Supporting Planning Statement

Land at No. 69 High Street, Ruislip, HA4 8JB

Front and rear vertical extensions to provide an additional 3 no. residential units (Resubmission of Application Ref: 1983/APP/2020/2657)

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globe Consultants
Planning & Development

Document Title:	Land at No. 69 High Street, Ruislip, HA4 8JB Front and rear vertical extensions to provide an additional 3 no. residential units (Resubmission of Application Ref: 1983/APP/2020/2657) **Supporting Planning Statement**		
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1. Introduction

This Supporting Planning Statement ('SPS') has been prepared by **Globe Consultants Limited** on behalf of **Blubuild.com Ltd** ('the Applicant') in support of an application being made to the London Borough of Hillingdon Council ('the Council') seeking full planning permission for front and rear vertical extensions to an existing property to provide an additional 3 no. residential units ('the Application'). The Application relates to land at No. 69 High Street, Ruislip HA4 8JB ('the Site').

The Application is made following the refusal of a previous scheme - Application Ref: 1983/APP/2020/2657 – which sought planning permission for a development described as:

> *"Extension at the front of the property above the shopfront to provide 1 self contained flat above (use class C3) at second floor level, and erection of a new three storey building at the rear of the property to provide 2 x self contained flats (use class C3) above an open loading bay and associated bin and cycle store".*

Application Ref: 1983/APP/2020/2657 ('the 2020 Application') was refused planning permission by the Council on 6 November 2020 with the following four reasons for refusal ('RFR') cited by the Council:

> *1. The proposed development to the rear of the site, by reason of its siting, size, scale, bulk and design, would result in an incongruous and visually intrusive form of development, which would fail to harmonise with the architectural composition of the original property, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Ruislip Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.*
>
> *2. The proposed front extension, by reason of its design and use of materials, would result in an incongruous and visually intrusive form of development, which would fail to harmonise with the architectural composition of the original property, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Ruislip Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.*
>
> *3. The proposal would provide inadequate outlook for the central bedrooms in the rear three storey element of the proposal and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to, Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and Policy 3.5 of the London Plan (2016).*
>
> *4. The development, by virtue of its rear facing windows of both the front and rear elevations of the proposed units having less than the minimum 21 metres separation distance between windows of habitable rooms, would be detrimental to the amenities of any future occupiers by reason of loss of privacy. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).*

Whilst the Applicant was understandably disappointed with the Council's decision to refuse the 2020 Application, the Applicant and the design team have reviewed the RFRs and revised the scheme accordingly. It is considered that the design amendments which have been incorporated within the scheme which is the subject of the Application have delivered obvious and tangible improvements as well as directly addressing the RFRs. Therefore, the Applicant considers the scheme should be considered acceptable by the decision maker when having regard to Section 38(6) of the Planning and Compulsory Purchase Act (2004) and an overall assessment of the planning balance.

Details of the amendments from the 2020 Application are discussed in length throughout this SPS, however, the following provides a summary of the revisions to the scheme following the recent refusal of planning permission:

- Careful consideration given to the inter-relationships between the residential units which enjoy an outlook into the private inner courtyard. The siting of windows and viewing angle from each of these windows has been re-appraised in order to ensure that residential amenity is not compromised and that the inner courtyard does not suffer from actual and perceived overlooking. The skilful introduction of subtly angled windows ensures that no direct sight lines are provided into the proposed flats from windows opposite and, therefore, no loss of privacy results – in such circumstances the Application does not breach Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).
- Reappraisal of the external appearance and window arrangement of the rear of the three-storey element. The rear elevation will be stepped in plan, with a central bay and recessed sides which helps break up the overall form and add interest to the elevation through further variations in materials. The louvred solution proposed as part of the 2020 Application has been removed from the proposals with side windows to the central bay providing the opportunity for an improved outlook from Bedroom 1 of Flat No. 3 and Flat No. 4.

Alongside the above, further information and justification of the wider design approach and its effect on the wider townscape (including the character or appearance of the surrounding Ruislip Village Conservation Area) are included within the comprehensive Design Statement prepared by **Marcus Beale Architects Ltd**. The reader is respectfully urged to read this SPS alongside the Design Statement as these two reports are complementary to each other.

In summary, the Application incorporates the following main elements:

- No alterations to the ground floor retail unit, including its back of house space;
- Retention of first floor flat above the retail unit (Flat No.1);
- One storey vertical extension to the High Street elevation to provide 1 no. 2-bed 3-person apartment (Flat No. 2);
- Erection of ground floor rear extension and two-storey extension (three-storey total) to provide additional residential accommodation in the form of 1 no. 2-bed 3-person apartment (Flat No. 3) and 1 no. 2-bed 4-person apartment (Flat No. 2);
- Private and shared external amenity space provided within an internal courtyard.

In total the proposed development would deliver **3 no. additional residential units** within a location which is highly sustainable and afforded a Public Transport Accessibility Level (PTAL[1]) rating of 4.

[1] A measure of the relative accessibility of buildings and uses by public transport. The higher the PTAL score, the better the accessibility. Each area is graded between 0 and 6b, where a score of 0 is very poor access to public transport, and 6b is excellent access to public transport.

The reader is urged to read this SPS alongside the range of documents, as shown below, which further support the Application.

Document	Author
Plans, Drawings and Visuals	Marcus Beale Architects Ltd
Design Statement (746/MB 16 January 2021)	Marcus Beale Architects Ltd

Table 1: List of Supporting Documents

The purpose of this document is to provide an overview of the development proposals as well as describing the overarching design principles and objectives that have informed the scheme which is the subject of this Application. This SPS considers the current planning policy influences as set out in the Revised National Planning Policy Framework (2019); the London Borough of Hillingdon Local Plan Part 1 ('HLPP1') (adopted 2012); the London Borough of Hillingdon Local Plan Part 2 ('HLPP2') (adopted 2020); and, the London Plan (2016).

In accordance with Paragraph 189 of the Revised National Planning Policy Framework, this SPS provides an assessment of the impact of the proposed development on surrounding heritage assets as well as detailing how the design has responded to the historic environment – it should, therefore, also be read as a **Heritage Statement**.

2. The Site and Immediate Context

No. 69 High Street currently consists of a two-storey building fronting directly onto the eastern side of High Street which forms the main spine and hub of commercial activity within the designated District Town Centre of Ruislip. The Site occupies an area comprising approximately 400 square metres (0.04 hectares).

The frontage element of the building consists of a ground floor retail unit which is currently occupied by *Vodafone*. Above this the space is a 2-bed flat (referred to as 'Flat No. 1'). The building itself is dominated by a glazed ground floor retail unit which presents high levels of animation and activity to the High Street. The shopfront itself is of modern design and exhibits the distinctive branding and strong colour scheme of the current occupier. At first floor level the building exhibits a more traditional appearance with the façade constructed in a local brown/red stock of facing brickwork. A sense of symmetry prevails with the fenestration displaying a strong vertical emphasis, surrounded by decorative detailing including brick headers. The central window is a strong feature and includes additional decorative detailing which utilises stonework to add further interest to the principal elevation. A steeply pitched roof sits behind a parapet.

Beyond the High Street element, the building assumes a more functional role with various back of house activities – including storage, kitchen and toilet facilities, and meeting space – found within a not insignificant single storey rear extension which extends approximately a further 20 metres into the Site. A hardsurfaced driveway provides vehicular and pedestrian access to Midcroft and, after a left turn, the High Street itself.

Immediately to the east of the Site boundary, the inherent character reverts to a predominately residential use with residential properties located off both Midcroft and South Drive backing onto the Site. These properties are afforded generous rear amenity space, and an established boundary treatment along the Site's eastern boundary provides a high level of natural screening.

The Site is within a location which is highly sustainable and afforded a Public Transport Accessibility Level (PTAL) rating of 4. Ruislip Underground Station, which is served by both the Metropolitan and Piccadilly line, is located 380 metres south-east of the Site. Furthermore, a bus stop is located immediately opposite the Site on High Street (Midcroft, Stop F) which is served by the number 331, E7, H13, U1, and U10 services. Ruislip Bus Station, which forms part of a wider transport hub with the adjacent railway station, is also located within convenient walking distance of the Site and offers further connections through the number 114, 331, 398, E7, U1, 696, H13 and U10 services.

No. 69 High Street is not included on the National Heritage List for England (NHLE) which represents the only official, up to date, register of all nationally protected historic buildings and sites in England - listed buildings, scheduled monuments, protected wrecks, registered parks and gardens, and battlefields. However, the Site itself falls within a wider area forming part of the Ruislip Village Conservation Area afforded designation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Plans, photographs of the Site, and its immediate context are provided below.

Figure 1: Site Location Plan (Reproduced from Drawing Reference 746 / 001 A prepared by Marcus Beale Architects Ltd (NTS))

Figure 2: High Street elevation ('Vodafone' fascia) looking north (Image Source: Design Statement (746/MB 16 January 2021) - Marcus Beale Architects Ltd).

Figure 3: High Street elevation ('Vodafone' fascia) looking west (Image Source: Design Statement (746/MB 16 January 2021) - Marcus Beale Architects Ltd).

Figure 4: Birdseye view of the Site and its surrounding context

Figure 5: Birdseye view of the rear of the Site and its surrounding context

3. The Proposed Development

3.1. Summary

The Application compromises the following key elements:

- No alterations to the ground floor retail unit, including its back of house space;
- Retention of first floor flat above the retail unit (Flat No.1);
- One storey vertical extension to the High Street elevation to provide 1 no. 2-bed 3-person apartment (Flat No. 2);
- Erection of ground floor rear extension and two-storey extension (three-storey total) to provide additional residential accommodation in the form of 1 no. 2-bed 3-person apartment (Flat No. 3) and 1 no. 2-bed 4-person apartment (Flat No. 2);
- Private and shared external amenity space provided within an internal courtyard.

In total the proposed development would deliver **3 no. additional residential units** within a location which is highly sustainable and afforded a Public Transport Accessibility Level (PTAL[2]) rating of 4.

The Application is described formally as:

> *"Extension at the front of the property above the shopfront to provide 1 self contained flat above (use class C3) at second floor level, and erection of a new three storey building at the rear of the property to provide 2 x self contained flats (use class C3) above an open loading bay and associated bin and cycle store – Resubmission of Application Ref: 1983/APP/2020/2657".*

[2] A measure of the relative accessibility of buildings and uses by public transport. The higher the PTAL score, the better the accessibility. Each area is graded between 0 and 6b, where a score of 0 is very poor access to public transport, and 6b is excellent access to public transport.

3.2. Supporting Plans and Drawings

The reader is respectfully urged to consult the plans and drawings submitted in support of the Application when reviewing this SPS. The following drawings, prepared by Marcus Beale Architects Ltd, have been submitted as part of the Application.

Drawing Number	Drawing Title	Drawing Scale
746 / 001 A	Location Plan	1:1250 @ A3
746 / 002 E	Site Plan	1:500 @A3
746 / 003 F	Ground and First Floor Plans	1:200 @A3
746 / 004 F	Second Floor and Roof Plans	1:200 @ A3
746 / 005 F	Section AA	1:200 @ A3
746 / 006 B	High Street Elevation	1:250 & 1:200 @ A3
746 / 007 F	Internal Elevations	1:200 @ A3
746 / 008 F	Side Elevations	1:200 @ A3
746 / 009 D	East Elevation	1:200 @ A3
746/ 0010 A	Ground and First Floor Plans (Existing)	1:200 @ A3
746/ 0011 A	Second Floor Plan and Section AA (Existing)	1:200 @ A3

Table 2: List of Drawings

3.3. Schedule of Accommodation

In total the proposed development would deliver 3 no. additional residential units in accordance with the following schedule of accommodation. **Flat No. 1 is the existing unit**.

Unit	Description	Floor	Element	Size (GIA) (square metres)
*Flat No. 1 **(Existing)***	*2-bed 3-person*	*First*	*High Street*	*65*
Flat No. 2	2-bed 3-person	Second	High Street	69
Flat No. 3	2-bed 3-person	First	Rear	68
Flat No. 4	2-bed 4-person	Second	Rear	73

Table 3: Schedule of Accommodation

3.4. Key Development Principles

The development proposals which form part of the Application have been informed by an appraisal of the constraints and opportunities afforded to the Site and its immediate context. In turn, this has led to a number of key development principles being derived which underpin the scheme presented as part of this Application. These principles are:

- Recognise the varied building heights along High Street with the lack of uniformity adding interest – No. 69 High Street currently sits relatively low in the streetscene and below the height of a number of buildings within the immediate vicinity;
- Replicate the strong sense of symmetry present in the High Street elevation with careful consideration given to window positioning, width and alignment;
- Strong vertical emphasis present in first floor windows to be replicated;

- Decorative detailing to be incorporated within the new design and reference made to those features on the first floor such as red brick flat arches;
- Upwards extension to match closely the language of the existing elevation without upstaging it;
- Sympathetic use of materials to ensure seamless transition and integration with the original host building;
- Careful consideration given to the inter-relationships between the residential units which enjoy an outlook into the private inner courtyard. The siting of windows and viewing angle from each of these windows should ensure that residential amenity is not compromised and that the inner courtyard does not suffer from actual and perceived overlooking.
- Massing of rear element kept lower than the frontage building in order to avoid it becoming the dominant part of the building;
- Careful consideration given to residential amenity, with massing and siting informed by the immediate context and relationship with properties on Midcroft and South Drive;
- Clever use of a stepped plan form to break up the rear façade into small vertical units in order to reduce the perceptions of mass; and,
- Outlook from the rear extension controlled through the introduction of obscure glazing with the provision of side bay windows providing less obtrusive long views and away from adjacent and sensitive rear private amenity space.

