

Grounds of appeal for application ref: 74860/APP/2020/2461

Address: 134 LONG LANE HILLINGDON UB10 0EH

Application was Sent: 06-Aug-20

Application was Decided: 30-Oct-20

8th Nov 2020

Dear Appeals,

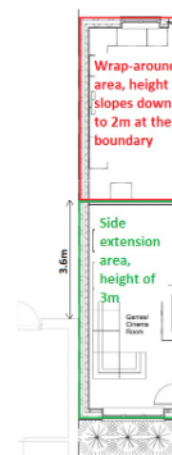
Here are my responses to the 2 reasons for why the council refused this application (3 pages):

Reason 1:

The proposed development as it relates to the ground floor side/rear extension by reason of its design in terms of depth along the shared boundary with No.136 would result inclosing the existing gap. It is considered that the development proposed would be detrimental to the residential amenity of adjoining neighbour in terms of over-dominance, overshadowing, visual intrusion, loss of light and loss of outlook. Therefore the proposal would not be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan:Part Two - Development Management Policies.

My reply:

-As annotated on the Rear Elevation on this application's proposed plan, the ground floor wrap around portion (ie the area where the side and rear extension meet) has had its height lowered to the 2m fence height. As a result, the wrap around portion will have no incremental impact on the amenity of neighbour 136 compared to previous approved application 74860/APP/2020/2165 as any of the extra build would not interrupt the line of sight over the 2m high fence at all. On the approved application 74860/APP/2020/2165, a 2m gap was left from the side shared boundary on the wrap around portion to minimise the impact to the neighbour. In comparison, the proposal that is being appealed here has the exact same dimensions in the wrap around area as that application but the gap is simply filled with a roof that slopes down to the 2m fence height. Because the roof is sloping, it does not interrupt the line of sight at all over the 2m fence height, so it cannot affect the neighbours amenity.



-The ground floor side extension portion (ie only the side portion, not the wrap around portion) is a height of 3m, but would extend beyond the rear most ground floor wall of no. 136 by only 3.6m at the shared boundary, which is acceptable according to Hillingdon's planning policy for rear extensions, and very common practice in the area and generally.

-In essence, the amenity impact to no. 136 from this proposal would be the same as:

1) that of any other property that has a 3.6m deep rear ground floor extension running along their shared boundary (which is clearly acceptable).

2) the impact of approved application 74860/APP/2020/2165, which is obviously acceptable as the application was passed, and was very conservative and overly considerate to the neighbour's amenity impact in it's own right, with an excessive 2m wide gap left from the boundary on the wrap around portion.

Neither of these in isolation adversely affect the amenity of no 136, and so the same can be said for the 2 together.

-Further, it should be considered that no136 is positioned directly north of this proposal, meaning any impact to light (which already would be negligible given the above) would be even less with respect to the direction of the sun path.

-It seems the council did not recognise the importance of the lowered roof height on the wrap around portion; it was not even acknowledged at all on the officer's report. Had they been more open in their assessment, and as a result taken this into consideration, I think they would have found it very difficult to have this same reason to object on any reasonable grounds.

-It should be noted that the impact to amenity of the part of the proposal that slopes down to a 2m height (ie the wrap around portion) at the boundary is still significantly less than the impact of what central government considers acceptable for outbuildings under PD, which is a 2.5m height at the boundary. This further emphasises the point that this proposal does not have an unacceptable impact to no 136. In fact, the impact to no. 136 from this development would be considerably less than the impact any regular property would have if their adjoining neighbour built a 3m deep ground floor rear extension then an outbuilding built near it abutting the boundary all under PD - which is such a rudimentary development it would not even require any planning permission nor neighbour consultation.

-If other precedents are required, 4204/APP/2017/1385 and 3351/APP/2017/1386 can be used, which are both on Long Lane, and clearly having much larger detriment to amenity yet both won appeals. Also 74771/APP/2019/3600 for 72 Long Lane, a very similar build house in the near vicinity, who proposed a massive 9m deep wrap around extension with the height lowered to the fence height, and was concluded on appeal officer's report that this proposal had an acceptable impact to the amenity of the adjoining neighbour (no 74 Long Lane) because of the lowered roof height.

Reason 2:

The proposal by reason of the ground floor side extension closing up the existing gap and not be setback from the shared boundary, would fail to respect the character of the existing building and fail to harmonise with the scale, form and proportions of the original building and adjacent buildings. As such, the proposal will have adverse cumulative impact on the character, appearance and quality of the existing street or wider area. The proposal, therefore, would not accord with Policy DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.

My reply

Firstly, the exactly same proposed front elevation was on a previous application on this property with ref 74860/APP/2019/3350 that was decided on 6th Dec 2019. For that application, the officer's report stated:" The proposal therefore by reason of its design, scale and location **is not considered to negatively impact the identity of the street scene, as the proposal would appear subservient to the host dwelling and harmonise well**

with the scale, form and proportions of the original building and other buildings within the immediate vicinity".

The below shows the front elevations on each application:



-It cannot be the case that the same proposal is considered subservient to the host dwelling and in keeping with the street scene one day, and not another day. The fact that this proposal was considered acceptable in the recent past shows that there was clearly a very good reason for this.

- To reiterate, the proposed double story side extension is clearly subservient to the original house; the ground floor is just half it's width and 1st floor is only a mere third of it's width, 1m offsets from the front elevation and side boundary on the 1st floor, and the roof, all make it extremely obvious it is subservient.

- Neighbours in the vicinity nos. 88, 74, 47, 50, 77,27 Long Lane all have 2 storey side extensions having no offset from the side boundary (ie abut side boundary on all levels) nor any offset from front elevation on any storey. Given this precedent, this proposal clearly respects the existing street scene in the vicinity, and actually is much more conservative.

-The council's objection relates specifically to the ground floor side proposal closing up to the shared boundary - first line of their objection reads: "*The proposal by reason of the ground floor side extension closing up the existing gap*". This is even more astonishing given that the immediate 2 neighbours, and the following 3 immediate neighbours with Semi-detached houses (ie nos 136, 132,130, 128, 126) all have ground floor side extensions built right up to their shared boundaries.

-The impact to the street scene of the propose ground floor side extension is even less than the side extensions of nos 132,130, 128, 126, as adjacent neighbour no. 136 is set so forward, that any ground floor terracing effect is significantly less compared to that for those immediate neighbours.

-This objection from the council likely stems from them using their guidance as specific universal law, and not a *guide*. The *aim* what the guidance is generally trying to achieve should be appreciated, and in this case the aim is still fully respected; proposal is clearly subservient to the host dwelling, and respects the existing street scene in this specific area. Hence this was concluded by the council on recent application 74860/APP/2019/3350.