

SIVER BIRCHES, TILE KILN LANE, HAREFIELD

Written Statement

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Written Statement

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REPORT

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1 INTRODUCTION

- 1.1 RPS has been instructed by Mr P Willmott ('the Appellant') to appeal against the refusal by London Borough of Hillingdon ('the Council') of an application for planning permission (**Appendix 1**) for part two storey, part single storey side extension, single storey rear extension and conversion of roof space to habitable use to include 2 x front and 6 x rear roof lights involving demolition of existing garage at Silver Birches, Tile Kiln Lane, Harefield, UB9 6LU.
- 1.2 The application was refused by notice dated 23 April 2020 (**Appendix 2**) for the following reasons:
- 1. The proposed extension by reason of its size, scale, bulk, height and width, would represent a disproportionate change in the bulk and character of the original building and therefore would significantly increase the built up appearance of the site and would be visually intrusive within the street scene and the wider area. The proposal would therefore constitute inappropriate development in the Green Belt, contrary to Policies BE1 and EM2 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DME1 4, DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy 7.16 of the London Plan (2016) and the NPPF.*
- 2. The proposed two storey side/front extension and single storey side extension, by virtue of its size, scale, bulk and width, including the lack of set back from the front elevation, would fail to appear as subordinate additions and would thus, fail to harmonise with the architectural composition of the original dwelling. As such they would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.*
- 1.3 This written statement sets out the Appellant's full statement of case. The remainder of this section describes the location of the site, provides a description of the proposed development and explains the background to the appeal. Section 2 explains the planning policy context of the proposed development. Section 3 sets out the case for the Appellant. Section 4 is a summary of and conclusion to this written statement.

Site Location and Description

- 1.3 The application site comprises a two storey detached property in the mock Tudor style situated on the western side of Tile Kiln Lane. The property is set beneath a gabled roof and is characterised by a two storey gabled front projection on the southern side of the front elevation. It currently benefits from a main garage that has always been connected to the house. During original construction it was connected to the house via a lobby and porch and has been such ever since. The rear of the garage block is unchanged. The far garage rear section was replaced like for like after the rear was damaged beyond repair in the 1987 hurricane.
- 1.4 The property is set in a good sized plot with an area of landscaping and a carriage driveway with at least two additional parking spaces to the front and a good sized rear garden. The appellant plot also benefits from a 1/7th share of meadow opposite which is owned by the appellant. This is maintained as garden/amenity space with the lawn cut and trees maintained

etc. The ownership of the Old Priory meadow is linked to the ownership of the house, with neither being able to be sold separately.

- 1.5 The wider area is rural in character and appearance, with the dwelling forming one of a small number of properties along Tile Kiln Lane, all varying in character and size. Tile Kiln Lane is a no through private road, and has no right of way to the public or passing traffic for viewing of the house.

Appeal Proposal ('the proposed scheme'/'the appeal proposal')

- 1.6 The application seeks planning consent for the demolition of the existing garage and the erection of a part two storey, part single storey side extension, a single storey rear extension and the conversion of the loft space to habitable use, including a front and rear roof lights. The extension will bring the house up to date in terms of building quality.

Planning History and Background to the Appeal

- 1.7 A detailed history of the site and its surroundings can be found at **Appendix 3**.
- 1.8 Land was purchased from owners of Merry Acre in 1962 and planning permission sought to build on the site the subject of this application. Land changed hands several times before the site was purchased by Mr Green of Prowling Homes who built the house after receiving planning permission late 1967. RPS is given to understand work may have been completed in quiet cycles during local building projects, but was completed totally by around 1970. By mid 1970 the house is registered as 'Benedict' and later sold to the Compton's (previous owners to the Appellant who purchased the property 1981). The house name changed to 'Silver Birches' in 1978.
- 1.9 Otherwise, there is no other planning history relevant to the appeal site itself.
- 1.10 The planning application the subject of the is appeal was submitted on 2 March 2020. Of the 6 local residents consulted on the application, only one objection to the scheme was received, as detailed in the Officers report attached at **Appendix 4**.
- 1.11 It is noted in the Officers report that in terms of neighbouring amenities, the proposal is acceptable. It is also noted that the proposed development in terms of outlook/natural light, private amenity space and parking is similarly acceptable. The reasons for refusal of the application are set out in paragraph 1.2 above, and the application was refused by notice dated 23 April 2020.
- 1.12 The case officer was approached for advice on the application and any scope for further amendment, and her email is attached at **Appendix 5**.

