 sq. m other than a change involving a loss of A1 uses	☐
13.	Refusal of change of use from retail class A1 to any other use	☐
14.	Change of use of industrial units on site less than 1 ha or with less than 1000sq.m. of floor space other than to a retail use.	☐

CERTIFICATE OF LAWFULNESS

15.	Certificate of Lawfulness (for proposed use or Development)	☐
16.	Certificate of Lawfulness (for existing use or Development)	☐
17.	Certificate of Appropriate Alternative Development	☐

CERTIFICATE OF LAWFULNESS

18.	ADVERTISMENT CONSENT (excluding Hoardings)	☐
19.	PRIOR APPROVAL APPLICATION	☐
20.	OUT-OF-BOROUGH OBSERVATIONS	☐
21.	CIRCULAR 18/84 APPLICATION	☐
22.	CORPSEWOOD COVENANT APPLICATION	☐
23.	APPROVAL OF DETAILS	☐
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	☐
25.	WORKS TO TREES	☐
26.	OTHER (please specify)	☐

The delegation powers schedule has been changed. Interim Director of Planning, Regeneration & Public Realm can determine this application

Case Officer:

Signature:

Date:

A delegated decision is appropriate and the recommendation, conditions/reasons for refusal and informative's are satisfactory.

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DETAILS SHOULD BE USED IN THE PS2 RETURNS ODPM

Item No. **Report of the Head of Development Management and Building Control**

Address: TESCO EXPRESS, 122-124 HIGH STREET RUISLIP

Development: Change of use of part of the rear of the building and upper floors from Class E (Commercial, Business and Service) to Class C3 (Dwelling-houses) in order to create six residential dwellings alongside associated works.

LBH Ref Nos: 11894/APP/2024/3030

Drawing Nos: PA - 02 - Rev P9
 PA - 100 - Rev P2
 PA - 101 - Rev P2
 PA - 103 - Rev P2
 PA - 03 - Rev P7
 PA - 04 - Rev P7
 PA - 06
 PA - 104 - Rev P2
 PA - 07 - Rev P1
 PA - 05
 PA - 01 - Rev P4

Date Plans received: 28-11-24 **Date(s) of Amendments(s):**

Date Application valid 28-11-24

1. SUMMARY

The application seeks full planning consent for the change of use of part of the rear of the building and upper floors from Class E (Commercial, Business and Service) to Class C3 (Dwelling-houses) in order to create six residential dwellings alongside associated works. Given the ground floor remains in Use Class E complying with strategic policies that seek to protect the function of main town centres, there is no objection in principle to the proposed residential development.

It is considered that the quantity and quality of internal and external amenity space being provided would not be sufficient and affords future residents a lack of outlook and substandard amenity space. The neighbouring occupiers would experience loss of privacy and the public benefits would fall short of outweighing the substandard accommodation and harm.

It is therefore recommended that the application be refused.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Neighbouring amenity impacts

The proposed development would result in loss of privacy to adjoining neighbouring properties given the intensification of the building and the proximity of the private amenity space which would lead to overlooking of neighbouring residents habitable living spaces without adequate screening measures. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2024).

2. NON2 Internal and External Amenity

The private amenity space provide is not adequate in terms of quantity and quality and would be overlooked. In addition, due to the use of boundary treatment to demarcate private amenity occupiers of Flat 2 and Flat 3 would experience a loss of outlook and privacy given the proximity to the proposed 1.5m high fence and 300mm trellis. Further, Flat 1 and Flat 4 would not benefit from adequate outlook. Therefore, the development would fail to provide a high quality internal amenity space and external usable amenity space resulting in harm to residential amenity and unsatisfactory living conditions for the occupiers. The development therefore conflicts with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

3. NON2 Air quality and Obligations

The applicant has failed to secure Section 106 planning obligations required to mitigate the harm and demands created by the proposed development (in respect of air quality). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2023).

INFORMATIVES

1. I52 Compulsory Informative (1)

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

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

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

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

I53 Compulsory Informative (2)

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

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design

NPPF11 -24	NPPF11 2024 - Making effective use of land
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF16 -24	NPPF16 2024 - Conserving and enhancing the historic environment
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF4 -24	NPPF4 2024 - Decision making
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP D12	(2021) Fire safety
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix
LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking

3. CONSIDERATIONS

3.1 Site and Locality

The site comprises a single building on the Ruislip High Street, in retail use (Use Class E). It was formerly Woolworths but is currently occupied by Tesco.

The section of the building that fronts onto the high street is single storey with a false first-floor facade, having the appearance of a two-storey building within the shopping parade. The rear section of the building is three-storeys. The ground floor operates as the shop floor, whilst the upper floors are for ancillary storage. The upper floors are unused (for circa 15 years as stated in the submitted letter), and surplus to the requirements of the current tenant. Photos have been submitted to illustrate that the upper floors are in a state of disrepair, and not fit-for-purpose.

To the rear of the site is the residential cul-de-sac of Poplars Close comprised principally of semi-detached dwellings, and Woodlands Children's Nursery. There is also a car park to the rear of the site, associated with the adjacent development and accessed from Princess Lane.

The site has a Public Transport Accessibility Level (PTAL) of 4.

