

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, Sport and Green Spaces**

Address 11 WALNUT WAY RUISLIP

Development: Raising of roof to create first floor, single storey rear extension, single storey front extension and conversion of garage to habitable use involving demolition of porch and alterations to fenestration to all elevations

LBH Ref Nos: **10279/APP/2015/3193**

Drawing Nos: 11/100
 11/102/A
 11/101
 11/104
 11/103
 11/EX/1
 11/EX/2

Date Plans Received: 21/08/2015 **Date(s) of Amendment(s):**

Date Application Valid: 19/10/2015

1. CONSIDERATIONS

1.1 Site and Locality

The application relates to a detached bungalow with an attached garage located on the northern side of Walnut Way. The area is predominately residential in character and appearance, comprising a mix of two storey semi-detached dwellinghouses and detached bungalows.

There is front hardstanding for the parking of 1 vehicle and rear garden amenity on a rectangular shaped plot that is north facing. There is an habitable roof with a dormer window facing the neighbouring property no.13 Walnut Way providing two bedrooms in addition to the two bedrooms at ground floor level. There is an integral garage used for parking and an exiting single storey rear extension/ conservatory comprising French windows.

The house has fallen into disrepair the proposed development would provide a comprehensive redevelopment and renovation of the property.

The neighbouring property no.9 Walnut Way is a two storey semi-detached dwelling house. The neighbours no.13 Walnut Way is subdivided into two flats.

The site is situated within a Developed Area as identified in the policies of the Hillingdon Local Plan (November 2012).

1.2 Proposed Scheme

Planning permission is sought for the comprehensive scheme involving raising the roof to create first floor, single storey rear extension, single storey front extension and conversion of garage to habitable use involving demolition of porch and alterations to fenestration to all elevations.

The proposed development would create 3 x bedrooms at first floor level and a forth

bedroom through the conversion of the garage to habitable use.

1.3 Relevant Planning History

10279/APP/2014/3607 11 Walnut Way Ruislip

2 x two-storey, 3-bed, semi detached dwellings with habitable roofspace with associated parking, vehicular crossover and amenity space involving demolition of existing bungalow

Decision Date: 08-01-2015 Refused

10279/APP/2015/132 11 Walnut Way Ruislip

2 x two-storey, 3-bed, semi detached dwellings with associated parking, vehicular crossover and amenity space involving demolition of existing bungalow

Decision Date: 16-04-2015 Refused

10279/APP/2015/2490 11 Walnut Way Ruislip

PROPOSES FIRST FLOOR EXTENSION TO EXISTING BUNGALOW WITH SINGLE STOREY SIDE AND REAR EXTENSIONS

Decision Date: 12-08-2015 NFA

Comment on Planning History

There was a recent refusal of planning permission under reference 10279/APP/2014/3607 on 9.10.14. The main differences of this resubmission is the deletion of the rear dormers on each dwellinghouse the subsequent reduction in size and bulk of roof space. Furthermore, this has altered the roof design from a gable end to a hipped end.

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

8 neighbouring properties were consulted by letter dated 21.10.15 and site noticed displayed on 27.10.15. Two objections have been received, in summary:

Neighbours comments

- given height there will be a loss of significant levels of sunlight and daylight.
- 8 additional windows and four large patio doors result in overlooking and loss of privacy.
- Because of the close proximity and height, we will also feel a greater sense of enclosure
- hardly be able to see any sky at all from our living room and kitchen window.
- This proposed development will look too dominant and overbearing compared to other buildings
- affect the character of Walnut Way.
- There are no trees or hedge contrary to application ALL the trees have been cut down.
- 2.
- "existing outhouse to be retained" is still being built and is not completed. Mr Jonathan Murray, your Planning Enforcement Officer, has investigated this building.
- I shall be in contact with Councillor Allan Kauffman about this application, as he may be willing to help and perhaps speak at committee on my behalf or to the planning department.

- lack of light to our ground floor flat, hallway, kitchen and bathroom,
- lack of privacy,

- visual intrusion and overshadowed by the size of the building that will effect our flat at 13 Walnut Way.

