

DELEGATED DECISION

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

APPROVAL RECOMMENDED: GENERAL		Select an Option
1.	No valid planning application objection in the form of a petition of 20 or more signatures, has been received	<input type="checkbox"/>
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	<input type="checkbox"/>
3.	There is no Committee resolution for the enforcement action	<input type="checkbox"/>
4.	There is no effect on listed buildings or their settings	<input type="checkbox"/>
5.	The site is not in the Green Belt (but see 11 below)	<input type="checkbox"/>
REFUSAL RECOMMENDED: GENERAL		
6.	Application is contrary to relevant planning policies/standards	<input type="checkbox"/>
7.	No petition of 20 or more signatures has been received	<input type="checkbox"/>
8.	Application has not been supported independently by a person/s	<input type="checkbox"/>
9.	The site is not in Green Belt (but see 11 below)	<input type="checkbox"/>
RESIDENTIAL DEVELOPMENT		
10.	Single dwelling or less than 10 dwelling units and/or a site of less than 0.5 ha	<input type="checkbox"/>
11.	Householder application in the Green Belt	<input type="checkbox"/>
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	<input type="checkbox"/>
13.	Refusal of change of use from retail class A1 to any other use	<input type="checkbox"/>
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.	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
15.	Certificate of Lawfulness (for proposed use or Development)	<input type="checkbox"/>
16.	Certificate of Lawfulness (for existing use or Development)	<input type="checkbox"/>
17.	Certificate of Appropriate Alternative Development	<input type="checkbox"/>
CERTIFICATE OF LAWFULNESS		
18.	ADVERTISMENT CONSENT (excluding Hoardings)	<input type="checkbox"/>
19.	PRIOR APPROVAL APPLICATION	<input type="checkbox"/>
20.	OUT-OF-BOROUGH OBSERVATIONS	<input type="checkbox"/>
21.	CIRCULAR 18/84 APPLICATION	<input type="checkbox"/>
22.	CORPSEWOOD COVENANT APPLICATION	<input type="checkbox"/>
23.	APPROVAL OF DETAILS	<input type="checkbox"/>
24.	ANCILLARY PLANNING AGREEMENT (S.106 or S.278) where the Heads of Terms have already received Committee approval	<input type="checkbox"/>
25.	WORKS TO TREES	<input type="checkbox"/>
26.	OTHER (please specify)	<input type="checkbox"/>

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

Case Officer:

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

Item No.	Report of the Interim Director of Planning, Regeneration & Public Realm	
Address:	7A HIGH ROAD ICKENHAM	
Development:	Construction of a two storey building to provide a commercial unit (Class E) and 1 self-contained residential unit (Class C3) with associated refuse and cycle storage and provision of an undercroft.	
LBH Ref Nos:	77708/APP/2022/3645	
Drawing Nos:	P9/001 Rev A P9/002 Rev A P9/003 Rev A P9/008 Rev A P9/005 Rev A P9/006 Rev A P9/007 Rev A P9/004 Rev A	
Date Plans received:	04-01-23	Date(s) of Amendments(s):
Date Application valid	04-01-23	

1. SUMMARY

The site comprises a driveway serving an existing two storey flat building at the rear and a two storey mixed use building at the front. The application involves a two storey, infill, mixed use building with retail space and a vehicular underpass on the ground floor and a 1 bed unit on the first floor. It is proposed at two storeys in height and will match the height, roof form and character of the existing building to the east.

The site is located to the side of a pair of 1930s semi-detached buildings which face onto High Road and within the Ickenham Village Conservation Area. The building is of individual merit and contributes positively to the street scene. It is well positioned within the site, allowing for suitable gap views between neighbouring buildings, particularly those of different uses and styles.

There have been two previous applications for a similar infill development, both refused on character grounds and the most recent scheme from 2019 being dismissed at appeal. Objections to this application have been received from two neighbouring properties, raising concerns of construction impacts and loss of light. The Council's Highways Officer raises no in-principle objection.