The site is located within the following Local Plan Site Designations:

- Town Centre: Ruislip
- Primary Shopping Area
- Ruislip Village Conservation Area
- Critical Drainage Area
- Potentially Contaminated Land
- Air Quality Focus Area
- Northolt Perimeter 3km Buffer (PDR Exclusion Zone)

3.2 Proposed Scheme

Change of use of part of the rear of the building and upper floors from Class E (Commercial, Business and Service) to Class C3 (Dwelling-houses) in order to create six residential dwellings alongside associated works.

3.3 Relevant Planning History

11894/APP/2024/1734 UPPER FLOORS AND REAR OF 122-124 HIGH STREET RUISLIP
Change of use of part of the rear of the building and upper floors from Class E to Class C3, and erection of an additional storey to create nine residential dwellings, alongside associated works (revised description 25.07.24)

Decision: 13-09-2024 Refusal

Comment on Planning History

Relevant history listed above. To note, a similar scheme 11894/APP/2024/1734 (Change of use of part of the rear of the building and upper floors from Class E to Class C3, and erection of an additional storey to create nine residential dwellings, alongside associated works) was recently refused for the following reasons:

1. The proposed development, by reason of its bulk, scale, massing and overall design would result in an incongruous visually prominent form of development that would fail to harmonise with the character and architectural composition of the surrounding properties, resulting in a visually

dominant building which would be detrimental to the character, appearance and visual amenity of the street scene and the setting of Ruislip Village Conservation Area. The proposal therefore conflicts with Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies HC1, D1, D3 and D4 of the London Plan (2021) and the NPPF (2023).

2. Due to its scale, bulk and overall design, the proposed development would have an overbearing impact on the adjoining residents leading to a harmful sense of enclosure and loss of privacy to the residents of Nos 8, 10, 12 and 14 Poplars Close. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and the National Planning Policy Framework (2023).

3. The private amenity space provide is not adequate in terms of quantity and quality and would be overlooked. In addition, due to the use of boundary treatment to demarcate private amenity occupiers of Flat 2 and Flat 3 would experience a loss of outlook given the proximity to the proposed 1.8m high patio fence. Further, Flat 1, bedroom 2 and Flat 4, bedroom 1 and 2 would not benefit from adequate outlook. Therefore, the development would fail to provide a high quality internal amenity space and external usable amenity space resulting in harm to residential amenity and unsatisfactory living conditions for the occupiers. The development therefore conflicts with Policies DMHB 11 and DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policy D3 of the London Plan (2021).

4. Insufficient supporting information to demonstrate that the proposed development is would offer a convenient location for refuse and recycling facilities, given the pull distance of over 60m which fails to accord with Policy DMHB11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

5. The proposal fails to demonstrate through a comprehensive fire statement how the development would achieve the highest standards of fire safety in regard to its design in incorporating appropriate features which reduce the risk to life in the event of a fire, its construction methods, means of escape, strategy of evacuation and providing suitable access and equipment for firefighting appropriate for the size and residential nature of the development. The proposal would therefore be contrary to Policies D5 and D12 of the London Plan (2021) and the National Planning Policy Framework (2023).

6. The applicant has failed to secure Section 106 planning obligations required to mitigate the harm and demands created by the proposed development (in respect of air quality). The scheme therefore conflicts with Policy DMCI 7 of the Hillingdon Local Plan: Part 2 (2020); the adopted Planning Obligations Supplementary Planning Document (2014); Policy DF1 of the London Plan (2021); and paragraphs 55-58 of the National Planning Policy Framework (2023).

The current applications omits 3no flats and the additional floors extension.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: 11th January 2025

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

15 neighbouring properties were consulted by letter on 05-12-24. The consultation period expired on 28-12-24. 5 objections were received from 4 households. Their comments are summarised as follows:

1. Concerns regarding relocation of air conditions units
2. Concerns regarding dummy facade which gives on to High Street is supported by RSJs at a 45 degree angle to the wall
3. Concerns regarding pull distance of waste collection
4. Noise concerns (including noise from lift)
5. Visual intrusion / loss of privacy / Overlooking (safeguarding concerns)
6. Traffic, parking and congestion concerns.
7. Building work disruption
8. Increase the bulk & density and in line with the refusal, appear out of scale in proportion to the size/ width of the site
9. any public benefits would fall short of outweighing the 'less than substantial harm' to the Ruislip Village Conservation Area
10. Light spill / pollution
11. Concerns regarding access changes / refuse collection
12. Concerns regarding fire safety and access for emergency services
13. Parking and deliveries concerns
14. Changing land use would over developed area and harm CA
15. Materials not in keeping

Planning Officer comments:

1. The has clarified it is intended to relocate the air conditioning units to the ground floor. There is no details provided of this.
2. There is no concern regarding support for the false facade, and ultimately, this is a matter that will be clarified by Building Control.

Point 3, 4, 5, 6, 9, 10, 11, 12, 13 and 14 are discussed in the report.

Building disruption is not a material consideration (7).

There is no additional floors proposed and the materials of any external works such as lobby and window would be conditioned (8 and 15).

Ruislip Residents' Association 27.12.24:

The Ruislip Residents' Association believe that these latest proposals are a significant improvement upon the last plans Ref 11894/APP/2024/1734 refused on 13/09/2024. However, there are still the following concerns:

Harm to residential amenity and unsatisfactory living conditions for the occupiers. - The windows for all habitable rooms in Flat 1 on the first floor and Flat 4 on the second floor will be obscured glass up to 0.7 m high. The occupants will not benefit from adequate outlook. - Patios for Flats 2 and 3 measure 25 and 11m². So the patio area for Flat 3 is significantly short of the recommended 25m², and both patios will be overlooked from Flats 5 and 6 above that will also overlook the communal

outdoor space. - Flat 2 and Flat 3 would experience a loss of outlook given the proximity to the proposed 1.5m high patio fence.