2 PLANNING POLICY CONTEXT

- 2.1 This section sets out the planning policy context within which the appeal proposal should be considered.

National Planning Policy Framework (NPPF)

- 2.2 The NPPF was published in March 2012 and sets out the Government's planning policies for England, and is a material consideration in planning decisions. It replaced the various Planning Policy Statements and Guidance Notes, alongside other Circulars and Government guidance.
- 2.3 Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF, however, is a presumption in favour of sustainable development, (paragraph 10). For the decision making, this means:

“approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless: any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”

- 2.4 Section 12 is relevant to the consideration of this appeal. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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 124).
- 2.5 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.
- 2.6 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.”

2.7 Section 13 of the NPPF relates to protecting Green Belt land. Green Belt serves five purposes (paragraph 134):

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

2.8 Paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt (paragraph 145). Exceptions to this include:

“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building” (paragraph 145).

Development Plan Policy

2.9 For the purpose of S38 (6) of the Planning and Compulsory Purchase Act 2004, the relevant parts of the Development Plan in this case are:

- Hillingdon Local Plan: Part 1 – Strategic Policies
- Hillingdon Local Plan Part 2 Development Management Policies and Site Allocations and Designations
- The London Plan Consolidated with Alterations since 2011

The Hillingdon Local Plan: Part 1- Strategic Policies

2.10 The Local Plan Part 1 was adopted on 8 November 2012 (relevant extracts are attached at **Appendix 6**. Policy BE1 is multi-criteria-based policy relating to the built environment which among other things requires that all new development should

“1. Achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area, contributes to community cohesion and a sense of place;

2. Be designed to be appropriate to the identity 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...

9. Not result in the inappropriate development of gardens and green spaces that erode the character and biodiversity of suburban areas and increase the risk of flooding through the loss of permeable areas..."

- 2.11 The Council also cites Policy EM2 in its first reason for refusal. This states that any proposals for development in Green Belt and Metropolitan Open Land will be assessed against national and London Plan policies, including the very special circumstances test.

Hillingdon Local Plan Part 2 Development Management Policies and Site Allocations and Designations

- 2.12 The Local Plan Part 2 Development Management Policies and Site Allocations and Designations were adopted as part of the borough's development plan at Full Council on 16 January 2020. Relevant extracts of Part 2 of the Local Plan are attached at **Appendix 7**

- 2.13 The policies map accompanying Local Plan Part 2 shows that the site is within the Metropolitan Green Belt where Policy DME14 relates. This states :

"A) Inappropriate development in the Green Belt and Metropolitan Open Land will not be permitted unless there are very special circumstances.

B) Extensions and redevelopment on sites in the Green Belt and Metropolitan Open Land will be permitted only where the proposal would not have a greater impact on the openness of the Green Belt and Metropolitan Open Land, and the purposes of including land within it, than the existing development, having regard to:

i) the height and bulk of the existing building on the site;

ii) the proportion of the site that is already developed;

iii) the footprint, distribution and character of the existing buildings on the site;

iv) the relationship of the proposal with any development on the site that is to be retained; and

v) the visual amenity and character of the Green Belt and Metropolitan Open Land.."

- 2.14 Policy DMHB11 relates to the design of new development. Part A) i) is particularly relevant to the consideration of this appeal. This states:

"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:

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..”*

2.15 Policy DMDD1 relates specifically to alterations and extensions to residential dwellings. Only Parts A) to C) are relevant to the consideration of this appeal. These state:

“A) 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:*
- viii) trees, hedges and other landscaping features are retained; and*
- ix) all extensions in Conservation Areas and Areas of Special Local Character, and to Listed and Locally Listed Buildings, are designed in keeping with the original house, in terms of layout, scale, proportions, roof form, window pattern, detailed design and materials.*

B) Rear Extensions

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;*
- ii) single storey rear extensions to detached houses with a plot width of 5 metres or more should not exceed 4.0 metres in depth;*
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;*
- iv) in Conservation Areas and Areas of Special Local Character, flat roofed single storey extensions will be expected to be finished with a parapet;*
- v) balconies or access to flat roofs which result in loss of privacy to nearby dwellings or gardens will not be permitted;*
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;*
- vii) flat roofed two storey extensions will not be acceptable unless the design is in keeping with the particular character of the existing house;*

viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design. Large crown roofs on detached houses will not be supported; and

ix) full width two storey rear extensions are not considered acceptable in designated areas or as extensions to Listed Buildings or Locally Listed Buildings.

