

MERCER PLANNING

TOWN & COUNTRY PLANNING ACT 1990 SECTION 78
HOUSEHOLDER PLANNING APPEAL

APPEAL STATEMENT

On behalf of Mr. Neil Jones

Against the decision of the London Borough of Hillingdon to refuse planning permission
for the erection of

*'Single storey rear extension, first floor rear extension, porch to front and installation of
render'*

at

17 Sussex Road, Ickenham, UB10 8PN.

LPA Planning Application Ref: 71253/APP/2020/1624

October 2020

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Appendix 1:

71253/APP/2020/2357: Copies of approved plans and decision notice 16/09/20 - Erection of single storey rear extension, porch to the front and rendering of the dwelling.

1. Introduction

On 21st July 2020 the London Borough of Hillingdon refused planning permission for the erection of *'Single storey rear extension, first floor rear extension, porch to front and installation of render'* at 17 Sussex Road, Ickenham.

This statement represents the Appellant's case for the appeal.

2. The Appeal Site and its Surroundings

The appeal property is a semi-detached two storey dwelling finished in brick and pebble dash. The roof is pitched and tiled with a flat-topped dormer roof extension to the rear. There is a small rear extension at ground floor level.

The property is attached to No.15, which has a 3m long single storey rear extension. The front garden is landscaped and the property benefits from a large enclosed garden to the rear with a detached single garage accessed via a shared drive off Sussex Road.

The property is situated on the eastern side of Sussex Road. The surrounding area is residential in character and appearance comprised of semi-detached properties of similar size and style. The property is not in a conservation area.

3. The Appeal Proposal

The appeal proposal seeks full planning permission for the erection of a single storey rear extension, first floor rear extension, porch to front and installation of render to the external elevations of the dwelling.

The proposal is illustrated on the following drawing numbers:

sussexrd-17/0 Rev. F
sussexrd-17/5 Rev. F
sussexrd-17/8 Rev. F
sussexrd-17/2 Rev. F
sussexrd-17/6 Rev. F
sussexrd-17/3 Rev. F
sussexrd-17/1 Rev. F
Location Plan (1:1250)

Since this proposal was refused, planning application ref: 71253/APP/2020/2357 was approved on 16/09/20 which granted planning permission for the same single storey rear extension, porch to the front and the rendering of the dwelling. (Copies of the plans approved and decision are attached at Appendix 1).

The only issue to be considered in the appeal, therefore, relates to the first floor rear extension. The proposed first floor rear extension projects beyond the rear elevation by 1m, measures 2.7m wide and is located directly above the flat roofed single storey rear

extension, beneath the flat roofed dormer roof extension. The extension will also be finished in render to match the main dwelling.

4. Relevant Planning History

4.1 The subject of this appeal:

71253/APP/2020/1624: Single storey rear extension, first floor rear extension, porch to front and installation of render. Refused 21/07/2020 for the following reason:

'The proposal by reason of the flat roofed first floor extension would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the 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 (January 2020).'

4.2 Other Relevant Planning History

71253/APP/2020/2357: Single storey rear extension, porch to front and installation of render. Planning permission granted 16/09/2020.

(Copies of the approved plans and decision notice are attached at Appendix 1).

71253/APP/2019/347: Single storey rear extension and porch to front. Planning permission granted 17/12/2019.

71253/APP/2015/3566: Conversion of roof space to habitable use to include a rear dormer, 2 front rooflights and conversion of roof from hip to gable end with a new gable end window (Application for a Certificate of Lawful Development for a Proposed Development). Certificate issued 17-11-2015. Implemented.

5. Planning Policy Context

Section 38(6) of the Planning & Compulsory Purchase Act 2004 states that all planning decisions are required to be made in accordance with the development plan for the area unless material considerations indicate otherwise. The appeal must therefore be considered within the context of the Statutory Development Plan for Hillingdon, which comprises:

- The National Planning Policy Framework (NPPF) (2019);
- The London Plan (2016);
- Hillingdon Local Plan: Part One - Strategic Policies (November 2012);
- Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)
- The Local Plan: Part 2 - Site Allocations and Designations (2020).

The relevant planning policies applicable to this proposal are as follows:

National Planning Framework (March 2019)
Section 2 Achieving sustainable development
Section 12 Achieving well designed places

Consolidated London Plan (MALP, March 2016)
7.4 Local character
7.6 Architecture
3.5 Quality and design of housing developments

Part 1 Policies:
PT1.BE1 (2012) Built Environment

Part 2 Policies:
DMHB 11 Design of New Development
DMHB 18 Private Outdoor Amenity Space
DMHD1 Alterations and Extensions to Residential Dwellings
DMT 6 Vehicle Parking

6. The Case for the Appellant

The Council considered the main issues to be considered in the proposal are:

- the design and impact on the character of the existing property, the impact upon the street scene and locality,
- the impact upon the amenities of adjoining occupiers,
- the reduction in size of the rear garden and
- car parking provision.

The Council determined that the proposed single storey rear extension and front porch extension were acceptable and the proposal as a whole would not compromise the aims and objectives of the policies relating to amenity space provision and parking provision. These issues are considered in Section 8 below.

Since the appeal proposal was refused, planning application ref: 71253/APP/2020/2357 was approved on 16/09/20 which granted planning permission for the single storey rear extension, porch to the front and the rendering of the dwelling. The only issue to be considered in the appeal, therefore, relates to the first floor rear extension.

