



Chartered Members of the
Royal Town Planning Institute

The Planning Inspectorate
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN



Sterling Planning Ltd
25 College Yard
5 Gammons Lane
Watford
Hertfordshire
WD24 6BQ

Tel: **020 3589 3987**
Email: sterlingplanning@outlook.com

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Appeal Statement

Dear Planning Inspectorate,

2 Linksway, Northwood, London, HA6 2XB

Householder Appeal against the refusal of part retrospective planning permission for the erection of a part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front

This appeal is submitted in regards to the refusal of part retrospective planning permission for the erection of a part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to the front at 2 Linksway, Northwood, London, HA6 2XB. The planning application was refused by the London Borough of Hillingdon on 7 April 2017 under planning application reference: 36910/APP/2016/4594. The application was refused for three reasons which are as follows:

1) The resultant scale and massing of the 'as built' extensions are considered to dominate the prominent corner setting to an unacceptable degree. The alterations would detract from, and fail to harmonise with, the character, form and modest scale of development within the surrounding street scene and Area of Special Local Character to the detriment of the building's appearance and setting. The scheme would thereby be contrary to Policies 7.4 and 7.6 of the London Plan, policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies, BE5, BE13 and BE19 of the Hillingdon Local Plan - Saved policies and HDAS 'Residential Extensions'

2) The 'as built' alterations to the extension by reason of the proximity, siting, size of the windows and internal are considered to overlook the private garden of No. 3 Copse Wood Way to an unacceptable degree, to the detriment of these occupiers. The proposed obscure film applied to the overlooking windows and the ability for those windows to be opened are not considered to provide a sufficiently permanent or robust means of mitigating the overlooking of the neighbouring rear garden. The application would thereby erode the privacy and living conditions of these occupants to an unacceptable degree. Further, the increase in the height of the extensions would result in a scheme that would appear unduly dominant and visually overbearing to the detriment of the amenities of No. 3 Copse Wood Way. The application therefore fails to comply with the NPPF, Policies BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved Policies and HDAS 'Residential Extensions'.

3) The use of obscure glazing within Bedroom 3 (as identified in accompanying plan A203 Revision C) results in a habitable room in the extended property from receiving sufficient daylight and provides that room with an inadequate outlook, to the detriment of the living conditions of that property and the residential amenity of future occupiers. The application therefore fails to comply with Policy BE20 of the Hillingdon Local Plan - Saved Policies.



Appeal Site and Locality

The appeal site occupies an irregular shaped plot on the corner junction of Copse Wood Way, which adjoins the north-western boundary and Linksway which adjoins the north-eastern boundary. The site increases in width from north to south, is relatively level in nature and benefits from high Leylandii along the front eastern and side northern boundaries and is well screened from the public domain. To the south of the site is No. 4 Linksway, a two storey detached property and to the rear of the site is No.3 Copse Wood Way, which is also a two storey detached dwelling. The site forms part of Copsewood Estate Area of Special Local Character as set out within the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012).

The development subject of this appeal is a retrospective application to regularise alterations in the design, scale and footprint of the extended dwelling in its 'as built' form, which differ from that which was approved under 36910/APP/2015/621. The material changes are as follows:

- 1) The footprint of the southern wing of the building has been altered with it now being stepped further in from the southern site boundary with a resultant reduction in the length of the two-storey southern extension and a reduction in size of the single-storey flat roof element to the southern side of the building.
- 2) The eaves height of the main roof has been raised by 0.825 metres from 4.575 metres to 5.4 metres. The ridge height has been raised 0.335 metres from 8.615 metres to 8.95 metres.

