



APPEAL BY:
Mr Jasbinder Sandher

AGAINST THE LONDON BOROUGH OF HILLINGDON COUNCIL'S REFUSAL
TO GRANT PLANNING PERMISSION FOR:

Erection of a first floor side extension, part first floor rear extension and conversion of flat
roof to pitch roof on rear single storey extension

AT

15 Brookside Road Hayes UB4 0PQ

London Borough of Hillingdon Council's Reference: 30809/APP/2022/1634

WRITTEN REPRESENTATIONS: GROUNDS OF APPEAL

SEPTEMBER 2022

RJS PLANNING

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1.0 INTRODUCTION

- 1.1 This statement has been prepared by RJS Planning, on behalf of Mr Jasbinder Sandher, in support of the appeal lodged against the refusal of planning application 30809/APP/2022/1634.
- 1.2 The application was registered on 19th May 2022 and sought planning permission for the 'Erection of a first floor side extension, part first floor rear extension and conversion of flat roof to pitch roof on rear single storey extension' at No. 15 Brookside Road, in Hayes, within the London Borough of Hillingdon.
- 1.3 The application was refused under delegated authority on 14th July 2022 for the following reason:
1. *The proposal, by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss 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 character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012), Policies DMHB11, DMHB12 and DMHD1 of the Hillingdon Local Plan – Part Two (2020), Policies D4 and D8 of the London Plan (2021) and the NPPF.*
- 1.4 This grounds of appeal will address the central concerns raised within the Council's reason for refusal, notably:
- Whether the proposal, by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance; and
 - Whether the proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene.
- 1.5 To set some context, this statement will first provide a description of both the appeal property and the proposed development. The statement will then discuss the relevant national and local planning policies before responding to the Council's concerns.

2.0 CONSULTATION

- 2.1 The 11 nearest neighbouring properties were consulted by letter dated 9th June 2022 and no objections were received by the Council; therefore, it can be assumed that the neighbouring residents do not share the Planning Officer's concerns in regard to the proposed development.

3.0 THE SITE

- 3.1 The appeal property is an end-of-terrace single family dwellinghouse located on a corner plot to the west side of Brookside Road, and set back from the junction with Dorchester Way that borders the northeast side of the appeal plot.



No. 15 Brookside Road

- 3.2 The host terrace and neighbouring terrace to the southwest are set back from Brookside Road behind a wide grassed 'green' area with mature trees, with a public footpath running in front of these properties.
- 3.3 The front garden of the appeal property is accessed from Dorchester Way and provides off-street parking. The house has a single storey wrap-around extension to the side and rear, with a gated pathway to the side that leads to a large enclosed rear garden.



Appeal Site and Surrounding Area

- 3.4 The appeal site is located within a predominantly residential area, that is not within a conservation area, and the neighbouring buildings are not listed.

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4.0 RELEVANT SITE HISTORY

4.1 Planning Application Reference: 30809/A/94/1445

Erection of a two storey side and single storey rear extension

Refused 24-10-1994

4.2 Planning Application Reference: 30809/C/96/0114

Erection of a single storey side and rear extension

Approved 27-02-1996

4.3 Planning Application Reference: 30809/APP/2015/4514

First floor side/rear extension and installation of new pitched roof to existing single storey rear element

Refused 16-02-2016 for the following reason:

- 1. The proposal by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss 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 character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*

- 4.4 An appeal was subsequently dismissed under reference APP/R5510/D/16/3147070, which will be discussed later in this statement.

4.5 Planning Application Reference: 30809/APP/2018/1672

First floor side/rear extension and installation of new pitched roof to existing single storey rear element

Refused 11-07-2018 for the following reason:

- 1. The proposal by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss 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 character and the visual amenities of the area and to this existing open area of the street scene. Therefore the proposal is contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Extensions.*

Appeal turned away as submitted after the time limit.

5.0 APPEAL PROPOSAL

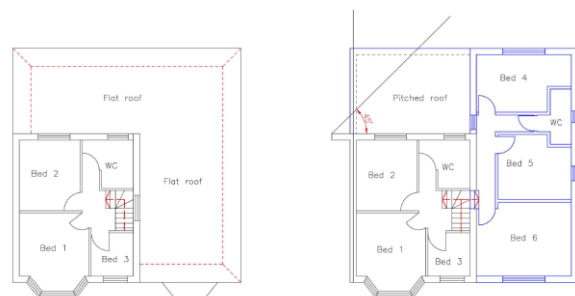
- 5.1 The appeal application sought planning permission for the erection of a first floor side extension, part first floor rear extension and the conversion of the flat roof to a pitched roof on the rear single storey extension at No. 15 Brookside Road.



