



APPEAL BY:
Mr & Mrs Jayant Sanghrajka

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

*A two storey side/rear extension, single storey rear extension, conversion of
roofspace to habitable use to include 3 rear rooflights, conversion of integral garage
to habitable use involving alterations to front elevation, attached garage to side and
installation of basement to be used as a store*

AT
23 Dene Road, Northwood, Middlesex, HA6 2BX

The London Borough of Hillingdon Council's Reference: 70478/APP/2014/4267

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

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RJS PLANNING

T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk
RJS Planning. 132 Brunswick Road, London, W5 1AW

1.0 INTRODUCTION

- 1.1 This statement has been prepared by RJS Planning, on behalf of Mr and Mrs Jayant Sanghrajka, in support of the appeal lodged against the refusal of planning application 70478/APP/2014/4267.
- 1.2 The application was submitted on 11th December 2014 and sought planning permission for a two storey side/rear extension, single storey rear extension, conversion of roofspace to habitable use to include 3 rear rooflights, conversion of integral garage to habitable use involving alterations to front elevation, attached garage to side and installation of basement to be used as a store. The application was refused on 28th January 2015 for the following reasons:
- 1) *The proposed extensions by reason of the size, scale, bulk and design represents an unduly intrusive and incongruous form of development detrimental to the character and appearance of the existing property, the visual amenities of the street scene and the wider Dene Road Area of Special Local Character. As such the proposal is contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012), Policies BE5, BE13, BE15 and BE19 of the Hillingdon Local Plan Part Two – UDP Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*
- 1.4 This grounds of appeal will address the central concerns raised within the Council's reasons for refusal, notably:
- Whether the first floor side/rear extension, side garage extension and single storey rear extension would be of detriment to the visual amenities of the street scene and the designated Dene Road Area of Special Local Character; and
- 1.5 To set some context, this statement will first provide a description of both the appeal property and the proposed development. This statement will then discuss the relevant national and local planning policy before responding to the Council's concerns.

2.0 THE SITE

- 2.1 The appeal site is located on the southern side of Dene Road. The site comprises a sizeable two storey detached house which is located on a large, rectangular shaped plot. The appeal dwelling features a hipped roof with a front gable projection and a two storey side extension with single storey pitched roof garage to the front (**Appendix A**).
- 2.2 The road is residential in nature consisting of detached dwellings of comparable sizes and styles which are located on sizeable plots.
- 2.3 The appeal property is not listed and the site is not located within a Conservation Area. The site is however located within a designated Area of Special Local Character (ASLC) where the Council seeks to preserve certain elements of character and identity.

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The appeal application proposed a two storey side extension that would incorporate the existing two storey extension. It would be set lower than the roof of the main part of the house. The detached garage, to the front, would be converted into additional living accommodation and include the insertion of additional windows. Adjoining the original garage an additional single storey garage was also proposed that incorporates a pitched roof. This garage would be set back behind the front of the original garage. To the rear a small single storey extension with pitched roof is proposed along with a raised patio with store beneath.

4.0 RELEVANT PLANNING POLICY

- 4.1 The appeal application fell to be assessed against the Policies of the Hillingdon Local Plan Part One and Two. The refusal reason also refers to the Supplementary Planning Document Hillingdon Design and Accessibility Statement: Residential Extensions. Policies BE1 and HE1 of the Local Plan Part One and Policies BE5, BE13, BE15 and BE19 of the Local Plan Part Two are of most relevance in this instance as these were the policies referred to within the reasons for refusal.
- 4.2 Although it was not referred to within the reason for refusal, the National Planning Policy Framework (NPPF) is also of relevance to this appeal.
- 4.3 The following paragraphs provide a brief summary of the relevant policies and the relevant guidance within the National Planning Policy Framework. The paragraphs are in a hierarchical order relative to national and local planning policy.