The internal arrangement of the building has been remodelled. This has resulted in various alterations to the fenestration the most notable of which are summarised below:-

- 1) The rear facing dormer windows now all serve an enlarged fifth bedroom as opposed to the approved scheme where one window served the bedroom and the remainder served an en-suite bathroom and a store room/walk in closet. The position of bedrooms on the first floor has been altered and windows have been enlarged.
- 2) Obscure glazing, in the form of a plastic film, has been applied to all rear facing dormer windows and to the rear facing first floor bathroom windows. The first floor window serving bedroom 3 has been partially obscurely glazed using the same method, with the upper part of the window remaining clear glazed so as to allow sunlight permeation. Retaining straps have been fitted to all rear facing obscurely glazed windows so as to prevent them from being opened other than to a slight degree to provide ventilation.
- 3) The height of the flat roof single-storey elements of the extension have been raised from approximately 2.9 metres to approximately 3.45 metres with an increased height parapet wall incorporated.

Site History

The appeal site has an extensive planning history however, only the applications relevant to this appeal are listed below:

Application number: 36910/APP/2014/2869

Description of development: Two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling.

Status: **Approved on 5 February 2015**

Application number: 36910/APP/2014/3930

Description of development: Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, raising of roof to allow conversion of roof space to habitable use to include 3 x rear dormer and 1 x front dormer and 2 new gable end windows to front and installation of canopy to front.

Status: **Approved on 2 March 2015**



Application number: 36910/APP/2015/621

Description of development: Part two storey, part first floor side extension, single storey rear extension, conversion of double garage to habitable use, installation of canopy to front and raising of roof to allow conversion of roof space to habitable use to include 3 rear dormers, 1 front dormer and 2 new gable end windows to front.

Status: **Approved on 28 April 2015**

Rebuttal against the first reason for refusal

The appeal site is situated within the Copsewood Estate Area of Special Character which is subject to a specific Local Plan Policy BE5 which includes an emphasis on development maintaining architectural individuality. As aforementioned, in comparison to the scheme approved under planning permission reference: 36910/APP/2015/621, the eaves height of the main roof has been raised by 0.825 metres from 4.575 metres to 5.4 metres and the ridge height has been raised 0.335 metres from 8.615 metres to 8.95 metres.

The street scene of Linksway is characterised by significant sized detached two storey dwellings set within spacious grounds. A large number of original dwellings have been demolished and planning permission has been granted and implemented for replacement dwellings of varying size and architectural character. A planning search and site visit has been undertaken and it is clear that a wide range of dwellings varying in size, appearance, hipped and gable roof forms, dormer features, varying ridge and eaves heights and a mix of contemporary and traditional architecture are present in the locality. Some of the dwellings along Linksway are double the width of the dwelling subject of this appeal are of a grander scale, with imposing architectural features.

A planning application at No. 36 Linksway for a two storey, 6-bedroom, detached house with habitable roofspace was allowed at appeal under ref: APP/R5510/A/13/2201434 on 03/12/2013. When determining the appeal, the Planning Inspector commented in their report (paragraph 1):

"Linksway is a lengthy, straight, tree-lined avenue fronted by large detached dwellings set in generous grounds. This is a residential area of high quality, and a general sense of verdant spaciousness is exuded. Nevertheless, there is ample evidence of recent development and redevelopment in Linksway and adjoining streets, and a wide variety of architectural styles is on display".

The Planning Inspector went on to say (paragraph 6):

"Whilst the detailed design of the replacement dwelling may not be to the Council's liking, I consider that it has given insufficient weight to the design and appearance of other redeveloped houses along Linksway, several of which display similar classical features. Far from standing out as an example of poor design, the dwelling's appearance would complement the general standard of new design on display in Linksway."

The Planning Officers report states that by raising the eaves, the 'as built' dwelling has vertical walls of an increased height which appear significantly more prominent than in the approved permission and as a result, the building elevations appear more stark and visually prominent. The report goes on to state that the height of the eaves is not matched by an increase in ridge height and this has resulted in a roof form that is shallower than that which was approved and as a result, the proportions of the building have been altered which has resulted in a more prominent and overly dominant structure and has also resulted in the prominence of the various dormer windows being exaggerated to a degree that they are less sympathetic towards the form of the building as a whole.