Having regard to the concerns raised by the Inspector in the 2019 appeal decision, the principle of the infill development in this application remains unacceptable on character grounds and the application is recommended for refusal.

2. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the character of the Ickenham Conservation Area

By infilling the building gap with 7 High Road to the north, the development results in the loss of openness and building separation that is a characteristic of this part of the conservation area. It also comprises an incongruous underpass/tunnel feature which is incompatible with the existing semi detached building. Collectively, these two aspects of the development pose less than substantial but unacceptable harm to the setting and character of the Ickenham Village Conservation Area. When weighing the public benefits, the proposal is contrary to Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 16 of the National Planning Policy Framework 2021, Policies D8 and HC1 of the London Plan 2021, Policy BE1 of the Hillingdon Local Plan Part One 2012 and Policies DMHB 11, DMHB 12 and DMHB 4 of the Hillingdon Local Plan: Part Two 2020.

INFORMATIVES

1. I71 Discussion

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 Local Plan Part 1, Local Plan Part 2, Supplementary Planning Documents, Planning Briefs and other informal written guidance, as well as offering a full pre-application advice service. We have however been unable to seek solutions to problems arising from the application as the principal of the proposal is clearly contrary to our statutory policies and negotiation could not overcome the reasons for refusal.

2. I52 Accessibility

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).

I53 Policies

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.

DMEI 9 Management of Flood Risk

DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 13	Shopfronts
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 4	Conservation Areas
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP HC1	(2021) Heritage conservation and growth

3. CONSIDERATIONS

3.1 Site and Locality

The site is on the western side of High Road, measures approximately 60m² and comprises an existing driveway that serves a two storey, six unit flat building at the rear. To the south is an existing two storey, pitched roof, mixed use development comprising two retail units on the ground floor and two units on the floor above. To the north is a three storey, flat roofed office building with underpass.

The surrounding area comprises a mix of land uses, including residential to the north, a pub to the east (across the road) and St Giles' Church further to the south. Ickenham town centre at the intersection with Swakeleys Road is 120m to the south. The site is within the boundary of Ickenham Local Centre but outside the designated primary. The site also lies within Ickenham Village Conservation Area.

The site is located to the side of a pair of 1930s semi-detached buildings which faces onto the High

Road (numbers 3 and 5 and Swan House). The building is of individual merit and contributes positively to the street scene. It is well positioned within the site, allowing for suitable gap views between neighbouring buildings, particularly those of different uses and styles. The existing building fronting onto the High Road is characterised by two traditional shop fronts at ground floor, with central recessed entrances, divided by brick pilasters and corbels. The first floor is externally finished in painted render with decorative mock Tudor timbering. The building features traditional timber sash windows and a tiled, gable roof form.

There are a series of buildings to the rear which have been the subject of approvals for conversion to residential units; they have no amenity space but do have parking spaces in the undeveloped U shaped access which runs around the outside of the converted/slightly extended buildings and the frontage building. The frontage building has approvals for conversion and extension of the upper floors to residential.

Site constraints:

- Ickenham Village Archaeological Priority Area
- Ickenham Local Centre
- Ickenham Village Conservation Area
- PTAL Rating 2
- Hillingdon AQMA
- Potentially contaminated land
- Flood Zone 1

3.2 Proposed Scheme

The proposal involves the erection of a two storey infill, mixed use building comprising the following:

- Retail space (9m²), rear staircase access to the first floor and retention of the existing vehicular access via an underpass on the ground floor
- 1 bed flat on the first floor with loft storage above

3.3 Relevant Planning History

39317/C/88/2390 7 HIGH ROAD ICKENHAM

Continued use of second floor as offices (formerly bedsit accommodation for senior partner)

