



WRITTEN STATEMENT OF CASE

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LPA

LONDON BOROUGH OF HILLINGDON

APPLICATION No.

28798/APP/2023/1896

APPLICATION DATE

28/06/2023

DECISION DATE

15/08/2023

SITE LOCATION

8 Phelps Way
Hayes
UB3 4LH

APPELLANT

Mrs Kulwinder Kaur

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1.0 BACKGROUND

- 1.1 This appeal relates to the refusal of planning permission for the erection of a single storey rear extension, at No. 8 Phelps Way, in Hayes.
- 1.2 The appeal application, reference 28798/APP/2023/1896 was received by the Council on 28th June 2023 and subsequently refused on 15th August 2023, with the decision notice stating the following reason for refusal:
1. *The proposed ground floor rear extension, by reason of its excessive depth, design and bulk would appear as a disproportionate and incongruous addition that would fail to respect the architectural composition or size of the original dwelling. The extension is therefore considered to be detrimental to the character, appearance and visual amenities of the host property. Due to its oversized design it would also be harmful to character of the surrounding area where extensions are generally smaller. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy D3 of the London Plan (2021) and paragraph 130 of the NPPF (2021).*
- 1.3 Having taken into account the reason given for refusal and the individual circumstances of this case, the appellant has concluded that the most appropriate course of action would be to appeal to the Planning Inspectorate, in the hope that approval may be granted for the proposed development, which is required to provide additional and improved living space on the ground floor for the appellant's growing family.

2.0 CONSULTATIONS

- 2.1 The occupants of the 5 nearest properties were consulted in regard to the scheme and no objections were received by the Council, which indicates that the neighbours do not share the Council's concerns.

3.0 RELEVANT PLANNING HISTORY

- 3.1 The following planning history relates to the appeal property:
- **Planning application reference: 28798/APP/2023/861 – see Appendix A**
Erection of a single storey rear and part first floor rear extension with new window at first floor level.
Refused 17th May 2023

4.0 APPEAL PROPERTY

- 4.1 The appeal property is a two-storey semi-detached single family dwellinghouse located on the northwest side of Phelps Way. The house is paired with No. 6 to the northeast side and is separated from No. 10 to the southwest, with a shared driveway and the detached garage of No. 8 set between the two dwellings and their gardens.



Appeal Property – No. 8 Phelps Way

- 4.2 Most of the houses share a similar architectural style, however many have been extended over the years to modernise and improve the dwellings for their occupants, with the nearby properties benefiting from front porches and rear extensions.
- 4.3 The attached property No. 6 has a 3.6m deep, full width extension to the rear, granted in 2012; and No. 10 also has a rear extension granted in 2001 under permitted development.

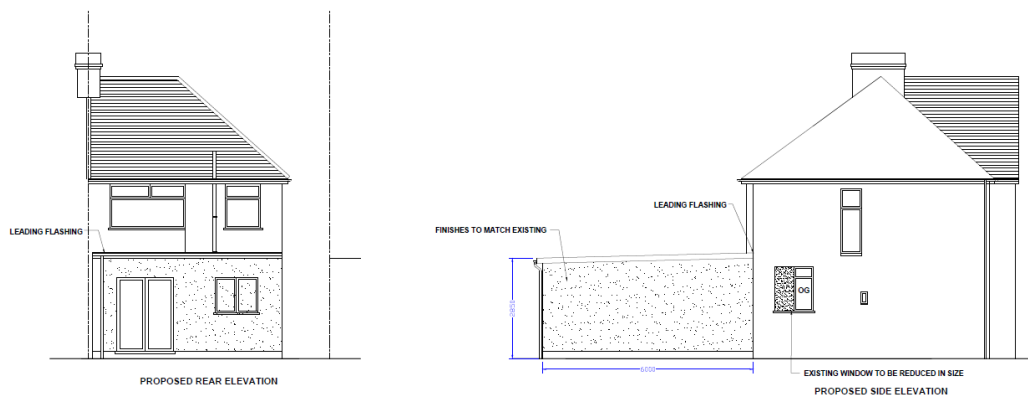


Appeal Site and Surrounding Area

- 4.4 The appeal site is in a predominantly residential area which is not part of a designated Conservation Area, although Locally Listed Cranford Park Academy is 50m to the south. The property is set within Flood Zone 1 with a low risk of flooding.

