

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL

Select Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

The delegation powers schedule has been checked. Director of Residents Services can determine this application.

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

NONE OF THE ABOVE DATES SHOULD BE USED IN THE PS2 RETURNS TO THE ODPM

Item No. **Report of the Head of Planning, Transportation and Regeneration**

Address 73 VICTORIA ROAD RUISLIP

Development: Conversion of roof space to habitable use to include a rear dormer and front roof lights, erection of additional storey over the existing rear outrigger and installation of external staircase, to facilitate the creation of a one-bedroom flat at second floor level.

LBH Ref Nos: **76505/APP/2022/586**

Drawing Nos: Design and access statement
 A-01
 A-02 A
 A-03
 A-04
 A-05
 TH/A3/2420/TCP

Date Plans received : 23/02/2022

Date(s) of Amendment(s):

Date Application Valid: 23/02/2022

1. SUMMARY

Planning permission is sought for the conversion of the roof space to habitable use to include a rear dormer and front roof lights, the erection of an additional storey over the existing rear outrigger and the installation of an external stair case, to facilitate the creation of a one-bedroom flat at second floor level.

The proposed development would cause significant harm to the character and appearance of the host building and the surrounding area. The proposal would not afford adequate living conditions for future occupiers, in terms of outlook, light and external amenity space provision. The proposal would have a harmful effect upon the living conditions of the occupiers of the flats at Nos.73a and 75a Victoria Road, in terms of outlook, light and overbearing impact. The proposed location of the external refuse and cycle store provision is not considered to be acceptable as it would result in a loss of privacy, and create noise and disturbance for the occupiers at No.73a. Insufficient evidence has been submitted to demonstrate that on-site refuse and cycle store provisions could be accommodated at the site, in an appropriate location, which would not prejudice the quality of living accommodation for existing or future occupiers.

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

2. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

By virtue of its siting, size, scale, bulk, massing, height, design and external finish, the proposed additional storey, together with the rear dormer and extended external staircase, would result in a dominant, incongruous and visually obtrusive form of development. The proposal would therefore cause significant harm to the character, appearance and visual amenities of the host building and the surrounding area, contrary

to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan and the National Planning Policy Framework (2021).

2 NON2 Non Standard reason for refusal

The proposed development, by reason of its proximity, size, scale, bulk, massing, height and design, would cause harm to the living conditions of the neighbouring residential occupiers at numbers 73a and 75a Victoria Road, in terms of outlook, light, overbearing impact and sense of enclosure. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020) and the National Planning Policy Framework (2021).

3 NON2 Non Standard reason for refusal

The proposed development, by virtue of its poor outlook, poor levels of natural light and inadequate external amenity space provision would result in a substandard form of residential accommodation to the detriment of the amenity of future occupants. The proposal would therefore be contrary to Policies DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

4 NON2 Non Standard reason for refusal

The proposed refuse and cycle store provision, by reason of its proximity and siting, would cause unacceptable harm to the residential amenities of the neighbouring residential occupiers at number 73a Victoria Road, in terms of loss privacy, noise and disturbance. Also, due to the constrained nature of the site, it is questioned whether the refuse and cycle store could be re-located to an alternative location that would not prejudice the quality of accommodation for existing or future occupiers at the site. The proposal would therefore conflict with Policies DMHB 11 and DMT 5 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policy T5 of the London Plan (2021) and the National Planning Policy Framework (2021).

INFORMATIVES

1 I52 Compulsory Informative (1)

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

2 I53 Compulsory Informative (2)

The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Local Plan Part 1 (2012) and Part 2 (2020) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including The London Plan - The Spatial Development Strategy for London consolidated with alterations since 2011 (2016) and national guidance.

