



TOWN AND COUNTRY PLANNING ACT 1990, S.78

TOWN AND COUNTRY PLANNING (APPEALS) (WRITTEN REPRESENTATIONS PROCEDURE) (ENGLAND) REGULATIONS 2009 (STATUTORY INSTRUMENT 2009/452) AS AMENDED

APPEAL BY MR & MRS JULIAN INGRAM AGAINST THE DECISION OF LONDON BOROUGH OF HILLINGDON TO REFUSE PLANNING PERMISSION FOR A FIRST FLOOR REAR EXTENSION AND PART CONVERSION OF EXISTING ATTACHED GARAGE TO HABITABLE USE

22 WARREN ROAD, ICKENHAM, UXBRIDGE UB10 8AD

GROUND OF APPEAL

1.0 Introduction

- 1.1** The appeal is in respect of a householder application for a first floor rear extension and part conversion of existing attached garage to habitable use at 22 Warren Road, Ickenham, Uxbridge UB10 8AD ('the Property').
- 1.2** The application was submitted by Paul Dickinson & Associates ('the Agent'), on behalf of Mr & Mrs Julian Ingram ('the Appellants') to London Borough of Hillingdon, as Local Planning Authority ('LPA'), on 7 October 2014 and registered as LPA ref 26405/APP/2014/3588.
- 1.3** The application was refused under delegated powers by Decision Notice dated 1 December 2014. I refer to the Officer's Delegated Report ('DR') (**Appendix A**) throughout this statement. The Appellants request that the appeal is dealt with by the Householder Appeals written representations procedure.

2.0 Appeal Drawings and Documents

- 2.1 The application was accompanied by a planning application form, ownership certificate and the following application drawings:

<i>Drawing 101 Rev P1</i>	<i>Site Location and Block Plans (A3)</i>
<i>Drawing 102 Rev P1</i>	<i>Existing Plans (A3)</i>
<i>Drawing 103 Rev P1</i>	<i>Existing Elevations (A3)</i>
<i>Drawing 106 Rev P1</i>	<i>Proposed Ground Floor and Block Plans (A3)</i>
<i>Drawing 107 Rev P2</i>	<i>Proposed First Floor and Roof Plans (A3)</i>
<i>Drawing 108 Rev P2</i>	<i>Proposed Elevations (A3)</i>

- 2.2 The application was also accompanied by a Planning, Design and Access Statement prepared by Paul Dickinson and Associates, Town Planning and Development Consultants, October 2014.

- 2.3 The application was made following the refusal of an earlier application ref 26405/APP/2014/628 for a similar development which was refused on the grounds that the size, scale, bulk, depth and design of the proposed extension including an incongruous flat roof form and unacceptable overlooking and loss of privacy to the occupiers of the neighbouring property of No 20 Warren Road.

- 2.4 The appealed application was submitted following pre application discussions with the Case Officer on a series of revisions to address the previous reasons for refusal. The application was also revised during the determination period to further reduce the width and height of the proposed rear extension to a design suggested by the Case Officer.

3.0 Main Issue to be Determined

- 3.1 From the LPA's Decision Notice I have identified the following single issue to be determined by this appeal:

- (1) The impact of the proposed development on the character and appearance of the original dwelling and the visual amenities of the street scene.

4.0 The Appeal Site and Proposed Development

Description of the Appeal Site

- 4.1 The Property is a large two-storey detached house situated within a spacious plot on the south side of Warren Road. This is a predominantly residential area comprising two storey detached houses of various styles many of which have been subject to large scale first floor and roof extensions and alterations particularly in recent years.
- 4.2 No 22 Warren Road is a three bedroom detached dwelling with an attached single garage. It has a tall part-hipped roof with three overhangs on the front slope which also contain two dormer windows and a chimney. There are two more dormers on the rear roof slope. The original dwelling has been extended at ground floor with a single storey rear extension.
- 4.3 Immediately west of the appeal site is a gated access to the school playing fields situated to the rear of the dwelling. Beyond this access is No 20 Warren Road which is a detached two storey dwelling.