Existing Roof: - Existing heat pumps & air conditioning units on the flat roof were approved 11894/APP/2009/1740. Some equipment is wall mounted, but a large percentage is floor mounted equipment with numerous pipes along the floor. Plans should be submitted to indicate where all that equipment will be relocated or secured off from the communal space? - On the First floor east side facing the High Street there is a false facade suggesting the building has a first floor directly above the front of the retail unit below. The structure is supported by RSJs at a 45 degree angle to the wall, mounted on the floor of what would become the amenity area. Where are the details how the facade will be supported if the roof becomes an amenity space?

Housing Mix No family housing is provided. The highest need for housing is for family units, defined as units with 3 or more bedrooms. Impact on the amenities of the occupiers of neighbouring residential properties The proposed sole access for 6 residential dwellings on the west side will lead to a harmful increase in activity and generation of noise, of detriment to neighbours particularly the occupier of 14 Poplars Close.

Access & Security Policy D5 of the London Plan (2021) states that development should achieve the highest standards of accessible & inclusive design, should be convenient and welcoming. Paragraph 96 of NPPF & Policy DMHB 15 of Local Plan require healthy, inclusive and safe places so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion. There are safety concerns for the 6 flats where the only entrance is on the west side accessed via narrow alleyways. If the proposals are approved appropriate surveillance facilities will need to be considered.

Refuse Management and Cycle Access. The proposed refuse collection arrangements and cycle storage location suggest the owners of the land north of the Iceland Carpark will grant the residents to use their bikes and for refuse to be collected. Has this been verified? Conclusion RRA believe that not all the previous reasons for refusal have been addressed in these latest proposals

Planning officer comments:

1. The has clarified it is intended to relocate the air conditioning units to the ground floor. There is no details provided of this.
2. There is no concern regarding support for the false facade, and ultimately, this is a matter that will be clarified by Building Control.

The other points are discussed in the main report.

Air Quality:

The proposed development is located outside the LBH Air Quality Management Area, but within the Ruislip Town Centre Focus Area. As per the London Plan, developments need to be neutral as minimum and LBH requires development proposals located in Focus Areas (or that impact on Focus Areas) to be air quality positive and in accordance with measure 5 of the LBH Air Quality Local Action Plan 2019-2024, mitigate total emissions in these sensitive areas. LBH requires developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially with impacts in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas.

Furthermore, policy DMEI 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality.

According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) require more stringent air quality neutral procedures and needs to be Air Quality positive, with a total emission mitigation approach.

The proposed development is within the Ruislip Town Centre Focus Area and therefore further appropriate mitigation is required.

No appropriate mitigation was considered given the location of the proposed development within a LBH Focus Area.

Access Officer:

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the change of use of this existing dwelling constructed prior to the application of accessible housing standards. Conclusion: no objections raised from an accessibility perspective.

Highways:

The site comprises a single building (ranging from two to three storeys (front to rear elevations respectively in height)) fronting Ruislip High Street which is in retail use (Use Class E) in the form of a Tesco express outlet at ground floor level whilst the upper floors are utilised for ancillary storage. No formal on-plot parking is available.

It is situated in relative proximity of Ruislip LU station and exhibits a public transport accessibility level (PTAL) rating of 4 which is considered as 'good' but is not fully reflective of the 'real world' exemplary public transport provision which is exemplified by the plethora of bus service availability and the positioning of the adjacent LU station. The locality is extensively covered by all day parking controls including 'Pay & Display' provisions located within the High Street (albeit with minor variation to operational hours). There is also a car park to the rear of the site, associated with the adjacent development and is separately accessed via Princess Lane and a private section of roadway.

The proposal seeks to provide 6 two-bedroom flat residential dwellings on a 'car-free' basis. This would involve a change of use/conversion of part of the rear of 122-124 High Street and its upper floors from Class E to Class C3. The proposal would also incorporate an additional floor to facilitate a sum total of 6 flats.

A previous application for 9 flats at this address (11894/APP/2024/1734) was refused earlier this year but not on highway related grounds.

Parking Provision

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

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

The overriding regional parking standard would demand a maximum parking requirement in the order of up to 3-5 on-plot spaces hence this 'car-free' scheme technically falls within but is below this maximum standard.

The regional standard only recommends a car-free option where a site registers a PTAL level of 5 or higher which is not the case for this particular address. However, it is acknowledged that the site envelope is located in relative proximity to Ruislip LU station with access to a plethora of bus routes which indicates a potential anomaly in the PTAL calculation. This would imply a sequentially elevated 'real-world' accessibility level to a rating of 5.

On this premise further supported by the inherent parking restraint afforded by the parking restrictions within the surrounding area which effectively reduces the likelihood of untoward parking displacement onto the highway network, the 'car-free' proposal is, on balance, considered acceptable.

It should be noted that to support the principle of promoting parking restraint and safeguarding the local highway network from notable harm related to any potential undue parking displacement, it would normally be recommended that the site address be made 'Resident Permit Restricted' (RPR) in order to prevent future occupiers from obtaining parking permits. However, in this case, the Highway Authority (HA) must advise that this mechanism cannot be applied to this particular site as there is no existing Controlled Parking Zone (CPZ) incorporating a residents parking scheme encompassing this address. In summary, this voids the necessity to pursue a RPR via formal agreement.

