

Appeal Statement

Erection of a first-floor side extension.

At

15 Roker Park Avenue, UB10 8ED

Ref: 41735/APP/2023/3496

Refusal for the following reasons:

NON2 Harm to the character of the area

Date: 10th April 2024

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1. Introduction

- a. This appeal statement has been prepared by the owner of the property to support an appeal against the decision of the London Borough of Hillingdon to refuse planning permission for household erection of a first floor side extension.
- b. Following a description of the site and surrounding area, the appeal statement will describe the proposal, consider the planning history, set out an overview of relevant planning policy and outline the case.
- c. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.

2. Background

- a. On 2nd December 2023, I submitted an application to the London Borough of Hillingdon (Ref: 41735/APP/2023/3496) for the following development:

Erection of a first floor extension to side

- b. On 23rd January 2024, the council notified us that the application had been refused, for the following reasons:

“The proposed first floor side extension, by virtue of its size, scale, design and lack of a sufficient setback from the established front building line would result in an visually intrusive and visually incongruous addition that would fail to harmonise with the architectural composition of the original dwelling and the symmetry of existing development along Roker Park Avenue to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).”

3. Relevant Planning History

a. On 17th January 2023 a planning application was submitted for the 1st floor side extension:

Reference 41735/APP/2023/140 - Erection of a first floor side extension.

It was Refused 08-03-2023.

Reasons for Refusal:

1. The proposed first floor side extension, by virtue of its size, scale, design and lack of a setback from the established front building line would result in an visually intrusive and visually incongruous addition that would fail to harmonise with the architectural composition of the original dwelling and the symmetry of existing development along Roker Park Avenue to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

It was Appealed and unfortunately it was Dismissed on 06-09-2023 due to the 0.5m setback.

b. On 2nd December 2023 a new application was submitted with a 1 meter setback.

Reference 41735/APP/2023/3496 - Erection of a first floor side extension

It was refused on 23rd January 2024.

Reasons for Refusal:

1. The proposed first floor side extension, by virtue of its size, scale, design and lack of a setback from the established front building line would result in an visually intrusive and visually incongruous addition that would fail to harmonise with the architectural composition of the original dwelling and the symmetry of existing development along Roker Park Avenue to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

This appeal is related to the above refusal.

4. Site Description

- a. The property is a two-storey detached dwelling located on the western side of Roker Park Avenue. It is brick-built with a tiled, hipped roof. The property features an integral garage and a part recessed front wall at first floor level. It has a rear and front garden with off-street parking. The front elevation of the house is shown in figure 1, below



Figure 1 – 15 Roker Park Ave

- b. As you enter Roker Park Avenue, the houses on the left and right are in consistent building line. See figure 2 below:



Figure 2 – Consistent line of houses on both sides of the road

- c. As one proceeds along the road to the left into the cul-de-sac, a few houses on the left exhibit a staggered configuration, while those on the right do not exhibit a staggered form. Instead, some maintain a consistent alignment while facing different directions. This highlights the variability in property layout within the area. Please refer to figure 3 below for clarification.



Figure 3

Few houses on left are staggered and on the right face different directions

- d. The houses in the vicinity boast a cohesive design language, **yet some bears unique alterations that set them apart**. While some have replaced their front garages into additional living areas, evident by the substitution of garage doors with windows while building forward to the garage roof line, others feature distinct modifications. For instance, one property showcases a first-floor front side extension, while another proudly displays three garages at the forefront. Moreover, there are instances where houses exhibit unique characteristics, such as a very small front window on the ground floor. Collectively, these variations contribute to the diverse streetscene. Please refer to the figures below depicting the distinct front designs.



Figure 4 – 17 Roker Park Avenue

Garage door replaced with bricks and a window whilst building forward to the garage front line.



Figure 5 – 2 Roker Park Avenue
3 front garage doors



Figure 6 – 8 Roker Park Avenue

First-floor side-front extension accompanied by an additional rear-side extension, both visible from the street. The front extension design harmonises with the existing development in design and nature, conforming to the wider streetscene and character and appearance of the area. Side extension is only setback by 0.3m.



