



WRITTEN REPRESENTATIONS: APPEAL STATEMENT

BY

Mr S Shetty

FOLLOWING THE REFUSAL OF PLANNING PERMISSION BY

The London Borough of Hillingdon Council

REF:

8560/APP/2018/1091

FOR:

***Single storey front extension including conversion of garage to habitable use
and alterations to roof over garage***

AT:

77 Hillside Road, Northwood, HA6 1PZ

February 2019

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1.0 BACKGROUND

- 1.1 This appeal relates to the refusal of planning permission for a *'Single storey front extension including conversion of garage to habitable use and alterations to roof over garage'* at no. 77 Hillside Road in Northwood.
- 1.2 The planning application was dated 22nd March 2018 and was subsequently refused on 6th December 2018 by the London Borough of Hillingdon Council, with the decision notice stating just one reason for refusal, as noted below:
1. *The proposed front extension including a significant increase in roofscape, by virtue of its siting, size, scale, bulk, width and design, results in an incongruous addition which would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the wider Hillside, Northwood Hills Area of Special Local Character. Therefore the proposal would be 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*
- 1.3 By way of background to the case, the appellant initially submitted application ref 8560/APP/2017/3075 for a *'Single storey front extension involving conversion of garage to habitable use and alterations to roof over garage'* which was refused on 17th October 2017.
- 1.4 Following the aforementioned decision the appellant and his architect have worked pro-actively with the council in an attempt to resubmit a scheme which would be acceptable, further amendments were also made to the proposal during the application process, however, as detailed in **Appendix A** the appellant requested via email that the council assess the case on the original submitted drawings which form the basis of the refusal, are present on the council's planning database and are attached in **Appendix B**. That aside the council failed to assess the simple scheme within the expected 8 weeks and this led to the procedure taking a total of 37 weeks before a decision to refuse the scheme was issued.
- 1.5 To confirm, neighbouring properties were notified of the proposal and by the close of the consultation period no objections or comments were received.
- 1.6 The following statement will therefore seek to demonstrate why the council's decision is considered unsound on this occasion and how the scheme conforms to the aims of national, regional and local planning policy.

2.0 APPEAL PROPERTY



No. 77 Hillside Road

- 2.1 The appeal site relates to a detached single storey dwelling house which has an existing side/rear dormer and an attached garage.
- 2.2 The front curtilage of the site provides off-road parking whilst to the rear is a long private garden.



Street scene of Hillside Road

3.0 SITE LOCATION



Aerial view of appeal site and surrounding location

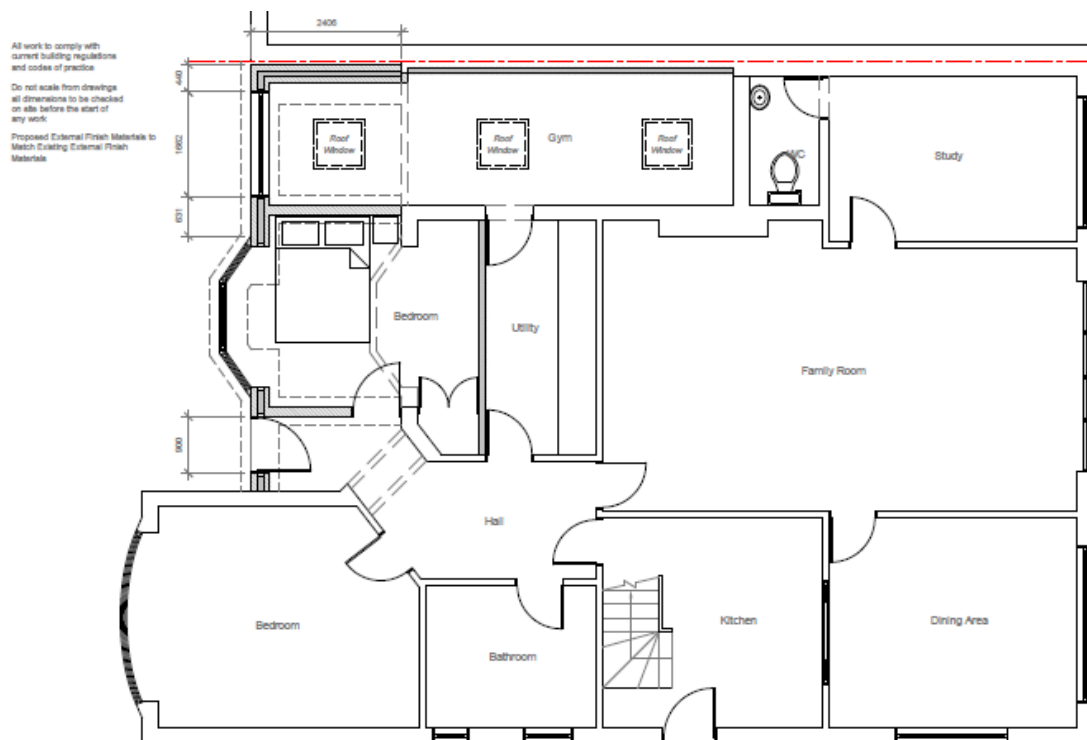
- 3.1 The appeal site is positioned to the north eastern side of Hillside Road in a predominantly residential location. The street scene comprises detached bungalows which have been extended or modified since construction including raising roof levels, the addition of dormer windows as well as front and rear extensions.
- 3.2 The appeal site is located within the Northwood Hills Area of Special Local Character and the Developed Area as identified within the Hillingdon Local Plan: Part Two – Saved UDP Policies (November 2012).