Existing and Proposed Front and Rear Elevations

Existing and Proposed Side Elevations

- 5.2 The proposed first floor side extension will be positioned above the existing single storey wrap-around, matching the 4.8m width and depth of the extensions below, and finishing flush with the main front elevation, which is set behind the two storey front bay.
- 5.3 The extension will also match the eaves and ridge height of the main roof across the front and to the side of the house, with the first floor rear element maintaining a matching eaves height, although the ridgeline will be set down 0.5m below that of the main roof. The first floor extension will have a width of 5.1m across the rear, set in 5.7m from the attached property No. 13 Brookside Road. The existing rear element adjacent to No. 13 will have the flat roof changed to a pitched roof with an eaves height of 2.7m and a maximum height of 3.808m.
- 5.4 The extensions will match the finishing materials of the host property, with brickwork external walls and tiled pitched roofslopes, together with doors and windows to match the existing fenestration.
- 5.5 The proposed development will not add to the footprint of the property or change any aspects of the ground floor. The first floor currently has 1 double bedroom, 1 single 9.5m² bedroom, a 4.2m² box room and a bathroom; with the extensions providing 1 double bedroom, 2 single bedrooms and a wc.



Existing and Proposed First Floor Plans

6.0 RELEVANT PLANNING POLICY

6.1 The reason for refusal refers to Policy BE1 of the Hillingdon Local Plan: Part One – Strategic Policies (November 2012), Policies DMHB11, DMHB12 and DMHD1 of the Hillingdon Local Plan – Part Two (2020), Policies D4 and D8 of the London Plan (2021) and the NPPF (2021).

6.2 The following paragraphs provide a brief summary of the relevant policies and the applicable guidance within the National Planning Policy Framework. The paragraphs are in a hierarchical order relative to national and local planning policy.

National Planning Policy Framework – February 2021 (NPPF)

6.3 The NPPF (July 2021) sets out the Government’s planning policies for England and how these are expected to be applied, this document replaces the National Planning Policy Framework published in February 2019. The following sections and paragraphs make reference to the parts of the NPPF which are directly relevant to this appeal.

Achieving sustainable development

6.4 The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs. These address social progress, economic well-being and environmental protection. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives): economic, social and environmental.

Decision-making

6.5 Paragraph 38 states that 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, including brownfield registers and permission in principle, 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.

Achieving well-designed places

6.6 Section 12 of the NPPF describes how the creation of high quality buildings and places is fundamental to what the planning and development process should achieve, stating 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”*.

6.7 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.*

6.8 Paragraph 131 notes that trees make an important contribution to the character and quality of urban environments, and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.

6.9 Whilst Paragraph 134 highlights that development that is not well designed should be refused, it also states that conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability, or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings.*

The London Plan (2021)

- 6.10 The London Plan 2021 is the Spatial Development Strategy for Greater London. It sets out a framework for how London will develop over the next 20-25 years and the Mayor's vision for Good Growth. The Plan is part of the statutory development plan for London, meaning that the policies in the Plan should inform decisions on planning applications across the capital, with Policies D4 and D8 relevant to this appeal.

Policy D4: Delivering good design

- 6.11 The design of development proposals should be thoroughly scrutinised by borough planning, urban design, and conservation officers, utilising the analytical tools set out in Part B, local evidence, and expert advice where appropriate.

Policy D8: Public realm

- 6.12 The Development Plans and development proposals should, amongst other criteria, encourage and explore opportunities to create new public realm where appropriate, and should ensure the public realm is well-designed, safe, accessible, inclusive, attractive, well-connected, related to the local and historic context, and easy to understand, service and maintain. Landscape treatment, planting, street furniture and surface materials should be of good quality, fit-for-purpose, durable and sustainable.

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

- 6.13 The Hillingdon Local Plan is the key strategic planning document for Hillingdon and has an ambition for Hillingdon to be an attractive and sustainable borough.

Policy BE1 – Built Environment

- 6.14 Policy BE1 is a general policy that states that the Council will require 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. Criterion 1 of the policy states that new developments should achieve a high quality of design in all new buildings, alterations, extensions and the public realm which enhances the local distinctiveness of the area and which contributes to community cohesion and a sense of place. Criterion 2 of the policy states that proposals should be designed to be appropriate to the identity and context of Hillingdon's buildings, townscapes, landscapes 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.

Local Plan Part 2 - Development Management Policies (adopted Jan 2020)

- 6.15 This Development Management Policies document forms part of Hillingdon's Local Plan Part 2. Its purpose is to provide detailed policies that will form the basis of the Council's decisions on individual planning applications. Policies DMHB11, DMHB12 and DMHD1 are referred to within the reason for refusal.