Figure 7 – 32 Roker Park Avenue

Very small ground floor front left window installed, whilst others have large windows ground windows



Figure 8 – 5 Roker Park Avenue

Garage converted to living space with 4 windows installed

- e. The officer report has stated that the application site and the surrounding properties are similar in their design in terms of their form, proportion, appearance and symmetry. However, **this is disputed**, as evidenced by the photographs of properties along Roker Park Avenue in section 'd' above. Several properties exhibit distinctive features that are visible from the street, thus undermining the notion of symmetry and uniformity in design.
- f. The application building is **not** listed, or within a conservation area or an article 4 constraints and does not hold any significant heritage asset value.
- g. The proposal would not result in a visually intrusive or incongruous addition and it would harmonise with existing development along Roker Park Avenue which is similar in design and nature, conforming to the wider streetscene and character and appearance of the area.

5. Planning Policy Context

- a. This section of the statement provides a summary of the planning policy context in which the proposed development should be considered in accordance with the relevant planning legislation and national policy guidance and the London Plan, 2021. According to the Decision Notice, the application was refused on the basis of policies Policy BE1, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan.
- b. Policy BE1 'Built Environment' states "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".
- c. Policy DMHB 11 'Design of New Development' states "All development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design", the policy sets out a set of criteria for design, layout scale and so on.
- d. Policy DMHB 12 'Streets and Public Realm' states "Development should be well integrated with the surrounding area and accessible. It should improve legibility and promote routes and wayfinding between the development and local amenities; ensure public realm design takes account of the established townscape character and quality of the surrounding area; 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; provide safe and direct pedestrian and cycle movement through the space; incorporate appropriate and robust hard landscaping, using good quality materials, undertaken to a high standard; where appropriate, include the installation of public art; and deliver proposals which incorporate the principles of inclusive design. Proposals for gated developments will be resisted.
- e. Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that alterations and extension of dwellings should not have an adverse cumulative impact on the character and appearance of the street scene, and should appear subordinate to the main dwelling.

With specific regard to side extensions, Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) states that:

- 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.

- f. Policy D3 (Optimising site capacity through the design-led approach) of the London Plan seeks to “make the best use of land by following a design-led approach the optimises the capacity of sites”. Part C of the policy states that the “incremental densification of sites should be actively encouraged”. The policy goes on to state that development should represent a high quality of design and respect and reflect the character of the area. It should also protect the residential amenity of close neighbours.
- g. The National Planning Policy Framework (NPPF) sets out the government’s planning policies for England and how they should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.
- h. Paragraph 11(c) requires that decision-makers approve “development proposals that accord with an up-to-date development plan without delay”. Where policies are absent or out of date, permission should be granted unless:

“any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.”

- i. According to Paragraph 38:

“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.”

- j. Paragraph 131 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.”

6. My Case

- a. The officer refused the application for the below reason:

NON2 – Harm to the character of the area

- b. Planning permission is sought for a first-floor side extension which would essentially infill the first floor gap, the proposal would measure a depth of 2.6m, a length of 3.3m and is set back 1m from the first floor front building line. The proposed development follows a similar ridge line as the host dwelling.
- c. This extension, by its size, design, and setback, would **not** result in a visually intrusive and visually incongruous addition for the below reason:
- i) The proposed extension has been meticulously designed to blend seamlessly with the existing architecture of the property and the surrounding neighbourhood.
 - ii) Its size and scale have been carefully considered to ensure that it complements and respects local character rather than overwhelms the visual landscape.
 - iii) Furthermore, the setback from the established front building line has been carefully determined to maintain the overall symmetry and proportionality of the street while allowing for adequate functional space within the property.
 - iv) As such, the extension is envisioned to enhance the aesthetic appeal of the area without detracting from its character or visual harmony.
 - v) Moreover, it is important to note that this proposed extension fully complies with the current policy guidelines outlined in Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) ensuring that it aligns with the strategic objectives and development management principles set forth by the local planning authority.
- d. The extension would harmonise the architectural composition of the original dwelling as it would be in line with the current design:
- (i) Incorporates similar materials and finishes to maintain consistency with the existing structure.
 - (ii) Adheres to the same roofline and architectural features to ensure a seamless integration.
 - (iii) Complements the scale and proportions of the original dwelling, preserving its overall aesthetic appeal.
 - (iv) Enhances the cohesive appearance of the property, contributing to the visual harmony of the neighbourhood.
 - (v) Reflects a thoughtful approach to design that respects the character of the surrounding built environment.
- e. The planning officer has stated in her report that the surrounding properties exhibit a uniform design in terms of appearance. However, I oppose this assertion as I have

clearly outlined the various designs and appearances of the properties on Roker Park Avenue in 'Section 4 – Site Description'.

