



## PLANNING APPEAL - STATEMENT OF CASE

183 Torcross Road, Ruislip, HA4 0TG

*Job Ref: 21/037*

*Date: March 2021*



Prepared by Tom Donovan BA (Hons), MA, MRTPI on behalf of

**PETER GEORGE TOWN PLANNING**



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## Section 1: Introduction & Background

### Introduction

1.1 Peter George Town Planning has been instructed by the appellant to submit an appeal on their behalf against the decision of the London Borough of Hillingdon (the Council) to refuse planning permission for a part two storey, part single storey side/rear extension, porch to front and installation of Juliette balcony with alterations to fenestration.

1.2 Application reference 7577/APP/2021/212 was refused by the Council by notice (attached as **Appendix 1**) dated 24 March 2021 for two reasons which read as follows:

“1. The proposed two storey side extension, by virtue of its siting in this open prominent position, size, scale, bulk and design in terms of how the hipped roof integrates with the existing gabled roof, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original semidetached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the 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 DMHB 12 and DMHD 1 of

the Hillingdon Local Plan: Part Two - Development Management

Policies.

2. The proposed extension by reason of its size, scale, bulk, height, depth, width, proximity to the side boundary and projection forward of the return building line along Beech Close, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.”

- Nb. As a minor area for correction, reason for refusal 2 references ‘Beech Close’ which is presumably an error on the part of the Council and should in fact reference, ‘Queens Walk’.



- 1.3 This Statement makes the case that planning permission should have been granted for the proposed development. The reasons for this are addressed in later sections of this Statement.

#### **Planning History**

- 1.4 Application ref.75777/APP/2020/3164: Certificate of Lawfulness Proposed Development: Conversion of roof space to habitable use to include a rear dormer window, 3 front rooflights, conversion of roof from hip to gable end with gable end window and removal of side chimney stack.

**GRANTED 16/10/2020**



## Section 2: Analysis of the Site and Surroundings

### The Appeal Site

- 2.1 The appeal property, no.183 Torcross Road is a semi-detached dwelling which appears to date to the mid-twentieth century. It is located at the far east end of Torcross Road being positioned at the junction with Queens Walk.



Figure 1 - Appeal Site

- 2.2 The property is of brick construction and has a concrete tiled roof. The property is rendered to the side and rear. It has recently been extended by way of a hip-to-gable roof extension together with the insertion of a flat roof dormer window to the rear in order to facilitate the conversion of the



loft to additional habitable accommodation. Similar such works have been undertaken at the adjoining property no.181 hence a symmetry remains between the two halves of the pair.

- 2.3 To the front the property has a modest front garden with a footpath leading to the front door. The existing front door is set within a recessed porch which is detailed by a brick archway.
- 2.4 A brick boundary wall bounds the south and eastern boundaries extending as far as the vehicular access and single garage which is located to the rear of the property. The garage is proposed to be demolished making way for two car parking spaces.
- 2.5 The application site is not within a conservation area, nor does it contain or lie adjacent to any listed buildings. The site does not contain or is adjacent to any protected trees.
- 2.6 The site is in Flood Zone 2 owing to the proximity of Yeading Brook which lies to the north of the application site.



### Section 3: The Development Proposal

3.1 The development is described on the decision notice as follows:

*“Part two storey, part single storey side/rear extension, porch to front and installation of Juliet balcony with alterations to fenestration.”*

3.2 The two-storey part of the proposed side/rear extension would be set approximately 1m behind the front wall of the main house and would extend up to the flank boundary. It would have a hipped roof with eaves to match the main house whilst the ridge would be set approx. 1.5m below the ridge of the main house. It would have a depth of approximately 3.5m to the rear wrapping around the corner of the main house. A ‘Juliet’ balcony is proposed at first floor level to the rear.