Cycle Parking

In total, 12 communal spaces are proposed located within an enclosed area at ground floor level which is considered an acceptable arrangement in terms of placement & quantum.

Vehicular Trip Generation

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

Given the scale and 'car-free' nature of the proposal, there are no specific concerns raised in regard to any generated vehicular activity which is likely to be imperceptible on the local network.

Operational Refuse Collection/Servicing Arrangements

Residential Component

Accepted 'waste distance' collection standards encourage waste collection distances to be within 10m from the point of collection by refuse vehicle on the public highway. In addition, the maximum carrying distance from each dwelling unit to the point of collection should not exceed 30m. An external waste storage area is depicted to the rear of the build hence would appear to be broad conformity to the latter but not to the former requirement.

To address this non-conformity, refuse is proposed to be moved further south in Princess Lane to an established 'shared' bin store by way of a site management regime on collection days. The principle of the arrangement is considered broadly acceptable. There are no further observations.

Retail Component

The modus operandi for collection would continue unabated with the use of the convenient loading bay placed in proximity of the address on the High Street. This arrangement is established, and the applicant has indicated that servicing activities are to be encouraged to occur off-peak (as specified within the submitted D&S plan) which is considered a pragmatic and acceptable approach. There are no further observations.

Construction Management Plan (CMP)

An outline construction management statement has been submitted which is considered broadly fit for purpose on the basis of continued and close partnership working with LBH. There are no further requirements or observations on this aspect.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Management Policies (2020) - Policy DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021).

Design Officer comments:

1.It is unclear if access to the rooftop amenity space is intended to be public. The side stair appears to lack access controls (e.g., a FOB system) to restrict it to residents of the development only. Coupled with the convoluted layout - featuring numerous elements that act as physical and potentially visual barriers - this raises concerns about the potential for ASB, that is if public access is unrestricted.

2.The amenity space is overly dominated by seating, resulting in a lack of balance and variety. Incorporating a more diverse range of landscaping features, spatial configurations, and opportunities for different activities would have created a higher-quality, more meaningful amenity area that better serves the needs of the development's residents. Currently as it stands, the quality of that space and its meaningfulness are suboptimal.

3.The quality of the provided amenity space is particularly important, as it is intended to compensate for the absence of private balconies or individual outdoor areas.

4.Artificial grass is substandard and generally should be avoided - suggests a substandard and unintegrated landscaping design approach.

5.Assuming the artificial grass is due to soil depth limitations, can trees still be delivered? If so, how will adequate soil depth be achieved? Will they be in planters? This may have further impact on the visual appearance and quality of that space, and are the trees likely to be well-maintained this way in the long term?

6.The bins are laid out in a utilitarian manner, unintegrated with the building, and appear to lack screening or enclosure. While this area may be considered back-of-house (BOH), we would still expect some level of visual integration / screening.

7.The proposed planter at ground level, located next to the bins and bike store, offers some improvement but feels tokenistic rather than a well-thought-out and meaningful landscaping intervention.

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.HE1	(2012) Heritage

Part 2 Policies:

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 10	Water Management, Efficiency and Quality
DMEI 2	Reducing Carbon Emissions
DMEI 7	Biodiversity Protection and Enhancement
DMEI 9	Management of Flood Risk
DMH 1	Safeguarding Existing Housing
DMH 2	Housing Mix
DMHB 1	Heritage Assets
DMHB 4	Conservation Areas
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 14	Trees and Landscaping
DMHB 16	Housing Standards
DMHB 17	Residential Density
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DMT 1	Managing Transport Impacts
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DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
NPPF11 -24	NPPF11 2024 - Making effective use of land
NPPF12 -24	NPPF12 2024 - Achieving well-designed places
NPPF16 -24	NPPF16 2024 - Conserving and enhancing the historic environment
NPPF2 -24	NPPF2 2024 - Achieving sustainable development
NPPF4 -24	NPPF4 2024 - Decision making
NPPF5 -24	NPPF5 2024 - Delivering a sufficient supply of homes
NPPF9 -24	NPPF9 2024 - Promoting sustainable transport
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D7	(2021) Accessible housing
LPP GG2	(2021) Making the best use of land
LPP GG4	(2021) Delivering the homes Londoners needs
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP D12	(2021) Fire safety
LPP G7	(2021) Trees and woodlands
LPP H1	(2021) Increasing housing supply
LPP H10	(2021) Housing size mix

LPP HC1	(2021) Heritage conservation and growth
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP SI2	(2021) Minimising greenhouse gas emissions
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking

In addition: Development Plan:

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

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

The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
The West London Waste Plan (2015)
The London Plan (2021)

Material Considerations:

The National Planning Policy Framework (NPPF) (2024) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Paragraph 135 of the NPPF (2024) states 'Planning policies and decisions should ensure that developments:

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

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

Paragraph 5.38 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that: "The Council will aim to ensure that there is sufficient privacy for residents and it will resist proposals where there is an unreasonable level of overlooking between habitable rooms of adjacent residential properties, schools or onto private open spaces. A minimum of 21 metres

separation distance between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking. In some locations where there is a significant difference in ground levels between dwellings, a greater separation distance may be necessary."

