

DELEGATED 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. 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 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 Interim Director of Planning, Regeneration & Public Realm**

Address 60 HIGH STREET RUISLIP

Development: Change of the 2 upper floors to 2 separate flats (Schedule 2, Part 3, Class G of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

LBH Ref Nos: **4131/APP/2022/2468**

Drawing Nos: Site Location Plan
HS.60.Pr.01
HS.60.EL.01

Date Plans received : 21/07/2022

Date(s) of Amendment(s):

Date Application Valid: 21/07/2022

1. SUMMARY

G. Development consisting of a change of use of a building-

- (a) from a use within Class E (commercial, business and service) of Schedule 2 to the Use Classes Order, to a mixed use for any purpose within that Class and as up to 2 flats;
- (c) from a use within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order, to a mixed use for any purpose within Class E (commercial, business and service) of Schedule 2 to that Order and as up to 2 flats
- (e) from a use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order to a mixed use falling within article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of the Use Classes Order and as up to 2 flats

Conditions

G.1 Development permitted by Class G is subject to the following conditions-

- (a) some or all of the parts of the building used for a use within, as the case may be, article 3(6)(n) (betting office) or 3(6)(o) (pay day loan shop) of, or Class E of Schedule 2 to, the Use Classes Order is situated on a floor below the lowest part of the building used as a flat;

YES- Drawing no. hs.60.pR.01 indicates this.

- (b) where the development consists of a change of use of any building with a display window at ground floor level, the ground floor must not be used in whole or in part as a flat;

YES- Drawing no. hs.60.pR.01 indicates this.

- (c) a flat must not be used otherwise than as a dwelling (whether or not as a sole or main residence)-

- (i) by a single person or by people living together as a family, or

- (ii) by not more than 6 residents living together as a single household (including a household where care is provided for residents)

YES- Drawing no. hs.60.pR.01 indicates this.

- (d) before beginning development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to-

- (i) contamination risks in relation to the building;

The Council's Land Contamination has raised no objection to the proposal as the scheme relates to upper floor flats.

(ii) flooding risks in relation to the building;

The site falls within Flood Zone 1 and the proposed development is not proposing an enlargement to the existing building. It is therefore considered that the development would not result in any markedly unacceptable flood risk impacts.

(iii) impacts of noise from commercial premises on the intended occupiers of the development;

The proposed flat would be sited above a commercial premises and forms part a parade of buildings which contain various commercial uses at ground floor level. In the event of an approval, a condition would be secured requiring a noise impact assessment with mitigation measures to be submitted to the Council for consideration. Subject this condition, it is considered that the impacts of noise from commercial on the intended occupiers of the development would be acceptable.

(iv) the provision of adequate natural light in all habitable rooms of the dwellinghouses;

A daylight and sunlight assessment has not be submitted with the application. The open plan kitchen and living room (i.e. a habitable room) serving flat 1 would have no windows. The first floor double bedroom serving Flat 2 would face towards the adjoining building at No. 58. Furthermore, the front bedroom at second floor level would only be served by roof lights. It has therefore not been demonstrated that the proposal would provide an adequate provision of natural light in all habitable rooms of the proposed flat, contrary to criterion G.1 (d)(iv), Class G of the GPDO.

(v) arrangements required for the storage and management of domestic waste.

No details have been provided in respect to storage and management of domestic waste. However, this matter could be resolved through the imposition of a condition requiring the submission of a refuse/recycling management plan to be submitted to the Council for consideration.

2. RECOMMENDATION

REFUSAL for the following reasons:

1 **NON2** Non Standard reason for refusal

The proposal fails to demonstrate an adequate provision of natural light in all the habitable rooms of the proposed flats. The proposal would therefore be contrary to the requirement of provision G.1 (iv) of Class G, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

INFORMATIVES

3. CONSIDERATIONS

3.1 Site and Locality

Refer to the first section of this report.

3.2 Proposed Scheme

Refer to the first section of this report.

3.3 Relevant Planning History

4131/ADV/2007/26 60 High Street Ruislip
SITING OF AN A-BOARD ON THE PAVEMENT.

Decision: 04-05-2007 Approved

4131/APP/2013/164 60 High Street Ruislip
Single storey rear extension

Decision: 28-02-2013 Approved

4131/APP/2021/1636 60 High Street Ruislip
Use of the upper floors of existing retail unit as 2 flats (Application for a Certificate of Lawful Development for a Proposed Development)

Decision: 21-06-2021 Approved

4131/APP/2021/2250 60 High Street Ruislip
Insertion of roof windows and rear elevation first floor windows

Decision: 25-08-2021 Refused

4131/APP/2021/3837 60 High Street Ruislip
Insertion of rear rooflights and rear elevation first floor windows

Decision: 08-12-2021 Approved

4131/APP/2022/1654 60 High Street Ruislip
Details pursuant to the discharge of Condition 3 (product details) of planning permission ref. 4131/APP/2021/3837, dated 08-12-2021 (Insertion of rear rooflights and rear elevation first floor windows)

Decision: 15-07-2022 Approved

4131/C/86/1304 60 High Street Ruislip
Alterations to elevation (P)

Decision: 15-09-1986 Approved

4131/PRC/2021/12 60 High Street Ruislip
Change of use from commercial to part commercial and 4 x residential flats

Decision: 30-03-2021 OBJ

Comment on Planning History

The relevant planning history attached to this site is referenced above.

4. Advertisement and Site Notice

4.1 Advertisement Expiry Date:- Not applicable

4.2 Site Notice Expiry Date:- Not applicable

5. Comments on Public Consult

Three neighbouring properties were consulted by letters dated 24th August. A site notice was displayed on 6th September. No representations were received.

Ruislip Residents' Association: The Ruislip Residents' Association have no problem with changing upper floor(s) residential accommodation. Our concerns are

1. the first floor full size glass wall in the proposed kitchen/ living room on the front elevation. It will provide little privacy for the occupants. It is out of character with the rest of the street scene, and so does not preserve or enhance the RVCA. It would be good if the original arts and crafts design could be reinstated. The introduction of a balcony with balustrade perhaps set back one foot would be an improvement.

2. The first floor 9 m2 bedroom window appears to have inadequate natural light for habitable living. It is very low and small!

3. The proposed second floor flat is within the angled roof. So is the proposed staircase to the 2nd floor feasible?. Similarly the 2nd floor bathroom and 11m2 narrow bedroom would have very limited standing space for an average height person. The bathroom has no floor layout to show the proposed location of toilet, shower etc. These details are important to establish if the proposals are practical.

Planning Officer response:

1. Class G of the GPDO only concerns the change of use of a building and does not permit external alterations.

2. Noted. The inadequate provision of natural light in habitable rooms of the proposed flats forms the ground for refusal.

3. Head room height falls out of the remit of consideration of Class G of the GPDO.

6. Local Plan Designation and London Plan

The following Local Plan Policies are considered relevant to the application:-

Part 1 Policies:

Part 2 Policies:

In addition: Not applicable.

7. MAIN PLANNING ISSUES

7.1 Impact on the amenities of the occupiers of neighbouring residential properties

Not applicable.

7.2 Impact on Street Scene

Not applicable.

7.3 Traffic Impact / Pedestrian Safety

Refer to the first section of this report.

7.4 Carparking & Layout

Refer to the first section of this report.

7.5 Urban Design, Access and Security Considerations

Not applicable.

7.6 Other Issues

Not applicable.

8. **Reference Documents**

Refer to the first section of this report.

Contact Officer: Nesha Burnham

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