DMCI 7 Planning Obligations and Community Infrastructure Levy

DMEI 2 Reducing Carbon Emissions

DMEI 10 Water Management, Efficiency and Quality

DMEI 9 Management of Flood Risk

DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H10	(2021) Housing size mix
LPP SD6	(2021) Town centres and high streets
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

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

This is a reminder that Under the terms of the Planning Act 2008 (as amended) and Community Infrastructure Levy Regulations 2010 (as amended), should an application for

appeal be allowed, the proposed development would be deemed as 'chargeable development' and therefore liable to pay the London Borough of Hillingdon Community Infrastructure Levy (CIL) and the Mayor of London's Community Infrastructure Levy (CIL). This would be calculated in accordance with the London Borough of Hillingdon CIL Charging Schedule 2014 and the Mayor of London's CIL Charging Schedule 2012. For more information on CIL matters please visit the planning portal page at: www.planningportal.gov.uk/planning/applications/howtoapply/whattosubmit/cil

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the eastern side of Victoria Road, Ruislip. It comprises a two-storey terraced property which forms part of a shopping parade. The ground floor is occupied by a vacant retail unit and the upper floor is occupied by a single residential unit, containing two bedrooms. The building has a single storey and two storey outrigger to its rear with an external staircase leading to the existing first floor flat.

The neighbouring properties within the terrace comprise commercial units at ground floor level with residential above. To the rear of the properties on this section of a Victoria Road is an access road and a rear service yard.

The site forms part of Ruislip Manor Town Centre and is located within a designated Primary Shopping Parade, as identified in the Policies of the Hillingdon Local Plan: Part One Strategic Policies (2012). The site lies in a Critical Drainage Area, and has a Public Transport Accessibility Level rating of 3 (Moderate).

3.2 Proposed Scheme

Planning permission is sought for the conversion of the roof space to habitable use to include a rear dormer and front roof lights, the erection of an additional storey over the existing rear outrigger and the installation of an external stair case, to facilitate the creation of a one-bedroom flat at second floor level. The submitted drawings also show that the terrace area serving the existing flat at No.73a Victoria Road would be extended in order to accommodate the refuse and bicycle stores for the proposed new flat.

3.3 Relevant Planning History

76505/APP/2021/2332 73 Victoria Road Ruislip

Conversion of roof space to habitable use to include a rear dormer and front roof lights, erection of additional storey over the existing rear outrigger and installation of external staircase, to facilitate the creation of a one-bedroom flat at second floor level.

Decision: 14-10-2021 Refused

Comment on Planning History

76505/APP/2021/2332 Conversion of roof space to habitable use to include a rear dormer and front roof lights, erection of additional storey over the existing rear outrigger and installation of external staircase, to facilitate the creation of a one-bedroom flat at second floor level. Refused for the following reasons:

1 By virtue of its siting, size, scale, bulk, massing, height, design and external finish, the proposed additional storey, together with the rear dormer and extended external staircase, would result in a dominant, incongruous and visually obtrusive form of development. The proposal would therefore cause significant harm to the character, appearance and visual

amenities of the host building and the surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan and the National Planning Policy Framework (2021).

2 The proposed development, by reason of its proximity, size, scale, bulk, massing, height and design, would cause harm to the living conditions of the neighbouring residential occupiers at numbers 73a and 75a Victoria Road, in terms of outlook, light, overbearing impact and sense of enclosure. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part Two- Development Management Policies (2020) and the National Planning Policy Framework (2021).

3 The proposed development, by virtue of its poor outlook, poor levels of natural light and inadequate external amenity space provision would result in a substandard form of residential accommodation to the detriment of the amenity of future occupants. The proposal would therefore be contrary to Policies DMHB 16 and DMHB 18 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

4 The proposed refuse and cycle store provision, by reason of its proximity and siting, would cause unacceptable harm to the residential amenities of the neighbouring residential occupiers at number 73a Victoria Road, in terms of loss privacy, noise and disturbance. Also, due to the constrained nature of the site, it is questioned whether the refuse and cycle store could be re-located to an alternative location that would not prejudice the quality of accommodation for existing or future occupiers at the site. The proposal would therefore conflict with Policies DMHB 11 and DMT 5 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policy T5 of the London Plan (2021) and the National Planning Policy Framework (2021).

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

18 neighbouring properties were consulted by letter dated 10-03-22. 3 representations were received citing the following concerns (summarised):

- Design impacts
- Character and appearance
- Loss of privacy
- Parking implications
- Access
- Bin storage, refuse arrangements
- Loss of storage for existing occupiers
- Noise during the construction period
- Loss of light

Officer Response:

The concerns raised in respect to the design and the impact on neighbouring residential amenity along with refuse, access and parking will be covered in the following sections of

the report.