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

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

PRIVACY, LIGHT AND OUTLOOK:

Following the previous refusal, revisions have been made to ensure that both real and perceived overlooking and loss of privacy to neighbouring residential properties is mitigated through the use of obscured glazing. Notwithstanding this, elsewhere in the report addresses the internal amenity concerns this raises.

However, as highlighted elsewhere in the report and previous report the bedroom windows of No.120 (corrected from No.120a in the previous report) overlooks communal garden, which would also likely offer views from residents into the rooms at angles.

The scheme would fall short on amenity grounds to both neighbours that adjoin the site. The very nature of the private amenity space associated with the application could potentially lead extensive use of this roof space which further exasperate these overlooking concerns. On these grounds, Officers consider the scheme has failed to overcome the previous concerns.

There is one opaque window on the rear elevation which overlooks the rear gardens of Nos. 12 and 14 Poplars Close, however, this window serves the stairs which could easily be conditioned to obscured glazing.

The current application also omits the proposal for additional stories.

NOISE, ACTIVITY AND DISTURBANCE:

The development site is located within a dense commercial and residential area. The additional homes would not lead to any increase in people movements that would be out of character or harmful to residents enough to warrant refusal of the application. If the application is approved, a condition has been recommended to ensure that the construction process is managed in a manner which limits the developments impact on neighbours. Whilst the comments raised by the objections regarding waste and cycle storage are noted, the impact in terms of noise and disturbance from the use of these facilities and the lift would not cause significant noise over and above what would be expected from a residential building.

CONCLUSION:

In light of the above, it is considered that the proposed development would cause unacceptable harm to the living conditions of the existing occupiers. The proposed development would therefore be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 135 of the NPPF (2024).

7.2 Impact on Street Scene

The Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the tests for dealing with heritage assets in planning decisions. S72 of this Act relates to Conservation Areas and requires Local Planning Authorities to pay special attention to 'the desirability of preserving or enhancing the character or appearance of that area'.

Paragraph 135 of the NPPF (2024) states 'Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.'

Policies D1, D3 and D4 of the London Plan (2021) require development proposals to be of high quality and to enhance the local context by delivering buildings and spaces that positively respond to local distinctiveness.

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

Hillingdon Local Plan Part 1: Strategic Policies (2012) Policy BE1 states 'The Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. All new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place.'

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

Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states: 'All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including: i)

harmonising with the local context by taking into account the surrounding scale of development, height, mass and bulk of adjacent structures; building plot sizes and widths, plot coverage and established street patterns; building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure; architectural composition and quality of detailing; local topography, views both from and to the site; and impact on neighbouring open spaces and their environment.'

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

The application site is located within Ruislip Village Conservation Area and extends from Ruislip High Street to the rear. The front facade of the building fronts the high street and shows some characteristics of Art Deco or early Modernist influence. The existing building to the rear is a good example of early to mid-20th century architecture and is characterised by a flat roof, large windows and brick materiality. While the existing building is not listed, it comprises some architectural merit and is associated within the broader context of the area's historical development.

The proposal includes a change of use to residential and omits the previously proposed an additional storey. The changes to the building are minimal consisting of fenestration amendments, a communal roof garden and secure lobby.

The proposed windows would be in keeping with current form and the secure lobby would be sited to the rear.

It is noted that the Design Officer has raised concerns about the bins which are laid out in a utilitarian manner, unintegrated with the building, which appear to lack screening or enclosure. These details could be secured by condition.

Given the minimal changes and above condition, the proposal would be acceptable in terms of character and appearance.

7.3 Traffic Impact/Pedestrian Safety

The site comprises a single building (ranging from two to three storeys (front to rear elevations respectively in height)) fronting Ruislip High Street which is in retail use (Use Class E) in the form of a Tesco express outlet at ground floor level whilst the upper floors are utilised for ancillary storage. No formal on-plot parking is available.

It is situated in relative proximity of Ruislip LU station and exhibits a public transport accessibility level (PTAL) rating of 4 which is considered as 'good' but is not fully reflective of the 'real world' exemplary public transport provision which is exemplified by the plethora of bus service availability and the positioning of the adjacent LU station. The locality is extensively covered by all day parking controls including 'Pay & Display' provisions located within the High Street (albeit with minor variation to operational hours). There is also a car park to the rear of the site, associated with the adjacent development and is separately accessed via Princess Lane and a private section of roadway.

The proposal seeks to provide 6 two-bedroom flatted residential dwellings on a 'car-free' basis. This would involve a change of use/conversion of part of the rear of 122-124 High Street and its upper floors from Class E to Class C3. The proposal would also incorporate an additional floor to facilitate a sum total of 6 flats.

A previous application for 9 flats at this address (11894/APP/2024/1734) was refused earlier this

year but not on highway related grounds.

Parking Provision

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

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

The overriding regional parking standard would demand a maximum parking requirement in the order of up to 3-5 on-plot spaces hence this 'car-free' scheme technically falls within but is below this maximum standard.

The regional standard only recommends a car-free option where a site registers a PTAL level of 5 or higher which is not the case for this particular address. However, it is acknowledged that the site envelope is located in relative proximity to Ruislip LU station with access to a plethora of bus routes which indicates a potential anomaly in the PTAL calculation. This would imply a sequentially elevated 'real-world' accessibility level to a rating of 5.

On this premise further supported by the inherent parking restraint afforded by the parking restrictions within the surrounding area which effectively reduces the likelihood of untoward parking displacement onto the highway network, the 'car-free' proposal is, on balance, considered acceptable.