C) Side Extensions

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; and

vii) in Conservation Areas, single storey side extensions may be required to be set back.

The London Plan Consolidated with Alterations since 2011

2.16 The Council cites policy 7.16 in its first reason for refusal. This relates to the Green Belt and states that:

“The strongest protection should be given to London’s Green Belt, in accordance with national guidance. Inappropriate development should be refused, except in very special circumstances. Development will be supported if it is appropriate and helps secure the objectives of improving the Green Belt as set out in national guidance”

3 CASE FOR THE APPELLANT

- 3.1 In this section, RPS has undertaken a detailed assessment of the constituent parts of the reason for refusal, leading to a consideration of the development against the provisions of the development plan. The two key issues are:
- Is the proposed development harmful to the Green Belt?
 - Is the proposed development to the character, appearance and visual amenities of the street scene and the surrounding area?
- 3.2 In considering these issues, the Council has considered the development in terms of its size, scale, bulk height and width. These matters are considered in turn below. This section also considers recent extensions and alterations to properties along Tile Kiln Lane approved by the Council and allowed on appeal, and how the matters outlined above have been considered.
- 3.3 A first general point to make however, is that the Council's whole approach to the application appears to be on the flawed assumption that the property has been previously extended. The officer refers to the *"garage extension to the side of the property"* and describes it as *"a substantial addition to the original property."* In the post decision email (Appendix 5) she refers to original dwelling as the house and the detached garage but excluding *"other extensions"*. As noted in the extensive history of the site and its surroundings, the house was built as one project although in small stages as workload quietened between local builds. This is evidenced in the brick work being all of same era and matching, as is mortar colour as are the original wood framed leaded light windows in the rear of the utility areas. Also to note is all house utilities such as water supply, electricity supply and associated fuse boxes are contained within the garage/utility section of the house. If these buildings were built after the house, then the house supplies of electricity, water etc would have been situated in the main house. In addition, the house features a porch with single support, which could not have been supported using the single support and required connection to the garage and gable of the house. Therefore, it is RPS' understanding the garages and lobby are all part of the original dwelling construction, and is hereafter referred to as 'the original dwelling' The proposed development should be viewed, and the development plan policies considered, in this context.

Size

- 3.4 The officer refers only to size in terms of floor area, although size can be given spatial expression in several ways using different metrics. The resulting development will have a Gross Internal Area (GIA) of 424m². This is creating an additional 173m² of floorspace representing a 69% increase. The Council's calculations of a resulting 481m² of floorspace representing a 109% increase are therefore disputed.
- 3.5 In terms of volume, the existing dwelling is 928m³, whereas the resulting dwelling will be 1,407m³, a 52% increase.
- 3.6 As far as the built footprint is concerned, this will increase by 44% from 188m² to 269m².
- 3.7 The width and height of the proposal are considered in more detail below. Another way of considering the size of a development is the depth (on an east/west axis), and in this respect this will not increase as a result of this proposal (12m).

- 3.8 The Officer has therefore taken a very selective (and flawed) view of the increase in size of the property. While there is an increase in floorspace, footprint and volume, the net increases are clearly subordinate (i.e. significantly less than a 100% increases). There is only a minimal increase in the overall height of the building, and no increase in depth or width (at ground floor level). When considered holistically, the size of the development is not considered to be excessive, and is proportionate to the host dwelling.

Scale

- 3.9 The scale of the development is not considered in the main body of the Officer's report on the application. Scale in this context is taken to mean the relative degree or extent. There are no thresholds/size limits relative to scale in the Local Plan Part 2 (other than a basic requirement in the supporting text for Appendix A for extension to *"be of a scale and form in keeping with the house"* (paragraph A1.6)). The extension does not dominate the host dwelling and is considered to be of an appropriate size, relative to the original dwelling.

