

Appeal Statement
to accompany the Application
for the development at

Annex 96 Bourne Avenue UB3 1QP

PROPOSAL:

Alteration to roof in order to convert the roofspace to habitable use to include a rear dormer and 1 x front rooflight and alterations to entrance.

APPLICANT:

Mr Khasria

March 2021

Revision (D)

1.0. OBJECTION

- 1.1. The aim of this statement is to address the concerns raised in the previous application that led to the refusal. The refusal reasons are outlined below:

Reason 1. *"The proposed alterations to the roof, by reason of their size, scale, bulk and height, in this open prominent position, would result in the closing of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies."*

Reason 2. *"The proposal would provide an indoor living area of an unsatisfactory size for the future occupiers of the extended 2 bedroom unit and would provide a bedroom with inadequate head height and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy 3.5 and Table 3.3 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015)."*

Reason 3. *"The proposed roof alteration/extensions, by reason of the raising of the ridge height and the size, scale, bulk of the roof would fail to harmonise with the architectural composition of the original modest dwelling and 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, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)."*

2.0. PLANNING HISTORY

- 2.1. It is not clear when the application was first built and we do not have access to any planning record.
- 2.2. The application building was converted to a studio flat in 2014. A planning application ref: 8461/APP/2014/2649 was submitted on 20 Aug 2014 and approved on 15 Oct 2014. The description of development was “Conversion of existing single storey side extension into self-contained studio flat with associated parking and amenity space involving single storey rear extension, installation of vehicular crossover to front and extension to existing crossover to side.” The application building is described and classified as a side extension to an end-terrace house by the LPA. See **Appendix A**.
- 2.3. The applicant submitted a planning application ref: 8461/APP/2020/3073 in Oct 2020. The proposal involved gable-end roof design which was refused by the LPA in Nov 2020. The application documents, drawings and decision notice are enclosed. Please see **Appendix B**.
- 2.4. A subsequent application ref: 76034/APP/2020/4095 was then submitted in Dec 2020 as an alternative proposal to address the previously refusal reasons. This is currently the latest planning application which is the subject of the current appeal application. See **Appendix C**.

3.0. APPEAL CASE

- 3.1. The LPA case report has based their assessment on a number of inaccurate assumptions. Also there are a number of vague and generic repeated statements that can exaggerate the perception of the impact of the proposal to justify the refusal. Those points are highlighted below.
- 3.2. The LPA states that the application building is a "detached" dwelling. The evidence demonstrates that the application building has been described as an extension to the end -terrace building. This side extension was later converted to a residential flat. Therefore, it cannot be characterised as a detached dwelling. Please see **Appendix A**.
- 3.3. The LPA states that "The surrounding area is mainly made up of two storey semi-detached dwellings that are of a similar size and appearance." This statement does not seem accurate because in reality the surrounding area is mainly made up of two storey terrace dwellings. The previous applications also show that the LPA has described the surrounding area to be mainly terrace housing. See **Appendix A**.
- 3.4. The LPA states that "the proposed roof alterations will create the appearance of an effective flat roofed second storey." We disagree with the LPA assessment. The proposed drawings show that the LPA assessment is inaccurate and the roof alterations will not create the appearance of an effective flat roofed second storey. See **Appendix C**.
- 3.5. The LPA states that "an existing detached dwelling would become a semi-detached dwelling by virtue of this alteration." We disagree with this statement. First, the existing dwelling is not a detached dwelling. Second, the application building will not become a semi-detached dwelling. The application building is an end-terrace dwelling and it will continue to be an end-terrace dwelling. The proposal is to alter the roof which will in fact enhance the end-terrace character.
- 3.6. The LPA states that "It would significantly reduce the sense of spaciousness, in this case at first floor level, to be found at this corner location, which is a characteristic feature of the area." The submitted evidence show that most of the similar corner locations in the neighbourhood benefits from a similar form of corner extension. See **Appendix D**.
- 3.7. As described in the application form and submitted drawings, the proposal involved replacement of the building entrance from the rear to front elevation. However, the assessment of this alteration has been completely ignored by LPA.
- 3.8. The extant planning permission and appeal application are material considerations and should be taken into consideration and given significant weight. The LPA has not made any reference to such similar cases in the area. The LPA has not explained how a double storey building in a corner plot at No 98 Bourne Ave will be acceptable in terms of impact on the character and appearance however the proposed roof alterations to a single storey building on the opposite side cannot be accepted.
- 3.9. Considering that the application is not a typical household extension, we made all possible attempts to have a discussion and dialogue with the planning officer in order to find a suitable solution. We also emailed the planning officer to correct the application address which was incorrect but no action was taken. Despite all our attempts, the planning officer did not show any intension to have a dialogue. Also the decision date for the application was on 3 Feb 2021 which was shown on the website as well. The decision was issued on 4 Feb 2021 without any agreement for the extension of time.