3.5. Design Rationale and Townscape Considerations

The scheme which is the subject of this Application has evolved following a careful consideration of the surrounding townscape influences. There has also been recognition of the fact that the Site is underutilised and, given its high PTAL rating, there is considered to be an opportunity to make more efficient use of the land in order to make a contribution towards the Borough's housing needs. This is particularly pertinent given the anticipated publication of the Publication London Plan in Spring 2021 and the significant increase in housing required to meet the forecast need of an additional 66,000 new homes per year. The Mayoral requirement for Hillingdon itself, as expressed in the Publication London Plan, also represents a significant increase in housing targets with a 10-year housing target of 10,830 set, annualised as 1,083 dwellings per year[3]. Alongside this, both the Revised National Planning Policy Framework[4] and the Publication London Plan[5] both highlight that Small Sites[6] make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

The Site, in its current form, makes inefficient use of land by delivering just a single retail unit (including associated back of use facilities) and 1 no. 2-bed flat (Flat No. 1). The main part of the building which fronts the High Street generally sits lower than others within this part of the High Street, which typically provide three to four storeys of accommodation. This is illustrated in the photograph below which highlights the transition and step up in massing moving south from the Site (Figure 6).

[3] Report of the Examination in Public of the London Plan 2019, 8 October 2019.
[4] Paragraph 68.
[5] Policy H1: Increasing housing supply, Part (B)(2)(e) and Policy H2: Small sites.
[6] Defined in Publication London Plan Policy H2 (A) as sites below 0.25 hectares in size.

Figure 6: Massing transition

Furthermore, another noticeable feature of this part of the High Street is the use of roofspace to provide valuable additional accommodation. This is achieved in a variety of ways including the use of dormer windows and/or Mansard roofs alongside second storeys which display noticeably less ornamentation. Examples of this variation in scale and massing are provided within the photographs which follow (Figure 7 - Figure 12). These photographs also illustrate the variety of styles exhibited in the building facades with modern interventions transitioning to 1930s styles influenced by the art deco movement which help give much of the High Street and the wider Ruislip Village Conservation Area much of its charm and intrigue.

Figure 7: No. 73 High Street, Ruislip

Figure 8: Nos. 146-150 High Street, Ruislip

Figure 9: No. 127 High Street, Ruislip

Figure 10: No. 61 High Street, Ruislip

Figure 11: No. 74 High Street

Figure 12: Nos. 43-45 High Street

Having regard to the examples above, the design solution proposed for the part of the building fronting the High Street is for a single-storey vertical extension which would provide an additional 1 no. flat (comprising 1 no. 2-bed flat (Flat No.2)). The design proposals seek to replicate the strong sense of symmetry present in the High Street elevation, with careful consideration given to window positioning and alignment. It is recognised that any extension should seek to maintain the integrity of this principal elevation and that the fenestration is particularly important. Accordingly, the strong vertical emphasis present in first floor windows is to be replicated. The extension acknowledges the decorative detailing at first floor level and incorporates features such as the red brick flat arches. Moreover, it is considered that the vertical extension should be subservient and not detract from the dominance of the first-floor fenestration including the feature central window arrangement – it is considered that the proposals successfully achieve this. Materials will be sensitively sourced to ensure seamless transition and integration with the original host building. Figures 13-15 which have been produced by Marcus Beale Architects Ltd illustrate particularly the well the successful integration of the proposals into the wider townscape.

Figure 13: Proposed front elevation - reproduced on an NTS basis from Drawing Reference 746/006B

Figure 14: View of the proposals in context - reproduced from the Design Statement prepared by Marcus Beale Architects Ltd

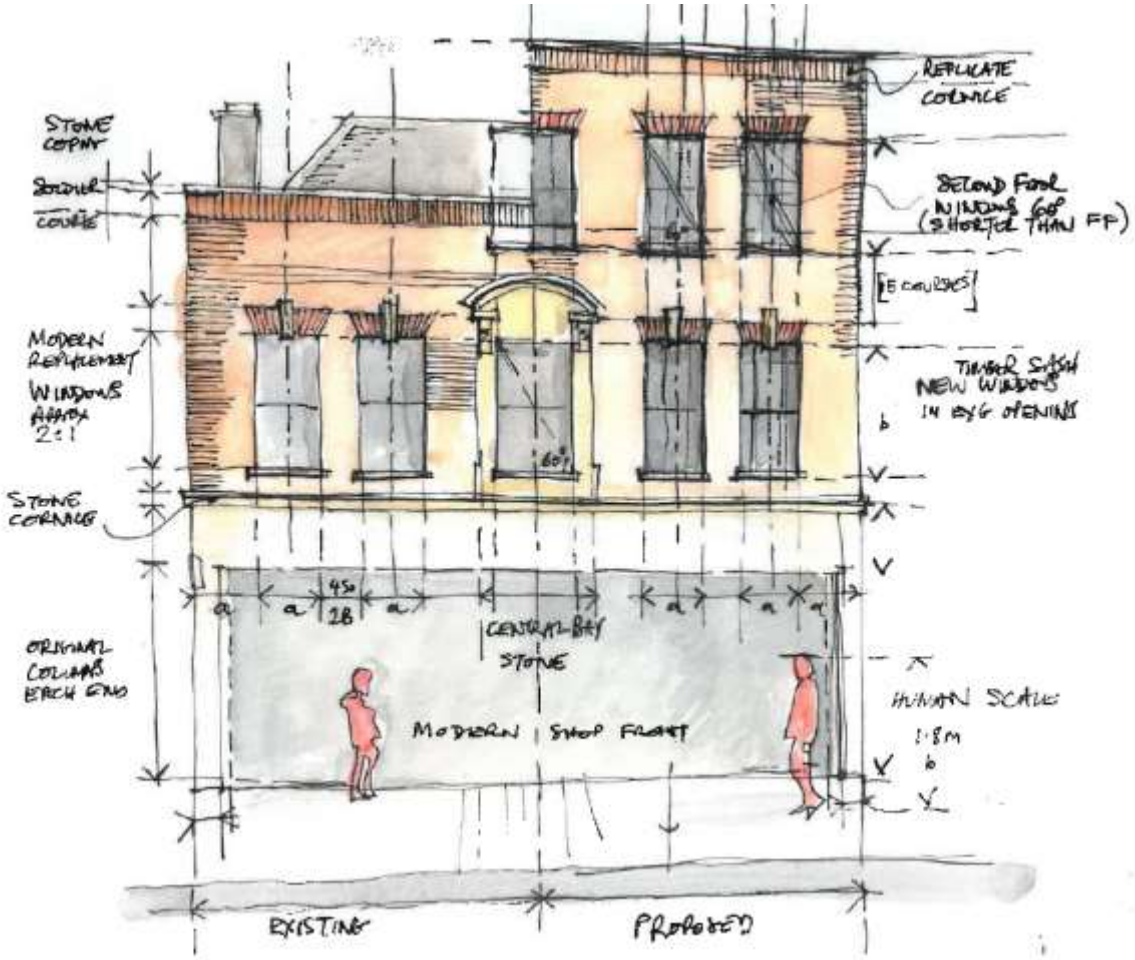

Figure 15: Comparative sketch showing the existing and proposed High Street elevation – reproduced from the Design Statement prepared by Marcus Beale Architects Ltd

As detailed in Figures 14 and 15, it is proposed to extend upwards in brickwork to match closely the language of the existing elevation, without upstaging it – a key underpinning design principle. The upper storey will have five windows matching the width of the existing openings at first floor level, but with less ornamentation and more typical of an attic storey. This approach is set out in further detail in the Design Statement prepared by Marcus Beale Architects Ltd which states that:

> *"…The red brick flat arches will be replicated in the new windows. The existing parapet - a stone cornice above a soldier course will be carefully removed and the detail replicated at a higher level. In this way the extension will be visually unobtrusive, subordinate, blend in with surroundings, and maintain the significance of the architectural features of the original building. The extended building will be taller than its immediate neighbours, but lower than the parade from no. 75 southwards. Many of the buildings in the area are three storeys high".*
>
> Design Statement (746/MB 16 January 2021), Marcus Beale Architects Ltd (Paragraphs 32-34)

The rear of the Site is an area of considerable potential and the scheme proposes the erection of a ground floor rear extension and two storey extension (three storey total) to provide additional residential accommodation (2 no. 2 bed flats) (Flat Nos. 3 & 4).

Within the vicinity there are a number of important references which illustrate how the area to the rear of the High Street has, to date, provided opportunities for small-scale residential development as demonstrated in the photographs which follow (Figure 16 - Figure 20):

Figure 16: Rear of Nos. 53-61 High Street, Ruislip

Figure 17: Construction work underway to the rear of No. 49 High Street, Ruislip

Figure 18: Rear of Nos. 130-138 High Street, Ruislip (1)

Figure 19: Rear of Nos. 130-138 High Street, Ruislip (2)

Figure 20: Rear of No. 157 High Street, Ruislip

Whilst acknowledging that each application should be considered on its own merits, the photographs above highlight how residential development has been successfully integrated behind the High Street

frontage. Such an approach is consistent with the Mayor's drive to increase the rate of housing delivery from small housing sites as expressed in the Publication London Plan[7].

A ground floor rear extension provides access to each of the proposed residential flats, whilst also providing secure bicycle and bin storage and enabling access and a service area for the existing retail unit which fronts the High Street – as shown below.

Figure 21: Proposed ground floor rear element of the rear extension produced on an NTS basis from Drawing Reference 746 / 003 F.

At the first-floor level, the rear of the extended front elevation, the flat roof of the retail unit will be used to access the residential accommodation above (Flat No. 2) and also as outdoor amenity space for the flats. Private amenity space will be provided for the first-floor flats (Flat Nos. 1 and 3), with communal space in the central area for those on the second floor (Flat Nos. 2 and 4). A timber screen will be provided along the sides of the podium to give privacy and create a pleasant courtyard environment (please refer to the precedent images provided at Figure 23).

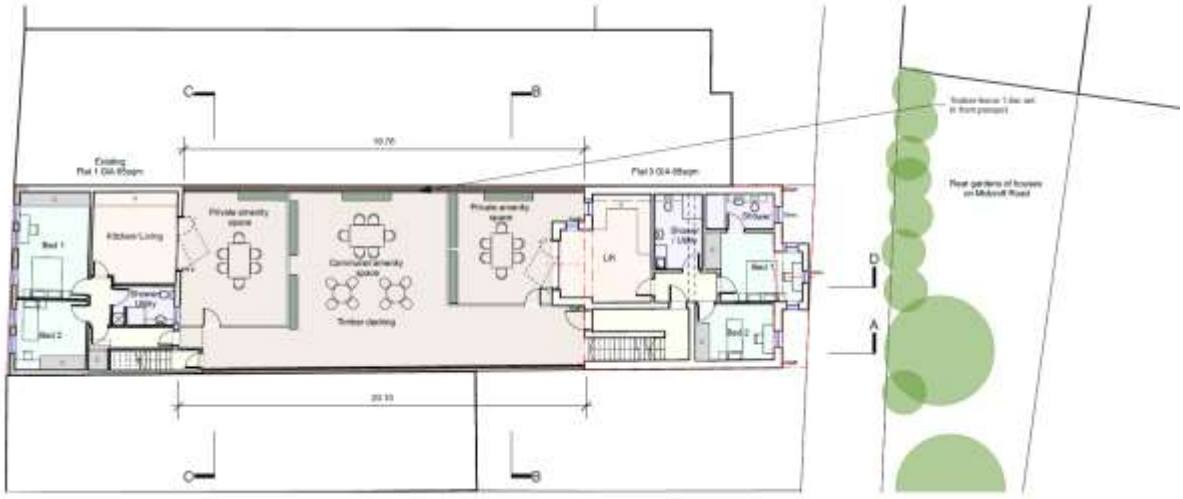

Figure 22: Proposed first floor element of the rear extension reproduced on an NTS basis from Drawing Reference 746 / 003 F.

[7] See Policy H1: Increasing housing supply, Part (B)(2)(e) and Policy H2: Small sites in particular.

Figure 23: Precedent images of the proposed internal courtyard

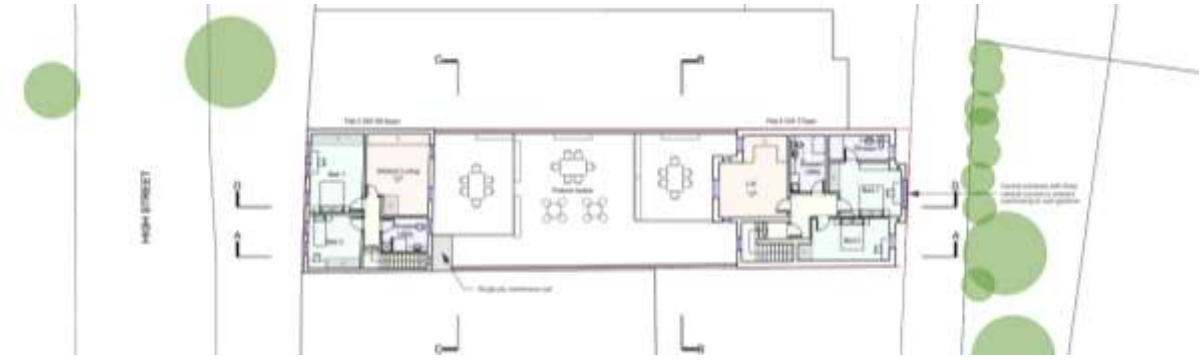

Figure 24: Proposed second floor element of the front & rear extensions reproduced on an NTS basis from Drawing Reference 746 / 004 F.

Figure 25: Cross-section of the proposed development reproduced on an NTS basis from Drawing Reference 746 / 005 F.

The proposed rear extension has been designed to be low-key and simple in its external appearance with repetition and uniformity a key part of the design philosophy. Such an approach also allows appropriate internal stacking to take place to ensure that a good level of internal residential amenity can be provided – for example, bedrooms are located above bedrooms and the primary open plan living areas above each other. The rear building will be stepped in plan, with the sides set back from the site boundary to break up the rear facade into smaller vertical units, and to give depth and shadow to the elevation.