- f. The houses in the vicinity boast a cohesive design language, **yet some bears unique alterations that set them apart**. While some have replaced their front garages into additional living areas, evident by the substitution of garage doors with windows while building forward to the garage roof line, others feature distinct modifications. For instance, one property showcases a first-floor front side extension, while another displays three garages at the forefront. Moreover, there are instances where houses exhibit unique characteristics, such as a very small front window on the ground floor. Collectively, these variations contribute to the diverse streetscene. Please refer to 'Section 4 – Site Description' part 'd'.
- g. The surrounding roads adjacent to Roker Park Avenue feature diverse designs, thereby influencing the area's overall architectural variety.
- h. Swakeleys Road, situated parallel to Roker Park Avenue, historically consisted of detached houses. However, in recent years, many of these properties have undergone conversion into three/four-story apartments, visible from my rear garden. Presently, only two detached houses remain within view. It is noteworthy that if any development were to adversely impact the area's character, it would be these conversions of detached houses into apartments. See below figures 9 and 10 showing you images from 2016 and 2024

Detached houses on Swakeleys Road in 2016, located behind Roker Park Avenue

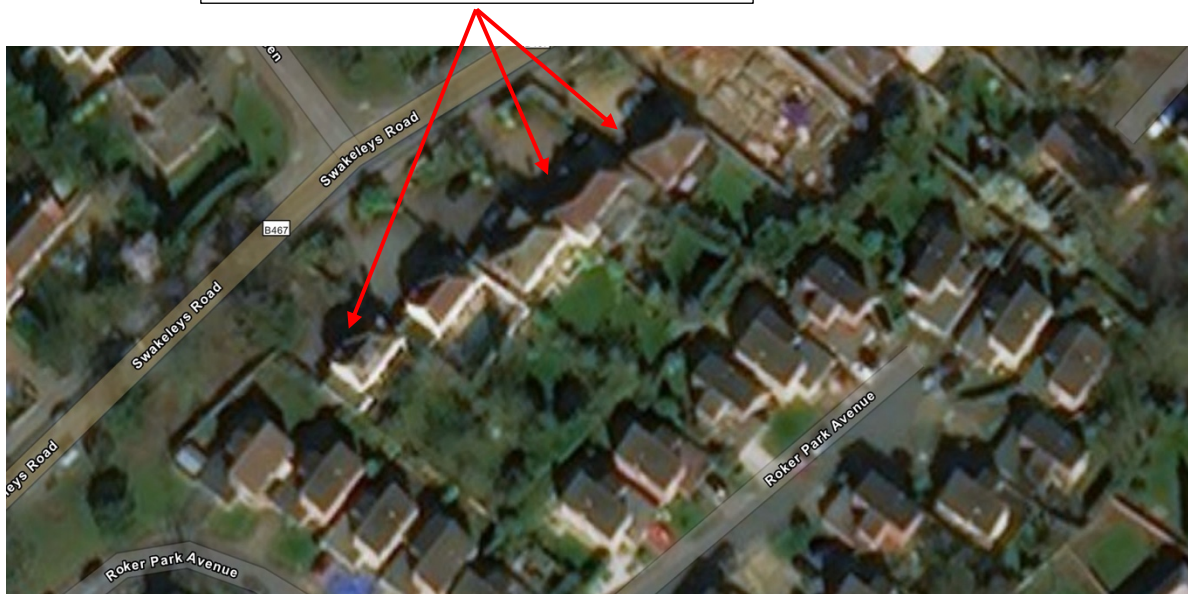


Figure 9 – Detached houses
Satellite image of Swakeleys Road running parallel to Roker Park Avenue in year 2016

Apartments on Swakeleys Road located behind Roker Park Avenue. The detached houses were converted into apartments