Figure 2 - Proposed Front & Rear Elevations (Not to Scale)



- 3.3 The single storey element would have a depth of 3.5m and would extend to just within the boundary with the adjoining property. It would have a flat roof with a projecting roof lantern. Bi-fold doors are proposed for the rear face of the single storey part of the extension.

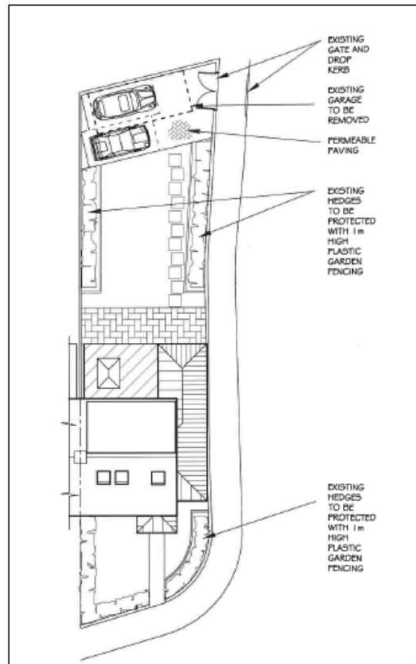


Figure 3 - Proposed Site Plan (Not to Scale)

- 3.4 The proposed front porch would be modest in terms of its proportions having a width of approx. 2.7m and a depth of approximately 850mm. It would have a pitched roof.



- 3.5 Changes are proposed to the rear face of the dormer with a 'Juliet' balcony being proposed as well as two windows instead of the one previously approved. A further rooflight is proposed for the front roofslope.
- 3.6 The extensions are proposed to be constructed in brickwork to match the main house and would have a tiled roof to match. Windows and doors would be similar in appearance to the existing.
- 3.7 The appellant also proposes to demolish the existing garage at the rear of the property proposing to create additional parking, but this is not included as a formal part of the application.



## Section 4: Relevant Planning Policy

### National Planning Policy Framework

- 4.1 The Government policies on different aspects of planning are set out in the National Planning Policy Framework 2019 (the Framework).
- 4.2 Relevant sections are as follows:
- Section 2: Achieving sustainable development
  - Section 4: Decision making
  - Section 9: Promoting sustainable transport
  - Section 12: Achieving well-designed places
  - Section 15: Conserving and enhancing the natural environment

### Development Plan

- 4.3 Section 38(6) of the Planning Compulsory Purchase Act 2004 states that:

*“If regard is to be had to the development plan for the purpose of any determination under the Planning Acts, the determination must be made in accordance with the plan unless material considerations dictate otherwise.”*

- 4.4 The development plan context for the planning application is provided by:



- Hillingdon Local Plan: Part 1 – Strategic Policies (Adopted November 2012)
- Local Plan: Part 2 – Development Management Policies (Adopted January 2020)

4.5 The following policies are considered relevant to the consideration of this application:

Part 1:

- PT1.BE1: Built Environment
- PT1.EM6: Flood Risk Management

Part 2:

- DMHB 11: Design of New Development
- DMHB 12: Streets and Public Realm
- DMHB 18: Private Outdoor Amenity Space
- DMHD 1: Alterations and Extensions to Residential Dwellings
- DMT 6: Vehicle Parking
- DMEI 9: Management of Flood Risk
- DMEI 10: Water Management, Efficiency and Quality
- LPP D6: Housing Quality

London Plan 2021

4.6 Relevant policies are as follows:



- D6: Housing Quality and Standards
- SI12: Flood Risk Management



## **Section 5: Planning Analysis**

- 5.1 The Council refused planning application ref. 7577/APP/2021/212 for two reasons as set out in Section 1 of this Statement. In effect, these two reasons cover one key area which is the design of the proposed part-two, part-single storey side and rear extension and the resultant effect of the proposed development on the character and appearance of the area.