Bulk

- 3.10 Bulk is a nebulous term in relation to buildings, and is taken here to mean its volume, size or magnitude. It could also be taken to mean its shape relative to the original. As with the scale of the building, there is no discussion in the Officer's report as to what it is about the volume, size or magnitude etc. of the extension that is so unacceptable. Indeed there is no specific reference to bulk in the Householder Development Guidance in Appendix A of the Local Plan Part 2.
- 3.11 In relation to the appeal proposal, it is considered that the extension is respectful of the shape of the original building, and harmonises fully with the original design philosophy of the dwelling. There are no discordant angles or shapes, and the extended roofslope is compatible with the existing structure. The first floor extension brings a pleasing symmetry to the front and rear elevations of the property, and if anything the resulting property has a more cohesive overall appearance than the dwelling as existing. The Council has referred to a lack of set back from the front elevation as failing to appear as a subordinate addition. Were the extension to be set back on the front elevation, this would be an inferior design which would unbalance the appearance of the property.

Height

- 3.12 In terms of the overall ridge height, the resulting development will be 0.51m, a 7%, which by any standard is a very minor increase. This is not mentioned in the Officer's report. A large part of the report, however, seems to be focused on the height of the extension to the side of the property. This part of the proposed development is unquestionably subordinate to the host dwelling, and as if to emphasise the consistent and sympathetic approach to the design of the proposal, the increase in the overall height of the proposed garages above the apex of the pitched roof is also only 0.51m. In what analysis there is on the height of the extensions, the Officer doesn't seem to draw any obvious conclusions on the harm this causes. As the Officer herself notes, the proposal is acceptable in term of neighbouring amenities.

Width

- 3.13 As far as the width is concerned, it is clear from the proposal drawings that the overall width of the dwelling (on a north/south axis) will not increase. The Officer refers to the width of development on an east-west axis, but notes the overall width will decrease. In these circumstances it is impossible to understand why the width of the development is a contributory factor in the identified harm caused by the development.

Impact on the Green Belt

- 3.14 As noted above, paragraph 143 states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this include, the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
- 3.15 The key question here is, is the proposed extension proportionate to the original dwelling? Despite being central to the first reason for refusal, there is no meaningful analysis or consideration in the Officer report on the proportionality of the proposed development.
- 3.16 As noted above, the increase in size is significant in some respects, floorspace, volume etc.), but minimal in others (height), and a represents a reduction in some respects (width). When considered holistically, the increase in size is by no means excessive. The extensions do not swamp or dominate the host dwelling, but rather mirrors the existing design features giving a pleasing cohesive feel. Extensions that were disproportionate in any way would not be able to achieve this.
- 3.17 It is therefore submitted that the development is not disproportionate to the original building, and can be considered as an exception to the construction of new buildings in the Green Belt, and thus an appropriate form of development.

Impact on the streetscene and surrounding area

- 3.18 In terms of considering the impact on the streetscene and the surrounding area, the first question to consider is whether the proposed extension harmonises with the architectural composition of Silver Birches. As noted above, it is considered the extension is in keeping with the host dwelling. It has been deliberately designed to mirror the gable frontage on the southern part of the building to give it a more balanced appearance. Looking at this another way, had the resulting building had been built in that way originally, would it be described as having a discordant and unharmonious appearance, with two very separate and distinct styles? The answer has to be no.
- 3.19 In order to assess whether the development has a harmful impact on the visual amenity of the streetscene and the wider area, it is also necessary to understand what the character of the streetscene and wider area is? Other than noting that *“the area is rural in character and appearance, with the dwelling forming one of a small number of properties along Tile Kiln Lane”*, there is again no meaningful analysis of this in the Officer’s report.
- 3.20 Whilst the site is indeed outside any built up area, it is far from an isolated dwelling in the countryside. There are in fact 16 properties fronting Tile Kiln Lane/Old Priority. As noted in Site

History document (Appendix 3) these range from Woodbine Cottage dating back to the 15th Century, to the appeal site property which is the second newest property on the road. Most properties date back to the 1920's/1930's e.g. Cavendish and Eastern Ride. The buildings range from bungalows (The Kiln), one and a half storey buildings (Anneville) to two storey buildings (the remaining majority). No one architectural style dominates, with a variety of materials used including multiple varieties of brickwork and render.

