



APPEAL BY:
Mr K Sudagaran

AGAINST THE LONDON BOROUGH OF HILLINGDON COUNCIL'S REFUSAL
TO GRANT PLANNING PERMISSION FOR:

Erection of a single storey extension to rear (Retrospective application)

AT

2 Rochester Road, Northwood, HA6 1NH

London Borough of Hillingdon Council's Reference: 1383/APP/2023/2294

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

DECEMBER 2023

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1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mr K Sudagaran, in support of the appeal lodged against the refusal of planning application 1383/APP/2023/2294.

1.2 The application was registered on 3rd August 2023 and sought retrospective planning permission for the erection of a single storey extension to the rear of No. 2 Rochester Road, in Northwood, within the London Borough of Hillingdon. The application was refused under delegated authority on 10th October 2023 for the following reasons:

1. *The proposed extension by reason of its overall depth and scale, design, materials and appearance, in conjunction with the existing rear extension, would fail to appear subordinate to the original property or respect its architectural composition and appearance, giving rise to a visually harmful, dominant and poorly designed form of development which would be detrimental to the character and appearance of the site and surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part One (2020), policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).*

1.3 This grounds of appeal will address the central concerns raised within the Council's reason for refusal, notably:

- Whether the proposed extension by reason of its overall depth and scale, design, materials and appearance, in conjunction with the existing rear extension, would fail to appear subordinate to the original property or respect its architectural composition and appearance, giving rise to a visually harmful, dominant and poorly designed form of development which would be detrimental to the character and appearance of the site and surrounding area.

1.4 To set some context, this statement will first provide a description of both the appeal property and the proposed development. The statement will then discuss the relevant national and local planning policies before responding to the Council's concerns.

2.0 CONSULTATION

2.1 The 8 neighbouring properties and the Northwood Hills Residents Association were consulted on 9th August 2023.

2.2 No comments were received from the Northwood Hills Residents Association; however, 3 neighbours commented on the scheme, one of which did not oppose the erection of the extension, but had an issue with the guttering and possible impact on flooding, whereas the other 2 raised concerns regarding the size, quality of construction and appearance.

3.0 THE SITE

- 3.1 The appeal property is a two storey semi-detached family dwellinghouse located on the northeast side of Rochester Road, and set back behind a low brickwork wall and block paved curtilage which provides off-street parking for 2 vehicles; to the rear, the house has an enclosed garden with patio area and lawn.



No. 2 Rochester Road

- 3.2 No. 2 is set within a predominantly residential area with attached property No. 4 Rochester Road to the northwest of the site and has the rear gardens of properties on Norwich Road abutting its side boundary to the southeast.



Appeal Site and Surrounding Area

- 3.3 The appeal site is not designated within a Conservation Area, nor an Area of Special Local Character, and the site does not contain any Listed Buildings. There are also no trees that are subject to a Tree Preservation Order within the site or on adjoining land. The site lies in Flood Zone 1 and is designated within a Critical Drainage Area.

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4.0 RELEVANT SITE HISTORY

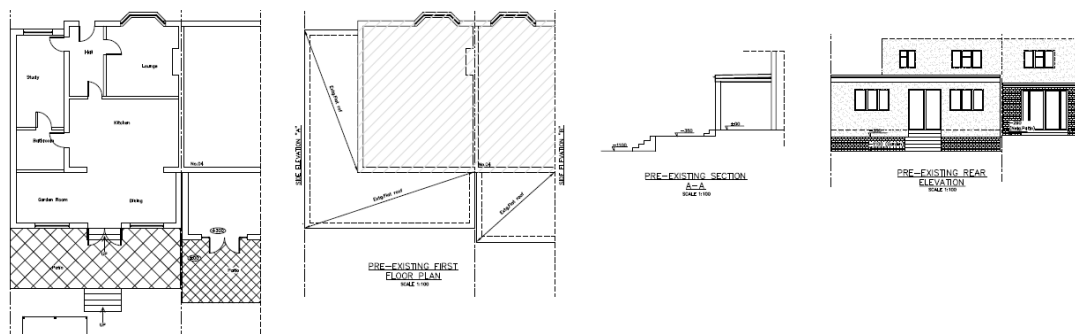
4.1 Planning Application Reference: 1383/APP/2006/2808