Decision: 18-01-1989 Approval

18563/K/94/0635 5 HIGH ROAD ICKENHAM

Change of use of part of first-floor office to mini-cab office

Decision: 27-07-1994 Approval

24890/E/96/0793 3 HIGH ROAD ICKENHAM

Part change of use of first floor from office to mini-cab office (retrospective application)

Decision: 08-01-1997 Approval

39317/F/98/3120 7 HIGH ROAD ICKENHAM

Retention of a 5.0 metre x 0.5 metre externally illuminated gantry sign

Decision: 09-04-1999 Approval

39317/G/98/1989 7 HIGH ROAD ICKENHAM

Continued use of builders yard for used car sales (retrospective application)

Decision: 09-04-1999 Approval

18563/APP/2001/840 5 HIGH ROAD ICKENHAM

CONTINUED USE AS A MINI-CAB OFFICE

Decision: 06-08-2001 Approval

24890/APP/2012/3173 3 HIGH ROAD ICKENHAM

Change of use of ground floor from offices (Class A2) to a mixed use of offices and sale/repair of white goods A1/B1 (Retrospective).

Decision: 22-03-2013 Approval

24890/APP/2013/1305 3 HIGH ROAD ICKENHAM

Change of use of first floor from use class B1 (offices) to use class C3 (residential) to be used as 1 x 2-bedroom flat (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 23-07-2013 Approval

24890/APP/2016/1203 SWAN HOUSE, REAR OF 3-5 HIGH ROAD ICKENHAM

Change of use from office (Use Class B1) to provide 2 x 2-bed and 2 x 1-bed flats (Use Class C3) (Prior Approval)

Decision: 27-05-2016 Refusal

24890/APP/2016/1506 SWAN HOUSE, REAR OF 3-5 HIGH ROAD ICKENHAM

Two storey infill extension and two storey rear extension.

Decision: 01-08-2017 Approval

24890/APP/2016/1685 SWAN HOUSE, REAR OF 3-5 HIGH ROAD ICKENHAM

Change of Use from offices (Use Class B1) to provide 4 x 1-bed maisonettes (Use Class C3) (Prior Approval)

Decision: 26-07-2016 Prior Approval
N/Req

24890/APP/2016/1686 SWAN HOUSE, REAR OF 3-5 HIGH ROAD ICKENHAM

Alterations to windows/doors and alterations to roof design

Decision: 06-09-2016 Approval

24890/APP/2016/1687 GROUND FLOOR, 3 HIGH ROAD ICKENHAM

Change of use from retail (Use Class A1) to 1 x 2-bed self contained flat (Use Class C3) involving installation of new door and window to front (Prior Approval)

Decision: 25-07-2016 Refusal

72112/APP/2016/2922 3-7 SWAN HOUSE HIGH ROAD ICKENHAM
Change of use from office (Use Class B1) to provide 1 new dwelling (Use Class C3) (Prior Approval).

Decision: 26-09-2016 Prior Approval
N/Req

24890/APP/2016/3126 3-5 HIGH ROAD ICKENHAM
Conversion of roofspace from storage space to form 2 x 1-bed flats to include 2 rear dormers and 4 front rooflights.

Decision: 25-11-2016 Approval

18563/APP/2016/4458 5 HIGH ROAD ICKENHAM
Two storey side extension to provide a 1 x 1 bed self-contained flat

Decision: 23-10-2017 Refusal

24890/APP/2017/654 SWAN HOUSE, REAR OF 3-5 HIGH ROAD ICKENHAM
Application for a non-material amendment to planning permission Ref: 24890/APP/2016/1686 dated 06/09/2016 (Alterations to windows/doors and alterations to roof design) to allow for alterations to elevations and roof

Decision: 27-03-2017 Approval

18563/APP/2017/611 5 HIGH ROAD ICKENHAM
Change of use from Sui Generis (mini-cab office) to Use Class D1 (Dental Practice) at ground floor level.