Description of the Proposed Development

- 4.4 The proposal is a first floor rear extension and part conversion of the existing attached garage to habitable accommodation. The extension involves the creation of an additional 27.85 sq m at first floor level.
- 4.5 The proposed development is to extend the first floor over the existing ground floor. The building footprint will not increase. The proposed extension will increase the dwelling from three bedrooms to four bedrooms and allow the creation of a master bedroom with en-suite.

4.6 The dimensions of the proposed rear extension are:

- 5.6 m width (compared to 8.5 m for the existing building or 2/3rds the width of the existing building)
- 2.8 m depth (5.1 m depth measured at the eaves)
- 7.0 m ridge height (500 mm below the 7.5 m ridge height of the existing building)

4.7 The proposed extension is designed to have a subservient appearance to the original dwelling (by being much narrower and 500 mm lower than the existing building). The set back from the sides and roof also retain the appearance of the front elevation essentially unchanged. A small juliet balcony is proposed in the middle of the rear elevation. Proposed materials are facing brick and common roof tiles both to match existing.

5.0 Relevant Planning Policies

National Planning Policy Framework

5.1 NPPF introduces a pro-growth agenda for the planning system. At its heart is the presumption in favour of sustainable development that means that the grant of planning permission for development should not be held up unless to approve it would be against the collective interest.

5.2 NPPF stresses that proposed development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.

5.3 NPPF, para 56, states that 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. 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.

The Development Plan

5.1 The development plan for the purposes of S38(6) of the Planning and Compulsory Purchase Act 2004 is:

- London Plan – Spatial Development Strategy for Greater London adopted July 2011
- Hillingdon Local Plan Part 1: Strategic Policies adopted November 2012
- Hillingdon Local Plan Part 2 – Hillingdon Unitary Development Plan adopted September 1998 Saved Policies under the Secretary of State's Direction dated 24 September 2007.

5.2 The LPA's reason for refusal relies on the following development plan policies:

Hillingdon Local Plan Part 1: Strategic Policies

Policy BE1 – Built Environment

5.3 New development should improve and maintain the quality of the built environment; achieve a high quality of design which enhances the local distinctiveness of the area; be designed to be appropriate to the identity and context of the area; make a positive contribution to the local area in terms of layout, form, scale and materials; and seek to protect the amenity of surrounding land and buildings, particularly residential properties.

Hillingdon Unitary Development Plan – Saved Policies

Policy BE13 – Design of New Development

5.4 The layout and appearance of development should harmonise with the existing street scene and other features of the area which the LPA considers it desirable to retain or enhance.

Policy BE15 - Alterations and extensions to existing buildings

- 5.5 Alterations and extensions will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

Policy BE19 – Residential amenity

- 5.6 New development within residential areas should complement or improve the amenity and character of the area. The supporting text refers to oversized and badly located additions which may detract from the general street scene and the importance of adequate space between buildings to avoid spoiling the amenity and privacy of adjoining houses.

Policy BE22 – Extensions

- 5.7 This policy is not relied on by the LPA in its reason for refusal but is considered relevant to the appeal. Residential extensions and buildings of two or more storeys should be set back a minimum of 1 metre from the side boundary of the property. The supporting text (para 5.24) explains that the policy serves to protect the character and appearance of streets and preserve open gaps between properties and prevent dwellings from coalescing visually to form a terraced appearance, uncharacteristic of the surrounding area.

Supplementary Planning Documents

- 5.8 I have also taken into account the Hillingdon Design and Accessibility Statement Supplementary Planning Document - Residential Extensions ('HDAS'), adopted December 2008, as a material consideration.
- 5.9 The HDAS, Section 6.0, sets out the requirements for two-storey extensions to detached properties. Section 6.4 advises that two-storey extensions should be designed to appear subordinate and should not exceed 4 metres depth. Section 6.6 advises that the roof line should be parallel to those of the original property. The new roof should be subordinate and should follow the roof form of the main house.