Erection of a single-storey side and rear extension (involving demolition of existing outbuilding)

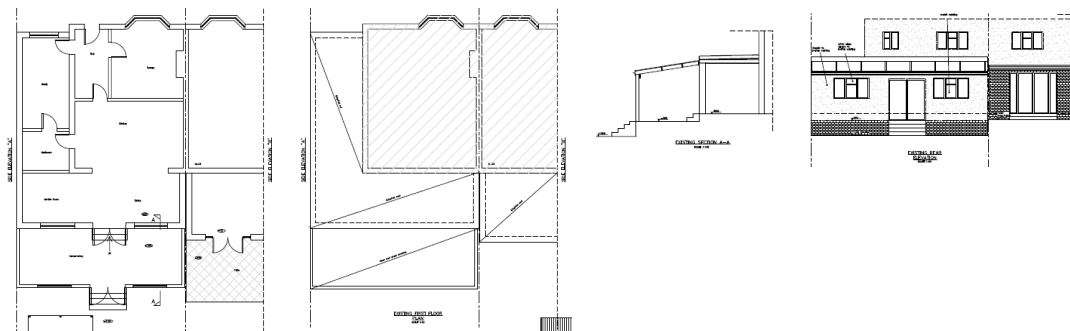
Approved 30-11-2006

5.0 APPEAL PROPOSAL

- 5.1 The appeal application sought retrospective planning permission for the erection of a single storey extension to the rear of No. 2 Rochester Road, with the property having been previously extended with a single storey side and rear extension, with a width across the rear of 9.0m, a depth of 3.0m and a flat roof design with a height of 2.9m.



Pre-Existing Plans, Section and Elevations



Proposed Plans, Section and Elevations

- 5.2 The rear extension has been partially constructed and extends across the full width of the existing side/rear addition, with a depth of 3.0m and a width of 8.9m. The land slopes down from the house towards the rear boundary of the plot, and the extension therefore steps down from the existing rear extension, with a shallow pitched roof, it has a maximum height of 3.0m where it is attached to the existing extension and slopes down 0.5m in height by at the rear to follow the ground levels, with a set of external steps down to the garden level.
- 5.3 Once construction is completed, the walls will be painted render and the roofslope will be Perspex clear sheeting. The proposal will also have white uPVC window units to match the existing style and pattern of fenestration.

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6.0 RELEVANT PLANNING POLICY

6.1 The reason for refusal refers to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB11 and DMHD1 of the Hillingdon Local Plan - Part One (2020), Policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).

6.2 The following paragraphs provide a brief summary of the relevant policies and the applicable guidance within the National Planning Policy Framework. The paragraphs are in a hierarchical order relative to national and local planning policy.

National Planning Policy Framework – September 2023 (NPPF)

6.3 The NPPF (September 2023) sets out the Government's planning policies for England and how these are expected to be applied, this document replaces the revised NPPF published in July 2021. 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. 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

6.5 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

6.6 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"*.

6.7 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.*

6.8 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)

6.9 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, with Policies D4 and D8 relevant to this appeal.

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

6.10 This policy recommends a design-led approach and states the form and layout of proposed developments should 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. Proposals should also respond to the existing character of a place by identifying the special and valued features and characteristics that are unique to the locality and respect, enhance and utilise the heritage assets and architectural features that contribute towards the local character.

Hillingdon Local Plan: Part One – Strategic Policies (November 2012)

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

Policy BE1 – Built Environment

- 6.12 Policy BE1 is a general policy that 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.
- 6.13 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 identity 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 DMHB11, DMHB12 and DMHD1 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) explains that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste.

