

13 FOXDELL, NORTHWOOD

Written Statement

NP12099
Written Statement

10 May 2022

REPORT

Document Status

Version	Purpose of document	Authored by	Reviewed by	Approved by	Review date
Dv		Richard Boother	Richard Boother	Richard Boother	14/4/22
fv		Richard Boother	Richard Boother	Richard Boother	10/5/22

Approval for issue

Richard Boother



2022-05-10

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1 INTRODUCTION

- 1.1 RPS has been instructed by Dusek Design Associates Ltd. ('the Appellant') to appeal against the refusal by London Borough of Hillingdon ('the Council') of an application for planning permission for:
- "Erection of a part single, part two storey side extension, part garage extension, removal and replacement of existing hipped roof with new hipped crown roof. 1 rear dormer window, 3 front roof lights, 1 side rooflight and new external openings to ground and first floors., at 13 Foxdell, Northwood, HA6 2BU" (72654/APP/2021/3320 refers) (**Appendix 1**).*
- 1.2 The application was refused by notice dated 12 April 2021 (**Appendix 2**) for the following reason:
- "Due to its bulky, oversized and uncharacteristic crown roof, coupled with the prominent two storey side extension and variety of other minor extensions and fenestration alterations, the proposed development would harm the character and appearance of the existing dwelling and would fail to respect its original architectural composition, reading as an uncharacteristic and unduly prominent addition in the Foxdell streetscene. The proposed development is therefore considered to be harmful to the appearance of host dwelling and surrounding area, all contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as paragraph 130 of the NPPF (2021) and Policy D3 of the London Plan (2021)."*
- 1.3 This written statement sets out the Appellant's full statement of case. The remainder of this section describes the location of the site, provides a description of the proposed development and explains the background to the appeal. Section 2 explains the planning policy context of the proposed development. Section 3 sets out the case for the Appellant. Section 4 is a summary of and conclusion to this written statement.

Site Location and Description

- 1.4 The application site is located at the western end and on the southern side of Foxdell, approximately 300m to the north west of Northwood Town Centre, and currently supports one detached house ('the Appeal Site').
- 1.5 No. 13 has a brick finish set beneath a hipped tiles roof. The frontage is set back over 9m from the highway and is laid to lawn with a paved drive way serving the garage to the front of the property. There is an enclosed landscaped garden to the rear. The existing detached house has limited architectural merit and in need of major repair and renovation.

Appeal Proposal ('the proposed scheme'/'the appeal proposal')

- 1.6 As noted above, the application the subject of this appeal seeks planning consent for the erection of a part single, part two storey side extension, part garage extension, removal and replacement of existing hipped roof with new hipped crown roof. 1 rear dormer window, 3 front roof lights, 1 side rooflight and new external openings to ground and first floors.

Planning History and Background to the Appeal

- 1.7 The original property appears to date back to the 1980s.
- 1.8 Planning permission for a two storey extension, conversion of roof space to habitable use to include 3 rear dormers, 5 front rooflights and conversion of both sides of roof from hip to gable end and conversion of garage to habitable use was refused by the Council in 2020 (72654/APP/2020/3132 - **Appendix 3**) '(the original' or 'previous proposal)', with the subsequent appeal dismissed (**Appendix 4**). In dismissing the appeal the Inspector noted that *"the construction of gable walls to enable the proposed roof conversion would result in a sizeable addition to No 13. Together they would appear disproportionate and unsympathetic and add considerably to the bulk and scale of the dwelling. The gable walls would result in a mass of built form which would be dominant in the street scene"* (paragraph 5). The Inspector was silent on the matter of the impact of three rear facing dormer windows, having noted that the Council did not object to this aspect of the development (paragraph 10).
- 1.9 The application the subject of this appeal was submitted to the Council on 1 September 2021. The scheme varied from the previously refused scheme, and fully addressed the Inspector's comments, principally with a fully hipped roof arrangement, fewer front facing velux windows and smaller rear facing dormer windows.
- 1.10 Amended plans were submitted on 18 February 2022, showing the replacement of two rear dormer windows with velux windows, and an amended roofline (drawing no. 1091-P-2A - Appendix 1). The Officer's report on the application is attached at **Appendix 5**. As noted above, the application was refused by notice dated 4 March 2022.

2 PLANNING POLICY CONTEXT

- 2.1 This section sets out the planning policy context within which the appeal proposal should be considered.