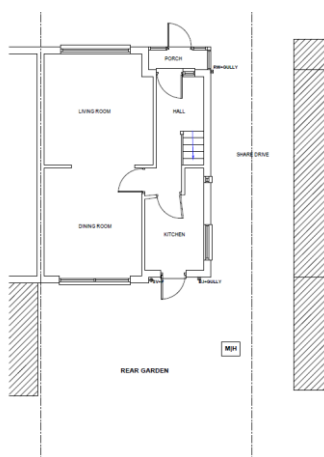
5.0 APPEAL PROPOSAL

- 5.1 The appeal application sought planning permission for the erection of a single storey rear extension, following the removal of the existing detached garage at No. 8 Phelps Way.
- 5.2 The extension will measure 6.0m in depth, across the full width of the rear elevation of the property and will have a flat roof with a maximum height of 3.0m where it adjoins the house, and a height of 2.85m at the rear.

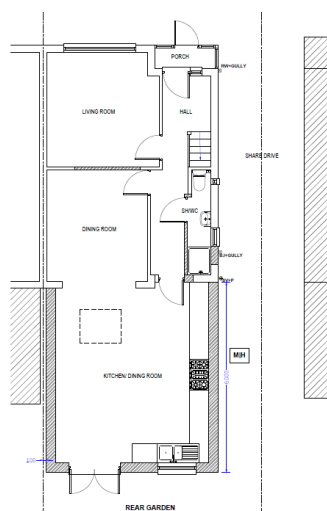


Proposed Elevations

- 5.3 The extension will be finished in painted render to match the existing external walls of the house. It will also have a set of glazed French doors and a window to the rear, with no new fenestration proposed in the side elevations; however, the existing window in the main southeast elevation will be reduced in size and obscure glazed to serve a new shower room. The extension will also allow the reconfiguration of the ground floor to provide an open plan kitchen/dining family area at the rear of the property, with improved access to the rear garden.



Existing Ground Floor Plan



Proposed Ground Floor Plan

6.0 RELEVANT PLANNING POLICY

- 6.1 The reasons for refusal state that the appeal proposal is considered contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy D3 of the London Plan (2021) and paragraph 130 of the NPPF (2021).
- 6.2 The following paragraphs provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

NATIONAL PLANNING POLICY FRAMEWORK FEBRUARY 2021 (NPPF)

- 6.3 The NPPF (July 2021) sets out the Government’s planning policies for England and how these are expected to be applied, this document replaces the National Planning Policy Framework published in February 2019. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Achieving sustainable development

- 6.4 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 6.5 These address social progress, economic well-being and environmental protection. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environmental.

Decision-making

- 6.6 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Achieving well-designed places

- 6.7 Section 12 of the NPPF describes how the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, stating that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*.
- 6.8 Paragraph 130 states that planning policies and decisions should ensure that developments:
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*
- 6.9 Whilst Paragraph 134 highlights that development that is not well designed should be refused, it also states that conversely, significant weight should be given to:
- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
 - b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

THE LONDON PLAN (2021)

- 6.10 The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital. Borough's Local Plans must be in 'general conformity' with the London Plan, ensuring that the planning system for London operates in a joined-up way and reflects the overall strategy for how London can develop sustainably, which the London Plan sets out.

Policy D3: Optimising site capacity through the design-led approach

- 6.11 In regard to the design-led approach, Section A states that *"All development must make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site. The design-led approach requires consideration of design options to determine the most appropriate form of development that responds to a site's context and capacity for growth, and existing and planned supporting infrastructure capacity (as set out in Policy D2 Infrastructure requirements for sustainable densities), and that best delivers the requirements set out in Part D"*. Section D stated that development proposals should in regard to form and layout:

- 1) *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*

HILLINGDON LOCAL PLAN: PART ONE STRATEGIC POLICIES (NOVEMBER 2012)

- 6.12 The Hillingdon Local Plan is the key strategic planning document and has an ambition for Hillingdon to be an attractive and sustainable borough.

Policy BE1 – Built Environment

- 6.13 Policy BE1 is a general policy which states that the Council will require all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents. Criterion 1 of the policy states that new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area and which contributes to community cohesion and a sense of place.

- 6.14 Criterion 2 of the policy states that proposals should be designed to be appropriate to the identify and context of Hillingdon's buildings, townscapes, landscapes and views, 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.

LOCAL PLAN PART 2 DEVELOPMENT MANAGEMENT POLICIES (ADOPTED JAN 2020)

- 6.15 This Development Management Policies document forms part of Hillingdon's Local Plan Part 2. Its purpose is to provide detailed policies that will form the basis of the Council's decisions on individual planning applications. Policies DMHB 11, DMHB 12, and DMHD 1 are referred to within the reason for refusal.

Policy DMHB 11 - Design of New Development

- 6.16 Section A) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including; harmonising with the local context by taking into account the surrounding and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- *scale of development, considering the height, mass and bulk of adjacent structures;*
- *building plot sizes and widths, plot coverage and established street patterns;*
- *building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;*
- *architectural composition and quality of detailing; local topography, views both from and to the site; and*
- *impact on neighbouring open spaces and their environment.*

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

- 6.17 Section B) states development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space; Section C) states development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential; and Section D) stated development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection.