Policy DMHB 11 - Design of New Development

- 6.16 Section A) states that all development, including extensions, alterations and new buildings will be required to be designed to the highest standards and, incorporate principles of good design including; harmonising with the local context by taking into account the surrounding and, incorporate principles of good design including:

i) harmonising with the local context by taking into account the surrounding:

- *scale of development, considering the height, mass and bulk of adjacent structures;*
- *building plot sizes and widths, plot coverage and established street patterns;*
- *building lines and setbacks, rooflines, streetscape rhythm, for example, gaps between structures and other streetscape elements, such as degree of enclosure;*
- *architectural composition and quality of detailing;*
- *local topography, views both from and to the site; and*
- *impact on neighbouring open spaces and their environment.*

ii) ensuring the use of high quality building materials and finishes;

iii) ensuring that the internal design and layout of development maximises sustainability and is adaptable to different activities;

iv) protecting features of positive value within and adjacent to the site, including the safeguarding of heritage assets, designated and un-designated, and their settings; and

v) landscaping and tree planting to protect and enhance amenity, biodiversity and green infrastructure.

- 6.17 Section B) states development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties and open space; Section C) states development will be required to ensure that the design safeguards the satisfactory re-development of any adjoining sites which have development potential; and Section D) explains that development proposals should make sufficient provision for well designed internal and external storage space for general, recycling and organic waste.

Policy DMHB 12 - Streets and Public Realm

- 6.18 Section A) states that development should be well integrated with the surrounding area and accessible, and amongst other criteria, it should ensure public realm design takes account of the established townscape character and quality of the surrounding area.

Policy DMHD 1 - Alterations and Extensions to Residential Dwellings

- 6.19 In relation to the appeal proposal Section A) states planning applications relating to alterations and extensions of dwellings will be required to ensure that:

- i) there is no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area;*
- ii) a satisfactory relationship with adjacent dwellings is achieved;*
- iii) new extensions appear subordinate to the main dwelling in their floor area, width, depth and height;*
- iv) new extensions respect the design of the original house and be of matching materials;*
- v) there is no unacceptable loss of outlook to neighbouring occupiers;*
- vi) adequate garden space is retained;*
- vii) adequate off-street parking is retained, as set out in Table 1: Parking Standards in Appendix C;*
- viii) trees, hedges and other landscaping features are retained.*

6.20 Section B) relates to rear extensions and states:

- i) single storey rear extensions on terraced or semi-detached houses with a plot width of 5 metres or less should not exceed 3.3 metres in depth or 3.6 metres where the plot width is 5 metres or more;*
- iii) flat roofed single storey extensions should not exceed 3.0 metres in height and any pitched or sloping roofs should not exceed 3.4 metres in height, measured from ground level;*
- vi) two storey extensions should not extend into an area provided by a 45-degree line of sight drawn from the centre of the nearest ground or first floor habitable room window of an adjacent property and should not contain windows or other openings that overlook other houses at a distance of less than 21 metres;*
- viii) pitched roofs on extensions should be of a similar pitch and materials to that of the original roof and subordinate to it in design.*

6.21 Section C) relates to side extensions and states:

- i) side extensions should not exceed half the width of the original property;*
- ii) extensions to corner plots should ensure that the openness of the area is maintained and the return building line is not exceeded;*
- iii) garages should reflect the size guidelines set out in Appendix C Parking standards;*
- iv) two storey side extensions should be set in a minimum of 1 metre from the side boundary or in the case of properties in the Copse Wood and Gatehill Estates, at least 1.5 metres, but more if on a wider than average plot, in order to maintain adequate visual separation and views between houses;*
- v) two storey side extensions to detached and semi-detached properties should be set back a minimum of 1 metre behind the main front elevation;*

7.0 THE APPELLANT'S CASE

Introduction

7.1 The appellant's case will focus on the central concerns within the reason for refusal, notably:

- a) Whether the proposal, by reason of its siting in this open prominent position, size, scale, bulk and design, would result in the loss of an important gap, at first floor level, characteristic to the area, resulting in a cramped appearance; and
- b) Whether the proposal would therefore represent an overdevelopment of the site to the detriment of the character and the visual amenities of the area and to this existing open area of the street scene.

7.2 The main considerations in assessing this case were as follows:

- Principle of development
- Background to the case and appellant's requirements
- Design and impact on the existing dwelling and street scene
- Impact upon the amenities of adjoining occupiers
- Private amenity space retained
- Car parking provision

Principle of Development

7.3 The proposal accords with the aims of local, regional and national planning policy, as the appellant's architect has designed proportionate and sympathetic extensions to the appeal property, that will harmonise with the appearance and character of the existing house and will make better use of the site. The proposal has also been carefully considered to ensure the development as a whole will not impact negatively upon the visual or residential amenities of the neighbouring residents.

7.4 The appeal site is situated within a predominantly residential area where there is a presumption in favour of sustainable development provided that proposals are in compliance with development plan policies and that no unacceptable harm to residential amenity, the environment, highway safety or any other material planning considerations arise.