It should be noted that to support the principle of promoting parking restraint and safeguarding the local highway network from notable harm related to any potential undue parking displacement, it would normally be recommended that the site address be made 'Resident Permit Restricted' (RPR) in order to prevent future occupiers from obtaining parking permits. However, in this case, the Highway Authority (HA) must advise that this mechanism cannot be applied to this particular site as there is no existing Controlled Parking Zone (CPZ) incorporating a residents parking scheme encompassing this address. In summary, this voids the necessity to pursue a RPR via formal agreement.

Cycle Parking

In total, 12 communal spaces are proposed located within an enclosed area at ground floor level which is considered an acceptable arrangement in terms of placement & quantum.

Vehicular Trip Generation

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

Given the scale and 'car-free' nature of the proposal, there are no specific concerns raised in regard to any generated vehicular activity which is likely to be imperceptible on the local network.

Operational Refuse Collection/Servicing Arrangements

Residential Component

Accepted 'waste distance' collection standards encourage waste collection distances to be within 10m from the point of collection by refuse vehicle on the public highway. In addition, the maximum carrying distance from each dwelling unit to the point of collection should not exceed 30m. An external waste storage area is depicted to the rear of the build hence would appear to be broad conformity to the latter but not to the former requirement.

To address this non-conformity, refuse is proposed to be moved further south in Princess Lane to an established 'shared' bin store by way of a site management regime on collection days. The principle of the arrangement is considered broadly acceptable. There are no further observations.

Retail Component

The modus operandi for collection would continue unabated with the use of the convenient loading bay placed in proximity of the address on the High Street. This arrangement is established, and the applicant has indicated that servicing activities are to be encouraged to occur off-peak (as specified within the submitted D&S plan) which is considered a pragmatic and acceptable approach. There are no further observations.

Construction Management Plan (CMP)

An outline construction management statement has been submitted which is considered broadly fit for purpose on the basis of continued and close partnership working with LBH, secured by further condition.

Conclusion

The application has been reviewed by the Highway Authority who are satisfied that the proposal would not discernibly exacerbate congestion or parking stress, and would not raise any measurable highway safety concerns, in accordance with Local Plan: Part 2 Development Management Policies (2020) - Policy DMT 1, DMT 2 & DMT 6 and Policy T4, T5 and T6 of the London Plan (2021).

7.4 Carparking & Layout

See above.

7.5 Urban Design, Access and Security Considerations

ACCESS:

The proposal has been reviewed against the requirements of the 2021 London Plan policy D7 should not be applied to the conversion of this existing dwelling constructed prior to the application of accessible housing standards.

SECURITY:

There are concerns regarding the access which through a long, narrow alleyway, which poses a safety risk for future residents due to the potential for anti-social behaviour (ASB) and ad hoc crime. It is also noted that the alleyway is not included within the red line boundary. The main approach and entrance to the development lack clarity and fail to provide a sense of ownership for future residents.

Similarly to the previous application, the staircase to the communal amenity deck on the first floor is very narrow and unrestricted access and the siting of the refuse storage also raised security concerns given the bins are placed along a wall facing a BOH car park, without enclosures, and inviting potential for anti-social behaviour/poor maintenance.

FIRE SAFETY:

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

A fire statement has been provided with a strategy for evacuation. The London Plan is clear that the applicants should demonstrate on a site plan that space have been identified for appropriate appliances. However, Officers consider that this could be addressed through a suitable worded condition.

OPERATIONAL REFUSE COLLECTION / SERVICING ARRANGEMENTS:

Policy DMHB 11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals should make sufficient provision for well-designed internal and external storage space for general, recycling and organic waste, with suitable access for collection.

Residential Component

Accepted 'waste distance' collection standards encourage waste collection distances to be within 10m from the point of collection by refuse vehicle on the public highway. In addition, the maximum carrying distance from each dwelling unit to the point of collection should not exceed 30m.

The previous application was refused due to insufficient supporting information to demonstrate that the proposed development is would offer a convenient location for refuse and recycling facilities, given the pull distance of over 60m which fails to accord with Policy DMHB11 part (d) of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

An external waste storage area is depicted to the rear of the build hence would appear to be broad conformity to the latter but not to the former requirement. To address this non-conformity, refuse is proposed to be moved further south in Princess Lane to an established 'shared' bin store by way of a site management regime on collection days.

Additional information has been submitted in the form of a in the Outline Delivery and Servicing Plan prepared by Pulsar Transport Planning. The applicant has confirmed through a and Registry Map that through ownership of their site, they have right of way over the land North of Iceland along Princess Lane. As such, the refuse collection is acceptable.

Retail Component

The modus operandi for collection would continue unabated with the use of the convenient loading bay placed in proximity of the address on the High Street. This arrangement is established, and the applicant has indicated that servicing activities are to be encouraged to occur off-peak (as specified within the submitted D&S plan) which is considered a pragmatic and acceptable approach.

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT

The site is within a designated town centre, and primary shopping area. It is also a sustainable location with a public transport accessibility level (PTAL) of 4. Whilst there is no objection in principle to the proposed residential development, the ground floor must remain in Use Class E to comply with strategic policies that seek to protect the function of main town centres. The submitted drawings demonstrate that this will be the case. Accordingly, the principle of residential development is acceptable, subject to compliance with wider planning policies.

