



Appeal Statement

First-Floor Rear Extension
AT
19 Copthall Road East,
Ickenham UB10 8SD

Reference:
19CRE-2512

Date:
1 September 2024

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Mr Jay Singh to support an appeal against the decision of London Borough of Hillingdon to refuse planning permission for a first-floor rear extension to 19 Copthall Road East, in Ickenham.
- b. Following a description of the site and surrounding area, the report will review the planning history, set out an overview of relevant planning policy and outline the case for the appellant.
- 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 16 April 2024, the appellant submitted a planning application to London Borough of Hillingdon for the following development (reference: 68378/APP/2024/997):

Erection of a first floor rear extension.

- b. In a decision notice dated 10 June 2024, the Local Planning Authority (LPA) advised that the application had been refused for the following sole reason:

1. *The development, by reason of the cumulative bulk and massing, and conflicting roof forms of the existing and proposed extensions, would result in a visually incongruous form of development that fails to harmonise with the architectural composition of the host dwelling to the detriment of the character, appearance and visual amenities of the surrounding area. The proposed development, therefore, conflicts with Policy BE1 of the Hillingdon Local Plan: Part One Strategic Policies (2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policies D3 and D4 of The London Plan (2021) and the National Planning Policy Framework (2023).*

3. Site Description

- a. The appeal property is a two-storey, semi-detached house located on the southern side of Copthall Road East. It has a ground floor front bay window, rendered elevations and a tiled roof. It has a ground floor side addition, which wraps around to form a ground floor rear extension. The house also has a hip-to-gable roof extension and rear dormer window. The house is shown in the image in figure 1, below.



Figure 1: Image of the appeal property.

- b. The attached neighbour to the west is number 21 Copthall Road East. It has been extended in a very similar way to the appeal property. The neighbour to the east, number 17, has a ground floor side and rear extension, similar to the ground floor additions at the appeal property, and has a first-floor rear extension. The satellite image in figure 2, below, shows the rear of the appeal property and its relationship to close neighbours.

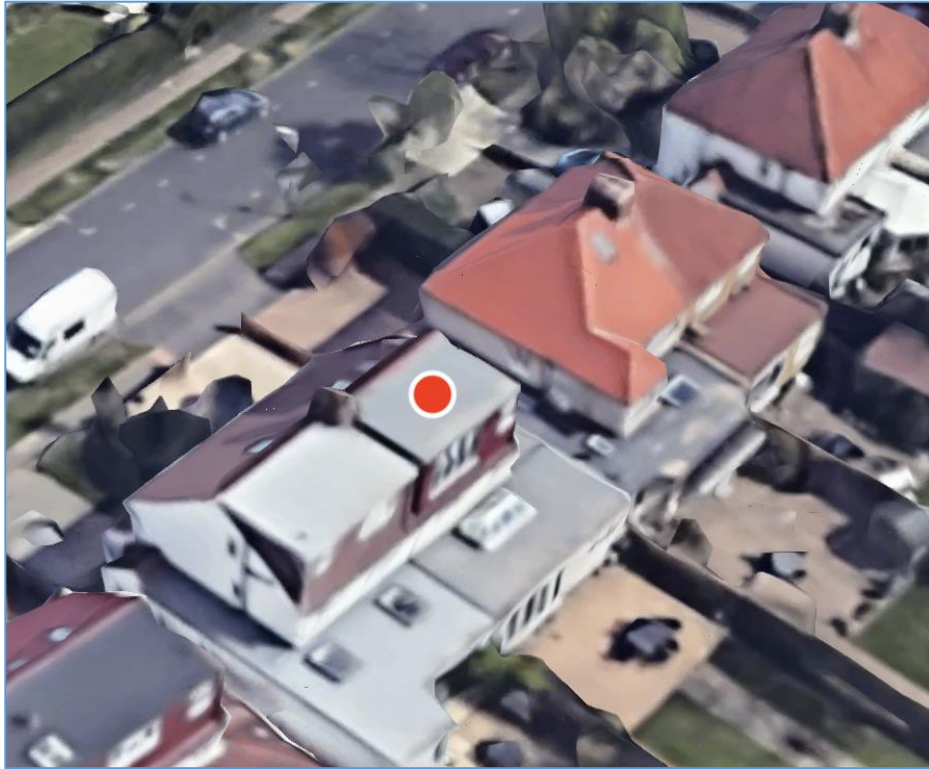


Figure 2: Satellite image of the rear of the appeal property (red dot) and close neighbours.

