



APPEAL BY:
Mr Shahid Rashid

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

Single storey front extension

AT
13 Attlee Road, Hayes, UB4 9JB

London Borough of Hillingdon Council's Reference: 69948/APP/2020/2716

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

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1.0 INTRODUCTION

1.1 This statement has been prepared by RJS Planning, on behalf of Mr Shahid Rashid, in support of the appeal lodged against the refusal of planning application reference 69948/APP/2020/2716.

1.2 The application was dated 27th August 2020 and sought planning permission for a single storey front extension at no. 13 Attlee Road in Hayes. The application was refused under delegated authority on 22nd October 2020 for the following reasons:

1. *The front extension, by reason of its siting, size, scale, bulk, design and cumulative width, represents an unduly incongruous form of development, which fails to harmonise with the architectural composition of the original semi-detached dwelling, is detrimental to the character, appearance and symmetry of the pair of semidetached houses of which it forms a part and to the visual amenities of the street scene and the wider Barnhill Estate Area of Special Local Character. The proposal is therefore contrary to Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the National Planning Policy Framework (2019).*
2. *The front extension, by reason of its siting, size, scale, bulk and design results in the loss the set back from the front elevation at level, and thus results in a development which fails to appear as a subordinate addition and thus fails to harmonise with the architectural composition of the original semi-detached dwelling, is detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the wider Barnhill Estate Area of Special Local Character. The proposal is therefore contrary to Policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy 7.8 of the London Plan (2016) and the National Planning Policy Framework (2019).*

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

- Whether the front extension, by reason of its siting, size, scale, bulk, design and cumulative width, represents an unduly incongruous form of development, which fails to harmonise with the architectural composition of the original semi-detached dwelling, and;
- Whether the front extension, results in the loss the set back from the front elevation at level, and thus results in a development which fails to appear as a

subordinate addition and thus fails to harmonise with the architectural composition of the original semi-detached dwelling, and;

- Whether the front extension is detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the wider Barnhill Estate Area of Special Local Character.

1.4 To set some context, this statement will first provide a description of the appeal site and the proposed development. This statement will then discuss the relevant national and local planning policy before responding to the council's concerns.

2.0 THE SITE

2.1 The appeal site is located on the southern side of Attlee Road within a predominantly residential area although it is not within a conservation area or within the curtilage of a listed building the site is within the designated Barnhill Estate Area of Special Local Character.



Aerial view of the appeal site and surrounding area

2.2 No. 13 is a two storey semi-detached house which has been previously extended with a front canopy and column, and a two storey side extension and a single storey rear extension. The dwelling is set back from the highway and provides a hardstanding for off-street parking. The recent addition of a porch with an additional column has been constructed in front of the side extension, which are the subject of this appeal.



No. 13 Attlee Road

3.0 THE PROPOSED DEVELOPMENT

- 3.1 The appeal proposal sought planning permission for a '*single storey front extension*' at no. 13 Attlee Road.
- 3.2 The works comprises a single storey extension with canopy roof and column to the front of the existing two storey side extension.
- 3.3 The single storey front extension measures 1m deep x 3.8m wide whilst the canopy extends approximately a further 0.9m deep with an eaves height of 2.4m and a ridge height of 3.2m.
- 3.4 The development has been completed to a high standard utilising matching materials which complements the existing house.

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4.0 RELEVANT PLANNING POLICY

4.1 The reasons for refusal refer to policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), policy 7.8 of the London Plan (2016) and the National Planning Policy Framework.

4.2 The following paragraphs provide a brief summary of the relevant policies. The paragraphs are in a hierarchical order relative to the importance of national and local planning policy.

National Planning Policy Framework (NPPF)

4.3 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Presumption in Favour of Sustainable Development

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

For plan-making this means that:

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

For decision-taking this means:

- c) approving development proposals that accord with an up-to-date development plan without delay; or
- d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Decision-making

- 4.5 Paragraph 38 states that local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

Achieving well-designed places

- 4.6 Section 12 of the NPPF refers to design, with paragraph 124 describing how the Government attaches great importance to the design of the built environment, stating that *“Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.”*
- 4.7 Paragraph 127 states that planning policies and decisions should ensure that developments:
- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
 - f) *create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

4.8 Paragraph 130 states:

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

Conserving and enhancing the historic environment

- 4.9 Section 16 of the NPPF refers to the conservation and enhancement of the historic environment. Paragraph 185 sets out that local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and the desirability of new development making a positive contribution to local character and distinctiveness.