Policy DMHD 1 - Alterations and Extensions to Residential Dwellings

- 6.18 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.*

- 6.19 Section B) relates to rear extensions and states:

- 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 THE APPELLANT'S CASE

Introduction

7.1 The appellant's case will focus on the central concerns within the reason for refusal; notably, whether the proposed extension by reason of its overall depth and scale, design, materials and appearance, in conjunction with the existing rear extension, would fail to appear subordinate to the original property or respect its architectural composition and appearance, giving rise to a visually harmful, dominant and poorly designed form of development which would be detrimental to the character and appearance of the site and surrounding area.

7.2 The main considerations in assessing this case were as follows:

- Principle of development
- Design and impact on the existing dwelling and street scene
- Impact upon the amenities of adjoining occupiers
- External Amenity Space
- Car parking provision

Principle of Development

7.3 The proposal accords with the aims of local, regional and national planning policy, as the appellant's architect has designed proportionate and sympathetic extensions to the appeal property, that will harmonise with the appearance and character of the existing house and will make better use of the site. The proposal has also been carefully considered to ensure the development as a whole will not impact negatively upon the visual or residential amenities of the neighbouring residents.

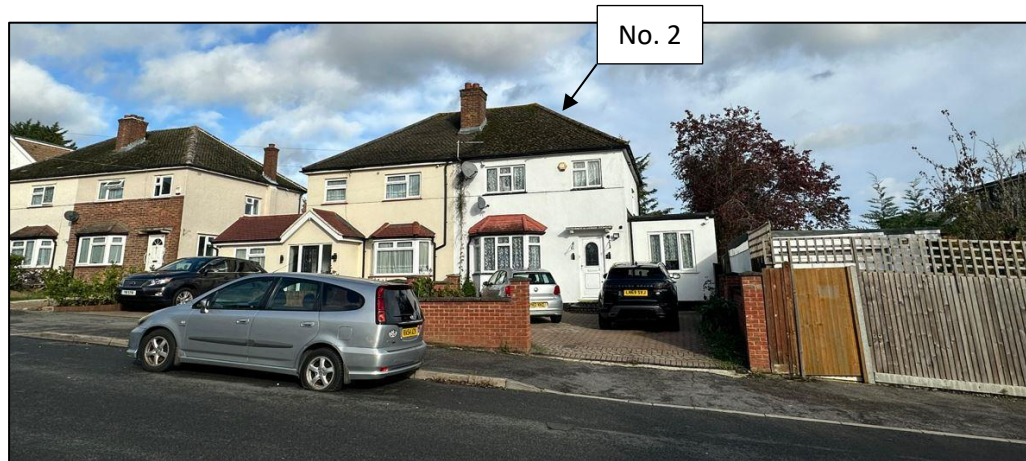
7.4 The appeal site is situated within a predominantly residential area where there is a presumption in favour of sustainable development, provided that proposals are in compliance with development plan policies and that no unacceptable harm to residential amenities, the environment, highway safety or any other material planning considerations arise. The proposal therefore ought to be considered an acceptable form of residential development in principle, subject to policy compliance.

Design and impact on the existing dwelling and street scene

7.5 The NPPF states 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"*, with the development purposefully designed to meet the objectives of paragraph 130 which requires developments to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.

7.6 The proposed development has also been designed to be visually attractive as a result of good architecture and layout, being sympathetic to local character, including the surrounding built environment and landscape setting, with appropriate innovation or change (such as increased densities) not prevented or discouraged.

- 7.7 These objectives are supported by 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 state that all development will be required to be designed to the highest standards and incorporate principles of good design, so that it will be well integrated with the surrounding area, be accessible, and amongst other criteria, take into account the established character and quality of the surrounding area.



Appeal property and neighbouring dwellings within Rochester Road

- 7.8 As pictured above, the appeal property has already been extended with a single storey side extension which wraps around to also add a rear extension, with many of the neighbouring houses having also extended in a similar manner.



Houses to the opposite side of Rochester Road

- 7.9 The appeal proposal consists of a single storey rear extension, attached to the rear of the existing rear addition, although set down in height, and as such, it will not be visible within the street scene of Rochester Road or from any other public vantage points. The proposal, if allowed to be completed and retained, will therefore have no negative impact upon the character of the appeal property, the neighbouring dwellings, or the wider setting.

