



Appeal Statement

Householder Extensions
AT
43 The Avenue,
Ickenham UB10 8NR

Reference:
43TA-2604

Date:
17 January 2025

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Ms Mariam Radi to support an appeal against the decision of London Borough of Hillingdon to refuse planning permission for extensions and alterations to 43 The Avenue, in Ickenham.
- b. Following a description of the site and surrounding area, the report will review 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 23 September 2024, the appellant submitted a planning application to London Borough of Hillingdon for the following development (reference: 79051/APP/2024/2554):

*Erection of a single storey rear and side wraparound extension,
Erection of first floor rear and side extensions with crown roof.
Conversion of existing garage to habitable use and creation of a new
garage space. Installation of a first floor front bay window. Erection
of an extension to existing porch.*

- b. In a decision notice dated 9 December 2024, the Local Planning Authority (LPA) advised that the application had been refused for the following reason:

- 1. By virtue of its multiple roof forms, design, width, bulk and siting, the proposal would cumulatively result in an insubordinate and visually incongruous, cramped form of development that would be detrimental to the character and appearance of the original property, surrounding area and Ickenham Village Conservation Area. The proposal is therefore contrary to Policy BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2021), Policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management (2020), Policy D3 of the London Plan (2021) and Chapter 12 and 16 of the National Planning Policy Framework (2023).*

3. Site Description

- a. The appeal property is a two-storey, detached house located on the eastern side of The Avenue, a private road leading south from Swakeleys Road. The house has rendered elevations and a tiled roof. It has a brick-built porch and a pair of oriel windows in the front elevation. There is also an integrated garage.
- b. The roof is gabled on the southern side and hipped on the northern end. There is also a two-storey rear projection with a hipped roof. The house is set back from the street behind a front garden with off-street parking. There is also a large garden to the rear. The house is shown in the image in figure 1, below.



Figure 1: Image of the appeal property.

- c. The Avenue is suburban and residential in character with a wide mix of housing types. Dense planting gives it a verdant character. Immediately to the south of the site is a late-twentieth-century development of houses with rows of garages to the rear. To the west of the site lies Swakeleys Park and tennis courts. The site and its immediate context is shown in the satellite image in figure 2, on the next page.



Figure 2: Satellite image of the appeal property (red dot) and its immediate surroundings.

- d. The property is not listed but it is located in the designated Ickenham Village Conservation Area.

4. Application Proposal

- a. The application proposal is for extensions to the house to enlarge and improve its living accommodation.
- b. There is a two-storey extension proposed to the northern side of the house. It aligns with the existing porch at ground floor level and is set back from the front and in from the side at first floor level. It has a reduced ridge height, to achieve subordination, and has a matching, hipped roof design.
- c. The house is also extended to the rear over two floors. The ground floor element connects to the side extension and has a part flat roof and part pitched roof. It is 4m deep and has a stepped rear elevation, mimicking the stepped design of the existing house. It also has a distinctive curved, glazed area in the centre of the rear elevation, overing views from the new dining room over the rear garden.
- d. The first-floor element infills the area to the side of the existing rear projection, with an area of crown roof on top. It is 2.6m deep.
- e. The existing garage is converted into habitable space with a new garage created in the side extension.
- f. The extensions will be built in materials to match the existing house.
- g. The proposal allows the creation of more generous and better configured ground floor living spaces, along with large bedrooms and a new fifth bedroom on the first floor. It will make a meaningful contribution to the quality of accommodation that the property offers to the appellant and her family.

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.
- b. 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).
- c. According to the decision notice, the development fails to comply with policies BE1 and HE1 of the Strategic Policies, policies DMHB 4, DMHB 11, DMHB 12 and DMHD 1 of the Development Management Policies, policies D3 and D4 of the London Plan and Chapters 12 and 16 of the National Planning Policy Framework (the NPPF, 2023).
- d. On 12 December 2024, after the council made its decision, the government published a new version of the NPPF (discussed further below).
- e. 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.
- f. Policy HE1 (Heritage) seeks to *"conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape"*.
- g. Policy DMHB 1 (Heritage Assets) of the Development Management Policies requires that new development does not unacceptably harm the historic environment. Extensions must be *"designed in sympathy, without detracting from or competing with the heritage asset"*. They must be appropriate in terms of their *"siting, style, scale, massing, height, design and materials"*.
- h. 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.

