



Appeal Statement

Householder Extensions & Alterations
AT
50 Rodney Gardens,
Eastcote HA5 2RP

Reference:
50RG-1615

Date:
15 March 2021

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Ms Z Nourouz to support an appeal against the decision of London Borough of Hillingdon to refuse an application for rear extensions, a front porch, the conversion of the garage and alteration to windows at 50 Rodney Gardens, in Eastcote.
- b. Following a description of the site and surrounding area, this report will consider the planning history, provide an overview of relevant planning policy and outline the case for the appellant.
- c. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.

2. Background

- a. On 16 November 2020, the appellant submitted an application to London Borough of Hillingdon for the following proposal (reference: 45146/APP/2020/3755):

Porch to front, single storey conservatory to rear, glazed canopy and conversion of garage to habitable use with rooflights and alterations to fenestration from diamond lead to Georgian lead glazing.

- b. On 1 February 2021, the council refused planning permission for the following reasons:

- 1. The proposed glazed infill extension by reason of its size, scale, position and design would introduce a highly visible, contrasting built element to the rear of the original bungalow, which would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Eastcote Park Estate Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, 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 proposed canopy extension by reason of its size, scale, position and design would be an incongruous addition to the rear of the extended bungalow, which would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Eastcote Park Estate Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, 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).*

3. *The proposed porch by reason of its size, scale, position and design would diminish the prominence of the original bay feature, would fail to harmonise with the architectural composition of the original dwelling, would be detrimental to the character, appearance and visual amenities of the street scene and would fail to either preserve or enhance the character or appearance of the surrounding Eastcote Park Estate Conservation Area. The proposal is therefore contrary to Policies BE1 and HE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 1, DMHB 4, 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 (2109).*

3. Site Description

- a. The appeal site comprises a semi-detached bungalow located on the junction of Rodney Gardens and Dovecot Close. It is brick-built, with a hipped, tiled roof, a projecting front bay and tall chimneys. It has an L-shaped ground floor rear extension with a part-hipped, part-crown roof, and a rear dormer roof extension. There is a canopy attached to the rear of the extension. There is a vehicle crossover from Rodney Gardens and off-street parking to the front of the house. There is also a fairly long rear garden. The image in figure 1 below shows the property viewed from Rodney Gardens. Figure 2 shows the rear of the property, viewed from Dovecot Close.



Figure 1: Image of the appeal property, viewed from the street



Figure 2: Image of the rear of the appeal property.

- b. The house is located in a residential area. It is one of a number of bungalows set along this part of Rodney Gardens. The bungalows are similar in size and scale but differ somewhat in detailed design. Dovecot Close is a cul-de-sac with a group of larger, two-storey detached houses, built in the 1990s.
- c. The closest neighbour to the appeal property is number 48, located immediately to the south east. It has been extended to the side and rear in the similar way to the appeal property, though with flat roofs.
- d. The building on the application site is not listed but the site is located within the designated Eastcote Park Estate Conservation Area.

4. Recent Planning History & Appeal Proposal

- a. The extensions to the rear of the site were approved on 27 June 2017 (application reference: 45146/APP/2017/1639).
- b. The appeal proposal is for:
 - *A single-storey rear extension;*
 - *A rear canopy;*
 - *A front porch;*
 - *The conversion of the garage at the rear into habitable space; and,*
 - *Replacement glazing to some of existing windows.*
- c. The rear extension is proposed to infill an area to the side and rear of the existing extension. It therefore projects no deeper than the existing building. It is designed as a 'glass box' with slimline framing elements, so that it is lightweight and a limited physical presence and visual impact. The new porch is modest in size and scale and has glazed side elevations. The application also proposes changing the glazing in the front windows from diamond lead to Georgian lead.

5. Planning Policy

- a. Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- b. According to the decision notice, the development fails to comply with policies BE1 and HE1 of the Strategic Policies and policies DMHD 1, DMHB 4, DMHB 11 and DMHB 12 of the Development Management Policies.
- c. Policy BE1 (Built Environment) of the Strategic Policies requires all new development to improve the quality of the built environment in order to create successful and sustainable neighbourhoods. Among other things, the policy states that development proposals should be sensitive to local identity, landscapes, townscapes and views, improve areas of poor environmental quality, improve the quality of the public realm, and not result in the inappropriate development of gardens and green spaces that erode the character of suburban areas.
- d. Policy HE1 (Heritage) seeks to conserve Hillingdon's distinct and varied environment, its settings and the wider landscape, which includes Locally recognised historic features, such as Areas of Special Local Character.
- e. Policy DMHD 1 (Alterations and Extensions to Residential Dwellings) sets out criteria for extensions. It seeks to ensure that there is:

"no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area"

- f. It requires that extensions are subordinate to the host dwelling *"in their floor area, width, depth and height"*. It recommends the use of matching materials. It requires that adequate garden space and parking is retained.
- g. It recommends a maximum depth of 4m for rear extensions and requires that front extensions are modest in size and do not harm a property's character or appearance.
- h. Policy DMHB 4 requires that development in conservation areas should preserve or enhance their character and appearance.

- i. Policy DMHB 11 (Design of New Development) of the Development Management Policies requires that all new development exhibit a high quality of design. Development should harmonise with its surroundings in terms of its scale, size and detailed design. It should use high quality materials. It should not unacceptably harm the residential amenity of close neighbours.
- j. Policy DMHB 12 (Streets and Public Realm) relates to the public realm design and improvements and does not appear to be relevant to the appeal proposal, which is confined to the curtilage of the dwelling only.
- k. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how they should be applied. A revised version of the NPPF was published in February 2019. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.
- l. According to paragraph 38:

"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."