### **The Effect on the Character and Appearance of the Area**

#### **Policy Background**

- 5.2 In both reasons for refusal, the Council have referred to Policy BE1 of the Hillingdon Local Plan Part One (hereafter referred to as 'LP1'), and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan Part Two (hereafter referred to as 'LP2').
- 5.3 LP1 Policy BE1 is an overarching design policy which seeks to ensure that development within Hillingdon is of a high standard of design and ultimately contributes positively to the character and appearance of the area.



- 5.4 LP2 Policy DMHB 11 has similar aims to the afore-mentioned LP Policy BE1 insofar that it seeks to ensure a high standard of design through detailed criteria set out within the policy. It additionally seeks to ensure that new development would not have any adverse impact on the living conditions of neighbouring properties.
- 5.5 LP2 Policy DHMB 12 has similar overall aims to the above but seeks specially to ensure that new development is well integrated with the surrounding area.
- 5.6 LP2 Policy DMHD 1 deals specifically with extensions and alterations to residential dwellings. It contains detailed guidance as to the expectations regarding various types of extensions and related alterations.
- 5.7 The afore-mentioned policies are all considered to be consistent with Section 12 of the Framework insofar that they seek to achieve a high standard of design and ensure that new development would accord with its surroundings.



## Analysis

- 5.8 The planning officer's delegated report (attached as **Appendix 2**) states that *"the proposed two storey side extension, by virtue of its siting in this open prominent position, size, scale, bulk and design in terms of how the hipped roof integrates with the existing gabled roof, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the surrounding area."*
- 5.9 The report goes on to say that *"the proposed two storey side extension, would totally infill the space to the side on this open prominent corner, result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal therefore represents an over development of the site to the detriment of the character and visual amenities of the area and to this existing open area of the street scene."*
- 5.10 The two reasons for refusal essentially focus on two key concerns and these are: 1) the fundamental design of the proposed extension and its



relationship to the existing house, and 2) the effect that the extension would have on the street scene as a consequence of filling the gap between the flank wall of the extension and the boundary.

- 5.11 The application property is on the corner of Torcross Road and Queens Walk and it is acknowledged that the front, corner and rear of the property is highly visible at the junction of the two roads and along Queens Walk. The proposed part-two, part-single-storey side and rear extension would therefore be reasonably prominent in the street scene.



*Figure 4 - Appeal Property Viewed From Junction*

- 5.12 The proposed extension would be relatively modest in terms of its proportions, has been set behind the front wall of the main house and



would have a ridge set below that of the main house. The overall form, character and appearance of the host property would be retained, and the extension would appear as a subordinate addition.

5.13 A hipped roof is proposed, and this would include a section which wraps around the north-east corner of the main dwelling before extending to the rear by approximately 3.5m. The roof form would not involve any awkward intersections and would sit neatly in relation to the existing gable end and rear dormer.

5.14 The Council also raise concerns regarding the principle of development to the side of the property. Indeed, it is noted that LP2 Policy DMHD 1 C 'ii' suggest that *"extensions to corner plots should ensure that the openness of the area is maintained, and the return building line is not exceeded"*.

5.15 The plot is noted as being on the corner of Torcross Road and Queens Walk, however, the gap between the flank wall of the main house and the boundary is limited (approx. 1500mm) in terms of its size and it has a limited effect on the street scene or public realm. Moreover, the nearest residential properties along Queens Walk to the north are approx. 60m away, there is little relationship between the appeal dwelling and these



properties. As such, the technical breach of the return building line would not be discernible thus not resulting in any tangible harm.



*Figure 5 - Appeal Site Viewed From Torcross Road*

5.16 It is considered that the Council has overstated the importance of the undeveloped gap between and it is clear that it makes a very limited contribution to the street scene and public realm. Moreover, its development would not result in a cramped form of development as suggested by the Council in their reason for refusal. As such, it is considered that the principle of developing this gap would be acceptable and that the proposed scheme would be an appropriate form of development for doing so.



5.17 In addition to the above, it is clear that the Council raised no objection to the single storey part of the proposed extension in principle albeit clearly it is part of the two-storey side/rear extension which was found to be harmful.