Decision: 26-05-2017 Approval

24890/APP/2017/4051 5 HIGH ROAD ICKENHAM
Construction of 2 storey side extension and conversion into 2 flats

Decision: 09-01-2018 No Further
Action(P)

18563/APP/2018/980 VILLAGE CARS 5 HIGH ROAD ICKENHAM
Change of use from Mini Cab Office (Sui Generis) to a flexible use of retail, professional services or office use (Classes A1, A2 and B1)

Decision: 09-05-2018 Approval

18563/APP/2018/1090 5 HIGH ROAD ICKENHAM
Two storey side extension to provide 1 x 1-bed self-contained flat.

Decision: 29-03-2019 Refusal **Appeal:** 16-10-19 Dismissed

Comment on Planning History

2016 application

18563/APP/2016/4458 involved the erection of a two storey side extension to provide 1 x self-contained flat. The principle of an infill building was broadly similar but the design was different, including no ground floor built form. It was refused on 23 October 2017 for the following reason:

"The proposed extension, by virtue of its size, scale, bulk and layout, would result in the loss of an important gap in the street frontage which would intensify the developed nature of the site and fail to appear proportionate or in keeping with the existing heritage asset. The proposal would thus be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Ickenham Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.8 of the London Plan (2016), the adopted Supplementary Planning Document HDAS: Residential Layouts and the NPPF."

2018 application

18563/APP/2018/1090 followed. It involved a two storey side extension to provide 1 x 1-bed self-contained flat, with design modifications to the above application including the introduction of ground floor built form. It was refused on 29 March 2019 for the following reason:

"The proposed extension, by virtue of its size, scale, bulk and layout, would result in the loss of an important gap in the street frontage which would intensify the developed nature of the site and fail to appear proportionate or in keeping with the existing heritage asset. The proposal would thus be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Ickenham Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.8 of the London Plan (2016), the adopted Supplementary Planning Document HDAS: Residential Layouts and the NPPF."

An appeal against the refusal (APP/R5510/W/19/3229462) was dismissed on 6 October 2019. The relevant findings of the Inspector are within the following paragraphs:

8. Although the proposed gable style roof would match the existing building, and the extension would be slightly set down from the existing ridge, would be narrower than the existing building, and the proposed fenestration would align with the existing windows, I find that the scale and design of the proposed extension would be visually obtrusive and would damage the appearance of the building. It would infill the existing gap between Nos 5 & 7, drastically altering the rhythm of the row of buildings facing the street and thus eliminating a main element defining the character of the conservation area. The appellant highlights that a small 1m gap will be retained, but the proposed floorplans indicate the main entrance and stairs to the new flat would be located within this gap. I therefore do not think there will be a gap between the proposed extension and the neighbouring building at no. 7 that would be noticeable in the street scene.

9. Furthermore, by virtue of its size and appearance, the proposed extension would alter the shape and distinctive symmetry of the existing building. I find that the ground floor tunnel-like gap would appear awkward and incoherent with the building. It is considered that the proposal would therefore result in an incongruous addition to the property that would fail to harmonise with the existing building. I find that the proposed development would disrupt the architectural character of the conservation area and reduce the spaciousness in the immediate area. Plan: Part One - Strategic Policies (November 2012), Policies BE4, BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy 7.8 of the London Plan (2016), the adopted Supplementary Planning Document HDAS: Residential Layouts and the NPPF.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date: **22nd February 2023**

4.2 Site Notice Expiry Date: Not applicable

5. Comments on Public Consult

Neighbour consultation

22 neighbours and Ickenham Residents Association were consulted from 20 January to 10 February 2022. Two submissions were received, raising the following concerns:

- Impact of construction on resident and emergency vehicular access

Officer comment: The proposal would involve some construction impacts to existing residents and given the unusual nature of the proposal and implications for neighbour, would require submission of a Construction Management Plan. Access to High Road would remain via the other side of the existing building and this would need to be negotiated as part of the CMP.

