



APPEAL BY:
Mr Steve Pocock

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

Part two storey, part single storey side/rear extension

AT

46 Floriston Avenue, Hillingdon, UB10 9DZ

London Borough of Hillingdon Council's Reference: 15365/APP/2019/3659

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

March 2020

RJS PLANNING

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1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mr Steve Pocock, in support of the appeal lodged against the refusal of planning application 15365/APP/2019/3659.

1.2 The application was submitted on 10th November 2019 and sought planning permission for a 'Part two storey, part single storey side/rear extension' at No. 46 Floriston Avenue, Uxbridge, in Hillingdon. The application was refused under delegated authority on 3rd January for the following reason:

1. *The proposed part two storey part single storey side/rear extension, by reason of its size, scale, bulk, width and design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*

1.3 This grounds of appeal will address the central concerns raised within the Council's reason for refusal, notably:

- Whether the proposed part two storey part single storey side/rear extension, by reason of its size, scale, bulk, width and design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area.

1.4 To set some context, this statement will first provide a description of both the appeal property and the development to be retained. The statement will then discuss the relevant national and local planning policies before responding to the Council's concerns and reason for refusal.

2.0 THE SITE

2.1 The appeal property is an end-of-terrace dwelling located on the southwest side of Floriston Avenue opposite its junction with Oakleigh Road. The house is set upon a spacious 385m² plot and is set back behind a 5.5m deep front curtilage which has been paved to provide off-street parking for several vehicles. To the rear of the property, there is a large rear garden area which acts as private amenity space and has a detached outbuilding.

- 2.2 The property has also been developed by way of a wrap-around single storey side and rear extension, with a canopy across the front elevation.



Appeal Property - No. 46 Floriston Avenue

- 2.3 The appeal property is adjacent to a gated access road which separates it from No. 48 Floriston Avenue to its southeast side and from No. 145 Ryefield Avenue to the rear. To the northwest, the house adjoins No. 44 Floriston Avenue.



Aerial View of the Appeal Site and Surrounding Area

- 2.4 The surrounding area is residential in character and predominantly made up of rows of terraced houses, many of which have also been extended over the years. The appeal site lies within the 'Developed Area' as identified in the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012); although it is not within a conservation area and the appeal property and the neighbouring buildings are not listed.

3.0 RELEVANT SITE HISTORY

3.1 Planning Application Reference 15365/A/87/1506

2-Storey side extension

Approved 30th October 1987

3.2 Planning Application Reference 15365/APP/2019/1373

Part two storey, part single storey side/rear extension

Refused 9th July 2019

3.3 Planning Application Reference 15365/APP/2019/2803

Part two storey, part single storey side/rear extension

Withdrawn 29th July 2019

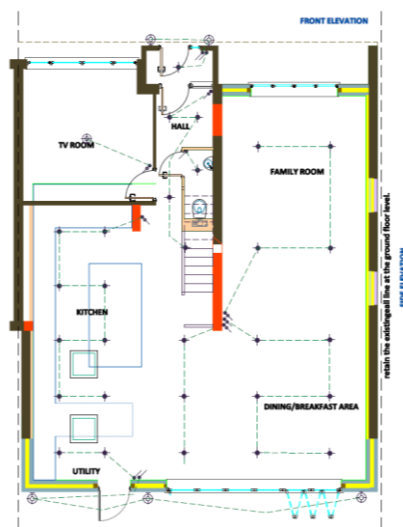
3.4 The planning permission granted for the erection of a two storey side extension under application reference 15365/A/87/1506 has not been implemented.

3.5 The application for a part two storey, part single storey side/rear under reference 15365/APP/2019/1373 was refused for the following reasons:

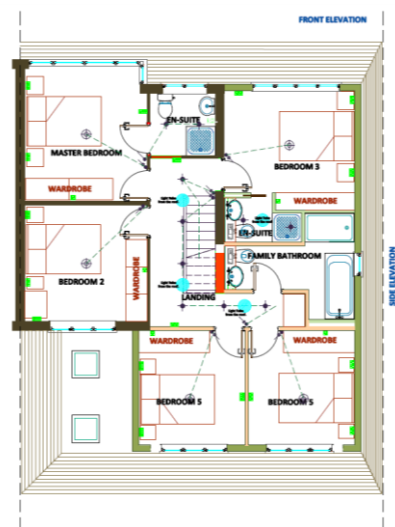
1. *The proposed part two storey part single storey side/rear extension, by reason of its size, scale, bulk, width and design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*
2. *The proposed part two storey, part single storey side/rear extension, by virtue of siting of a habitable room window on the side elevation and its proximity, would be detrimental to the amenities of the adjoining occupier at 50 Floriston Avenue by reason of overlooking and loss of privacy. Therefore the proposal would be contrary to policies BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.*
3. *The proposal would result in the provision of a habitable room (first floor bedroom 4) with very poor levels of light and outlook that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers, contrary to Policies 3.5 and 5.3 of the London Plan (March 2016), Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*