4. UDP / LDF Designation and London Plan

The following UDP Policies are considered relevant to the application:-

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14 New development and car parking standards.

BE13 New development must harmonise with the existing street scene.

BE15 Alterations and extensions to existing buildings

BE19 New development must improve or complement the character of the area.

BE20 Daylight and sunlight considerations.

BE21 Siting, bulk and proximity of new buildings/extensions.

BE22 Residential extensions/buildings of two or more storeys.

BE23 Requires the provision of adequate amenity space.

BE24 Requires new development to ensure adequate levels of privacy to neighbours.

HDAS-EXT Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008

HDAS-LAY Residential Layouts, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted July 2006

LPP 3.5 (2015) Quality and design of housing developments

NPPF1 NPPF - Delivering sustainable development

NPPF7 NPPF - Requiring good design

5. MAIN PLANNING ISSUES

The main planning consideration in relation to this planning application relates to the impact on the appearance of the property and street scene including the increased parking needs, and the quality of the residential amenity of the occupants and that of residents living nearby, particularly the adjoining neighbours.

Policy BE13 of the local plan seeks to ensure new development harmonises the street scene. This policy is support by BE19 which seek to ensure development is in keeping with the character of the area. The proposed raising of the roof within an area of two storey properties and given the adjoining properties are two storey would not be out of character. Furthermore the proposed redesign of the roof involves its reorientation so that the ridge line would align with the neighbouring properties and the properties within the street scene. However, the proposal involves the extension of the property to the front. This front extension would extend across the whole of the frontage and Paragraph 8.1 of the Council's adopted SPD HDAS: Residential Extensions is very clear on this issue and states:

"The Council is very explicit with regard to its position on front extensions. Front extensions that extend across the entire frontage will normally be refused. Front

extensions are eye catching and change the face of the building. They do not only affect the character and appearance of the building itself, but also the street scene."

The proposed extension would be eye catching and would change the face of the building and impact on its character and appearance and on the the character and appearance of the wider street scene, where such extensions are not a common feature. Thus, it is considered therefore that the proposed front extension would not comply with policies BE13, BE15 and BE19, of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

Policy BE20 seek to ensure there is adequate penetration of daylight and sunlight both to the application property and neighbouring properties due to overshadowing and obstruction.

The footprint of the existing building projects 2m beyond the rear wall of no13 Walnut Drive. Therefore the additional 3m extension the full extent to which the ground floor of the property would extend is 5m. No.13 Walnut Way is converted to flats and the main window provide natural light to the lounge area of the ground floor flat are located within the rear elevation close to the shared boundary with no.11 Walnut Way. It is likely that there would be a reduction in the amount of natural light entering this window as a result of the ground floor extension, particularly as the proposed extension will breach the 45 line of sight taken from the centre of this window, which is contrary to with paragraph 4.12 of HDAS:Layout and Policy BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layout.

Policy BE21 seek to ensure no loss of residential amenity due to bulk and mass and siting. The rear garden area to no.13 Walnut Way is divided between the two flatted properties with the plot nearest to the dwellinghouse is allocated to the ground floor property. Given that the footprint of the existing building projects 2m beyond the rear wall of no13 Walnut Drive and the additional 3m extension means the full extent to which the ground floor of the property would extend is 5m. This is a significant mass and bulk which would create an undue sense of enclosure and be an overbearing presence, particularly acute when the occupants are using the rear garden.

The first floor extension beyond the rear elevations of the adjoining properties is less significant and would have less of an impact. The bulk and massing is contain largely within the foot print of the existing building. However, given the impact upon the ground floor flat the proposed development is not considered to comply with police BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the adopted Supplementary Planning Document HDAS: Residential Extension, and the adopted Supplementary Planning Document HDAS: Residential Layout.

