

London Borough of Hillingdon,  
Civic Centre,  
High Street,  
Uxbridge,  
UB8 1UW

Dear Sir/Madam,

**17 BROADWOOD AVENUE, RUISLIP, HA4 7XS – S73 APPLICATION**

Please find accompanying this letter a S73 application to vary condition 2 of the permission for a 'New build replacement dwelling house' at 17 Broadwood Avenue, Ruislip (application reference 14578/APP/2022/1838). This development was permitted on the 16<sup>th</sup> September 2022.

This application has been submitted via the planning portal (ref. PP-12892727) and the requisite fee has been paid by the applicant.

Condition 2 states:

*"2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 21\_142\_P0B (received 09-09-2022), 21\_142\_P1B (received 22-08-22), 21\_142\_P2B (received 22-08-22), 21\_142\_P3B (received 22-08-22), 21\_142\_P4B (received 22-08-22), 21\_142\_P5B (received 22-08-22) and email from agent (dated 13th September 2022 concerning exterior materials) shall thereafter be retained/maintained for as long as the development remains in existence."*

This application seeks to revise the above condition, swapping out the above plans as follows:

<b>Approved Plan</b>	<b>Revised Plan</b>
21_142_P0B (received 09-09-2022)	21_142_P0 (26.03.2024)
21_142_P1B (received 22-08-22)	21_142_P1 (26.03.2024)
21_142_P2B (received 22-08-22)	21_142_P2 (26.03.2024)
21_142_P3B (received 22-08-22)	21_142_P3 (26.03.2024)
21_142_P4B (received 22-08-22)	21_142_P4 (26.03.2024)
21_142_P5B (received 22-08-22)	21_142_P5 (26.03.2024)

You will also find the materials email referred to in the condition accompanying this letter.

Therefore, the revised condition will read as follows:

*"2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers 21\_142\_P0 (dated Mar 2024), 21\_142\_P1 (dated Mar 2024), 21\_142\_P2 (dated Mar 2024), 21\_142\_P3 (dated Mar 2024), 21\_142\_P4 (dated Mar 2024), 21\_142\_P5 (dated Mar 2024) and email from agent (dated 13th September 2022 concerning exterior materials) shall thereafter be retained/maintained for as long as the development remains in existence."*

This application has been made in response to the Breach of Condition notice on this property dated 31<sup>st</sup> October 2023 (ref. 3E04/HS/022667). This application revises plans to respond to the issues raised in the Breach of Condition notice, by altering the approved dormers on the west of the property, the windows (both on the ground floor and at roof level) and entrance door on the front elevation of the dwelling.

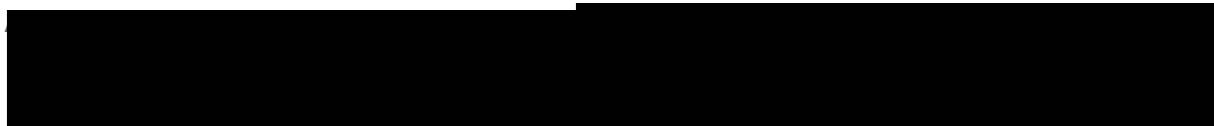
It is noted that physical alterations will still need to be undertaken to ensure the dwelling conforms with the plans proposed via this S73 application.

## **Site Introduction**

The dwelling is located on Broadwood Avenue, a street that serves predominantly large detached (and a smaller number of semi-detached) dwellings. There is a large variety in the design features and heights of these houses, with a lack of an overall consistent theme, although brick and white render are common throughout the street.

It is noted that a number of dwellings on the street have dormers, including on the front and the side elevations.

Additionally, when it comes to the front elevation, the style and layout of windows varies along the street, with some dwellings having bay windows, whilst others have front windows that are 'flush' with the dwelling.



Similarly, the location of the front door on the dwellings vary throughout the street, with some located in the centre of the property, whilst others are located off to one side.

For all 3 of the features specified above (dormers, windows and doors), there is little consistency when the street scene as a whole is reviewed, it is clear that the street hosts a diverse range of dwelling styles, which have evolved over time.

### **Planning History**

The dwelling has been subject to previous applications for planning permission.

*2018 – Householder Permission – approved (ref. 14578/APP/2018/1492)*

The redevelopment of the dwelling was first permitted in 2018.

In considering the design of the proposal, the Officer Report (OR) notes that a side dormer would not be out of keeping with the surrounding area (and permits a dormer on the eastern elevation [adjacent to #19] alongside a southern [rear] dormer).

