

Planning Statement

On behalf of Anslip Uk Ltd

Erection of Management Office over existing Garage at
Neyland Court, 11-17 Pembroke Road, Ruislip, HA4 6NQ

Planning Statement Land R/O Neyland Court,
Pembroke Road, Ruislip HA4 8NQ

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Planning Statement

Land R/O 11-17 Pembroke Road, Ruislip

1. Introduction

1.1 This planning statement has been prepared by Anslip UK Ltd for the proposed erection of Management Offices over existing Garage Block at rear of existing Block of Flats known as Neyland Court, and creating additional Car Parking Spaces for the Residents,

1.2 The application consists of:-

- i. Drawing No. L.01-Site Location Plan
- ii. Drawing No B 01 – Block Plan
- iii. Drawing No 15.530 P.01 Existing site layout
- iv. Drawing No. 15.530 P.02 Proposed Site Layout
- v. Drawing No. 15.530 P.03 Proposed Floor Plans for Ground Floor, First Floor Office and Roof Plan
- vi. Drawing No. 15.530 P.04 Proposed Elevations
- vii. Planning Statement
- viii. LBH Approval Ref: 38324/APP/2019/4066.
- ix. Appeal Decision dated: 11 November 2016
Ref: APP/R5510/W/16/3155076

PLANNING STATEMENT

1.1. The 4 Car Garage building is located at the rear of the site. The proposal is to demolish and erect a new structure to allow central access to the First Floor Management Office of 70 SQ MT above.

1.2. In design terms the use of light weight Roof Structure with traditional brick facade to match Neyland Court, respecting the sensitivity of the neighbouring Conservation Area and Area of Special Local Character. The building will be identical in form and materials as Neyland Court.

1.3 This planning statement will describe the proposals, undertaking a full assessment in light of the history of the site, the characteristics of the surrounding area and the relevant planning policies appertaining to the development proposals. Following such an analysis, it is concluded that the proposals accord with the principles set out in both National and Local Planning Policy. It is recommended that planning permission is granted.

2. SITE AND SURROUNDING

2.1 The site comprises a detached 3 storey building located on the northern side of Pembroke Road, falling within the Ruislip town centre designation on the Local Plan Map – albeit not within the primary or secondary shopping frontages. The Ruislip Village Conservation Area abuts the site to the west and the Midcroft Area of Special Local Character abuts the site to the north.

2.2 The main building itself is set back some 6 metres from the highway frontage behind a paved forecourt area which has been landscaped.

2.3 The proposed Office Building on first floor has walls without any window opening on the North East and South side to minimise overlooking into adjoining properties. Window openings are on west elevation overlooking the Car Parking Area.

2.4 A vehicular access lies to the west of the main building providing shared access to a rear car parking area which presently accommodates some 15 parking spaces.

2.5 Neyland Court was built around 1975s and consists of 12 one bedroom flats.

2.6 To the west of the site lies the predominately 4 storey painted / rendered cream brick building which makes up to 20 Residential Flats, converted and extended Office Building known a Pembroke House and the main retail high street of Ruislip with ground floor retail units and residential accommodation above. To the rear of the retail parade many units have incorporated single and 2 storey extensions to accommodate increased retail floor space and ancillary accommodation.

2.7 The eastern boundary of the site is also the boundary of the Ruislip Village Conservation Area.

3. DEVELOPMENT PROPOSAL

3.1 The proposed Office Building on first floor has walls without any window opening on the North East and South side to minimise overlooking into adjoining properties. Window openings are on west elevation overlooking the Car Parking Area.

3.2 A vehicular access lies to the west of the main building providing shared access to a rear car parking area which presently accommodates some 15 parking spaces.

3.3 Neyland Court was built around 1975s and consists of 12 one bedroom flats.

3.4 To the west of the site lies the predominately 4 storey painted / rendered cream brick building which makes up to 20 Residential Flats, converted and extended Office Building known a Pembroke House and the main retail high street of Ruislip with ground floor retail units and residential accommodation above.

3.5 To the rear of the retail parade many units have incorporated single and 2 storey extensions to accommodate increased retail floor space and ancillary accommodation.

3.6 The eastern boundary of the site is also the boundary of the Ruislip Village Conservation Area.

4. PLANNING HISTORY

4.1 There have been 2 Approvals granted for Management Offices at the adjoining property known as Pembroke House.

A. Office 1.

- i. Ref: 38324/APP/2016/407 refused consent for the erection of a detached building to accommodate refuse storage at ground floor and office accommodation above. This decision was appealed and allowed in November 2016 (Appeal Decision ref: APP/R5510/W/16/3155076)

- ii. Application ref: 38324/APP/2018/164 sought amendments to the plans approved by the Planning Inspectorate to allow for minor variations to the elevations, relocation of the refuse store and infilling of the undercroft to create a garage. Permission was granted in May 2018.