### **Summary**

5.18 The proposed part-two, part-single storey rear extension has been designed in order to relate to the host property as a subordinate addition and would overall be a sympathetic addition to the host dwelling. It is noted that the site is in a relatively exposed position at the junction of Torcross Road and Queens Walk, however, the extension would not cause any material harm to the character of the street scene nor the public realm in this location.

5.19 The open space between the flank wall of the house and the boundary of the site has been analysed and it is clear that this has little tangible value in the streetscape and its development would not be fundamentally harmful to the character of the area. Additionally, it is clear that the proposed dwelling would not give rise to any material harm to any of the neighbouring properties.



5.20 Consequently, the proposed extension would therefore be compliant with LP1 Policy BE1, LP2 Policies DMHB 11, DHMB 12 & DHMD 1, as well as Section 12 of the Framework.

#### **Other Matters**

##### **Single Storey Front Porch, 'Juliette' Balcony and Changes to Fenestration of Existing Dormer/Additional Front Rooflight**

5.21 The proposed single storey front porch was found to be acceptable with the planning officer concluding that this part of the proposals would be policy compliant. Indeed, it is noted that the proposed porch would be a modest addition which would be sympathetic to the host dwelling in terms of its size and design.

5.22 No objections were raised to the aesthetic changes to the rear face of the dormer or the insertion of a rooflight to the front roof slope.

5.23 The front porch is completely independent of the side and rear extensions which form the basis of the Council's refusal, as are the changes to the dormer and the front rooflight. In the event that the Inspector considers

that the part-two, part-single storey side and rear extension is



unacceptable, it is respectfully requested that the appeal is part-allowed in respect of permitting the front porch, the aesthetic changes to the dormer and proposed roof light in accordance with Section 79 of the Town and Country Planning Act 1990.

#### **Flood Risk**

- 5.24 The application site is located within Flood Zone 2 and, as such, the application was accompanied by a Flood Risk Assessment. The Council's Flood and Water Management were consulted and raised no objections.

#### **Car Parking**

- 5.25 The removal of the garage to the rear would enable the creation of two parking spaces at the rear of the property. This would satisfy the requirements of LP2 Policy DMT6.

#### **Amenity**

- 5.26 Sufficient private amenity space is retained in the rear garden to serve the enlarged dwelling.



### **Precedent Cases**

- 5.27 There are a number of properties in the surrounding area which are similar to the appeal property and site in that they are situated on the junction and have been extended to two storey level to the side/rear as applicable.
- 5.28 It is acknowledged that these cases are not necessarily identical to the appeal scheme, however they are indicative of the Council being supportive of significant extensions to the side of properties on exposed corner plots.

#### **1 Hartland Drive, Ruislip, HA4 0TQ**





75 Long Drive, Ruislip, HA4 0HN





79 Queens Walk, Ruislip, HA4 0NN





101 Queens Walk, Ruislip, HA4 0NW



STATEMENT OF CASE: 183 Torcross Road, Ruislip, HA4 0TG



162a Long Drive, Ruislip, HA4 0HR



STATEMENT OF CASE: 183 Torcross Road, Ruislip, HA4 0TG





## Section 6: Summary & Conclusions

- 6.1 The planning application was refused for two reasons with the key issue for consideration being the design of the proposed extension and the resultant effect that the development would have on the character and appearance of the area.
- 6.2 The reasons for refusal have been closely analysed in section 5 of this statement and the case is made that the proposed extension would have a design which would be sympathetic to the host dwelling with the form and design of the roof ensuring subservience with the host dwelling. Moreover, the principle of extending to two-storey level to the side would be acceptable in principle giving the limited contribution that the small gap to the side makes to the street scene.
- 6.3 The proposed development (including the proposed front porch and other aesthetic changes) would therefore have an acceptable effect on the character and appearance of the area and would thus be compliant with LP1 Policy BE1, LP2 Policies DMHB 11, DHMB 12 & DHMD 1, as well as Section 12 of the Framework.