4.0 APPEAL PROPOSAL

- 4.1 The appeal application sought planning permission for a part two storey, part single storey side/rear extension to replace the existing side/rear extension at No. 46 Floriston Avenue.
- 4.2 The current application is an amended scheme following the refused of planning application reference 15365/APP/2019/1373 on 9th July 2019 (see **Appendix A**). The design has been revised to overcome the Council's previous concerns, and the differences in design will be detailed later in this statement.



Proposed Ground Floor Plan



Proposed First Floor Plan

- 4.3 As illustrated on the submitted plans, the development will be set in 0.1m from the side boundary, with a width of 4.275m from the original side elevation at ground floor level; and set back 0.6m behind the front elevation, with a canopy across the front. The rear extension will have a depth of 4.4m at ground floor level, just 1.44m beyond the building line of the existing rear extension, and a depth of 3.3m at first floor level.
- 4.4 The single storey element will have a lean-to roof to its side and rear, with the proposed first floor extension set in 0.625m from the side boundary, with a width of 3.75m and a total depth of 10.0m; this will wrap around the property with a width of 6.27m across its rear elevation, set in 3.7m from the shared boundary with No. 44.
- 4.5 The proposal will match the eaves and ridge height of the host dwelling at the front of the property, retaining the shape of the roofslope to maintain the architectural style of the terrace. To the rear of the ridgeline the side/rear extension will be set down 0.25m to provide a subservient hipped roof addition; with matching concrete roof tiles.
- 4.6 The extension walls will be finished in render and new aluminium windows will be installed to match the style and pattern of the existing fenestration across all elevations, with bi-folding doors also installed to connect the new living space with the rear garden.

5.0 RELEVANT PLANNING POLICY

- 5.1 The reason for refusal refers to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies DMHB 11 and DMHD 1 of the emerging Hillingdon Local Plan: Part Two - Development Management Policies with Modifications (March 2019) and the adopted Supplementary Planning Document HDAS: Residential Extensions.
- 5.2 It is important to note that the Local Plan Part 2 Development Management Policies and Site Allocations and Designations were adopted as part of the borough's development plan on 16th January 2020. The new Local Plan Part 2 therefore replaces the Local Plan Part 2 Saved UDP Policies (2012). The council's policies map was also updated to reflect the changes to designations and allocations in the Local Plan Part 2.
- 5.3 The following paragraphs provide a brief summary of the relevant policies and the applicable 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 – February 2019 (NPPF)

- 5.4 The NPPF (February 2019) sets out the Government's planning policies for England and how these are expected to be applied, this document replaces the National Planning Policy Framework published in July 2018. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Achieving sustainable development

- 5.5 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environmental.

Presumption in Favour of Sustainable Development

- 5.6 Paragraph 11 of the NPPF advises 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.

5.7 For plan-making this means that:

- 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

- 5.8 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

- 5.9 Section 12 of the NPPF describes how the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, 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”*. Paragraph 126 states that to provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high quality standard of design. However their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.

- 5.10 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.*

5.11 Paragraph 130 highlights that 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.

5.12 It should also be noted that Paragraph 131 states that *“In determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”*.

The London Plan

5.13 The London Plan is the overall strategic plan for London and sets out a framework for the development of London over the next 20-25 years. It sets a clear context for considering development needs at local level taking full account of the borough's diverse character. Policies 7.4 and 7.6 are relevant to this appeal.

Policy 7.4: Local Character

5.14 Policy 7.4 requires development to have regard to the form, function and structure of an area, place or street and the scale, mass and orientation of surrounding buildings and states that buildings should be of a high quality design which has regard to the existing street and which makes a positive contribution to the character of the place.