Figure 26: Proposed rear elevation - reproduced on an NTS basis from Drawing Reference 746/007C

In formulating these development proposals, careful consideration has been given to residential amenity, with massing and siting informed by the sensitive immediate context and relationship with properties on Midcroft and South Drive. The rear elevation will be stepped in plan, with a central bay and recessed sides which helps break up the overall from and add interest to the elevation through further variations in materials. The louvred solution proposed as part of the 2020 Application has been removed from the proposals with side windows to the central bay providing the opportunity for an improved outlook from Bedroom 1 of Flat No. 3 and Flat No. 4.

3.6. Design Conclusions

In summary, the proposals are considered to be an appropriate response to the constraints and opportunities afforded to the Site and provide an opportunity to deliver much needed additional housing within a highly sustainable location. Careful consideration has been given to the wider townscape and the character of the Ruislip Village Conservation Area, and it is considered that the proposals successfully preserve this character by virtue of the sensitively designed vertical extension which fronts directly to the High Street. To the rear, the townscape is less sensitive and it is not considered that the current arrangement makes a positive contribution to the special character of the Conservation Area. The extension to the rear recognises its context and takes on a simpler expression which is held together through uniformity and repetition. Residential amenity has been considered carefully and the proposals are believed to deliver a set of relationships which are considered to be satisfactory within an urban context.

4. Planning Policy Considerations

4.1. Overview and Legislative Context

It is a legal requirement that decisions on planning applications must follow the policies set out in the statutory development plan, unless other material considerations indicate that a different decision should be made. That principle was set out in Section 70 (2) of the Town & Country Planning Act 1990 and subsequently taken forward through Section 38 (6) of the Planning and Compulsory Purchase Act 2004 (which amends and supplements the 1990 Act).

The London Borough of Hillingdon **Local Plan: Part 1: Strategic Policies** ('HLPP1') was adopted in November 2012 and is the key strategic planning document for Hillingdon. It sets out a long-term spatial vision and objectives for the Borough, what is planned to happen, as well as where and how it will be achieved.

The London Borough of Hillingdon **Local Plan: Part 2** ('HLPP2') comprises Development Management Policies, Site Allocations and Designations and Polices Map. HLPP2 was adopted in January 2020 and, combined with the strategic policies set out in the HLPP1, forms a comprehensive development strategy for the Borough up to 2026.

The London Plan is the statutory Spatial Development Strategy for Greater London prepared by the Mayor of London ('the Mayor') in accordance with the Greater London Authority Act 1999 (as amended) ('the GLA Act') and associated regulations. The legislation requires the London Plan to include the Mayor's general policies in respect of the development and use of land in Greater London and statements dealing with general spatial development aspects of his other strategies. The Mayor is required to have regard to the need to ensure that the London Plan is consistent with national policies. The current adopted London Plan (2016) (The London Plan consolidated with alterations since 2011) comprises part of the statutory development plan for Greater London.

The Mayor has formally approved a new London Plan, the '**Publication London Plan**' which has been prepared to address the Secretary of State's directions of the 13 March 2020 and 10 December 2020. On 29 January 2021, the Secretary of State wrote to the Mayor confirming that he is content for the Mayor's new London Plan to be formally published, with no further changes. The Mayor will now progress to formally publish the new London Plan. This will take a few weeks, in order to allow for statutory notifications to be issued alongside other administrative tasks with the new London Plan expected to be formally published in Spring 2021. Given the advanced nature of the Publication London Plan it is considered that this document can be afforded a significant degree of weight, in accordance with Paragraph 48 of the Revised National Planning Policy Framework, when considering the planning balance.

The Ministry of Housing, Communities and Local Government published the **Revised National Planning Policy Framework** on 24 July 2018 ('the Revised Framework'). This is the first revision of the National Planning Policy Framework ('the 2012 Framework'). It implements around 85 reforms announced previously through the White Paper *Fixing our broken housing market* ('the Housing White Paper'), the Planning for the Right Homes in the Right Places consultation. and the draft revised National Planning Policy Framework consultation. A further iteration of the Revised Framework was published on 19 February 2019 which includes revisions to Paragraph 73 and the definition of "deliverability" and a number of other minor clarifications.

The Revised Framework sets out the Government's planning policies for England and how these should be applied. The Revised Framework, alongside the **National Planning Practice Guidance** (PPG)

web-based resource and relevant **Written Ministerial Statements**, is a significant material consideration in planning decisions. The Revised Framework stresses the importance of having a planning system that is genuinely plan-led (Paragraph 15). Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at Paragraph 11(c) of the Revised Framework. Where the development plan is absent, silent or the relevant policies are out of date, Paragraph 11(d) directs that planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (when assessed against the policies in the Revised Framework taken as a whole).

4.2. Key Policies

4.2.1. London Borough of Hillingdon Local Plan: Part 1 – Strategic Policies (Adopted November 2012)

- Policy NPPF1: National Planning Policy Framework - Presumption in Favour of Sustainable Development
- Policy E5: Town and Local Centres
- Policy H1: Housing Growth
- Policy H2: Affordable Housing
- Policy HE1: Heritage
- Policy BE1: Built Environment
- Policy EM1: Climate Change Adaptation and Mitigation
- Policy EM8: Land, Water, Air and Noise
- Policy T1: Accessible Local Destinations

4.2.2. London Borough of Hillingdon Local Plan: Part 2 – Development Management Policies (Adopted January 2020)

- Policy DMTC1: Town Centre Development
- Policy DMTC2: Primary and Secondary Shopping Areas
- Policy DMH2: Housing Mix
- Policy DMH7: Provision of Affordable Housing
- Policy DMHB1: Heritage Assets
- Policy DMHB2: Listed Buildings
- Policy DMHB3: Locally Listed Buildings
- Policy DMHB4: Conservation Areas
- Policy DMHB11: Design of New Development
- Policy DMHB15: Planning for Safer Places
- Policy DMHB16: Housing Standards
- Policy DMHB17: Residential Density

- Policy DMHB18: Private Outdoor Amenity Space
- Policy DMCI4: Open Spaces in New Development
- Policy DMCI5: Children's Play Areas
- Policy DMCI7: Planning Obligations and Community Infrastructure Levy
- Policy DMT1: Managing Transport Impacts
- Policy DMT2: Highways Impacts
- Policy DMT3: Road Safeguarding
- Policy DMT4: Public Transport
- Policy DMT5: Pedestrians and Cyclists
- Policy DMT6: Vehicle Parking
- Appendix C: Parking Standards

4.2.3. The London Plan (2016)

- Policy 2.15: Town Centres
- Policy 3.3: Increasing housing supply
- Policy 3.4: Optimising housing potential
- Policy 3.5: Quality and design of housing developments
- Policy 3.8: Housing Choice
- Policy 3.9: Mixed and balanced communities
- Policy 3.11: Affordable housing thresholds
- Policy 7.4: Local Character
- Policy 7.8: Heritage assets and archaeology
- Policy 8.2: Planning Obligations

4.2.4. The Publication London Plan (2020)

- Policy GG1: Building strong and inclusive communities
- Policy GG2: Making the best use of land
- Policy GG3: Creating a healthy city
- Policy GG4: Delivering the homes Londoners need
- Policy SD6: Town centres and high streets
- Policy D1: London's form, character and capacity for growth
- Policy D3: Optimising site capacity through the design-led approach
- Policy D4: Delivering good design
- Policy D5: Inclusive design
- Policy D6: Housing quality and standards

- Policy D7: Accessible housing
- Policy H1: Increasing housing supply
- Policy H2: Small sites
- Policy H2A: Small housing developments
- Policy H10: Housing size mix
- Policy T6: Car parking
- Policy T6:1 Residential parking

4.2.5. Revised National Planning Policy Framework (2019)

- Chapter 2: Achieving sustainable development
- Chapter 5: Delivering a sufficient supply of homes
- Chapter 11: Making effective use of land
- Chapter 12: Achieving well-designed places
- Chapter 16: Conserving & enhancing the historic environment

4.3. Consideration of Main Issues

4.3.1. Decision Taking

Paragraph 38 of the Revised Framework states that "*Local planning authorities should approach decisions on proposed development in a positive and creative way…Decision-makers at every level should seek to approve applications for sustainable development where possible*". Paragraph 47 of the Revised Framework emphasises the requirement in planning law that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It goes on to advise that decisions on planning applications should be made as quickly as possible and within statutory timescales unless a longer period has been agreed by the applicant in writing.

Paragraph 54 of the Revised Framework states that "*Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations. Planning obligations should only be used where it is not possible to address unacceptable impacts through a planning condition*". Paragraph 55 then sets out the main 'tests' for planning conditions, explaining that they should be "*kept to a minimum and only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects*". Paragraph 55 also reiterates the Government's desire to streamline the use of unnecessary pre-commencement planning conditions and confirms the statutory obligation under sections 100ZA(4-6) of the Town and Country Planning Act 1990 to require an applicant's written agreement to the terms of a pre-commencement condition. Further to this, Paragraph 56 of the Revised Framework confirms that planning obligations must only be sought where <u>all</u> of the statutory tests set out in out in Regulation 122(2) of the Community Infrastructure Levy Regulations 2010 can be met.

4.4. Strategic and Ministerial Context

Following the 2008 financial crisis, housebuilding in England fell to its lowest point in the post-war era, with completions during 2010-2011 totalling just 108,000. Accordingly, the National Planning Policy Framework ('the 2012 Framework') required local planning authorities to significantly boost housing supply. In order to do so, the 2012 Framework established the expectation that local planning authorities should provide an absolute minimum of five years' worth of housing against their housing requirements, with an additional buffer to ensure choice and competition in the market for land.

In line with the need, as identified above, to increase the rate of housebuilding across the country, the Conservative Government set out within its 2017 election manifesto *Forward, Together Our Plan for a Stronger Britain and a Prosperous Future* their commitment to delivering 1 million homes by the end of 2020 and a further 500,000 new homes by the end of 2022. Indeed, the Conservative Government's 2019 election manifesto, *Get Brexit Done Unleash Britain's Potential,* highlights that housebuilding within England rose to its highest level in nearly three decades in 2018 and enabled the Conservative Government to oversee the delivery of a million homes within England over the last 5 years.

However, the Conservatives' 2019 manifesto also states that the current level of housing delivery does not adequately meet the nation's needs, and outlines a further commitment to *"progress towards our target of 300,000 homes a year by the mid-2020s",* as was first set out by the Government's 2017 Autumn Budget. The 2019 manifesto thus goes on to state that the Conservative Government will support the construction of *"at least a million more homes, of all tenures, over the next Parliament*".

The Ministry of Housing, Communities and Local Government published the second revision to the National Planning Policy Framework ('the Revised Framework') in February 2019. In Written Statement HLWS1309 made following the revision, Lord Bourne of Aberystwyth (Parliamentary Under Secretary of State for Housing, Communities and Local Government) states:

> *"The National Planning Policy Framework is fundamental to delivering the homes and other development that we need, achieving high quality places and protecting our environment.*
>
> *Last year we published a revised Framework, which implemented a range of revised Framework, which implemented a range of reforms to help make planning more predictable and transparent, drive up quality and support delivery".*

Accordingly, the Revised Framework continues to be underpinned by the Government's objective to significantly boost the supply of homes and to provide a step change in housing delivery. This objective has been reaffirmed continually within recent months, with the COVID-19 pandemic in particular prompting the Government to announce a host of alterations to the planning system in a bid to further increase Britain's housing-stock. The first of these was announced on 30 June 2020 under the Government's *Build, Build, Build* agenda, with the express purpose of "*making it easier to build better homes where people want to live*".

As part of the *Build, Build, Build* agenda, the Government has altered Permitted Development (PD) rights which, under the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 3) Order 2020, allows vacant buildings to benefit from PD rights allowing these properties to be demolished and replaced with new residential units without the need to obtain full planning permission. Furthermore, under the Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 2) Order 2020, the Government has also extended PD rights to allow homeowners to extent their properties upwards in order to provide additional living space, with the underpinning aim to enable property-owners to make maximum efficient use of their premises "*without the unnecessary red tape*".

The Government's positive attitude towards development, as per its *Build, Build, Build* agenda, also resulted in changes to the Town and Country Planning (Use Classes) Order 1987 (as amended) ('the Use Classes Order'), with a new Class E (Commercial, business and service) use class subsuming the existing Class A1 (Shops), Class A2 (Financial and professional services), Class A3 (Restaurants and cafes) and Class B1 (Business) use classes. A further two use classes, Class F1 (Learning and non-residential institutions) and Class F2 ('Local community' use) respectively, were also introduced as part of the Government's reforms. The underpinning aim in amending the Use Classes Order is to allow a flexible approach to predominantly town-centre use classes and allow for qualifying premises to be utilised in a host of permitted ways without the need to obtain formal planning approval in order to do so. The Press Release announcing these changes confirmed that such reform "*will both support the high street revival by allowing empty commercial properties to be quickly repurposed and reduce the pressure to build on green field land by making brownfield development easier*".