In this regard, the dwelling as built has the following dimensions:

Ground to eaves height – 5.4 Metres

Eaves to ridge height – 3.6 Metres

Total height – 9 Metres

Roof to elevation proportion – 40%



It is considered that the dwelling 'as built' has a sympathetic, high quality, well balanced and proportioned appearance. The original two storey gable feature to the northern flank elevation has been retained, the extension to the southern flank has been finished in painted render which provides contrast with the original brick section and assists in breaking up the bulk and massing of the dwelling and the projecting gable features and angled footprint of the dwelling breaks up the roof profile and adds architectural interest. The resultant dwelling is of considerable charm, sits comfortably within the plot and maintains a sense of modesty when compared to the much larger and grander dwellings along Linksway, some which are twice the frontage width and accommodate imposing gable features and portico porches. The dormers to the front and rear elevations are set down by 0.6 metres below the ridge, 0.7 metres above the eaves and are subservient, sit comfortably and do not appear dominant or incongruous on the respective slopes. Notwithstanding the above, a survey has been undertaken of the wall, eaves and ridge heights of a number of properties along Linksway, and one along Copse Wood Way, details which are listed below:

Address: 9A Linksway

Planning application reference: 7748/APP/2011/2427 (Approved on 02/12/2011)

Approved development: Two storey, 5-bed, detached dwelling with habitable roof space and basement with associated amenity space and parking, involving the demolition of existing dwelling.

Ground to eaves height – 6.3 Metres

Eaves to ridge height – 3.6 Metres

Total height – 9.9 Metres

Roof to wall proportion – 36%

Address: 44 Copse Wood Way

Planning application reference: 61383/APP/2014/3992 (Approved on 07/08/2015)

Approved development: Two storey, 5-bed, detached dwelling with habitable roof space with installation of vehicular crossover to front to create carriage driveway involving demolition of existing detached dwelling house.

Ground to Eaves – 5.4 Metres

Eaves to Ridge – 3.1 Metres

Total height – 8.5 Metres

Roof to wall proportion – 36.5%

Address: 36 Linksway

Planning application reference: 44603/APP/2013/960 (Allowed at appeal under ref: APP/R5510/A/13/2201434 on 03/12/2013)

Approved development: Two storey, 6-bed, detached house with habitable roofspace involving demolition of existing house and garage.

Ground to eaves height – 5.8 Metres

Eaves to ridge height – 4.0 Metres

Total height – 9.8 Metres

Roof to wall proportion – 40%

Address: 38 Linksway

Planning application reference: 14528/APP/2014/2615 (Approved on 29/09/2014)

Approved development: Two-storey, 6-bed, detached dwelling with habitable roofspace involving demolition of existing 4-bed dwelling

Ground to eaves height – 5.7 Metres

Eaves to ridge height – 4.1 Metres

Total height – 9.8 Metres

Roof to wall proportion – 41.8%



Address: 20 Linksway

Planning application reference: 2203/APP/2013/1820 (Approved on 06/03/2014)

Approved development: Erection of a detached 6-bedroom dwelling with habitable roof space and basement with associated parking and amenity space including the demolition of the existing detached house

Ground to Eaves – 5.5 Metres

Eaves to Ridge – 4.0 Metres

Total height – 9.5 Metres

Roof to elevation proportion – 42%

Address: 40 Linksway

Planning application reference: 10753/APP/2009/257 (Approved on 04/06/2009)

Approved development: Erection of a two-storey four bedroom dwelling with integral garage (involving demolition of existing dwelling)

Ground to Eaves – 5.6 Metres

Eaves to Ridge – 4.5 Metres

Total height – 10.1 Metres

Roof to elevation proportion – 44.5%

Taking the above into consideration, it is clearly demonstrated that replacement dwellings that have been permitted and erected along Linksway are characterised with differing proportions, some with shallower pitched roofs that give the dwelling a squat appearance and some with steeper pitched roofs that give the dwellings a top heavy appearance. Furthermore, the majority of the neighbouring dwellings have higher eaves and ridge heights. The ridge and eaves height and proportions of the appeal dwelling are replicated in the locality and as such, the resultant scale and massing is in keeping with development within the surrounding street scene and this Area of Special Local Character.