Policy 7.6: Architecture

- 5.15 Architecture should make a positive contribution to a coherent public realm, streetscape and wider cityscape. It should incorporate the highest quality materials and design appropriate to its context. Buildings and structures should be of the highest architectural quality, of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, comprising of details and materials that complement, not necessarily replicate, the local architectural character and ensuring a development will not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy or overshadowing.

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

- 5.16 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 is not referred to within the reason for refusal; however, it is relevant to this appeal.

Policy BE1 – Built Environment

- 5.17 Policy BE1 is a general policy which 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. 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. 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.

Local Plan Part 2 - Development Management Policies (adopted Jan 2020)

- 5.18 This Development Management Policies document forms part of Hillingdon's Local Plan Part 2. Its purpose is to provide detailed policies that will form the basis of the Council's decisions on individual planning applications.

Policy DMHB 11 - Design of New Development

- 5.19 Section A) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including; harmonising with the local context by taking into account the surrounding and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- *scale of development, considering the height, mass and bulk of adjacent structures;*
- *building plot sizes and widths, plot coverage and established street patterns;*

- *building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;*
- *architectural composition and quality of detailing; ☐ local topography, views both from and to the site; and*
- *impact on neighbouring open spaces and their environment.*

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

- 5.20 Section B) states development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space; Section C) states development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential; and Section D) stated development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste, with suitable access for collection. External bins should be located and screened to avoid nuisance and adverse visual impacts to occupiers and neighbours.

Policy DMHD 1 - Alterations and Extensions to Residential Dwellings

- 5.21 In relation to the appeal proposal Section A) states planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;*
- ii) a satisfactory relationship with adjacent dwellings is achieved;*
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;*
- iv) new extensions respect the design of the original house and be of matching materials;*
- v) there is no unacceptable loss of outlook to neighbouring occupiers;*
- vi) adequate garden space is retained;*
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;*
- viii) trees, hedges and other landscaping features are retained.*

- 5.22 Section C) relates to side extensions and states:

- i) side extensions should not exceed half the width of the original property;*

ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;

iii) garages should reflect the size guidelines set out in Appendix C Parking standards;

iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses.

v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;

vi) where hip to gable roof extensions exist, a two storey side extension will not be supported.

Supplementary Planning Document HDAS: Residential Layouts

- 5.23 Proposals for new homes which are inspired by good design can deliver places that are desirable to live in and can improve the quality of the existing environment. The design and appearance of a development and its relationship to its surroundings are important material considerations in determining planning applications.

Supplementary Planning Document HDAS: Residential Extensions

- 5.24 The Hillingdon Design and Accessibility Statement SPD seeks to provide guidance for new development in the borough and comprises a number of sections covering a wide variety of topics including 'Residential Extensions'. The SPD illustrates various design principles and sets minimum design standards and guidance for residential extensions.
- 5.25 Section 3.0 relates to single storey rear extensions and states these are to be assessed against any possible detrimental effect to neighbouring residents and their gardens, the appearance of the original house the amount of garden remaining and the character of the local area. Careful thought must therefore be given to the size, depth, location, height and overall appearance of the extension.
- 5.26 Section 5.0 relates to two storey side extensions and states that the Council will consider proposals for two storey side extensions in terms of their setting and with particular reference to the character and quality of the overall street scene. Amongst other criteria, the Council requires all residential extensions and buildings 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.
- 5.27 Section 6.0 relates to two storey rear or first floor rear extensions which will only be allowed where there is no significant over-dominance, over-shadowing, loss of outlook and daylight. Any extensions at first floor level should not extend beyond a 45-degree line of sight taken from the nearest of the first floor window of any room of the neighbouring property. The maximum depth of rear extensions on end-of-terrace houses on a plot more than 5m wide is up to 3.6m deep.

6.0 THE APPELLANT'S CASE

Introduction

- 6.1 The appellant's case will focus on the central concerns within the reason for refusal; notably, whether the proposed part two storey part single storey side/rear extension, by reason of its size, scale, bulk, width and design, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area.
- 6.2 For clarification, the occupants of 12 neighbouring properties were consulted by letter and a site notice was also displayed adjacent to the site, with no objections received by the Council. It is therefore clear that the neighbouring residents do not share the Council's concerns in regard to the proposed development.

