

## 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 | <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. | ADVERTISEMENT 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:**                      49 QUEENS WALK RUISLIP

**Development:**              Erection of a two storey rear extension with habitable roof space.

**LBH Ref Nos:**              1055/APP/2023/845

**Drawing Nos:**              Site Location Plan  
                                      2023/49/QWR/501  
                                      2023/49/QWR/502  
                                      2023/49/QWR/503  
                                      2023/49/QWR/504  
                                      2023/49/QWR/505  
                                      2023/49/QWR/506

**Date Plans received:**

**Date(s) of Amendments(s):**

**Date Application valid**

## **1. CONSIDERATIONS**

### **1.1 Site and Locality**

The application property is a two storey detached brick and tile dwelling located on the south west side of Queens Walk opposite the junction with Downs Barn Road. The property benefits from a two storey flat roof rear extension and a large outbuilding in the rear garden. The rear garden is a good size and the frontage is laid to partly laid to lawn adjacent to an area of hardstanding which provides space to park 2 vehicles. The site lies within a critical drainage area.

### **1.2 Proposed Scheme**

The application proposes the erection of a two storey rear extension with habitable roof space..

### **1.3 Relevant Planning History**

1055/APP/2023/849

49 QUEENS WALK RUISLIP

Erection of a two storey extension to the rear of the dwelling and conversion of existing and new roof space to habitable use to include two Juliette balconies and window to the rear.

**Decision:**

1055/APP/2022/3345

49 QUEENS WALK RUISLIP

Conversion of roof space to habitable use to include 4 front and 2 rear roof lights and conversion of roof from hip to gable end with 2 new gable end windows including removal of

existing chimney stacks (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 22-12-2022                      Approved

1055/APP/2022/3347                      49 QUEENS WALK RUISLIP

Erection of outbuilding to rear garden following demolition of existing outbuilding (Application for a Certificate of Lawful Development for a Proposed Development)

**Decision:** 22-12-2022                      Approved

1055/H/88/0606                      49 QUEENS WALK RUISLIP

Change of use from childrens home to hostel for single mothers & babies inc. internal alterations

**Decision:** 18-05-1988                      Approved

1055/F/88/0136                      49 QUEENS WALK RUISLIP

Conversion from childrens home to single mothers home with 6 bedrooms (Sect 53 det)

**Decision:** 02-03-1988                      Refused

### **Comment on Planning History**

The relevant planning history is listed above.

## **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 and South Ruislip Residents Association by letter dated 29-03-23. A site notice was also posted outside the site on 27-03-23. One letter of objection was received, matters raised include the following:

- parking congestion associated with local school pick up/drop offs and lack of off-road parking.

Officer comments:

Parking is discussed in the main body of the report.

## **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

|         |                                                                 |
|---------|-----------------------------------------------------------------|
| DMEI 10 | Water Management, Efficiency and Quality                        |
| DMHB 12 | Streets and Public Realm                                        |
| DMHB 16 | Housing Standards                                               |
| DMHB 18 | Private Outdoor Amenity Space                                   |
| DMHD 1  | Alterations and Extensions to Residential Dwellings             |
| DMT 1   | Managing Transport Impacts                                      |
| DMT 2   | Highways Impacts                                                |
| DMT 6   | Vehicle Parking                                                 |
| LPP D3  | (2021) Optimising site capacity through the design-led approach |
| LPP D4  | (2021) Delivering good design                                   |
| LPP D6  | (2021) Housing quality and standards                            |

## 5. MAIN PLANNING ISSUES

The main planning issues are the effect of the development on the character and appearance of the dwelling and surrounding area, the impact on neighbouring residential amenity, living conditions, drainage and parking.

Character and appearance:

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.

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.

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 DMHD 1 requires that alterations and extension of dwellings would not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling. It also requires that there is no unacceptable loss of outlook to neighbouring occupiers.