National Planning Policy Framework (NPPF)

- 2.2 The NPPF was published in July 2021 and sets out the Government's planning policies for England, and is a material consideration in planning decisions. It replaced the various Planning Policy Statements and Guidance Notes, alongside other Circulars and Government guidance.
- 2.3 Paragraph 2 states that planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. At the heart of the NPPF, however, is a presumption in favour of sustainable development, (paragraph 11). For the decision making, this means approving development proposals that accord with an up-to-date development plan without delay; or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless: i. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 2.4 Section 12 (paragraphs 126 to 136) relating to achieving well-designed places, is relevant to the consideration of this appeal. The creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. 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. (paragraph 126).
- 2.5 Paragraph 128 states that to provide maximum clarity about design expectations at an early stage, plans or supplementary planning documents should use visual tools such as design guides and codes. These provide a framework for creating distinctive places, with a consistent and high-quality standard of design. However, their level of detail and degree of prescription should be tailored to the circumstances in each place, and should allow a suitable degree of variety where this would be justified.
- 2.6 Paragraph 130 states that:
- "Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and

f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”

Development Plan Policy

2.7 For the purpose of S38 (6) of the Planning and Compulsory Purchase Act 2004, the relevant parts of the Development Plan in this case are:

- Hillingdon Local Plan: Part 1 – Strategic Policies (HLP1);
- Hillingdon Local Plan Part 2 Development Management Policies and Site Allocations and Designations (HLP2);
- The London Plan 2021 (LP2021).

The Hillingdon Local Plan: Part 1- Strategic Policies

2.8 The HLP1 was adopted on 8 November 2012 (relevant extracts are attached at **Appendix 6**). Policy BE1 is a multi-criteria-based policy relating to the built environment. This requires all new development to improve and maintain the quality of the built environment in order to create successful and sustainable neighbourhoods, where people enjoy living and working and that serve the long-term needs of all residents

Hillingdon Local Plan Part 2 Development Management Policies and Site Allocations and Designations

2.9 The HLP2 was adopted as part of the Borough's development plan at Full Council on 16 January 2020. Relevant extracts of HLP2 are attached at **Appendix 7**. The site is not the subject of any specific designations or allocations (the site excluded from Area of Special Landscape Character (ASLC) which covers the properties on the north side of Foxdell and Dene Road). Policies referred to in the decision notice are:

- DMHB 11 Design of New Development;
- DMHB 12 Streets and Public Realm;
- DMHD1 Alterations and Extensions to Residential Dwellings.

The London Plan 2021

2.10 The Council cites one of the London Plan 2021 in its reason for refusal (**Appendix 8**) - Policy D3: Optimising site capacity through the design-led approach.

3 CASE FOR THE APPELLANTS

General comments

- 3.1 As described above, the appeal site is located in an area with a varied streetscene. There are a number of recent developments in close proximity to the site, where there are similar forms of development, including crown roofs. The Inspector's decision on the previous application, notes that a number of dwellings in Foxdell have been subject to extensions and alterations which *"have not significantly change the overall character and appearance of the area"* (paragraph 4, Appendix 4). These, and other recent decisions are examined below.

9 Foxdell

- 3.2 9 Foxdell looks to have been extended and altered over the years, and has a part crown roof which in no way dominates or detracts from the street scene (**Appendix 9**).

5 Foxdell

- 3.3 A crown roof was approved at no. 5 Foxdell in 2019 as part of a two storey side extension (58728/APP/2019/1110 refers) (**Appendix 10**). In recommending approval of the scheme, the case officer found that the additions *"would be subordinate to the main house and harmonise with its architectural composition."* The case officer also found that the *"design of the proposed two storey side extension would harmonise with the visual amenities and character of the Dene Road Local Area of Special Character"*.

23 Dene Road

- 3.4 A crown roof was also approved as part of the conversion of roofspace to habitable use at 23 Dene Road, 75m to the north of the appeal site (70478/APP/2021/1082 refers) (**Appendix 11**). In this case, it was stated by the case officer that *"...the visual harm resulting from its insertion would be limited and is not considered sufficient to justify a refusal of planning permission"*.

25 Dene Road

- 3.5 Planning permission was granted for the replacement of existing buildings with a 2.5 storey building comprising 5 x 3-bed and 3 x 2 bed self-contained flats, parking, landscaping works and widening of vehicular crossover to front (46479/APP/2020/3055 refers) (**Appendix 12**). While of a different scale of development to the appeal proposal, there are some similarities which are worth noting. The replacement building at no. 25 does not include a crown roof in the truest sense, but nevertheless includes flat roof elements alongside traditional pitches. The deep cat slide roof to the rear is a fairly atypical design element in the streetscene, and emphasises the capacity of the area to absorb different rooflines without detriment to the quality of the townscape. It will also be noted that the approved elevations includes two large dormers and 6 no. velux windows.
- 3.6 In recommending approval of the scheme, the case officer commented that: *"the proposal has the potential to enhance the appearance of the site and its contribution to the ASLC and wider Northwood Area"*.

1-6 Vantage Mews

- 3.7 1-6 Vantage Mews, approximately 90m to the south east of the appeal site, comprises 2 groups of three, 2.5 floor, terraced properties, each with a distinctive crown roof.