The Officers report goes on to say that the approved application had the eaves directly above first floor windows, which is a common characteristic of buildings on Linksway and that the increased eaves height has left a gap between the top of first floor windows and the eaves which is not consistent with this distinguishing feature within the surrounding area. In this regard, it is evident that the street scene of Linksway accommodates a number of architectural styles, with many dwellings incorporating a gap between the first floor windows and the eaves. The gap between the top of the first floor windows and the eaves of the appeal dwelling is only 30 centimetres which is a standard degree of spacing. Below are a few examples of neighbouring dwellings along Linksway which have significantly greater gaps between the top of their respective first floor windows and the eaves:

No. 29A Linksway - 55 centimetre gap between the top of first floor windows and the eaves.

No. 10 Linksway - 60 centimetre gap between the top of first floor windows and the eaves.

No. 31 Linksway - 90 centimetre gap between the top of first floor windows and the eaves.

A number of additional examples have been included with this appeal and as such, the observation that eaves directly above first floor windows being a common characteristic of buildings on Linksway is factually incorrect.

With regards to the single storey side and rear elements of the dwelling, the overall height and design is considered to satisfactorily integrate with the vernacular of the host dwelling. These extensions maintain a 2 metre gap to the first floor window cills which allow a clear visual gap between these elements. The single storey elements are sited to the rear and are not exceptionally visible from the public domain but where the side extension is visible, it has an eaves height similar to the eaves height of the single storey integrated garage to the adjacent dwelling to the south at No. 4 Linksway.



A material consideration in the determination of this appeal is that planning permission was granted at the application site under reference: 36910/APP/2014/2869 for the erection of a two storey, 5-bed, detached dwelling with habitable roofspace involving demolition of existing dwelling. The dimensions of this replacement dwelling are as follows:

Ground to Eaves – 5.7 Metres

Eaves to Ridge – 3.4 Metres

Total height – 9.1 Metres

Roof to elevation proportion – 37.4%

The approved dwelling was of a bulkier appearance, with just a single gable feature to the front elevation, a wider frontage, longer ridgeline and had a grander and bulkier appearance. It is considered that the extensions subject of this appeal have a much more sympathetic appearance and have a more positive contribution to this Area of Special Character.

Rebuttal against the second reason for refusal

The Local Planning Authority have stated that the 'as built' alterations to the extension by reason of the proximity, siting, size of the windows and internal arrangement are considered to overlook the private garden of No. 3 Copse Wood Way to an unacceptable degree, to the detriment of these occupiers. Further, the increase in the height of the extensions would result in a scheme that would appear unduly dominant and visually overbearing to the detriment of the amenities of No. 3 Copse Wood.

As aforementioned, the extensions approved under planning permission reference: 36910/APP/2015/621, included 4 windows that serve bedroom 3, a family bathroom, bedroom 2 and an en-suite to the rear elevation at first floor level and three dormers serving an en-suite, a bedroom and store room at loft level. The approved plans clearly illustrate that none of the glazing to the first floor and loft level facing No. 3 Copse Wood Way was to be obscure glazed. The Local Planning Authority considered this level of overlooking acceptable due to the angled relationship between the application dwelling and No. 3 Copse Wood Way, as the windows face towards the flank elevation of this property and not directly over the rear garden area. Furthermore, no conditions were attached to the planning permission requiring any of the glazing to the first floor rear elevation or rear dormers to be obscure glazed.

In comparison to the previously approved scheme under planning permission reference: 36910/APP/2015/621, the footprint of the southern wing of the building has been reduced, with it now being stepped further in from the southern site boundary with a resultant reduction in the length of the two-storey southern extension by approximately 1.3 metres. The approved distance between the glazing to bedroom 3 and the common boundary with No. 3 Copse Wood Way was 6.7 metres. Due to the reduction in length of the two storey extension and the internal reconfiguration to include an en-suite to bedroom 3, this window is now sited 3.5 metres further to the north. This results in the separation distance between the window to bedroom 3 and the shared boundary being increased to 9 metres and as it has moved further away and has a further restricted angle of view over the rear garden of No. 3 Copse Wood Way.

