



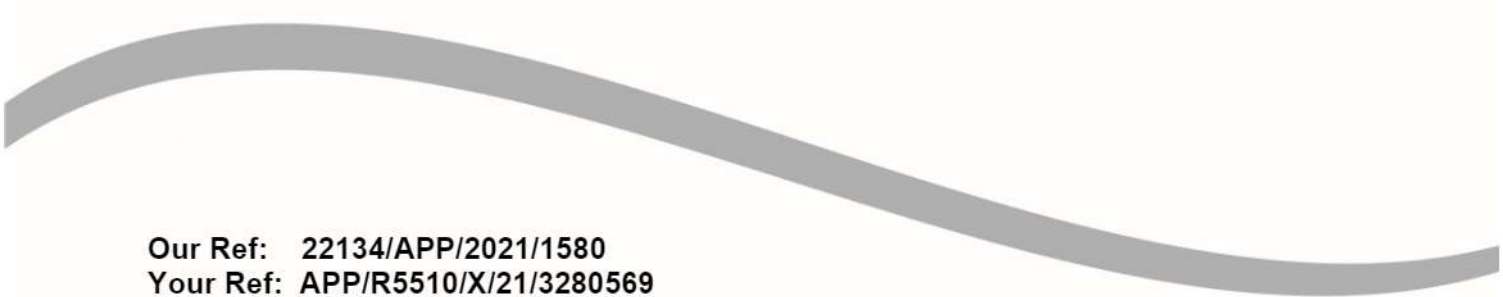
Town and Country Planning Act 1990
Section 78 Planning Appeal

London Borough of Hillingdon Appeal Statement

Appeal By:
Mr Harrison Reeves

Proposal:
Single storey side/rear extension (Application for a Certificate of Lawful Development for a Proposed Development)

Appeal Site:
3 Copse Wood Way, Northwood



Our Ref: 22134/APP/2021/1580
Your Ref: APP/R5510/X/21/3280569

1. Introduction

1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant a certificate of lawful development for the erection of a single storey side/rear extension.

1.2 The LPA refused the application for a certificate of lawful development on 28 June 2021 for the following reasons (as stated on the decision notice):

The proposed development does not constitute permitted development by virtue of the provisions of Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015 as the enlarged part of the dwellinghouse would extend beyond a wall forming a side elevation of the original dwellinghouse, and would have a width greater than half the width of the original dwellinghouse.

1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement. A copy of the delegated report is provided at Appendix 1.

1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.

2. LPA Comments on Appellant's Statement of Case

2.1 The appellant has in the grounds of appeal within the appeal form that the planning officer did not visit the site or measure the width of the original property and that the original property included the kitchen which was built in the 1920's and that the garage to the side of the original dwelling, to the front of the kitchen, was a later addition.

2.2 The Council however considers that the onus is on the applicant to demonstrate, on the balance of probability, that the proposed development is lawful. The applicant provided site photographs (given the Covid 19 restrictions in place at the time of consideration of the application). The Council considered the planning history (reference 22134/A/81/0234 - Householder dev. (small extension,garage etc) which was approved on 24.8.21 and the photographs submitted with the application, and concluded that it wasn't apparent that the kitchen was an original part of the building. The Council considers that, on the balance of probability the addition to the side was not original.

3. Conclusion

- 3.1 For the reasons set out in the delegated report, the Council considers that the proposed extension would not comply with the conditions set out in Schedule 2, Part 1, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2016. The Inspector is therefore respectfully requested to dismiss the appeal.

Appendices

Appendix 1 – Planning Officer's Delegated Report