- Loss of sunlight and daylight

Officer comment: There are no unreasonable neighbour amenity issues, as noted in the body of the report.

- Noise pollution

Officer comment: The construction of the development would pose a degree of unavoidable impact that would be managed as part of the CMP. There are no identifiable issues associated with the proposed use of the retail or residential units, as noted in the body of the report.

Internal consultation

Highways Officer: No objection, subject to clarification of parking arrangements.

Officer comment: The applicant has confirmed an error on the application form. The proposed unit would be car free and existing parking alongside the proposed access is unlawful. Refer to comments in the body of the report.

Conservation Officer: No comments received as part of the current application. The previous application dating from 2919 was not supported on the following basis;

The proposal would enclose the significant gap-view between Nos. 5 and 7 and intensify the development on the application site. This would detract from the character and significance of the Conservation Area, and would be considered in principle unacceptable.

The side addition would lead to a substantial and incongruous addition that would dramatically and detrimentally alter the proportionate, symmetrical appearance of the existing building which as existing contributes positively to the street scene and Conservation Area. The proposed infill development would alter the established rhythm along the street and would be considered detrimental to the character and appearance of the street scene and Conservation Area.

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

Part 2 Policies:

DMEI 9	Management of Flood Risk
DMH 2	Housing Mix
DMH 6	Garden and Backland Development
DMHB 1	Heritage Assets
DMHB 11	Design of New Development
DMHB 12	Streets and Public Realm
DMHB 13	Shopfronts
DMHB 16	Housing Standards
DMHB 17	Residential Density
DMHB 18	Private Outdoor Amenity Space
DMHB 4	Conservation Areas
DMT 1	Managing Transport Impacts
DMT 2	Highways Impacts
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D5	(2021) Inclusive design
LPP D6	(2021) Housing quality and standards
LPP D8	(2021) Public realm
LPP HC1	(2021) Heritage conservation and growth

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:

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 London Plan (2021)
The West London Waste Plan (2015)

The National Planning Policy Framework (NPPF) 2021 is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance. The proposed development has been assessed against development plan policies and all relevant material considerations.

7. MAIN PLANNING ISSUES

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

Policy DMHD 1 and DMHD 11 of the Hillingdon Local Plan seek to ensure a satisfactory relationship with adjacent dwellings and no unacceptable loss of outlook, amenity, daylight and sunlight to neighbouring occupiers.

There is a three storey office building to the north and shop top housing to the south. Neither of the neighbouring buildings have side facing windows alongside the location of the proposed building, which will be built to match the height, roof pitch and front and rear building lines of the existing semi detached building to the south.

There is a marginal projection forward of the building line of the office building to the north, however, it is not to the extent that would warrant any neighbour amenity concerns or any incursion of the 45 degree line. A neighbour objection from the south raises concern about loss of light. However, being in alignment with the rear building line of the semi to the south, there is likewise no foreseeable dominance or loss of light or outlook. A rear facing window would not be affected and a side facing window would be marginally affected in diagonal or acute views, but given the limited extent of the existing outlook, there are no concerns raised.

At first floor level, there are two front facing habitable windows which will look onto High Road. To the rear, there is a bedroom window and staircase window, both of which have an outlook predominantly onto the existing car park. Very acute sightlines are evident towards the side facing window of the neighbouring property to the south but it is not to the extent that would raise concern.

7.2 Impact on Street Scene

Scale and form

Policy BE1 of the Hillingdon Local Plan seeks a quality of design 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 states that new development will be

required to be designed to the highest standards and incorporate principles of good design. Policy DMHB 12 requires integration with the surrounding area.

The site is within the Ickenham Village Conservation Area and the Council has a duty to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of a listed building, including its setting. Paragraphs 199-202 of the NPPF requires consideration of the harm to the significance of a designated heritage asset.

Policy DMHB 4 of the Local Plan seeks to ensure that development within a conservation area preserve or enhance the character or appearance of the area, including high quality design and resisting the loss of buildings and features. Policy HC1 of the London Plan seeks to conserve significance, by being sympathetic to the assets' significance and appreciation within their surroundings.