7.5 The proposal therefore ought to be considered an acceptable form of residential development in principle, subject to policy compliance.

Background to the case

7.6 The planning history of the site is detailed in Section 4.0 of this statement, which includes the existing single storey side and rear extension that was approved in 1996 under planning application reference 30809/C/96/0114.

- 7.7 In more recent years, planning application reference 30809/APP/2015/4514 for a 'First floor side/rear extension and installation of new pitched roof to existing single storey rear element' was refused in 2016. This application shared the same design as the current proposal as the Council considered that *"by reason of its siting in this open prominent position, the size, scale, bulk and design, would result in the loss 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 character and the visual amenities of the area and to this existing open area of the street scene"*.
- 7.8 An appeal was submitted for the above application and unfortunately dismissed under reference APP/R5510/D/16/3147070, on 22nd June 2016 (see **Appendix A**) with the Inspector describing the appeal property as *"one of six which front a small 'green' and share a sense of general symmetry and cottage style aesthetics adding markedly to the character of the area"*. The width and depth of the extension were considered to interfere with the aforementioned qualities, with the suggestion that this large first floor extension would also radically change the street scene from the junction area of Brookside Road and Dorchester Way where presently there is a visually beneficial. Whilst the Inspector's opinion is respected, the comments regarding the existing setting are disputed and the impact of the proposed extension on the street scene, where there are multiple examples of similar extensions, would not be as significant as stated.
- 7.9 Moreover, the appearance of the area has changed over the last 6 years, with a lack of maintenance to the 'green' which has resulted in a problem with rats in the long grass; bollards being removed for several years so that neighbours could drive across to their gardens, breaking the walls and footpaths in the process; and fly-tipping, which sees no investigation or prosecution of the culprits, with images shown in see **Appendix B**.
- 7.10 Planning policies have also been revised since the previous appeal decision, as the Hillingdon Design and Accessibility Statement (HDAS) SPD - Residential Extensions (2008) is no longer part of the planning guidance. The Local Plan – Part Two (2020) now provides revised policies and guidance, alongside the updated London Plan (2021) and NPPF (2021), which all seek better use of land.
- 7.11 The appellant's own circumstances have also changed since the previous applications and appeal were submitted, as it was then home to just the appellant and his 2 children, with the modest property now being home to 5 residents, 2 of which are pensioners, as the appellant's mother and aunty moved into the family home in 2020. The house has just 1 double bedroom and 1 single (9.5m²) bedroom, with the box room only measuring 4.2m² this is too small for a bed and is therefore used as a study for home working. To make space for the elderly relatives, the appellant and his 2 children a boy aged 19 and a girl of 11 years old, are currently having to sleep on the floor which is not practical, especially for the appellant who has had ongoing back problems since the age of 20, which can be confirmed from medical reports if necessary.

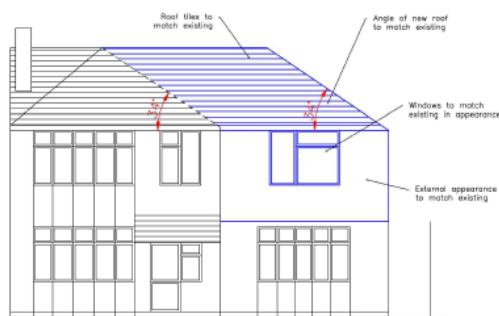
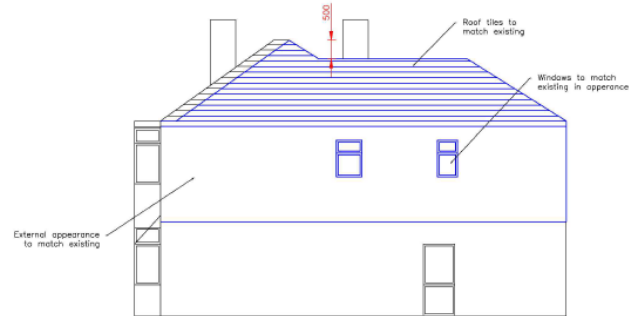
- 7.12 The appellant works from home, due to suffering from Complex Regional Pain Syndrome (CRPS) which is a disability that began in September 2020, with medical letters relating to this contained within **Appendix C**. His employers recognise this condition, which puts him at a disadvantage, as a disability under the Equality Act 2010.
- 7.13 In regard to his mother's health, she had a fall last year, and as a result, has minimum use of her left hand and arm due to the bone around her left wrist having joined to the wrong bone, following being set incorrectly by the hospital. This would require an operation to reset the bone, which is risky at her age and has no guarantee of success, therefore she has chosen to live with the disability (see **Appendix D**).
- 7.14 The existing house is therefore overcrowded, and given the age and health of the residents, the situation is not ideal. The appellant does not want to ask for separate housing for his mother and aunt, with the best solution being for them to remain in the family home where they can be cared for by the appellant; therefore, the ideal solution is the provision of the extra bedrooms, that will create a 5 bedroom house, with the study retained for home working.