Following on from the host of reforms announced in June 2020 as part of the *Build, Build, Build* agenda, the Government launched the *Planning for the Future* White Paper ('the Planning White Paper') consultation in August 2020, outlining the proposals to replace "*our outdated and ineffective*" planning system with a "*whole new planning system for England*". Indeed, the Rt. Hon. Prime Minister Boris Johnson's foreword to the Planning White Paper confirms the radical nature of the proposed changes to the planning system, stating that:

> *"Designed and built in 1947 it* [the current Planning System] *has, like any building of that age, been patched up here and there over the decades.*
>
> *Extensions have been added on, knocked down and rebuilt according to the whims of whoever's name is on the deeds at the time. Eight years ago a new landlord stripped most of the asbestos from the roof.*
>
> *But make-do-and-mend can only last for so long and, in 2020, it is no longer fit for human habitation.*
>
> *Thanks to our planning system, we have nowhere near enough homes in the right places. People cannot afford to move to where their talents can be matched with opportunity. Businesses cannot afford to grow and create jobs. The whole thing is beginning to crumble and the time has come to do what too many have for too long lacked the courage to do – tear it down and start again.*
>
> *That is what this paper proposes.*
>
> *Radical reform unlike anything we have seen since the Second World War."*

Accordingly, the Planning White paper sets out the Government's intention to overhaul the existing planning system and to reform the manner and speed in which new housing development is delivered. The proposals promise to "*streamline process, cut red tape and harness technology to deliver homes faster*", whilst ensuring that no unnecessary or harmful development is delivered in any given location. Whilst the Planning White Paper is at this stage published purely for consultation purposes, it is considered that the comprehensive overhaul of the planning system outlined by this document typifies the Government's positive approach to development, and, in particular its overarching aim to support the delivery of high-quality housing development without any unnecessary delay.

4.5. Delivery of a Sufficient Supply of Homes

4.5.1. Strategic Context

The Revised Framework carries forward the rhetoric set out in the Housing White Paper, with Chapter 5 of the publication focusing on ensuring a sufficient supply of housing is delivered. Paragraph 59 of the Revised Framework states that:

> *"To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay".*

An important addition to the Revised Framework is the acknowledgement that planning policy should support bringing forward Small and Medium sites to diversify the house building market. Paragraph 68 of the Revised Framework states that Small and Medium sized sites (such as the Application Site) can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly.

Paragraph 73 of the Revised Framework requires that local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies.

At a local level, HLPP1 Policy H1: Housing Growth requires the provision of at least 6,375 new homes in Hillingdon over the plan period (2011-2026), annualised as 425 dwellings per year. The adopted London Plan increases Hillingdon's 10-year target (2015 to 2025) to 5,593 dwellings, annualised as 559 dwellings per year.

The Publication London Plan seeks to introduce a further step-change in housing delivery across the capital. Table 4.1 sets the ten-year targets for net housing completions that each local planning authority should plan for based on the 2017 Strategic Housing Land Availability Assessment (SHLAA).

Paragraph 4.1.1 of the Publication London Plan states that Mayor has carried out a London-wide Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). The SHMA has identified need for 66,000 additional homes per year. Paragraph 4.1.3 of the Publication London Plan goes on to state that the Mayor recognises that development of this scale will require not just an increase in the number of homes approved but also a fundamental transformation in how new homes are delivered. The ten-year housing targets in Table 4.1 include an assessment of Large housing sites (0.25 hectares and above) undertaken in partnership with the Boroughs, which provides the most comprehensive study available of the Capital's capacity for housing delivery based on a consistent pan-London methodology. In addition, the SHLAA includes an assessment of Small Site capacity using a combination of trend data for certain types of development and an estimate of potential for intensification in existing residential areas.

Notwithstanding the above, the Report of the Examination in Public of the London Plan 2019 (8 October 2019) carried out by Members of the Panel appointed by the Secretary of State recommended a significant downscaling of the overall capacity of Small Sites and a reduction in the overall housing target in Table 4.1 as a consequence. As a result, the revised overall target is just under 523,000 homes across the 10-year period, annualised at just over 52,000 homes each year. Nevertheless, the recommended 10-year housing target of 52,285 per annum would be higher than the existing London Plan and above the 45,505 units completed in 2016/2017. In concluding their recommendations on the matter, the Panel make the very pertinent observation that (emphasis added):

> *"**It is therefore right to say that boroughs should use all the tools at their disposal to ensure homes are actually built**. But we consider that as recommended, and with the support of the Mayor, it should be deliverable and that both the overall target and those for the individual boroughs and corporations are justified".*
>
> London Plan Examination in Public: Panel Report October 2019, Paragraph 178.

In the case of Hillingdon, the Panel's recommended modifications result in 10-year housing target of 10,830, annualised as 1,083 dwellings per year. It is worth highlighting that this figure is more than double the 425 dwellings per year target set out in HLPP1 Policy H1.

The need to secure a step change in housing supply in London has come to the forefront during the preparation of the emerging London Plan, with the Government being particularly critical of the fact that earlier iterations lacked the necessary ambition and mechanisms to deliver the homes so desperately needed by Londoners.

On 13 March 2020, the Rt Hon Robert Jenrick, Secretary of State for Housing, Communities and Local Government issued a letter to the Mayor of London, Sadiq Khan, directing changes on his 'Intend to Publish' version of the London Plan, published in December 2019. The Secretary of State's direction prevents the Mayor from publishing the new Plan until *"inconsistencies with national policy and missed opportunities to increase housing delivery"* are rectified.

In his letter of 13 March, the Secretary of State sets out that:

> *"Every part of the country must take responsibility to build the homes their communities need. We must build more, better and greener homes through encouraging well-planned development in urban areas; preventing unnecessary urban sprawl so that we can protect the countryside for future generations. This means densifying, taking advantage of opportunities around existing infrastructure and making best use of brownfield and underutilised land.*
>
> *Housing delivery in London under your mayoralty has been deeply disappointing, over the last three years housing delivery has averaged just 37,000 a year; falling short of the existing Plan target and well below your assessment of housing need".*

The Secretary of State went on to highlight that *"the shortfall between housing need in London and the homes your Plan delivers has significant consequences for Londoners"*. The Secretary of State did, however, welcome the Mayor's drive towards bringing forward Small Sites (such as the Application site) and stated that *"I hope… you are doing all you can to ensure sites are brought forward"*.

4.6. Principle of Development

4.6.1. Site Designations

The Site is located with the District Town Centre of Ruislip as defined within HLPP2. The eastern part of the High Street (within the vicinity of the Site) is included within the Secondary Shopping Area.

The Site is within a location which is highly sustainable and afforded a Public Transport Accessibility Level (PTAL) rating of 4. Ruislip Underground Station, which is served by both the Metropolitan and Piccadilly line, is located 380 metres south-east of the Site. Furthermore, a bus stop is located immediately opposite the Site on High Street (Midcroft, Stop F) which is served by the number 331, E7, H13, U1, and U10 services. Ruislip Bus Station, which forms part of a wider transport hub with the adjacent railway station, is also located within convenient walking distance to the Site and offers further connections through the number 114, 331, 398, E7, U1, 696, H13 and U10 services.

No. 69 High Street is not included on the National Heritage List for England (NHLE). However, the Site itself falls within a wider area forming part of the Ruislip Village Conservation Area afforded designation under Section 69 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

4.6.2. Making Effective and Efficient Use of Land

Both the Revised National Planning Policy Framework[8] and the Publication London Plan[9] highlight that Small Sites[10] make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. The Publication London Plan makes it explicitly clear that the Mayor expects that Boroughs should optimise the potential for housing delivery on all suitable and available brownfield sites through their development plans and planning decisions (Policy H1 Increasing housing supply, Part (B)). Policy H1, Part B (at (2)(a)) highlights that *"sites with existing or planned public transport access levels (PTALs) 3-6 or which are located within 800m distance of a station or town centre boundary"* should specifically be a focus for development – the Application clearly aligns with this approach.

Policy H1, Part B (at (2)(e)) identifies Small Sites as a key source of capacity in meeting ten-year housing targets. Whilst the *Report of the Examination in Public of the London Plan* highlighted a number of concerns in Policies H2 and H2A, stating that the policy approach *"goes too far too soon"*[11], the emerging London Plan still retains a significant focus on the role Small Sites – such as the Application Site – can play in meeting the Capital's housing needs. Specifically, Publication London Plan Policy H2 states that boroughs should pro-actively support well-designed new homes on Small Sites. The explanatory text (Paragraph 4.2.1) is particularly clear on this matter and states that:

> *"For London to meet its housing needs, small sites below 0.25 hectares in size must make a substantially greater contribution to new supply across the city. Therefore, **increasing the rate of housing delivery from small housing sites is a strategic priority**. Achieving this objective will require positive and proactive planning by boroughs both in terms of planning decisions and plan-making".*

Publication London Plan – December 2020.

Paragraph 4.2.4 of the Publication London Plan provides further support for the Application by stating that incremental intensification of existing residential areas within PTALs 3-6 or within 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for Small Sites. Given the Site is afforded a PTAL rating of 4, sits within the District Town Centre of Ruislip, **and** is located within 380 metres of Ruislip Underground Station, the Site clearly meets the locational criteria highlighted in Paragraph 4.2.4, and therefore, considerable weight in favour of the principle of development should be afforded by the decision maker.

The current adopted London Plan (2016) recognises the pressing need for more homes in London in order to promote opportunity and provide a real choice for all Londoners in ways that meet their needs at a price they can afford (Policy 3.3). Furthermore, Policy 3.4 – along with Table 3.2 – seeks to ensure that higher density provision for smaller households should be focused on areas with good public transport accessibility.

[8] Paragraph 68
[9] Policy H1: Increasing housing supply, Part (B)(2)(e) and Policy H2: Small sites
[10] Defined in Paragraph 4.2.1 (Draft London Plan – consolidated changes version – July 2019) as sites below 0.25 hectares in size.
[11] London Plan Examination in Public: Panel Report October 2019, Paragraph 166.

At a local level, Paragraph 6.24 of the HLPP1 states that higher densities will be most appropriate in sustainable locations with high levels of public transport accessibility and so lends further support to the Application.

In summary, the Application is considered to be consistent with the overarching aims and objectives of HLPP1 Policy H1; adopted London Plan Policies 3.3 and 3.4; Publication London Plan Policies H1 and H2; and Chapter 5 of the Revised Framework.

In terms of national policy, Paragraph 117 of the Revised Framework is clear that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. It goes on to emphasise the importance of previously-developed, or 'brownfield land', in meeting objectively assessed needs for housing.

Paragraph 118 of the Revised Framework is particularly important in terms of the Application and should be weighted accordingly. It states that planning policies and decisions should, amongst others (emphasis added):

> *c) **give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs**, and support appropriate opportunities to remediate despoiled, degraded, derelict, contaminated or unstable land;*
>
> *d) **promote and support the development of under-utilised land and buildings**, especially if this would help to meet identified needs for housing where land supply is constrained and available sites could be used more effectively (for example converting **space above shops, and building on or above service yards**, car parks, lock-ups and railway infrastructure); and,*
>
> *e) **support opportunities to use the airspace above existing residential and commercial premises for new homes**. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.*

4.6.3. Vertical Extensions

The Government's recently introduced Permitted Development Right (PDR) to support housing delivery by extending buildings upwards to create additional new homes provides useful context. The proposed PDR was originally set out in the *Government's Planning Reform: Supporting the high street and increasing the delivery of new homes* consultation which was published in October 2018.

In the Written Ministerial Statement provided on 13 March 2019, James Brokenshire MP (the then Secretary of State for Ministry of Housing, Communities and Local Government) confirmed that:

> *"We will take forward a permitted development right to extend upwards certain existing buildings in commercial and residential use to deliver additional homes, engaging with interested parties on design and technical details. We would want any right to deliver new homes to respect the design of the existing streetscape, while ensuring that the amenity of neighbours is considered".*

Support during the Government's consultation recognised that increasing density may relieve pressure for additional housing sites, allow for additional homes to be created by transport hubs and in town centres, and reduce the need for development in the green belt. In an attempt to minimise the impact of the ongoing COVID-19 pandemic on the development sector, the vertical extension PDR came into effect under The Town and Country Planning (General Permitted Development) (England)

(Amendment) (No. 2) Order 2020 which amended the GPDO and granted additional permitted development rights from 31 August 2020.Four new permitted development rights, Classes AA-AD, have been introduced into the GPDO. Each class allows work for the construction of one or two additional storeys, consisting of new flats, built on top of the highest existing storey of certain buildings. Classes AA and AB permit new flats on detached buildings and terraced buildings respectively which are in commercial or mixed use as shops, for financial and professional services, restaurants and cafes, offices, betting offices, pay day loan shops, or launderettes or in a mixed use combining one of those commercial uses with use as a dwellinghouse.

Whilst the Applicant acknowledges that No. 69 High Street does not benefit from the vertical extension PDR by virtue of the age of the building (pre-1 July 1948) and its location within the Ruislip Village Conservation Area, it is important to highlight the wider strategic context and the fact that the Government acknowledges that building upwards to use the airspace above existing buildings can play an important role in delivering new homes both in town centres and elsewhere. Such an approach is set out in Paragraph 118(e) of the Revised Framework which offers a clear direction that local planning policies and decisions should respond positively to suitable opportunities to deliver additional new homes above existing residential and commercial premises. This policy offers an opportunity to bring forward well-designed homes which enhance the streetscape while making effective use of land for housing, boosting housing density in areas of high demand such as our town centres and high streets, increasing footfall and, at the same time, helping to reduce pressure on greenfield land.

4.6.4. Housing Mix, Affordable Housing and Housing Standards

HLPP2 Policy DMH2 confirms that Council will require the provision of a mix of housing units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. When read in conjunction with the explanatory text it is clear that the Application is supported by HLPP2 Policy DMH2.

HLPP1 Policy H2: Affordable Housing, HLPP2 Policy DMH7, adopted London Plan Policy 3.13, New Draft London Plan H5, and Paragraph 63 of the Revised Framework confirm that affordable housing contributions should only be from developments with a capacity to provide 10 no. or more units. The Application falls below these policy thresholds and, given the size of the Site (c.0.04 hectares) and its sensitive location within the Ruislip Village Conservation Area, it is considered that the Application seeks to establish the maximum realistic capacity for the Site. Accordingly, it should be readily apparent that Application is **not** configured to deliberately provide less than 10 no. dwellings in order to circumnavigate any affordable housing requirement.

Policies within the development plan acknowledge that overcrowding in residential properties can have adverse impacts on the health and well-being of occupants. HLLP Policy DMHB16 (Table 5.1) and Publication London Plan Policy D6 (Table 3.1) refer to the latest version of the nationally described space standards and place a requirement for these standards to be met.