B. Office 2

- i. Application ref. 38324/APP/2018/2678 was for a new detached building, next to the existing building, and above four car parking spaces along the northern site boundary. This was refused permission on 18/1/0/2018 however this was subsequently granted on appeal dated 26/4/2019 (Appeal Ref: APP/R5510/W/18/3218019)

4.2 The Department of Environments Planning Inspectors views in respect of such rear offices development behind a residential block of Flats has been expressed in the Appeal Decision dated: 11 November 2016 Ref: APP/R5510/W/16/3155076.

4.3 The effect of the proposal as being acceptable

- i. On the character and appearance of the area, including the Area of Special Local
- ii. Character (ASLC) and on the setting of the Ruislip Village Conservation Area (CA).
- iii. The effect of the proposal on the living conditions of residents of Pembroke House, in respect of privacy.
- iv. The proposal ensured that there is sufficient car parking provision for the occupiers of Pembroke House and the effect of the development on on-street parking demand, car parking standards, the free flow of traffic and highway/pedestrian safety outside of the site.

5. Planning Policy

5.1 LBH Planning Officer Ms. Diane Verona has endorsed the said such views by granting Planning Permission under Delegated authority.

Approval Ref: 38324/APP/2019/4066 confirms that the said Planning Permission Approval is in compliance of

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

b. Hillingdon local Plan : Part Two - Development Management Policies (January 2020) .

6. CONCLUSION

6.1 Office 1. Planning Approval Ref: 38324/APP/2018/164
and
Office 2. Planning Approval Ref: 38324/APP/2019/4066

Confirm compliance of Planning Bylaws of London Borough of Hillingdon.

6.2 The site, whilst abutting the Conservation Area and the area of Special Local Character does not in itself have any specific local designation.

6.3 Along Pembroke Road, the site lies close to Ruislip Railway Station and is considered to be in a highly sustainable location.

7. APPENDIX 1

7.1 PLANNING BYLAW COMPLIANCE.

APP. REF. NO: 38324/APP/2019/4066 DELEGATED DECISION

Report of the Head of Planning, Transportation and Regeneration

Address Development:

PEMBROKE HOUSE 5-9 PEMBROKE ROAD RUISLIP

Erection of detached building to accommodate office accommodation above existing parking.
38324/APP/2019/4066

L.01 A

B.01 A

P.01 A

P.02 A

P.03 A

P.04A

P.05 A

Planning Statement P.07 A

P.06 A

Date Plans received : 17/12/2019 Date(s) of Amendment(s):

Date Application Valid: 17/12/2019

SUMMARY

Planning permission is sought for the erection of a detached building to accommodate office accommodation above existing parking spaces along the northern site boundary. This building is in addition to the existing detached building on the site.

Although this additional proposed building, also located within the rear car park, would increase the built-up appearance of the site, the Planning Inspectorate concluded that a similar building would not have any detrimental impact on the character and appearance of the site and surrounding area, or on the visual character and appearance of the locality and setting of the adjacent Conservation Area and Area of Special Local Character.

The Planning Inspectorate also concluded that there would be no issue with regard to loss of privacy to occupiers of the flats within Pembroke House.

Therefore it is considered that the proposal would comply with Policies DMHB 5 and DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020)

The application is recommended for approval.

RECOMMENDATION

APPROVAL

subject to the following: 1 COM3 Time Limit

The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

To comply with Section 91 of the Town and Country Planning Act 1990.

Accordance with Approved Plans

The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers P.02 A, P.03 A, P.04 A, P.05 A, P.06 A and P.07 A and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan Parts 1 (November 2012) and 2 (January 2020) and the London Plan (2016).

3 Materials (Submission)

No development shall take place until details of all materials and external surfaces, including details of balconies have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such.

Details should include information relating to make, product/type, colour and photographs/images.

REASON

To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020).

4 RES13 Obscure Glazing

The first floor side window(s) in the western elevation shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metres taken from internal finished floor level for so long as the development remains in existence.

REASON

To prevent overlooking to and between the adjoining office properties in accordance with policy DMHB 11 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020).

5 NONSC Non Standard Condition

The car parking to be provided with the development hereby approved shall be kept available for the parking of vehicles at all times.

REASON

To ensure that the development complies with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020)

6 NONSC Non Standard Condition

No development above ground level shall take place until details of covered and secure cycle storage have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.