The Council's Concern

- 6.3 As a starting point in response to the reasons for refusal, it is considered that the Council's concerns are somewhat exaggerated and without substance, with the design and finish of the proposed side/rear extension chosen to provide a proportionate addition that complements the appeal property. The new extension will enhance the original dwelling with a scheme that has been specifically designed to meet the constraints of this particular site and assimilate well with its surroundings.
- 6.4 It is understandable that professional opinions can differ on design, and whilst the Planning Officer's opinion is respected, it is argued that the reasoning behind the Council's refusal is subjective as the development will provide a well-balanced finished design within the street scene and will be an improvement upon the existing side/rear extension.
- 6.5 According to the Planning Officer's Report, the Council's main considerations in assessing this case were as follows:
- Background to the case
 - Design and impact on the character of the original property and street scene
 - Impact upon the amenities of adjoining occupiers
 - Provision of acceptable residential amenity and parking for the appeal property

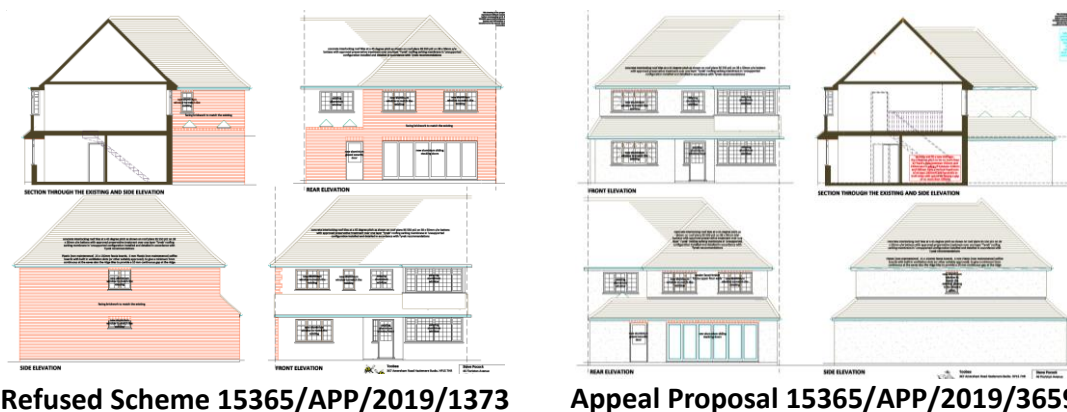
Background to the case

- 6.6 The appeal application is a resubmission following the refused of planning application reference 15365/APP/2019/1373 on 9th July 2019 (see **Appendix A**), with the previous reasons for refusal summarised as follows:
1. *The proposed part two storey part single storey side/rear extension, by reason of its size, scale, bulk, width and design, would fail to appear as a subordinate*

addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area.

2. *The proposed part two storey, part single storey side/rear extension, by virtue of siting of a habitable room window on the side elevation and its proximity, would be detrimental to the amenities of the adjoining occupier at 50 Floriston Avenue by reason of overlooking and loss of privacy.*
3. *The proposal would result in the provision of a habitable room (first floor bedroom 4) with very poor levels of light and outlook that would result in a substandard form of living accommodation and reliance upon artificial means of lighting which would fail to satisfy sustainability and energy efficiency objectives and would be to the detriment of the amenity of future occupiers.*

6.7 It is noted that the Planning Officer has assessed the main changes to be *“The single storey rear element is deeper than previously refused application, although the first floor element has been reduced by 0.75m”*. However, the changes made are far more significant, with the plan excerpts below illustrating the obvious changes to the design.