The London Plan 2016

- 4.10 The council embraces the sentiments of the London Plan which sets a clear context for considering development needs at local level taking full account of the borough's character. Policy 7.8 was referred to within the given reasons for refusal.

Policy 7.8: Heritage Assets and Archaeology

- 4.11 Amongst other considerations any development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.

Hillingdon Local Plan: Part Two - Development Management Policies

- 4.12 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. The new Local Plan Part 2 replaces the Local Plan Part 2 Saved UDP Policies (2012). Policies DMHB 1, DMHB 5, DMHB 11, and DMHB 12 were referred to within the given reasons for refusal.

Policy DMHB 1: Heritage Assets

- 4.13 Development will be supported if any extensions or alterations are designed in sympathy, without detracting from or competing with the heritage asset. Development will not be permitted if the proposal is deemed inappropriate in terms of siting, style, scale, massing, height, design and materials.

Policy DMHB 5: Areas of Special Local Character

- 4.14 A) Within Areas of Special Local Character, new development should reflect the character of the area and its original layout. Alterations should respect the established scale, building lines, height, design and materials of the area.

B) Extensions to dwellings should be subservient to, and respect the architectural style of the original buildings and allow sufficient space for appropriate landscaping, particularly between, and in front of, buildings.

C) The replacement of buildings which positively contribute to the character and local importance of Areas of Special Local Character will normally be resisted.

Policy DMHB 11: Design of New Development

4.15 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.
- 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.

Policy DMHB 12: Streets and Public Realm

4.16 Development should be well integrated with the surrounding. Amongst other criteria it should ensure public realm design takes account of the established townscape character and quality of the surrounding area.

The Barnhill Estate Area of Special Local Character

4.17 Areas of Special Local Character do not impose any additional statutory controls and do not affect Permitted Development rights. The main purpose of the designation is to try to ensure that development is in keeping with the character of the surrounding area and not detrimental to it.

5.0 THE APPELLANT'S CASE

Introduction

5.1 The appellant's case will focus on the central concerns of the reasons for refusal, notably:

- a) Whether the front extension, by reason of its siting, size, scale, bulk, design and cumulative width, represents an unduly incongruous form of development, which fails to harmonise with the architectural composition of the original semi-detached dwelling, and;
- b) Whether the front extension, results in the loss the set back from the front elevation at level, and thus results in a development which fails to appear as a subordinate addition and thus fails to harmonise with the architectural composition of the original semi-detached dwelling, and;
- c) Whether the front extension is detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the visual amenities of the street scene and the wider Barnhill Estate Area of Special Local Character.

5.2 The main considerations in the determination of this appeal are:

- Design and impact on the character of the existing property and the street scene
- Impact on the Barnhill Estate Area of Special Local Character
- Impact on the amenities of neighbouring occupiers

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

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

5.4 Local Plan policy DMHD 1 (Alterations and extensions to residential dwellings) recommends that there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area whilst policy DMHB 11 (Design of new development) seeks to ensure that development harmonises with local context taking into account the surrounding scale of development.

5.5 The appellant has put forward a high quality scheme that has been sensitively designed in order to respect the character and appearance of the original dwelling whilst taking into account the physical context of the site.

- 5.6 The works comprises a single storey extension with canopy roof and column to the front of the existing two storey side extension.
- 5.7 The single storey front extension measures 1m deep x 3.8m wide whilst the canopy extends approximately a further 0.9m deep with an eaves height of 2.4m and a ridge height of 3.2m.
- 5.8 The extension and alterations have been completed in materials which match the host property as well as a similar extension at adjoining semi no. 11 Attlee Road. The following images show the semi-detached pair prior to and following completion of the extension and alterations to demonstrate that the appearance of the two storey side extension has improved as it now complements the appearance of the host property.



Nos. 11 and 13 Attlee Road prior to appeal development



Nos. 11 and 13 Attlee Road post construction of front extension and canopy

- 5.9 Policy DHMD 1 (Alterations and Extensions to Residential Dwellings) states:

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- i. alterations and extensions to the front of a house must be minor and not alter the overall appearance of the house or dominate the character of the street. Front extensions extending across the entire frontage will be refused;
- ii. porches should be subordinate in scale and individually designed to respect the character and features of the original building; pastiche features will not be supported; and
- iii. notwithstanding the above, at least 25% of the front garden must be retained.

5.10 The single storey front extension to the appeal property given its modest scale is a minor development that does not extend across the entire frontage of the property. In addition, it does not alter the overall appearance of the house and moreover it allows the two storey side extension to integrate successfully with the host property.