Carew House, Green Lane

- 3.8 Carew House is presently under construction immediately to the south west of the appeal site. Planning permission was granted in 2017 for the erection of a four storey detached residential building comprising 9 residential flats (4 x 2 bedroom and 5 x 3 bedroom units) with associated parking and landscaping, following demolition of existing residential block and pair of semi-detached houses (10112/APP/2016/3976 refers) (**Appendix 13**). The approved building includes a crown roof, which is part of a demonstrably larger development than the appeal proposal. In recommending approval of the application, the case officer stated *that "...the proposal would comprise details and materials that complement the local architectural character of the area..."*

Would the proposal harm the character and appearance of the existing dwelling and surrounding area?

- 3.9 The fundamental character of the host dwelling will not change as a result of this proposal, as it will remain a detached dwelling. The previous Inspector described the area as retaining a *"a well-balanced appearance and character of detached properties in a mature setting"* (Appendix 4, paragraph 4), and this too will remain unchanged as a result of this proposal. The case officer describes the surrounding area as being *"characterised by two storey detached dwellings, with pitched roofs, finished in brick. Each property is set back from the street allowing for off road parking and landscaping"* (Appendix 5). This character description will also remain unchanged, noting the incidences of crown roofs described above.
- 3.10 The Appellant agrees with the previous Inspector that the two storey side extension is *"modest"* (Appendix 4). The case officer has seemingly overlooked the significant reduction in scale and the extent to which the hipped roofline has reduced the bulk of the additions when viewed on the streetscene. The resulting dwelling has a more balanced appearance (and is more balanced than if, as the case officer has suggested the additions are made to appear more subordinate), and is more in keeping with other neighbouring properties with fully hipped roofs. The development maintains the front and rear buildings lines of properties on the south side of Foxdell, and a separation distance of 1m to the eastern boundary (as required by HLP2 Policy DMHD 1: (C (iv)) and 2.58m (370mm single storey) to the western flank of the adjoining property.
- 3.11 As such, it is not considered that the development would harm the character and appearance of the existing dwelling and surrounding area.

Is the development in accordance with the Development Plan?

- 3.12 As noted above, the refusal notice cites several development plan policies.
- 3.13 In terms of Policy BE1 of HLP1, for the reasons outlined above, it is considered that the development achieves a high quality of design in the resulting building which enhances the

local distinctiveness of the area, contributes to community cohesion and a sense of place (criterion 1), and has been designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, and views, and make a positive contribution to the local area in terms of layout, form, scale and materials and seek to protect the amenity of surrounding land and buildings, particularly residential properties (criterion 2). The rest of Policy BE1 appears to relate to new, larger scale residential development and are not directly relevant to the appeal proposal. As such, no conflict with this Policy is identified.

- 3.14 As far as Policy DMHB11 is concerned, as described above, the appeal proposal is felt to be in harmony with its local context. In relation to Part A, the scale, mass and bulk has been considerably reduced from the original proposal, and along with the height, are all considered to be commensurate with other buildings in the area, including those described in the earlier paragraphs of this section. The proposal meets other requirements of the development in terms of plot width, and the development respects established building lines, setbacks, rooflines and streetscape rhythm. The architectural composition and quality of detailing is appropriate to its context (including the dormer and velux windows). There are no issues relating to local topography and views to and from the site, and the development will not have an adverse impact on neighbouring open spaces (criterion i). The exact materials to be used are not specified, other than they will match the existing building (criterion ii), and the Appellant is willing to accept a condition to this affect. The internal design and layout of the development maximises sustainability and is adaptable to different activities in accordance with criterion iii, and will not adversely impact on features of positive value within and adjacent to the site (criterion iv). No new landscaping or tree planting is proposed, and the development will not have a detrimental impact on biodiversity of green infrastructure (criterion v).
- 3.15 It is an area of common ground with the Council that it is considered the development will have an acceptable impact on the amenities of neighbouring dwellings (Part B). The development will not prejudice the satisfactory re-development of any adjoining sites which have development potential which are limited in any event) (Part C), and existing arrangements for internal and external storage space for general, recycling and organic waste remain unchanged (Part D).
- 3.16 As a householder development, Policy DMHB 12, relating as it does to streets and public realm, does not appear to be directly applicable to the proposal the subject of this appeal. However, for the reason outlined above, the development is consistent with the general thrust of the Policy which is to be well integrated with the surrounding area and accessible.
- 3.17 With regard to Part A of DMHD1, for the reasons outlined above, it is not considered to have an adverse impact on the appearance or quality of the existing street or wider area, and no cumulative impact has been identified by the Council (criterion i). A satisfactory relationship with adjacent dwellings has achieved (criterion ii). While the main body of the extensions would not appear as subservient to the host dwelling as such, to accommodate this would result in a building that would lack the balance characteristic of most properties in the street and wider area, and would thus be in conflict with other aspects of the development plan (criterion iii). The development will use matching materials (criterion iv). There is no unacceptable loss of outlook to neighbouring occupiers (criterion v). Adequate garden space (criterion vi) and adequate off-street parking (criterion vii) will be retained, as will existing trees, hedges and other landscaping features (criterion viii). Criterion ix is not relevant to the consideration of this appeal.