*2020 – S73 to Householder application – refused (ref. 14578/APP/2020/2820)*

A S73 to the 2018 permission was subsequently applied for in 2020 to allow changes to the elevations, and add a dormer to the roof on the western elevation [adjacent to #15].

Whilst the permission was refused, there are a number of take-aways from the OR. First, section 7.1 notes that both the proposed small front dormer and side dormer "... would not result in any additional impact on the neighbouring properties than the approved application.", and therefore "... would not have a detrimental impact on the residential amenity of any neighbouring properties...".

Furthermore, having regard to the impact on the street scene, section 7.2 of the OR considers that introducing a new front dormer would be an acceptable alteration. Additionally, the infilling of the existing front porch would have limited impact on the appearance of the dwelling.



The western dormer was considered to be unacceptable, giving an appearance of a third storey, and would be out of keeping with the street scene due to existing dormers in the locality being limited to one side. Therefore, it is important to note that the only objection to the western dormer involves its co-existence with the existing eastern dormer.

*2022 – Full application – refused (ref. 14578/APP/2022/30)*

This application was made for full planning permission for the '*Erection of a new build replacement dwelling house.*'.

This was refused for similar reasons as the previous S73 application.

*2022 – Full permission – approved (ref. 14578/APP/2022/1838)*

A subsequent application was submitted for full planning permission was made in 2022, and granted.

This is the permission pursuant to which this S73 application has been made.

### **Planning Merits**

In accordance with S38(6) of the Planning and Compulsory Purchase Act 2004 (PaCPA 2004), the application must be determined in accordance with the development plan unless material considerations indicate otherwise.

In this instance, the Development Plan comprises:

- Local Plan Part 1: Strategic Policies (adopted November 2012) [LPP1]
- Local Plan Part 2: Development Management Policies (adopted 16 January 2020) [LPP2]
- The London Plan 2021 [TLP]

Policy BE1 of the LPP1 requires all new development to improve and maintain the quality of the built environment. Of particular note is the requirement for new development to



1. *Achieve a high quality of design in all new buildings ... which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;*
2. *Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, ... and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties;”*

Within LPP2, policy DMHB 11 discusses the build environment further, considering that

*"All development, including ... new buildings will be required to be designed to the highest standards and, incorporate principles of good design".*

There are numerous principles of good design referred to in this policy, with the ones particularly relevant to the application dwelling comprising:

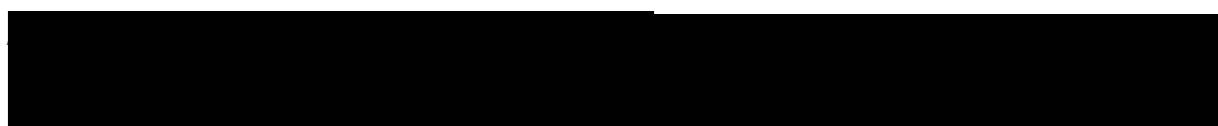
- Harmonising with the local context by taking into account the surrounding:
  - Scale of development
  - *Inter alia*, rooflines, streetscape rhythm and other streetscape elements
  - Architectural composition and quality of detailing

We consider how the key aspects of this S73 application responds to the above policies in turn below:

#### *Front window*

The small window proposed on the upper level of the front elevation remains in keeping with the character of the street scene as a whole, as well as the character of the property. The inclusion of this window represents a modest alteration to the principal elevation of the dwelling, causing no harm.

It is noted that a number of existing properties along Ruislip Avenue have similar windows located above the first floor, including numbers 40 and 42 (which are houses of similar design to the application property before the redevelopment)



and number 22 (which has a substantially different design to the application property). Whilst these windows serve a different purpose to the window proposed on this dwelling (as they serve a second floor rather than the first floor) the character and appearance of the dwellings remain similar.

Therefore, it is considered that this proposal accords with policy BE1 of the LPP1 and policy DMHB11 of the LPP2, with the proposal creating a high quality design that integrates positively and harmonises with the local context.

#### *Side Dormer alterations*

Currently, planning permission has been granted for a dormer on the eastern (adjacent to #19) and southern elevations. This S73 application maintains the principle of two large dormers on the dwelling, and simply alters the elevation it is present on – swapping it from the eastern elevation to the western elevation.

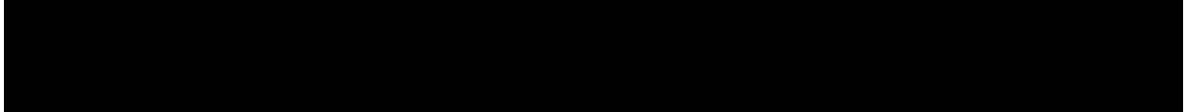
Throughout the history of the dwelling, the Council have confirmed that the principle of the two large dormers on the dwelling is acceptable, and only raising concerns with a dormer on the western elevation due to a dormer being present on the eastern elevation.