National Planning Policy Framework (NPPF)

- 4.4 The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Presumption in Favour of Sustainable Development

- 4.5 Paragraph 14 of the NPPF sets out that a presumption in favour of sustainable development is at the heart of the National Planning Policy Framework with paragraph 187 stating that local planning authorities should approach decision making in a positive way and should look for solutions rather than problems. The NPPF also advises that decision takers at every level should seek to approve applications for sustainable development where possible.
- 4.6 For decision making this means:
- *Approving development proposals that accord with the development plan without delay;*
 - *Where the development plan is absent, silent or relevant policies are out of date, granting planning permission 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; or*
 - *specific policies in this Framework indicate development should be restricted.*

Core Planning Principles

- 4.7 Paragraph 17 of the NPPF sets out 12 core land-use planning principles which should underpin both plan-making and decision taking. The second and fourth bullet points state that planning should:

- *Not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives.*
- *Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

Requiring good design

- 4.8 Section 7 of the NPPF refers to design, however there are no specific policies or guidance relating to residential extensions. Indeed paragraph 60 states:

“Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles”.

Decision-taking

- 4.9 Paragraph 196 reiterates that the planning system is “plan led” stating that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Paragraph 196 clarifies that the NPPF is a material consideration in planning decisions. Paragraph 197 states that in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.

The Local Plan

- 4.10 Policies BE1 and HE1 of the Local Plan Part One and Policies BE5, BE13, BE15 and BE19 of the Local Plan Part Two are referred to within the reasons for refusal.

Policy BE1 – Built Environment

- 4.11 Policy BE1 states that all new development should improve and maintain the quality of the built environment, achieving a high quality of design in all new buildings, alterations and extensions and making a positive contribution to the local area.

UDP Policy HE1 – Heritage

Policy HE1 requires development proposals to conserve and enhance Hillingdon's distinct and varied environment, its settings and the wider historic landscape. It is unclear why this policy has been used as the property is not located within a Conservation Area.

Policy BE5 – Areas of Special Local Character

- 4.12 Policy BE5 policy refers specifically to designated Areas of Special Local Character and states that new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. The policy also states that extensions should respect the symmetry of the original buildings.

Policy BE13 – Design of New Developments

- 4.13 Policy BE13 states that development will not be permitted if the layout and appearance fail to harmonise with the existing street scene or other features of the area.

Policy BE15 – Design of New Developments

- 4.14 Policy BE15 states that proposals for alterations and extensions to existing buildings will be permitted where they harmonise with the scale, form, architectural composition and proportions of the original building.

UDP Policy BE19 – Residential amenity

- 4.15 Policy BE19 states that the Council will seek to ensure that new development within residential areas complement or improve the amenity and character of the area.

UDP Policy BE22 – Residential extensions / buildings of two or more storeys

- 4.16 Policy BE22 states that residential extension of two or more storeys in height should be set back a minimum of 1m from the side boundary of the property for the full height of the building

Supplementary Planning Document HDAS: Residential Extensions

- 4.17 The Residential Extension SPD provides guidance with regards house extensions and includes garages. The Council make reference to this document in the refusal notice but state in the Officer's report that the garage complies with its guidelines in respect of its size and the property retains sufficient garden space as a consequence of the extension in accordance with paragraph 5.13.

THE APPELLANT'S CASEIntroduction

- 5.1 The Appellant's case will focus on the central concerns of the reason for refusal, notably whether the first floor side/rear extension, side garage extension and single storey rear extension would be of detriment to the visual amenities of the street scene and the designated Dene Road Area of Special Local Character.
- 5.2 According to the Case Officer's report the Council's main concerns can be summarised as follows:
- The first floor extension would be a bulky addition, which appears unduly dominant and not subordinate to the original dwelling.
 - The crown roof is not considered to be in keeping with the character of the existing dwellinghouse.
 - The proposed garage is a large addition to the front of the property and will bring it to within 3 metres of the neighbouring property.
- 5.3 The Case Officer does not raise any issue with regards to the raised terraced area and underneath store and conversion of garage to living accommodation. It also does not consider the two storey side/rear extension to result in overshadowing, loss of sunlight, visual intrusion and over-dominance to the neighbouring properties. The report is silent

with regards to the single storey rear extension and it is assumed that the Council does not raise any objections to this aspect of the proposal.