Clarity in relation to the application of the standards is provided within the explanatory text which supports HLLP Policy DMHB16 with Paragraph 5.60 states:

> *"When assessing the size of households the Council will assume that any bedroom over **11.5 sqm** is capable of being occupied by **two persons**. Similarly any "study", "bonus room" or third living/reception room that is not annotated as a bedroom will be assumed to be capable of serving as a bedroom".*
>
> HLPP2 Development Management Policies (adopted January 2020) Paragraph 5.60.

In relation to the above criteria, the submitted plans and drawings (Drawing References 746 /03 F and 746 / 04 F prepared by Marcus Beale Architects Limited) confirm that where a second bedroom falls below the 11.5 sqm threshold (Flat No. 2 and Flat No. 3), it will be treated as a single person bedroom.

An assessment of the Application against the nationally described space standards is set out below (Table 4).

Unit	Description	Size (GIA) (square metres)	Required standard (GIA) (Square metres)	Compliance
Flat No. 1 **(Existing)**	2-bed 3-person	65	61	✓
Flat No. 2	2-bed 3-person	69	61	✓
Flat No. 3	2-bed 3-person	68	61	✓
Flat No. 4	2-bed 4-person	73	70	✓

Table 4: Assessment against the nationally described space standards

Table 4 demonstrates that all of the proposed residential units meet the nationally described space standards and, therefore, the Application can be shown to be in accordance with HLLP Policy DMHB16 and Publication London Plan Policy D6.

4.6.5. Town Centre Uses

As referenced previously, the Site is located with the District Town Centre of Ruislip, as defined within HLPP2, and is also included within the Secondary Shopping Area. It is important to highlight that the existing retail unit (including its associated back of house functions) will not be altered by the Application and will continue to operate as existing.

Chapter 3 of the HLPP2 states that Hillingdon's town centres are crucial to the social, economic and environmental wellbeing of the borough. A decision-making framework is set out within HLPP2 Policies DMTC1-4. Both the adopted London Plan (Policy 2.15) and the Publication London Plan (Policy SD6) recognise that a wide range of uses will enhance the vitality and viability of town centres. New, higher density housing is recognised within both the adopted and emerging London Plan as a key contributor to the well-being of town centres particularly with regard to the potential to increase footfall. Paragraph 85(f) of the Revised Framework offers similar support to the Application and states that decision makers should "encourage" residential development on appropriate sites within Town Centres.

Bringing new residents into town centres can enhance their commercial role, increasing footfall, particularly to support convenience retail, leisure uses and the evening and night-time economy. Accordingly, it is considered that the Application is in accordance with HLPP Policies DMTC1 and DMTC2; adopted London Plan Policy 2.15; Publication London Plan Policy SD6; and, Paragraph 85(f) of the Revised Framework.

4.7. The Historic and Built Environment

In assessing the Application's impact on the historic and built environment the reader is respectfully requested to consider the following paragraphs alongside the narrative set out in Section 3 of this SPS and the Design Statement prepared by Marcus Beale Architects Limited.

Legislation regarding listed buildings and conservation areas is set out in the Planning (Listed Buildings and Conservation Areas) Act 1990.

Chapter 16 of the Revised Framework focuses on the historic environment. Chapter 16 is underpinned by the Government's acknowledgement that heritage assets are an irreplaceable resource that should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.

Paragraph 192 sets out an overarching set of principles that local planning authorities should take account of when determining planning applications which include:

> *a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
>
> *b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
>
> *c) the desirability of new development making a positive contribution to local character and distinctiveness.*

Specific guidance in relation to the consideration of potential impacts and how these should be considered in the balancing exercise is set out in Paragraphs 193-202 of the Revised Framework.

Locally, Policies SO1, SO2 and HE1 of the HLPP1 aim to conserve and enhance the Historic and Built Environment and improve the quality of the built environment. To this effect the HLPP2 contains 21 policies that seek to implement those objectives. The historic environment is addressed in policies DMHB 1 to DMHB 9 and the built environment is covered in policies DMHB 10 to DMHB 21.

Both the London Plan (2016) and Publication London Plan recognise that London's heritage assets and historic environment are irreplaceable and an essential part of what makes London a vibrant and successful city, and that their effective management is a fundamental component of achieving good growth. Publication London Plan Policy HC1 builds on the design-led approach promoted in Policies D1 to D2, to ensure that the significance of heritage assets informs change. Adopted London Plan Policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

In accordance with Paragraph 189 of the Revised Framework, the Historic Environment Record (HER) has been consulted to determine what built heritage assets may be affected by the development proposals. The National Heritage List for England (NHLE) has also been consulted.

As stated previously, No. 69 High Street is not included on the NHLE and, therefore, not considered by the Secretary of State to be of special architectural or historic interest in accordance with Planning (Listed Buildings and Conservation Areas) Act 1990. Furthermore, the NHLE does not identify any listed building entries within 100m of the Site – as shown in Figure 27.

Figure 27: Plan showing a 100m search radius for listed building entries (red circle) and the extent of the designated Ruislip Village Conservation Area (shaded green)

As is also shown in Figure 27, the Site itself falls within a wider area forming part of the Ruislip Village Conservation Area ('RVCA'). Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The Revised Framework defines the setting of a heritage asset as the surroundings in which it is experienced. The extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset; may affect the ability to appreciate that significance; or, may be neutral. The Revised Framework makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight is attached to the asset's conservation; the more important the asset, the greater that weight should be. Significance can be harmed through development within an asset's setting.

The RVCA Appraisal (CAA)(2010) suggests that the significance of the RVCA lies in the historic urban form; character and important buildings of the medieval village core; the character of the High Street which largely reflects traditional early twentieth century architecture; and, the character and layout of the residential areas developed in the 1920s and 1930s which were heavily influenced by a Garden Suburb Plan initially devised by Messrs A and J Soutar. The CAA splits the area into three distinct character areas. The Site lies within the High Street character area – defined in the CAA as Area 2.

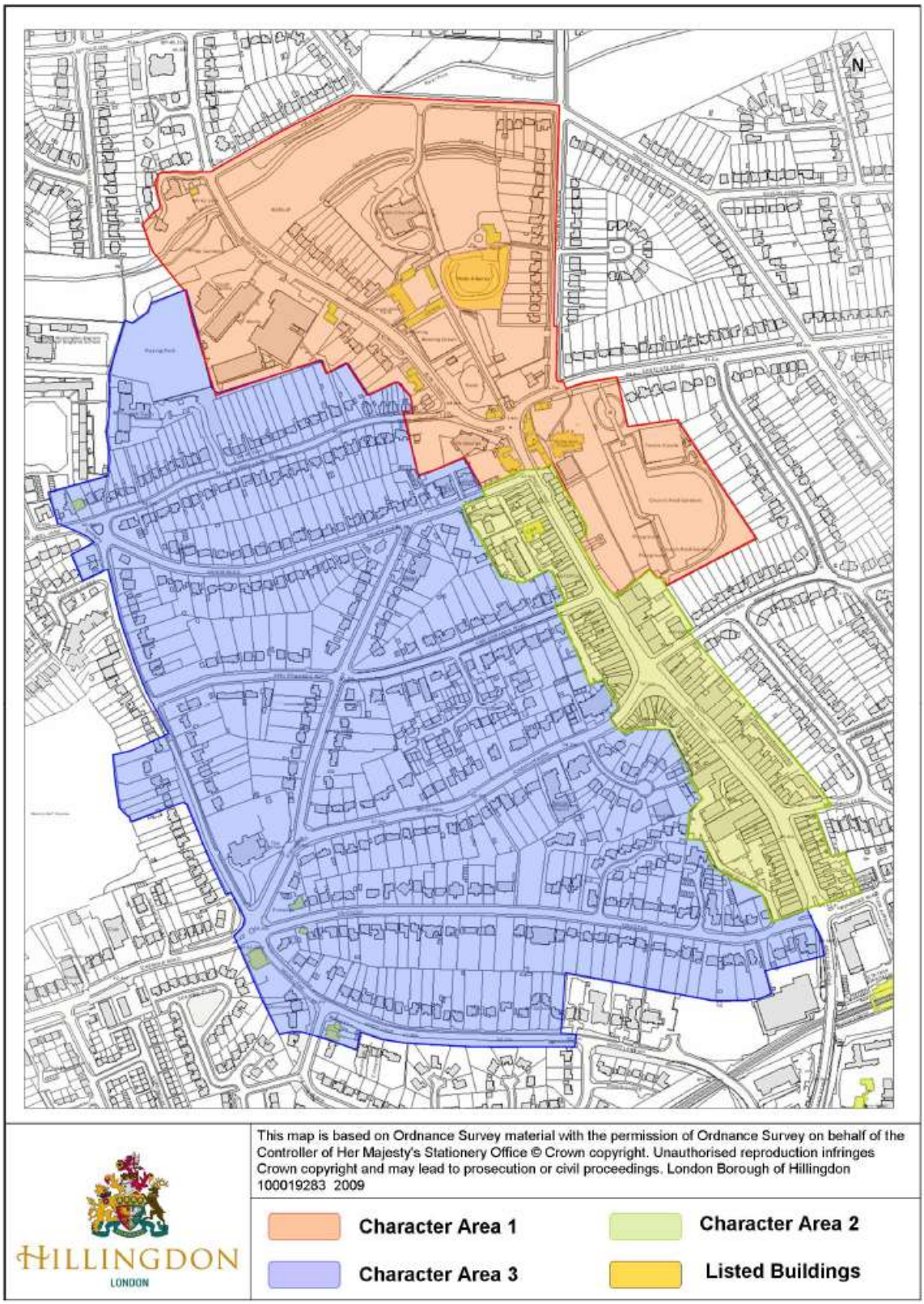

Figure 28: Extract reproduced from the RVCA Appraisal showing the Site's location within Character Area 2

The RVCA Appraisal describes the High Street as a densely developed street running north-south from the old village to the railway station, noting that it grew following the opening of the station in 1904 and the development of the Metropolitan line. It contains the commercial centre of the area. The High Street mainly comprises parades of early 20th century shops of a variety of styles characteristic of the

period, with interesting architectural detailing and decoration contributing towards the area's significance.

When considering the impact of the Application on the designated RVCA, the reader is respectfully urged to review the detailed commentary and design narrative set out within Section 3 of this SPS and the accompanying Design Statement prepared by Marcus Beale Architects Limited. As set out within that section, the Application has been informed by an appreciation of the constraints and opportunities afforded to the Site which include its contribution to the setting and significance of the RVCA. Careful consideration has been given to preserving the integrity of the building itself with the following Key Development Principles directly relevant – these are reproduced from Section 3.4 for ease of reference.

- *Recognise the varied building heights along High Street with the lack of uniformity adding interest – No. 69 High Street currently sits relatively low in the streetscene and below the height of a number of buildings within the immediate vicinity;*
- *Replicate the strong sense of symmetry present in the High Street elevation with careful consideration given to window positioning, width and alignment;*
- *The strong vertical emphasis present in first floor windows to be replicated;*
- *Decorative detailing to be incorporated within the new design and reference made to features on the first floor such as red brick flat arches;*
- *Upwards extension to match closely the language of the existing elevation without upstaging it;*
- *Sympathetic use of materials to ensure seamless transition and integration with the original host building;*

In terms of the scheme's impact on the High Street frontage (relevant to RFR No. 2), it is noted that there appears to be (to a degree) a divergence in opinion between the planning officer and the Conservation and Urban Design Officer who made the following comments in their consultation response:

> *"It is recognised that the design of the additional storey would relate to the architectural language of the original building. The use of matching brickwork and replication of the parapet detail would ensure the articulation of the additional storey remains in keeping whilst ensuring an end to the height of the building with a defined roof line. The proportionately smaller window openings and simple detailing would ensure the building maintains a sense of hierarchy and not draw undue attention to it within the street scene".*

And

> *"Whilst the cumulative impact of similar developments along the High Street could be detrimental each application must be assessed upon its own individual merits. Therefore in this instance the proposed upward extension of the existing building, fronting onto the High Street is likely to maintain the character and appearance of the conservation area resulting in limited harm".*

The Applicant maintains that the scheme would not have a detrimental impact on the townscape of the High Street. Paragraphs 46 and 47 of the Design Statement provide a well-articulated and succinct response to RFR No. 2 stating:

> *"Impact on the High Street frontage*

46. The new building will extend the existing facade without disrupting the overall balance of the group of buildings forming the eastern side of the High Street. Although taller than its immediate neighbours, there is no strong formal relationship between these buildings. The extended building will sit comfortably within the scale of the wider surrounding area, which is predominantly 3 storeys high. The frontage as a whole would benefit from the sympathetic upward extension of the lower buildings. The development would therefore create good precedent.

47. The proposed extension follows faithfully the language and materials of the existing building so does not fundamentally change its character. The building retains the original architectural features, complements them, and replicates the cornice detail which is a characteristic and attractive feature of the original building. There is therefore no harm to the aesthetic or historic significance of the High Street within the Conservation Area. The character of the impact is minor positive".

The justification and rationale behind RFR No.1 which relates to rear element of the building is, in the opinion of the Applicant somewhat questionable when the scheme is assessed against the baseline position. As set out within the Design Statement, a service road serving the back entrances and loading bays for the parade of shops along the High Street is located to the east (rear) of the Site. The Design Statement acknowledges that:

"…although part of the Conservation Area, it is not at present welcoming, safe or an attractive area. The roadway itself is under-maintained. There is little passive surveillance from adjoining buildings, although the side windows at no. 75 give some overlooking. A metal-clad staircase gives the impression that the area is not secure. The back of the parade has less aesthetic significance than the High Street frontage. Cheaper materials were used, Fletton bricks rather than red facing bricks, and there are no architectural 'features', rather the buildings are strictly utilitarian, with metal windows and concrete cills. There is a contrast between the 'architectural' front elevation and the purely functional areas to the rear".