- i. 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.
- j. 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"

- k. 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.
- l. For side extensions, it recommends that they do not exceed half the width of the original property, should be set back 1m from the front elevation and should be set in 1m from the side boundary *"in order to maintain adequate visual separation and views between houses"*.
- m. For ground floor rear extensions, it recommends they do not exceed a depth of 4m (for detached houses on plots wider than 5m).
- n. 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."

- o. Policy D4 is a strategic design policy with limited direct relevance to the appeal proposal.
- p. The revised National Planning Policy Framework (NPPF), adopted on 12 December 2024, 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.
- q. According to paragraph 39:

*"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."

- r. Chapter 11 encourages developers and local planning authorities to *"make effective use of land"*. Part (d) of paragraph 125 promotes *"the development of under-utilised land and buildings"*.
- s. 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"*.
- t. Paragraph 130 requires that densities be maximised, to *"ensure that developments make optimal use of the potential of each site"*.
- u. 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"*.
- v. Paragraph 202 states that:

"heritage assets ... are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations"

- w. Paragraph 210 requires that local planning authorities take account of the *"desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation"* as well as *"the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality"*.
- x. According to paragraph 212:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance."

y. According to paragraph 213:

"Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification."

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. It accepts that sufficient garden space is retained and that the development will not cause any harm in terms of parking or highway safety, flood risk or trees and ecology.
- b. The council is concerned that the development is excessive in size and scale and that it will therefore harm the character and appearance of the host property and the wider conservation area.
- c. The council does not dispute that the proposal has been designed to comply with the detailed and prescriptive requirements of policy DMHD 1 of the Development Management Policies.
- d. The side extension is moderate in width, meeting the requirement of DMHD 1 that it be less wide than the equivalent of 50% of the width of the existing house. It aligns with the existing front porch but at first floor level it is set back 1m from the front elevation and away 1m from the side boundary, as required by the policy.
- e. The first-floor side extension is a modest in size and scale and has a sympathetic hipped roof form, which is set down below the ridge height of the main roof.
- f. The design of the original house is somewhat unusual in that it is wide, with a horizontal emphasis, and it has an asymmetric roof form with a gable at one end and a hip at the other. The appeal proposal preserves the original architectural design – the extended house will retain its horizontal emphasis and the mix of roof forms. It will have a balanced and harmonious composition and will not look out of place when viewed from the street.
- g. The rear extensions will not be visible from the street and will not therefore cause any harm to the streetscene.
- h. The depth of the ground floor part of the rear extension complies with the 4m guidance limit in DMHD 1 for detached houses on plots wider than 5m. It also complies with the height limit in the policy.
- i. Despite its compliance with the council's policy on home extensions, the council considers that the cumulative size of the extensions is excessive. The case officer describes the side extension as 'excessively scaled', though it is in fact moderate in scale and proportionate to the existing house and the site.

- j. The council accepts that a crown roof is acceptable on this property but argues that there are too many different roof forms proposed overall. However, the existing house already has a mix of roof forms, with a gable at one end and a hipped roof at the other.
- k. The officer's report acknowledges that there is a wide variety of houses in the immediate area. The houses all differ in terms of their size, architectural design and choice of materials. Most of them are larger than the appeal property and a majority have been extended in various ways over the years, contributing further to a diverse streetscene.
- l. In addition, the houses along The Avenue typically project to their side boundaries and have a mix of roof designs.
- m. The image in figure 3, below, shows the houses closest to the appeal site. It can be seen that the houses are substantial in size with a mishmash of architectural designs and roof forms. They project to both boundaries and there is a high density of development.



Figure 3: Satellite image of the appeal property (red dot) and other houses on the row.

- n. A little further along, there is additional diversity, with crown and flat roofs visible. It is clear that houses have been extensively altered and extended, and many have an asymmetric design, as shown in figure 4, below.



Figure 4: Satellite image of neighbouring houses.

- o. The image in figure 5, below, shows some of the neighbouring houses from the rear, indicating the scale of their various extensions.



Figure 5: Satellite image of the rears of neighbouring houses.

- p. At the top end of the street, there is a house very substantially larger than the appeal property that has been heavily extended to the rear, as shown in figure 6, below.