6.4 In light of the above, it is respectfully requested that the appeal be allowed, and planning permission granted.



## APPENDIX



**APPENDIX 1:** Decision Notice Application Reference 7577/APP/2021/212

Mr Korban Ali  
141 Langley Road  
Slough  
SL3 7DZ

Application Ref: 75777/APP/2021/212

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**REFUSAL OF PLANNING PERMISSION**

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

**Description of development:**

Part two storey, part single storey side/rear extension, porch to front and installation of Juliette balcony with alterations to fenestration

**Location of development:** 183 Torcross Road, Ruislip

**Date of application:** 27 January 2021

**Plan Numbers:** See attached Schedule of plans

**Permission is refused for the reason(s) listed on the attached schedule:-**



Head of Planning, Transportation and Regeneration

**Date: 24 March 2021**

- NOTES: (i) Please also see the informatives included in the Schedule of Reasons.
- (ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

**REFUSAL OF PLANNING PERMISSION**

Application Ref: 75777/APP/2021/212

**SCHEDULE OF REASONS**

- 1 . The proposed two storey side extension, by virtue of its siting in this open prominent position, size, scale, bulk and design in terms of how the hipped roof integrates with the existing gabled roof, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.
- 2 . The proposed extension by reason of its size, scale, bulk, height, depth, width, proximity to the side boundary and projection forward of the return building line along Beech Close, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

**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. The Council's supports pre-application discussions. 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.

## SCHEDULE OF REASONS

### 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 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
- PT1.EM6 (2012) Flood Risk Management

#### Part 2 Policies:

- DMHB 11 Design of New Development
- DMHB 12 Streets and Public Realm
- DMHB 18 Private Outdoor Amenity Space
- DMHD 1 Alterations and Extensions to Residential Dwellings
- DMT 6 Vehicle Parking
- DMEI 9 Management of Flood Risk
- DMEI 10 Water Management, Efficiency and Quality
- LPP D6 (2021) Housing quality and standards
- LPP SI12 (2021) Flood risk management
- NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

### END OF SCHEDULE

#### Address:

Residents Services  
London Borough of Hillingdon  
3 North Civic Centre, High Street, Uxbridge UB8 1UW  
Tel: 01895 250230  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

## **REFUSAL OF PLANNING PERMISSION**

Application Ref.No.: 75777/APP/2021/212

### **SCHEDULE OF PLANS**

Flood Risk Assessment - received 28 Jan 2021

1805/1 - received 28 Jan 2021

1805/2 - received 28 Jan 2021

1805/3 - received 28 Jan 2021

1805/4 - received 28 Jan 2021

1805/6 - received 28 Jan 2021

**RIGHTS OF APPLICANTS AGGRIEVED BY DECISION  
OF LOCAL PLANNING AUTHORITY**

**TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)**

**Appeals to the Secretary of State**

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at [www.planningportal.gov.uk/pcs](http://www.planningportal.gov.uk/pcs).
- If you intend to submit an appeal that you would like examined by inquiry team then you must notify the Local Planning Authority and Planning Inspectorate ([inquiryappeals@planninginspectorate.gov.uk](mailto:inquiryappeals@planninginspectorate.gov.uk)) at least 10 days before submitting the appeal. Further details are available at [www.gov.uk/government/collections/casework-dealt-with-by-inquiries](http://www.gov.uk/government/collections/casework-dealt-with-by-inquiries)
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

**Purchase Notices.**

- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



**APPENDIX 2:** Delegated File Note Application Reference 7577/APP/2021/212

**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**            183 TORCROSS ROAD RUISLIP

**Development:**    Part two storey, part single storey side/rear extension, porch to front and installation of Juliette balcony with alterations to fenestration

**LBH Ref Nos:**     **75777/APP/2021/212**

**Drawing Nos:**    Flood Risk Assessment  
                          1805/1  
                          1805/2  
                          1805/3  
                          1805/4  
                          1805/6

**Date Plans Received:**    15/01/2021            **Date(s) of Amendment(s):**

**Date Application Valid:**   27/01/2021

## 1. CONSIDERATIONS

### 1.1 Site and Locality

The application site is located on the corner of Torcross Road and Queens Walk and comprises a semi-detached property. The property has recently had a conversion of roof space to habitable use to include a rear dormer, 3 front rooflights, conversion of roof from hip to gable end with gable end window and removal of side chimney stack.