- c. The immediate surrounding area is residential and suburban in character. The southern side of Copthall Road East has a row of semi-detached houses. On the other side of the road is a row of detached bungalows.
- d. Most of the houses along the road have been extended and altered in various ways, contributing to a diversity in the streetscene.
- e. The property is not listed and is not located in a designated conservation area.

4. Relevant Planning History & Application Proposal

- a. On 4 April 2012, the council issued a certificate of lawfulness for the following development (reference: 68378/APP/2012/436):

Conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development).

- b. On 28 May 2012, it granted full planning permission for the following development (reference: 68378/APP/2012/824):

Single storey side and rear extension, involving demolition of existing detached garage to rear.

- c. On 12 August 2019, it refused planning permission for the following development (reference: 68378/APP/2019/1967):

First floor side/rear extension.

- d. The application was refused for the following reason:

The proposed extension, by virtue of its size, scale, bulk, width and design, would result in an incongruous addition which would fail to appear as a subordinate addition and would thus be detrimental to the character and appearance of the existing house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

- e. The image in figure 3, below, is an excerpt from the submitted proposed elevations drawings for the 2019 application. It shows that the proposed extension was substantially larger than the current proposal. It also projected to the side, meaning that it was visible from the street. The current proposal improves on the previous proposed by reducing the size of the extension and keeping it to the rear of the main house only.



Figure 3: Excerpt from the proposed elevation drawings for 68378/APP/2019/1967.

- f. The current proposal is shown in figure 4, below. It is a smaller, more proportionate addition that has a more positive relationship with the main house and its existing extensions.



Figure 4: Excerpt from the proposed elevation drawings for the current proposal.

5. Planning Policy

- a. Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (2012), the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and the London Plan (2021).
- b. According to the decision notice, the development fails to comply with policy BE1 of the Strategic Policies, policies DMHB 11, DMHB 12 and DMHD 1 of the Development Management Policies, policies D3 and D4 of the London Plan and the relevant provisions of the National Planning Policy Framework (2023).
- c. Policy BE1 (Built Environment) of the Strategic Policies requires that all new development improve the quality of the built environment in order to create successful and sustainable neighbourhoods. Among other things, the policy states that development proposals should be sensitive to local identity, landscapes, townscapes and views, improve areas of poor environmental quality, improve the quality of the public realm, and not result in the inappropriate development of gardens and green spaces that erode the character of suburban areas.
- d. Policy DMHB 11 (Design of New Development) requires that all new development exhibit a high quality of design. Development should harmonise with its surroundings in terms of its scale, size and detailed design. It should use high quality materials. It should not unacceptably harm the residential amenity of close neighbours.
- e. Policy DMHB 12 (Streets and Public Realm) relates to the public realm design and improvements and does not appear to be relevant to the application proposal, which is confined to the curtilage of the dwelling only.
- f. Policy DMHD 1 (Alterations and Extensions to Residential Dwellings) sets out criteria for extensions. It seeks to ensure that there is:

"no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area"
- g. It requires that extensions are subordinate to the host dwelling *"in their floor area, width, depth and height"*. It recommends the use of matching materials. It requires that adequate garden space and parking is retained.

- h. The policy recommends that two-storey rear 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"*. It goes on to say that flat-roofed two-storey extensions are not generally acceptable.
- i. Policy D3 of the London Plan requires development to make the best use of land by following a design-led approach that optimises the capacity of sites. It requires that developments:

"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 proportion."

- j. Policy D4 is a strategic design policy.
- k. The National Planning Policy Framework (NPPF), adopted on 19 December 2023, sets out the government's national planning policies and how these policies 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.
- l. 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."

- m. Chapter 11 encourages developers and local planning authorities to *"make effective use of land"*. Part (d) of paragraph 124 promotes *"the development of under-utilised land and buildings"*.
- n. Chapter 12 requires good design. Paragraph 131 describes the *"creation of high quality, beautiful and sustainable buildings and places"* as *"fundamental to what the planning and development process should achieve"*.

