

# MERCER PLANNING

Town Planning & Property Development Consultants

## PLANNING STATEMENT

**Land at rear of 21 and 21A Hatherleigh Road, Ruislip, HA4 6AZ.**

**Erection of two storey two-bed detached dwelling with associated parking and amenity space provision following demolition of existing garages (class B8 use).**

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## **1. Introduction**

This Planning Statement has been prepared to support an application for full planning permission for the '*Erection of two storey two-bed detached dwelling with associated parking and amenity space provision following demolition of existing garages (class B8 use)*' on Land at rear of 21 and 21A Hatherleigh Road, Ruislip.

## **2. The Application Site and its Surroundings**

The application site is brownfield land and constitutes a separate planning unit, with an established class B8 storage use, situated to the rear of 21 & 21A Hatherleigh Road, Ruislip which are two storey terraced dwellings finished in red brick with a bay window on the ground and first floor, situated on the Southern side of Hatherleigh Road at the junction with Salcombe Way.

The site currently accommodates a single storey detached triple garage building with land to the side and rear and hardstanding to the front. The site (planning unit) is enclosed with timber fencing. The garages are accessed off Salcombe Way.

The surrounding area is residential in character and the streetscene is characterised by similar two storey terraced residential properties.

The application site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part One - Strategic Policies (November 2012).

## **3. The Proposal**

The application seeks full planning permission for the demolition of the garages (Class B8 use) and the erection of a two storey detached two bedroom dwelling with associated parking and amenity space, involving the installation of a vehicular crossover to Salcombe Way.

The application follows planning applications 41627/APP/2021/51, 41627/APP/2020/4262 and 41627/APP/2020/648 allowed at Appeal 05-10-2020, and more recently, refused application ref. 41627/APP/2022/40. The proposal has been amended to address the refusal reasons in this application. The Applicant considers the proposal is an acceptable form of development for the reasons detailed below.

## **4. Relevant Planning History**

### **4.1 Land at rear of 21 & 21A Hatherleigh Road, Ruislip:**

41627/APP/2022/40: Erection of two storey, two-bed dwelling with associated parking and amenity space provision, including demolition of existing garages at land to rear of 21 & 21A Hatherleigh Road. Refused 01/04/2022 for the following reasons:

1) Due to its scale, siting, design, and materials, the proposal would fail to harmonise with the prevailing character and appearance of the area and would negatively impact on the visual amenities of the street scene. The proposal therefore conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

2) Due to scale of the dwelling, the large first floor windows in the northwest facing side elevation and proximity to the garden areas and neighbouring properties Nos. 21, 21A, 21B and 23 Hatherleigh Road, the proposal would harm the residential amenities of these neighbours by virtue of overlooking and loss of privacy, loss of outlook, overshadowing and overbearing; and through mutual overlooking, would provide a poor quality living accommodation for future occupiers. The proposal therefore conflicts with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).

3) Due to its substandard internal floor area and not meeting the requirements of M4(2) technical specifications, the proposal would fail to provide an appropriate living environment for future occupiers. The proposal therefore conflicts with Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D6 and D7 of the London Plan (2021) and the National Planning Policy Framework (2021).

41627/APP/2021/51: Variation of condition 2 (Approved Plans) of appeal decision ref: APP/R5510/W/20/3255436 dated 05-10-2020 to allow for minor material amendments to the internal layout (Erection of two storey, 1 bed dwelling with associated parking and amenity space provision, including demolition of existing garages). Approved 01-03-2021.

41627/APP/2020/4262: Non-material amendment to planning permission Ref: 41627/APP/2020/648 (Erection of detached two storey, 1-bed dwelling with associated parking and amenity space provision, involving demolition of existing garages) to provide an updated internal layout with relocation of the bathroom to first floor level. Approved 15-01-2021.

41627/APP/2020/648: Erection of detached two storey, 1-bed dwelling with associated parking and amenity space provision, involving demolition of existing garages. Refused 29-04-2020. Appeal: Allowed 05-10-2020.

41627/APP/2019/3296: Erection of detached two storey, 1-bed dwelling with associated parking and amenity space provision, involving demolition of existing garages. Refused 20-12-2019. Appeal: Dismissed 05-10-2020.

74994/APP/2019/2507: Use of garages for storage (Application for a Certificate of Lawful Development for an Existing Development). Certificate issued 03/10/19.

41627/APP/2017/3189: Two storey, 2-bed detached dwelling with associated parking and amenity space, involving installation of vehicular crossover to front. Refused 14/11/17.

## 21 Hatherleigh Road Ruislip:

41627/APP/2017/618: Two storey, 2-bed detached dwelling with associated parking and amenity space, involving installation of vehicular crossover to front. Refused 05/05/17.