REASON

To ensure that the development complies with Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020)

INFORMATIVES

1 I15 Control of Environmental Nuisance from Construction Work

Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with:-

A. Demolition and construction works which are audible at the site boundary shall only be carried out between the hours of 08.00 and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank or Public Holidays.

B. All noise generated during such works shall be controlled in compliance with British Standard Code of Practice BS 5228:2009.

C. Dust emissions shall be controlled in compliance with the Mayor of London's Best Practice Guidance' The Control of dust and emissions from construction and demolition.

D. No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit

(www.hillingdon.gov.uk/noise Tel. 01895 250155) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

2 I47 Damage to Verge - For Council Roads:

The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

For Private Roads: Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths on private roads during construction. Vehicles delivering materials to this development shall not override or cause damage to a private road and where possible alternative routes should be taken to avoid private roads. The applicant may be required to make good any damage caused.

3 I59 Councils Local Plan : Part 1 - Strategic Policies

On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2016). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

4 I70 LBH worked applicant in a positive & proactive (Granting) Page 4 of 12

In dealing with the application the Council has implemented the requirement in the National Planning Policy Framework to work with the applicant in a positive and proactive way. We have made available detailed advice in the form of our statutory policies from the 'Saved' UDP 2007, Local Plan Part 1, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service, in order to ensure that the applicant has been given every opportunity to submit an application which is likely to be considered favourably.

3. CONSIDERATIONS

3.1 Site and Locality

The application site is located on the northern side of Pembroke Road. It is situated immediately to the rear of Pembroke House and the application building is located in the north western corner of the car park to the rear of the main building. Pembroke House is a partly four and five storey detached property and former office building fronting Pembroke Road. All floors of the building have consent for their conversion to residential under either the prior approval process or planning/appeal; there are 19 residential units within Pembroke House.

The proposed development site falls adjacent to two heritage assets, the Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character (ASLC). Although Pembroke House is a later addition within the street scene, to the rear of the site, it is characterised by well planted rear gardens. This part of the area includes housing development following the introduction of the railways in 1904 and a proposed urban expansion for a Garden Suburb. The immediate surrounding area is characterised by inter and post war properties and the rear of the commercial units on Ruislip High Street.

The site lies within Ruislip Town Centre as identified within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

3.2 Proposed Scheme

Planning permission is sought for the erection of a detached building to accommodate office space above existing parking along the northern site boundary. This proposal differs slightly from the previous scheme which was approved on appeal dated 26/4/2019 as the proposal would be located 6m from the existing building as opposed to 2m. The proposed detached building would be 12.525m in width as opposed to the previously approved scheme which was 9.97m in width but the height would remain the same at 5.4m. The building would provide 66.5sq.m of office space on the first floor. The building would be set above four existing parking spaces with 6m deep side walls. On the first floor, the building would be cantilevered 1m beyond the ground floor, resulting in a 6m deep first floor.

3.3 Relevant Planning History Comment on Planning History

There have been a number of planning applications of relevance to the consideration of this scheme and additionally appeals relating to enforcement notices and decisions, which form material considerations in the consideration of this application. The most relevant are summarised below:

Application ref: 38324/APP/2014/2680 refused consent for the erection of a two storey building to rear for use as office space and storage involving installation of railings and gates. This decision was appealed and allowed in part in October 2015.

The appeal was allowed insofar as it related to the railings and gates along the boundary to the front and side of the site, as these were not considered to harm the character and appearance of the locality.

The appeal was dismissed in relation to the erection of the two-storey building in the rear of the site.

Application ref: 38324/APP/2016/407 refused consent for the erection of a detached building to accommodate refuse storage at ground floor and office accommodation above. This decision was appealed and allowed in November 2016 (Appeal Decision ref: APP/R5510/W/16/3155076)

Application ref: 38324/APP/2018/164 sought amendments to the plans approved by the Planning Inspectorate to allow for minor variations to the elevations, relocation of the refuse store and infilling of the undercroft to create a garage. Permission was granted in May 2018.

Application ref. 38324/APP/2018/2678 was for a new detached building, next to the existing building, and above four car parking spaces along the northern site boundary. This was refused permission on 18/1/0/2018 however this was subsequently granted on appeal dated 26/4/2019 (Appeal Ref: APP/R5510/W/18/3218019)

It is noted that there are 19 residential units within Pembroke House.

Conservation & Urban Design - no comments received

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- 2N6otthaFpepblicrubaabrye 2020

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

145 neighbouring properties and the residents association were consulted by letter dated 24/1/2020.