HOUSING MIX:

The proposed homes are 3 No. x 2B3P Units and 3 No. 2B4P Units. The Council's current information on housing need indicates a borough-wide requirement for larger affordable and private market units, particularly three-bedroom properties. While the proposed housing mix does not include a 3 bed family home, given the town centre location, it is on-balance acceptable. Therefore, it is considered that the proposal would consist of an appropriate housing mix in accordance with Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and

Policy H10 of the London Plan (2021).

DENSITY LEVELS:

Policy D3 of the London Plan (2021) states that all development must make the best use of land by following a design-led approach that optimises the capacity of sites. Policy DMHB 17 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development should take account of the Residential Density Matrix contained in Table 5.2.

Numerical density levels are considered to be more appropriate to larger sites and are not typically used in the assessment of schemes of less than 10 units. The key consideration is therefore whether the development would acceptably integrate with the character and appearance of the locality, and would respect residential amenity considerations. Please refer to the other sections of this report which assesses these planning considerations in further detail.

INTERNAL AMENITY SPACE PROVISION:

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) set outs the same gross internal area space standards set out in the Technical housing standards - nationally described space standard (2015). Policy DMHB 15 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that the Council will require all new development to ensure safe and attractive public and private spaces by referring to the Council's latest guidance on Secured by Design principles.

Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) states that all housing development should have an adequate provision of internal space to provide an appropriate living environment. To achieve this all-residential development or conversions should:

- i) meet or exceed the most up to date internal space standards, as set out in Table 5.1; and
- ii) in the case of major developments, provide at least 10% of new housing to be accessible or easily adaptable for wheelchair users.

Within Table 3.1 of London Plan (2021) Policy D6 requires the following:

- One storey two bed three person person unit should provide a minimum of 61 square metres GIA 2 square metres of storage;
- One storey two bed four person person unit should provide a minimum of 70 square metres GIA 2 square metres of storage;

The above is also supported by Policy DMHB 11 of the Hillingdon Local Plan: Part 2 (2020).

Based on the plans submitted, all six of the proposed flats would meet the minimum square metre requirement set by Table 3.1 of the London Plan (2021).

The proposed double bedrooms would have a width of at least 2.75 metres and would have a floor area in excess of 11.5 square metres, in compliance with parts 2) and 4) of Policy D6 of the London Plan (2021).

The proposed one bedspace single bedrooms would have a floor area of at least 7.5 square metres. and would be at least 2.15m wide in compliance with parts 2) and 4) of Policy D6 of the London Plan (2021).

The overall layout and floor to ceiling height would ensure a suitable standard of accommodation for future occupants.

DAYLIGHT AND SUNLIGHT, PRIVACY AND OUTLOOK:

The kitchen/living rooms and bedrooms would be served by large windows or bifold doors. However, Flat 1 and Flat 4 do not benefit from any outlook given all windows are partial obscured windows (up to 1.7m high from ffl).

The north-facing side elevation windows which serve habitable rooms would have a poor outlook over commercial rooftops characterised by plant and services.

In addition, there are concerns regarding the use of boundary treatment to demarcate private amenity as it encloses the windows/bifold door of Flat 3 due to the proximity to the proposed 1.5m high fence with 300mm of trellis which obscures outlook and gives rise to privacy concerns.

Similarly the amendments to the fence for Flat 2 gives rise to privacy concerns.

As a result, while future occupants would receive an adequate level of daylight and sunlight, there would be a substandard amount of outlook.

Given the above, the proposed development does not comply with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 (2020) and Policy D6 of the London Plan (2021).

PRIVATE AMENITY SPACE:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 (2020) states:

- A) All new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Amenity space should be provided in accordance with the standards set out in Table 5.2.
- B) Balconies should have a depth of not less than 1.5 metres and a width of not less than 2 metres.
- C) Any ground floor and/or basement floor unit that is non-street facing should have a defensible space of not less than 3 metres in depth in front of any window to a bedroom or habitable room. However, for new developments in Conservation Areas, Areas of Special Local Character or for developments, which include Listed Buildings, the provision of private open space will be required to enhance the streetscene and the character of the buildings on the site.
- D) The design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.

Table 5.2 states that 2 bedroom flats should provide a minimum of 25 square metres of amenity space, respectively.

Two of the proposed flats, Flats 2 and 3, would have private patios measuring approximately 25 and 11 square metres, respectively. The latter is below the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020). Seven of the flats would not benefit from private amenity space.

Based on a proposal for 6 x 2 bed units, the proposal should provide a minimum of 150 square metres of private usable and well designed amenity space.

The proposal provides a communal roof terrace above the commercial space which equates to 160 square metres. There are concerns regarding the proposed private amenity space as it is

substandard quality and given it is overlooked by dwellings and the side elevations windows to No.120 (correction from previous report) which cannot be mitigated without harm to the neighbouring building.

While the proposed communal amenity area includes some greening and seating, its design falls short of high quality. The use of artificial grass and the lack of visual and sensory variety within the incorporated landscaping makes it a less compelling and inviting space. The amenity space is overly dominated by seating, resulting in a lack of balance and variety. Incorporating a more diverse range of landscaping features, spatial configurations, and opportunities for different activities would have created a higher-quality, more meaningful amenity area that better serves the needs of the development's residents. Currently as it stands, the quality of that space and its meaningfulness are suboptimal.