- 5.3 Taking each of the Council's objections in turn the appellant comments accordingly.

Does the first floor side/rear extension result in a bulky addition, which appears unduly dominant and not subordinate to the original dwelling?

- 5.4 The two storey side extension has been sympathetically designed. It is set significantly lower than the retained part of the house and includes a hipped roof. It is significantly set away from the side boundary with No. 2 Foxdell and as the Council has stated it will not result in any harm to residential amenity. It is also significantly set back from Dene Road so as not to be considered harmful to the street scene. The extension is set back from the front elevation of the house and clearly appears as a subordinate addition to the house. It will be built in matching materials which will further enhance its appearance. The property will continue to benefit from being located within a large garden plot, a fact accepted by the Council. The extension is a sympathetic addition to the host property and will be a sympathetic addition to the street scene and general character of the area.

Is the crown roof in-keeping with the character of the existing dwellinghouse?

- 5.5 Paragraph 5.9 of the SPD advises that the design of the roof of a two-storey side extension should follow that of the existing roof. In this case, the crown roof would not be the same as form as the existing roof. However, it would not stand out as being different to the roof or the existing building, but would be an integral part of the extended building. Although not a form that is characteristic of the area, the crown roof would not be unique and the existence of an area of flat roof would not be evident in views from in front of the building. This view was also shared by the Inspector who determined a recent householder appeal at 53 Dene Road, Northwood (Ref/APP/R5510/D/14/2227358) (See **Appendix B**).

Will the proposed garage result in a dominant feature to the front of the dwelling?

- 5.6 The Council has acknowledged in the Case Officer's report that the proposed garage accords with the guidance contained in the SPD. It does raise concerns with regards to it being a large addition to the front of the dwelling and, as a consequence, potentially visually intrusive. However, the garage has been carefully designed so as to reduce its visual impact. It is set back behind the original garage and will not bring the development any closer to Dene Road than the original house. It has been designed with a pitched roof to match the adjoining garage. It is also located at least 3 metres from the neighbouring property and a one metre pathway is to be maintained between the garage and the shared boundary with No. 2 Foxdell. It is a subservient addition to the house and will not cause any harm to the street scene of general character of the area. In addition, the neighbouring property at No.2 Foxdell projects forward of the appeal property and, as such, any potential harm is mitigated by the position of the neighbouring property.

- 5.8 The Council's assessment is preoccupied with the location of the site within a designated Area of Special Local Character and the Council have failed to assess the actual demonstrable impact of the resultant dwelling on the area or the specific site context. It is acknowledged that the site is located within a very pleasant residential area, however the site does not fall within a Conservation Area and the Council have over emphasised the importance of the site's location within this "special area". This designation is of limited weight and it is apparent that the area is not of sufficient merit to constitute a Conservation

Area. The Council have cited Policy HE1 in the refusal notice without actually explaining how the proposed development harms the character of the suggested historic area.

- 5.9 The proposed extension would not significantly alter the appearance and scale of the existing building and resultant dwelling would not appear cramped on the site or be of a poor design. The Appellant maintains that the extension would be of a high quality design and appearance and making a more positive contribution to the street scene and the area. The resultant building would sit comfortably within the plot, not appearing cramped, and would be no higher than the existing building. Although it would be of a greater bulk and would appear more visible within the street scene than the existing building the resultant dwelling would not appear unduly prominent or visually intrusive within the street scene.

6.0 CONCLUSION

- 6.1 The proposed extension would be of no detriment to the character or appearance of the building, the street scene or the area in general. The proposed extension would not be contrary to national or local planning policy and it is pointed out that the National Planning Policy Framework (NPPF) states that decision-takers at every level should seek to approve applications for sustainable development where possible and that applications should be considered in the context of the presumption in favour of sustainable development. For the above reasons it is politely requested that this appeal is allowed.