



Just Property Planning

Planning Appeal Statement

Refusal of planning permission for the erection of a two storey side extension, conversion of roof space to habitable use to include a rear dormer and a front roof light, and alteration to elevations of the rear extension at 12 Dawley Avenue, Hillingdon, UB8 3BS

June 2022

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1.0 Introduction

- 1.1 This Planning Appeal Statement has been prepared by Justin Reid (BSc Hons) of Just Property Planning Ltd to support an appeal against the decision of London Borough of Hillingdon to refuse planning permission for the erection of a two storey side extension, conversion of roof space to habitable use to include a rear dormer and a front roof light, and alteration to elevations of the rear extension at 12 Dawley Avenue, Hillingdon, UB8 3BS.
- 1.2 This Planning Appeal Statement should be read in conjunction with the material submitted with the original application.
- 1.3 The planning application was assessed by the Local Planning Authority and a decision notice for refusal was subsequently issued on 25th March 2022. The Local Planning Authority cited the following reason for refusal:
 1. *The proposed development by reason of its size, scale, width, height and design would result in an incongruous, dominant, disproportionate, bulky and visually intrusive addition that would fail to harmonise with the architectural composition of the original dwelling, breach neighbouring building lines and would subsequently 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).*
- 1.4 The Council's reasons for refusal depicted above are disputed by the applicant and this Statement of Case will demonstrate that the proposed development at No. 12 Dawley Avenue, Hillingdon is planning policy compliant and should be granted planning permission.

2.0 The Site and Surroundings

- 2.1 The appeal site comprises a two-storey end of terrace dwelling situated on a corner plot, to the Western side of Dawley Avenue and to the Northern side of Hardinge Close. The dwelling is accessed via the elevation which fronts Hardinge Close.
- 2.2 It should be noted the planning officer incorrectly referred to the property as a semi-detached dwelling within Paragraph 1.1 of the delegated report.
- 2.3 The surrounding area is characterised by two-storey terrace and semi-detached residential properties which are similar in style and design.
- 2.4 The appeal site is not situated within a conservation area, nor does it comprise a listed building. There are no Tree Preservation Orders (TPO's) within or surrounding the site boundary.

Figure 1: *Front elevation of the appeal site*



3.0 Planning History

- 3.1 Application reference: 17948/B/91/0152 relates to the erection of a single storey rear extension. This application was granted permission on 15th March 1991.
- 3.2 Application reference: 17948/APP/2007/3224 relates to the erection of a single storey part side and rear extension and installation of a side dormer and side access ramp. This application was refused planning permission on 7th January 2008.
- 3.3 Application reference: 17948/APP/2008/277 relates to the erection of a single storey side and rear extension. This application was granted on 10th April 2008.

4.0 Relevant Planning Policies

- 4.1 National Planning Policy Framework (2021)

- London Plan (2021)

- 4.2 Policy D3 – Optimising site capacity through the design-led approach
- 4.3 Policy D4 – Delivering good design

- Hillingdon Local Plan: Part One - Strategic Policies (November 2012)

- 4.4 Policy BE1 – Built Environment

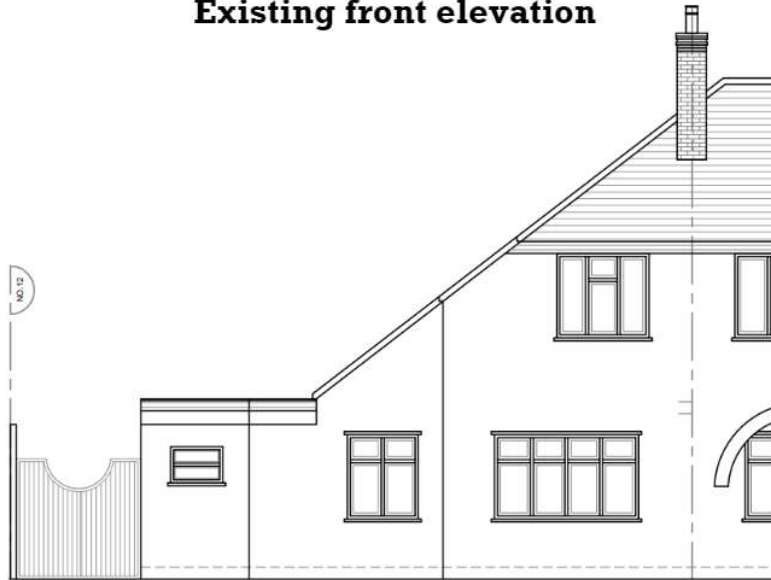
- Hillingdon Local Plan: Part Two - Development Management Policies (January 2020)