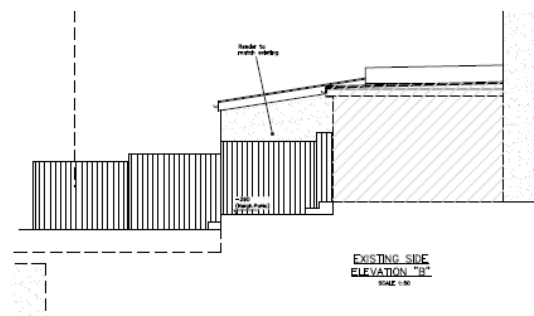
- 7.10 The existing full width rear extension has a modest depth of 3.0m, with the neighbouring extension at No. 4 projecting beyond this with a full width 3.6m deep addition. The appellant therefore thought that larger extensions were permissible under permitted development rights and began works on the new extension, without realising that full planning permission would be required for this type of development.



Rear elevation of No. 2 Rochester Road



Proposed rear elevation



Proposed side elevation

- 7.11 In regard to the proposed rear extension, a modest design has been chosen to provide the internal space required, whilst respecting the original style of the property and remaining subservient to the scale of the house and garden. This has been achieved by the new extension having a lower height than the existing rear addition, which follows the fall in ground levels at the rear of the house; together with the conservatory style design with a Perspex roof, which provides a more lightweight design.
- 7.12 The Planning Officer has assessed that the combined extensions to the rear of the house have a depth of 6.0m, a width of 8.9m and feature a part flat roof and part sloping roof. Therefore, as Policy DMHD 1 states that single storey rear extensions should not exceed 3.6m in depth, with supporting paragraph A1.7 of the Local Plan (2020) adding that the addition of conservatories or other extensions to buildings that have already been extended will not be permitted, the extension to be retained has been considered unacceptable.

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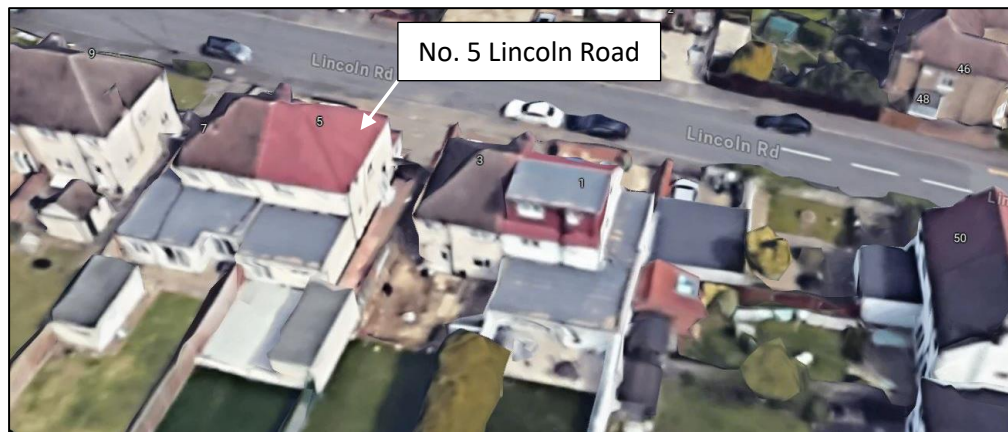
- 7.13 Whilst it has been acknowledged by the Planning Officer that there are a number of properties in the surrounding area that benefit from rear additions, it has been suggested that the proposed depth of the rear extension of 6.0m, is not common. However, as pictured below, there are a mix of extensions within the locality, of varying depths and styles, with many of the nearby houses having wrap-around side and rear extensions.