## **5. Planning Policy Context**

Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all planning decisions are required to be made in accordance with the development plan for the area unless material considerations indicate otherwise. The application must therefore be considered within the context of the Statutory Development Plan for Hillingdon, which comprises:

- The National Planning Policy Framework (NPPF) (2021);
- The London Plan (2021);
- 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 relevant planning policies applicable to this proposal are as follows:

### National Planning Framework (2021):

Government Guidance is contained in the NPPF, issued in 2021. The NPPF sets out a presumption in favour of sustainable development, requiring that development which accords with an up-to-date local plan should be approved without delay. The NPPF identifies a number of key issues for the delivery of sustainable development, those most relevant to this case are:

- Achieving sustainable development
- Delivering a sufficient supply of homes
- Promoting sustainable transport
- Achieving well designed places

### London Plan Policies (2021):

D14: Noise

D3: Optimising site capacity through the design-led approach

D4: Delivering good design

D5: Inclusive design

D6: Housing quality and standards

H1: Increasing housing supply

H10: Housing size mix

T4: Assessing and mitigating transport impacts

T5: Cycling

T6: Car parking

London Plan Supplementary Planning Guidance (SPG):  
London Housing SPG (March 2016)  
National Technical Housing Standards, 2015.  
Suburban Design Guide SPD Adopted April 2019

Hillingdon Unitary Development Plan Saved Policies (September 2007)

Part 1 Policies:  
PT1.BE1 (2012) Built Environment

Part 2 Policies:  
DMH4: Residential Conversions and Redevelopment  
DMH6: Garden and Backland Development  
DMHB11: Design of New Development  
DMHB12: Streets and Public Realm  
DMHB14: Trees and Landscaping  
DMHB16: Housing Standards  
DMHB17: Residential Density  
DMHB18: Private Outdoor Amenity Space  
DMT1: Managing Transport Impacts  
DMT2: Highways Impacts  
DMT6: Vehicle Parking

Supplementary Planning Documents

Residential Extensions, Hillingdon Design & Access Statement (HDAS) adopted December 2008.

## **6. Planning Considerations**

The main planning issues in relation to this case are:

- Principle of development;
- Design considerations and impact on the character and appearance of the area;
- Impact on residential amenity;
- Amenities created for future occupiers/ Residential living conditions;
- Highway Safety and Parking Issues; and
- Whether the previous reasons for refusal have been overcome in the current proposal.

### **6.1 Principle of Development**

The principle of a residential development on the site has been established in previous planning applications 41627/APP/2021/51, 41627/APP/2020/4262 and 41627/APP/2020/648 allowed at Appeal 05-10-2020.

## **6.2 Design Considerations and Impact on the Character of the Area**

The Hillingdon Local Plan: Part One Strategic Policy BE1 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) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHB 12 (Streets and Public Realm) states - A) Development should be well integrated with the surrounding area and accessible. It should: i) improve legibility and promote routes and wayfinding between the development and local amenities; ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area; iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space; iv) provide safe and direct pedestrian and cycle movement through the space; v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; vi) where appropriate, include the installation of public art; and vii) deliver proposals which incorporate the principles of inclusive design.

Application ref. 41627/APP/2022/40 was refused due to the scale, siting, design, and materials of the proposed dwelling which the Council considered would fail to harmonise with the prevailing character and appearance of the area and would negatively impact on the visual amenities of the street scene.

The current proposal follows the design of the most recent approved scheme ref. 41627/APP/2021/51 with a hipped roof, two storey bay window on the front elevation with materials consisting of roof tiles, facing brick and render. An off street parking area and garden is provided to the side.

There is no material change in the scale, siting, design, materials appearance of the proposed scheme in comparison to the dwelling/ development approved in application refs. 41627/APP/2021/51, 41627/APP/2020/4262 and 41627/APP/2020/648.

There can, therefore, be no objection to this proposal in terms of its design, appearance and impact on the character of the street scene and the proposal would have a positive impact on the visual amenities of the street scene. The proposal thus accords with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11 and DMHB 12 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Refusal reason 1 has been overcome in the current proposal.

### **6.3 Amenities created for future occupiers/ Residential living conditions**

Policy DMHB 16 of the Hillingdon Local Plan: Part Two - 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) states - Housing development should be of high quality design and provide adequately-sized rooms (see Table 3.1) with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures.

The application proposes a two bedroom three person dwelling with an internal floor area of 70sqm and would comply with internal dimensions required by the Nationally Described Space Standards and the London Plan. The proposal provides a spacious internal layout and all rooms enjoy good levels of light, ventilation and outlook.