Consultee responses:

Access:

This proposal has been reviewed against the requirements of the 2021 London Plan policy D7 which should not be applied to the conversion of this the accommodation above the existing shop unit. Conclusion: no objections raised from an accessibility perspective.

Highways:

Site Characteristics

The application site forms part of a 1930's district shopping centre on Victoria Road (designated as 'classified' in the Council's highway network hierarchy) in Ruislip Manor. The premises feature a retail unit at ground floor level with a maisonette above. It is situated in proximity of Ruislip Manor LU station and the address is encompassed within a controlled parking zone (CPZ) operating from 8am to 6.30pm - Monday to Saturday. The address exhibits a public transport accessibility level (PTAL) rating of 3 which is considered as moderate but is not reflective of the 'real world' exemplary public transport provision which is exemplified by the plethora of bus service availability and the positioning of the adjacent LU station.

It is proposed to convert the roof space to accommodate a 1x1 bedroom residential flat on a 'car-free' basis.

A comparable application was refused in 2021 (76505/APP/2021/2332) for several reasons but not directly on highway/transport related grounds.

Parking Provision

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

There are no on-plot parking provisions for the proposed 1-bedroom flat. In accord with the Council's parking standard the proposal would demand 1-1.5 spaces. However, in contrast for a PTAL rating of 3, the London Plan (2021) parking standard demands a lesser requirement of up to 0.75 of a space which, on balance, renders the proposal policy compliant.

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

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

This relative lack of freely available on-street parking therefore acts as a deterrent to multiple or even single car ownership by a prospective occupier of a new residential unit within the proposal site. This is especially true when potential occupiers first view a property prior to purchase or rental and observe non-existent on-plot parking provisions and relatively non-existent on-street parking availability in proximity of the address. This is a factor that is very likely to be high on the list of considerations prior to occupation which allows for an informed decision to be made on whether the address suits the life demands of the potential occupier.

The other significant factor which is commensurate with the above and influences the need (or otherwise) for private car ownership (PCO) is the sustainability of the location in terms of 'real world' public transport accessibility which in this case is considered as good thereby significantly reducing or eliminating PCO by new occupiers.

In summary, it is considered that given the extensive parking controls within the surrounding area coupled with healthy town centre transport links support a lower or 'car-free' quantum of on-plot parking provision by deterring car ownership/use related to the proposal. Hence there is no issue raised regarding the absence of new parking provisions.

The only parking requirement in this case is related to providing 1 secure and accessible cycle space in order to conform to the Council's adopted cycle parking standard. 2 suitably located spaces are confirmed by the applicant which is considered acceptable.

Vehicular Trip Generation

Local Plan: Part 2 Policies DMT 1 and DMT 2 require the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway and junction capacity, traffic flows and conditions of general highway or pedestrian safety. As a consequence of the relatively small-scale unit and the 'car-free' nature of the proposal, any vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns.

Operational Refuse Requirements

Refuse collection would be undertaken from the neighbouring rear service road as is the case at present for the existing residential and retail unit.

In order to conform to the Council's 'waste collection' maximum distance collection parameter of 10m i.e. distance from a refuse vehicle to the point of collection, arrangements should ensure that waste is positioned at a collection point within this set distance. The bin storage area is positioned to the rear of the build and broadly conforms to the above parameter. There are no further observations.

Conclusion

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

6. Local Plan Designation and London Plan

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

Part 1 Policies:

PT1.BE1	(2012) Built Environment
PT1.H1	(2012) Housing Growth
PT1.H2	(2012) Affordable Housing

Part 2 Policies:

DMCI 7	Planning Obligations and Community Infrastructure Levy
DMEI 2	Reducing Carbon Emissions
DMEI 10	Water Management, Efficiency and Quality
DMEI 9	Management of Flood Risk