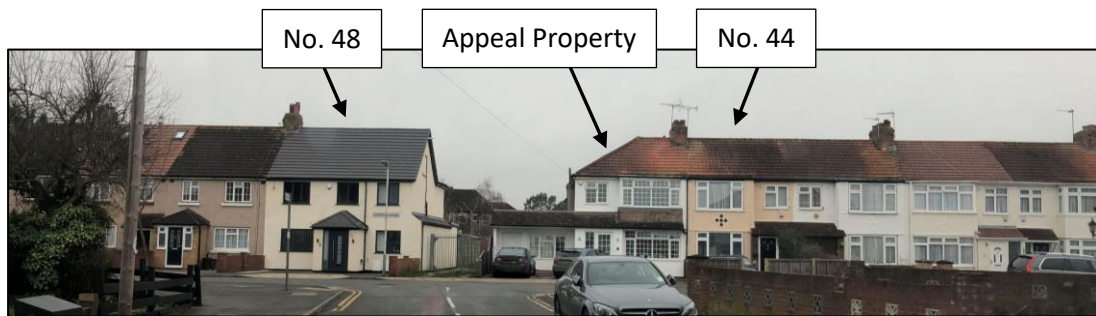


6.8 Firstly, it should be noted that the finish is now render not brickwork; the alterations have also reduced the overall bulk and height of the proposed extension, ensuring it matches the existing ridge height at the front and is set down at the side and rear. At first floor level, the proposed extension is now set in from the side, and set in at the rear from the previously proposed design, so that it longer breaks the 45-degree rule from No. 44. A lean-to roof has been added above the ground floor, with this continues across the rear elevation to change the flat roof of the single storey rear extension to a pitched crown roof with a lower eaves height adjacent to No. 44.

6.9 Furthermore, the internal room layout has been reconfigured to ensure all rooms have good levels of daylight and outlook, with the bedroom window removed from the proposed side elevation. The redesign has therefore overcome the previous concerns, with the development now representing an appropriate addition to the property and the street scene, which will also have no negative impact on neighbouring amenities.

Design and impact on the character of the original property and street scene

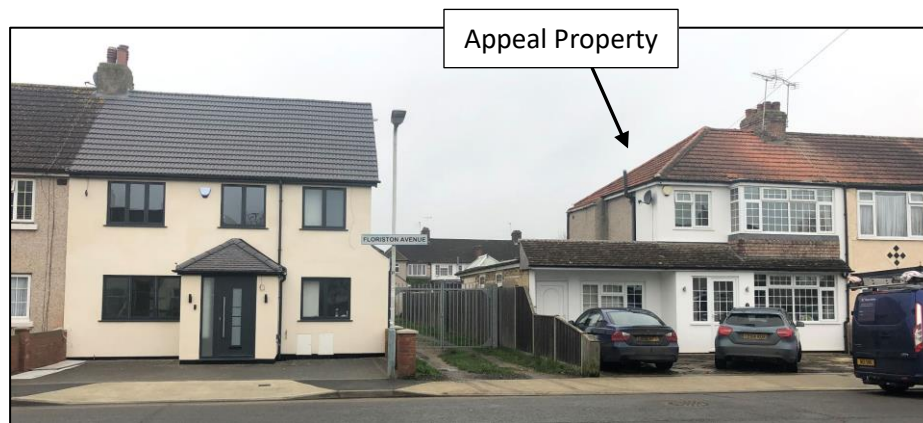
- 6.10 Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) states that all new developments should achieve a high quality of design in all new buildings and the public realm, contributing to community cohesion and a sense of place. In this regard, the proposed extension has been purposefully designed to ensure that it will provide the required internal space within the appeal property, whilst complementing the existing house, the host terrace and the wider locality.



Street Scene viewed from Oakleigh Road

- 6.11 The position, depth, width, height and finishing materials of the proposed extension have been carefully selected to ensure that it will present an overall harmonious design that does not appear out of keeping as a two storey addition within the street scene.
- 6.12 The proposed two storey side extension will be set back 0.6m behind the front elevation of the house with a canopy across the front which is similar to the existing canopy. The proposed roof height will also match that of the host terrace, therefore following the Supplementary Planning Document HDAS: Residential Extensions (HDAS SPD) guidelines for end-of-terrace properties, which states in paragraph 5.7 *“Two storey side extensions should be integrated with the existing house. There is no specific requirement for a set-back from the front of the house”* and in paragraph 5.8 *“For detached and terraced houses, the roof height of the extension should be equal to that of the main house”*.
- 6.13 It is noted that the Council has stated, *“The proposed development would involve the demolition of all extensions attached to the main dwelling, including the side extension and rear conservatory. Although the plans state that the existing side extensions front wall will be maintained, this cannot be accurate given that the extension will be wider”*. For clarification, the extensions will be demolished and replaced, with the proposed plans illustrating that the new side extension will be built with a set in of 0.1m from the side boundary at ground floor level and 0.625m at first floor level.
- 6.14 The extension at ground floor level will have a width 4.275m and although this is just over the recommended two thirds width of the main house, it is noted that the HDAS SPD guidance suggests in paragraph 5.10 that the acceptable width can be determined *“depending on the plot size and character of the area”*.