4.0. PRECEDENT

- 4.1. There are a number of similar cases in the neighbourhood (see **Appendix D-I**). Whilst we appreciate the concerns raised by the council, we would like to make reference to the following similar planning application approved recently. (**See Appendix J**):

98 Bourne Avenue UB3 1QP – **ref 7695/APP/2020/1361**

- 2.2. The case report of the above application at 98 Bourne Ave states that “the proposed house would be a continuation of an existing terrace and would incorporate a matching roof design to the main terrace. Contrary to the Council's design guidance the house would extend beyond the main building line of houses on Clevedon Gardens. As per the planning history above a planning application for a similarly designed dwelling was refused by the Council on this basis. However an appeal was lodged and the inspector did not uphold the Council's reason for refusal relating to the siting and appearance of the proposed house. In assessing the proposal the inspector stated:-

‘I have assessed the form and layout of development in the area and, whilst there is some balance to the terraces of properties facing Bourne Avenue and the development along adjoining streets, I do not consider that the uniformity is so significant and pronounced that a well-designed continuation of the terrace would necessarily result in harm to its character and appearance or the street scene, generally. Indeed, I am satisfied that the proposal has been carefully designed to respect the form and layout of development in the area, including the spacing between properties and the open nature of the plot adjacent to the corner of Bourne Avenue and Clevedon Gardens. It would be subordinate to the original adjacent building and incorporate design details such as a hipped roof and suitable materials to match the adjacent dwelling and others in the vicinity. As such, it would complement the character of the area and retain the spacious character of its immediate vicinity.

Furthermore, other developments that have taken place in the area demonstrate that development on similar corner plots do not necessarily disrupt the rhythm and pattern of development to a harmful degree or compromise the important openness adjacent to corners.

In terms of building lines, the proposed property would be set in from the boundary with Clevedon Gardens and so it would breach the important return building line which is aligned to the existing flank wall of 98 Bourne Avenue. However, in this case a significant gap would be retained between the flank wall of the proposal and Clevedon Gardens.

Furthermore, there would remain a relatively large gap between the proposal and the side elevation of the nearby property on Clevedon Gardens. This gap would retain the open character in the area close to the corner. As such, I do not consider that the proposal would result in an overly dominant or visually intrusive form of development that would harm the open character of this area.’

It could be argued that since this appeal decision the Council has adopted a new Local Plan and therefore the inspector's comments in this case do not have significant weight. However although the Council's Local Plan has recently been adopted the policy requirements in relation to impact upon the street scene and the characteristics of the site and the wider area remain relatively unchanged. As such, on balance it is considered that in light of the planning history for the site the Council cannot refuse this application on visual amenity grounds.”

5.0. PROPOSED ALTERATIONS

- 5.1. The established character of the street is terrace housing. The application site is the only building with a standalone roof along the street. It can be argued that the existing building is already out of character. There is no other similar building in the street or on similar corner plots to explain that the application building follows a strong character that should be preserved.
- 5.2. We would like to highlight that the existing single storey building is not a detached building. It is indeed an extension attached to No.96. It was then converted to a residential unit so that it is now an end-terrace property. However, the existing roof can create a false representation as it does not reflect its end-terrace character where the roof appears discounted from the adjacent terrace housing.
- 5.3. The current building appears disconnected due to its roof shape and our proposal is to alter the existing roof and turn it to a roof that can complement the terrace character and as a result the building can be seen as part of the original terrace properties or in other words, as an extension to or continuation of the existing terrace row. This can complement the character of the area and create a more pleasant balance and harmony in the street scene in the wider area.
- 5.4. The proposed scheme has a single storey which means it has less massing compared to the double storey house approved at 98 Bourne Avenue. The matching roof design with hip-end is similar to what is approved at 98 Bourne Ave. The ridge height is raised however the building is still a single storey building and does not exceed any surrounding skyline. It does not look dominant when compared to the double-storey scheme approved at No.98 Bourne Ave. By using a more sympathetic roof type, we will see better symmetry and coherence in the street scene when both schemes are implemented.
- 5.5. The proposed rear dormer is modest in size and designed to be seen subservient to the main roof. This rear dormer is proposed to be 2/3 of the main roof as prescribed in the Hillingdon Local Plan. It can be reduced or removed if deemed harmful.
- 5.6. In order to provide additional accommodation space in the loft space, the proposed roof alteration is carefully designed to respect the character and appearance of the host dwelling as well as the surrounding area. We therefore believe that the proposal will offer a better use of the space and land whilst making reasonable alterations without causing any significant harm to the character and appearance of the host dwelling or the surrounding area. This insignificant harm can be understood better when compared to similar approved developments in the area in particular no 98 Bourne Avenue.
- 5.7. In summary, the proposed design represents a sort of character that is naturally expect within this area whereas the existing building is quite unrelated and unsympathetic to its surrounding. Therefore the proposed roof is more in keeping with the character of the area and can enhance the terrace housing pattern.

6.0. CONCLUSION

- 6.1. Neither the building nor the surrounding area is identified to have a significant character that should be protected. The existing property has currently a standalone roof which does not follow the character of the surrounding terrace properties and it has already encroached the building line.
- 6.2. With regards to the reason 1 of the refusal, the inspector of the appeal application at No.98 did not uphold the council reason's for refusal relating to the impact on the openness. Our proposed scheme will have even less impact on the openness of the corner plot due to its smaller size, lower height and less massing compared to the approved double-storey scheme at No.98 Bourne Ave. Consequently the reason 1 of the refusal is addressed.
- 6.3. With regards to the reason 2 of the refusal, the LPA refers to Policy DMHB 16 of the adopted Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy 3.5 and Table 3.3 of the London Plan (2016), the Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015). These policies should apply to new dwellings, conversions or change of use. The requirements of this standard for bedrooms, storage and internal areas are relevant only in determining compliance with this standard in new dwellings and have no other statutory meaning or use. However the proposal is to simply alter or extension a roof of an existing dwelling which is similar to other loft extension/conversions of the dwelling houses in principle. The LPA has not make reference to any policy stipulating such internal space requirements for a roof extension to an existing house. Therefore, it seems the LPA has used an irrelevant policy to further justify the refusal. See **Appendix K-L**.
- 6.4. With regards to the reason 3 of the refusal, the proposed roof is carefully designed to maintain the hip-end character which can be seen as continuation of the existing terrace character. This will help the roof blend in the row of the terraced housing and this can contribute to enhance and complement the terrace character. Therefore the single-storey building can appear as a typical end-terrace addition not a standalone building. This will help the building integrate well in the wider surrounding context. As a result, by some modest alterations to the roof, we can have better use of the application site whilst enhancing the character of the area. The inspector in the case report at No.98 has stated that a continuation of the terrace would not result in harm to the character and appearance of the street scene. According to the inspector's assessment, the impact of a continued terrace cannot be considered harmful or out of character. Therefore the reason 3 of the refusal is addressed.
- 7.5 The National Planning Policy Framework (NPPF) states that decision-takers 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. This statement demonstrates that the positive contributions to the sustainable development would out-weight any possible disadvantages of the proposal. There are no material considerations that would justify a decision other than to grant planning permission. On balance, it is politely requested that this permission for this modest proposal is granted with the inclusion of any conditions deemed necessary.