6.0 The Case for the Appeal Proposals

Issue (1) - The effect of the proposed extension on the character and appearance of the original dwelling and the visual amenities of the street scene

Policies relied on by the LPA: LP Policy BE1. UDP Saved Policies BE13, BE5 and BE19.

Character and appearance of the original house

- 6.1 UDP Policies BE13, BE15 and BE19 seek to ensure that the appearance of house extensions harmonises with the original building and the street scene and is in keeping with the character of the area. Local Plan Policy BE1 has similar objectives.
- 6.2 The appeal proposal has been designed to harmonise with the original building and the street scene and to be in keeping with the general character of the surrounding area:
- (1) The width of the proposed extension is only 2/3rds the width of the original building. It is set in on both sides by about 2.6 m and 750 mm respectively. A reduction to 2/3rds width was suggested by the Case Officer as being acceptable (see email dated 5 November 2014 at **Appendix B**) and therefore the scheme was submitted to accord with the officers suggestion. (The previous refused proposal was full width i.e. the same width as the original dwelling with no set back at the sides.)
 - (2) The height of the proposed extension is 500 mm lower than the ridge height of the original dwelling. (The previous proposal was the same height as the ridge height to the original dwelling.)
 - (3) The depth of the proposed extension is about 2.8 m. The depth is effectively set by the line of the rear elevation to the first floor extension as in design terms it is desirable to create a flush two-storey elevation

rather than an odd looking set back to the first floor which would give the appearance of an oversized dormer window.

- (4) The combined effect is that the proposed roof extension is clearly seen as a subordinate addition to the original dwelling.
- (5) As a consequence of the setting back of the roof and side elevations the rear extension is not readily visible when viewed from the street. Views are further restricted by the presence of mature trees and hedging to the side boundaries to No 24 Warren Road and to the playing field entrance; see photographs at **Appendix C**.
- (6) The proposal meets the requirements of HDAS Sections 5.0 and 6.0 which deal with two-storey rear extensions. (NB. In applying the HDAS criteria it should be noted that the rear wall to the first floor of the property has not been extended previously and therefore the proposed first floor extension is from the rear wall of the original dwellinghouse).
- (7) The proposal accords with HDAS, para 5.1, in that the proposed extension is set back at least 1 metre from the side boundary of the property for the full height of the building. The proposed extension is more than 4 m from each side boundary. This also accords with the requirement of Saved Policy BE22 dealing with extensions.
- (8) The proposal accords with HDAS, para 6.2, in that it would not extend beyond a 45-degree line of sight taken from the nearest first floor window of any room in the neighbouring properties.
- (9) The proposal accords with HDAS, para 6.3, which permits full width extensions at first floor where the 45-degree line of sight criteria are met. In this case the proposed extension is only 2/3rds the width of the existing house.

- (10) The proposal accords with HDAS, para 6.4, in that the depth of the first floor does not extend beyond a 45-degree angle and does not exceed 4 metres.
- (11) The proposal accords with HDAS, para 6.6, in that the extension does not exceed the height of the existing building. The roof lines of the extension are parallel to those of the existing building; and the new roof will appear subordinate to the original roof by having a ridge height at least 500 mm lower than the original roof as requested by the Case Officer.