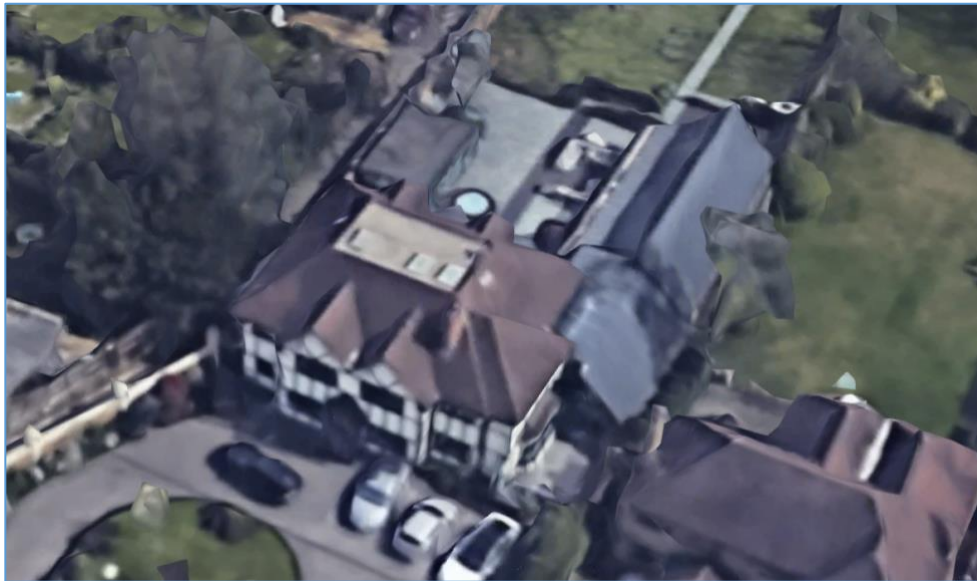


Figure 6: A large house at the northern end of the street.

- q. Although the council's reason for refusal alleges harm to heritage assets, the officer's report does not provide a detailed analysis of the impact of the development on the conservation area.
- r. The council has not published a conservation area appraisal for the area. No comments were provided by the council's conservation officer or by the Ickenham Conservation Area Panel.
- s. The officer's report makes no assessment of the significance of the conservation area, nor whether the appeal property makes a positive contribution. The council doesn't explain why it believes the proposal to represent 'less than substantial' harm, in the language of paragraph 212 of the NPPF.
- t. The conservation area covers the historic core of the village of Ickenham, a distance from the appeal site, as well as the residential suburbs built at the beginning of the twentieth century as part of the Metroland development of Ickenham following the arrival of the Metropolitan railway line. Many of the houses have a distinctive Arts and Crafts styling, including half-timber decoration, cat slide roofs and eaves detailing.
- u. The significance of the conservation area therefore derives from the historic buildings in the village and the layout and detailing of the suburban residential areas around it.
- v. The appeal proposal does not cause any harm to the significance of the conservation area. The appeal property is not architecturally distinguished and does not have any historic value. Its immediate context includes the late-twentieth-century houses and garages to the south and the heavily extended houses to the north, which do not individually have any heritage value. This part

of the conservation area makes a neutral contribution to its overall character and the appeal proposal will not cause any harm to its significance.

- w. The appellant notes that, though the council consulted 46 neighbouring properties and the Ickenham Residents' Association by letter, there were no objections to her proposal.

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 accepts that the proposal meets its detailed guidance on home extensions as set out in policy DMHD 1 of the Development Management Policies.
- c. It argues that, collectively, the extensions are excessive in size and will therefore harm the house and the wider conservation area.
- d. Only the side extension will be visible from the street, and it is modest in size and scale and will appear as a continuation of the original building, reflecting its existing design and proportions.
- e. The rear extensions will not be visible from the street but are, in any case, conventional in design and are not oversized.
- f. The houses along The Avenue all differ in terms of their design and most have been extended, some very extensively. In the appellant's view, the proposal adds to the variety of building design along this road.
- g. The council does not explain why it expects harm to the conservation area, which is centred around the historic village and early-twentieth-century Metroland suburban housing. The appeal property is not architectural distinguished, and the extensions will not harm the special significance of the conservation area.
- h. 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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