Appeal property and surrounding location

4.0 PROPOSAL

- 4.1 The proposed scheme sought planning permission for a *'Single storey front extension including conversion of garage to habitable use and alterations to roof over garage'* at no. 77 Hillside Road.
- 4.2 The proposed front extension would project to a depth of 2.4m at a width of 6.8m. The existing roof to the side of the property over the garage would be altered to hipped form which would extend over the new front addition in order to improve the symmetry of the property.
- 4.3 The development would facilitate the conversion and extension of the existing garage to include a gym whilst a bedroom to the front of the property would be extended forwards with a section of the original space allocated to a new utility room. The extension would also provide an extension to the existing hallway to allow access into the front bedroom and rest of the property.



Proposed layout taken from drawing no. 3222-06/RM

- 4.4 The development would increase the footprint of the property by approximately 16m² and in combination with the conversion of the garage would provide an additional 25m² of habitable and recreational space.
- 4.5 All work would be completed to a high standard utilising appropriate matching and complementary materials.

5.0 RELEVANT PLANNING POLICY

5.1 The reason for refusal refers 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 - Unitary Development Plan Saved Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.

5.2 Although not referred to within the decision the National Planning Policy Framework is also considered relevant. The following paragraphs will provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

5.3 National Planning Policy Framework (NPPF) (2018)

The National Planning Policy Framework set 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

5.4 Paragraph 11 of the NPPF sets out that plans and decisions should apply a presumption in favour of sustainable development.

For plan-making this means that:

- a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change;
- b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. 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.

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or

- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. 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.

Decision-making

- 5.5 Paragraph 38 states that 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.

Achieving well-designed places

- 5.6 Section 12 of the NPPF refers to design, with paragraph 124 describing how the Government attaches great importance to the design of the built environment, stating that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 5.7 Paragraph 127 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*

- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

5.8 Paragraph 130 states:

“where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development”.

Hillingdon Local Plan: Part One – Strategic Policies (November 2012)

5.9 The Hillingdon Local Plan is the key strategic planning document for Hillingdon and has an ambition for Hillingdon to be an attractive and sustainable borough. Policies BE1 and HE1 are referred to within the given reason for refusal.

Policy BE1: Built Environment

5.10 Policy BE1 states that 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, where people enjoy living and working and that serve the long-term needs of all residents.

5.11 Criterion 1 of the policy states that new developments 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 and which contributes to community cohesion and a sense of place.

5.12 Criterion 2 of the policy states that proposals should be designed to be appropriate to the identify and context of Hillingdon’s buildings, townscapes, landscapes and views, and 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.