Rear Extensions to the Southeast on Norwich Road



Rear Extensions to the Northwest on Rochester Road and Cranbourne Road



Rear Extensions to the Northeast on Lincoln Road to the Rear of Appeal Property

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- 7.14 The example at No. 5 Lincoln Road is a 4.5m deep full width rear extension that was granted against the current planning policies under application reference 76387/APP/2021/2063 on 4th August 2021 (see **Appendix A**). The Delegated Report for this approved application states:

“With respect to single storey rear extensions on semi-detached with a plot width of 5m wide or more they should not be any more than 3.6m deep with a height of 3m if a flat roof is proposed. In this case although the height of the extension would comply with the Council's standards its depth would be far greater at 4.5m deep. However it is considered that there would be no harm to the amenity of residents at No. 7 because this property has the benefit of a substantial single storey rear extension. Furthermore it is considered that there would not be any harm to the amenity of residents at No. 3 as the rear elevation of this property is located 5.2m away from the proposed extension and as such it is evident that there will not be significant impact upon this property. No side facing windows are proposed that would result in loss of privacy.

Overall it is considered that the extension would be designed to be in keeping with the character of the house. It would appear subordinate and would leave much of the rear garden open and undeveloped.”

- 7.15 To the southeast side of the appeal property there are a range of extensions to the rear of the houses on Norwich Road, with one example at No. 62 having a larger rear addition, granted under application 61934/APP/2019/1322 on 10th June 2019 (see **Appendix B**).



Extended Dwellings on Norwich Road viewed from the Rear Garden at Appeal Property

- 7.16 The Delegated Report for No. 62 Norwich Road states:

“The proposal comprises a single storey rear extension which would extend to a depth of 4.25m beyond the original rear wall and be constructed to match the existing dwelling with patio doors to the rear. The pitched roof would have a maximum height of 2.99m. The new extension will extend across the full width of the property to the rear at 6m and will replace the existing extension which is currently 4.25m in depth and 2.5m in width. Therefore in terms of appearance it is considered that the proposed extension would appear as a subordinate addition to the property and would respect the architectural character of the original dwelling and the wider area.”

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- 7.17 Given that the appeal property is surrounded by such a mix of extensions, with those to the rear of houses on Norwich Road visible to the side of No. 2 Rochester Road and from the highway, and those to the rear of houses on Lincoln Road being larger in depth than normally allowed, it is argued that the conservatory style extension at No. 2 ought to be allowed to remain in place as the addition is set down in height and subservient, having no negative impact on neighbouring houses and gardens.



Rear Extensions at Nos. 2 and 4 Rochester Road

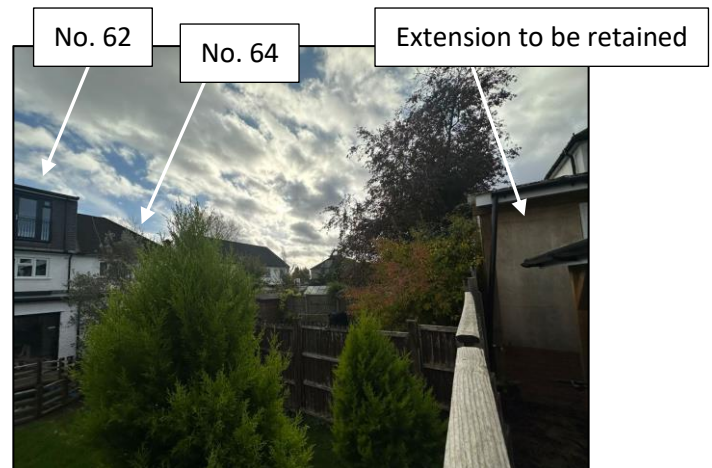
- 7.18 Furthermore, No. 4 also has a rear extension, and as pictured above, the two neighbouring extensions sit comfortably alongside each other, with the new extension at No. 2 only projecting 2.46m beyond the rear elevation of the extension at No. 4, and therefore having no negative visual or overbearing impact.
- 7.19 It is noted that the Planning Officer has stated that *“the mismatch of materials (and their construction quality which appears incomplete), and the mismatched roof design and junction, exacerbate the harm of the 6m deep extension”*; however, the extension is clearly not completed and the proposal is to finish this in painted render, which will provide a high quality finished design.
- 7.20 If the extension is allowed to remain in place and building works are completed, the finish can be secured via condition to ensure that the Council are happy with the overall appearance. Furthermore, if this requires a solid felt roof finish and external brick slips to match the extension at No. 4, then the appellant is willing to agree on the most appropriate finish with the Council so that the character and appearance of the dwelling, as well as that of the surrounding area, are not impacted in any way by the development.
- 7.21 Overall the depth, scale, design, materials and appearance of the proposed rear extension, once completed, will appear as a subordinate addition to the property and will respect the setting, where the majority of houses have been extended, therefore achieving the aims of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).