- 6.15 In this case, the property already has a ground floor extension built close to the side boundary, with guidance stating that *“If there is an existing single storey side extension within 1m of the boundary, the first floor extension should be set in a minimum of 1.5m”*. Although it is also stated in paragraph 5.3 that *“In situations where two storey or first floor side extensions are proposed where the side of the house adjoins a road or open space there may be some scope for flexibility on the set-in”*.
- 6.16 As pictured below, the appeal property is adjacent to an access road, therefore the addition of an extension which is set in 0.1m at ground level and set in 0.625m from the side boundary at first floor level ought to be deemed acceptable.



Nos. 48 and 46 separated by the Access Road

- 6.17 It is clear that the development will achieve the HDAS SPD objectives of protecting the character and appearance of the street scene and protecting the gaps between properties, thus preventing houses from combining visually to form a terraced appearance, with the Council having acknowledged that *“Whilst there is a lack of set in from the side boundary, given the existence of an access road between numbers 46 and 48, terracing would not occur”*.
- 6.18 Nevertheless, the Planning officer has suggested that *“the proposed extension, by reason of its size, scale, bulk, width and design would fail to harmonise with the architectural composition of the original dwellings and would be detrimental to the character, appearance and visual amenities of the street scene and surrounding area”*, claiming that the proposal fails to take on comments from the previous refusal. It is however reiterated that the Planning Officer has failed to recognise the changes made since the refusal of application reference 15365/APP/2019/1373, as detailed in the ‘Background to the case’ section of this statement.
- 6.19 Furthermore, the proposed scheme was also altered to take into account the Planning Officer advice following the withdrawal of application reference 15365/APP/2019/2803 with the Council’s claim that the *“The agent/applicant have not taken on board the advice provided, submitting a very similar application to that withdrawn and refused previously”*, is strongly disputed.

- 6.20 Although the current proposal ought to be assessed upon its own merits, for the Inspector's information **Appendix A** contains the details of the refused application reference 15365/APP/2019/1373 and **Appendix B** details the withdrawn scheme under application reference 15365/APP/2019/2803, demonstrating the changes made to the design and scale of the extension.
- 6.21 In regard to the extension at the rear of the dwelling, the Council has stated *"The extensions will be replaced by a rear extension measuring 4.5m at single storey and 3.25m at first floor, located towards No. 50 Floriston Avenue. The single storey rear element is deeper than previously refused application, although the first floor element has been reduced by 0.75m. The rear extension is characterised by a flat roof at single storey and a hipped roof design which would match the height of the main ridge with matching eaves. To the side the extension will abut the boundary line, not leaving a 1 m gap to the side, only set in by 0.6 m at first floor. The extension measures a total width of 4.5 m which equates to more than 2/3 the width of the original property. The roof over this side element matches the roof height of the existing dwelling with matching eaves which is considered appropriate for an end of terrace dwelling"*.
- 6.22 In response to this statement, it is pointed out that the proposed extension will have a depth of 4.4m at ground floor level and 3.3m at first floor level, also set in 3.7m from the shared boundary with No. 44, at first floor level and set 0.625m from the side boundary with the access road and approximately 4.0m from the side extension at No. 48 Floriston Avenue. As illustrated below, the single storey element has a pitched crown design and is not a flat roof as described by the Council, and the hipped roof design does not match the height of the main ridge, with a set down of 0.25m to provide a subservient hipped roof addition with matching eaves height.



Existing Rear Elevation



Proposed Rear Elevation

- 6.23 As pictured above, the existing property has a mismatch of extensions and poor quality additions to the side and rear which would be replaced by a high quality development which would improve the structure of the property, the appearance of the dwelling and the way it functions, with residential amenity also vastly improved by the new extension.

- 6.24 Section 12 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”*, with paragraph 126 explaining that supplementary planning documents should use visual tools such as design guides and codes to provide a framework for creating distinctive places, with a consistent and high quality standard of design. However, it also states *“their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified”*.
- 6.25 It is also asserted that the development conforms to the objective of paragraph 127 of the NPPF which states that planning policies and decisions should ensure that developments 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. The extension will also be a visually attractive form of development within the street scene of Floriston Avenue, replacing the unattractive side addition with a high quality side addition which provides an improved balance to the terrace; featuring a roof profile that matches the existing to provide a good architectural finished design, which is sympathetic to local character and history, including the surrounding built environment, thus maintaining a strong sense of place.