The window serving the en-suite to bedroom 3 has been fitted with obscure glazing in order to protect the privacy No. 3 Copse Wood Way. With regards to the rear dormer windows serving bedroom 5, although no condition was previously attached to the permission for these to be obscure glazed, the applicant has willingly installed obscure film and a locking mechanism in order to protect the privacy No. 3 Copse Wood Way. This bedroom benefits from a dormer to the front roof slope and as such, benefits from a satisfactory degree of outlook. It is therefore considered that the internal arrangement of the extension as built improves the spatial relationship with No. 3 Copse Wood Way. Furthermore, the applicant, without any obligation or enforced by planning condition, has installed obscure glazing to the rear dormers and moved the bedroom 3 window further away. Notwithstanding the above, the applicant is willing to accept a condition for the two rear dormers windows serving bedroom 5 to be obscure glazed and fixed shut up to an internal height of 1.7 metres as this bedroom benefits from an east facing clear glazed dormer.



It should also be noted that the extensions approved under planning permission reference: 36910/APP/2014/3930 also did not have any conditions attached to the planning permission requiring any of the glazing to the first floor rear elevation and rear dormers to be obscure glazed. It is therefore considered that the Local Planning Authority have acted in an inconsistent and unreasonable manner in refusing the application as the first floor and rear dormers glazing have previously been approved with clear glazing.

The Local Planning Authority have also stated that the increase in the height of the extensions would result in a scheme that would appear unduly dominant and visually overbearing to the detriment of the amenities of No. 3 Copse Wood Way. The rear elevation of the appeal dwelling faces west towards the flank elevation of the dwelling at No. 3 Copse Wood Way and the rear aspects and garden of this property faces south-east. As such, when viewed from the rear aspects of this property, the appeal dwelling does not fall within the direct line of site. The submitted plans demonstrate that the two storey element of the dwelling does not breach a 45 degree line of vision from the ground floor near side window of No. 3 Copse Wood Way. Furthermore, the dwelling does not encroach any closer to the south-western boundary and is built with the same rear building line as the previously approved scheme under reference: 36910/APP/2015/621.

Rebuttal against the third reason for refusal

The Local Planning Authority have stated that the use of obscure glazing within Bedroom 3 results in a habitable room in the extended property from receiving insufficient daylight and provides that room with an inadequate outlook, to the detriment of the living conditions of that property and the residential amenity of future occupiers. However as aforementioned, the extensions approved under planning permission reference: 36910/APP/2015/621 clearly illustrate that the glazing to Bedroom 3 was clear glazed and that no conditions were attached to the planning permission requiring this glazing to be obscure glazed. Nonetheless, as the length of the two-storey southern extension has been reduced by approximately 1.3 metres, resulting in this window now being sited 3.5 metres further to the north and therefore increasing the separation distance between the window and the shared boundary to 9 metres, it is considered unreasonable for this window to be obscure glazed. Notwithstanding the above, should the Planning Inspectorate deem it necessary, the applicant is willing to accept a condition for this window to be obscure glazed and fixed shut up to an internal height of 1.7 metres and this room utilised as a walk in wardrobe or store room. This bedroom can then be relocated to the study at loft level which benefits from east and west facing windows.

Conclusion

For the aforementioned reasons and taking into consideration the previous planning approvals on this site, the Planning Inspectorate are respectfully requested to allow the appeal.

Additional attachments submitted with this appeal, excluding documents forming part of the planning application:

- 1) Planning permission approval notice reference: 36910/APP/2014/2869, dated 5 February 2015 and approved plan number: P201 Rev G.
- 2) Planning permission approval notice reference: 36910/APP/2014/3930 dated 2 March 2015 and approved plan number: P201.
- 3) Planning permission approval notice reference: 36910/APP/2015/621 dated 28 April 2015 and approved plan number: P201 Rev A.
- 4) Approved planning permissions comparison layover plan number: A203 Rev E.
- 5) Planning Inspectorates appeal decision notice for No. 36 Linksway under ref: APP/R5510/A/13/2201434.
- 6) Photos of appeal dwelling.
- 7) First floor comparison plan.
- 8) Photos of neighbouring properties.