DMH 2	Housing Mix
DMH 7	Provision of Affordable Housing
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 15	Planning for Safer Places
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 5	Pedestrians and Cyclists
DMT 6	Vehicle Parking
DMTC 1	Town Centre Development
DMTC 2	Primary and Secondary Shopping Areas
LPP D1	(2021) London's form, character and capacity for growth
LPP D3	(2021) Optimising site capacity through the design-led approach
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D7	(2021) Accessible housing
LPP DF1	(2021) Delivery of the Plan and Planning Obligations
LPP GG4	(2021) Delivering the homes Londoners needs
LPP H10	(2021) Housing size mix
LPP SD6	(2021) Town centres and high streets
LPP SI12	(2021) Flood risk management
LPP SI13	(2021) Sustainable drainage
LPP T5	(2021) Cycling
LPP T6	(2021) Car parking
LPP T6.1	(2021) Residential parking
NPPF11	NPPF 2021 - Making effective use of land
NPPF12	NPPF 2021 - Achieving well-designed places
NPPF14	NPPF 2021 - Meeting the challenge of climate change flooding
NPPF16	NPPF 2021 - Conserving & enhancing the historic environment
NPPF2	NPPF 2021 - Achieving sustainable development
NPPF4	NPPF 2021 - Decision-Making
NPPF5	NPPF 2021 - Delivering a sufficient supply of homes
NPPF9	NPPF 2021 - Promoting sustainable transport

In addition: Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

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

Material Considerations:

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

7. MAIN PLANNING ISSUES

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

Paragraph 130 f) of the NPPF (2021) states that planning policies and decisions should create places with a high standard of amenity for existing and future users.

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

The proposed additional storey would be positioned above the existing two storey outrigger serving the flat at No.73a Victoria Road. The proposed addition would extend beyond the bedroom window of No.73a by 0.5 metres, and enclose the area around this neighbour's existing rear dormer. It is therefore considered that the proposed development would result in a loss of outlook, and create a sense of enclosure and overbearing impact for the occupiers at No.73a.

Whilst not shown on the submitted drawings, it was observed during the Officer site visit that the flat roof on the existing single storey rear addition is being used utilised by the existing occupiers of No.73a as evidence by the washing line. The proposal seeks to alter this arrangement by extending the proposed terrace serving No.73a and locating the refuse and cycle stores for the proposed flat in this extended area. As a result, future occupiers would have to walk pass the rear entrance door and windows of flat No.73a to access their refuse and cycling facilities. This proposed arrangement is not considered to be acceptable as it would result in a loss of privacy, and create noise and disturbance for the occupiers at No.73a.

The rear building line of No.75a is set behind the application property and contains windows which serves habitable rooms. The proposed rear dormer would be positioned hard up against the mutual boundary shared with No.75a for a distance of 1 metre. The proposed additional storey would be attached to the rear dormer and run for a length of 7.4 metres and be set-in from the mutual boundary shared with No.75a by 1 metre. It is considered that the proposed increase in bulk, mass and height of the proposed development would significantly harm the living conditions of No.75a, in terms of loss of outlook, sense of enclosure and overbearing impact.

A daylight and sunlight report has not been submitted with this application. As such, the application fails to demonstrate that the proposed development would not result in unacceptable harm to the amenity of the neighbouring residential occupiers at Nos. 73a and 75a Victoria Road, in respect to loss of light.

In light of the above, it is considered that the proposal would have a harmful effect upon the living conditions of the occupiers of the flats within Nos. 73a and 75a Victoria Road. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and paragraph 130 f) of the NPPF

(2021).

7.2 Impact on Street Scene

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

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

Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that new development will be required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) requires development to be well integrated with the surrounding area.

With regard to roof extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

- i) Roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line; and
- ii) The Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable.

The proposed additional storey would sit directly above the existing two storey rear outrigger. It would expand across the full width and depth of the existing outrigger, measuring 4.8 metres wide and 7.4 metres deep. The new addition would have a flat roof with a maximum height of 9metres (reduced from 9.1 metres), thus resulting in an increased height of 3 metres. The proposed rear dormer would connect the original rear roof face of the host building to the proposed additional storey. The rear dormer would be marginally set-down from the main ridge line of the host building, and would occupy much of the rear roof face with a width of 4.8 metres.

Due to its cumulative scale, size, massing and height, the proposed additional storey, together with the proposed rear dormer and extended external staircase, would dominate the appearance of the rear elevation of the host building and detract from the original architectural composition of the property. The proposed development, as a whole, would appear as a bulky and incongruous addition when viewed from the access road to the rear of the site, and from wider rear views from the properties fronting Dulverton Road. Such harm would be heightened by the proposed use of tile cladding which would be out of keeping with the brickwork finish found on the rear walls of the properties in this section of Victoria Road.