Existing Front Elevation



Proposed Front Elevation

- 6.26 In summary, the proposal will create a high quality finished design which will extend the house in a sympathetic manner, retaining its architectural style, with matching fenestration, render and roof tiles and therefore respecting the character of the area in accordance with the NPPF and Policies 7.4 and 7.6 of the London Plan.
- 6.27 The proposed extension to the property will assimilate well with the surrounding built environment, maintaining a suitable gap between itself and the neighbouring property No. 48, due to the set it at first floor level and the access road, which retains a suitable separation distance of approximately 4.0m between properties. As the Inspector will see upon visiting the appeal site, the extension will enhance rather than detract from the street scene, creating the internal space required with a minimal increase to the footprint of the dwelling at the rear.

- 6.28 The position of the appeal dwelling and its relationship with No. 48 Floriston Avenue therefore provides the opportunity for a larger house that will harmonise with the architectural composition of the original dwelling without causing detriment to the character, appearance and visual amenities of the street scene and the wider area.
- 6.29 The images below show a number of nearby dwellings which have been extended in a similar manner, to further demonstrate that the extended property will be in keeping with the surrounding pattern of development, including neighbouring property No. 48.



No. 48 Floriston Avenue – Front



No. 48 Floriston Avenue – Side/Rear

- 6.30 The approved extension at No. 48 was built recently following the approval of planning application reference 63034/APP/2018/1824 for a 'Part two storey, part single storey rear extension and first floor side extension involving demolition of existing rear extension' on 10th July 2018. In this case, the Delegated Report for No. 48 stated *"The extension would be built above a side extension which is built up to the side boundary line and the extension would be set in by only 0.5 metres from the boundary line and so would not comply with HDAS recommendations. However, it is noted that the application property adjoins an access road, and it is highly unlikely that this road would be built upon. As such, it is considered that although the proposal fails to comply with HDAS in this situation it is considered that due to the access road the visual gap between properties would be retained. Subsequently, it is considered that the proposal would comply with Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012)"* (see **Appendix C**).

- 6.31 At the junction of Floriston Avenue and Lynhurst Road, a 'Part two storey, part single storey side/rear extension' has also been built up to the side boundary of a similar access road, with no set. This prominent property was granted on 7th October 2016, under reference 72097/APP/2016/2955.



No. 92 Lynhurst Road



No. 49 Lynhurst Road

- 6.32 As pictured above, No. 49 Lynhurst Road was also granted a 'Part two storey, part single storey rear extension with 2 rooflights, two storey side extension, involving demolition of existing conservatory to rear (Part Retrospective)' on 22nd September 2009, built with no set in from the access road. More examples are shown below, to further demonstrate the number of comparable extensions in the locality.



Nos. 25 and 27 Oakleigh Road



Nos. 30 and 28 Oakleigh Road

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- 6.33 In summary, it is asserted that the proposal will be a suitable addition to the street scene which has been purposefully designed to follow the guidance within the Supplementary Planning Document HDAS: Residential Extensions, and to comply with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), and Policies DMHB 11 and DMHD 1 of the Local Plan Part 2 - Development Management Policies (adopted Jan 2020), which require extensions to be designed to the highest standards and to incorporate principles of good design, including harmonising with the local context by taking into account the surrounding and, incorporate principles of good design.

Impact upon the amenities of adjoining occupiers

- 6.34 The NPPF (2019) states in paragraph 127 that planning policies and decisions should ensure that developments create a high standard of amenity for existing and future users, which shares the objectives of the London Plan Policy 7.6 that seeks to ensure development will not cause unacceptable harm to the amenity of surrounding land and buildings, in relation to privacy or overshadowing.
- 6.35 The proposed development was assessed by the Council against Policies BE20 and BE21, with Policy BE20, stating that buildings should be laid out so that adequate daylight and sunlight can penetrate into and between them and the amenities of existing houses are safeguarded, and Policy BE21 noting that planning permission will not be granted for residential extensions which by reason of their siting, bulk and proximity would result in a significant loss of residential amenity.
- 6.36 The Planning Officer has stated *"Both immediate neighbours have been developed by way of single storey rear extensions. No. 50 Floriston Avenue has also been extended to the side at single storey level. However, neither immediate neighbouring property has been extended to the rear/side at first floor level. As such, given that the extension protrudes beyond the stipulated guidance and the close proximity it is necessary to assess the residential impacts of the first floor elements on immediate neighbours"*.
- 6.37 Firstly, it is important to point out that the neighbouring properties are attached dwelling No. 44 to the northwest and No. 48 to the southeast, not No. 50 as stated by the Council. Moreover, as previously detailed, No. 48 has been extended under application reference 63034/APP/2018/1824 with a 'Part two storey, part single storey rear extension and first floor side extension involving demolition of existing rear extension' granted on 10th July 2018.
- 6.38 The Planning Officer also states that *"The first floor side/rear extension is located over 2m from the boundary line shared with No. 44 and as such it is not considered to infringe upon the 45 degree sight line taken from this property"*. In fact, the first floor addition will be set in 3.7m from the shared boundary with No. 44, thus ensuring no loss of light or outlook in regard to the habitable rooms at No. 44 Floriston Avenue.