Proposed dual pitch roof element

6.3 The DR suggests that the dual pitched roof form to the proposed extension and the proposed flat roof valley would be unacceptable. I make the following comments:

- (1) The DR conflicts with advice in the Case Officer's email dated 5 November 2014 (**Appendix B**) who actually suggested the proposal should be amended to incorporate two separate lower pitched and hipped end roofs with a valley gutter between.
- (2) This is considered to be an appropriate design solution to extending the appeal property. The scale of the dual pitched roof (with ridge 500 mm lower than the existing ridge) remains subservient to the original dwelling.
- (3) It does not materially alter the overall appearance of the roof form to the original dwelling particularly when viewed from the street.
- (4) The dual pitch roof element is characteristic of other extensions to properties in Warren Road, e.g. Nos 19 and 27 (see **Appendix D**).
- (5) Permitted development rights under Class B to Part 1 of Schedule 2 to the General Permitted Development Order would allow an enlargement

to the existing roof on the rear elevation in this case without requiring planning permission. Such an extension would inevitably alter the roof form of the original dwelling to some extent and, for example, could incorporate a flat roof to maximise useable accommodation. This would result in a box-shaped appearance other than the requirement for a minimum 20 cm from eaves to edge of the enlargement under condition B.2 (b). The enlargement could be full width and up to the existing ridge height subject to the 50 cu. m limit (the roof remains original and has not previously been enlarged). Thus a roof extension of similar appearance to the refused scheme (albeit not as deep) could be constructed under permitted development rights.

- (6) The proposed roof form accords with the HDAS which states that it is desirable that any two-storey extension to a house with a pitched roof should also have a pitched roof and flat roofed extensions will not generally be accepted.
- (7) The proposed dual pitch roof element is set in 2.6 m and 750 mm respectively from either side of the existing house and is 500 mm lower than the roof of the main house to give a subservient appearance. The roof extension will appear as a normal pitched roof from the street. The proposal retains a small ridge to the main roof running parallel to the street as existing and retains the hipped roof profile at either end of the main roof.
- (8) The general appearance of the house from the public views in the street will remain largely unchanged. The rear extension is well set back from the street and screened by the original roof and mature trees and hedging to the front and side boundaries. The front elevation will retain its low eaves and dominant tall roof form with 2 no. dormer windows.
- (9) Any previous symmetry on the rear elevation has already been lost as a result of the single storey extension and attached flat roof garage which extends across the full width of the rear elevation. The proposal provides

an opportunity to incorporate an additional extension with a more traditional roof form that will integrate better with the original building to provide a more satisfactory and integrated appearance.

Visual amenities of the street scene

6.4 The proposed extension would not be unduly intrusive or out of keeping with the character of the area and would not harm the visual amenities of the street scene for the following reasons:

- (1) The DR acknowledges that the area comprises detached two storey houses of varying styles and designs. There is no uniformity and there is an eclectic range of dwelling styles, shapes and sizes. Many have been substantially extended including two storey and roof extensions.
- (2) The Property does not lie within a Conservation Area or within an Area of Special Local Character designated under Policies BE5 and BE6 on the basis of their local architectural, townscape or historic merit and wherein additional protection is afforded to the special character of the area.
- (3) No 22 Warren Road is a wide-fronted house which provides an opportunity to construct a rear extension behind the main front pitch without harming the appearance of the house. This is similar to the treatment of other flat roof examples in the immediate vicinity for example, Nos 32, 34, 40 and 54 Warren Road.
- (4) No 32 Warren Road is a particularly relevant example. This involved a proposal for the substantial rebuilding of the property including erection of a two storey rear extension and conversion of roof space to habitable use to include a rear dormer and 6 roof lights (application ref 2013/2758). Planning permission was granted on appeal by the Decision Letter of Richard Thomas BA DipArch RIBA IHBC, Inspector, dated 10 February 2014 (ref APP/R5510/D/13/2210412) (**Appendix E**). The Inspector concluded in that case:

- Warren Road contains a number of house types, but is largely characterised by detached dwellings set within sizeable plots. The houses vary in size and there are a number of architectural styles and roof forms which, combined with a varied palette of finishing materials, give the street a distinctive, eclectic character.
 - The proposed extension would not fall within the strict dimensional criteria set out for extensions of this type in the HDAS but it would be finished in materials to match the existing house, set in from its side elevations and set below the main roof (by 500 mm).
 - The Inspector was satisfied that the proposed extension, given the overall scale of the plot and the size of existing house, would achieve an acceptable degree of subservience and would not dominate the host building and would not appear unduly prominent when viewed within the mix of building sizes found in the street.
 - Whilst the proposed roof forms would not match the main building, the positioning of neighbouring properties was such that those elements would only be visible from a small number of locations along Warren Road. In any event, the asymmetrical shape of the proposed roof forms would not be inappropriate when viewed within the variety of roof forms displayed elsewhere in the locality. The Inspector concluded the proposal would preserve the locally distinctive character of the area.
- (5) No 40 is another relevant example. Permission ref 61857/APP/2010/2776 for a part two-storey, part single-storey side/front extension and two-storey rear extension including a flat roof was approved by the Council on 1 February 2011. The two-storey rear extension extends across the whole width of the house (with no set back unlike the current scheme). The LPA's officers in that case considered that because of the depth of adjacent properties, side views of the roof would be largely screened from the street.

- (6) In the current appeal, the adjacent No 24 Warren Road and mature vegetation to the flank and front boundaries has the same effect of largely screening the proposed elevation from the street. The DR acknowledges the proposal would be less visible from the east due to the offset of the extension to one side.
- (7) There are numerous examples of other existing properties with large scale roof extensions in Warren Road in the immediate vicinity of the application site. These include:

No 13 Warren Road
No 17 Warren Road
No 19 Warren Road (dual pitch rear extension)
No 21 Warren Road
No 27 Warren Road (dual pitch rear extension)
No 28 Warren Road
No 32 Warren Road
No 34 Warren Road (allowed on appeal)
No 40 Warren Road
No 47 Warren Road
No 48 Warren Road
No 51 Warren Road
No 53 Warren Road
No 54 Warren Road
No 57 Warren Road
No 61 Warren Road (allowed on appeal)
No 63 Warren Road
No 65 Warren Road
No 81 Warren Road

No 83 Warren Road

These precedents are more fully described and illustrated at **Appendix F**.

- (8) The proposal would reflect the character of these other examples. The character and appearance of properties in the area has been and will continue to be altered by extensions and roof alterations. This includes works consisting of alterations and additions to roofs within the tolerances allowed by the GPDO.
- (9) The proposal accords with UDP Policy BE22 which requires residential extensions of two or more storeys in height to be set back a minimum of 1 metre from the side boundary of the property for the full height of the building. This standard is repeated in the HDAS para 5.1. Its purpose is to protect the character and appearance of the street scene and protects the gaps between properties, preventing houses from combining visually to form a terraced appearance. The Property is large and sits within a substantial plot which can accommodate the proposed extension without any reduction in separation gaps between properties such that would have an effect on the general character and appearance of the area.
- (10) The proposal provides an opportunity to incorporate an additional extension with a more traditional roof form that will integrate better with the original building to provide a more satisfactory and integrated appearance. The proposal represents good design that takes the opportunities available for improving the character and quality of an area.

Other Considerations

Impact on amenities of occupiers of neighbouring properties

- 6.5 The DR confirms that due to the separation distances to neighbouring properties, the proposal would not have an unacceptable impact on the light or general outlook to occupiers of neighbouring properties. The DR notes there

are no side facing windows in the flank elevation of No 24 and the depth of the proposed extension falls within a 45 degree line taken from the centre of the nearest full height conservatory in that property.

- 6.6 The DR confirms there are no objections in terms of privacy. It concludes that the proposal would have an acceptable impact on the residential amenities of the neighbouring occupiers and would comply with the objectives of HDAS and LP Policy BE24 which requires new development to ensure adequate levels of privacy to neighbours. Neither of the occupiers of the neighbouring properties objected to the application.