2 Detached houses remain in place, whilst others are converted into apartments

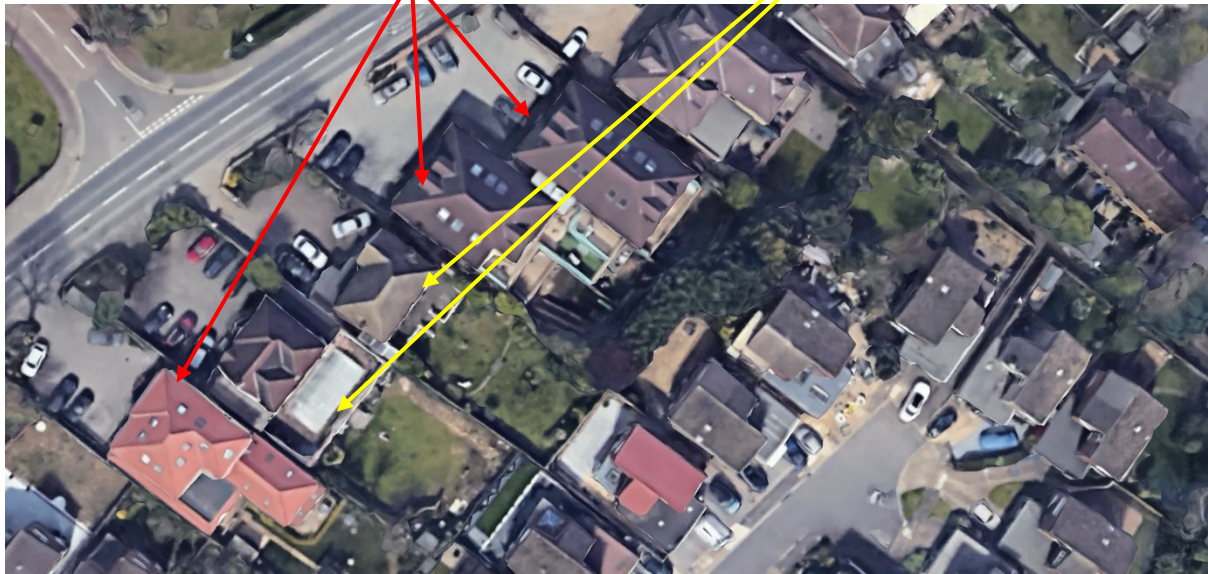


Figure 10 – Houses converted into Apartments (4 storey high)
Satellite image of Swakeleys Road running parallel to Roker Park Avenue in year 2024, AFTER the houses were converted to 4 storey high apartments

- i. Policy DMHD 1 (Side Extensions) provides a detailed criteria on alterations and extensions to dwellings. Please see below the criteria list with my corresponding responses:
 - i) side extensions should not exceed half the width of the original property;
 - **compiles**
 - ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;
 - **Not Applicable**
 - iii) garages should reflect the size guidelines set out in Appendix C Parking standards;
 - **Not Applicable**
 - 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;
 - **compiles**
 - 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;
 - **compiles**

vi) where hip to gable roof extensions exist, a two storey side extension will not be supported; and

- **Not Applicable**

vii) in Conservation Areas, single storey side extensions may be required to be set back.

- **Not Applicable**

- j. The officer has stated in the report “would affect the symmetry of the development along Roker Park Avenue”.

I disagree with this point as the extension has been designed to make sure it matches the original design, keeping it symmetrical. Please see below images (figures 11 and 12) of the original house and another image with the added extension from the streetscene. This proves the symmetry would **not** be affected at all.



Figure 11 - Original House



Figure 12 - House with Side Extension

- k. The officer has stated in her report:

“8 Roker Park Avenue benefits from a first floor side extension benefits from a first floor side extension (24573/APP/2016/3850) which was approved in 2017 and which is marginally set back from the first floor side extension. The Inspector did review this at the recent appeal, stating that the development was approved before the adoption of HLPP2, at a time when, according to the officer report, there was no policy requirement for extensions to be set back from the front wall of detached houses. Thus, whilst Councils should strive to issue consistent decisions, there has been a material change in circumstances since that one was made.”

However, I can demonstrate through similar applications that have been granted permissions after the adoption of HLPP2, please see below:

Similar Planning Application 1:

Hillingdon council ‘Approved’ a first floor side extension above a garage. Details are below:

- i. 193 Hoylake Crescent, Ickenham,
- ii. Planning Application ref: 48511/APP/2022/1250 was approved by Hillingdon council on 9th June 2022
- iii. Planning application was for ‘First floor side extension’ above garage

- iv. Setback was 1m from the building front face
- v. This application is very similar to my application as we both have an existing first floor side extension and both requested an extension above the garage with a 1m setback
- vi. This was approved '**After**' the adoption of the HLPP2 policy.
- vii. The approved report for 193 Hoylake Crescent has been added as 'Supported documents'.

