



APPEAL BY:
Mr J Mulchandani

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

"Erection of a two storey side extension."

AT

107 Woodlands Avenue, Hillingdon, Ruislip, HA4 9RB

The Council of the London Borough of Hillingdon Reference: 52182/APP/2024/2207

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

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1. Introduction

1.1 This appeal is made on behalf of Mr J Mulchandani in relation to development at 107 Woodlands Avenue, Hillingdon, Ruislip, HA4 9RB.

1.2 The planning application was submitted on 22 May 2024. It was given reference 52182/APP/2024/2207 and sought permission for the erection of a two storey side extension.

1.3 The development was refused on 8 December 2024 for the following reason:

1. The proposed two-storey side extension by reason of scale, siting and design, would result in an excessive and disproportionate form of development that would disrupt the visual relationship with adjoining sites. As such, the development would fail to be seen as a subordinate form of development that would not be in keeping with the scale and form of the semi-detached formation and it would have a detrimental impact on the character and appearance of the host property and on the visual amenity of the street scene and surrounding residential area. The development would therefore be contrary to Policy D4 of the London Plan (2021), Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).

1.4 This Statement addresses this reason for refusal. It concludes that the appeal proposal would be acceptable in planning terms and accords with the Council's Development Plan. The scheme would not cause harm to the character and appearance of the host building or area. It would therefore accord with the provisions of the National Planning Policy Framework (henceforth referred to as 'the Framework'). It is sustainable development for which the Framework advocates a presumption in favour.

2. The Site

2.1 The appeal site is located on the southern side of Woodlands Avenue. It accommodates No. 107, a two storey, semi-detached, property that has been extended to the side. It is constructed of facing brickwork (red and buff coloured) under a hipped roof. The appeal property is shown at Figure 1 below.



Figure 1: Appeal property.

- 2.2 The appeal property is located on a corner plot, at the junction of Woodlands Avenue and Warren Drive. It is a significant distance away from properties on the eastern side of Warren Drive and is not read in conjunction with these dwellings. In any event, in terms of the building line along this street, No. 107 already projects beyond the principal elevations of dwellings to the south.
- 2.3 The immediate area is sub-urban in character and is comprised of semi-detached dwellings constructed in a variety of architectural styles using a mixed materials palette. There is currently a section of open space to the side of No. 107. However, this is narrow. High level boundary treatment also runs along the side of the plot and into Warren Drive. This is consistent with means of enclosure across the adjacent junction. Consequently, the space to the side of the appeal property makes no meaningful contribution to the character of the area. There is no undeveloped, spacious, setting.
- 2.4 Furthermore, there are examples of sizeable properties on corner plots in the immediate area. This includes No. 109 Woodlands Avenue shown at Figure 2 below. Considerable built form immediately adjacent to junctions is not uncommon in this unremarkable sub-urban area.



Figure 2: Sizeable property (No. 109) adjacent to junction of Woodlands Avenue and Warren Drive.

- 2.5 To reinforce this assertion, additional examples of large dwellings and tall built form adjacent to pedestrian footways at junctions is provided at Figure 3 below.



Figure 3: Further examples of sizeable development close to junctions.

3. The Proposed Development

- 3.1 The appeal proposal is simple in that it is for the erection of a two storey side extension. Materials would match the host property. Proposed front and rear elevations are shown at Figure 4 below for ease of reference.



Figure 4: Proposed front and rear elevations.

4. Relevant Planning Policy, Legislation and Law

- 4.1 To the extent that development plan policies are material to an application for planning permission, the decision must be taken in accordance with the plan unless there are material considerations that indicate otherwise as directed by Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004.
- 4.2 For the purposes of this appeal, the relevant parts of the Council's development plan are the Hillingdon Local Plan Part 1 – Strategic Policies 2012 (LPP1), the Hillingdon Local Plan: Part 2 – Development Management Policies 2020 (LPP2) and the London Plan (LP). Other material planning policy considerations include the Framework and Planning Practice Guidance (PPG).
- 4.3 Policies referred to in the Council's decision notice, together with relevant sections of the Framework, are set out below.

Hillingdon Local Plan Part 1 – Strategic Policies

- 4.4 **Policy BE1: Built Environment** - Amongst other things, 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. New development 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, contributes to community cohesion and a sense of place.

Hillingdon Local Plan: Part 2 – Development Management Policies

- 4.5 **Policy DMHB 11: Design of New Development** - All development, including extensions, alterations and new buildings will be required to be designed to the highest standards. Development should harmonise with its local context, taking into account the scale of development and the height, mass and bulk of adjacent structures.
- 4.6 **Policy DMHD 1: Alterations and Extensions to Residential Dwellings** - Amongst other things, planning applications relating to alterations and extensions of dwellings will be required 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.

London Plan

- 4.7 **Policy D4: Delivering Good Design** – Amongst other things, the design quality of development should be retained through to completion.

Relevant National Planning Policy Framework

Approach to Sustainable Development

- 4.8 **Paragraph 7** of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 4.9 **Paragraph 8** states that 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):

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.

4.10 **Paragraph 9** states that planning decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

4.11 **Paragraph 10** states that, so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development. This is then detailed at **Paragraph 11**.

4.12 **Paragraph 39** makes it clear that decision-makers at every level should seek to approve applications for sustainable development where possible.