Impact upon the amenities of adjoining occupiers

7.22 The NPPF states in paragraph 130 that planning policies and decisions should ensure that developments create a high standard of amenity for existing and future users, which is supported by the London Plan (2021) and Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) which advises that all development will be required to be designed to the highest standards and incorporate principles of good design, whilst not adversely impacting on the amenity, daylight and sunlight of adjacent properties and open space.

7.23 The appeal property is attached to No. 4 Rochester Road which is located to the northwest of the property and benefits from a single storey rear extension. The proposed rear extension would protrude 2.46m beyond the rear building line at No. 4, with the Planning Officer having assessed that *"Having regard to the presence of the neighbouring extension, it is unlikely that the proposal would result in overshadowing or a loss of light."* Moreover, it has been noted that *"There are no windows on the side elevation which would result in overlooking or a loss of privacy."*

7.24 The rear boundary of No. 64 Norwich Road abuts the southeast side boundary of the appeal property, with its rear elevation located approximately 12m from the flank wall of the extension to be retained. The Planning Officer has assessed that given *"the separation distance, and the single storey nature of the proposal, it is not considered that the proposal would significantly adversely impact the amenity of No. 64."*



Nos. 62 and 63 Northwich Road

7.25 Furthermore, as the proposed windows on the rear elevation would overlook the private rear garden they would not result in undue overlooking to neighbouring properties, with the Delegated Report concluding that *"Having regard to the above, it is considered that the proposal would not cause undue harm to the living conditions of neighbouring occupiers in accordance with Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020)."*

External Amenity Space

7.26 The development would retain sufficient rear garden space, in accordance with the minimum private amenity space standards set out in Table 5.3 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Car parking provision

7.27 It has been confirmed that there would be no impact on the existing parking situation.

8.0 CONCLUSION

8.1 As explained within this statement, the single storey rear extension, if allowed to be retained and completed, will be subservient and appropriate in position, scale, design and appearance to the existing house, and although the Planning Officer's opinion is respected, it is argued in this case that the full context of the site has not been taken into consideration.

8.2 Whilst it is understandable that the Council would want to prevent unsympathetic development, it is argued that they are being overly cautious when assessing the visual impact of the proposal. The appellant has no desire to gain permission for works that are not worthy of the existing house or the character and appearance of the area, and feels strongly that the proposed extension to the appeal dwelling, when completed, will preserve visual amenities by respecting the surrounding pattern of development.

8.3 As shown within the images included in this statement, the appeal property is set within a residential area where many of the houses have extended in a comparable way to the rear; and although in this case, the proposal includes a conservatory style garden room to the rear of an existing extension, its position and set down in height ensure that it is not overly dominant, with the Planning Officer confirming that it will have no negative impact on neighbouring residential amenities.

8.4 The conservatory style extension is separate from the existing extension and is to be used as a multifunctional garden room once the construction works are complete. The pre-existing windows and French doors are to be retained and steps provide access from the older extension into the new conservatory.



Conservatory Extension to be Retained

8.5 The changes to the property will vastly improve the amenity levels of current and future occupants of the host dwelling, with this slightly larger combined extension providing a proportionate addition to the 4 bedroom house that when completed, will improve the balance between the living and bedroom space within the property, without harming the character of the house or the area.

8.6 The NPPF (2023) states that decision-makers 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. The proposed extension achieves the overall aims of national and local planning policy and, for the above reasons, it is politely requested that this appeal is allowed.

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