Policy DMHB 12 - Streets and Public Realm

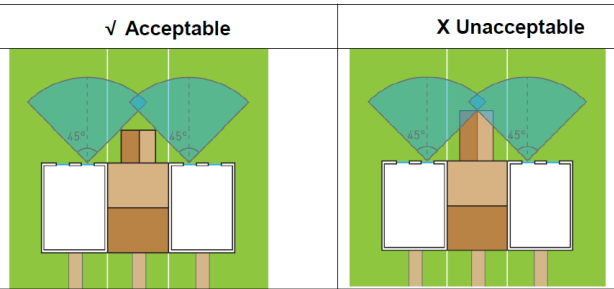
- 6.18 Section A) states that development should be well integrated with the surrounding area and accessible, and amongst other criteria, it should ensure public realm design takes account of the established townscape character and quality of the surrounding area.

APPENDIX A: HOUSEHOLDER DEVELOPMENT POLICIES

- 6.19 Paragraph A1.6 states that good design of residential alterations and extensions will enhance the appearance of a house, and thus its value, as well as improving the appearance of the local area. It can also help improve people's enjoyment of their house and reduce energy bills. Well designed alterations and extensions, using quality materials, should be of a scale and form in keeping with the house, and sympathetic to existing character, proportions, and floor plan. All proposed extensions should appear subordinate to the existing house, with appropriately selected windows, materials and detailing.
- 6.20 Paragraph A1.7 adds that rear extensions should not protrude too far out from the rear wall of the original house or cut in half two-storey bay windows or other features. The addition of conservatories or other extensions to buildings that have already been extended will not be permitted.
- 6.21 Paragraph A1.8 explains that the Council has set out policies regarding depth of extensions which depend on the type of house (see Policy DMHD 1: Alterations and Extensions to Residential Dwellings). Dimensions are external and include any overhanging roof, guttering or canopies added to the rear wall of the extension. Proposals to extend existing extensions will not be supported.
- 6.22 Furthermore, Paragraph A1.9 notes that *“Notwithstanding the extension of permitted development rights for single family dwelling houses in 2013 (extended in 2015), the Council has introduced an Article 4 Direction under the Town and Country Planning (General Permitted Development) (England) (2015) Order to control the size and impact of large rear extensions. The details of the Article 4 Direction are reflected in Policy DMHD 1: Alterations and Extensions to Residential Dwellings.”*

- 6.23 Paragraph A1.24 describes how the 45-degree rule can be used to establish the maximum permissible height, depth and width of an extension, as it provides a general guide to what is normally considered acceptable. However, it is only a general rule of thumb and the Council may, on occasion, consider an extension to be unacceptable, even if it appears acceptable on paper.

The 45 degree rule



Policy DMHD 1 - Alterations and Extensions to Residential Dwellings

6.24 In relation to the appeal proposal Section A) states planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;*
- ii) a satisfactory relationship with adjacent dwellings is achieved;*
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;*
- iv) new extensions respect the design of the original house and be of matching materials;*
- v) there is no unacceptable loss of outlook to neighbouring occupiers;*
- vi) adequate garden space is retained;*
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;*
- viii) trees, hedges and other landscaping features are retained.*

6.25 Section B) relates to rear extensions and in regard to this appeal 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.*

7.0 GROUNDS OF APPEAL

Introduction

- 7.1 The appellant's case will focus on the central concerns of the decision notice, notably:
- Whether the proposed ground floor rear extension, by reason of its excessive depth, design and bulk would appear as a disproportionate and incongruous addition that would fail to respect the architectural composition or size of the original dwelling; and
 - Whether the extension could therefore be considered detrimental to the character, appearance and visual amenities of the host property, and due to its oversized design, could also be considered harmful to the character of the surrounding area where extensions are generally smaller.
- 7.2 Having taken into consideration the aims and objectives of planning policy, national and regional planning guidance, and all other material planning considerations, including the relevant planning history of the site, the main points in the determination of this appeal are:
- the principle of the development
 - background to the case
 - the design and impact on the host dwelling and setting
 - the impact on neighbouring amenity
 - the amenity at the appeal dwelling
 - the car parking provision
- 7.3 There are a number of considerations that can be taken into account in response to the Council's concerns and these will be discussed in more detail as follows.

Principle of Development

- 7.4 The national and local planning policies encourage the maintenance and enhancement of existing housing stock, with the overriding objective of the local policies being to deliver high quality development that improves the quality and distinctive identity of places and meets the housing needs of existing and future residents. As such, it is widely acknowledged that extensions to existing family dwelling houses can facilitate additional and enhanced living space and therefore improve amenity for occupants.
- 7.5 If allowed, the high quality extension will cause no harm to the appearance and character of No. 8 Phelps Way or the wider area, with the proposed rear extension providing the internal space required without impacting negatively upon the amenities of the neighbouring residents. As such, the development ought to be deemed acceptable in principle, subject to meeting planning policy requirements.