The London Plan has a requirement of a minimum 70m<sup>2</sup> gross internal floor area for a three person, two bedroom dwelling. The previously submitted and refused application was a three person, two bedroom dwelling with gross internal floor area of 73.5m<sup>2</sup>. The Council incorrectly measured the internal floor area to be 63m<sup>2</sup> by adding together the area of each room annotated on the plans. This is an incorrect methodology for measuring gross internal floor area, which includes stairs, partitions, circulation etc. as set out in the London Plan.

Policy DMHB 18 sets out requirements for Private Outdoor Amenity space, which for a two/ three bed property would be a minimum of 60sqm. The proposal includes a side garden area of approximately 62sqm, which would comply with these requirements. The Council had no objection to the proposed amenity space provision is application ref. 41627/APP/2022/40.

In view of the above the Applicant considers that the development would provide a high quality development with adequate amenities, which would provide a high standard of accommodation for future occupiers. As such the proposal complies with the Councils adopted planning policies in this regard.

Refusal reason 3 has been addressed in the current proposal.

### **6.4 Impact on Residential Amenity**

Refusal reason 2 of planning application ref. states:

*'Due to scale of the dwelling, the large first floor windows in the northwest facing side elevation and proximity to the garden areas and neighbouring properties Nos. 21, 21A, 21B and 23 Hatherleigh Road, the proposal would harm the residential amenities of these neighbours by virtue of overlooking and loss of privacy, loss of outlook, overshadowing and overbearing; and through mutual overlooking, would provide a poor quality living accommodation for future occupiers. The proposal therefore conflicts with Policy DMHB 11*

of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and the National Planning Policy Framework (2021).'

Policy DMHB 11 seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space. The supporting text for this policy states that the Council will expect new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

The proposed dwelling occupies the same siting as the dwelling approved. The approved dwelling has a footprint of 5.2m x 6.5m. The refused scheme proposed to increase the footprint by 0.5m to the front elevation and 0.7m to the side. However, following the commission of a full detailed survey it became evident that the approved scheme, which was based on an ordnance survey site plan, was not completely accurate. To ensure the proposed dwelling was sited in line with the adjacent dwelling on Salcombe Way the proposed dwelling needed to be brought forward by 0.5m. This has allowed the dwelling to be increased in size by 0.5m to the front.

The current proposal retains the increase of 0.5m to the front to meet the building line along Salcombe Way. The dwelling has been increased in width by 0.2m to the side, a reduction of 0.5m from the refused scheme to address the Council's concerns regarding increases in the mass and bulk of the built form.

The officers delegated report of the previously refused scheme states the height of the proposal has been increased by 70cm from 7.1metres to 7.8metres resulting in the ridge height exceeding that of the neighbour No.2 Salcombe Way. While it is correct that the previously consented scheme has a ridge height of 7.1metres, the existing terrace has a ridge height of 7.8 metres, the proposal has, therefore, been adjusted to match this as opposed to sitting 70cm below the ridgeline. This has been highlighted in red on the street elevation drawing submitted for clarity.

Given the measurements available following an accurate site survey, the proposed dwelling would maintain sufficient flank to rear separation distances with Nos.21 and 21A Hatherleigh Road to ensure that there would not be an unacceptable loss of light or outlook to the occupants of these properties. Furthermore the first floor windows have been repositioned and are now restricted to the front elevation which would ensure that there is no loss of privacy in accordance with Policy DMHB11 of the Local Plan.

The proposed development would not therefore result in an unneighbourly form of development and would thus comply with Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Refusal reason 2 has been overcome in the current proposal.

## **6.5 Highway Safety and Parking Issues**

The parking and access arrangements proposed are the same as those proposed under application ref. 41627/APP/2021/51.

The Council had no objection in the previously refused application ref. 41627/APP/2022/40 to the same parking and access arrangements, the Officers delegated report states:

### 'Traffic Impact/Pedestrian Safety'

Policies DMT 1 and DMT 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) 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. Subject to a condition to retain the front boundary wall at a height not exceeding 0.6m to improve visibility, the Highway Authority 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 and T6 of the London Plan (2021).

### Car parking & Layout

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network. A single car parking space and cycle store are indicated on the site plan. Whilst the car parking provision is substandard, due to the site history, the highway authority consider that in this instance, parking provision is acceptable.'

## **7. Conclusion**

For the reasons detailed above, the Applicant contends that the principle of development is acceptable. The proposed development is acceptable in design terms and respects the overall characteristics of the area, provides a good residential environment for the future occupiers and would not have a detrimental impact on the amenities of surrounding occupiers or on local highway and parking conditions. The proposal represents an acceptable form of development that complies with the Development Plan for Hillingdon and the previous reasons for refusal in application ref. 41627/APP/2022/40 have been overcome.

Accordingly the Applicant requests that planning permission is granted subject to any conditions deemed reasonable and necessary.

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