In addition to the above, it is considered that the proposed development would appear at

complete odds with the rear roofscapes of the row of terraced properties at Nos. 51 to 73 Victoria Road, which currently share a strong degree of uniformity in terms of their original architectural style, built form and height of their two storey outriggers. Whilst there are some three storey rear outriggers from No.75 Victoria onwards, these particular properties are of a different architectural style to the application property. Also, the third storey of these particular outriggers are set-back to allow for a degree of subservience. As such, it is considered the existing three storey outriggers do not set a precedent for the proposed development.

Having regard to the above, it is considered that the proposed development would cause significant harm to the character and appearance of the host building and wider area. Whilst the ridge has been slightly reduced this is not considered to overcome the previous reasons for refusal. The proposal would therefore not accord with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and paragraphs 126 and 130 of the NPPF (2021).

7.3 Traffic Impact/Pedestrian Safety

Covered in the following section of this report.

7.4 Carparking & Layout

PARKING AND HIGHWAY SAFETY:

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

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the Council to consider whether the traffic generated by proposed developments is acceptable in terms of the local highway, junction capacity, traffic flows and conditions of general highway or pedestrian safety.

Policy DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals must comply with the parking standards outlined in Appendix C, Table 1 in order to facilitate sustainable development and address issues relating to congestion and amenity. The Council may agree to vary these requirements when: i) the variance would not lead to a deleterious impact on street parking provision, congestion or local amenity; and/or ii) a transport appraisal and travel plan has been approved and parking provision is in accordance with its recommendations.

Appendix C, Table 1 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires the maximum of 1-2 bedroom flats to have 1 to 1.5 spaces per unit. In this case, the proposal would create 1 x one-bedroom flat with no off-street parking spaces.

The site has a PTAL rating of 3 (Moderate) and is located within walking distance of Ruislip Manor and Ruislip London Underground Stations. There are also bus routes, the 114 and 398, which run on Victoria Road which provide frequent services to Ruislip Station, Eastcote Station, Rayners Lane Station and South Harrow Station. It is therefore considered that the site has reasonable access to public transport. In addition to this, the site forms part of parade of shops amongst a wider primary shopping area that includes fresh grocers, butchers, a pharmacy and a hair dresser. Given the site's proximity to such services, and being within walking and cycling distances to underground stations or bus stops, it would not be necessary for occupants of the proposed dwelling to use a car to

access day to day services.

The Council's Highways Officer has commented that the extensive local parking restrictions that surrounding the site would act as a natural deterrent to car ownership by a prospective occupier of the site. Whilst this is agreed, it was observed during the Officer site visit that there is unrestricted parking spaces on some of the nearby residential streets, and that the service road to the rear of the site is being used for informal car parking. However, given that the proposal is for a single one-bedroom flat, it is considered that any additional street parking pressure generated by the development is likely to be small and would not have a material impact on highway safety.

It is therefore considered, on balance, that refusing this application on the grounds of street parking stress and highway safety, would be difficult to defend in the event of an Appeal.

CYCLE PARKING PROVISION:

Policy T5 of the London Plan (2021) requires cycle parking to be fit for purpose, secure and well located.

Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that development proposals will be required to provide a provision of cycle parking in accordance with Appendix C, Table 1, or in agreement with the Council.

The submitted plans show that a cycle store, with the capacity to accommodate two cycles, would be provided on the entrance level of the existing flat at No. 73a Victoria Road. However, this location is not considered to be acceptable as it would require future occupiers to pass over the proposed extended terrace area of No.73a in order to access the cycle store, which is likely to discourage use of the cycle store.

This arrangement would also give rise to privacy, noise and disturbance issues for the existing occupiers at No.73a (as previously identified in the section of the report titled 'Impact on Neighbours'). The proposed cycle store could not be re-located to the terrace area serving the proposed flat as this would further undermine the amount of useable external amenity space afforded to future occupiers. Given the constrained nature of the site, there is doubt on whether there is an appropriate alternative location for the cycle store. It is therefore considered that it would not be appropriate to secure a condition to resolve this matter.