The primary issues drawn from the previous refusals and reinforced in the Inspector's comments are:

- Visually obtrusive development
- Loss of rhythm
- Loss of gap
- Loss of symmetry
- Awkward appearance of tunnel

The application was supported by an authorless Heritage Statement. Two take aways from the report are the clear downplaying of any significance that this area of the street, and the existing semi detached buildings, contributes to the conservation area, to the extent that it is viewed as a negative contribution. This assessment is not shared. The other statement is that the views between the building are limited of the car park and hardstanding beyond. However, this ignores the green backdrop beyond or the equally significant benefits of openness associated with the current building separation.

The proposed development adopts consistency in ridge height, eaves height, front and rear building line, materials and finishes to the retail frontage and at first floor, window proportions and style, rooflight location and building width. It effectively forms an infill development replicating and extending onto the existing semi detached building.

The changes made since the most recent refusal and dismissed appeal resolve the Inspector's concerns relating to the perception of being a visually obtrusive development. Indeed, the symmetry and continuation in building form are positive outcomes. However, the Inspector is fairly clear at paragraph 8 that the infilling of a gap is of significant damage to the conservation area. The proposal would still involve the loss of the gap or rhythm to properties in the street and despite changes to the underpass tunnel, it would still appear as an incongruous feature.

This part of the conservation area is characterised by a degree of openness and building separation with views between buildings of a leafy backdrop. Any development would bring about a loss of openness and impression of building separation and in effect, the principle of the development cannot be overcome. The loss of the gap would fail to enhance and/or preserve the character and appearance of the Conservation Area and is not supported as outlined in Reason for Refusal 1.

The ground floor tunnel-like gap is also noted as awkward and incoherent in paragraph 9 of the

appeal decision. The subject application now includes a 2m wide retail frontage to the 5m width, which is a positive benefit. However, much like the loss of the gap, the creation of any vehicular access within the design would result in an incongruous addition which would disrupt the architectural character of the conservation area and the balanced composition of the original pair. It is recognised that the building to the north has an underpass. However, it forms part of a separate building and is not a feature that should be replicated. It is not supported on this basis and forms part of Reason for Refusal 1.

The harm is less than substantial but as outlined in the Planning Balance below, the benefits are very limited and do not outweigh the identified harm.

7.3 Traffic Impact/Pedestrian Safety

Policies DMT 1 and DMT 2 of the Local Plan require consideration of whether traffic generation 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 of development and limited on-plot parking, any vehicular trip generation uplift is predicted to be negligible and therefore does not give rise to any specific highway concerns.

The site forms part of a diminutive commercial parade in Ickenham fronting the High Road which is designated as 'classified' in the borough's road hierarchy. The envelope currently consists of a 'gap' in the parade (between 5 and 7 High Road) which allows for vehicular and pedestrian access to several residential cottages (1-6 Winston House) set behind the parade with a gating arrangement.

The surroundings consist of a mix of commercial and residential uses and the site exhibits a public transport accessibility level (PTAL) of 3 which is considered as moderate but in practice the 'real world' PTAL may be somewhat higher than numerically depicted due to the relative proximity of Ickenham Underground Station and a plethora of local bus services operating within the locality. There are a mix of parking controls on the surrounding roadways exemplified by double yellow lines and 8am to 6.30pm - Monday to Saturday single yellow line restrictions.

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,

7.4 Carparking & Layout

Parking

Policy DMT 6 of the Local Plan requires compliance with the parking standards unless it is demonstrated that a deviation would not result in a deleterious impact on the surrounding road network. Policy T6.1 of the London Plan (2021) requires that new residential development should not exceed the maximum parking standards. The maximum parking standard requires 0.5 space.