Indeed, the above echoes the sentiment expressed by the Council's Conservation and Urban Design Officer in their consultation comment relating to the 2020 Application where the officer remarked that *"This part of the conservation area would sensitively benefit from a tidy up, as existing it is recognised it somewhat detracts from the conservation area"*.

Figure 29: View south east along the service road from Midcroft – The Site is immediately behind the metal-clad staircase (Image Source: Design Statement (746/MB 16 January 2021) - Marcus Beale Architects Ltd).

Paragraph 201 of the Revised Framework is clear that not all elements of a Conservation Area or World Heritage Site will necessarily contribute to its significance. This was acknowledged at appeal recently by Inspector Lee when considering the merits of a proposed rear extension at 47-49 High Street[12] which is a particularly relevant material consideration given its immediate proximity to the Site. Inspector Lee accepted the fact that Paragraph 138 of the 2012 National Planning Policy Framework[13] directs that that not all elements of a Conservation Area will necessarily contribute to its significance. Paying close attention to the character of the *"the combination of service yards, uncoordinated alterations and extensions and the modern rear elevations"* prevalent to the rear of this part of the High Street, Inspector Lee held that rears of these buildings *"do not make a particularly positive contribution to the significance of the RVCA or the aesthetic quality of the area"* (Paragraph 8). Inspector Lee went on to accept that, whilst the development would add to the mass development at the rear of the High Street units, these more modern additions *"are nonetheless part of the RVCA and help to establish the character of the rear of these commercial units. The development would be seen in the context of these buildings and would not appear incongruous as a result"* (Paragraph 9).

Given the proximity of the appeal site to the Site itself, Inspector's Lee assessment of the impact of the proposals from Midcroft is again relevant. This is set out in Paragraph 13 of the decision letter where Inspector Lee makes the following observation: *"In my view, while the development would itself be a prominent feature, it would not appear at odds in the context within which it would be set"*. Taking all matters into account it was concluded by Inspector Lee that the buildings to the rear of the High

[12] Appeal Decision APP/R5510/W/17/3181601 – Appeal made by Mr Panayiotis Tsappis against the decision of the Council of the London Borough of Hillingdon to refuse application Ref 46454/APP/2016/427. Appeal decision date: 15 December 2017.

[13] Carried forward into Paragraph 201 of the Revised Framework.

Street were less sensitive and that their varied and ad-hoc nature was an inherent characteristic of this part of the RVCA.

It is noted that both the planning officer and the Conservation and Urban Design Officer raise concerns about the use of render proposed to enliven the projecting central bay of the rear extension, stating that the use of a rendered finish is unacceptable and would *"deviate from the predominant brick finish to buildings within the service yard"*. In response to these concerns, which are considered to be unfounded and unjustified by the Applicant, it is respectfully worth drawing the reader's attention to Paragraph 18 of the Design Statement which identifies the use of render as a characteristic of both the earlier buildings and most recent buildings along the High Street:

> *18. Characteristic materials of the High Street in the earlier buildings are render, half timbering and clay tile hanging, strongly reminiscent of the Arts and Crafts and garden suburb movement, for example the architecture of Norman Shaw. Those of the 1920s and 1930s incorporate art deco and early modern influences, as well as classical forms with sometimes baroque detailing. In the later buildings the characteristic materials are brick, stone, and render. Behind the decorated frontages the buildings are simpler and more utilitarian in character.*

Rendered properties in close proximity to the Site include:

- 63 High Street a prominent building on the corner of Midcroft Road, which is rendered at front, side and rear;
- 65 High Street, rendered at the front;
- 83 High Street, rendered at the front; and,
- 1 Midcroft Road, next to the service road, which is pebble dashed.

Figure 30: View looking west towards Ickenham Road from Midcroft Road opposite the service road, showing the rendered elevation of No. 63 High Street (Image Source: Design Statement (746/MB 16 January 2021) - Marcus Beale Architects Ltd).

The Application provides an opportunity to improve the character and appearance of the immediate townscape along the service road by adding animation and architectural interest to an otherwise

uninviting frontage. Natural surveillance of the service road will be dramatically increased by overlooking from the residential units, improving the safety and security of the area. Side windows in the central bay allow long views up and down the service road with the residential use providing surveillance into the evening and night as well as adding a much-needed presence. Furthermore, there is the potential for the Application to act as a catalyst for investment and the 'first piece in the jigsaw' of a wider regeneration of the immediate surroundings given its obvious suitability for housing and the potential key role areas such as the Site can play in meeting the increased housing targets for Hillingdon prescribed in the Publication London Plan.

Overall, it is considered that, subject to the imposition of appropriately worded planning conditions to secure materials and specific details in relation to architectural detailing, the overall effect of the Application on the High Street would be neutral. Whilst the Application would lead to some change to the rear of the unit, this would not be unsympathetic or incongruous with the prevailing character and appearance of the immediate built form and would offer obvious improvements to a townscape which is rather insular and lacks any animation or surveillance – resulting in minor beneficial effects. By extension, the character or appearance of the Ruislip Village Conservation Area would be enhanced. Accordingly, it is considered that the Council's statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is met.

4.8. Design and Amenity

Policy DMHB 11 of the HLPP2 requires all new development to be designed to the highest standards and incorporate principles of good design by ensuring the proposal makes use of high-quality building materials and finishes. Of particular relevance is part (B) of the policy which requires development proposals to not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

The explanatory text (Paragraph 5.38) accompanying HLLP2 Policy DMHB11 states that *"a minimum 21 metres separation between windows of habitable rooms will be required to maintain levels of privacy and to prevent the possibility of overlooking"* albeit no explicit reference to this 21 metre distance is made within Policy DMHB11 itself. In the case of the Application, the separation distance between the sets of flats proposed falls marginally below the 21-metre rule of thumb referenced with HLLP2 Paragraph 5.38 – the proposed relationship is shown on Drawing Reference 746/005C.

Figure 31: Cross-section of the proposed development reproduced on an NTS basis from Drawing Reference 746 / 005 F.

As shown on Drawing Reference 746 / 005 F, the distance between the rear of the front building and the proposed new residential units is c.20m, reducing to c.18m at its narrowest point where there is a projecting bay on the rear building. Kitchens and living rooms have been designed to look out over the central podium, from which the residential units are entered. The more private bedrooms face

outwards. As referenced previously, the Applicant and the design team have reviewed the RFRs associated with the 2020 Application and revised the scheme accordingly. Particular attention has been paid to RFR No. 4 which relates to the inter-relationships between the residential units and perceived inadequate separation distances. RFR No. 4 stated:

> *4. The development, by virtue of its rear facing windows of both the front and rear elevations of the proposed units having less than the minimum 21 metres separation distance between windows of habitable rooms, would be detrimental to the amenities of any future occupiers by reason of loss of privacy. Therefore the proposal would be contrary to Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).*

Careful consideration given to the inter-relationships between the residential units which enjoy an outlook into the private inner courtyard. The siting of windows and viewing angle from each of these windows has been re-appraised in order to ensure that residential amenity is not compromised and that the inner courtyard does not suffer from actual and perceived overlooking. The proposed relationship is demonstrated in Figure 31 which is reproduced from The Design Statement prepared by Marcus Beale Architects Ltd.

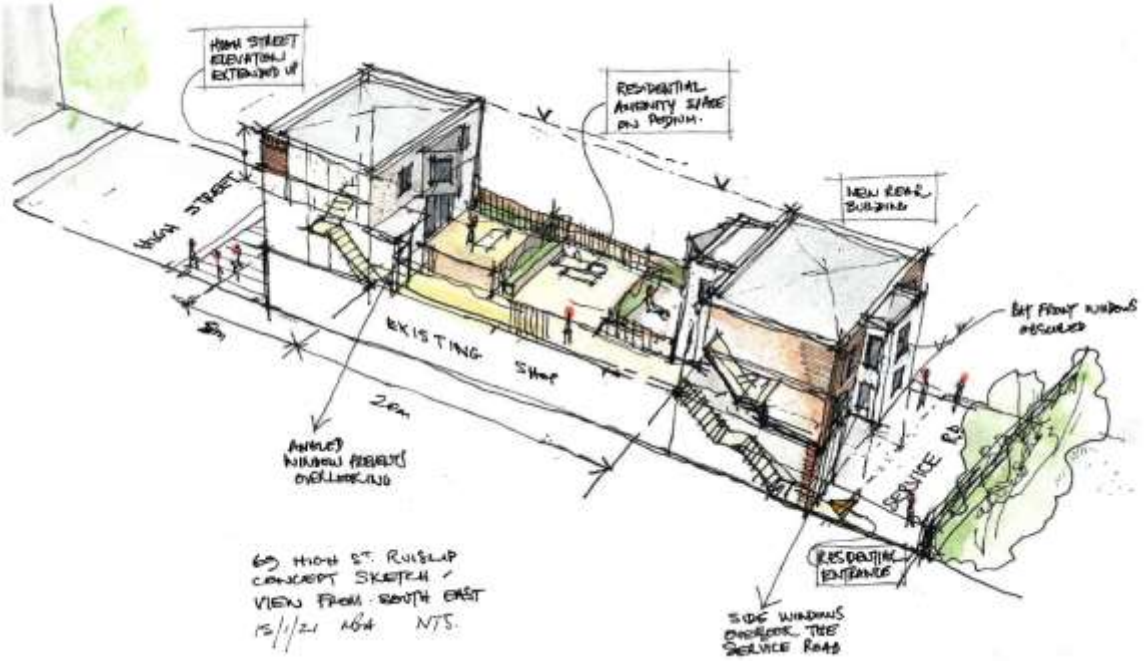

Figure 32: Concept sketch highlighting measures to preserve residential amenity – image prepared by Marcus Beale Architects Ltd

It is considered that it would be improper and, arguably, Wednesbury unreasonable, to state the revised proposals which are the subject of the Application are in breach of Policy DMHB11 by taking an overly simplistic view of the distance between facing windows. The assessment and planning judgement needs to go beyond such a simple assessment and reach a conclusion on whether satisfactory levels of amenity are provided by assessing the actual views which would be available from each of the residential units and associated sight lines. In undertaking the planning judgement it is important that the decision maker is aware of the use of obscure glazing to control outlook (whilst still allowing natural day light to enter the habitable room). Obscure glazing is used in combination with clear lights and is proposed at the following (courtyard elevations only referenced below):

- Flat No. 1 – Shower / Utility

- Flat No. 2 – Shower / Utility and Kitchen Window No. 1
- Flat No. 4 – Kitchen Window No. 1

The location of the obscure glazing is shown on Drawing Reference 746 / 03 F and Drawing Reference 746 / 04 F which are reproduced below on a not-to-scale basis.

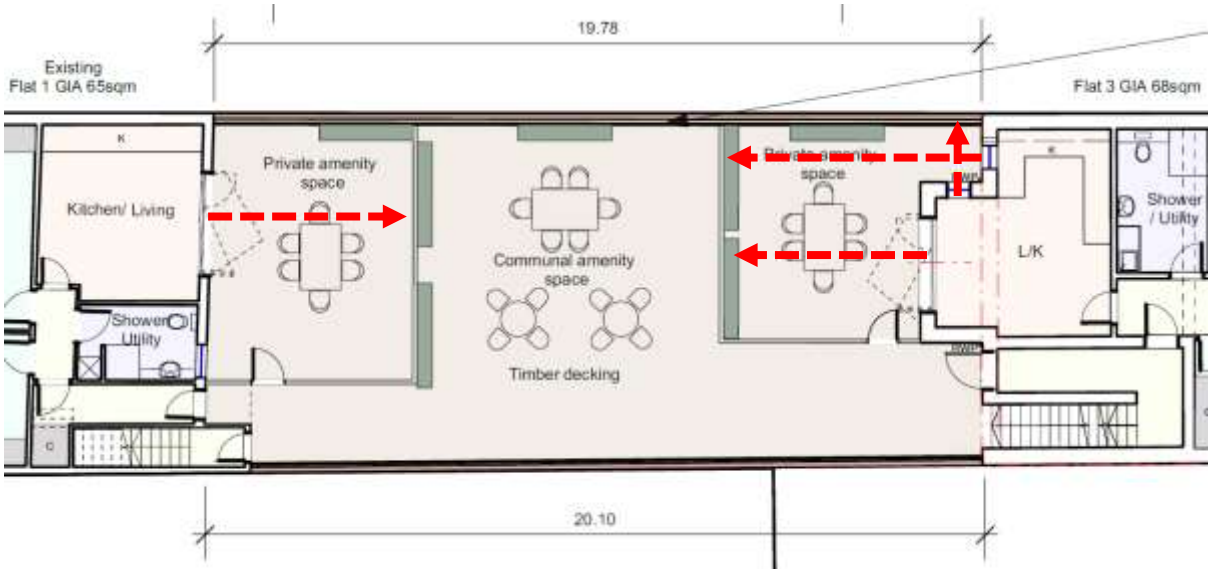

Figure 33: First Floor Plan with sight lines from clear lights added (original plan: Drawing Reference 746 / 03 F).