Background to the Case

- 7.6 Application reference 28798/APP/2023/861 was submitted on 22nd March 2023 and sought permission for the ‘Erection of a single storey rear and part first floor rear extension with new window at first floor level’; however, this was refused on 17th May 2023 as the Council considered *“the ground floor rear extension, by reason of design, scale, size, bulk and massing, would appear as a disproportionate and incongruous addition that would fail to respect the architectural composition of the original dwelling, and would be detrimental to the character, appearance and visual amenities of the surrounding area.”*
- 7.7 Although it is acknowledged that the Planning Officers objected in particular to the depth of the ground floor element of the proposal, the appellant is more in need of ground floor living space than an additional bedroom and therefore the current proposal has been submitted to retain the larger ground floor addition and has removed the extra bulk of the first floor element, as it was hoped that the Council would find this reduction in overall volume more acceptable, particularly as there are other examples of larger ground floor extensions that have been granted in the locality.
- 7.8 However, as this has been refused, an appeal is now being submitted in the hope that more consideration can be given to the context of the site.

Design and Impact on Host Dwelling and Setting

- 7.9 The NPPF (2021) states *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities”*; and also notes within paragraph 130 that planning policies and decisions should ensure that developments will function well, are visually attractive as a result of good architecture and are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.
- 7.10 These aims are reflected in Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) which states that all new developments should achieve a high quality of design in all new buildings and the public realm, contributing to community cohesion and a sense of place, and Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which advise that all development will be required to be designed to the highest standards and incorporate principles of good design, taking 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, to ensure that developments integrate well with the surrounding area.

- 7.11 In this regard, the proposed extension is located to the rear of No. 8 Phelps Way, which as pictured below, is a property set within a row of similar style semi-detached dwellings, with each pair of houses having a shared driveway between.



Appeal Property and Neighbouring Houses

- 7.12 The appeal property currently has a detached garage to the rear, which can be seen from the highway, and this is linked to the rear elevation of the dwelling by a high wall and gate. It is proposed to demolish the garage and wall as part of the development.



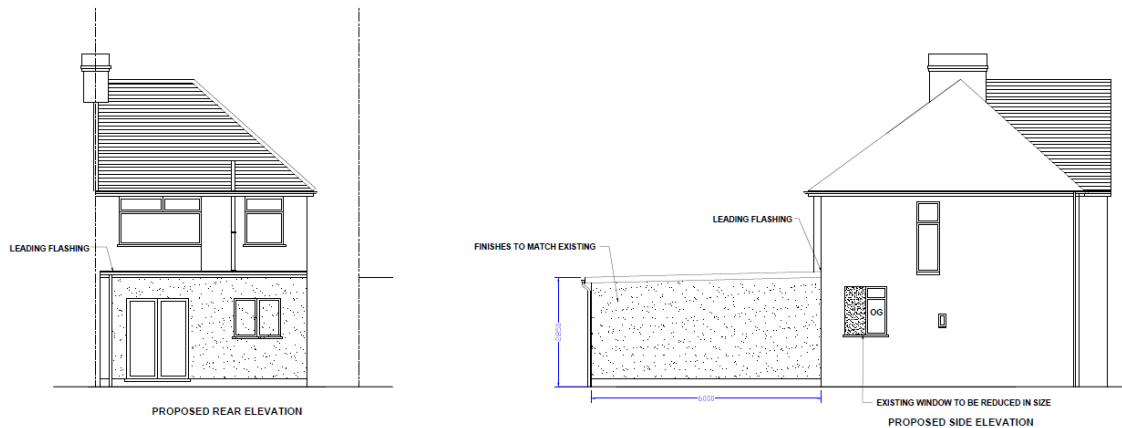
Garden Wall and Gate



Garden Wall and Garage

- 7.13 The majority of the houses to both sides of Phelps Way have been extended with a ground floor rear addition, with these extensions glimpsed between properties; however, they are not obtrusive extensions to the houses and their overall depth has no impact on the character of the area.
- 7.14 Furthermore, most properties also have large rear outbuildings to their rear boundaries, which combined cover a great deal of the rear garden curtilage of the houses.
- 7.15 The appeal property has no extension to the rear and no outbuilding, other than the garage to be removed, which has a footprint of 19.5m² on the boundary with No. 10 and extends 9m beyond the rear elevation of their extension.

- 7.16 The proposed extension will be a full width addition across the rear elevation of the house, and will have a depth of 6.0m, this will have a flat roof with a maximum height of 3.0m where it adjoins the house and 2.85m at the rear.