Design and impact on the existing dwelling and street scene

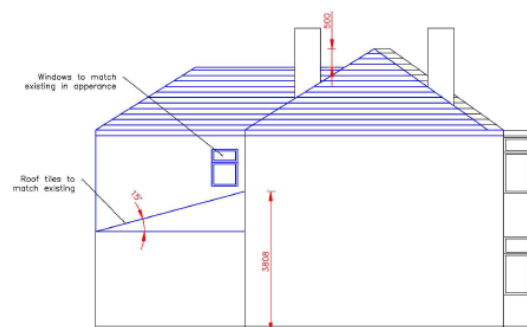
- 7.15 The NPPF states that *"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities"*, with the development purposefully designed to meet the objectives of paragraph 130 which requires developments to function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development; whilst being visually attractive as a result of good architecture, layout and appropriate and effective landscaping, and being sympathetic to local character and history, including the surrounding built environment and landscape setting, with appropriate innovation or change (such as increased densities) not prevented or discouraged.
- 7.16 These objectives are supported by Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) which states that all new developments should achieve a high quality of design in all new buildings and the public realm, contributing to community cohesion and a sense of place; and Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), which state that all development will be required to be designed to the highest standards and incorporate principles of good design, so that it will be well integrated with the surrounding area, be accessible, and amongst other criteria, take into account the established townscape character and quality of the surrounding area.
- 7.17 The appeal proposal consists of a first floor side extension, part first floor rear extension and the conversion of the flat roof to a pitched roof on the rear single storey extension adjacent to No. 13.

**Host Terrace**

- 7.18 The extensions will be constructed above the existing single storey wrap-around extension, and will replace the existing dummy pitched roof with a first floor addition that matches the 4.8m width and the depth of the existing extensions below. The extension will be set in 1.8m from the side boundary, finishing flush with the main front elevation and maintaining the eaves, ridgeline and roof pitch of the host property and terrace, with the two storey bay and the hipped roof above this remaining the main features of the property.

**Proposed Front Elevation****Proposed Northeast Side Elevation**

- 7.19 The first floor extension will have a width of 5.1m across the rear, set down 0.5m below the ridgeline of the main roof and set in 5.7m from the attached property No. 13 Brookside Road, with the existing rear element adjacent to No. 13 to be altered from a flat roof to a pitched roof with an eaves height of 2.7m and a maximum height of 3.8m.

**Proposed Rear Elevation****Proposed Southwest Side Elevation****RJS PLANNING**T: 0208 3543582 M: 07884 138682 E: info@rjsplanning.co.uk

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- 7.20 In regard to the design of the proposed extensions, the Council has acknowledged that the existing ground floor extension already exceeds half the width of the original dwelling, therefore, building above this to provide a two storey extension that will be set in 1.8m from the side boundary at the front of the property, which narrows slightly to 1.2m at the rear, ought to be acceptable as it meets Policy DMHD 1 requirements.
- 7.21 The Planning Officers have suggested that the proposed first floor addition would unbalance the end-terraced property, however, this assessment is disputed, as the existing single storey extension, with dummy-pitched roof, is an ungainly addition and does not harmonise with the house or the terrace. It is argued that removing the dummy pitched roof and adding the first floor element that matches the design of the host property will help to amalgamate the existing side extension with the main body of the terrace, to provide an overall more unified design.



- 7.22 The extensions will be completed to assimilate perfectly with the architectural style of the existing property and the terrace, and when viewed from the front across the 'green' within Brookside Road, the extension will appear as an original part of the terrace, and as pictured below, the set back from the highway ensures the extension will not be a prominent addition when viewed as part of the wider streetscape.



- 7.23 The Planning Officers have referenced the Inspector's comments within the appeal decision reference APP/R5510/D/16/3147070 which states:

"The appeal property is one of six which front a small 'green' and share a sense of general symmetry and cottage style aesthetics adding markedly to the character of the area. The planned extension, seen from the front angle, would almost double the width of the main elevation of the home at upper level and would interfere with the aforementioned qualities. This large first floor extension would also radically change the scene from the junction area of Brookside Road and Dorchester Way as presently there is a visually beneficial sense of openness and this would be replaced by an upper floor edifice with a width of about 5 metres and a length of about 10.5 m including a rear projection which would be appreciably and awkwardly longer than the existing main two storey element. The development would not be suitably subordinate to the original property. The relevant side elevation would be an extensive plane of almost blank two storey vertical walling which would be ungainly and oppressive in the streetscene. The two storey form would be too large and come too close to the footpath, such that it would appear uncomfortably cramped when spaciousness is a positive attribute of this corner site and contributes a pleasant aspect to the neighbourhood generally".