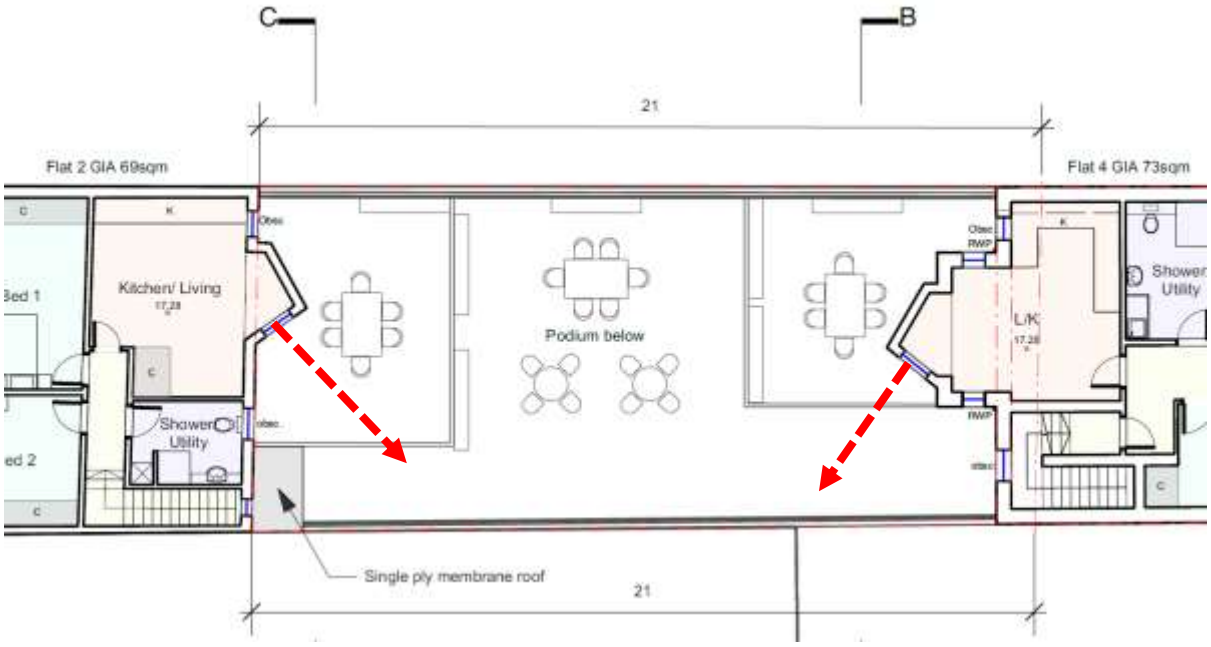

Figure 34: Second Floor Plan with sight lines from clear lights added (original plan: Drawing Reference 746 / 04 F).

As shown in Figures 32 and 33 (above), the skilful introduction of subtly angled windows ensures that no direct sight lines are provided into the proposed flats from windows opposite and, therefore, no loss of privacy results. Moreover, it is important to highlight that, at ground floor level, the provision of fencing creates a 'barrier' between existing Flat No.1 and Flat No. 3 – details of which can be secured via a suitably worded planning condition. Accordingly, it can be demonstrated that the Application does not breach Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).

Residential amenity concerns also underpinned RFR No. 3 with the Council raising concerns (the validity of which are disputed by the Applicant) in relation to quality of outlook available from Bedroom 1 of former Flat No.3 and Flat No. 4.

> *3. The proposal would provide inadequate outlook for the central bedrooms in the rear three storey element of the proposal and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to, Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020) and Policy 3.5 of the London Plan (2016).*

These concerns related specifically to the use of fixed vertical louvres with Delegated Officer's Report (Page 9) stating:

> *"The central windows in the rear elevation of Flats 3 and 4 are proposed to be glazed with fixed vertical louvres in order to prevent the overlooking of the rear gardens of Nos 1 and 3 Midcroft, however, as these are the only windows to serve the main bedrooms of these flats, although it may minimise an element of overlooking, it would also prevent an adequate element of outlook to these habitable rooms"*

In order to directly respond to the concerns set out in RFR No. 3 and articulated further in the officer's report, the design team have carried out a reappraisal of the external appearance and window arrangement of the rear of the three-storey element. The rear elevation remains stepped in plan, with a central bay and recessed sides which helps break up the overall from and add interest to the elevation through further variations in materials. However, the louvred solution proposed as part of the 2020 Application has been removed from the proposals with side windows to the central bay providing the opportunity for an improved outlook from Bedroom 1 of Flat No. 3 and Flat No. 4.

The views from Bedroom 1 of Flat No. 3 and Flat No. 4 are best described as 'long views' along the rear service road. Nevertheless, the urban context of the site should be acknowledged when considering the acceptability of such views. Whilst acknowledging that no site is directly comparable and should be considered on its own merits, the proposals share a number of similarities with the issues considered in detail and articulated by Inspector Bowyer in relation to a recent appeal (August 2020) at 42-48 Windmill Hill within Ruislip Manor Town Centre which sought permission for the erection of a five storey building to create Use Class B8 floor space at ground and first floor levels and three studio flats with associated amenity space following the demolition of the existing buildings. The application was refused by the Council with following two reasons for refusal were applied:

> *1. The proposal fails to demonstrate that sufficient parking arrangements for vehicles for both the residential and commercial elements would be provided; that it would not exacerbate local parking stress and would not result in an unacceptable rise in traffic in and around the site resulting in a detriment of public and highway safety contrary to Hillingdon's Adopted Parking Standards, Policies AM2, AM7 and AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), emerging Policies DMT 1, DMT 2 and DMT 6 of Hillingdon's Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).*
>
> *2. The proposal, by reason of the siting of both the north and south facing windows in the residential element of the proposal would result in the provision of habitable rooms with poor outlook that would result in a substandard form of living accommodation which would be to the detriment of the amenity of future occupiers, contrary to Policies 3.5 and 5.3 of the London Plan (March 2016), Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHB 16 of the emerging Hillingdon Local Plan: Part*

Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

RFR 2 is considered relevant to the Application, with Inspector Bowyer considering one of the 'Main Issues' pertinent to the planning balance as: (*ii) whether or not living conditions for occupiers of the proposed dwellings would be acceptable with particular regard to outlook.*

The Inspector gave considerable consideration the above and did not find sufficient ground to prevent the grant of planning permission. Paragraphs 19 and 20 of the Inspector's decision letter are of interest and relevance:

> *"19…views from the front of the upper flat would largely be over the top of the two-storey buildings on Manor Way, and there would be views from the rear of both flats across the single-storey 'Kwik-Fit Autocare' service centre building on the corner of Pembroke Road and West Way providing occupiers with opportunities for open outlook.*
>
> *20. I note the Council's suggestion that occupiers would have views over refuse and recycling storage areas. However, the elevated position of the flats within the second and third floor levels of the building means that any direct views towards refuse and recycling storage areas would only be gained by occupiers looking down onto it, and would be likely to be screened at least in part by the building's lower levels".*

As referenced, the views from Bedroom 1 of Flat No. 3 and Flat No. 4 are best described as 'long views' along the rear service road – crucially, these views would be 'over' the immediate context and 'elevated' to enjoy wider vistas which is similar to the situation described above by Inspector Bowyer. Accordingly, the Applicant considers that the outlook from the proposed dwellings would be satisfactory, and the proposal would provide acceptable living conditions for future occupiers.

Further consideration and detailed commentary in relation to design and amenity is also provided in Section 3 of this SPS and the reader is respectfully urged to read that section – along with the Design Statement prepared by Marcus Beale Architects Ltd – when considering the scheme against the relevant design policies set out in the statutory development plan and the Revised Framework. In summary, it is considered that there would be no material impact on the amenity of adjoining occupiers, though appropriate conditions could be imposed on any planning permission granted to further ensure that there would be no adverse impact in this regard, such as, for example securing the provision of obscure glazing in perpetuity (shower and utility rooms).

A private external amenity space, shared between the residents of Flat Nos. 2 and 4, is provided within a shared courtyard space. This shared amenity space amounts to an area of 52 square metres. Alongside this, private external amenity space is provided for both Flat No. 1 (existing) (35 square metres) and Flat No. 3 (31 square metres).

Table 5.3 - Private Outdoor Amenity Space Standards – of the HLLP2 prescribes minimum amenity space provision and sets out a requirement for a 2-bed apartment to be afforded 25 square metres of amenity space. This is exceeded by the Application with generous space provided within the courtyard area which provides each resident with easy access to useable outdoor amenity space. Timber screening will be erected to provide privacy whilst raised planters will be incorporated to provide an element of greenery.

Notwithstanding the above, there is a recent body of appeal decisions which recognise that on-site provision of private amenity space is not an essential requirement of schemes involving flatted development within the Borough's Town Centres. Such a conclusion was reached by Inspector Normington when considering the merits of a scheme for 9 no. flats at 178-182 High Street, Ruislip

HA4 8LW[14]. Inspector Normington held that a lack of on-site provision should not be considered fatal when quality off-site provision is accessible on foot. This was set out in Paragraph 24 of the decision letter which is reproduced below.

> *"24. Although the proposal does not provide for the required 200sq m of private amenity space as indicated in the adopted Hillingdon Design and Accessibility Statement Supplementary Planning Document - Residential Extensions (2008) (HDAS), it is in a town centre location with a number of Parks and open spaces being within walking distance. Given the accessibility to public amenity areas, the lack of private amenity space within this town centre site would be not be a sufficient reason to dismiss this appeal on those grounds".*
>
> Appeal Decision APP/R5510/W/17/3173139, Paragraph 24

Given the proximity of 172-182 High Street to the Application Site (c. 250 metres), the conclusions made by Inspector Normington are considered relevant to the Application and reasonable in this regard. Notwithstanding this, the Site is actually more favourably located with regard to local green infrastructure when compared to 172-182 High Street. Church Field Gardens park and playground (Local Equipped Area for Play (LEAP)) are located 120 metres north of the Site with convenient access to this area of public open space provided adjacent to No. 4 Midcroft. The proximity of Church Field Gardens park and playground is highlighted in Figure 35 which follows.

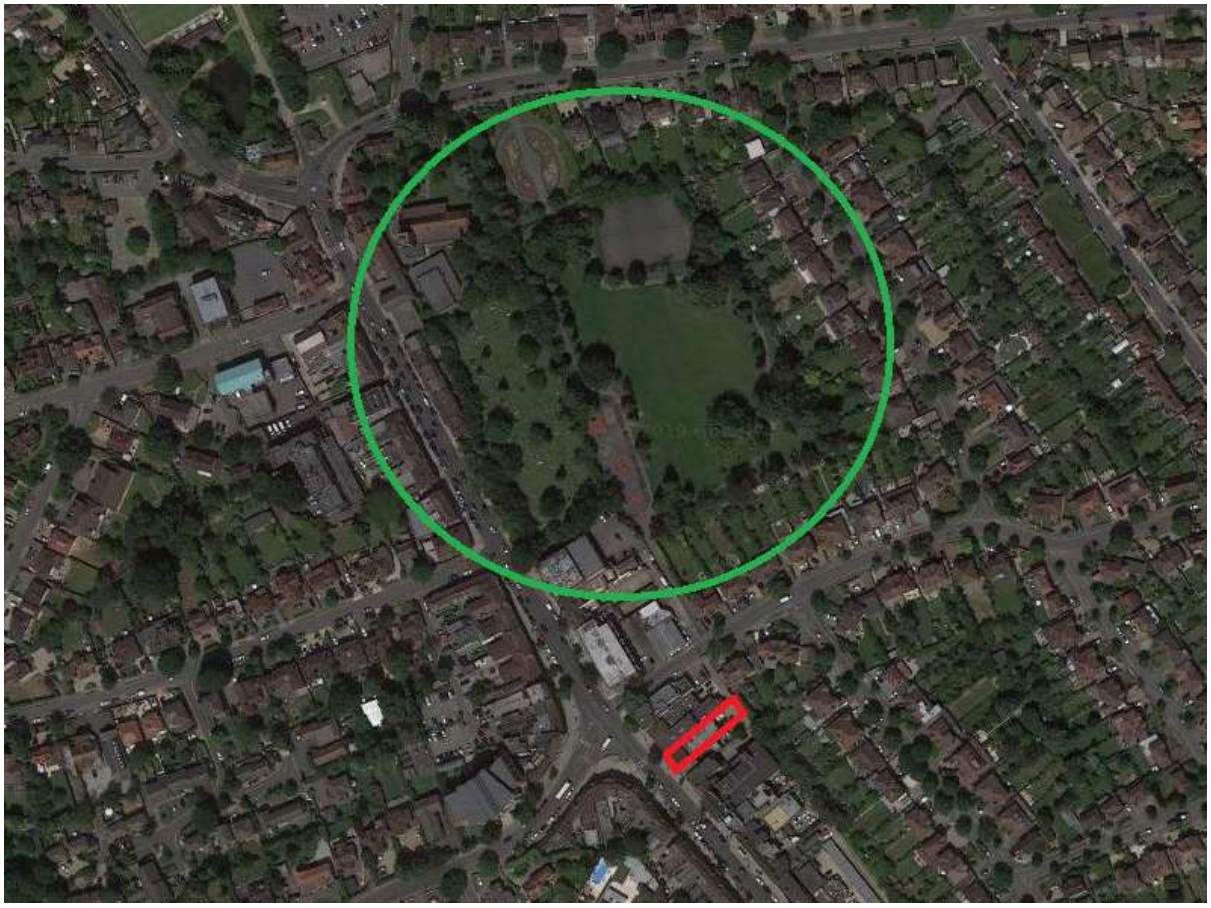

Figure 35: The Site's (edged red) proximity to Church Fields Garden park and playground

[14] Appeal Decision APP/R5510/W/17/3173139 – Appeal made by Mr Jon Quilter against the decision of the Council of the London Borough of Hillingdon to refuse application Ref 28388/APP/2016/3332. Appeal decision date: 25 July 2017.

The more extensive area of public open space known locally as Pinn Meadows is approximately 600 metres north of the Site. An aerial map of Pinn Meadows is shown in Figure 36.