Policy HE1: Heritage

5.13 The council will conserve and enhance Hillingdon’s distinct and varied environment, its setting and the wider historic landscape.

Hillingdon Local Plan: Part Two – Saved Unitary Development Plan Policies

- 5.14 A direction was issued on 24 September 2007 by the Government Office for London confirming Hillingdon's request to 'Save' key local policies and to delete obsolete or rarely used policies. This was effective from the 27 September 2007. Policies BE5, BE13, BE15 and BE19 are referred to within the given reason for refusal.

UDP Policy BE5: Areas of Special Local Character

- 5.15 Within areas of special local character new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.

UDP Policy BE13: Design of New Developments

- 5.16 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.

UDP Policy BE15: Design of New Developments

- 5.17 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

- 5.18 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.

HDAS Supplementary Planning Document Residential Extensions (December 2008)

- 5.19 The council's SPD provides guidance in section 8.0 in relation to front extensions, porches and bay windows.
- 5.20 The council is very explicit with regard to its position on front extensions. Front extensions that extend across the entire frontage will normally be refused. Front extensions are eye catching and change the face of the building. They do not only affect the character and appearance of the building itself, but also the street scene.

6.0 GROUNDS OF APPEAL

6.1 The appellant's case will address the concerns raised within the reason for refusal, notably:

- a) Whether the proposed front extension, by virtue of its siting, size, scale, depth and design would result in an incongruous addition which would fail to harmonise with the architectural composition of the original dwelling, and;
- b) Whether the proposed front extension would be detrimental to the character, appearance and visual amenities of the street scene and the wider Hillside, Northwood Hills Area of Special Local Character.

6.2 The following planning considerations are deemed relevant in the determination of this appeal:

- Principle of the development
- Design / character
- Impact on the Area of Special Local Character (ASLC)
- Impact on neighbouring amenity
- Further considerations

Principle of the Development

6.3 The London Plan recognises the need to increase current housing supply to meet the growing demands whilst policy 3.4 (Existing Housing) seeks to maintain and improve the quality and condition of London's stock of homes.

6.4 The appellant and his architect have put forward a high quality residential scheme that would enhance the appearance and character of the existing property whilst respecting neighbouring development and without negatively impacting upon the amenities of adjoining occupiers or the locality, thus, conforming to the aims of the National Planning Policy Framework, the London Plan and the Hillingdon Local Plan.

6.5 Given the site's location which is identified as a '*Developed Area*' in the Hillingdon Local Plan the proposed scheme to extend an existing dwelling house should be deemed acceptable in principle as it proposes to improve the quality of housing within the borough and therefore accords with the sentiments of the London Plan.

Design / character

6.6 Paragraph 124 of the NPPF states that "*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*"

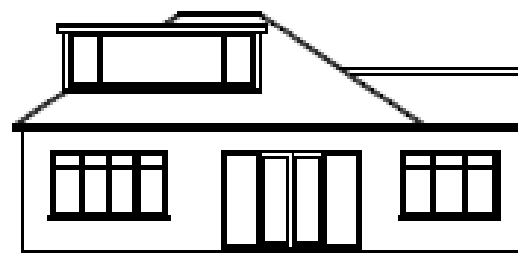
- 6.7 Policy BE1 of the Hillingdon Local Plan: Part 1 Strategic Policies seeks to ensure that new development is of a high quality of design which makes a positive contribution to the area whilst the council's SPD HDAS: Residential Extensions provides guidance relating to two storey rear extensions as well as roof alterations.
- 6.8 Policy BE15 (Design of new development) of the Hillingdon Local Plan: Part 2 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.
- 6.9 The council's Residential Extensions SPD states that front extensions will be allowed where they do not affect the character and appearance of the building itself and also the street scene.
- 6.10 As previously described, the proposed extension would project to a depth of 2.4m at a width of 6.8m. The existing roof to the side of the property over the garage would be altered to hipped form which would extend forwards over the proposed front addition which would improve the symmetry of the property as demonstrated in the plan excerpts below.