- 4.5 Policy DMHD 1 – Alterations and Extensions to Residential Dwellings
- 4.6 Policy DMHB 11 – Design of New Development
- 4.7 Policy DMT 2 – Highways Impacts
- 4.8 Policy DMHB 12 – Streets and Public Realm
- 4.9 Policy DMHB 17 – Residential Density
- 4.10 Policy DMT 6 – Vehicle Parking
- 4.11 Policy DMHB 18 – Private Outdoor Amenity Space

5.0 Proposed Development

- 5.1 As part of the submission to the Local Planning Authority, a full set of drawings was submitted to the Local Planning Authority.

Existing front elevation



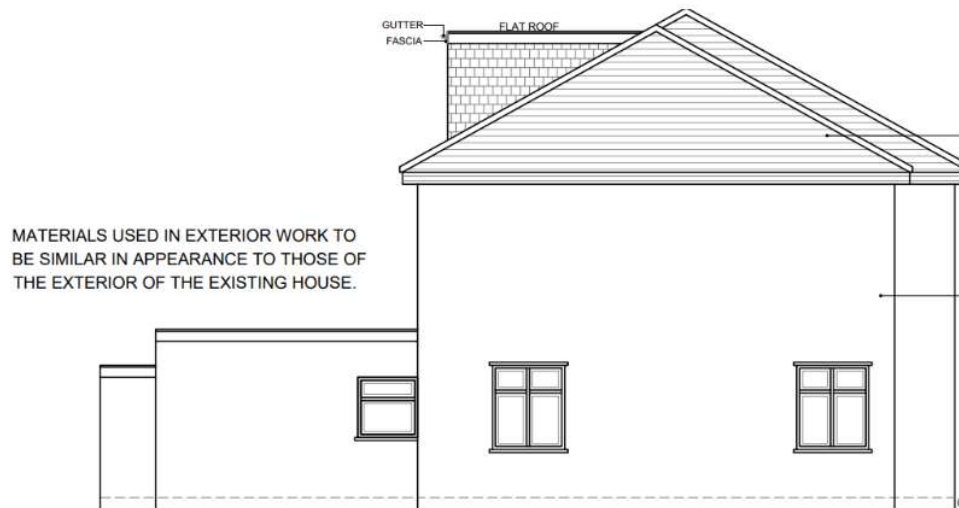
Proposed front elevation



Existing side elevation



Proposed side elevation



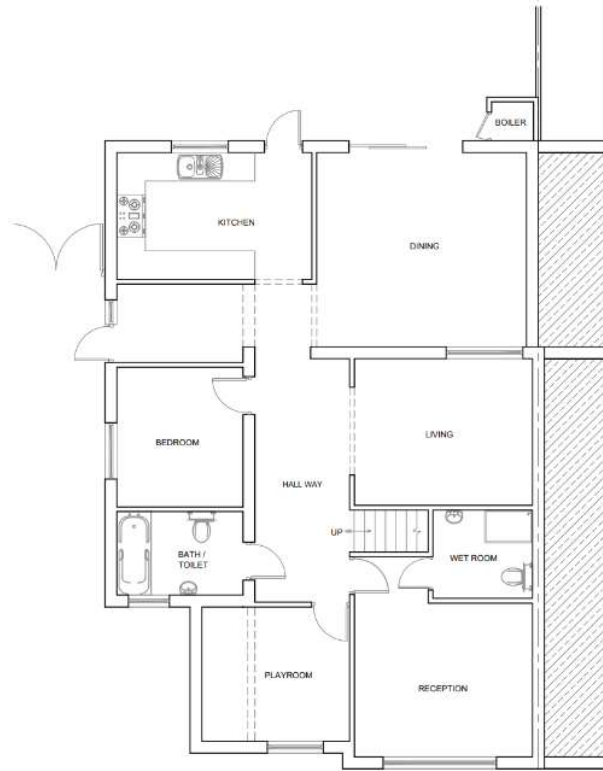
Existing rear elevation



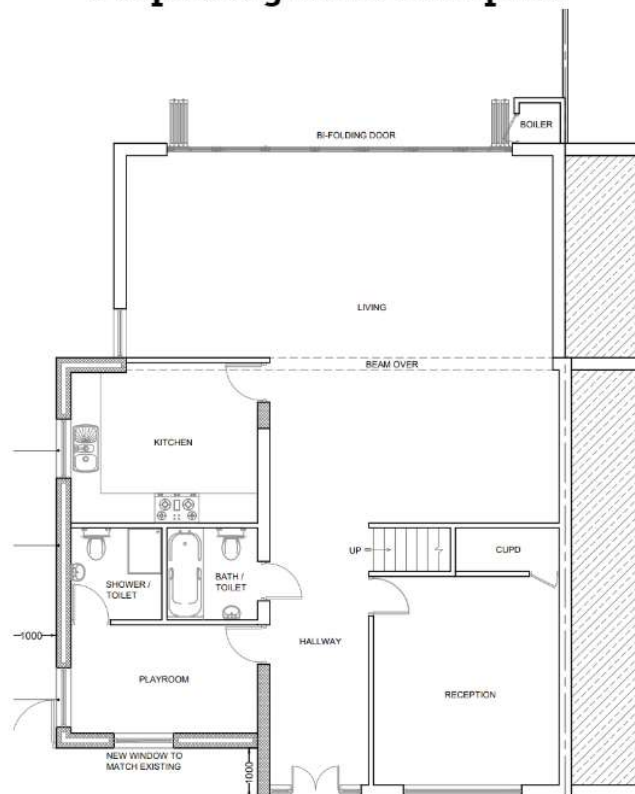
Proposed rear elevation



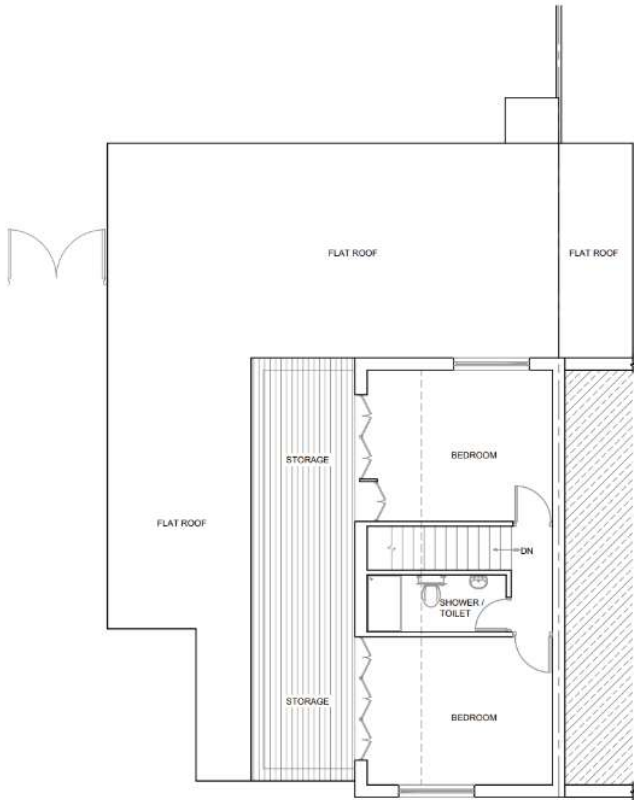
Existing ground floor plan



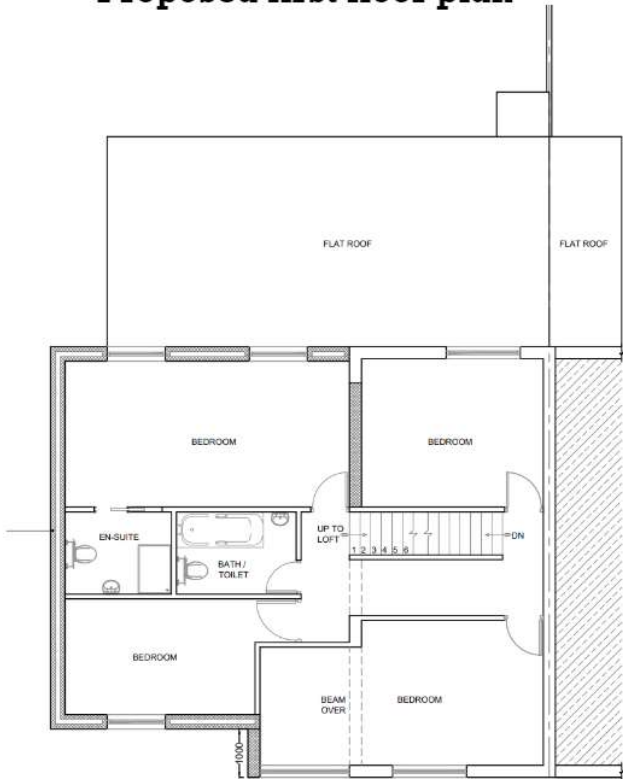
Proposed ground floor plan



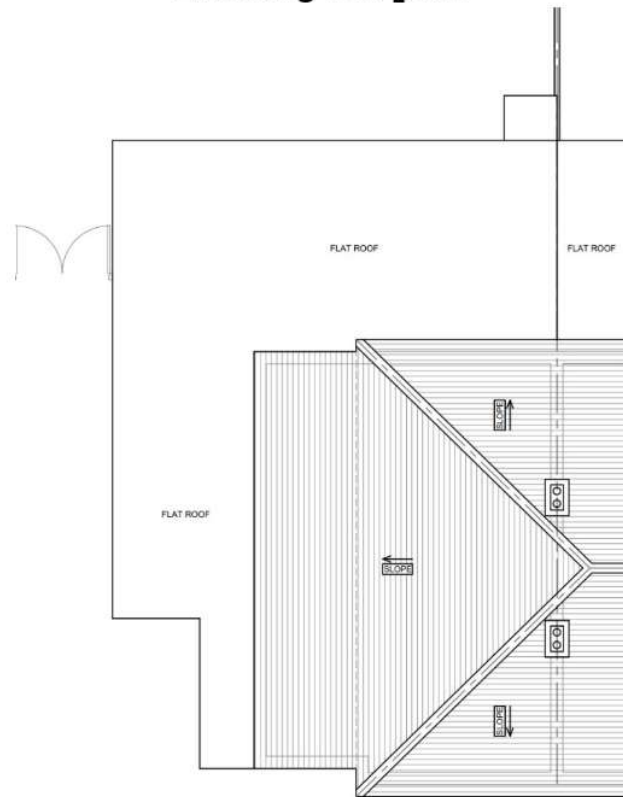
Existing first floor plan



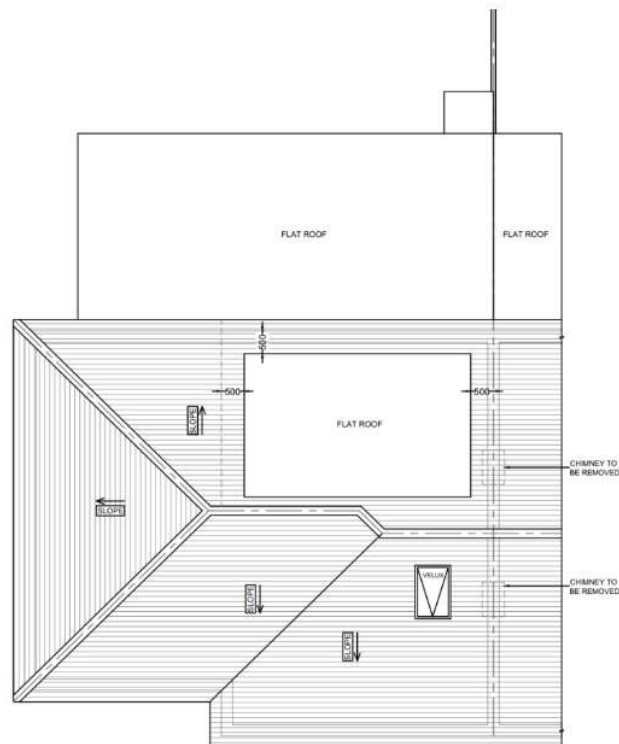
Proposed first floor plan



Existing loft plan



Proposed loft plan



6.0 Statement of Case

6.1 The Local Planning Authority cited the following reason for refusal;

1. The proposed development by reason of its size, scale, width, height and design would result in an incongruous, dominant, disproportionate, bulky and visually intrusive addition that would fail to harmonise with the architectural composition of the original dwelling, breach neighbouring building lines and would subsequently be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.

