

DELEGATED HOUSEHOLDER 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	☐
2.	Application complies with all relevant planning policies and is acceptable on planning grounds	☐
3.	There is no Committee resolution for the enforcement action	☐
4.	There is no effect on listed buildings or their settings	☐
5.	The site is not in the Green Belt (but see 11 below)	☐

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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 Head of Development Management and Building Control**

Address: 48 MYRTLE AVENUE RUISLIP

Development: Conversion of roof space to habitable use including raising the ridge height and alterations to roof profile with 2 x rear dormers, 3 x front roof lights (revised description)

LBH Ref Nos: 77167/APP/2023/2854

Drawing Nos: PA3-21118-04 - PROPOSED GROUND FLOOR PLAN
PA-21118-05 - PROPOSED LOFT PLAN
PA3-21118-06 - PROPOSED ROOF PLAN
PA3-21118-07 - PROPOSED ELEVATIONS
PA3-21118-00 - location plan
PA3-21118-01 - EXISTING GROUND FLOOR PLAN
PA3-21118-02 - EXISTING ROOF PLAN
PA3-21118-03 - EXISTING ELEVATIONS

Date Plans received:

Date(s) of Amendments(s):

Date Application valid

1. CONSIDERATIONS

1.1 Site and Locality

The site is located on the north side of Myrtle Avenue. It is occupied by a detached, one storey house built in brick with a tiled, pitched roof. The area is residential in character comprising detached one storey dwellings as its immediate neighbouring properties and detached and semi-detached two storey houses in its surroundings.

Number 46 Myrtle Avenue is located to the east of the application site and Number 50 is located to the west of the application site.

The application site is not designated within a Conservation Area, nor an Area of Special Local Character. The site does not contain any Listed Buildings. There are no trees that are subject to a Tree Preservation Order within the site or on adjoining land.

1.2 Proposed Scheme

The application proposes the conversion of roof space to habitable use including raising the ridge height and alterations to roof profile with 2 x rear dormers and 3 x front roof lights.

1.3 Relevant Planning History

77167/APP/2022/3115

48 MYRTLE AVENUE RUISLIP

Erection of a single storey rear extension.

Decision: 06-12-2022

Approved

77167/PRC/2022/68

48 MYRTLE AVENUE RUISLIP

Proposed first floor/roof extension to create habitable rooms, rear/front dormer

Decision: 01-06-2022

Objection

Comment on Planning History

Relevant history listed above.

It is noted that application ref: 77167/APP/2022/3115 has been built out and is substantially complete.

2. Advertisement and Site Notice

2.1 Advertisement Expiry Date: Not applicable

2.2 Site Notice Expiry Date: Not applicable

3. Comments on Public Consultations

5 neighbouring properties and Eastcote Residents Association were consulted on 06-10-23. The consultation period expired on 30-10-23. One representation was received by the end of the consultation period as summarised below:

- Loss of light and overshadowing
- Concerns regarding consultation of application by neighbour
- Loss of greenery to rear garden

Planning Officer comments:

All material considerations raised will be discussed in the main report below.

4. 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:

DMHB 11 Design of New Development

NPPF12 NPPF 2021 - Achieving well-designed places

DMHB 12 Streets and Public Realm

LPP D3	(2021) Optimising site capacity through the design-led approach
DMHB 18	Private Outdoor Amenity Space
DMHD 1	Alterations and Extensions to Residential Dwellings
DMT 6	Vehicle Parking
LPP D4	(2021) Delivering good design
LPP D6	(2021) Housing quality and standards

5. MAIN PLANNING ISSUES

The main considerations are the design and impact on the character of the existing property, the impact upon the streetscene and locality, the impact upon the amenities of adjoining occupiers, the reduction in size of the rear garden and car parking provision.

Character and Appearance:

Paragraph 130 b) of the National Planning Policy Framework (2021) states - Planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;

Policy D3 of the London Plan (2021) requires that development proposals should: Form and enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.

Policy D4 of the London Plan (2021) states 'Development should have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings. It should improve an area's visual or physical connection with natural features. In areas of poor or ill-defined character, development should build on the positive elements that can contribute to establish an enhanced character for the future function of the area.'

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

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

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extensions to dwellings should not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

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

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling;

The application is proposing a conversion of roof space to habitable use including raising the ridge height and alterations to roof profile with 2 x rear dormers and 3 x front roof lights. The proposed roof extension would create a new storey to the main dwelling with two new habitable rooms on the new first floor. The new roof form would be a mansard style with gable ends. The roof increase in height from the eaves would be approximately 1.33m.