- 7.24 Although the previous Inspector's comments are respected, this is a subjective opinion in regard to the street scene in 2016 that has changed in the past 6 years, with policies at national, regional and local level also having been updated since this time.
- 7.25 The appeal property is set back behind a grassed area from Brookside Road, which is the feature that provides a visual break in the built-up residential setting, and this would not be diminished by the development. The appeal property on approach from the south and north is shown below, to demonstrate that the spaciousness of the residential layout is provided by the 'green' rather than the space above the side extension at No. 15 Brookside Road, and that infilling this space with a first floor extension will have a very limited impact on the overall setting.



Terraces viewed across the 'Green' from the Junction with Cranborne Way and Birchwood Road from the South

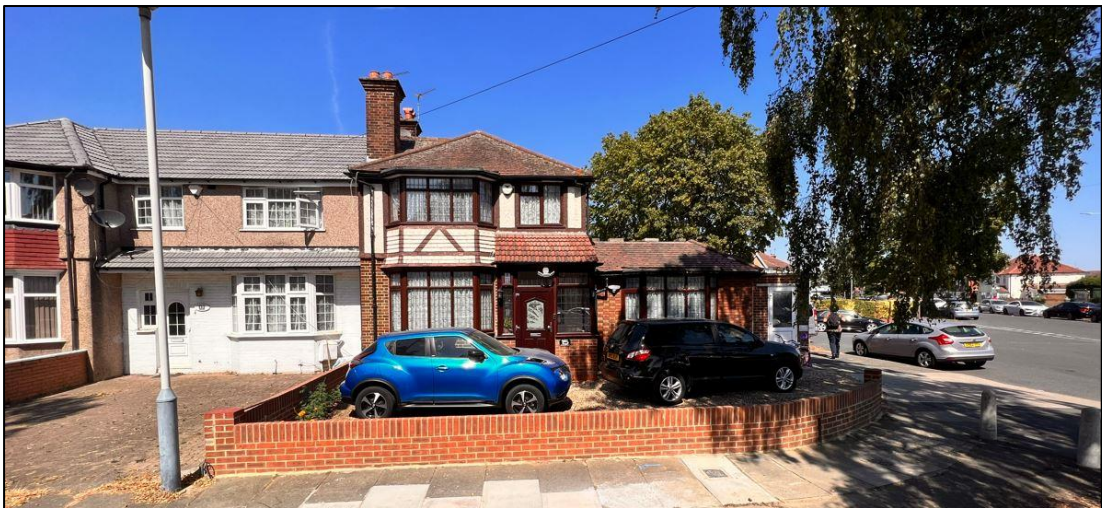
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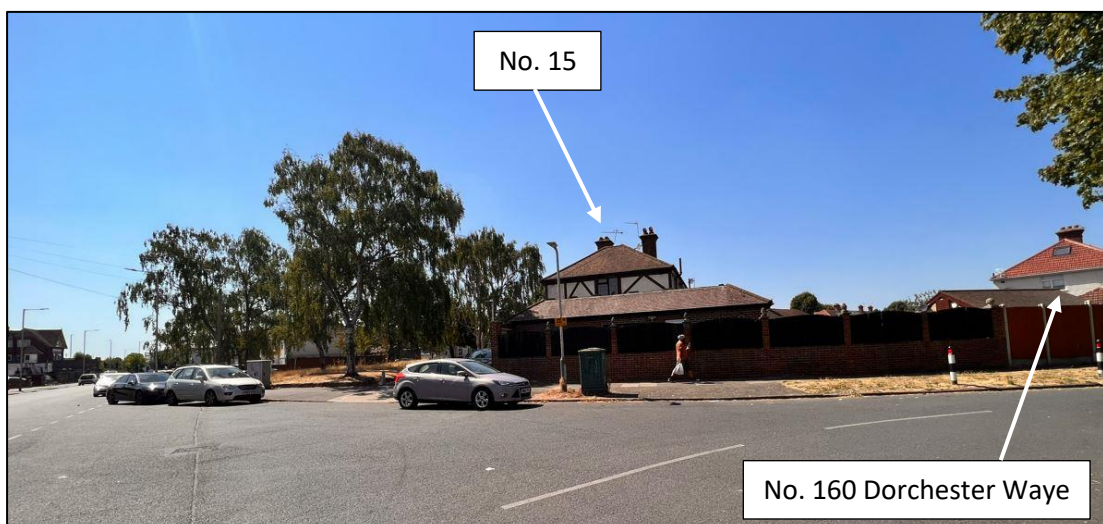
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Host Terrace viewed across the 'Green' from the Junction with Dorchester Way and Birchwood Road from the East