Proposed Rear and Northeast Side Elevations

- 7.17 The extension will be finished in painted render to match the existing external walls of the house, and will have a set of glazed French doors and a window to the rear, with no new fenestration proposed in the side elevations. As illustrated above, the existing window in the southeast elevation of the main house will also be reduced in size and obscure glazed as this will serve a new shower room.
- 7.18 The Planning Officer has commented that the proposed extension *“would almost double the footprint of the original property creating a disproportionate and over dominant addition to the dwelling”* and due to the combination of its depth and height it is considered that the proposal would harm the character and appearance of the original property.
- 7.19 This assessment is however disputed, as the existing property has a footprint of 42m², and the proposed extension will add 31.75m²; which is a 75% increase, not 100%. The garage to be removed also has a footprint of 19.5m² and the overall increase in built structures on the site will therefore be 29%, which ought to be considered more acceptable.
- 7.20 Moreover, if the gross internal floor area (GIA) of the house is also taken into consideration, the existing house has a GIA of 72.15m² and the extension will add 27m², which is a 37% increase to the modest dwelling. This would provide a GIA of 99.15m² which will result in the property meeting the minimum floor area required by Policy D6 of the London Plan (2021) for a 2 storey, 3 bedroom, 5 person dwelling and will therefore provide a more acceptable level of amenity for the current and future occupants, which could not be considered an overdevelopment of the house or the plot.

7.21 Whilst it is acknowledged that Policy DMHD 1 of the Local Plan explains in Section B) that single storey rear extensions on semi-detached houses with a plot width of 5 metres or more should not exceed 3.6 metres in depth, in this case, the context of the appeal site ought to be taken into consideration.

7.22 The houses to each side of the appeal property have been extended with 3.6m deep additions, with the proposed extension only projecting 2.4m beyond their rear elevations at ground floor level. These neighbouring extensions are also both pitch roof additions reaching a maximum height of 3.5m.



Rear Extension at No. 6 Phelps Way

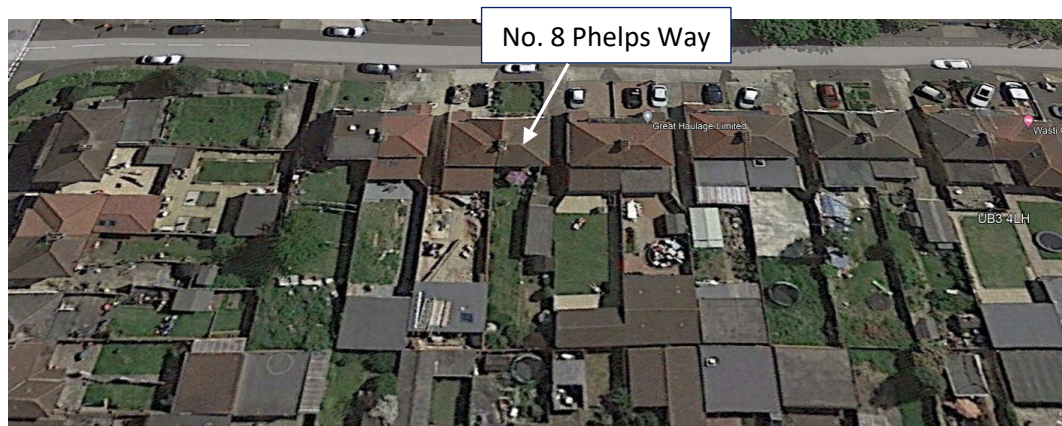


Rear Extension at No. 10 Phelps Way

7.23 The appeal property also has its garage on the boundary with No. 10 with this sizable structure limiting outlook from the rear of the extension and garden of this neighbouring property. It is therefore argued that the removal of the garage and the construction of the proposed extension will be less harmful to visual amenities than the current situation.



Garage to be Demolished



Rear Extensions and Outbuildings close to the Appeal Property

7.24 Policy DMHD 1: Alterations and Extensions to Residential Dwellings as detailed in Section A), states that planning applications relating to alterations and extensions of dwellings will be required to ensure the following criteria are met, with the following assessment demonstrating that the proposed extension meets the requirements:

i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;

Response: the appeal property is set within a row where almost every house has a rear extension, and the closely positioned houses will result in the extension being barely visible between dwellings, as such, the proposal will have no negative impact on the quality or character of the setting.

ii) a satisfactory relationship with adjacent dwellings is achieved;

Response: the appeal property is neighboured by two extended houses, with the proposed extension only projecting 2.4m beyond their rear elevations. Furthermore, the garage on the boundary with No. 10, which has a length of 6.5m and projects approximately 9.0m beyond the rear elevation of their extension, will be removed as part of the development. The Council has therefore confirmed there will be no negative impact on neighbouring amenities.

iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;

Response: the extension ought to be considered proportionate and subservient, as it will add just 27m² to the floor area of the property, which is a 37% increase. The depth will not extend unacceptably beyond the rear elevation of neighbouring extensions and will have a low flat roof with a maximum height of 3.0m.

iv) new extensions respect the design of the original house and be of matching materials;

Response: the finishing materials and fenestration will match the host property.

v) there is no unacceptable loss of outlook to neighbouring occupiers;

Response: the Council has confirmed that the proposed development would not have a detrimental impact on the quality of amenity for Nos. 6 or 10 Phelps Way

vi) adequate garden space is retained;

Response: a rear garden area of over 124m² will be retained.

vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;

Response: the Council has confirmed that the proposed development would not affect the existing parking arrangement.

viii) trees, hedges and other landscaping features are retained; and

Response: there are no trees, hedges or landscaping features impacted by the development

ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale, proportions, roof form, window pattern, detailed design and materials.

Response: the property is not in a conservation area, listed or locally listed.

- 7.25 Given the above points, it is strongly asserted that the position, design and scale of the proposed extension will have no negative impact on the character, appearance and visual amenities of the host property, or the surrounding area, where many larger extensions have been granted by the Council in recent years, with just some examples detailed in the following paragraphs.

No. 40 Gledwood Crescent Hayes

- 7.26 Planning Application 14031/APP/2023/1921 was granted on 31st August 2023 for 'Erection of a part single storey, part double storey rear extension and front porch'. In this case, the proposed extension to the rear was almost identical to the previous proposal at No. 8 Phelps Way, although it also extends beyond the side elevation.

- 7.27 The Delegated Report for this approved application for a 5.0m deep full width ground floor extension states *"Although the depth of the single storey element does not meet the requirements of Policy DMHD 1 it is considered due to the positioning and the size of the plot, it would not harm the character and appearance of the original property"* (see **Appendix B**).

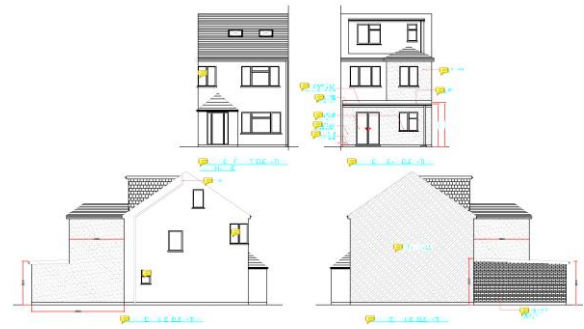


Approved Elevations at 40 Gledwood Crescent

No. 29 Gledwood Avenue Hayes

- 7.28 Planning Application 38719/APP/2023/1102 was granted on 6th June 2023 for 'Erection of a part single and part two storey extension to the rear with new side facing window at ground floor level following demolition of existing garage'. This proposed extension to the rear was also almost identical to the previous proposal at No. 8 Phelps Way, and includes a similar demolition of the existing garage.

- 7.29 The Delegated Report for this application which approved a 6.0m deep full width ground floor extension states *“Whilst the ground floor extension would exceed the maximum depth guidance contained within policy DMHD1, the extension would appear subordinate in scale and would not be dissimilar to others within the area.”*