Figure 36: Aerial Map of Pinn Meadows

Pinn Meadows is a significant area of mixed character public open space located close to the heart of Ruislip, it is described in the Council's Pinn Meadows Management Plan (2016-2021) document as:

> *"Pinn Meadows is a relatively large expanse of open land situated of Ruislip. It is bounded by Park Avenue to the north, Evelyn Avenue to the south, Elmbridge Drive to the east and St Martin's Approach to the west.*
>
> *Approximately 20 ha in size, this site is recognised for both its nature conservation and recreational value. It is comprised of a range of habitats which are home to many different species. Most of the site is dominated by open grassland, punctuated by occasional small blocks of scrub, ditches, ponds and scattered trees. The River Pinn divides Pinn Meadows in two.*
>
> *An area of more formal space which includes short-mown grass and football fields is situated in the eastern side of the meadows. The Kings College Playing Fields, containing football pitches, a cricket ground, an all weather sports facility, a skate park and a running track, is mainly used for recreation. The Celandine Route runs through the site and with many other mowed pathways creates a great network of trails enjoyed by all, especially by dog walkers".*
>
> London Borough of Hillingdon, Pinn Meadows Management Plan (2016-2021), Page 5.

Taking into account the proximity of both Church Fields Garden park and playground and Pinn Meadows, the Site enjoys convenient access to the local green network which acts as an additional amenity alongside the on-site provision provided within the courtyard.

4.9. Car Parking and Highway Safety

The Application proposes a form of development which is car-free in recognition of the Site's excellent sustainability credentials and the Mayoral drive within the Publication London Plan to promote healthy living by reducing reliance on the private car.

It is noted that the car-free element also proposed as part of the 2020 Application was not considered to be problematic by the Council when determining that application with the Delegated Officer's Report (Page 12) stating:

> *"It is proposed to provide 3 new residential units with zero on-plot parking provision. The standard requires a maximum of 3-5 on-plot spaces. However it is noted that in recent years a number of comparable residential planning permissions in the vicinity, which were subject to appeal processes, have incorporated 'car-free' status. This has been mainly due to the sustainable nature of the location together with extensive parking controls in the immediate and wider area which inherently deter private car ownership and usage. It is therefore acknowledged that the Planning Inspectorate has trended toward this line of approach on a number of other appealed sites with similar 'car-free' and demographic scenarios".*

The officer went onto to conclude (Page 13):

> *"Hence for all of the reasons outlined above, it is not anticipated that any measurable undue parking displacement would result due to the absence of parking provision. The 'car-free' proposal is therefore considered acceptable as presented".*

Ruislip High Street is a distributor route which has excellent public transport links to other parts of the Borough as well as the London Underground and main line railway stations. As referenced previously, the Site is within a location which is highly sustainable and afforded a Public Transport Accessibility Level (PTAL) rating of 4 (Refer to Figure 37). Ruislip Underground Station, which is served by both the Metropolitan line and Piccadilly line, is located 380 metres south-east of the Site. Furthermore, a bus stop is located immediately opposite the Site on High Street (Midcroft, Stop F) which is served by the number 331, E7, H13, U1, and U10 services. Ruislip Bus Station, which forms part of a wider transport hub with the adjacent railway station, is also located within convenient walking distance to the Site and offers further connections through the number 114, 331, 398, E7, U1, 696, H13 and U10 services.

TRANSPORT FOR LONDON

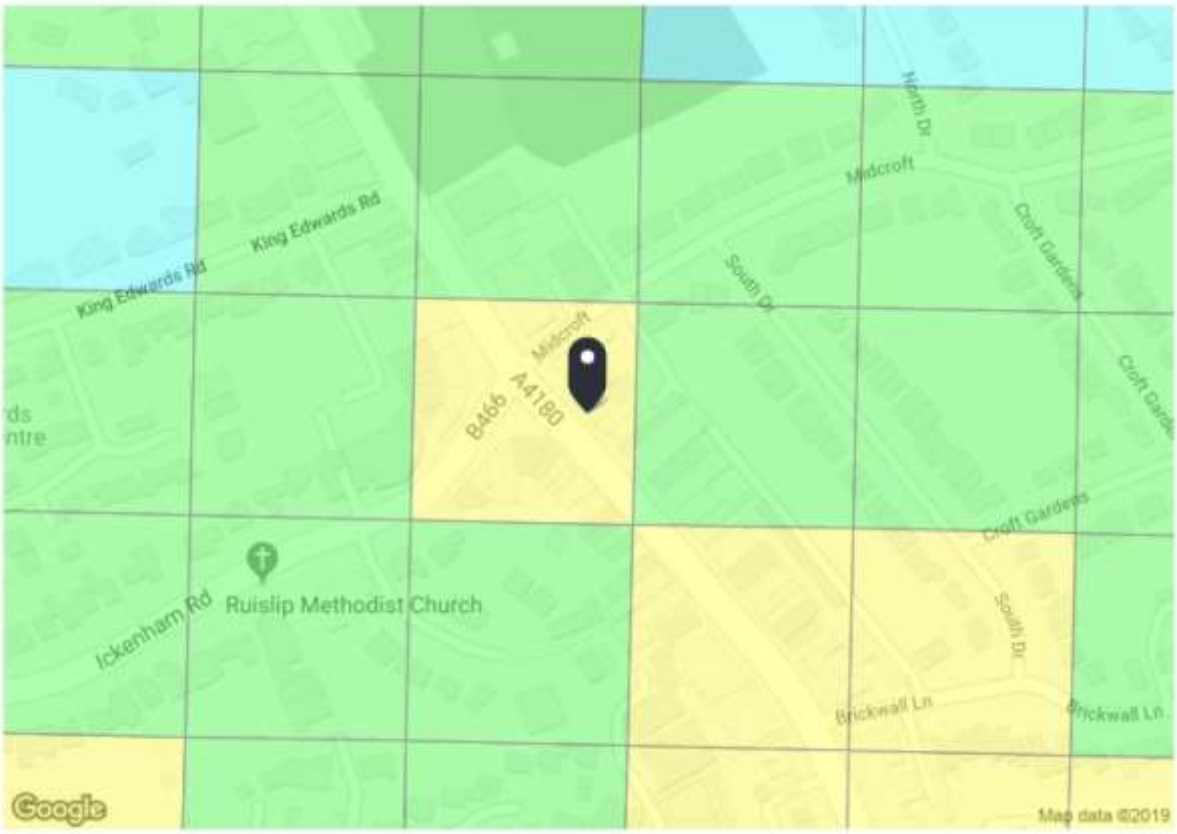

Figure 37: Extract from PTAL report (generated 14 November 2019)

In policy terms, the Publication London Plan recognises the value of car-free development stating in Paragraph 1.0.2, which sets out 'Planning London's Future', that *"every decision to make a new development car-free helps Londoners to depend less on cars and to live healthier lives"*. Publication London Local Plan Policy GG2 (Making the best use of land) is pertinent here which states that (emphasis added):

> *"To create successful sustainable mixed-use places that make the best use of land, those involved in planning and development must:*
>
> *…*
>
> *(G) plan for good local walking, cycling and public transport connections to support a strategic target of* ***80 per cent of all journeys using sustainable travel, enabling car-free lifestyles*** *that allow an efficient use of land, as well as using new and enhanced public transport links to unlock growth".*

Publication London Plan Policy T6 states:

> *"(B) Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport, with developments elsewhere designed to provide the minimum necessary parking ('car-lite')…".*

The explanatory text to Publication London Plan Policy T6 offers further support of the car-free nature of the Application. Paragraph 10.6.1 states that *"To manage London's road network and ensure that people and businesses can move about the city as the population grows and housing delivery increases significantly, new parking provision must be carefully controlled"*. It goes on to explain that the fixed road network within London cannot absorb the additional cars that would result from a continuation of current levels of car ownership and use. Accordingly, the explanatory text further explains (Paragraph 10.6.1) that *"Implementing the parking standards in this Plan is therefore an essential measure to support the delivery of new housing across the city"*.

Publication London Plan Policy T6.1 (Residential parking) states that:

> *"(A) New residential development should not exceed the maximum parking standards set out in Table 10.3…"*

Table 10.3 of the Publication London Plan sets a **maximum** parking provision of Up to 0.5 spaces per dwelling within Outer London PTAL 4 area. Alongside this, weight should be given to Paragraph 10.6.2 which introduces Publication London Plan Policy T6.1 which states *"Developments in town centres generally have good access to a range of services within walking distance, and so car-free lifestyles are a realistic option for many people living there"*.

Notwithstanding the above emerging Mayoral direction, car parking provision has been considered by a number of appeal Inspectors appointed by the Secretary of State for Communities and Local Government.

Whilst accepting each case is considered on its merits, a number of recent appeals have parallels to the Application and, therefore, it is considered reasonable to have regard to and give weight to the decisions made by the Inspectors. Of relevance is the decision made by Inspector Normington when considering the merits of a scheme for 9 no. flats at 178-182 High Street, Ruislip HA4 8LW[15]. In paragraph 23 of his decision letter, Inspector Normington concludes on car parking that:

> *"23. I have taken into account the concerns of interested parties regarding the lack of parking provision within the site and the likelihood of increased demand for on-street parking. Although, this issue was not identified by the Council as a reason for the refusal of planning permission, the site is located in an area located close to the rail and bus facilities. It has a Public Transport Accessibility Level (PTAL) of 4 which is defined as having good access to public transport availability… I do not consider that the proposal would result in a demand for on-street car parking of an extent that would unacceptably compromise highway safety".*
>
> Appeal Decision APP/R5510/W/17/3173139, Paragraph 23

In allowing an appeal at 47-49 High Street, Ruislip, Hillingdon HA4 7BD[16], a mere stone's throw from the Site, Inspector Lee identified the effect on highway and pedestrian safety, with particular regard to off-street parking provision as a 'Main Issue' and made the following pertinent comments:

> *"18. I saw that the site is excellently located for local services and facilities and is also well related to public transport links with regular services to a good range of locations. The site is within an*

[15] Appeal Decision APP/R5510/W/17/3173139 – Appeal made by Mr Jon Quilter against the decision of the Council of the London Borough of Hillingdon to refuse application Ref 28388/APP/2016/3332. Appeal decision date: 25 July 2017.

[16] Appeal Decision APP/R5510/W/17/3181601 – Appeal made by Mr Panayiotis Tsappis against the decision of the Council of the London Borough of Hillingdon to refuse application Ref 46454/APP/2016/427. Appeal decision date: 15 December 2017.

area identified as PTAL3 by Transport for London, though it is also near to a PTAL4 area. Notwithstanding the Council's comments about relative levels of accessibility, this still represents a highly sustainable and accessible location. The lack of parking would also be known to any potential tenants of the flats. As a result, occupiers of the development may not be completely reliant on cars to meet their daily needs or necessarily be car owners. It is reasonable to assume that the high degree of accessibility of the site would help to reduce the demand for car use and parking to one extent or another.

19. I saw that the majority of dwellings on Midcroft near to the site had access to off-street parking on drives and forecourts. There are also on-street parking restrictions in the area which should ensure any inconsiderate or obstructive parking in the area can be adequately controlled. Although reference has been made to parking pressures by both the Council and interested parties, there is no substantive evidence before me which identifies where or how such pressures manifest themselves in the area. There is no persuasive evidence that there would be insufficient capacity to accommodate demand or that drivers associated with the development would park in an inappropriate manner. Moreover, there is no substantive evidence before me which identifies any incidents related to highway or pedestrian safety in the area associated with parking pressures.

20. In conclusion, there is insufficient evidence to conclude that the likely moderate additional parking demand generated by the development would result in unacceptable risks to highway or pedestrian safety. As the parking standards allow consideration to be given to housing type and location, I am satisfied that a reduced provision against the standard would not result in unacceptable harm. Consequently, there would be no conflict with UDP Policy H7(ii) which seeks to ensure development does not result in parking congestion".

Appeal Decision APP/R5510/W/17/3173139, Paragraphs 18-20

In accordance with the clear overarching aims of the Publication London Plan to reduce reliance on the private car, which can be afforded a significant degree of weight under Paragraph 48 of the Revised Framework, it is considered that the car-free nature of the Application is entirely justifiable.

5. Conclusions

There remains a significant, and increasing, need for new housing within the Greater London area which is currently not being delivered by the market. Accordingly, there is a clear Mayoral direction that the boroughs should (and need to) consider favourably applications which deliver homes to meet the requirements of Londoners. Increasing the rate of housing delivery from Small Sites – such as the Application Site – is a strategic priority for the Mayor as referenced throughout the Publication London Plan, which can be afforded a significant degree of weight under Paragraph 48 of the Revised Framework. Moreover, the incremental intensification of existing residential areas that fall within PTALs 3-6 or within a 800m distance of a station or town centre boundary is expected to play an important role in contributing towards the housing targets for Small Sites.

The Site represents an underutilised brownfield parcel of land which has significant potential to make a modest but valuable contribution to the housing supply within the Borough. The proposed development is well considered and informed by a wide range of development influences including the character of the Ruislip Village Conservation Area. Careful consideration has been given to existing and proposed residential amenity and it is considered that material harm does not ensue.

Chapter 11 of the Revised Framework is particularly relevant to the Application, with the Government giving firm direction that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses. It goes on to emphasise the importance of previously-developed – such as the Site – in meeting objectively assessed needs for housing. Furthermore, the Government acknowledges that building upwards to use the airspace above existing buildings can play an important role in delivering new homes both in town centres and elsewhere. Such an approach is set out in Paragraph 118(e) of the Revised Framework and offers a clear direction that local planning policies and decisions should respond positively to suitable opportunities to deliver additional new homes above existing residential and commercial premises.

Whilst the Applicant was understandably disappointed with the Council's decision to refuse the 2020 Application, the Applicant and the design team have reviewed the RFRs and revised the scheme accordingly. It is considered that the design amendments which have been incorporated within the scheme which is the subject of the Application have delivered obvious and tangible improvements as well as directly addressing the RFRs. Therefore, the Applicant considers the scheme should be considered acceptable by the decision maker when having regard to Section 38(6) of the Planning and Compulsory Purchase Act (2004) and an overall assessment of the planning balance.

This Supporting Planning Statement has demonstrated that the proposals are in accordance with the suite of documents which make up the adopted development plan for the London Borough of Hillingdon. In such circumstances, Paragraph 11(c) of the Revised Framework advises that development proposals should be approved without delay. It is therefore respectfully requested that this Application be approved.

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