Appeal Property with Backdrop of Street Trees and Houses to the West

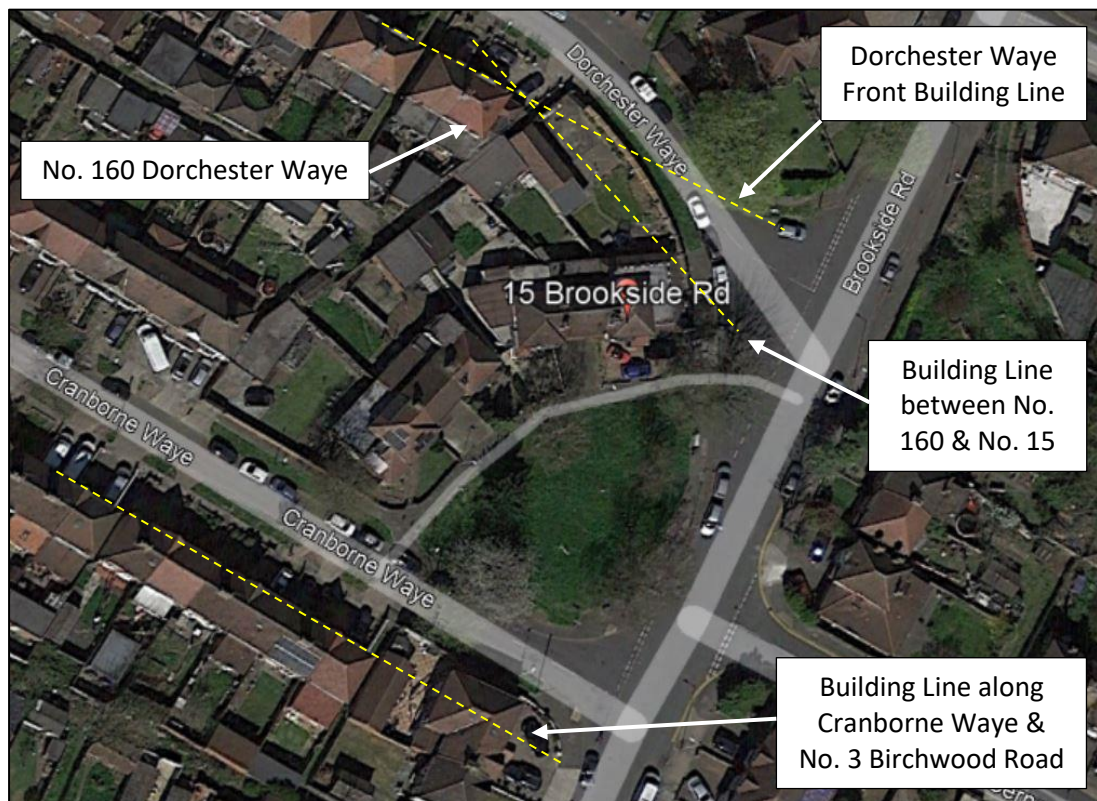


Appeal Property viewed across the Junction with Dorchester Way and Birchwood Road from the North

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- 7.26 As previously described, the extension will sit above the existing side/rear projection and will not add to the footprint of the property, or result in any loss of garden land. As pictured above, and shown on the aerial view below, there is a wide open space to the rear of the appeal property, up to No. 160 Dorchester Way with a separation gap of 29m between the rear elevation of the proposed extension and this neighbouring dwelling, the proposal will not result in a noticeable breach of the return building line in Dorchester Way, and will not *“result in the total closing, at first floor level, of an important gap characteristic to the area, resulting in a cramped appearance”*, as claimed by the Council.



Building Lines around the Appeal Site

- 7.27 As illustrated above, the building line between the front elevations of houses on Dorchester Way and the proposed extension roughly follow the line of the highway, which being curved results in no direct comparison being necessary. The difference between the existing situation and No. 15 with a first floor extension will be negligible when viewed in the streetscene.
- 7.28 Furthermore, in regard to the character of the area, there are numerous examples of large two storey extensions within Birchwood Road, with No. 3 Birchwood Road, as shown below, having a similar width, two storey side extension, with no set down at the rear, which breaks the building line of Cranborne Way and has nevertheless been granted permission.

- 7.29 When viewed in Dorchester Way, the existing side extension does not match the house, the terrace or the general pattern of development in the locality, extending above this would provide an improved form of development which is more akin to the surrounding pattern of development, with many corner properties allowed to extend to the side and rear, and closer to the public footpaths, as pictured below at No. 3 Brookside Road and within the document compiled by the appellant and contained within **Appendix E**.