- 3.21 The wider area can be described as classic urban fringe, with Ruislip Golf Course to the south, a public house 400m to the north (Breakspear Arms) and several commercial properties fronting Breakspear Road South, including a number of large buildings/warehouses comprising Crows Nest Farm, also within 400m of Silver Birches.
- 3.22 Given the variety in the streetscene and in the character of the wider area, it is not considered that the resulting dwelling, which has a consistent design and balanced appearance, would be out of keeping and out of character with its surroundings. Silver Birches is one of the smallest dwellings in the road, and if anything, its enlargement would make it more in keeping.

Compliance with the Development Plan

- 3.23 As noted above, the Local Planning Authority has cited several Development Plan policies in its reason for refusal.
- 3.24 In terms of Policy BE1 of the Local Plan Part 1, the Appellant has appointed a well-respected and experienced firm of local Architects to design the extension. The proposal is a well-thought out response to the Appellant's needs and requirements, which respects the design philosophy of the original dwelling. To the extent that the distinctiveness of the properties along Tile Kiln Lane is given by large detached dwellings in a range of styles and finishes, the development the subject of this appeal contributes positively to *"to community cohesion and a sense of place"*, in compliance with criterion 1. In the same way, the scheme has evolved from a proper consideration of its urban fringe context and certainly does not detract from the local area. It is agreed with the Local Planning Authority that the amenities of adjoining local residents will not be harmed by this proposal, and the development thus complies with criterion 2. In terms of criterion 3, the development retains a significant garden area (criterion 3).
- 3.25 As far as policies relating to the Green Belt are concerned, in relation to Policy EM2 of the Local Plan Part 1, it has been demonstrated above that the development can be considered as appropriate in the Green Belt, as per the NPPF, and thus in compliance with these policies.
- 3.26 DMEI4 requires a more detailed consideration of the impact of development in the Green Belt. As noted above, the development will only result in a very minor/modest increases in the height of the roof and the footprint of the existing building, and its design is in keeping with the mock Tudor appearance, it is not considered that the extension is in any way bulky (criterion i). As per paragraphs 1.8 and 3.3 above, the existing dwelling has been built in cycles and comprises the original dwelling (criterion ii). The footprint of the dwelling will increase by less than 50% as a result of this proposal. The distribution of the additional development will not upset the design integrity of the building, and the extensions are considered to be in keeping with the existing character (criterion iii). Aside from the existing garages and lobby, all other built development on the site is to be retained (criterion iv), and the development will be well screened and will not have an impact on the visual amenity and character of the area. For these reasons, it is not

- considered the development will have a greater impact on the openness of the Green Belt. Furthermore, it will not impact on the purposes of including land within it (as set out in paragraph 134 of the NPPF). The development will not contribute to urban sprawl, give rise to neighbouring towns merging into one another or encroach beyond the residential curtilage into the countryside. Similarly the Green Belt in this location does not preserve the setting and special character of any historic town and assist urban regeneration by developing previously developed land. Overall therefore, it is considered that the development fully complies with DMEI4.
- 3.27 With regard to Policy DMHB11, this requires development to harmonise with the local context. The development does this in the following ways. As noted above Silver Birches is one of the smaller dwellings in the vicinity and the resulting, larger, dwelling can be considered to be more in keeping. The development is certainly in keeping with the height, mass and bulk of adjacent structures (first bullet point). The development will result in a minor increase in the footprint of the original dwelling, and so sits comfortably within the building plot and does not affect the established street pattern (second bullet point). In terms of the building line, such that it is, the development does not extend beyond the front of the existing property. In terms of setbacks, the Officer's report notes that there is sufficient distance between the appeal site and the property to the north not to give rise to any particular issues, and for the reasons outlined above, any setback on the front elevation would unbalance the appearance of the dwelling. The roofline is in keeping with the host dwelling, and the development does not erode gaps between existing buildings, thus maintaining the 'streetscape rhythm' (third bullet point). The development is in keeping with the mock Tudor style of the original dwelling reflecting the detailing of the beams/fenestration etc. where possible (fourth bullet point). The site and its surroundings are flat, and long range public viewed into an out of the site are extremely limited (fifth bullet point). The site is adjoined on three sides by existing residential development, and the Council has accepted the amenity of the residents of these properties will not be affected. The development will not encroach beyond the front elevation of the development, and so will not have a detrimental impact on the amenity of the field opposite to the west (sixth bullet point).
- 3.28 As far as Policy DMDD1 (A) is concerned, the development is compliant in the following ways. For the reasons identified above, there will be no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area (criterion i), and a satisfactory relation with the adjacent dwellings will be maintained (criterion ii). As discussed above, it is considered that new extensions appear subordinate to the main dwelling in its floor area and width. Where the building has not been set back in terms of its height and depth, this is to preserve the balance and architectural integrity of the building (criterion iii). Matching materials will be used (criterion iv), and the Officer has accepted in her report that there will be no unacceptable loss of outlook to neighbouring occupiers (criterion v), and that adequate garden space is retained (criterion vi). There is more than sufficient off-street parking available within the site (criterion vii) and all trees, hedges etc. within the site are to be retained (criterion viii). Criterion ix is not relevant as the site is not in a conservation area and the building is not listed.
- 3.28 In terms of DMDD1 (B), this applies to the single storey extension to the rear, and criteria ii to iii are only relevant to the consideration of this appeal. The depth of the extension is 4m in compliance with criterion ii, and the height does not exceed 3m in compliance with criterion iii. Criteria i and iv to ix are not relevant to the consideration of this appeal.
- 3.29 With regard to DMDD1 (C), the ground floor of the proposed development occupies the same footprint as existing, whereas the first floor element occupies less than 50% of the width of the