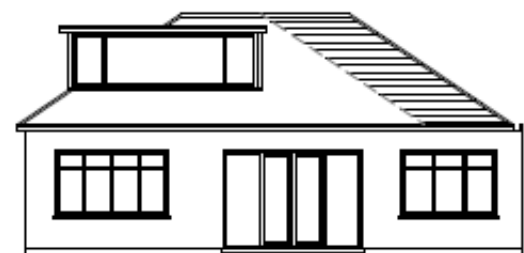
Existing front elevation



Proposed front elevation



Existing rear elevation



Proposed rear elevation

- 6.11 Consequently, it is considered that in this case, the modest proportions of the front extension which respects the style of the original property and the alterations to the roof form over the side garage and front extension have been designed to ensure that the development integrates with the host property and into the locality without compromising its street scene character, which is further established in the existing and proposed street scene plans provided by the architect.



Existing street scene



Proposed street scene

- 6.12 In regard to the roof space extension and the proposed hip roof the council have stated that it ***“would be appropriate to the character of the area. It would replace a somewhat awkward and incongruous extension over the garage and would offer a better balanced solution.”***
- 6.13 However, the council consider that the proposed front extension would be of detriment to the character and appearance of the building and the visual amenity of the street scene.
- 6.14 In response, it is considered that the council have clearly not made a full and accurate assessment of the submitted plans which have been altered in accordance with the comments received from the case officer. As such, it is argued that the development would not project beyond the front building line of the host property or the neighbouring dwellings and would thus, maintain the ‘staggered’ line of properties along Hillside Road. In addition, the roof form would harmonise with the original roof of the property whilst the modest proportions of the front extension, which apart from the replacement of the garage door with a window, reflects the existing situation and should therefore, be considered acceptable on this occasion.
- 6.15 Furthermore, the council stated within section 1.1 of their delegated report that the street scene comprises of detached bungalows many of which have been extended or modified, including raising the roof level and inclusion of dormer windows.
- 6.16 Given that the council accept that the character and appearance of the street scene has changed their decision in regard to the appeal proposal appears unsound. This is further substantiated by their approval of application ref 28924/APP/2015/4652 for a *‘Single storey rear extension, single storey side/front extension, porch to front and enlargement of roof to create additional habitable roofspace to include 1 front*

dormer, 1 rear dormer and 6 side rooflights and demolition of existing single storey rear extension' on 15th February 2016 at neighbouring property no. 79 Hillside Road.

- 6.17 The following photographs illustrate no. 79 Hillside Road prior to and following the construction of the aforementioned development, which also resulted in a crown roof element.



No. 79 Hillside Road prior to and after the completion of approved works

- 6.18 It is clear that the original symmetry of properties upon Hillside Road have been altered to a significant degree to ensure that the proposed works at no. 77 would represent appropriate additions that do not appear out of keeping with the pattern of development in the area.

- 6.19 Given the above points, the appellant considers that the proposed development conforms with the aims of the NPPF, the London Plan as well as Local Plan policies and the recommendations of the council's Residential Extensions SPD.

Impact on the Area of Special Local Character (ASLC)