- 6.39 Furthermore, the Planning Officer has stated *“Although the extension is only 0.6 m away from boundary line shared with No. 50, the property is located at some distance and the nearest room is a bathroom. As such, it is not considered to infringe upon the 45 degree sight line”*. Obviously, the nearest house to the southeast is No. 48 and is separated from the appeal property by the access road and a separation gap of approximately 4.0m, therefore the 45 degree line will not be broken and no loss of amenity will occur at No. 48.
- 6.40 The previously refused application proposed a bedroom window in the flank elevation, although the internal room layout has now been revised and the only side window will be obscurely glazed as it severs a bathroom.
- 6.41 The appeal proposal has therefore been found to be compliant with Policies BE20 and BE21, and thus also adheres to the recently adopted Local Plan Part 2 - Development Management Policies (2020), Policy DMHB 11, which states in Section B that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties.
- 6.42 The proposed extension also meets the objectives of Policy DMHD 1 which requires that a satisfactory relationship with adjacent dwellings is achieved and that there is no unacceptable loss of outlook to neighbouring occupiers; together with achieving the objectives in regard to the Council's adopted HDAS SPD by safeguarding the amenity of the nearest neighbouring occupiers.
- Provision of acceptable residential amenity and parking for the appeal property
- 6.43 Paragraph 3.13 of HDAS SPD states that sufficient garden space should be retained as a consequence of an extension, with a 4+ bedroom house recommended to retain 100m² of private amenity space. Policy DMHB 18 also states that all new residential development and conversions will be required to provide good quality and useable private outdoor amenity space, in accordance with the standards set out in Table 5.3, which also suggests 100m² for 4+ bedroom houses. The Council has therefore confirmed that the proposal would result in the retention of a usable rear garden area, with approximately 180m² retained.
- 6.44 It has also been noted that *“The parking provision would not be affected by the proposal”*, with the proposed development only adding a small area to the footprint of the property at the rear.

7.0 CONCLUSION

- 7.1 Having regard to the previous points, it would appear to be overly cautious for the Council to suggest that the proposed part two storey part single storey side/rear extension would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area.
- 7.2 The proposed development would also allow the reconfiguration of the internal room layout of the house, to move all the bedroom accommodation up to the first floor, thus freeing up the existing ground floor space to provide a new open plan kitchen/dining/living family-friendly space, that will link to the rear garden via new bi-folding doors.
- 7.3 As the extension will only add a minimal area to the footprint of the property at the rear, the development will retain the existing parking spaces within the front curtilage and will also retain the majority of the existing private external amenity space for the occupiers of the extended property; therefore, the overall development will vastly improve the internal and external space of the appeal property and the way it functions, for current and future occupants to enjoy.
- 7.4 Whilst it is understandable that the Council would want to prevent unsympathetic development, it is asserted that the Council has failed to adequately assess or appreciate the appeal proposal and the site context. The appellant has no desire to gain permission for an extension that is not worthy of the existing house or the site and feels strongly that the proposed works make a positive addition to the appearance of the appeal dwelling by replacing the existing mismatch of poorly constructed side and rear extensions, whilst protecting the residential amenity of nearby occupants by proposing a proportionate extension to the house.
- 7.5 The appellant has demonstrated that the scheme assimilates well with the built form within the locality and wholeheartedly respects the residential setting, whilst also causing no detriment to neighbouring amenities. It is therefore clear that the proposal complies with the sentiments of the National Planning Policy Framework, the Hillingdon Local Plan: Part One (2012) and Part Two (2020), together with fulfilling the aims of the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.
- 7.6 It is asserted that the appeal proposal is an acceptable form of development upon the site and as 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, it is politely requested that this appeal is allowed, with any conditions deemed necessary in this case.