original property in compliance with criterion i. The garage widths are in accordance with Appendix C (internal width minimum of 3m x 6m)(criterion ii), and the two storey element is set back well beyond the 1m minimum prescribed in criterion iv. The extension is not set back from the front elevation in the interests of maintaining the balanced appearance the dwelling (criterion v). Criteria ii, vi to vii are not relevant to the consideration of this appeal.

Planning Balance

- 3.30 Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise. It is considered, for the reasons outlined above, that the development is broadly in compliance with the provisions of the development plan. The possible exceptions to this are the elements of the development that require extensions to be somehow set back. As explained above, the appeal proposal has been designed without any set back to maintain the architectural integrity of the dwelling. The requirement for setback is a common feature of local planning policy, but this is only really appropriate in higher density areas where there are higher degrees of uniformity of design, and where extensions that are not clearly subordinate can unsettle and unbalance a fragile street scene. That is not the case here. Had the resulting development been approved at the outset, the design would have a pleasing symmetry and would in all other respects comply with the Councils design standards for new detached dwellings. To apply this requirement for a 1m set back in this case, as the Council has done here with such rigour, would have no beneficial impact, and would have the reverse effect of being detrimental to the appearance of the original dwelling and thus the wider streetscene. Any harm caused by the actual non-compliance with this requirement and any perceived non-compliance with matters relating to subordination, are therefore outweighed by this important consideration.

Precedent

- 3.31 It is accepted that the development must be treated on its own merits, and that development plan policy has evolved and changed over time, but the Appellant has only sought permission for what he has seen approved at other properties along Tile Kiln Lane. Given the general thrust of householder development policy is to ensure developments are in keeping with their surroundings, it is only right to consider what has been approved by way of residential extensions in the vicinity in recent years.

Beaufort, Tile Kiln Lane

- 3.32 Beaufort is a large two storey detached dwelling to the south of the appeal site. The original property dates back to the 1940's. Since then, the dwelling has been quite substantially altered and extended, including a two storey side extension and single storey front and rear extensions in 1999 which significantly altered the view of the property from the front (19064/D/99/0164 refers).
- 3.33 Planning permission was subsequently granted on appeal (APP/R5510/D/18/3214064 refers)(**Appendix 8**) for a first-floor rear extension (**Appendix 9**). In this case, like the appeal proposal, the development did not extend beyond the existing footprint of the existing dwelling. The Officer's report on the application (**Appendix 10**) observed that the floorspace of the resulting dwelling would increase by 92% (significantly greater than the appeal proposal). The

application was refused on the same grounds as the appeal proposal. In allowing the appeal however, the Inspector stated in relation to the impact of the development over and above the original dwelling on the Green Belt that:

“I therefore consider the size of the proposed extension with the other extensions previously constructed would not result in disproportionate additions over and above the size of the original building. In coming to this view, I have had regard to the measurements in respect of the size of the combined alterations that are set out in the Council submissions.

