

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	<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 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 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 51 KINGSEND RUISLIP

Development: Single storey outbuilding to rear for use as a sauna/games room

LBH Ref Nos: **3546/APP/2020/1034**

Drawing Nos: DD230-01-P0
 DD230-02-P0
 DD230-03-P0
 DD230-04-P1
 DD230-05-P3

Date Plans Received: 30/03/2020

Date(s) of Amendment(s):

Date Application Valid: 07/04/2020

1. **CONSIDERATIONS**

1.1 **Site and Locality**

The application site comprises a two storey detached dwelling situated on the south side of Kingsend, Ruislip. The property lies within a large plot and is finished in and is set back from the frontage with by 12 m with a part landscaped and wide driveway. The property currently benefits from a conservatory to the rear.

The surrounding area is made up of mainly two storey detached dwellings that are set back from the frontage within fairly spacious plots.

The site is located within the Ruislip Village Conservation Area, as identified in the Hillingdon Local Plan Part One Strategic Policies (November 2012) and is also within an area that is covered by TPO 477

1.2 **Proposed Scheme**

The current application seeks planning permission for a single storey outbuilding to rear for use as a sauna/games room

1.3 **Relevant Planning History**

3546/D/93/1233 51 Kingsend Ruislip

Erection of two-storey side and rear extensions (involving demolition of existing garage)

Decision Date: 27-05-1994 Approved

Comment on Planning History

3546/D/93/1233 - Erection of two-storey side and rear extensions (involving demolition of existing garage) - Approved 27/5/1994

2. **Advertisement and Site Notice**

2.1 Advertisement Expiry Date:- 14th May 2020

2.2 Site Notice Expiry Date:- Not applicable

3. Comments on Public Consultations

12 neighbouring properties and the local residents association were consulted by letter dated 8/4/2020

Two written representations have been received objecting to the proposal summarised as follows:

Far too large
Excessive height
Potential damage to protected trees
Harmful to the Conservation Area
Out of character with the area

Officer response - the concerns raised above will be addressed in the 'Main Planning Issues' section of this report

Internal

Trees & Landscaping officer:

This site is occupied by the rear garden of a two-storey detached house, located on the south side of Kingsend. The site lies within the Ruislip Village Conservation Area, a designation which protects all trees with a girth of 75mm(+). There is also a protected Scots pine tree, T1 on the schedule of TPO 477 situated on the west side of the rear garden.

COMMENT: According to the planning questionnaire, Q6, there is a tree close to the proposed outbuilding. This is labelled as an oak on drawing No. 03-PO. The position of the oak is very close to the building, although there is no indication of the size, condition or value of the Oak? No site visit is possible pending the lockdown due to the Corona virus, however, the aerial photographs indicate the presence of vegetation at the far end of the garden, including the extensive canopy of a tree, possibly the protected oak?

RECOMMENDATION: In the absence of an accurate survey drawing and tree report the applicant has failed to demonstrate that the protected tree can be safeguarded. This is contrary to policy DMHB 14 and the application should be refused.

Conservation & Urban Design officer:

Historic Environment Designation (s) - Ruislip Village Conservation Area (RVCA)

Assessment - Background/ Significance

The existing property is a detached dwelling built in the Arts and Crafts style. It is externally finished in red brick with a steeply pitched tiled roof. There is a detached garage to the side and it comfortably sits within its spacious plot, maintaining appropriate gaps between neighbouring sites.

The property is located within the residential character area of the conservation area. It forms part of the Metroland development of Ruislip, influenced by the railway. The property positively contributes to the character and appearance of the conservation area.

Assessment - Impact

The proposed development would erect a substantial detached built form to the rear of the site. It would extend almost to the full width of the site. The building would be materially different to the main house, externally clad in timber characterised by a lodge-like appearance. The competing gable roof forms create a messy appearance to the elevation. As proposed it would not be considered a positive design statement. Outbuildings are not an established feature within the RVCA, and the proposed building would be a stark contrast to the existing building on the site.

It would be significantly harmful to the character and appearance of the site. The outbuilding would result in some harm to the conservation area and in this instance it would be defined as less than substantial. There are concerns it would set an unwelcome precedent for similar structures to be erected within neighbouring sites. It would need to be duly noted that conservation areas are not designated as a series of street scenes. The proposed outbuilding would be visible from within the rear garden of the application site and neighbouring gardens. These form part of the environment in which the heritage asset is experienced and just because there are not public views does not lessen the requirement to pay special attention to the desirability of preserving or enhancing the conservation area.

Other matters

The submitted information does not include a heritage statement and/ or Design and Access statement, failing to recognise the site is within a conservation area. It also fails to meet the requirement of paragraph 189 of the NPPF (2019).

Highways & Transportation officer: No objections

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.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

DMHB 11 Design of New Development

DMHB 14 Trees and Landscaping

DMHB 18 Private Outdoor Amenity Space

DMHD 2 Outbuildings

LPP 3.5 (2016) Quality and design of housing developments

LPP 7.4 (2016) Local character

LPP 7.8 (2016) Heritage assets and archaeology

NPPF- 16 NPPF-16 2018 - Conserving & enhancing the historic environment

5. MAIN PLANNING ISSUES

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.