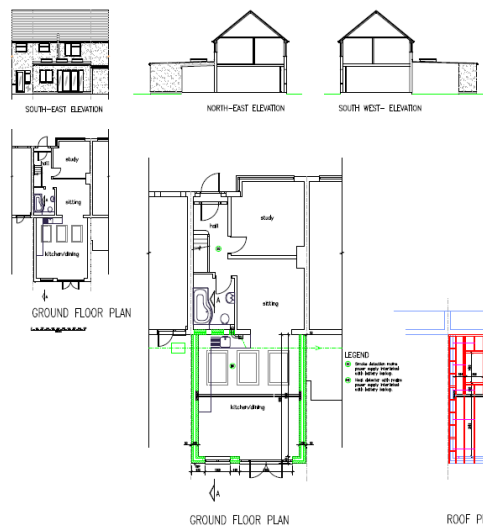


Approved Elevations at 29 Gledwood Avenue

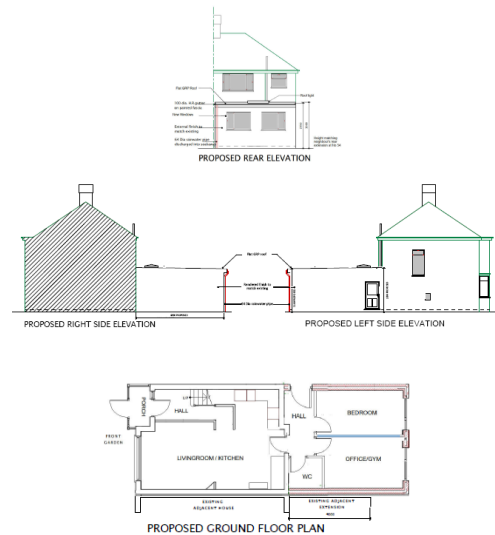
- 7.30 Furthermore, the Planning Officer also noted that *“The massing of the rear extension would, to some extent be compensated by the loss of the existing garage and conservatory. It is considered that the proposed extension would not result in visual harm to the character and appearance of the area”* (see **Appendix C**). Given these comments, it is argued that the proposed 6.0m extension at No. 8 Phelps Way should also be considered subordinate in scale and the removal of the garage ought to weigh in favour of the proposal.

No. 18 Selan Gardens Hayes

- 7.31 Planning Application 7319/APP/2017/1673 was granted on 17th July 2017 for ‘Single storey rear extension’ (see **Appendix D**). In this case, the proposed extension is also 6.0m in depth, with the development assessed against older planning policies, although they still seek the same aims as the current Local Plan, as Paragraph 3.3 of the HDAS stated that single storey rear extensions proposed on semi-detached houses with a plot measuring 5 m wide or more should be no more than 3.6 m deep. Likewise, paragraph 3.7 stated that such extensions should be no more than 3.4 m in height, to ensure that the extension appears subordinate to the main house.
- 7.32 The Delegated Report for No. 18 Selan Gardens states that *“The 6m depth of the proposed single storey rear extension would exceed the maximum 3.6 m depth for rear extensions specified in paragraph 3.3 of the Council's adopted HDAS SPD: Residential Extensions (December 2008). However, paragraph 3.15 of the HDAS SPD gives guidance that a deeper extension could be permitted where there is an existing deep rear extension at an adjoining/adjacent property, and where the proposed rear extension would not have any adverse impact on the light and outlook at adjacent properties, and would not appear dominating and obtrusive in relation to neighbouring views.”* Although the adjoining properties are extended by a 3.6m and 4.3m in depth it was concluded that *“it would not result in an unacceptable loss of light or outlook to the occupants of either property. Furthermore it is considered that the proposal would not have a negative impact upon the visual amenity of the site or the surrounding area”.*



Approval at No. 18 Selan Gardens



Approval at No. 56 Crowland Avenue

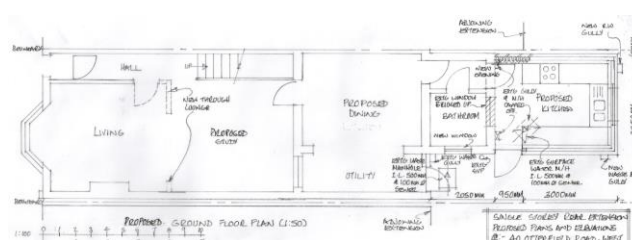
No. 56 Crowland Avenue Hayes

- 7.33 Planning Application 48395/APP/2022/1234 was granted on 18th July 2022 for 'Erection of a single storey rear extension'. The Delegated Report for this approval states "With a depth of 6 metres, the proposed single storey rear extension would not technically comply with the prescribed depth for semi-detached properties set out in Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020). However, each planning application must be assessed on its own individual merits, with any material consideration taken into account."

- 7.34 It has also been stated that "Taking the immediate site context into account, where neighbouring properties benefit from 4 metre rear extensions, it is considered that the proposed single storey rear extension would not appear out of keeping with the character of the area by extending beyond this by 2 metres and the proposed extension would be compliant with the requirements of Policy DMHB 11 of the Development Management Policies. Moreover, there are several other examples on the street scene of properties with up to 6/7 metre extension, so the proposal would not impact the street scene negatively as rear extensions are common here." (see **Appendix E**).

No. 40 Otterfield Road Yiewsley

- 7.35 Planning Application 11434/APP/2021/3422 was granted on 4th November 2021 for 'Erection of a single storey rear extension'.



Approved Plan at No. 40 Otterfield Road

- 7.36 The Delegated Report for this approval states *“The proposed ground floor rear extension would extend some 3.95m in depth from the existing rear building line (measured from the rear building line of the existing part two storey/part single storey outrigger) and would project 3m beyond the rear wall of the extension at adjoining No. 42 Otterfield Road. The proposed extension would be set-in from the boundary with No.38 Otterfield Road. Whilst the depth of the resultant development would exceed the maximum dimensions required by Policy DMHD1, there are a number of large extensions within the immediate vicinity. The proposed extension would not appear out of keeping with the locality and given the extensions to the rear of both adjoining properties, is not considered to give rise to an undue loss of light or outlook from adjoining properties”* (see **Appendix F**).
- 7.37 The above examples are varied; however, they have been provided to demonstrate that the Council normally take into consideration the neighbouring extensions and wider site context to inform the decision to allow extensions up to 6.0m in depth.
- 7.38 The Council’s website highlights that *“An Article 4 Direction does not prevent the development but instead requires planning permission to be obtained first from the council. This does not imply that the council will either approve or refuse the planning applications”*, and it is argued that the refusal of this proposal at No. 8 Phelps Way is unjustified when the neighbouring extensions are taken into account, alongside the removal of the garage and the allowance of other larger extensions for similar reasons within the locality.
- 7.39 The proposal should therefore also be deemed to achieve the aims of Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy D3 of the London Plan (2021) and paragraph 130 of the NPPF (2021).