With regards to rear extensions, Policy DMHD 1 states:

- 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.

With regard to roof extensions, Policy DMHD 1 states:

- 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 proposed rear extension would be 5metres deep at ground floor level and 3.63metres deep at first floor level being set back behind the flat roof of the proposed single storey rear element which measures 3metres in height. In the first instance, the depth of the extension exceeds the 4metre limit set out in Policy DMHD1, which is also reinforced by the Article 4 direction that is in force.

The extension would be set across the full width of the existing rear elevation. Consequently, due to the bulk of the proposal, there would be no subordination of the rear element when viewed in relation to the original roof ridge, despite being set down below the main ridge. In addition, the design would result in the creation of a large flat roof crown feature that would appear an unsympathetic and incongruous roof form. It is noted that there are no similar developments or examples of large crown roofs on nearby properties.

The development proposal as a whole would fail to appear subordinate or sympathetic to the architectural integrity of the host dwelling.

For the above reasons, the proposed development conflicts with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

Neighbour Amenity:

Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) advises that new development proposals to carefully consider layout and massing in order to ensure development does not result in an increased sense of enclosure and loss of outlook.

The proposal does not compromise the 45 degree line of sight from the first floor windows of the adjacent properties and given the degree of separation from those properties it is not considered

that the proposal would harm the residential amenities of the occupiers of the adjoining dwellings from increased overshadowing, loss of sunlight, visual intrusion and over-dominance.

The rear rooflights would be positioned high up in the roof slope, above eye level, therefore there would not be any undue overlooking or loss of privacy.

#### Living conditions:

Policy D6 of the London Plan (2021) states that housing development should be of high quality design and provide adequately sized rooms.

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).

#### Private amenity space:

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 an adequate garden

In terms of the garden area the development would retain adequate garden space and would accord with Policy DMHD 1.

#### Drainage:

The site lies in a Critical Drainage Area (CDA) identified in the Surface Water Management Plan (SWMP) for Hillingdon. Therefore the water from the site entering the sewers should be minimised. In the event of an approval an informative would have been attached with the following guidance:

- Water run off from any roof or hard paving associated with the development should be directed to a soakaway, or tank or made permeable. This includes any work to front gardens not part of the planning application, must be permeable or be collected and directed to a permeable area, or it would need an additional permission.
- A water butt should be incorporated.
- No drainage to support the extension should be connected to any existing surface water network, other than as an overflow.

#### Parking:

Policy DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) seeks to ensure that all development is in accordance with the car parking standards set out in Appendix C, Table 1 unless it can be demonstrated that a deviation from the standard would not result in a deleterious impact on the surrounding road network.

Sufficient parking provision would be retained within the site.

#### Other matters:

It is noted that the block plan and roof plan don't tally up with the proposed elevation and section drawing as it doesn't show the single storey rear extension. It would appear the crown roof/two storey rear extension is shown to occupy the area where the single storey rear element would be. This error in the plans hasn't affected the LPAs ability to determine the application and has no

bearing on the decision.

Conclusion:

The application is recommended for refusal.

## 6. RECOMMENDATION

**REFUSAL** for the following reasons:

### 1. NON2 Character and appearance

The development proposal, by reason of its size, scale, height, depth, crown roof form and design, would result in a bulky, insubordinate, incongruous, and dominant form of development that would fail to harmonise with the architectural composition of the original dwelling, to the detriment of the character, appearance and visual amenities of the street scene and surrounding area. For these reasons, the development proposal would conflict with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policy D3 of The London Plan (2021).

## 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 (2021). 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. 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).
3. 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.

### Part 1 Policies

PT1.BE1 (2012) Built Environment

### Part 2 Policies:

DMHB 11 Design of New Development

DMEI 10 Water Management, Efficiency and Quality

|         |                                                                 |
|---------|-----------------------------------------------------------------|
| DMHB 12 | Streets and Public Realm                                        |
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