5.11 Consequently, the development is subordinate in scale and has been designed to respect the character and features of the existing building. Therefore, the appellant disputes the council's reason for refusal that the extension would represent an incongruous form of development that fails to harmonise with the house given its sympathetic design.



Proposed front extension

5.12 As a result, there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area and the development

harmonises with local context taking into account the surrounding scale of development which complies with the aims of policies DMHD 1 and DMHB 11.

- 5.13 Thus, it is stated that the appeal proposal would not conflict with the aims of the NPPF or Local Plan: Part 2 policies DMHB11 and DMHD 1.

Impact on the Barnhill Estate Area of Special Local Character (ASLC)

- 5.14 London Plan policy 7.8 states that development affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail.
- 5.15 Policy DMHB 5 (Areas of Special Local Character) seeks to ensure that new development reflects the character and of the area and its original layout. Extensions to dwellings should be subservient to and respect the architectural style of the original buildings and alterations should respect the established scale, building lines, height, design and materials of the area.
- 5.16 The appellant acknowledges that the site is located within the Barnhill Estate Area of Special Local Character, however, this in itself does not mean that the proposed development is unacceptable in principle or that the addition of the works would be of detriment to the appearance of the host property or ASLC.
- 5.17 The Barnhill Estate Area leaflet states that when considering the design of extensions and alterations they should be compatible in size and scale with the original building and should respect the property's original design and; materials and detailing should match the existing property.
- 5.18 The council's website further states when considering proposals for works within an ASLC that porches and front extensions should be subordinate in scale and should not be detrimental to the visual amenity of the street scene whilst external materials and details of any extension should reflect the materials, design features and architectural style predominant in the area.
- 5.19 As described in earlier paragraphs, the front extension by virtue of its design reflects the design features of the existing house and the adjoining semi, is a subordinate addition that complements the existing property and improves the visual amenity of the street scene. The original design of the semi-detached pair has altered and therefore, the development has been designed to respect their existing appearance.
- 5.20 Consequently, the statement within the officer's delegated report that extension *"unbalances the appearance between the application property and the other half of the semi-detached property at no. 11 Attlee Road"* is unwarranted.

- 5.21 Furthermore, although there are a mix of property types on Attlee Road there is evidence that a number of dwellings have been extended by virtue of a front extension with pitched roof over as shown in the following images.



Front extensions at nos. 3 and 5 Attlee Road

- 5.22 There are also instances on Morrison Road to the west of the appeal site where front extensions and pitched roofs have also been constructed.



Front extensions at nos. 34 and 28 Morrison Road



Front extension at no. 9 Morrison Road

- 5.23 The images used within this statement highlight that the appeal development is a complementary addition to the host property, semi-detached pair and the wider street scene which has made a positive impact on the Barnhill Estate Area of Special Local Character by improving the overall appearance of the dwelling.



Pre-existing house

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Single storey front extension

- 5.24 In summary, in accordance with the aims of the NPPF, The London Plan, Local Plan Part 2: policy DMHB 5 and the Barnhill Estate ASLC leaflet the single storey extension enhances the area with a scheme that respects the established scale, design and materials of the area.

Residential amenities

- 5.25 Paragraph 127 of the NPPF states that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 5.26 Policy DMHD 1 (Alterations and extensions to residential dwellings) seeks to ensure that there is no unacceptable loss of outlook to neighbouring occupiers and that schemes do not result in loss of privacy. DMHB 11 (Design of new development) further seeks to ensure that development proposal should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space.
- 5.27 The modest scale and position of the development in combination with the surrounding housing layout safeguards neighbouring amenity and therefore, the development would not conflict with the aims of the NPPF and Local Plan: Part Two policies DMHD 1 and DMHB 11.

6.0 CONCLUSION

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- 6.1 The proposed extension by virtue of its siting, scale and design represents an appropriate, subordinate addition that harmonises with the architectural composition of the existing host dwelling and its adjoining semi no. 11.
- 6.2 The development also respects the pattern of development within the wider Barnhill Estate Area of Special Local Character which includes the addition of front extensions with pitched roofs and canopies. Therefore, the development at no. 13 would not unduly affect the visual amenities of the street scene or the wider Barnhill Estate ASLC.
- 6.3 Thus, it is stated that the appeal scheme is consistent with the aims of the National Planning Policy Framework, policy 7.8 of the London Plan (2016) and policies DMHB 1, DMHB 5, DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020).
- 6.4 The National Planning Policy Framework (NPPF) states that decision-makers 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. The single storey front extension would not be contrary to national, regional or local planning policy and, for the above reasons, it is politely requested that this appeal is allowed.