Having regard to the above, it is considered that the proposed development would not provide adequate cycle parking provision for future occupiers of the proposed dwelling. The proposal would therefore conflict with Policy T5 of the London Plan (2021) and Policy DMT 5 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

WASTE MANAGEMENT:

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

The submitted plan shows that a refuse store with two x 240 litre wheelie bins would be located on the entrance level of the existing flat at No.73a Victoria Road, next to the

proposed cycle store. The location of this refuse store is not considered to be acceptable for the same reasons identified above, in respect to the impact on the residential amenity of the existing occupiers at No. 73a. Moreover, it would not be practical or realistic to expect future occupiers or the Council's bin men to lift two x 240 litre bins down a flight of stairs on collection days. Given the constrained nature of the site, it is questioned whether there is an appropriate alternative location for the external refuse and recycling store. It is therefore considered that it would not be appropriate to secure a condition to resolve this matter.

In light of the above, it is considered that the proposed development would fail to provide adequate external refuse and recycling facilities for future occupiers of the proposed dwelling. The proposal would therefore conflict with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

7.5 Urban Design, Access and Security Considerations

INTERNAL AMENITY SPACE:

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

Policy D6 of the London Plan (2021) sets out the requirements for the gross internal floor area of new dwellings at a defined level of occupancy. Table 3.1 of the London Plan (2021) requires an one bedroom, 2 person occupancy, single storey dwelling to have a gross internal area of at least 50 square metres (and 1.5 square metres of built-in storage).

The proposed residential unit would meet the minimum space standard requirement set out in Policy D6 of the London Plan (2021). However, this is not the sole consideration when assessing the quality of internal accommodation for future occupiers. The proposed bedroom window would abut a the side wall which would run for a length of 7.3 metres (approximately). It is therefore considered that the outlook from the proposed bedroom window would be poor and oppressive for future occupiers. Furthermore, a daylight and sunlight assessment has not been submitted to demonstrate that the proposed dwelling would provide a satisfactory level of sunlight and daylight for future occupiers (especially given the position of the bedroom window).

Whilst it is noted that the proposed bedroom window arrangement would not be dissimilar to the existing first floor flat at the site, this in itself would not justify new development that would provide future occupiers with substandard living conditions.

Whilst two rooflights have been added to the flat roof above to serve the open plan living conditions, the proposal would fail to provide an adequate standard of living conditions for future occupiers, in respect to outlook and light. It would therefore conflict with Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and paragraph 130 (f) of the NPPF (2021).

EXTERNAL AMENITY SPACE:

Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space. Table 5.3 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) requires studio and 1 bedroom flats to have a minimum of 20 square metres of private outdoor amenity space.

The submitted drawings show a terrace area which measures 8 square metres, which falls significantly below the 20 square metre requirement (as noted above). The proposed terrace would serve as the main entrance point to the proposed dwelling and would be visible to those using the service road to the rear of the site. Thus, undermining its quality and functionality as 'useable private outdoor amenity space'. A condition requiring a privacy screen to be erected around the perimeter of the terrace would prejudice the outlook from the open plan kitchen/living and dining area, and would cause further harm to the character and appearance of the area. It is therefore considered that the use of such a condition would not be acceptable.

Consequently, the proposal would not afford future occupiers with a satisfactory provision of external amenity space, contrary to Policy DMHB 18 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) and paragraph 130(f) of the NPPF (2021).

INCLUSIVE DESIGN:

Policy D5 of the London Plan (2021) seeks to ensure development proposals achieve the highest standards of accessible and inclusive design. Policy D7 of the London Plan (2021) requires for at least 10% of dwellings to meet Building Regulation requirement M4(3) 'wheelchair user dwellings', with all other dwelling meeting Category M4(2) 'accessible and adaptable dwellings'.

The proposed dwelling would be located on the second floor of the application building, and would be accessed via an external staircase. The proposal would therefore not be able to meet Building Regulation requirement M4(2) which requires step-free access. However, paragraph 3.7.7 of the London Plan (2021) does allow for flexibility to be applied in exceptional circumstances. In this case, the application relates to the creation of a new flat above existing shops and therefore falls within one of the exceptions set out in paragraph 3.7.6 of the London Plan (2021). As such, it would not be justified to refuse the proposal on the grounds of its failure to meet Building Regulation requirement M4(2).