Two written representations have been received objecting to the proposal summarise as follows: -
Over development of the site Overlooking

Incorrect boundaries

Officer response - the first two concerns raised above will be addressed within the body of this report. The last concern is not a material planning consideration and is a civil matter

6. Local Plan Designation and London Plan

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

PT1.BE1 PT1.HE1

Part 2 Policies: DMHB 4

DMHB 5 DMHB 11 DMHD 1 DMT 1 DMT 2 DMT 6 LPP 7.4 LPP 7.5 LPP 7.8

In addition:

(2012) Built Environment (2012) Heritage

Conservation Areas

Areas of Special Local Character

Design of New Development

Alterations and Extensions to Residential Dwellings Managing Transport Impacts

Highways Impacts

Vehicle Parking

(2016) Local character

(2016) Public realm

(2016) Heritage assets and archaeology

7. MAIN PLANNING ISSUES

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

Policy DMHB 11 B) of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) states that development proposals should not adversely impact on the amenity of adjacent properties and open space.

Policy DMHD 1 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) refers to alterations and extensions to residential dwellings however, it is considered that, as the proposal is essentially a two storey element within the vicinity of a residential building, the following could be relevant. It states that " two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres "

That said, Appeal Decision ref. APP/R5510/W/18/3218019 dated 26/4/2019 stated that: "From the evidence provided, it appears that the distance from the proposed building and the existing residential properties at Pembroke House is approximately 16.5m, which is below the 21.0m acceptable separation distance as set out in the Council's Supplementary Planning Document on Residential Extensions (SPD). However, this SPD relates to residential dwellings, whereas the proposal would be for a B1 office use and the overall amount of proposed office space would be very limited. In this case,

I do not consider that the SPD guidance is relevant to the appeal proposal. It is necessary that I reach a view on privacy matters using my own planning judgement.

In this case, the proposed building would be separated from the flats at Pembroke House by an existing car park. In addition, the building would be used for office purposes

and so I consider that it is reasonable to take the view that it would not likely be occupied at all times of the day. In addition, the windows proposed for the elevation facing the flats in Pembroke House would be relatively small and limited in numerical terms.

When the above matters are considered as a whole, I do not consider that the appeal proposal would give rise to a significant loss of privacy for the occupiers of Pembroke House. Therefore the proposal would accord with the amenity aims of Policy BE24 of the UDP and the guidance set out in the Framework."

Consequently, in light of the recent appeal decision, Policy DMHD 1 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020) has now replaced the previous UDP Policy BE 24.

The proposed building would be located at the northern end of the existing car park serving Pembroke House. It would be situated against the boundary with 2a and 2b Brickwall Lane. No windows are proposed on the rear roof slope of the building and so there would not be an issue of overlooking of properties on Brickwall Lane.

The proposal would provide three tilt and turn windows at first floor level on the front elevation and two smaller top hung casement windows in the two side elevations. No windows are proposed in the rear elevation at first floor level. The side window on the eastern elevation would face onto garages at the rear of Neyland Court and so would not result in overlooking or loss of privacy. The window on the western side elevation would face onto the existing office building. Given the 6m distance between the two buildings, there could be an issue of overlooking of windows of the existing and proposed offices; the proposed side window would therefore need to be obscure glazed so that there would not be an issue of overlooking of the two office buildings. The orientation of the existing and proposed buildings would not have a significant impact on daylight/sunlight provision to the buildings.

Therefore it is considered that the proposal would comply with Policy DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020).

7.2 Impact on Street Scene

The proposed development site falls adjacent to two heritage assets, the Ruislip Village Conservation Area and Midcroft, Ruislip Area of Special Local Character (ASLC). Policy DMHB 4 of the Hillingdon Local Plan: Part Two - (January 2020) states that new developments within and on the fringes of Conservation Areas should retain or enhance the character and appearance of

the Conservation Area and those features which contribute to the special architectural qualities. Policy DMHB 5 of the Hillingdon Local Plan: Part Two - (January 2020) states that new developments should harmonise with the materials, design features, architectural style and building heights predominant in Areas of Special Local Character (ASLC) Appeal Decision ref. APP/R5510/W/18/3218019 dated 26/4/2019 stated that with regard to the character and appearance, CA and ASLC: -

"The appeal site is located within the car park at the rear of Pembroke House. It is adjacent to, but not within the CA and ASLC. The CA was first designated in 1969, and the medieval village, based around Manor Farm, St.Martin's Church and the surrounding buildings form the core of the CA. Ruislip has a distinct identity that reflects its historical development.

Whilst the appeal site lies within the setting of the CA and ASLC, the car park itself is private, and public use is restricted. The design of the building, brick built with a mansard roof and hanging tiles would be very similar to the existing office building in the car park and would be considerably smaller than many of the existing buildings, including Pembroke House, that surround it.