The design of the proposal aims to mimic what is existing across the road at No. 45 Myrtle Avenue. However, it should be noted that the two properties are markedly different and the development at No. 45 is not considered to justify the proposed development. The site at No. 45 is set back approximately 9m from the highway as well as being set well in from both its neighbouring properties (12m from the western boundary), whereas, the application property is sited close to the site boundaries and would have a more prominent impact on the street scene and the neighbouring buildings.

In addition, No.45 is sited in between a two storey dwelling to the east and a bungalow to the west and acts as a transition in height. In comparison, the application site is located in the middle of two bungalows which are of a similar height to the existing dwelling. As a result, the proposed increase in height and alterations to the roof profile would be incongruous.

The proposed rear dormers windows are not subservient and do not respect the window hierarchy of the dwelling, creating a top heavy and poorly designed proposal which would substantially alter the appearance of the property, visible from multiple public and private view points.

Moreover, the roof alterations, when viewed as a whole, would appear out of character with the surrounding area, where the vast majority of bungalow properties have retained their hipped roof forms, some with a distinctive gable feature to the front. It is noted that no other property has been extended in such a manner, and the proposed mansard roof and eaves height would compete with and detract from the existing modest roof profile. In this context, it is considered that the roof form would result in an incongruous and insubordinate development that fails to respect the character of the area. Therefore, the significant increase in the overall size, prominence, scale, bulk and massing of the host dwelling would result in a development that would not appear subordinate and out of character.

Therefore, it is considered that the proposed development, when viewed as a whole, would be completely disproportionate, overly prominent and unsympathetic to the original architectural composition of the host dwelling, resulting in the proposed development having a harmful impact to original dwelling, and the character, appearance and visual amenities of the area. The proposal would therefore conflict with Paragraphs 130b) and 134 of the National Planning Policy Framework (2021), Policies D3 and D4 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Residential Amenity:

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.

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

Number 46 Myrtle Avenue is located to the east of the application site and Number 50 is located to the west of the application site.

Number 46 benefits from a sole bedroom window on the west elevation of the property. Given the existing harm from the proximity to the neighbouring dwelling and what could be achievable under permitted development (hip to gable roof extension) it is considered that the proposed development would not adversely effect the amenities of neighbouring occupiers, in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Number 50 does not benefit from any primary windows on the east elevation, nevertheless, given the permitted development fallback it is considered that the proposed development would not adversely effect the amenities of neighbouring occupiers, in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Outlook and Light:

It is considered that all the resulting habitable room, and those altered by extension, maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

External Amenity Space Provision:

Given the nature of the proposal, the amenity space would be retained as existing. Therefore, would not undermine the provision of external amenity space, in accordance with Policy DMHB 18 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Parking and Highway Safety:

The parking provision would remain unaffected by the proposal, in accordance with Policy DMT 6 of the Hillingdon Local Plan Part 2: Development Management Policies (2020).

Conclusion:

The proposed roof alterations would cause significant harm to the character, appearance and visual amenities of the host dwelling, street scene and surrounding area.

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

6. RECOMMENDATION

REFUSAL for the following reasons:

1. NON2 Harm to the character of the area

The proposal, by reason of its excessive width, depth, siting, scale, bulk, massing and design would be completely unduly prominent, visually incongruous and unsympathetic to the original architectural composition of the host dwelling, resulting in the proposed development having a harmful impact to original dwelling, and the character, appearance and visual amenities of the area. The proposal would therefore conflict with Paragraphs 130b) and 134 of the National Planning Policy Framework (2021), Policies D3 and D4 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

INFORMATIVES

1. On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant Local Plan Part 2 (2020), then London Plan Policies (2016). Hillingdon's Full Council adopted the Hillingdon Local Plan: Part 1 - Strategic Policies on 8 November 2012 and the Hillingdon Local Plan Part 2 on 16 January 2020.

Standard Informatives

1. The decision to GRANT 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 Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
2. The decision to GRANT 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.

Part 1 Policies

PT1.BE1 (2012) Built Environment

Part 2 Policies:

DMHB 11 Design of New Development

NPPF12 NPPF 2021 - Achieving well-designed places

DMHB 12 Streets and Public Realm

LPP D3 (2021) Optimising site capacity through the design-led approach

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

LPP D4 (2021) Delivering good design

3. You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
4. You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. The validity of this planning permission may be challengeable by third parties if the development results in any form of encroachment onto land outside the applicant's control that is considered to cause harm to local amenity.
5. Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 558170).
6. You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
7. The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM.
8. Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.

9. 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 should only be carried out between the hours of 08.00 hours 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 and Public Holidays.

B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.

C) The elimination of the release of dust or odours that could create a public health nuisance.

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

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) 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.

10. You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
11. To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
12. You are advised that 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).

Contact Officer:	Emilie Bateman	Telephone No:	01895 250230
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