- 3.18 In terms of Part C, the proposed first floor side extensions does not exceed the half the width of the original property (criterion i). It equates to 15% of the total building width. As a corner plot, criterion ii is relevant, but the resulting building will compromise the openness of the area is maintained and the return building line will not be exceeded. The existing integral garage has been retained but reduced in width. The two storey side extensions are set in a minimum of 1 metre from the side boundary (criterion iv). The extended area to the east incorporates part of the internal garage, and it would be impractical to set the extension back 1m in this case. two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation. As noted above, the resulting balanced frontage is characteristic of the street and its surroundings, criterion v notwithstanding. Criterion vi (hip to gable roofs) and vii (conservation areas) are not relevant to the consideration of this appeal.
- 3.19 As far as Part E is concerned, while the area as extended has not be set back or below the existing roofline, the roof extension is more appropriate size relative to the host dwelling compared with the original proposal and retains the balanced appearance of the property. As noted above, there are other examples of this roof type in the locality. The existing roof will be replaced above soffit level to ensure the finished house is of the highest standard. While there is some conflict with this policy, the practical reasons for not setting the additions back in a more subservient manner are such that refusal on these grounds is not considered to be justified (criterion i) . The proposed development has been designed to take its cues from other properties along Foxdell and the wider area, and of course the hipped roof to a gable which the previous Inspector found objectionable has been removed from the proposal (criterion ii). The height of the existing ridgeline will not be exceeded (criterion iii), and as noted above, appropriate external materials and architectural details to match the existing dwelling will be employed (criterion iv). Criterion v is not relevant to the consideration of this appeal.
- 3.20 Parts B, D and F are not relevant to the consideration of this appeal.
- 3.21 The Council also cites Policy D3 of the London Plan. This is entitled 'Optimising site capacity through the design-led approach', and like Policy DMHB 12 of the HLP2, it appears to relate more to larger scale residential development as opposed to householder development. The Policy is not specifically referred to in the main body of the case officer's assessment of the application (Appendix 5), and it is not clear where the conflict with this policy arises. It is considered nevertheless that, for the reasons outlined above, the development is consistent with this policy in terms of enhancing local context by delivering a resulting building that positively respond to local distinctiveness through its layout, orientation, scale, appearance and shape, with due regard to existing street hierarchy, building types, forms and proportions (criterion D1). It is noteworthy also that the development complies with the Policy in terms of delivering appropriate outlook, privacy and amenity (criterion D7), and has been designed with an attention to detail which gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well (criterion D12.)
- 3.22 .

4 SUMMARY AND CONCLUSIONS

- 4.1 RPS has been instructed by Dusek Design Associates Ltd. to appeal against the refusal by London Borough of Hillingdon of an application for planning permission for the erection of a part single, part two storey extension roof extension and alterations at 13 Foxdell, Northwood.
- 4.2 It is considered that the development is proportionate to the size of the plot and appropriate to the host dwelling and the character and appearance of the surrounding residential neighbourhood and has been designed to ensure the development complements the existing built form and contributes positively to wider area.
- 4.3 This appeal statement demonstrates that every effort has been made to produce a scheme that relates to and seeks to protect the character of the existing street scene and neighbouring properties, including landscaping to enhance the dwellings setting within the wider area.. The proposal accords with the development plan, when considered as a whole, and the Inspector is respectfully requested to allow this appeal.

Appendix 1

Planning Application 72654/APP/2021/3320

Appendix 2

Decision Notice 72654/APP/2021/3320

Appendix 3

Planning Application 72654/APP/2020/3132

Appendix 4

Appeal Decision 72654/APP/2020/3132

Appendix 5

Officer Report 72654/APP/2021/3320

Appendix 6

Relevant Extracts of Local Plan: Part 1 Strategic Policies

Appendix 7

Relevant Extracts of Local Plan Part 2: Development Management Policies and Site Allocations and Designations

Appendix 8

Relevant Extracts of the London Plan

Appendix 9

Existing elevations 9 Foxdell

Appendix 10

Application Reference 58728/APP/2019/1110

Appendix 11

Application Reference 70478/APP/2021/1082

Appendix 12

Application Reference 46479/APP/2020/3055

Appendix 13

Application Reference 10112/APP/2016/397