Therefore, by effectively swapping the elevation on which the dormer is, the dwelling remains in keeping with the street scene, and through the installation of obscure glazing to address privacy concerns (identified on the floor plan), this aspect of the proposal is acceptable.

Given this alteration is immaterial in the context of the wider street scene, and has no material impact on the appearance of the dwelling from public areas, this aspect of the proposal maintains the high quality design of the proposal permitted in 2022, whilst making an alteration to improve the function of the dwelling. Therefore, the proposal accords with policy BE1 of the LPP1 and policy DMHB11 of the LPP2.

#### *Small front dormer*

A small front dormer (in the same location as included in this S73 application) has previously been proposed as part of wider proposals on the dwelling.



In the 2020 S73 application (ref. 14578/APP/2020/2820) and the 2022 full application (ref. 14578/APP/2022/30), it is noted that the small front dormer was considered to be acceptable.

We maintain that a smaller dormer in this location is acceptable and this position is supported by the wider street scene with a number of front dormers (of varying sizes) on Broadwood Avenue. Therefore this aspect of the proposal therefore accords with policy BE1 of the LPP1 and policy DMHB11 of the LPP2.

#### *Location of the front door*

The front door is proposed to be moved from its approved side location to the centre of the property (with the former door area then forming part of the internal property).

Whilst this represents a change to the original appearance of the building, it is considered that moving this door has no material impact on the wider street scene. As discussed in the introduction the location of front doors varies throughout the street, with no consistent design. This equally applies to the changes to the central window, to which there is a variety throughout the street.

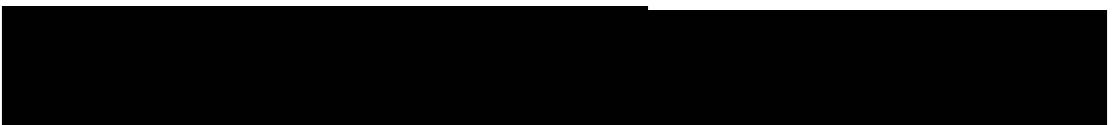
Whilst this alteration will change how the dwelling appears alongside number 15, other more substantial changes have been permitted that alters the relationship with this neighbouring dwelling. Most notably, this includes the removal of the 'semi-detached' garages previously in place.

Furthermore, it is considered that this does not have a negative impact on the character of the dwelling. The dwelling continues to harmonise with the local context given the varied design of houses along the street.

Therefore, this aspect of the proposal accords with policy BE1 of the LPP1 and policy DMHB11 of the LPP2.

#### *Other matters*

The proposal complies with Part M4(2) building regulations standards in accordance with policy D7 of the London Plan.



## **Conclusion**

In accordance with S38(6) of the PaCPA 2004, the application must be determined in accordance with the development plan unless material considerations indicate otherwise.

The proposed alterations represents a modest change to the appearance of the dwelling, which will continue to harmonise with the surrounding context.

Therefore, the individual aspects of the proposal, as well as the alterations as a whole accord with the relevant policies of the DP, including policy BE1 of the LPP1 and policy DMHB11 of the LPP2.

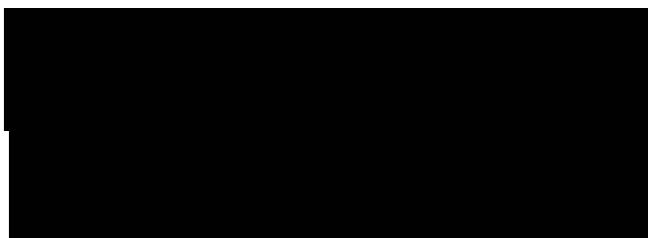
Additionally, the approved plans will address requirement 'i' of the Breach of Condition notice, permitting the two dormers (and then allowing our client to remove the currently permitted eastern dormer).

It will also regularise the windows and entrance door on the ground floor front elevation, addressing requirement 'ii' (#1) of the Breach of Condition Notice.

Furthermore, the window at roof level on the front elevation has been proposed (at a smaller size than currently built). By approving this smaller window, works can be undertaken on site to respond to the Breach of Condition Notice 'ii' (#2) requirement.

Therefore, it is clear that this S73 application accords with the DP, and should be permitted. Additionally, it enables the dwelling to be altered to accord with the S73 application and overcome the enforcement matters to a level satisfactory to all parties.

Kind regards,

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