The Impact on Neighbouring Amenity

- 7.40 The proposed extension has been assessed in regard to its possible impact on neighbouring amenities, against the NPPF (2021) which states in paragraph 130 that planning policies and decisions should ensure that developments create a high standard of amenity for existing and future users.
- 7.41 This is supported by Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) which states that planning applications relating to alterations and extensions of dwellings will be required to ensure that: ii) a satisfactory relationship with adjacent dwellings is achieved; and v) there is no unacceptable loss of outlook to neighbouring occupiers.

- 7.42 Policy DMHB 11 of the Hillingdon Local Plan: Part Two – Development Management Policies (2020) also seeks to ensure that development proposals do not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.43 The Council has assessed the possible impact on attached property No. 6 which comprises of a two storey semi-detached dwelling that benefits from a ground floor rear addition with a depth of 3.6m, and have stated *“the extension would only project beyond the neighbour's rear wall by 2.4M. This is considered acceptable and would result in no harmful amenity impacts such as overlooking, loss of light or overbearing effects.”*
- 7.44 In regard to No. 10, which is also a two storey dwelling with 3.6m deep rear extension, separated from the appeal property by the shared driveway, it has been stated *“Given the separation distance between the two properties (including a shared alleyway between the application site and the neighbouring dwelling) and that the proposed ground floor extension would project 2.4M beyond the neighbour's rear wall, it is considered there would be no detrimental impacts on the quality of amenity for no. 10.”*
- 7.45 Although not mentioned by the Planning Officer, the removal of the garage is also a positive improvement to amenity at No. 10. Nevertheless, the Council has concluded that overall the proposal *“would therefore comply with the objectives of Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), in this respect.”*

Amenity at the Appeal Property

- 7.46 The proposed development will provide a more spacious kitchen, dining, and family living area at the rear of the proposed that will also have a set of French doors to the rear elevation to provide improved access to the rear garden. The proposal will also allow the provision of a ground floor shower room.
- 7.47 The Council has confirmed that *“Over 124 sqm of private amenity space would be retained after the development has been built out. As such, the proposal would not undermine the provision of external amenity space for the existing occupiers at the application site, in compliance with Policies DMHD 1 and DMHB 18 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).”*

Car Parking Provision

- 7.48 The Council has confirmed that *“The proposed development would not affect the existing parking arrangement. The proposal would not significantly exacerbate the demand for street parking or prejudice highway safety, in accordance with DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020).”*

8.0 CONCLUSION

- 8.1 The proposed extension to the appeal property has been designed to respect the character of the local area and this has been achieved through careful attention to the depth, position, height and design of the extension to create a form of development that assimilates well with the appeal property and the surrounding residential setting.
- 8.2 The proposed extension will be positioned to the rear of the house, where it will have no negative impact on the appearance of the property within the street scene, or the character of the wider area.
- 8.3 A selection of larger ground floor extensions granted in the locality have been detailed within this statement, together with details relating to the Planning Officers' reasoning behind these approvals, as in many cases, the existence of neighbouring extensions of 3.6m - 4.0m in depth have been deemed to provide a site context where a proposed 6.0m extension would be acceptable, due to the projection beyond their rear elevations being considered proportionate.
- 8.4 In this case, the statement has also demonstrated that the proposed extension could not be considered an overly large addition to the existing dwelling, with a modest height of 3.0m and a rear projection beyond the neighbouring rear extensions of just 2.4m. It has been confirmed to have no negative impact on neighbouring visual or residential amenities, and therefore, when considered on its own merits and within the context of the site, the proposed extension ought to be deemed an acceptable and neighbourly addition to the dwellinghouse.
- 8.5 The high quality development will also vastly improve residential amenity for current and future occupants of the dwellinghouse and make better use of the spacious plot, in accordance with the aims of the NPPF (2021), which also states that decision-takers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development.
- 8.6 The proposal would not harm the character of the area, or neighbouring amenities, and for the above reasons it is therefore politely requested that this appeal is allowed, with the inclusion of any conditions thought necessary in this case.

EJB PLANNING – October 2023

