



J & L PLANNING SERVICES

Town & Country Planning Acts

Appeal by Syed Hussain against the decision by the London
Borough of Hillingdon to refuse planning permission for a
part single, part double storey rear extension at 48 Pole Hill
Road, Uxbridge UB10 0QB

Local Planning Authority Reference: 33924/APP/2023/2780

Appellants Reference: JL26823

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1. **INTRODUCTION**

- 1.1 This statement has been prepared in support of an appeal against a refusal of planning permission.

2. **THE APPEAL**

- 2.1 The appeal concerns a refusal of planning permission for a part single, part double storey rear extension. The Council's reason for refusal is as follows:

The proposed extension, by reason of its width, bulk and design, would form a contrived and oversized addition to the original building that would fail to respect its character and appearance. The resulting property would appear top heavy, overdeveloped and overcomplicated contrasting with the simple designs of neighbouring properties. Furthermore, due to its prominent location the unsightly resulting property would be visible from Pole Hill Road and Harrow View, harming the appearance of those roads. The scheme would thereby be detrimental to the character and appearance of the host building and the visual amenities of the street scene and the surrounding area. The proposal would thus be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHD 1, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) and paragraph 130 of the NPPF (2021).

3. **SITE AND SURROUNDINGS**



- 3.1 The appeal site comprises a detached dwelling located on the east side of Pole Hill Road, immediately north of the junction with Harow View. The surrounding area is predominantly residential in terms of both built form and land use. The exception is land beyond, to the east of the appeal site, which comprises of open countryside.

4. **PLANNING CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) which came into force in July 2021, outlines the Government's requirements for the planning system and established how these will be addressed. The most relevant paragraphs are stated below:

Paragraph 7 states that: "The purpose of the planning system is to contribute to the achievement of sustainable development." Paragraph 8 goes on to explain that "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):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed,

beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

4.2 These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher, social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

4.3 Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as people's quality of life, including (but not limited to):

1. Making it easier for jobs to be created in cities, towns and villages.
2. Moving from a net loss of biodiversity to achieving net gains for nature.
3. Replacing poor design with better design.

4. Improving the conditions in which people live, work, travel and take leisure; and

5. Widening the choice of high-quality homes.

4.4 The National Planning Policy Framework advocates that the statutory status of the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts would be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

4.5 At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision making. Local planning authorities should approve development proposals that accord with statutory plans without delay, and grant permission where the plan is absent, silent, in determination or where relevant policies are out of date. All these policies should apply unless the adverse impact of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

4.6 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Although visual appearance and the architecture of individual buildings are particularly important factors, securing high quality and

inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural built and historic environment. Furthermore, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

4.7 Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

4.8 The Borough Council have provided one reason for refusal which, in turn, raises one primary issue, that is the character and appearance of the host dwelling, together with the visual amenities of the street scene and surrounding area. In support of this concern, the Council have referred to provisions within the Local Plan: Part One-Strategic Policies (November 2012), and the Local Plan Part Two: Development Management Policies (2020). Within this context, the merits of the appeal will be assessed.

BE1

Policy BE1: Built Environment

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. All new developments should:

- 1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;*
 - 2. Be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, 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*
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- of surrounding land and buildings, particularly residential properties;*
- 3. Be designed to include ‘Lifetime Homes’ principles so that they can be readily adapted to meet the needs of those with disabilities and the elderly, 10% of these should be wheelchair accessible or easily adaptable to wheelchair accessibility encouraging places of work and leisure, streets, neighbourhoods, parks and open spaces to be designed to meet the needs of the community at all stages of people’s lives;*
- 4. In the case of 10 dwellings or over, achieve a satisfactory assessment rating in terms of the latest Building for Life standards (as amended or replaced from time to time);*
- 5. Improve areas of poorer environmental quality, including within the areas of relative disadvantage of Hayes, Yiewsley and West Drayton. All regeneration schemes should ensure that they are appropriate to their historic context, make use of heritage assets and reinforce their significance;*
- 6. Incorporate a clear network of routes that are easy to understand, inclusive, safe, secure and connect positively with interchanges, public transport, community facilities and services;*
- 7. Improve the quality of the public realm and provide for public and private spaces that are attractive, safe, functional, diverse, sustainable, accessible to all, respect the local character and landscape, integrate with the development, enhance and protect biodiversity through the inclusion of living walls, roofs and areas for wildlife, encourage physical activity and where appropriate introduce public art;*
- 8. Create safe and secure environments that reduce crime and fear of crime, anti-social behaviour and risks from fire and arson having regard to Secure by Design standards and address resilience to terrorism in major development proposals.*
- 9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas;*
- 10. Maximise the opportunities for all new homes to contribute to tackling and adapting to climate change and reducing emissions of local air quality pollutants. The Council will require all new development to achieve reductions in carbon dioxide emission in line with the London Plan targets through energy efficient design and effective use of low and zero carbon technologies. Where the required reduction from on-site renewable energy is not feasible within major developments, contributions off-site will be sought. The Council will seek to merge a suite of sustainable design goals, such as the use of SUDS, water efficiency, lifetime homes, and energy efficiency into a requirement measured against the Code for Sustainable Homes and BREEAM. These will be set out within the Hillingdon Local Plan: Part 2- Development Management Policies LDD. All developments should be designed to make the most efficient use of natural resources whilst safeguarding historic assets, their settings and local amenity and include sustainable design and construction techniques to increase the re-use and recycling of construction, demolition and excavation waste and reduce the amount disposed to landfill;*
- 11. In the case of tall buildings, not adversely affect their surroundings including the local character, cause harm to the significance of heritage assets or impact on important views. Appropriate locations for tall buildings will be defined on a Character*

Study and may include parts of Uxbridge and Hayes subject to considering the Obstacle Limitation Surfaces for Heathrow Airport. Outside of Uxbridge and Hayes town centres, tall buildings will not be supported. The height of all buildings should be based upon an understanding of the local character and be appropriate to the positive qualities of the surrounding townscape.