The surrounding area is residential in nature and is predominantly defined by two storey semi-detached properties and terraced properties.

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. The site lies in Flood Zone 2.

### 1.2 Proposed Scheme

The application proposes a part two-storey part single storey side/rear extension, porch to front and installation of Juliet balcony with alterations to fenestration.

### 1.3 Relevant Planning History

75777/APP/2020/2436      183 Torcross Road Ruislip

Double storey side, part single/part double storey rear extension and loft conversion with insertion of rear dormer and 3 x roof lights at front to form habitable spaces.

**Decision Date:**    23-09-2020            NFA

75777/APP/2020/3164      183 Torcross Road Ruislip

Conversion of roof space to habitable use to include a rear dormer, 3 front rooflights, conversion of roof from hip to gable end with gable end window and removal of side chimney stack (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision Date:**    16-10-2020            Approved

Erection of part 2 storey side, part single/part 2 storey rear extension and front porch

**Decision Date:** 13-01-2021 **NFA**

#### **Comment on Planning History**

75777/APP/2020/3164 - Conversion of roof space to habitable use to include a rear dormer, 3 front rooflights, conversion of roof from hip to gable end with gable end window and removal of side chimney stack (Application for a Certificate of Lawful Development for a Proposed Development). Approved and built.

#### **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**

1 neighbour and South Ruislip Residents Association were consulted on 29.01.2021. No comments received.

Flood and Water Management:

Following the submission of an FRA assessing the risks to the site, there are no objections. This is subject to the levels at the rear of the garden where the garage is removed not being raised. SuDs being implemented on the site including the permeable paving proposed where the Garage is removed. The extension must also not connect to the mains sewerage but be directed to a shallow soakaway within the garden.

#### **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

PT1.EM6 (2012) Flood Risk Management

Part 2 Policies:

DMHB 11 Design of New Development

DMHB 12 Streets and Public Realm

DMHB 18 Private Outdoor Amenity Space

DMHD 1 Alterations and Extensions to Residential Dwellings

DMT 6 Vehicle Parking

DMEI 9 Management of Flood Risk

DMEI 10 Water Management, Efficiency and Quality

LPP D6 (2021) Housing quality and standards

LPP SI12 (2021) Flood risk management

NPPF- 14 NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change

#### **5. MAIN PLANNING ISSUES**

## DESIGN

The Hillingdon Local Plan: Part One Strategic Policy BE1 seeks a quality of design in all new development that enhances and contributes to the area in terms of form, scale and materials; is appropriate to the identity and context of the townscape; and would improve the quality of the public realm and respect local character. Part Two - Saved Unitary Development Plan Policies of the Local Plan contains policies that seek to safeguard the appearance, character and amenities of the local street scene and surrounding area.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design. It should take into account aspects including the scale of the development considering the height, mass and bulk of adjacent structures; building plot sizes and established street patterns; building lines and streetscape rhythm and landscaping. It should also not have an adverse impact on the amenity, daylight and sunlight of adjacent properties and open space.

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

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;
- vi) 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;
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.
- x) side extensions should not exceed half the width of the original property;
- xi) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded.