DMHB 4 Conservation Areas of the Hillingdon Local Plan: Part 2 - Development Management Policies (January 2020) states that New development, including alterations and extensions to existing buildings, within a Conservation Area or on its fringes, will be expected to preserve or enhance the character or appearance of the area. It should sustain and enhance its significance and make a positive contribution to local character and distinctiveness. In order to achieve this, the Council will: A) Require proposals for new development, including any signage or advertisement, to be of a high quality contextual design. Proposals should exploit opportunities to restore any lost features and/or introduce new ones that would enhance the character and appearance of the Conservation Area. B) Resist the loss of buildings, historic street patterns, important views, landscape and open spaces or other features that make a positive contribution to the character or appearance of the Conservation Area; any such loss will need to be supported with a robust justification. C) Proposals will be required to support the implementation of improvement actions set out in relevant Conservation Area Appraisals and Management Plans.

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.

Outbuildings

A1.32 The use of an outbuilding for purposes ancillary or incidental to the enjoyment of the main house, for example as a games room, playroom or for general storage does not normally require planning permission, however it does require planning permission if within the curtilage of a Listed Building. An outbuilding which is considered to be 'incidental' does not require the provision of facilities such as a bathroom, bedroom or kitchen. These facilities are considered to be primary living accommodation located within the main house.

A1.33 The Council will aim to safeguard the character and appearance of an area and the amenity of local residents from inappropriate development, such as 'beds in sheds'. The Council will strongly resist proposals for detached outbuildings which are considered to: i) be capable of independent occupation from the main dwelling and which effectively constitute a separate dwelling in a position where such a dwelling would not be accepted; or ii) result in an over dominant and visually obtrusive form of development and as a result have an adverse effect on the character and appearance of the dwelling and the wider locality.

A1.34 As a general guide, an outbuilding should be no greater than 30 square metres and should not significantly reduce private amenity space or the landscape and ecological value of the garden. Outbuildings should respect neighbouring properties and should not result in the excessive loss of residential amenity, privacy, outlook and overshadowing/sunlight

Policy DMHD 2 states that the Council will require residential outbuildings to meet the following criteria:

i) the building must be constructed to a high standard of design without compromising the amenity of neighbouring occupiers; ii) the developed footprint of the proposed building must be proportionate to the footprint of the dwelling house and to the residential curtilage in which it stands and have regard to existing trees; iii) the use shall be for a purpose incidental to the enjoyment of the dwelling house and not capable for use as independent residential accommodation; and iv) primary living accommodation such as a bedroom, bathroom, or kitchen will not be permitted.

The outbuilding would be extremely large in scale and internally it would be subdivided into several rooms. The applicant states that they would be used as a games room, sauna, shower room and garden storage area. It would be situated at the end of the rear garden, set in a minimum of 1.5m from the side and rear boundaries. It measures 14 m in width by 6 m in depth set under a dual pitched roof with two gable ends, an eaves height to 2.5 m and a maximum height of 4 m. The building will have a tiled roof and a timber cladding exterior which fails to match the host dwelling, bifolding doors, a large window and patio doors in the north facing front elevation and a small window in the south facing rear elevation. The building will provided in excess of 80 sqm of floor space which exceeds the guidance of 30 sqm. Although it is noted that this a very spacious plot, the resulting floor space of 80 sqm would still be 65.84% of the footprint of the host dwelling at 121.5 sqm

Therefore in terms of appearance, it is considered that the building would not respect the character of the existing property and would be contrary to the character and appearance of the area and the Ruislip Village Conservation Area. Thus, the proposed outbuilding, by virtue of its size, scale, bulk and height, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the wider Ruislip Village Conservation Area and would fail to either preserve or enhance the character or appearance of the surrounding Ruislip Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.

The building has been set at the end of the rear garden and is separated from the adjacent properties by a minimum of 25m. There are no flank elevation windows proposed therefore given the distance from the boundaries and the degree of separation it is not considered that the proposal would significantly impact on the amenity of the neighbouring occupiers.

The site is covered by a TPO and there are trees and vegetation positioned very close to the building. However no information relating to this has been provided. Thus, in the absence of a Tree Survey and Arboricultural Implication Assessment the proposal has failed to demonstrate that the development will safeguard existing protected trees on and adjoining the site and further fails to demonstrate protection for and long-term retention of those trees. The proposal is therefore detrimental to the visual amenity of the street scene and the Ruislip Village Conservation Area contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 1, DMHB 4, DMHB 11, DMHB 14 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).

The application is therefore recommended for refusal.

6. RECOMMENDATION

REFUSAL for the following reasons:

1 NON2 Non Standard reason for refusal

The proposed outbuilding, by virtue of its size, scale, bulk and height, would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the wider Ruislip Village Conservation Area and would fail to either preserve or enhance the character or appearance of the surrounding Ruislip Village Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, DMHB 11 and DMHD 2 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the NPPF.

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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.

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.HE1 (2012) Heritage

Part 2 Policies:

DMHB 1 Heritage Assets

DMHB 4 Conservation Areas

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