Due to the private nature of its location to the rear of Pembroke House, it would not be conspicuous within the street scene setting of Pembroke Road. Furthermore, and owing to the position and scale of the development, I am satisfied that the development would not interfere with important views into or out of the CA or have a detrimental impact on its setting. Consequently, I do not consider that the development would look out of place in the locality or cause significant harm to the character and appearance of the area.

With regard to the ASLC, it is the rear gardens of the Brickwall Lane properties that set the context. These generally incorporate high vegetation screening along the boundary. There is no evidence to suggest that any of that screening would be affected by the proposals. The proposals are a significant distance from those properties, and as there are no windows proposed at the rear, privacy to the amenity spaces of the Brickwall Lane properties would not be compromised by the appeal proposals. In this context, I do not consider that any significant harm would be caused to the ASLC.

For the reasons outlined above, I conclude that the development would not result in any material harm to the setting of the CA or to the ASLC, and as such would not be in conflict with policies BE1 and HE1 of the London Borough of Hillingdon Local Plan Part One Strategic Policies (2012) (the LP) and Policies BE4, BE5, BE13, and BE19 of the London Borough of Hillingdon Local Plan Saved Unitary Development Plan Policies 2012 (the UDP), which, amongst other matters, seek to promote good design that harmonises with its surroundings and protect designated and locally registered heritage assets. Policy BE15 of the UDP is not directly relevant to this main issue in that it is concerned with extensions and alterations to existing buildings."

Although the current proposal differs slightly in both design and location from the previous scheme approved on appeal the revisions are not sufficient to warrant a departure from the Planning Inspectorate's findings.

The proposed building would therefore comply with Policies DMHB 4, DMHB 5 and DMHB 11 of the Hillingdon Local Plan Part 2: Development Management Policies (January 2020).

7.3 Traffic Impact/Pedestrian Safety

Highways and Transportation commented as follows: -

Site Characteristics & Background

The site is located on the edge of Ruislip Town Centre in proximity of Ruislip LU station and a generous local bus service provision. The application site comprises of 19 residential units within the main building (Pembroke House) fronting Pembroke Road and a small office building located in the north-western corner of the site envelope. The proposal intends to create a new small office building (B1a - GIFA =66.5m²) on the north- eastern extremity of the site envelope located above 5

existing parking spaces of which 4 are to be retained. The total on-plot parking quantum at present equates to 23 spaces hence the number would fall by 1 space to 22. These spaces are predominantly allocated to the 19 existing residential units and current office use. The applicant advises that only 15 residents are in possession of 'parking permits' for the said number of on-plot spaces. Vehicular and pedestrian access arrangements would remain unchanged.

The local road network is extensively covered by parking controls and given the relatively good access to rail and bus services, the public transport accessibility level (PTAL) is rated at a level of 4 which therefore reduces dependency on the use of private motor transport.

In 2018, a previous application for a similar proposal (38324/APP/2018/2678) was refused, partly on insufficient on-plot parking grounds (non-standard refusal reason 3) as 2 on-plot parking spaces would be lost as a consequence of the scheme.

At the time of determination, there was no parking requirement for the scale of B1 (a) office proposal under the previously Saved UDP parking standard. The determination was subsequently appealed and the Planning Inspectorate did not support the highway related refusal resulting in the appeal being upheld.

It is noted there is a concurrent application for this site (38324/APP/2019/2798) which proposes to introduce an additional residential flatted studio unit within Pembroke House. For the purposes of determining the application subject of this appraisal, this 'parallel' application is not anticipated to substantively influence or prejudice any final conclusions.

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.

Under the newly adopted plan and given its small scale (GIFA - 66.5m²), the new unit would demand up to a single space provision under the parking standard with the loss of 1 existing on-plot space as a result of the proposal. This is unfortunate however the loss is considered de-minimise as any parking displacement onto the highway or within the site is highly unlikely given the extensive on-street parking controls which inherently act a deterrent to potential displacement impacts.

It is highlighted that the aforementioned Planning Inspectorate decision previously accepted the loss of a total 2 on-plot spaces for a similar proposal hence it is considered that as this application results in the loss of only 1 space with a parking requirement of up to 1 space, the net impact of the proposal is directly comparable in terms of reduced parking quantum. It is also noted that some spare car park capacity is evident as only 15 spaces are being utilised by residents of Pembroke House which infers that the on-plot site parking provisions can absorb a marginal loss in number.

It is recommended that the conditions imposed at the time of the prior appeal, should also be applied to this application, specifically conditions 4 & 6 respectively related to "The car parking to be provided with the development hereby approved shall be kept available for the parking of vehicles at all times" and "No development above ground level shall take place until details of covered and secure cycle storage have been submitted to and approved by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained".

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 small unit scale, vehicular trip generation uplift is predicted to be negligible and therefore does not raise any specific highway concerns or objection.

Operational Refuse Requirements

Refuse collection would be consequential to the existing office provision. A specific bin store in proximity of the public highway (Pembroke Road) within the site access road has been indicated. This location broadly conforms to the appropriate refuse 'collection distance' standard which stipulates that distances should not exceed 10m from a bin storage area to the point of collection on the public highway. 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 highway safety concerns, in accordance with Local Plan Part 2 Development Plan Policies DMT 1, DMT 2 & DMT 6 and Policies 6.3, 6.9, and 6.13 of the London Plan (2016).

7.4 Carparking & Layout

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states that developments should comply with the Council's Car Parking Standards.

The application site comprises 19 residential units within the main building (Pembroke House) and an office building in the north-western corner of the car park.

The proposed building would be located within the car park at the rear of the site, along the northern site boundary. The car park has 21 parking spaces; 19 spaces for the residential units and two spaces for the existing office building (one of the spaces is a garage within the office building); it is noted that planning application ref: 38324/APP/2016/407, allowed at appeal, allocated one space to the office building.

The new position of the proposed building would be set above three parking spaces (19- 21). Parking spaces Nos. 17 and 18 would remain in situ. Four parking spaces would be provided within an undercroft garage namely Nos 19 to 22

Appeal Decision ref. APP/R5510/W/18/3218019 dated 26/4/2019 stated that in relation to car parking, highway safety and free flow of traffic : -

"The existing parking provision is a private car park for residents. Based on the evidence provided, there are 21 existing spaces for 19 residents and the existing office building.

The proposed building would include car parking space within the construction footprint. I concur with the Highway Authority in that the proposals would effectively remove two spaces, in that space 18 would be unusable for a normal vehicle, and space 17 would be very close to the entrance to the new building.

However, and acknowledging that, I find that space 17 would nonetheless still be usable. Furthermore, space 18 could well be utilised for motorbikes or cycles. I also agree with the Highway Authority that the surrounding area is covered by parking controls, and that there is good access to public transport. I note that the Highway Authority have not raised an objection to the proposals.

Notwithstanding the above, the Council have raised concerns regarding the overall amount of car parking that would be provided on the site. I understand from the evidence provided that 15 car parking permits are currently issued, and this is controlled by the owners of the building. This is below the 1:1 car parking standard set out within policy AM14, however it is reasonable to assume that the car park is not currently at capacity, and that it would remain under the control of the owners of the building. In addition, I am not in receipt of any evidence to suggest that there is an ongoing problem with car parking on the site. The car park is not available to be used by the public, and I am satisfied that the revised capacity would be sufficient to be able to control the private parking demand. I consider that the loss of two spaces would not cause significant harm to highway safety or lead to any on-street parking issues or traffic flow issues off site.

For the collective reasons outlined above, I conclude that the proposal would accord with policies AM7 and AM14 of the UDP which collectively state that, amongst other matters, that proposals should not cause significant harm to the conditions of highway and pedestrian safety and that the number of car parking spaces on the site would be sufficient for all land uses. "

As there would be one additional parking space provided (22) and the existing parking spaces Nos 17 and 18 would remain as at present and usable, the proposal is considered to comply with the Appeal Decision and Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

7.5 Urban Design, Access and Security Considerations Urban design:

See Section 7.2 of this report

Access and security:

The proposed building would be located along the northern site boundary of the car park to the rear of the main building. The car park is accessed via vehicular and pedestrian gates with key code access. The proposed changes would not impact on the existing security arrangements into the site.

7.6 Other Issues None

8. Reference Documents

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

Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) London Plan (2016)

National Planning Policy Framework

Contact Officer: Diane Verona Telephone No: 01895 250230

APPENDIX 2. Appeal Decision

Site visit made on 19 March 2019

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2019

Appeal Ref: APP/R5510/W/18/3218019

Pembroke House, 5-9 Pembroke Road, Hillingdon, Ruislip HA4 8NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Madhu Suchak (Ansliip (UK) Ltd) against the decision of the Council of the London Borough of Hillingdon.
- The application Ref 38324/APP/2018/2678, dated 20 July 2018, was refused by notice dated 18 October 2018.
- The development proposed is erection of detached building to accommodate office accommodation above existing parking.

Decision

1. The appeal is allowed, and planning permission is granted for erection of detached building to accommodate office accommodation above existing parking at Pembroke House, 5-9 Pembroke Road, Hillingdon, Ruislip HA4 8NQ in accordance with the application Ref: 38324/APP/2018/2678 dated 20 July 2018, subject to the conditions set out in the attached schedule.

Procedural Matter

2. The National Planning Policy Framework was revised in 2019. This is a material planning consideration and I have taken it into account as part of the determination of this appeal

3. Main Issues

The main issues are:

- The effect of the proposal on the character and appearance of the area, including the Area of Special Local Character (ASLC) and on the setting of the Ruislip Village Conservation Area (CA).
- The effect of the proposal on the living conditions of residents of Pembroke House, in respect of privacy.
- Whether the proposal would ensure that there is sufficient car parking provision for the occupiers of Pembroke House and the effect of the development on on-street parking demand, car parking standards, the free flow of traffic and highway/pedestrian safety outside of the site.

Reasons

Character and appearance, CA and ASLC

4. The appeal site is located within the car park at the rear of Pembroke House. It is adjacent to, but not within the CA and ASLC. The CA was first designated in 1969, and the medieval village, based around Manor Farm, St.Martin's Church and the surrounding buildings form the core of the CA. Ruislip has a distinct identity that reflects its historical development.

5. Whilst the appeal site lies within the setting of the CA and ASLC, the car park itself is private, and public use is restricted. The design of the building, brick built with a mansard roof and hanging tiles would be very similar to the existing office building in the car park and would be considerably smaller than many of the existing buildings, including Pembroke House, that surround it.

6. Due to the private nature of its location to the rear of Pembroke House, it would not be conspicuous within the street scene setting of Pembroke Road. Furthermore, and owing to the position and scale of the development, I am satisfied that the development would not interfere with important views into or out of the CA or have a detrimental impact on its setting. Consequently, I do not consider that the development would look out of place in the locality or cause significant harm to the character and appearance of the area.

7. With regard to the ASLC, it is the rear gardens of the Brickwall Lane properties that set the context. These generally incorporate high vegetation screening along the boundary. There is no evidence to suggest that any of that screening would be affected by the proposals. The proposals are a significant distance from those properties, and as there are no windows proposed at the rear, privacy to the amenity spaces of the Brickwall Lane properties would not be compromised by the appeal proposals. In this context, I do not consider that any significant harm would be caused to the ASLC.

8. For the reasons outlined above, I conclude that the development would not result in any material harm to the setting of the CA or to the ASLC, and as such would not be in conflict with policies BE1 and HE1 of the London Borough of Hillingdon Local Plan Part One Strategic Policies (2012) (the LP) and Policies BE4, BE5, BE13, and BE19 of the London Borough of Hillingdon Local Plan Saved Unitary Development Plan Policies 2012 (the UDP), which, amongst other matters, seek to promote good design that harmonises with its surroundings and protect designated and locally registered heritage assets. Policy BE15 of the UDP is not directly relevant to this main issue in that it is concerned with extensions and alterations to existing buildings.

Living conditions - privacy

9. From the evidence provided, it appears that the distance from the proposed building and the existing residential properties at Pembroke House is approximately 16.5m, which is below the 21.0m acceptable separation distance set out in the Council's Supplementary Planning Document on Residential Extensions (SPD). However, this SPD relates to residential dwellings, whereas the proposal would be for a B1 office use and the overall amount of proposed office space would be

very limited. In this case, I do not consider that the SPD guidance is relevant to the appeal proposal. It is necessary that I reach a view on privacy matters using my own planning judgement.

10. In this case, the proposed building would be separated from the flats at Pembroke House by an existing car park. In addition, the building would be used for office purposes and so I consider that it is reasonable to take the view that it would not likely be occupied at all times of the day. In addition, windows proposed for the elevation facing the flats in Pembroke House would be relatively small and limited in numerical terms.

11. When the above matters are considered as a whole, I do not consider that the appeal proposal would give rise to a significant loss of privacy for the occupiers of Pembroke House. Therefore the proposal would accord with the amenity aims of Policy BE24 of the UDP and the guidance set out in the Framework.

12. Also, in relation to that guidance, the proposed relationship is not taken across private garden areas, but across a car park used by vehicles, which may well be parked for long periods of time. I find that these factors render the separation distance requirements unworkable in the policy in this instance, and as such, I find no conflict with the SPD, or Policy BE24 of the UDP, which requires development to protect the privacy of neighbouring dwellings.

Car parking, highway safety and free flow of traffic

13. The existing parking provision is a private car park for residents. Based on the evidence provided, there are 21 existing spaces for 19 residents and the existing office building.

14. The proposed building would include car parking space within the construction footprint. I concur with the Highway Authority in that the proposals would effectively remove two spaces, in that space 18 would be unusable for a normal vehicle, and space 17 would be very close to the entrance to the new building. However, and acknowledging that, I find that space 17 would nonetheless still be usable. Furthermore, space 18 could well be utilised for motorbikes or cycles. I also agree with the Highway Authority that the surrounding area is covered by parking controls, and that there is good access to public transport. I note that the Highway Authority have not raised an objection to the proposals.