Similar Planning Application 2:

- I. Hillingdon council 'Approved' a first floor side extension. Details are below:
 - ii) 61 Thornhill Road, Ickenham
 - iii) Planning Application ref: 22378/APP/2022/683 was approved by Hillingdon council on 4th May 2022
 - iv) Planning application was for 'First floor side extension'
 - v) Setback was 1m from the building front face

Similar Planning Application 3:

- m. Hillingdon council 'Approved' a first floor side extension. Details are below:
 - viii. 10 Lodore Green, Ickenham
 - ix. Planning Application ref: 28106/APP/2021/241 was approved by Hillingdon council on 10th March 2021
 - x. Planning application was for 'First floor side extension'
 - xi. Setback was 1m from the building front face
 - xii. This was approved '**After**' the adoption of the HLPP2 policy.
 - xiii. The neighbour to this property '9 Lodore Green', had a first floor side front extension approved, above the garage in 2017. This was '**before**' the adoption of HLPP2 policy, similar to 8 Roker Park Avenue.
 - xiv. The reason im pointing this out, is because the officer has clearly made the point that '8 Roker Park Avenue' first floor side extension was approved before the HLPP2 adoption. Just like 9 Lodore Green application. Then in 2021 "10 Lodore Green' submitted a planning application for a side front extension with a 1m setback (same as mine), and it was approved, whilst the HLPP2 policy was adopted. My application is similar to this, but mine was refused.
 - xv. The approved report for 9 Lodore Green has been added as 'Supported documents'.
 - xvi. See figures 13 and 14 of 9 and 10 Lodore Green, Ickenham



Figure 13 – 9 and 10 Lodore Green

9 Lodore Green, side extension approved in 2017 **before** HLPP2

10 Lodore Green, side extension approved in 2021, **after** HLPP2 adopted



Figure 14 – 9 and 10 Lodore Green

9 Lodore Green, side extension approved in 2017 **before** HLPP2

10 Lodore Green, side extension approved in 2021, **after** HLPP2 adopted

- n. The side extension does not encroach upon the front or rear garden areas and effectively utilizes previously unused space above the garage, providing additional living space for a family without compromising the area's character. The extension is designed to seamlessly integrate with the existing structure and would not appear bulky or out of place.

- o. The London Plan states that the boroughs should:

“recognise in their Development Plans and planning decisions that local character evolves over time and will need to change in appropriate locations to accommodate additional housing provision and increases in residential density through small housing developments.”

- p. It is noteworthy that there have been no objections from the neighbours regarding the proposal, indicating their support for the extension and reinforcing its alignment with the surrounding properties.
- q. The majority of residents residing along Roker Park Avenue are keen to utilize the unutilized space above their garages, akin to the approach adopted at 8 Roker Park Avenue, albeit with a one-meter setback. However, they express frustration at Hillingdon Council's recurrent denial of planning permission for such expansions. This additional space presents homeowners with the opportunity to extend their properties to accommodate their family's evolving needs, especially pertinent given the current economic climate where purchasing larger homes proves prohibitively expensive. Denying these extensions limits homeowners' ability to adapt their living spaces to changing family dynamics and financial constraints. As a homeowner myself with four growing sons, two of whom have just started high school and require their own bedrooms, I understand first-hand the pressing need for the this planning permissions to be granted.
- r. There would be a minimal loss of privacy to the neighbouring properties, there are no habitable room windows proposed in the side flank elevation of the first floor. Furthermore, the proposed extension would not breach a 45degree line taken from the edge of the main dwelling as shown in the original application drawing ref: “45 Degree view lines”. The officers report confirms 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).”

7. Conclusion

In conclusion, the refusal of planning permission for the proposed first-floor side extension at 15 Roker Park Avenue, Ickenham is unwarranted. The application has been meticulously prepared, taking into account the relevant policies and guidelines outlined in the Hillingdon Local Plan. The extension not only fulfils a genuine need but also contributes positively to the architectural fabric of the area. It harmonizes with the original dwelling's architectural composition, maintains symmetry within the streetscape, and aligns with similar planning permissions granted after the adoption of HLPP2. Additionally, the support from neighbours underscores the community's acceptance of the proposed extension.

Furthermore, the proposal will allow the provision of enhanced living space that meets the objectives of the NPPF, improving the quality and provision of accommodation. The benefits of the proposal in enhancing living standards outweigh any prescribed harm. Therefore, the development is considered to be in accordance with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012) and Policies DMHB 11, DMHB 12, and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

Denying this extension restricts homeowners' ability to adapt their living spaces to evolving family requirements and financial constraints, as evidenced by the pressing need for additional bedrooms in my own household. Therefore, I urge the Planning Inspectorate to review the case thoroughly and overturn the decision made by Hillingdon Council. Granting planning permission for the proposed extension would not only benefit my family but also contribute positively to the overall well-being and functionality of the neighbourhood.

Thank you for considering this appeal. Should you require any further information or clarification, please do not hesitate to contact me.