I conclude the proposal would not constitute inappropriate development within the Green Belt...(paragraphs 10 and 11)”

- 3.34 In relation to the impact on the streetscene and wider area, there are obvious differences here in that the development was to the rear of the property. However, in coming to the view that the development would not detract from their contribution to the overall character and appearance of the area, the Inspector took into account the extent to which the removal of existing design features has contributed to creating a more coherently designed dwelling (paragraph 13). That is exactly what the appeal proposal has sought to do in terms of removing the flat roof elements either side the existing garage to create a garage that reads as an integral part of the host dwelling.

Merry Acre

- 3.35 Planning permission was granted for the erection of part two-storey & part single-storey side extension in 1990 (24762/A/90/1993 refers). This created a full two storey (full house depth) extension to create second rear gable end to match the original house, as well as an attached double garage. It is worth noting the extension of Merry Acre is in fact larger than the original gable in terms of width and height.

The Corner

- 3.36 Planning permission was granted in 2018 for a single storey rear extension (43636/APP/2018/2691 refers) (**Appendices 11 and 12**). Here it was noted that the proposed single storey rear extension would have a depth of 4.7 metres from the rear wall and would be characterised by a flat roof with a maximum height of 2.85 metres. As with the appeal proposal, the application was found to be in breach of guidance, this time in the guise of Residential Extensions, Hillingdon Design & Access Statement Supplementary Planning Document, adopted December 2008 (now replaced by the Local Plan Part 2). A departure from the guidance was justified in this case *“as the site is very large and there are no neighbours within close proximity the excessive depth would not be detrimental to the architectural composition of the existing dwelling and street scene.”* The appeal proposal is similarly within a relatively large plot, and will not have a detrimental impact on any neighbouring properties. For the reasons outlined above, the development will not have a harmful impact on the architectural composition of the existing dwelling and street scene.

Old Clack Farm

- 3.37 Planning and listed building consent was granted in 2019 for the erection of part single storey, part two-storey rear extension, glazed link to connect the house and barn and internal

alterations (42413/APP/2019/327) (**Appendices 13 and 14**). Whilst it is acknowledged that this is smaller than the proposed dwelling, it is worth noting the Officer acknowledged that no definition of 'disproportionate' is given in the NPPF, or in local policy, and therefore, assessing proportionality is primarily an objective test based on the increase in size. Whether the proposal is a disproportionate addition is fundamentally a matter of the relative increase in overall scale and bulk of the original building. The Council does not appear to have applied the necessary levels of objectivity in the case of the appeal proposal. It is also worth noting the glazed link is a clear departure from the design of the original listed building, and in permitting this element of the scheme in particular, the Council allowed a level of latitude in the architectural integrity of the resulting building that has been denied the Appellant.

4 SUMMARY AND CONCLUSIONS

- 4.1 RPS has been instructed by Mr P Willmott ('the Appellant') to appeal against the refusal by London Borough of Hillingdon ('the Council') of an application for planning permission (Appendix 1) for part two storey, part single storey side extension, single storey rear extension and conversion of roof space to habitable use to include 2 x front and 6 x rear roof lights involving demolition of existing garage at Silver Birches, Tile Kiln Lane, Harefield, UB9 6LU.
- 4.2 It is considered that the alterations and additions are appropriate to the character of the host building and surrounding residential neighbourhood and have been designed to ensure the development complements the existing built form and contributes positively to its surroundings. The development will not be harmful to the openness of the Green Belt.
- 4.3 This appeal statement demonstrates that every effort has been made to produce a scheme that relates to and seeks to protect the character of the existing street scene, neighbouring properties and existing host dwelling. The proposal accords with the development plan, and the Inspector is respectfully requested to allow this appeal.

Appendix 1

Planning Application 75438/APP/2020/727

Appendix 2

Decision Notice 75438/APP/2020/727

Appendix 3

Site History

Appendix 4
Officer Report 75438/APP/2020/727

Appendix 5

Email dated 29 April 2020

Appendix 6

Relevant Extracts of Local Plan: Part 1 Strategic Policies

Appendix 7

Relevant Extracts of Local Plan Part 2: Development Management Policies and Site Allocations and Designations

Appendix 8

Appeal Decision APP/R5510/D/18/3214064

Appendix 9

Planning Application 19064/APP/2018/2036

Appendix 10

Officer Report 19064/APP/2018/2036

Appendix 11

Planning Application 43636/APP/2018/2691

Appendix 12

Officer Report 43636/APP/2018/2691

Appendix 13

Planning Application 42413?APP/2019/327

Appendix 14

Officer Report 42413/APP/2019/327