Design

4.13 **Paragraph 131** states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

4.14 **Paragraph 135** seeks to ensure that developments add to the overall quality of the area.

5. The Appellant's Case

5.1 This section of the Statement addresses the Council's reason for refusal. This will be done by consideration of one main issue which is the effect of the proposal on:

- The character and appearance of the host property and wider area.

1) Character and Appearance

5.2 It is acknowledged that the side extensions to the property would cumulatively have a width greater than the original dwelling. Nevertheless, the fenestration pattern would be replicated, with windows of an appropriate size set in a logical arrangement. A suitable solid to void ratio would be formed and there would be no large expanse of unbroken brickwork to front or rear. The extension would also continue at the same ridge height and depth as the host unit, providing a continuity in terms of scale.

5.3 It follows that the proposal would not appear as a disjointed or 'lop-sided' feature at the host property. Neither would No. 107 appear awkwardly elongated. On the contrary, the proposal's width and height would ensure that it successfully integrated with the design of the host property (which is of no real architectural merit). This successful assimilation would be reinforced by the continuation of materials composition.

5.4 While the Council may wish to see 'subordinate' extensions (typically depicted by a set-back from the principal elevation and a step-down from the roof height) this must be considered on an individual basis, in the light of the particular circumstances at each site.

5.5 In this instance, to provide a recessed or smaller element would draw attention to the evolution of the property, which would appear awkward. It is therefore far more appropriate for the extension to match the depth and height of the existing unit to not draw the eye. This could be accommodated at this large plot. As such, the absence of any clear 'break' between existing and proposed built form is considered entirely

acceptable. Extensions do not have to be 'subordinate' in each and every case and there is clear justification at this site for the design approach taken. To do otherwise would unbalance the property and disrupt its architectural rhythm.

5.6 In terms of the relationship with the adjoining property, No. 107 is already wider than No. 105. Accordingly, there is no real sense of balance between the two semi-detached units. Consequently, the small increase in the width of No. 107 would not harm the balance between the pair of semi-detached properties. This simply does not exist.

5.7 Furthermore, there are many examples in the streetscene where only one half of a pair of semi-detached properties has been extended to the side. Indeed, this is clearly evident across the adjacent junction at No. 109. Given the unremarkable nature of the area, as well as the considerable space at plots that have been extended, this arrangement does not appear discordant and has not unbalanced pairs of semi-detached units. Increasing the width of the appeal property would therefore integrate successfully with the pattern of development in this area, which displays several examples of how this type of development has not harmed its unremarkable character.

5.8 In terms of bulk and mass, the width of the extension itself would be limited. It would not have an excessive footprint and would not occupy a large portion of the sizeable plot. A considerable amount of open space would remain throughout the site. Additionally, given the tapered nature of the plot, only a minor amount of the extension would be close to the side boundary. A gap would be left to the side between most of the extension and the flank boundary treatment, which increases in size moving towards the host property's principal elevation.

5.9 Consequently, not only would the proposal not appear unduly bulky or unbalancing at the host property, but it would also ensure that No. 107 did not appear cramped upon its plot in relation to its overall size. Moreover, the existing side extension is already visible in the streetscene and there are several examples nearby of tall built form (boundary treatments and other development) close to pedestrian footways. In this context, the proposal cannot be seen as oppressive or dominant in the streetscene.

Largely set away from the site's flank boundary and close to existing boundary treatment, it would not make any difference to one's experience of the pedestrian environment compared to the existing situation.

5.10 The Council raise concern in term of 'loss of openness'. As already described, the open space to the side of No. 107 is narrow. Screened by means of enclosure and seen in a development context, it makes no contribution to any open setting. As such, while the extension would occupy some of this space, its modest width would have no effect on any spacious character. This does not exist.

5.11 Lastly, the Council raises concern in terms of the proposal breaching the building line of properties along the eastern side of Warren Drive. The appeal property is a considerable distance away from such properties and is not read in conjunction with them. Moreover, its side elevation already breaches the building line of their principal elevations. Consequently, the minor increase in the width of No. 107 would have no material effect on the spatial pattern of development along Warren Drive.

Overall Conclusion – Character and Appearance

5.12 Taking everything together, the proposal's width and scale would not be excessive and would not unbalance the host property. It is entirely logical to continue the height and depth of the appeal property and this would not appear unduly bulky or intrusive. Moreover, the scheme would not disrupt any sense of balance between Nos. 107 and 105 and would not harm any spacious character. This does not exist. Lastly, there would be no harm to the wider streetscene, which already displays examples of comparable development, or the spatial pattern of development along Warren Drive.

5.13 It follows that the proposal would not harm the character and appearance of the host property or wider area. It would accord with Policy BE1 of the LPP1, Policy DMHB 11 of the LPP2 and Policy D4 of the LP.

6. Conclusion

6.1 Taking all of the above into account, the proposal would preserve the character and appearance of the host property and wider area.

- 6.2 As such, the proposal should be approved without delay as it is in accordance with the development plan as a whole and there are no other considerations which outweigh this finding.

Overall Conclusion

- 6.3 It is concluded that the proposal represents sustainable development for which the Framework advocates a presumption in favour. It is therefore respectfully requested that the appeal be allowed.