The proposed two storey side extension would be 2m wide and extend beyond the rear wall of the property by 3.7m. The extension would have a hipped/pitched roof set down

1.45m from the ridge of the main roof. The proposed two storey side extension would be attached to a gabled roof with a large rear dormer constructed under permitted development, contrary to Policy DMHD 1. Thus the proposed two storey side extension, by virtue of its siting in this open prominent position, size, scale, bulk and design in terms of how the hipped roof integrates with the existing gabled roof, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

Furthermore, the proposed two storey side extension, would totally infill the space to the side on this open prominent corner, result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal therefore represents an over development of the site to the detriment of the character and visual amenities of the area and to this existing open area of the street scene. Therefore contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

As such, the proposed hipped roof two storey side extension, together with the existing gabled roof extension would be overly dominant on a prominent corner, detracting from the original property and the character and appearance of the streetscene.

The single storey rear extension, by reason of its height (3m with a flat roof), width and design, would comply with policy DMHD 1.

Policy DMHB 18 expects a minimum 100sq.m of private amenity space to be retained for a four bedroom property. The proposal would exceed this requirement, in compliance with policy DMHB 18.

It is considered, that all the proposed habitable rooms, and those altered by the development would still maintain an adequate outlook and source of natural light, therefore complying with Policy D6 of the London Plan (2021).

Front extensions:

Policy DMHD 1 States that:

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii) notwithstanding the above, at least 25% of the front garden must be retained.

The proposed entrance porch would be 1.1m deep and 2.690m wide with a pitched roof. The proposed porch extension is considered to be subordinate in scale to the original building and therefore acceptable.

#### IMPACT ON NEIGHBOURS

Policy DMHB 11 of the emerging Hillingdon Local Plan: Part Two - Development

Management Policies with Modifications (March 2019) advises that Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.

Policy DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies (2020) advises that for planning applications relating to alterations and extensions of dwellings will be required to ensure that there is no unacceptable loss of outlook to neighbouring occupiers.

The single storey rear extension would abut the boundary with No. 181. By reason of its height and depth and taking into consideration the single storey rear extension at No. 181, the extension would not result in an un-neighbourly development. The two storey rear extension would not breach the 45 degree line of sight from the adjoining neighbour, in accordance with policies DMHB11 and DMHD1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies (2020).

#### PARKING

The proposal would remove the existing garage to the rear of the garden and provide 2 car parking space. Therefore, it is considered there would be no loss of a parking space and the proposed development complies with policy DMT 6 of the Hillingdon Local Plan Part 2 Development Management Policies (2020).

#### Conclusion

The application is recommended for refusal.

### 6. RECOMMENDATION

#### REFUSAL for the following reasons:

##### 1 NON2 Non Standard reason for refusal

The proposed two storey side extension, by virtue of its siting in this open prominent position, size, scale, bulk and design in terms of how the hipped roof integrates with the existing gabled roof, would fail to appear as a subordinate addition and would thus fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

##### 2 NON2 Non Standard reason for refusal

The proposed extension by reason of its size, scale, bulk, height, depth, width, proximity to the side boundary and projection forward of the return building line along Beech Close, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of 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 DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

#### 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. The Council's supports pre-application discussions. 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.

#### 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     |
| PT1.EM6 | (2012) Flood Risk Management |

#### Part 2 Policies:

|          |                                                                                     |
|----------|-------------------------------------------------------------------------------------|
| DMHB 11  | Design of New Development                                                           |
| DMHB 12  | Streets and Public Realm                                                            |
| DMHB 18  | Private Outdoor Amenity Space                                                       |
| DMHD 1   | Alterations and Extensions to Residential Dwellings                                 |
| DMT 6    | Vehicle Parking                                                                     |
| DMEI 9   | Management of Flood Risk                                                            |
| DMEI 10  | Water Management, Efficiency and Quality                                            |
| LPP D6   | (2021) Housing quality and standards                                                |
| LPP SI12 | (2021) Flood risk management                                                        |
| NPPF- 14 | NPPF-14 2018 - Meeting the challenge of climate change, flooding and coastal change |





### **APPENDIX 3:** Site Photographs