The Appellant's case in relation to the above and the reason for refusal is as follows:

6.1 Refusal Reason 1

The Council are concerned that the flat roofed first floor extension would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the surrounding

area. The Council rely on 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 (January 2020) to support the refusal reason.

The NPPF (2019) Section 12 '*Achieving well-designed places*' requires proposals for new development to be of a high standard of design that takes the opportunities available for improving the character and quality of an area and the way it functions.

Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) requires all new development to maintain the quality of the built environment including providing high quality urban design and the public realm contributes to community cohesion and a sense of place.

Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) advises that all development will be required to be designed to the highest standards and incorporate principles of good design.

Policy DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) states in relation to two storey rear extensions:

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 21m;

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.

The Council are concerned that:

'The proposal incorporates a first floor flat roofed extension, which it is considered, would not be in keeping with and is harmful to the character of the existing house and the surrounding area.'

The proposed first floor rear extension projects beyond the rear elevation by 1m, measures 2.7m wide and is located directly above the flat roofed single storey rear extension, beneath the flat roofed dormer roof extension. The extension will also be finished in render to match the main dwelling.

The Appellant contends that the proposed first floor rear extension is acceptable in design terms and integrates well with the appearance of the host dwelling and semi-

detached properties as a whole. The extension is very small and has been designed with a flat roof so that integrates with all the flat roofs approved on the rear of the dwelling and those on the rear of the attached semi. Whilst the Appellant accepts policy DMHD 1 recommends pitch roofs to extensions, in this instance, given the size of the extension and other flat roof extensions approved to the rear of the dwelling, the proposed flat roof at first floor level is acceptable and a more appropriate design solution than the pitched roof recommended in the policy.

The Appellant contends that the site circumstances and extensions approved by the Council provide material considerations to allow the slight deviation from the specifics of policy DMHD 1.

The Appellant contends the proposal complies with Policy DMHD1 as follows:

The proposed first floor extension projects only 1m from the rear elevation, measures only 2.7m wide and would 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 the attached semi and whilst there is a window proposed on the rear elevation the properties to the rear are over 45m away, and so, the proposed extension would not overlook other houses at a distance of less than 21m.

The proposed flat roof of the first floor rear extension would be in-keeping with the design of the existing house. The property benefits from a flat roof dormer extension directly above the proposed extension and the proposed extension would be placed on top of an approved flat roof single storey rear extension. Given the small area of proposed flat roof for the extension only 2.7sqm, the Appellant contends the proposed first floor extension would be in keeping with the character of the extended dwelling. The attached semi also has a flat roof single storey rear extension, the proposed extension would integrate well with this too.

There are numerous flat roof extensions to the rear of properties in the immediate vicinity and there are garden outbuildings also with flat roofs. The proposed flat roof extension is in keeping with the character and appearance of the area and would not cause material harm to the architectural composition of the original dwelling, the semi-detached properties as a whole and would not be detrimental to the character, appearance and visual amenities of the surroundings. Located to the rear of the property the proposed first floor rear extension would not be visible from the public domain and would have no impact on the character and appearance of the street scene.

In view of the above the Appellant contends the proposal complies with 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 (January 2020) and the refusal reason is unreasonable.

7. Common Ground

Areas of common ground between the Council and the Appellant are:

7.1 The single storey rear extension.

The Council and Appellant are in agreement that the proposed single storey rear extension is acceptable. The Officers delegated report states:

'The proposed rear extension measures a maximum 5m in depth and has a flat roof of 3.0m in height. The adjoining dwelling No. 15 has a single storey rear extension of 3m depth. No. 19, which has a single storey rear extension is separated by a wide drive. No side windows are proposed and the extension is 3 m deep on this side.

The proposal would extend some 2m beyond the extension to No.15 and, at this depth it is considered that an unacceptable loss of light and outlook for No. 15 would not occur.'

7.2 The front porch extension

The Council and Appellant are in agreement that the proposed front porch extension is acceptable. The Officers delegated report states:

'The proposed front porch would have a dual-pitch roof to height of 3.5m high and it would be 2.45m wide and 1.2m deep. It is confined to the front entrance area. Given that the dual-pitch roof would be in keeping with that of the original dwelling, it is considered that the front porch would be subordinate in scale and form to the dwelling and maintain its architectural integrity.'

7.3 Amenity Space Provision

The Council and Appellant are in agreement that the proposal maintains sufficient amenity space to serve the extended property. The Officer's report states:

'Sufficient private amenity space is available and the proposal does not materially reduce this. The proposal is in accordance with Policy DMHB 18.'

7.4 Parking Provision

The Council and Appellant are in agreement that the proposal maintains sufficient parking space to serve the extended property. The Officer's report states:

'The development complies with Policy DMT 6 as at least 2 off street parking places are available.'

8. Conclusion

In view of the above the Appellant contends the proposed flat roofed first floor rear extension is of an acceptable design that integrates satisfactorily with the architectural composition of the host dwelling and the approved/ proposed single storey rear extensions and the front porch extension. The proposal as a whole is visually acceptable and would not be detrimental to the character and appearance of the host dwelling, the semi-detached properties as a whole and the visual amenities of the surrounding area. Located to the rear of the property the first floor rear extension would not be visible from the public domain and would have no impact on the character and appearance of the street scene.

The Appellant contends the appeal proposal thus complies with 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 (January 2020).

Accordingly the Appellant respectfully requests that the appeal is allowed and planning permission is granted subject to any conditions deemed reasonable and necessary.

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