

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 Option

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

REFUSAL RECOMMENDED: GENERAL

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

RESIDENTIAL DEVELOPMENT

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

COMMERCIAL, INDUSTRIAL AND RETAIL DEVELOPMENT

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

CERTIFICATE OF LAWFULNESS

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

CERTIFICATE OF LAWFULNESS

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

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

Case Officer

Signature:

Date:

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

Team Manager:

Signature:

Date:

The decision notice for this application can be issued.

Director / Member of Senior Management Team:

Signature:

Date:

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

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

Address 50 ST MARTINS APPROACH RUISLIP

Development: Conversion of roof space to habitable use to include a front/side dormer and 3 side and 4 rear roof lights

LBH Ref Nos: **26449/APP/2020/831**

Drawing Nos: WJ/02/19
WJ/01/19 Rev. A

Date Plans Received: 09/03/2020 **Date(s) of Amendment(s):**

Date Application Valid: 17/03/2020

1. CONSIDERATIONS

1.1 Site and Locality

The site is a two-storey detached dwelling on the east side of St Martins Approach. The area is residential in character. The site backs onto parkland.

The application property falls within the 'Developed Area' as outlined within the Hillingdon Local Plan - Part Two. It is also within Flood Zone 2.

1.2 Proposed Scheme

Conversion of roof space to habitable use to include 1 front/side dormer and 3 side and 4 rear roof lights

1.3 Relevant Planning History

26449/79/0385 50 St Martins Approach Ruislip

Householder development - residential extension(P)

Decision Date: 18-04-1979 Approved

26449/APP/2019/4156 50 St Martins Approach Ruislip

Conversion of roof space to habitable use to include 2 rear dormers, 1 side dormer and 3 side roof lights (Application for a Certificate of Lawful Development for a Proposed Development)

Decision Date: 19-02-2020 Refused

26449/B/87/0469 50 St Martins Approach Ruislip

Conversion of existing garage into habitable room & erec of replacement attached garage

Decision Date: 28-04-1987 Approved

26449/C/93/1084 50 St Martins Approach Ruislip

Erection of a rear conservatory

Decision Date: 18-08-1993 Approved

Comment on Planning History

26449/APP/2019/4156 - Conversion of roof space to habitable use to include 2 rear dormers, 1 side dormer and 3 side roof lights (Application for a Certificate of Lawful

Development for a Proposed Development) (Refused - not permitted development)

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

Neighbours were notified on 25/03/2020 and one objection was received objecting on the grounds that the level of windows to rear will result in loss of privacy.

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

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

LPP 3.5 (2016) Quality and design of housing developments

5. MAIN PLANNING ISSUES

Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The Development Plan for the London Borough of Hillingdon currently consists of the following documents:

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

The Local Plan: Part 2 - Development Management Policies (2020)

The Local Plan: Part 2 - Site Allocations and Designations (2020)

West London Waste Plan (2015)

The London Plan - Consolidated With Alterations (2016)

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

Emerging Planning Policies

Paragraph 48 of the National Planning Policy Framework (NPPF) 2019 states that 'Local Planning Authorities may give weight to relevant policies in emerging plans according to:

(a) the stage of preparation of the emerging plan (the more advanced its preparation, the greater the weight that may be given);

(b) the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and

(c) the degree of consistency of the relevant policies in the emerging plan to this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Draft London Plan (Intend to Publish Version, December 2019)

The GLA consulted upon a draft new London Plan between December 2017 and March 2018 with the intention of replacing the previous versions of the existing London Plan. The Plan was subject to examination hearings from February to May 2019, and a Consolidated Draft Plan with amendments was published in July 2019. The Panel of Inspectors appointed by the Secretary of State issued their report and recommendations to the Mayor on 8th October.

The Mayor has considered the Inspectors' recommendations and, on the 19th December 2019, issued to the Secretary of State his intention to publish the London Plan along with a statement of reasons for any of the Inspectors' recommendations that the Mayor does not wish to accept.

Limited weight should be attached to draft London Plan policies that have not been accepted by the Mayor or that have only been accepted in part/with significant amendments. Greater weight may be attached to policies that were subject to the Inspector's recommendations and have since been accepted by the Mayor through the 'Intend to Publish' version of the Plan. The weight will then increase as unresolved issues are overcome through the completion of the outstanding statutory process. Greater weight may also be attached to policies, which have been found acceptable by the Panel (either expressly or by no comment being made).

Consideration

The main planning issues are the effect of the development on the character and appearance of the original building, the street scene and the level of impact on the residential amenity and light levels of the adjoining neighbours, provision of off-street parking provision and impact upon trees.

Roof extensions

Policy DMHD1 of the Local Plan states

E) Roof Extensions

- 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; and
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

Paragraph A1.20 of the DMHD 1 states

The design of roof extensions should not create a dominant 'top heavy' appearance out of proportion with the rest of the building. It should be lower than the height of the main ridge and sit well above the eaves and away from the roof's hips and valleys. As a guide, new roof extensions should not cover more than a third of the main roof.

Paragraph A1.21 of the DMHD 1 states

A dormer window should be no larger in size than those on the first floor and comprise an individual window and roof. This is preferable to a roof extension and will be required in Conservation Areas and Areas of Special Local Character. Only rear roof extensions and rear dormer windows will be considered acceptable.

The proposed dormer will be a prominent feature in the street scene. Whilst there is set down from the ridge, its overall size, scale and bulk it will result in the appearance of a large flat roof section to the detriment of the design of the dwelling and the character of the area. Thus, the proposed dormer window, by reason of its siting in this visually prominent position size, scale, bulk, and design, would fail to harmonise with the architectural composition of the original and adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The side roof lights are small and proportionate to the overall roof.

Neighbours amenities

The adjoining neighbours are numbers 48 and 52 St Martins Approach. The proposed side roof lights are obscure glazed and high level. The rear roof lights would afford some views over neighbouring gardens but at a high level offering some views to the bottom half of neighbours gardens only and must also be seen in relation to an existing level of non material overlooking which is normally accepted as acceptable in the case of properties with parallel plots. As such, the proposal would not result in a loss of their residential amenities by appearing overbearing, overshadowing, or resulting in material loss of outlook and light. In the event of approval side facing windows including the dormer could be conditioned as obscure glazed and partial high level opening.

Policy DMHB 18 of the Local Plan requires sufficient garden space to be retained as a consequence of an extension, and that a minimum usable rear garden area of 100 sq.m should be provided for a 6 bedroom dwelling (which is what the application dwelling would comprise after development). The proposal would result in the retention of a usable rear garden area which would be exceed the minimum garden area of 100 sq.m required.

There are at least 3 on-site parking spaces. The proposed development would accord with Policy DMT 6 of the Local Plan in terms of available car parking.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed dormer window, by reason of its siting in this visually prominent position

size, scale, bulk, and design, would fail to harmonise with the architectural composition of the original and adjoining dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 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.
- 2 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 reason for refusal.

Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) 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
DMHB 18 Private Outdoor Amenity Space
DMHD 1 Alterations and Extensions to Residential Dwellings
DMT 6 Vehicle Parking
LPP 3.5 (2016) Quality and design of housing developments

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