The first floor of the proposed will cover the existing footprint of the original which currently projects rear of the neighbouring properties and overlaps the rear elevations. There is a 1.5m overlap when compared to no9 Walnut way and a 2.3m overlap when compared to no13 Walnut Way. This would compare well to a minor two storey rear extension and is unlikely to result in over shadowing and loss of light to either property. Neither is there a breach of the 45 degree line of sight take from habitable windows from either neighbouring properties. Furthermore, there is a 1m set-in from the side elevation of the application property facing towards no.13 Walnut Way and a further 1.2m gap from the shared boundary. The first floor is therefore, flush with the rear elevation when viewed from no13 Walnut Way.

However, given the impact to the ground floor flat at no.13 Walnut Way it is considered that the proposed development would result in a loss of residential amenity due to a loss of daylight and sunlight to neighbouring properties and create an undue change in outlook. The proposed development is not considered to comply with police BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layout.

There is far in excess of the 1m set-in from adjoining properties required under Policy BE22 and in excess of 100sqm of amenity is retained post-construction in compliance with policy BE23 and HDAS: Exn. The proposed development is considered to comply with police BE22 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the adopted Supplementary Planning Document HDAS: Residential Extension, and the adopted Supplementary Planning Document HDAS: Residential Layout.

There are no first floor windows located within the side elevation of the proposed development, but new windows are introduced at first floor level in the front and rear elevations. However, this is a nominal amount of outlook from a residential dwelling and with no actual difference to the views from other neighbouring properties would not lead to a great loss of residential amenity due to a loss of privacy. There is adequate privacy distance between the proposed dwelling and properties opposite on Edward Avenue and it is not considered the proposed development would result in a loss of privacy or cause overlooking. The proposed development is considered to comply with police BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the adopted Supplementary Planning Document HDAS: Residential Extension, and the adopted Supplementary Planning Document HDAS: Residential Layout.

Policy 3.5 of The London Plan is seeking to ensure the Gross internal area of the proposed dwellings are adequate in terms of space provision. According to table 3.3 of the policy a new 4-bed 6 person dwelling should provide 107sqm of internal space. The proposed development would achieve 180sqm internal space which is far in excess of the proposed minimum standard.

Table 6.2 within the addendum to chapter 6 of the London Plan indicates a 4-bed should provide 3 Car Parking. However, this standard should be read in conjunction with the Planning Update Written Ministerial Statement (HCWS488) dated 25th March 2015, in which the Minister alters paragraph 39 of the National Planning Policy Statement to include "Local Planning authorities should only impose local parking standards for residential and non-residential development where there is clear and compelling justification that it is necessary to manage their local road network."

Walnut Way is a residential street it is not close to a local centre and there is no evidence of traffic congestion. The applicant has indicated only 2 parking spaces as opposed to 3 required under the policy of the Plan which may result in some over spill parking within the street. However, there is no "clear and compelling" that this would lead to traffic congestion or prejudice highway safety. The proposed development is considered to comply with police AM14 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), the adopted Supplementary Planning Document HDAS: Residential Extension, and the adopted Supplementary Planning Document HDAS: Residential Layout, The London Plan and paragraph 39 of the National Planning Policy Framework (2015).

Objections

Matters raised in the objections are considered and addressed in this report. The issue of trees is not relevant because the trees are not protected under a TPO and their removal

regrettably means they cannot be assessed for quality and contribution to the visual amenity.

Notwithstanding the merits of proposal it is considered that the proposed development would result in loss of residential amenity to the ground floor of the neighbouring property no.13 Walnut Way due to a loss of light and overshadowing and an overbearing presence. Having considered all relevant matters the recommendation for this application is REFUSE.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed single storey rear element, by virtue of its size, scale, depth and proximity, would be detrimental to the amenities of the adjoining occupier at 13 Walnut Way by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would be contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions

2 NON2 Non Standard reason for refusal

The proposed front extension, by virtue of its siting, size, scale, width and design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the extended house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

INFORMATIVES

- 1** On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

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 (July 2011) and national

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE22	Residential extensions/buildings of two or more storeys.
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LPP 3.5	(2015) Quality and design of housing developments
NPPF1	NPPF - Delivering sustainable development
NPPF7	NPPF - Requiring good design

guidance.

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