- o. Paragraph 129 requires that densities be maximised, to *"ensure that developments make optimal use of the potential of each site"*.
- p. According to paragraph 135, developments must *"function well add to the overall quality of the area"*, be *"visually attractive as a result of good architecture"*, be *"sympathetic to local character and history, including the surrounding built environment"* and provide *"a high standard of amenity for existing and future users"*.

6. Case for the Appellant

- a. The council does not object in principle to the appeal proposal and it does not believe that there will be any harm to living conditions at neighbouring properties.
- b. According to the officer's report, it is satisfied with the design and appearance of the first-floor rear extension in and of itself. It notes that it is appropriate in size (with a depth of 3m, a width of 3.6m and a moderate overall height) and that matching materials are used.
- c. It complies with the specific requirements of policy DMHD 1 that it does not breach a 45-degree line and does not have a flat roof.
- d. There is no suggestion that the extension is oversized, insubordinate or out of proportion with the host dwelling.
- e. The council's specific concern is that the hipped roof over the new extension relates poorly to the dormer window immediately next to it. The case officer describes this relationship as *"incongruous"* and a *"design clash"*.
- f. Figure 5, below, provides a comparison of the submitted existing and proposed rear elevation drawings.



Figure 5: Comparison of the existing and proposed rear elevation drawings.

- g. The first-floor extension does not appear incongruous or out of place in this comparison. It is modest in size and scale and is only part-width. Unlike the previous proposal that was refused in 2019, it does not project beyond the flank wall of the original house. It has a sympathetic, low-profile hipped roof that occupies only a very small area of the dormer face.

- h. In the appellant's view, the extension actually improves the overall composition of the rear elevation by providing a visual link between the large, flat-roofed ground floor extension and the large dormer window at roof level.
- i. Following the addition of the new extension, the rear elevation of the house will appear balanced and harmonious. There will be no material harm to visual amenities.
- j. The officer's report argues that there are no other examples of this form of development in the vicinity but that is not sufficient reason for permission to be withheld. The absence of similar development does not mean that it represents poor design.
- k. The rear streetscape in this area is, in fact, quite diverse in character and appearance. There are large, flat-roofed, box dormers visible at a number of the properties. There is also a first-floor rear extension visible at number 17, next door to the appeal property. The modest first floor extension proposed by the appellant will not look out of place in the context of surrounding development.
- l. On 18 December 2020, an inspector granted permission for ground floor and first floor rear extensions to 39 Stirling Road, in another part of the borough (appeal reference: APP/R5510/D/20/3255439). The first-floor extension was similar to the current appeal proposal in that it was part-width, with a hipped roof, and would be in contact with the face of a pre-existing box dormer extension. It was, though, larger than the current proposal. In the decision, the inspector concluded that the extension would be framed by, and appear subordinate to, the much larger dormer behind:

"The proposed scheme also includes a first-floor extension with hipped roof which the Council consider acceptable. This would be seen in context with an existing box dormer extension which covers a significant portion of the roof and has resulted in the dwelling's original hipped roof reverting to a pitched type. The proposed rear extension would incorporate a profile that would be similar to the existing box dormer, while its low height would be subordinate with the overall scale of the dwelling ensuring an acceptable relationship with the appearance and design of the dwelling."

- m. The appellant considers that similar reasoning applies in his case.
- n. Copies of the approved plans and appeal decision are provided in the appendices.

7. Conclusions

- a. The council does not object in principle to the appeal proposal and does not anticipate any harm to neighbours' living conditions.
- b. It does not object to the development in isolation – it accepts that it complies with policy DMHD 1 and that it is modest in terms of its overall dimensions - but argues that its relationship with the existing dormer would be unacceptably harmful.
- c. The extension is modest in size and scale, relatively low in height, only part-width and uses matching materials. It has a sympathetic, low-profile, hipped roof form. It will be in proportion to much larger host dwelling with its substantial existing ground floor and roof extensions.
- d. The development will therefore integrate well with character and proportions of the existing house.
- e. The surrounding area is varied in character and appearance, with a variety of roof alterations and other extensions. The proposal will integrate well with a diverse rear streetscape.
- f. For these reasons, the appellant contends that the development represents sustainable development, and the inspector is respectfully requested to allow the appeal.



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