- m. Paragraph 124 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."

- n. According to paragraph 130:

"...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."

- o. Paragraph 184 describes heritage assets, including conservation areas, as "an irreplaceable resource", which "should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations".

p. Paragraph 185 states that heritage assets should be put *"to viable uses consistent with their conservation"*.

q. According to paragraph 193:

"When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be)."

6. Case for the Appellant

- a. The Council does not object in principle to the extension of this dwelling and it is satisfied that there will be no harm to the residential amenity of close neighbours. It is also satisfied that the proposed garage conversion is acceptable in planning terms. It is concerned, however, about the impact of the proposal on the character and appearance of the property and wider streetscene. The council also objects to the proposed replacement windows.
- b. The infill extension is shown in the image in figure 3, below. It is located to the rear of the building, is modest in size and scale and projects no deeper or wider than the existing rear extension. It rises just 2.4m tall and is much lower in height than the existing extension (sitting substantially lower than the eaves height of its part-hipped roof). It is set away from the boundary with the highway and partially concealed from view by the side boundary treatments. As it is formed of a slimline frame with glazed panels, it is lightweight in design and appearance. It is subordinate in height, depth and width to the much larger, and more 'solid', host property. It is a contemporary addition to the building that will enhance its character and appearance and cause no harm to the wider streetscene or conservation area.



Figure 3: Perspective image of the glazed infill extension.

- c. The council also objects to the proposed rear canopy. However, this is a simple, lightweight and unobtrusive addition. It is set several metres away from the boundary with the highway and is formed of a small number of posts and a glazed roof. It is modest in depth and sits lower than the eaves

line of the extension to which it is attached. It rises only a little way above the fence so is almost entirely concealed from view from public vantagepoints. It is conventional addition in a domestic setting and causes no material harm to visual amenities.

- d. In respect of the proposed front porch, the officer's report argues that it would project beyond the front building line and that porches *"are not characteristic features within the conservation area"*.
- e. The porch is just 1.1m deep, 1.55m wide and 2.75m tall. It has a floor area of 1.7sqm. It is finished with a flat roof, to minimise its height and further moderate its visual impact. As the image in figure 4, below, shows, the porch sits just below the eaves line, has a regular, symmetrical design, and reflects the character and proportions of the house building. It is largely glazed, reducing its visual impact.



Figure 4: Excerpt from the proposed plans showing the proposed front elevation.

- f. The officer's report asserts that porches are not an established feature of the surrounding area. However, there are a number of porches of varied sizes and designs on houses close to the appeal site. Figure 5, below, shows a timber porch enclosure at number 35 Rodney Gardens and a brick-and-tile porch at number 37, both opposite the appeal site.



Figure 5: Porches at number 35 and 37 Rodney Gardens, opposite the appeal site

- g. The council objects to the proposed replacement windows. However, the conservation area is not covered by an Article 4 Direction removing permitted development rights, and replacement windows do not, therefore, require express planning permission. The appellant notes that most of the properties in the area appear to have replacement windows (in a wide variety of styles) and the windows in the appeal property itself are not original.
- h. The location of a site in a conservation area does not preclude sensitively designed extensions to individual properties. In this case, the key quality of this part of the conservation area is its suburban character – it is a well-established residential area, with a regular rhythm and pattern of development, and a pleasant and verdant feel. The individual houses, however, are diverse in design and appearance. There is a mix of bungalows and larger houses and they have been altered and extended in various ways, creating a noticeable eclecticism. The absence of an Article 4 Direction means that many have also been altered using permitted development rights.
- i. In the image in figure 5, below, for example, showing three houses opposite the appeal site, there is a mix of brick and render, round bays and square bays, front gable and front hips, brown and white windows and green and brown roofs. Number 33 has a large side porch with part-hipped, part crown

roof and a lancet window. It also has large dormer roof extensions. In an area showing an absence of uniformity, small-scale extensions to individual houses are more acceptable.



Figure 6: Variety between numbers 31, 33 and 35 Rodney Gardens

- j. The infill extension, canopy, porch, windows and garage conversion are all fully separate developments, and the inspector is reminded of their power to issue a split decision if some elements of the proposal are found acceptable while others are not.

7. Conclusions

- a. The council does not object in principle to the appeal proposal and does not believe there will be any harm to neighbours' amenities. It is happy with the garage conversion.
- b. This part of the conservation area draws its special qualities from the regular pattern of development and its established, suburban, residential feel. The individual houses, however, are not uniform in design and have been extensively altered and extended. In this context, sensitive alterations to individual properties may be tolerated.
- c. The infill extension is a subservient addition to the much larger main house and the existing rear extension. It is low in height and lightweight in design. It projects no wider or deeper than the existing building and is set away from the boundary. Though it will be visible from Dovecot Close, it will not draw undue attention to itself, will allow views to pass through to the existing house and will be framed by the taller and wider existing building behind it.
- d. The canopy is also a modest and lightweight addition. It is set even further away from the street and is not enclosed at the sides or rear. It has domestic appearance and does not look out of place in this context.
- e. The porch is low in height, moderate in depth and has a limited floor area. Many other houses in this area have porches of different sizes and shapes. In this case, the porch has been designed to reflect the character and appearance of the host building.
- f. For the above reasons, it is considered that the proposal complies with the relevant development plan and national policies and the inspector is therefore respectfully requested to allow this appeal.



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