- 6.20 Saved UDP policy BE5 (Areas of Special Local Character) states that new development should harmonise with the materials, design features, architectural style and building heights predominant in the area. Extensions to dwellings should respect the symmetry of the original buildings.
- 6.21 The appellant acknowledges that the site is located within the Hillside, Northwood Hills Area of Special Local Character, however, this in itself does not mean that the proposed development is unacceptable in principle or that the addition of the works would be of detriment to the appearance of the host property or ASLC.
- 6.22 The council's website states that when considering proposals for works within an ASLC that front extensions should be subordinate in scale and should not be detrimental to the visual amenity of the street scene. As the council have accepted that the development to the roof would address the symmetry of the existing property it is emphasised that the modest front extension would also be acceptable.
- 6.23 At this point the appellant considers it relevant to put forward an appeal decision at no. 10 Hillside Gardens which proposed '*a part two storey, part first floor rear extension involving demolition of existing conservatory and existing side lean-to and erection of a single storey side extension*' which was allowed and planning permission granted on 4th November 2014. (Details attached in **Appendix C**)
- 6.24 The inspector on the aforementioned case established that the purpose of the ASLC designation was "*to preserve the street scene of a development of bungalows*" which the appeal scheme at no. 77 Hillside Road would achieve.
- 6.25 Furthermore, whilst the council had concerns about the formation of a 'crown' roof at no. 10 Hillside gardens the Inspector stated within paragraph 11 of their decision that:
- "given the variety of roofscapes found hereabouts, such a feature would not appear alien or incongruous but satisfactorily integrate into this ASLC. Overall, I conclude that, the siting, size, scale, bulk and design of the development would create a harmonious relationship with, and respect and maintain the intrinsic character of, the host dwelling and its ASLC surroundings".***
- 6.26 The following aerial images highlight the approved development at no. 10 Hillside Gardens and also provide evidence of extensions which have resulted in crown roofs

at nos. 54, 58, 68 and 79 Hillside Road. Furthermore, they also demonstrate the varied roof forms and differing dwelling sizes which have resulted from extensions within the vicinity of the appeal site.



6.27 In summary, it is apparent that the proposed appeal development at no. 77 Hillside Road would also maintain a harmonious relationship with and respect the essential

character of the host dwelling and the wider area thus adhering to the requirements of saved Local Plan policy BE5 (Areas of Special Local Character).

Impact on neighbouring amenity

- 6.28 Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 6.29 London Plan policy 7.6 (Architecture) seeks to ensure that buildings and structures do not cause unacceptable harm to the amenity of surrounding land and buildings in relation to privacy, overshadowing, wind and microclimate.
- 6.30 The council's saved Local Plan policies BE19, BE20 and BE21 also seek to ensure that development within residential areas complements or improves the amenity and character of the area whilst ensuring that the amenities of existing houses are safeguarded.
- 6.31 Due to the modest proportions and siting of the appeal scheme the council have concluded that the proposed works would not constitute an un-neighbourly form of development and that the proposed roof alterations would not cause significant harm to the occupiers of neighbouring dwellings in terms of loss of light, loss of outlook or sense of dominance.
- 6.32 Given the above points, in regard to the development's impact on neighbouring amenity there should be no logical reason to disagree with the councils' assessment and therefore, the scheme is considered to comply with the aims of the NPPF, the London Plan as well as the requirements of saved UDP policies BE19, BE20, BE21 and BE24.

Further considerations

- 6.33 The proposed development would not reduce the garden space available at the property and therefore, the proposal would conform with the requirements of policy BE23 which states that new residential buildings or extensions should provide or maintain external amenity space which is sufficient to protect the amenity of the occupants of the proposed and surrounding buildings, and which is usable in terms of its shape and siting.
- 6.34 Whilst the proposal would involve the conversion of an existing garage there is sufficient space within the confines of the site to accommodate the two parking spaces required and thus the council have confirmed that the scheme is acceptable in this regard.

7.0 CONCLUSIONS

- 7.1 Every development proposal is unique and therefore, we consider that all appeals should be assessed on their own respective merits, having regard to the particular characteristics of each site.
- 7.2 The proposed front extension by virtue of its siting, size, scale, bulk, width and design would represent an acceptable form of development that would harmonise with the architectural composition of the original dwelling.
- 7.3 It is evident that the council's concerns in relation to the proposed development are unsound as it is also clear that the proposed development would not result in any detrimental impacts on the visual amenities of the area and would, in fact, enhance the character, appearance and visual amenities of the street scene and the wider Hillside, Northwood Hills Area of Special Local Character.
- 7.4 Thus, it is considered that the appeal proposal conforms with the aims of the NPPF (2018), policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), policies BE5, BE13, BE15 and BE20 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) as well as the guidance contained within the adopted Supplementary Planning Document HDAS: Residential Extensions.
- 7.5 Therefore, we respectfully request that this appeal proposal be allowed with any reasonable and appropriate planning conditions deemed necessary in the circumstances of this case.

February 2019