7.6 Other Issues

PRINCIPLE OF DEVELOPMENT:

Although the proposed development is within a Town Centre and Primary Shopping Area, it would not affect the existing retail unit at ground floor level. As such, there would be no conflict with Policies DMTC 1 and DMTC 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), which seeks to protect and enhance town centres and primary shopping areas by retaining uses that support their continued viability and attractiveness to the locality they serve.

There is no objection, in principle, to the introduction of an additional residential unit at the site. However, this is subject to compliance with the relevant Development Plan policies and planning guidance. The planning considerations that are applicable to this application are considered in the other sections of this report.

It should be noted that the Council is currently able to demonstrate a five-year housing supply. As such, the "titled balance" set out in paragraph 11(d) of the NPPF (2021) should not be engaged.

HOUSING MIX:

Policy DMH 2 of the Hillingdon Local Plan: Part 2 - Development Management Policies

(2020) states the Council will require the provision of a mix of housing of units of different sizes in schemes of residential development to reflect the Council's latest information on housing need. The supporting policy text states that the Council's current information on housing need indicates a substantial borough-wide requirement for larger affordable and private market units, particularly three bedroom properties. Applicants proposing residential schemes will be required to demonstrate that this need has been taken into account.

In this case, the proposal would provide a single one-bedroom flat. It is acknowledged that there is a identified need within the Borough for more family sized units (i.e. units with three bedrooms or more). However, given that only residential unit is being proposed, coupled with the access arrangements to the building, it is considered that a refusal on the grounds of the absence of a family sized unit could not be substantiated.

NOISE/AGENT OF CHANGE:

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

As previously mentioned, the application site is occupied by a retail unit at ground floor level and forms part of a wider parade of other commercial uses at ground floor level. Having regard to the agent of change principle, it is considered that noise mitigation measures would need to be provided to achieve a satisfactory living environment, and help to mitigate the risk of a statutory nuisance being found. No details have been provided with the application to demonstrate that adequate sound insulation would be provided. However, this could be dealt with by way of a condition, if planning permission were to be granted.

FLOOD RISK AND DRAINAGE:

Policy DMEI 9 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states that proposals that fail to make appropriate provision for flood risk mitigation, or which would increase the risk or consequences of flooding, will be refused. Policy DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020) states proposals that would fail to make adequate provision for control and reduction of surface water run-off rates will be refused.

The site lies in Flood Zone 1 of the Environment Agency's Flood Risk Map. As such, there are no restrictions on development, including more vulnerable uses such as Use Class C3 (dwellinghouses), in this location, in terms of fluvial and tidal flood risk.

The site lies within a Critical Drainage Area (according to the Council's GIS Map). The proposal would not result in an increase to the ground floor footprint of the building. If planning permission were to be granted, a condition would be secured requiring a surface water management plan to be submitted to the Council for consideration. On this basis, it is considered that the proposal would not significantly exacerbate surface water flooding risk for existing or future occupiers at or adjoining the site. The proposal therefore accords with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

SUSTAINABILITY:

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

Given that the proposal would involve the erection of extensions to an existing building, rather than the erection of a new building, it is considered that it would not be appropriate or reasonable to secure a condition requiring the proposal to achieve energy efficiency standards.

OTHER MATTERS:

It is noted that the proposed additional storey would extend across the party wall shared with No. 71a Victoria Road. Had this application not been recommended for refusal, Officers would have required the applicant to provide further clarification on this matter (which might have required the drawings to be updated, and/or amendments to Certificate B on the application form).

COMMUNITY INFRASTRUCTURE LEVY:

The Council adopted its own Community Infrastructure Levy (CIL) on August 1st 2014, and the Hillingdon CIL charge for residential developments is £95 per square metre of additional floorspace. This is in addition to the Mayoral CIL charge of £60 per square metre. CIL rates are index linked. The proposal involves the erection of a new dwelling and would therefore be liable to pay CIL.

8. Reference Documents

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

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

The London Plan (March 2021)

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

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

National Planning Policy Framework (July 2021)

Contact Officer: Christos Chrysanthou

Telephone No: 01895 250230