6.2 Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020) are of most relevance with respect to the reason for refusal. Each of these policies seek to ensure proposed development is of a high quality and respect the character and quality of the area.

6.3 Within the delegated report the case officer confirmed '*The proposed two storey side extension takes on board some of the policy requirements of Policy DMHD 1*', however the case officer proceeds to state the proposed setbacks *would not be sufficient to comply with the development plan as a whole*'. No clarification has been provided as to why the proposal would comply with policy requirements of Policy DMHB 1 but would fail to comply with the development plan, and/or what elements of the development plan the proposal would fail to comply with.

6.4 The width of the proposed two-storey would be approximately 2m less than the width of the main dwelling. In addition, the roof of the proposed addition would be set lower than the ridge of the main dwelling and the proposed addition would be set 1m back from the front building line of the main dwelling. This signifies that the proposal has been designed sympathetically and would constitute a subservient addition. The 1m set back proposed from the side boundary (adjacent to Hardinge Close) would further mitigate the 'bulk' of the addition and would ensure the proposed extension would not appear dominant within its context and the streetscene.

6.5 The case officer also raised concerns with respect to the removal of the catslide roof which would subsequently unbalance the row of properties it forms part of. Whilst catslide roofs are characteristic within the area, consideration should be given to the immediate context of the site. The neighbouring properties at Nos 14 Dawley Avenue and No.2 Hardinge

Close have large dormers within their flank elevation facing the appeal site which dominate the property and erodes from the character of the surrounding area. Therefore, whilst the proposed development would result in the removal of the catslide roof, it would not be to the detriment of the character of the surrounding area.

- 6.6 The case officer also indicated the scale of the proposed rear dormer is excessive. Section E of Policy DMHD 1 relates to roof extensions and states *'roof extensions should be located on the rear elevation only, be subservient to the scale of the existing roof and should not exceed more than two thirds the average width of the original roof. They should be located below the ridge tiles of the existing roof and retain a substantial element of the original roof slope above the eaves line'*.
- 6.7 The proposed rear dormer would be modest scale in comparison to the width of the proposed dwelling and a sufficient set back would be retained from the boundaries of the main roof. Consequently, the proposed rear dormer would not dominate the rear elevation of the site and would be appropriately designed.
- 6.8 In conclusion, the appropriate scale and the set backs of the proposed additions would ensure a subservient form development is achieved. Furthermore, the good quality finish proposed would enhance the visual amenity of the site and surroundings, as well as contribute positively to the streetscene. Therefore, the proposed development accords with the objectives of the national, regional and local planning policies listed within Section 4 of this report.

7.0 Conclusion

- 7.1 The proposed development would provide much needed space for the existing occupants of the dwelling and in consideration of the context of the site and setbacks which would be achieved, the proposed additions would be proportionate, enhance the visual amenity of this corner site and make a positive contribution to the streetscene.
- 7.2 For the reasons set out in this statement, we respectfully request this appeal is allowed and that planning permission is granted.

8.0 Suggested Conditions

- 8.1 It should be noted the Local Planning Authority did not include drawing number 'D05' in the schedule of plans. Nonetheless, without prejudice to the decision of this appeal, if the planning permission were to be granted, we request the following conditions are attached to the decision notice.

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

- D01 – Dated: 30/09/2021
- D02 – Dated: 30/09/2021
- D03 – Dated: 30/09/2021
- D04 – Dated: 30/09/2021
- D05 – Dated: 30/09/2021
- D06 – Dated: 30/09/2021
- D07 – Dated: 30/09/2021
- D08 – Dated: 30/09/2021
- D09 – Dated: 30/09/2021
- D10 – Dated: 30/09/2021

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

REASON: To safeguard the character and appearance of the area.