Conversion of garage to habitable accommodation

- 6.7 The proposed conversion of the attached garage to habitable accommodation can be undertaken without the need for planning permission. There are no conditions restricting the conversion of the garage.
- 6.8 The part conversion of the garage to habitable accommodation (utility room) retains a garage of sufficient size to accommodate a car. The Council has not raised any objection to this element of the proposal.
- 6.9 The DR notes that the existing off-street parking provision for up to four vehicles, comprising the part converted garage which can still accommodate one vehicle and hardstanding to the front, will not change. Thus the proposal accords with Saved UDP Policy AM14 and the Council's adopted parking standards which require 2 spaces for a four bedroom house.

Tree and landscaping

- 6.10 The proposed development is an extension that is situated on top of the existing building and will not increase the building footprint. It would not involve any loss of existing trees or landscaping features. The DR notes that no protected trees or other landscape features of merit would be affected by the proposal because the proposed extension is above the existing ground floor extension and the building footprint is not increased).

Amenity space

- 6.11 The DR notes that the existing garden area would not be reduced and there would be over 400 sq m available to the future occupiers of the enlarged dwelling. This would conform to the requirements of Policy BE23 and HDAS which sets a minimum requirement of 100 sq metres for a four bedroom house.

7.0 Conclusion

- 7.1 There are no proper planning grounds to justify refusal of planning permission. The appeal proposal has been designed to harmonise with the original building and the street scene and to be in keeping with the general character of the surrounding area.
- 7.2 The width of the proposed extension is only 2/3rds the width of the original building. It is set in on both sides by about 2.6 m and 750 mm respectively. The height of the proposed extension is 500 mm lower than the ridge height of the original dwelling. The rear extension is not readily visible when viewed from the street. Views are further restricted by the presence of mature trees and hedging to the front boundary and the side boundary to the playing field entrance.
- 7.3 The proposal meets the requirements of HDAS Sections 5.0 and 6.0 which deal with two-storey rear extensions.
- 7.4 The proposed extension would not be unduly intrusive or out of keeping with the character of the area and would not harm the visual amenities of the street scene.
- 7.5 The proposed dual pitch roof design is an appropriate solution to extending the appeal property. The scale of the dual pitched roof (with ridge 500 mm lower than the existing ridge) remains subservient to the original dwelling. It does not materially alter the overall appearance of the roof form to the original dwelling particularly when viewed from the street. There are other properties in Warren Road which have similar roof extensions.

- 7.6 The proposal provides an opportunity to incorporate an additional extension with a more traditional roof form that will integrate better with the original building to provide a more satisfactory and integrated appearance. The proposal represents good design that takes the opportunities available for improving the character and quality of an area.
- 7.7 I conclude that the proposed extension would not have an unacceptable effect on the character and appearance of the area and will not have an unacceptable effect on the amenities of occupiers of neighbouring properties.
- 7.8 The Inspector is invited to allow the appeal and grant planning permission for a first floor rear extension and part conversion of existing attached garage to habitable use at 22 Warren Road, Ickenham, Uxbridge UB10 8AD in accordance with the drawings submitted with the application.

Paul Dickinson
BA (Hons) MRTPI MRICS MCMl
19 December 2014

APPENDICES

- Appendix A Officer's Delegated Report for appealed application ref
26405/APP/2014/3588
- Appendix B Email from Mr Daniel Murkin, Case Officer, LB Hillingdon date 5
November 2014
- Appendix C Photographs of Appeal Site
- Appendix D Aerial Photograph showing other double pitch rear extensions in
the immediate area
- Appendix E Appeal Decision Letter of Richard Thomas BA DipArch RIBA
IHBC, Inspector, dated 10 February 2014 in respect of erection of
a two storey rear extension and conversion of roof space to
habitable use to include a rear dormer and 6 roof lights at 32
Warren Road, Ickenham (ref APP/R5510/D/13/2210412)
- Appendix F Details of other examples of two storey and roof extensions and
alterations at neighbouring properties in Warren Road