Support will be given for proposals that are consistent with local strategies, guidelines, supplementary planning documents and Hillingdon Local Plan: Part 2- Development Management Policies.

- 4.9 The local distinctiveness of the area is significantly influenced by the corner location of the host dwelling. The starting point is the host dwelling, its built form and associated architectural details. The host dwelling adopts a chalet style which is physically and visually emphasised by dormer windows to both side elevations. The respective dormer windows, consist of a flat roof profile and are set, under the main ridgeline of the host dwelling.
- 4.10 The maintenance of the existing alignment of the side elevating facing Harrow View, together with the appeal proposal, not exceeding the height of the host dwelling, collectively ensures that views and vistas, along Harrow View and safeguarded. The overall prevailing pattern of development would remain preserved, as the extension of the host dwelling's footprint would be consistent with the spatial arrangement of the wider area. The external appearance of the appeal proposal would consist of external materials and joinery details, which would match the host dwelling.

DMHD1

Policy DMHD 1: Alterations and Extensions to Residential Dwellings

A) 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; and*
- 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.*

B) Rear Extensions

- 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;*
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;*
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;*
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;*
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;*
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and*
- ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings*

C) Side Extensions

- i) side extensions should not exceed half the width of the original property;*
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;*
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;*
- iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;*
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;*
- vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and*
- vii) in Conservation Areas, single storey side extensions may be required to be set back.*

D) Front Extensions

- i) alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;*
- ii) porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and*
- iii) notwithstanding the above, at least 25% of the front garden must be retained.*

E) Roof Extensions

- i) roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line;*
- ii) the Council will not support poorly designed or over-large roof extensions including proposals to convert an existing hipped roof to a gable;*
- iii) raising of a main roof above the existing ridgeline of a house will generally not be supported;*
- iv) all roof extensions should employ appropriate external materials and architectural details to match the existing dwelling; and*
- v) in Conservation Areas, Areas of Special Local Character and on Listed and Locally Listed Buildings, roof extensions should take the form of traditional 'dormer' windows, on the rear elevation, to*

harmonise with the existing building. The highest point of the dormer should be kept well within the back roof slope, away from the ridge, eaves or valleys, whilst each window should match the proportions, size and glazing pattern of the first floor windows.

F) Front Gardens and Parking

- i) new or replacement driveways should use permeable (porous) surfacing. Surfaces of more than five square metres will need planning permission for laying traditional, impermeable driveways; and*
- ii) the design, materials and height of any front boundary must be in keeping with the character of the area to ensure harmonisation with the existing street scene.*
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- 4.13** The depth of the proposed ground floor rear extension, given the detached built form of the host dwelling and the existing neighbouring extension, complies with the requirements of the policy. In relation to proposed first floor element of the rear extension, as it does not exceed the height of the host dwelling would be physically and visually subordinate to the host dwelling, together with the use of matching external materials would also comply with the requirements of the policy.

DMHB11

Policy DMHB 11: Design of New Development

A) 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:

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*
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- *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.*
- B) Development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.*
- C) Development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential. In the case of proposals for major development⁵ sites, the Council will expect developers to prepare master plans and design codes and to agree these with the Council before developing detailed designs.*
- D) 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. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.*
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4.14 This policy seeks to ensure that new development harmonies with local context, spatial arrangement, materials and finishes. These requirements reflect the aims, objective and, to a degree, the content of policies BE1 and DMHD1. Therefore, reference is made to preceding submissions.

DMHB12

Policy DMHB 12: Streets and Public Realm

- A) Development should be well integrated with the surrounding area and accessible. It should:*
- i) improve legibility and promote routes and wayfinding between the development and local amenities;*
 - ii) ensure public realm design takes account of the established townscape character and quality of the surrounding area;*
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iii) include landscaping treatment that is suitable for the location, serves a purpose, contributes to local green infrastructure, the appearance of the area and ease of movement through the space;
iv) provide safe and direct pedestrian and cycle movement through the space;
v) incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard;
vi) where appropriate, include the installation of public art; and
vii) deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.
B) Public realm improvements will be sought from developments located close to transport interchanges and community facilities to ensure easy access between different transport modes and into local community facilities.

4.15 This policy is specifically concerned with 'Streets and Public Realm'. The requirements of the policy, particularly criterion (ii) is concerned with townscape character and quality. The architectural and built form attributes of the host dwelling would be preserved, due primarily to the subordinate scale of the appeal proposal.

4.16 The wider street scene, its sense of place, would be safeguarded due to the retention of side space, that the appeal proposal would not exceed the height of the host dwelling and the use of matching materials. Collectively, these factors would be consistent with the urban grain of the locality which, in turn, would safeguard its setting and sense of place.

5. **CONCLUSIONS**

5.1 The visual qualities of the host dwelling and the wider area might be described as pleasant, but unremarkable. In summary, the appeal proposal would be an example of an aesthetically reasonable, innovatively designed and effective modes development to bring about the creation of productive additional

accommodation, having regard to the attributes of local character and appearance.

5.2 In conclusion, the appellant respectfully requests that the Inspector upholds the appeal.