The previous application accepted that a car free development would be acceptable and with a continued policy direction away from dependence upon private vehicle usage, there is no objection on these grounds. However, the application form initially indicated that there would be one additional space though the plans do not indicate where this space is located. It is also evident that at least two existing spaces would be lost due to the new build. Four spaces are shown to be retained, presumably for the flat building to the rear. This building was nearing completion at the time of the assessment of the 2019 application and so the loss of parking for this building did not form part of the consideration.

The Council's Highways Officer was content with a condition to provide clarity on allocation such that no in principle objection is noted. The applicant has since clarified that there was an error on

the application form and that the development is car free. This is not opposed on account of there being no objection in the previous application. The site lies within the Ickenham Local Centre with easy access to a number of shops and facilities. There is a bus stop to the front of the Church Hall and West Ruislip Station is situated approximately 620 m to the north east.

There is also no loss of existing car parking. There are two vehicles parked alongside the access though these cars are parked outside of any approved parking spaces, both as allocated on the ground and on the approved plans for the office to residential conversion to the rear. On this basis, it is concluded that there is no net change in car parking.

There is a requirement for one cycle spaces, which is provided in the downstairs lobby and is to the satisfaction of the Council's Highways Officer.

Dealing with the retail unit, owing to the small scale (9m²), the Council's Highways Officer has concluded that there is no set requirement for car or cycle parking provision.

Access

Tandem parking of 6-7 vehicles exists on the northern side of the private access road measuring 5.2m in width which is devoid of a formal turning head but extends to the side of the cottages thereafter connecting to a remaining part of the private access road that emerges between 1 and 3 High Road to the south of the site envelope. It would therefore appear that an informal one-way traffic-flow system is likely to be in operation.

Although the access width is sufficient for emergency access (such as fire tenders), the 2.315m height will prejudice physical access. Where a fire tender cannot, for whatever reason, gain access into a site, fire appliances should be able to be positioned within 45m of the source of an emergency in order to execute their duty. In line with Building Regulations, if this distance is exceeded then alternative options such as hydrants and or internal water sprinkler systems can be applied in lieu of a fire tender accessing a site thereby covering all eventualities. Henceforth if, in this particular case, fire tender access is not achievable through the access road, the aforementioned distance parameter as set by Building Regulations would be met. On this basis, no objection is raised.

7.5 Urban Design, Access and Security Considerations

Principle of Development

Policy DMTC 2 of the Local Plan relates to the primary and secondary shopping areas with support for ground floor uses of premises for retail, financial and professional activities and restaurants, cafes, pubs and bars provided that a minimum of 70% of the frontage is retained in Use Class A1. Policy E5 of the Local Plan allows additional retail floorspace, subject to sequential and impact tests. The addition of 2m of retail width or 9m² of retail floorspace is supported in principle particularly given it adjoins to existing retail to the south and is within the retail frontage.

Additionally, the site is within the settlement limits within an area of mixed uses and the establishment of an infill building with shop top residential accommodation in this location is broadly acceptable, subject to consideration of other factors.

Trees and Landscaping

The site that is devoid of any existing landscaping nor are there any opportunities for future landscape enhancements.

Internal and External Amenity

Policy DMHB 16 of the Local Plan require a minimum internal space standard of at least 37m² for a 1 bed, 1 person occupancy unit without a bathroom (at 7.5m², the bedroom is single occupancy). The unit has an internal floorspace of 44m² which accords with the minimum requirement. There is dual aspect to the unit with living spaces to the eastern elevation, which provides for good outlook and cross ventilation.

Policy DMHB 18 specifies a minimum outdoor area of 20m² for a studio unit where none is proposed. Given the circumstances of the subject site (above an access), the small scale of the unit (studio) and the surrounding area (an office conversion to the rear without any external amenity space) and as no objection was raised with the previous application on these grounds, there is no objection with this application.