On balance, it is considered that the quantity and quality of external amenity space being provided would not be sufficient to serve the sizes and number of proposed dwellings at the site. Given the harm identified it is not considered that further details could be secured by condition as it is fundamental to the proposal. The proposal therefore fails to comply with Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130(f) of the NPPF (2024).

SUSTAINABILITY:

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

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

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

Subject to the above conditions, the proposal would be compliant with Policy SI 2 of the London Plan (2021) and Policy DMEI 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

FLOOD RISK:

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

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

Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020)

states that development within areas identified at risk from surface water flooding which fail to make adequate provision for the control and reduction of surface water runoff rates will be refused.

The site is in a Critical Drainage Area. The proposal involves the conversion of the upper floors of an existing building to residential, and roof top extensions that do not increase site coverage. Therefore, there are no additional drainage or flooding concerns, beyond that which can be dealt with through the Building Regulations process. Therefore, the proposed development is not expected to increase flood risk on-site or elsewhere, in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and Policies SI 12 and SI 13 of the London Plan (2021).

NOISE:

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

Whilst there would be some potential for increased levels of on-site activity to generate noise and disturbance, however, the proposed provision of the flats at the site is not considered to lead to such a significant change in the local noise environment.

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

Notwithstanding the above, a condition could have been secured requiring the compliance with a Construction Management Plan, in the event of an approval. This condition is necessary to ensure that noise and pollution are minimised as far as practicable during the construction phase.

AIR QUALITY:

Policy SI 1 of the London Plan (2021)

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

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

The proposed development is located outside the LBH Air Quality Management Area, and within the Ruislip Town Centre Focus Area. As per the London Plan, developments need to be neutral as minimum and LBH requires development proposals located in Focus Areas (or that impact on Focus Areas) to be air quality positive and in accordance with measure 5 of the LBH Air Quality Local Action Plan 2019-2024, mitigate total emissions in these sensitive areas.

LBH requires developments to incorporate air quality positive design measures from the outset and suitable mitigation measures to reduce pollution, especially with impacts in areas where the air quality is already poor (LBH Air Quality Local Action Plan 2019-2024), namely Focus Areas. Furthermore, policy DMEI 14 of the emerging London Borough of Hillingdon Local Plan (part 2), requires active contribution towards the continued improvement of air quality.

According to LBH Local Action Plan, proposed development within Focus Areas (or with impacts on FAs) require more stringent air quality neutral procedures and needs to be Air Quality positive, with a total emission mitigation approach.

The proposed development is within a LBH Focus Area and therefore further appropriate mitigation is required.

In the event of an approval, damage cost and mitigation measures would be secured by condition and S106 for Hillingdon to deliver its air quality local action plan and/or implement specific measures on/along the road network affected by the proposal that reduce vehicle emissions and or reduce human exposure to pollution levels.

COMMUNITY INFRASTRUCTURE LEVY:

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

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

BIODIVERSITY NET GAIN:

Biodiversity net gain is a way of creating and improving biodiversity by requiring development to have a positive impact ('net gain') on biodiversity.

In England, biodiversity net gain is required under a statutory framework introduced by Schedule 7A of the Town and Country Planning Act 1990 (inserted by the Environment Act 2021). This statutory framework is referred to as 'biodiversity net gain' in Planning Practice Guidance to distinguish it from other or more general biodiversity gains.

Under the statutory framework for biodiversity net gain, subject to some exceptions, every grant of planning permission is deemed to have been granted subject to the condition that the biodiversity gain objective is met ("the biodiversity gain condition"). This objective is for development to deliver at least a 10% increase in biodiversity value relative to the pre-development biodiversity value of the onsite habitat.

There are exemptions and the BNG planning condition does not apply to planning permission for development that is below a de minimis threshold, i.e.:

- does not impact an onsite priority habitat; and
- the development impacts less than 25sqm of onsite habitat that has biodiversity value greater than zero; and
- the development impacts less than 5m in length of onsite linear habitat

One exemption is Development below a de minimis threshold. This exemption applies to development that does not impact a priority habitat and impacts less than 25 square metres (e.g.

5m x 5m) of non-priority onsite habitat (such as modified grassland) or 5m for non-priority onsite linear habitats (such as native hedgerows).

The development would comprise internal alterations to the existing building and minimal external alterations. The floorspace of the secure lobby would be de minimis. Therefore the development would not exceed the de minimis threshold and is considered to be BNG exempt.

In this instance, having regard to the above criteria, therefore the proposal is considered to be BNG exempt and a biodiversity gain plan is not required.

PLANNING BALANCE:

The proposal would contribute to the Council's delivery of housing and provide some economic benefits during the construction stages. However, the scheme is only for 6 two bedroom private market flats, which would cause harm to the residential amenities of neighbouring occupiers and provide substandard internal and external amenity.

Whilst noting that some weight should be given to the delivery of housing, the Council is currently able to demonstrate a five-year supply of deliverable housing sites. The weight to be attached to housing delivery is substantially diminished by the adverse impacts of the scheme as set out above. Limited weight should be given to the proposals social and economic contribution. Overall, the public benefits would fall short of outweighing the substandard accommodation and harm.

CONCLUSION

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

8. Reference Documents

National Planning Policy Framework (2024)

The London Plan (March 2021)

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

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

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

Technical Housing Standards - Nationally Described Space Standard (March 2015)

Circular 06/05: Biodiversity and Geological Conservation - Statutory Obligations and Their Impact Within The Planning System

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