15. Notwithstanding the above, the Council have raised concerns regarding the overall amount of car parking that would be provided on the site. I understand from the evidence provided that 15 car parking permits are currently issued, and this is controlled by the owners of the building. This is below the 1:1 car parking standard set out within policy AM14, however it is reasonable to assume that the car park is not currently at capacity, and that it would remain under the control of the owners of the building. In addition, I am not in receipt of any evidence to suggest that there is an ongoing problem with car parking on the site. The car park is not available to be used by the public, and I am satisfied that the revised capacity would be sufficient to be able to control the private parking demand. I consider that the loss of two spaces would not cause significant harm to highway safety or lead to any on-street parking issues or traffic flow issues off site.

16. For the collective reasons outlined above, I conclude that the proposal would accord with policies AM7 and AM14 of the UDP which collectively state that, amongst other matters, that proposals should not cause significant harm to the conditions of highway and pedestrian safety and that the number of car parking spaces on the site would be sufficient for all land uses.

Other Matters

17. I have noted the concerns raised by other interested parties and many of the comments raised have already been addressed in my reasoning above. Comments have been made that the existing car park serves both Pembroke House and Neyland Court, but I have no objective evidence before me to support such a view. Concerns have also been raised about possible dust and noise at construction stage. Any disturbance at construction stage would be temporary in nature and the Council has separate statutory nuisance powers to deal with any unacceptable impacts.

18. I acknowledge the comments made by some interested parties about the possibility of the appeal building being converted into a dwelling in the future. This is not relevant to the determination of this appeal and any such proposal would require separate planning permission.

19. I have considered the relationship of the proposed development with properties (including rear gardens) on Brickwall Lane. Owing to the location, height, position of windows and screening on the common boundary with neighbouring properties, I am satisfied that the development would not cause significant harm to the living conditions of the occupiers of these neighbouring properties in respect of outlook, light and privacy. In addition, I am satisfied the proposal would not result in any significant loss of light or outlook for the occupiers of Pembroke House.

Conditions

20. I have taken into consideration the conditions proposed by the Council as agreed by the appellant and amended some of the wording in the interests of precision. I have not included the conditions relating to the submission of details of boundary treatments, as there would be no requirement for any boundary treatments, given the concerns of the Council regarding loss of parking spaces. I have also deleted a pre-commencement condition that appears to have been duplicated as well as the suggested condition requiring visibility splays for the car parking space, which is unnecessary, given that the proposal is acceptable in plan form and most of the car park/access shown on the submitted plans is already in existence, serving existing development.

21. It is necessary to impose the three-year time limit and a condition requiring the development to be carried out in accordance with the approved plans, in the interests of certainty. It is necessary to impose conditions 3 and 5 in the interests of the character and appearance of the area. Condition 6 is necessary in order to discourage the use of the private motor vehicle and to encourage more sustainable transport movements. Condition 4 is imposed to ensure that parking provision is retained for the lifetime of the development. In this case, and notwithstanding the agreement from the appellant to impose pre-commencement conditions, I do not consider that any of the conditions suggested by the Council need to be strictly pre-commencement conditions. I have therefore amended such conditions in so far that it would allow development to commence prior to specified details being approved, subject to such development not being above ground level.

Conclusion

22. For the reasons set out above, and taking into account all other matter raised, the appeal is allowed.

Paul Cooper
INSPECTOR

Schedule of Conditions

1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

2) The development hereby permitted shall be carried out in accordance with the following approved plans:

L.01 - Site Location Plan;
B.01 – Block Plan;
P.01 - Existing site layout;
P.02 - Proposed Site Layout;
P.03 - Proposed Site Plan;
P.04 - Proposed Ground Floor Plan;
P.05 - Proposed First Floor Plan;
P.06 – Proposed Roof Plan;

P.07 - Proposed Elevations.

- 3) No development above ground level shall take place until details and/or samples of all materials, colours and finishes to be used on all external surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter accord with the approved details.
- 4) The car parking to be provided with the development hereby approved shall be kept available for the parking of vehicles at all times.
- 5) No development above ground level shall take place until details of facilities to be provided for the screened storage of refuse bins within the site have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the facilities have been provided in accordance with the approved details and thereafter the facilities shall be permanently retained.
- 6) No development above ground level shall take place until details of covered and secure cycle storage have been submitted to and approved in writing by the Local Planning Authority. The facilities shall be provided in accordance with the approved details prior to the first occupation of the development and thereafter permanently retained.