7.6 Other Issues

Ecology

Section 15 of the NPPF and Policy DMEI 7 of the Local Plan aim for the retention of existing features of biodiversity or geological value within the site and enhancement and net gain of biodiversity within a proposed development. Policy DMEI 7 requires appropriate surveys and assessments to demonstrate that the proposed development will not have unacceptable effects. The hardstanding within the subject site and the adjacent elevations of the neighbouring buildings do not exhibit any identifiable habitat potential and the surrounding area is predominantly residential such that there are no likely habitat in the area. Subject to of bird and bat boxes as part of the proposed scheme by condition, there are no objections.

Flooding and Drainage

The site is in Flood Zone 1 and the proposed retail and residential uses are acceptable in terms of any potential flood risk. The main access on High Road is via Flood Zone 3. However, given the development is within Flood Zone 1, the residential unit (being the more vulnerable development) is above ground and the access is existing, no objection is raised. Further, the location of the building within the existing hardstanding is such that there is no net change in impermeable area. Subject to connections to existing connections, no issues are raised.

Refuse Storage

Policy EM11 of the Local Plan refers to the minimisation of waste. Refuse storage shown adjacent to the existing flat building at the rear. Given the small scale of the residential and retail units, it is unlikely that the waste generated from the proposed uses would not be able to be accommodated within the existing arrangements. Refuse collection would continue to be undertaken from the High Road as the scale and configuration of the private roadway is unsuitable for larger refuse vehicles. As collections are already established for 5 High Road, the current arrangements would suffice and given the relatively small scale of the proposal, it is considered acceptable, subject to confirmation and final details by condition.

Access

Policy D7 of the London Plan requires all new housing, as a minimum standard, to be designed and constructed as accessible and adaptable in accordance with M4(2) as set out in Approved Document M to the Building Regulations (2015 edition). The ground floor retail space has level

access which is acceptable. The unit on the first floor is accessed by a staircase and full accessibility is unachievable but not unacceptable based on the site circumstances.

Building Sustainability

Policies BE1 and DMEI 2 of the Local Plan seeks to achieve reductions in carbon dioxide emissions through energy efficient design and effective use of low and zero carbon technologies, including the use of SUDS, water efficiency, lifetime homes and sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill. Given the modest nature of the scheme, and subject to post approval measures such as water saving appliances and adherence to minimum Building Regulations standards, no objections are raised.

Construction

A full and detailed CMP would be a requirement given the constraints and sensitivities of the immediate 'classified' nature of the road network in order to avoid/minimise potential detriment to the public realm. Continued and safe pedestrian and vehicular access would also need to be maintained for residents of 'Winston House' during the construction period. A full and detailed Construction Logistics Plan would therefore be conditioned in the event of an approval.

Community Infrastructure Levy

The development is CIL liable as there is a net increase of one dwelling.

Planning Balance

The amendments made since the 2019 refusal and dismissed appeal have resolved some concerns but the principle of infill development in this location is opposed. The additional unit would contribute towards the Council's housing supply targets, albeit only one additional 1-bed dwelling. However, the Council has a healthy five year housing land supply. There is economic activity associated with the construction phase and through Council tax and Community infrastructure Levy though weight is minimal. There is a degree of social benefit associated with additional retail though the 1-bed unit is not family sized. The weight applied to social benefit is minimal. Environmental benefits are also minimal to nil.

Paragraph 202 of the NPPF states that where a development will lead to less than substantial harm to the significance of a designated heritage asset (Ickenham Conservation Area), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The aforementioned harm to the character of the conservation area is significant and having regard to the Council's five year housing supply and the very limited benefits associated with the scheme, the benefits do not outweigh the clear harm. The development is also not required to secure optimum use.

8. Reference Documents

Hillingdon Local Plan: Part 1 - Strategic Policies (November 2012)

Hillingdon Local Plan: Part 2 Development Management Policies (2020)

London Plan 2021

National Planning Policy Framework (2021)

Contact Officer:

Simon Taylor

Telephone No: