



Appeal Statement

Two-Storey Side & Rear Extension
AT
4 Harvil Road,
Ickenham UB10 8AJ

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Mr & Mrs J Hayer to support an appeal against the decision of London Borough of Hillingdon to refuse an application to extend a house at 4 Harvil Road, in Ickenham.
- b. Following a description of the site and surrounding area, this report will set out the planning history, provide an overview of relevant planning policy and outline the case for the appellants.
- 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 3 December 2021, the appellants submitted an application to the London Borough of Hillingdon for the following proposal (reference: 76195/APP/2021/4423):

Two storey side and rear extension; raising of main roof ridge; and alteration to windows on front elevation.

- b. On 10 February 2022, the council refused planning permission for the following sole reason:

- 1. The proposed two storey side to rear extension, by virtue of its siting, depth, size, scale, bulk and design would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal 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 (January 2020).*

3. Site Description

- a. The appeal site comprises a two-storey, detached house on the western side of Harvil Road. It is brick-built with hanging tiles at first floor level and a hipped, tiled roof. It has a single storey attached garage, and large front and rear gardens.
- b. The surrounding area is residential in character and has a verdant, suburban feel. The appeal property forms part of a row of detached houses on a roughly consistent building line. The houses are individually designed and have been extended and altered in various ways, contributing to a diverse streetscene. There is no strongly established character – there is a wide mix of house types, heights, sizes, detailed designs and choice of materials. The appeal property is the smallest house on the row and the only one to remain largely unaltered, as shown in the satellite image in figure 1, below.



Figure 1: Satellite image of the appeal property (red dot) and neighbouring properties.

- c. The application site is not listed and the site is not located within a designated conservation area.

4. Relevant Planning History & Appeal Proposal

- a. On 10 May 2021, the council refused planning permission for the following development at the site (reference: 76195/APP/2021/478):

Part single storey/part two storey side and rear extension incorporating roof alterations.

- b. The application was refused for the following reasons:

- 1. The proposed part single storey/part two storey side extension, by virtue of its siting, size, scale, bulk and design, including the lack of a set back from the front at all levels, would fail to appear as a subordinate addition and would thus be detrimental to the appearance of the original house, the visual amenities of the street scene and the character and appearance of the wider area. The proposal 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 (January 2020).*
- 2. The proposed widening of the existing vehicle access would exacerbate existing highway conditions and would result in conditions prejudicial and detrimental to the amenity of pedestrians, contrary to policies DMT 2 and DMT 6 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).*

- c. A subsequent appeal was dismissed on 25 October 2021 (appeal reference: APP/R5510/D/21/3276162). In the appeal decision, the inspector decided that the development would not cause harm to highway or pedestrian safety, but that the extensions would harm the character and appearance of the property and wider area. In particular, the inspector concluded that the roof design combined with an insufficient setback of the side extension from the front elevation would be excessively bulky and out of character with the host dwelling.
- d. The plans and appeal decision are attached in the appendices.

- e. This revised proposal seeks to take account of the inspector's concerns by setting the side extension back fully 1m at ground and first floor level and by altering the roof design.

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 policy BE1 of the Strategic Policies and policies DMHB 11, DMHB 12 and DMHD 1 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 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.
- e. 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.
- f. 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"

- g. 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.
- h. It recommends that two-storey side extensions are set back 1m from the main front elevation and that the ridge of the roof is set 0.5m lower than the ridge of the roof over the main part of the house. Side extensions should be no more than 50% of the width of the main house and should be set away 1m from the side boundary.
- i. It advises that single-storey rear extensions to detached houses should have a depth of no more than 4m and two-storey rear extensions should respect the 45-degree rule, whereby they do not breach an imaginary line drawn at an angle of 45 degrees from the centre of the nearest neighbouring habitable windows. Flat roofs over two-storey extensions are discouraged.
- j. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how they should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.
- k. Paragraph 11(c) requires that decision-makers approve *"development proposals that accord with an up-to-date development plan without delay"*. Where policies are absent or out of date, permission should be granted unless:

"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."

- 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 ... 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 126 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."

6. Case for the Appellants

- 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 satisfied that the proposal is acceptable on highways grounds. It is concerned, however, about the impact of the extensions on the character and appearance of the property and wider streetscene.
- b. The officer's report acknowledges that the side extension complies with the detailed criteria set out in policy DMHD1: it has a width that is much less than 50% of the original house, has been set back fully 1m from the original front wall of the house and has been set down from the ridge of the main part of the roof. This corrects a key defect of the proposed side extension dismissed at appeal, which was not set back at all from the front at ground floor level and was set back just 0.5m at first floor level, with the result that the side extension was insufficiently subordinate.
- c. In the previous appeal decision, the inspector opined that:

"the appeal property is on a relatively spacious plot and as such the extensions would not appear overlarge, relative to the overall plot size."

- d. He went on to say that:

"the new hipped roof over the main house would have a comparable ridge height to the host property and would be seen in the context of the current varied roof heights of the surrounding properties"

- e. However, he concluded that:

'the scale and form of the proposed two storey side extension built in line with the front of the main house and the new hipped roof would nevertheless be a significant addition relative to the main property'

- f. The revisions to the design of the side extension to set it back from the front successfully reduce its bulk and massing and make it appear a subordinate addition, respecting its original character and proportions.
- g. The new roof design creates a part-hip, part-crown roof, similar to the existing roof design. It is roughly the same height as the existing roof and has a conventional design, comparable to many others along the street and

in the wider area. Although the new roof means the loss of the existing roof, with its unusual and distinctive design, the roof is not protected by any planning designations and there is no suggestion that replacing or altering this roof is unacceptable in principle.

- h. The officer's report objects to the scale of the proposed two-storey rear extension. However, the planning officer (1st application ref: 76195/APP/2021/478) had no objection to a rear extension of this kind. The subsequent appeal also resulted in the appeal inspector not finding any issue or objection to the rear extension element. The rear part of the development is not readily visible from the street. In addition, though the extensions are substantial in size, the extended house will still be similar in depth and overall size as other houses along the row.
- i. The appellants note that there is a pronounced diversity in the character and appearance of the streetscene in this area. All of the other houses in the immediate vicinity have been altered and extended in various ways. The appeal proposal will not look out of place in the context of surrounding development.
- j. There are a number of recent approvals and appeal decisions within the immediate vicinity which we consider are material to the assessment of this appeal, as follows:
 - 11217/APP/2019/4070 - Part two storey, part single storey side/rear extension and raising and enlargement of roof to include 2 front and 2 rear dormers with 1 side roof light to allow for conversion of roof space to habitable use (Approved) – 45 Highfield Drive, Ickenham
 - 24942/APP/2018/4329 - Part two storey, part single storey side/rear extension, first floor side extension, single storey front extension and conversion of roof space to 19 Highfield Drive, Ickenham, UB10 8AW to habitable use to include 2 rear dormers, 9 roof lights and alterations to roof including raising of ridge height. (Allowed at appeal APP/R5510/D/19/3224543)
 - 22897/APP/2017/1062 - Part first floor and part 2 storey rear extension, two storey front extension, conversion of roofspace to habitable use to include 2 rear dormers, 3 side rooflights and

conversion of garage to habitable use involving alterations to front elevation. (Allowed at appeal APP/R5510/D/17/3178470) – 35 Highfield Drive, Ickenham

- k. The following two are examples of recent approved schemes on the road which clearly demonstrate the local authority are happy to accept different types of buildings/development within the immediate area. There is no set precedent for development or extensions on the road. Every property is different in some way shape or form. In the case for the following 2 approvals, there is an increase in the number of units allowed and the associated “bulk” of those approvals is clear.

- 32126/APP/2020/3182 - Erection of a two storey building with habitable roofspace to create 4 x 2-bed, 1 x 1-bed self-contained flats and 2 x studio flats with parking, access and enlargement of existing vehicular crossover, involving demolition of existing dwelling
- 17028/APP/2018/1435 - Four x 4-bed semi-detached dwellings with habitable roofspace, parking and amenity space.

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 concerned that the extensions are insufficiently subordinate and will harm the character and appearance of the street.
- b. The two-storey side extension complies with the specific guidance in DMHD1 that it be proportionate in width, set back 1m from the front elevation and set down from the main roof. It should therefore be considered a subordinate addition.
- c. The new roof form is conventional in design and appearance. It means the loss of the original roof, but this is not specifically protected, and a new roof is not unacceptable in principle. The new roof design is conventional and will not look out of place in the context of the wide mix of roof types along the street.
- d. The council objects to the rear extensions, but similar extensions were found acceptable by the local authority in the previous planning application and subsequently also by the inspector in the previous appeal. They are tucked away from the street and will not look out of place among a varied rear streetscape.
- e. In general, the streetscene in this location is diverse. Many of the houses have been extended and this diversity creates greater tolerance for alterations to individual properties.
- f. For the above reasons, it is considered that the proposed development complies with the relevant development plan and national policies and the inspector is therefore respectfully requested to allow this appeal.



Just Planning Limited

Tel: 020 3488 1525

Email: info@just-planning.co.uk

Just Planning HQ

Suite 45

4 Spring Bridge Road

London W5 2AA

www.just-planning.co.uk

 [justplanning](https://www.facebook.com/justplanning)

 [@JustPlanning](https://twitter.com/JustPlanning)

© Just Planning 2022