- 7.30 Another example of similar two storey additions granted despite closing the space around a junction are pictured below at the junction of Brookside Road with Minterne Way, where a new property was constructed at No. 31A Brookside Road, made larger since by the erection of part single-storey and part two-storey rear extension; and No. 33 that was granted a large two storey side extension and in 2019 was granted permission for a 'First floor rear extension and conversion of existing dwelling into 2 x 2-bed flats' which the Planning Officer stated *"The design of the roof would appear similar to other extensions within the area and would be in keeping with the surrounding area. The set back from the side boundary line along Minterne Way would not result in the closing of a visual gap and would not allow the extension to be over dominant to users of Minterne Way. Subsequently, it is considered that the proposal would be subordinate to the original dwelling house and would not be detrimental to the street scene and surrounding area"* (see **Appendix F**).



No. 31a Brookside Road



No. 33 Brookside Road

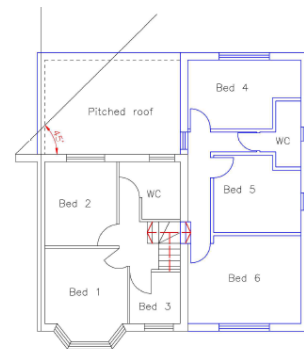
- 7.31 Given the above points and the surrounding pattern of development, together with the government's revised policies and guidance aiming to make better use of the land available, it is argued that the proposal, which is less prominent than other nearby large extensions in Brookside Road and far less cramped in comparison, would not result in the loss of an important gap and certainly could not be considered an overdevelopment of the plot, with the development adhering to Policy DMHB11 guidelines.

Impact upon the amenities of adjoining occupiers

- 7.32 The NPPF states in paragraph 130 that planning policies and decisions should ensure that developments create a high standard of amenity for existing and future users, which is supported by the London Plan (2021) and Policy DMHB 11 of the Local Plan: Part Two - Development Management Policies (2020) which advises that all development will be required to be designed to the highest standards and incorporate principles of good design, whilst not adversely impacting on the amenity, daylight and sunlight of adjacent properties and open space.
- 7.33 The Council has also assessed that given the degree of separation between the proposed first floor rear extension and the shared boundary with adjoining No. 13 Brookside Road, the development would not result in an unacceptable loss of light or outlook, and note that this is demonstrated by the 45-degree angle that has been plotted on the submitted plans, as illustrated on the excerpt below.



Existing Rear Elevation



Proposed First Floor Plan

- 7.34 It has been stated that the increase in height over the existing single storey rear extension would further not have an impact upon the occupants of No. 13 given that this property has a rear extension in line with that proposed. Due to a separation distance of 29m from No. 160 Dorchester Waye, the proposal will also have no impact on this neighbouring dwelling to the rear.
- 7.35 The submitted plans show a first floor side facing bedroom window towards No. 13, which would be obscure glazed as recommended by the Planning Officers as a condition of approval. Therefore, it has been concluded that the proposed development would not constitute an un-neighbourly form of development.

Private amenity space retained

- 7.36 In terms of the garden area, over 100m² of private amenity space would be retained, in accordance with the Part 2 Policy DMHD1 appendix A, Part A) vi), with no increase to the footprint of the dwelling.

Car parking provision

- 7.37 The parking provision would remain unaffected by the proposal.

8.0 CONCLUSION

- 8.1 As explained within this statement, the proposed first floor side and rear extension, together with alterations to the roof of the existing single storey extension have been purposefully designed to respect the original architectural style of the property and the character of the wider area.
- 8.2 Whilst it is understandable that the council would want to prevent unsympathetic development, the appellant has no desire to gain permission for works that are not worthy of the existing house, the composition of the properties within the street scene, or the character and appearance of the area, and feels strongly that the proposed extension to the appeal dwelling will preserve both visual and residential neighbouring amenities, whilst improving the amenity levels of current and future occupants of the modest dwelling, by providing the essential extra bedrooms the family need to comfortably house the appellant's family and elderly relatives within the family home.
- 8.3 As shown within the images included in this statement, the appeal property has a position set back behind an open 'green' area off Brookside Road, where there is also space to the rear over the long garden, between the house and the nearest property No. 160 Dorchester Waye to the rear. It has been stated that the proposal would unbalance the terrace and enclose the gap, appearing as a cramped overdevelopment of the site. However, it is argued that the existing single storey extension is more unbalancing and out of keeping with the setting than the appearance of the proposed development, that once completed will appear original to the terrace. Furthermore, with the many large two storey side/rear extensions upon corner properties in the locality, it is clear that this form of development is an established part of the built environment, with the appeal property having more room to accommodate such an extension than many nearby properties, where similar schemes have been approved.
- 8.4 The 'green' area to the front of the property is the open space that requires protecting, with the appellant having contacted the Council regarding lack of maintenance. The extensions to the side and rear of No. 15 will not have a negative or enclosing impact on this area and the aesthetic style of the terrace will be improved, with the extensions causing no harm to the overall character of the residential setting.
- 8.5 The NPPF (2021) states that decision-makers 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. The proposed extensions comply with national and local planning policy and, for the above reasons, it is politely requested that this appeal is allowed.