



J & L PLANNING SERVICES

Town & Country Planning Acts

Appeal by Mr Rashid Ghafuri against the decision by the London Borough of Hillingdon to refuse planning permission for a single storey rear and side wrap around extension and a partial front extension at 3 Colne Avenue, West Drayton UB7 7AJ

Local Planning Authority Reference: 18590/APP/2022/1286

Appellants Reference: JL18922

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1. **INTRODUCTION**

- 1.1 This statement has been prepared in support of an appeal against a refusal of planning permission.

2. **THE APPEAL**

- 2.1 The appeal concerns a refusal of planning permission for a single storey rear and side wraparound extension, together with a partial front extension. The Council's reasons for refusal are as follows:

1. The proposed extensions, by virtue of their excessive scale, bulk, design, forward projection and proximity to the side boundary, would fail to appear as subordinate additions to the existing semi detached dwelling or respect the architectural style of the original building. The extensions would be detrimental to the character and appearance of the pair, which share group value, as well as the West Drayton Area of Special Local Character. The development would have an unacceptable visual impact on the streetscene and would fail to comply with Policies BE1 and HE1 of the Hillingdon Local Plan (November 2012) and Policies DMHB 5, DMHB 11 and DHMD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).
2. The proposed side/rear extension, by virtue of its combined scale, depth and bulk, given its siting in close proximity to the boundary shared with 1 Colne Avenue, would result in an unacceptably oppressive and overbearing form of development resulting in a harmful sense of enclosure and loss of outlook, in direct conflict with policies DMHB11 and DMHD1 of the Hillingdon Local Plan - 2020.

3. **SITE AND SURROUNDINGS**

- 3.1 The appeal site comprises a semi-detached dwelling located on the west side of Colne Road, some 7 metres north of the junction with Lawn Avenue. The surrounding area is predominantly residential in terms of both built form and land use. The exception is land to the west of the appeal site which is bounded by the River Colne and a woodland.

4. **PLANNING CONSIDERATIONS**

- 4.1 The National Planning Policy Framework (NPPF) which came into force in July 2021, outlines the Government's requirements for the planning system and established how these will be addressed. The most relevant paragraphs are stated below:

Paragraph 7 states that: "The purpose of the planning system is to contribute to the achievement of sustainable development." Paragraph 8 goes on to explain that "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):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet

the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) **an environmental objective** – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.”

4.2 These roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher, social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.

4.3 Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as people's quality of life, including (but not limited to):

1. Making it easier for jobs to be created in cities, towns and villages.
2. Moving from a net loss of biodiversity to achieving net gains for nature.

3. Replacing poor design with better design.
4. Improving the conditions in which people live, work, travel and take leisure; and
5. Widening the choice of high-quality homes.

4.4 The National Planning Policy Framework advocates that the statutory status of the development plan is the starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts would be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.

4.5 At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision making. Local planning authorities should approve development proposals that accord with statutory plans without delay, and grant permission where the plan is absent, silent, in determination or where relevant policies are out of date. All these policies should apply unless the adverse impact of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, taken as a whole.

4.6 The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Although visual appearance and the architecture of

individual buildings are particularly important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural built and historic environment. Furthermore, permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

4.7 Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.

4.8 The Borough Council have provided two reasons for refusal which, in turn, raises two primary issues, these are:

(i) character and appearance; and

(ii) the residential amenities of the occupiers of no. 1 Colne Avenue.

4.9 In support of these concerns, the Council have referred to provisions within the Local Plan (November 2012) and the Local Plan: Part Two – Development Management Policies (2020). Within this context, the merits of the appeal proposal will be assessed.

Character and appearance

BE1

- 4.10 This policy seeks to achieve a high quality of design. The emphasis of the policy, as advocated by criterion 1, is the public realm and the local distinctiveness of the area, in this case the West Drayton Area of Special Local Character.
- 4.11 The distinctiveness of the area, its local context, is defined by three elements. The first element is the public thoroughfares as marked by public highways. The second is the expanse of woodland and the River Colne, and the third is the garden hinterlands of dwellings.
- 4.12 In respect of the public thoroughfares, the existing semi detached built form of the host dwelling would remain visually prominent, due to the single storey nature of the proposed side extension. The proposed side and front extensions would be physically subordinate to the host dwelling and neighbouring built forms. Lastly, the siting of the side extension would not merge with the neighbouring detached dwelling (no.1) due to this property's siting characteristics.
- 4.13 In respect of the setting of the River Colne and the neighbouring woodland, this setting would physically remain undisturbed. Furthermore, the separating distances between the appeal proposal and this environment would ensure an inconsequential impact.
- 4.14 Lastly, in respect of the garden hinterland area, the siting characteristic of the appeal, together with its design and external appearance would have a visually neutral presence, due to the assortment of differing extensions, outbuildings, and other paraphernalia, associated with neighbouring dwellings.

HE1

- 4.15 This policy is concerned with 'Heritage' seeking to conserve and enhance, in this case, the West Drayton Area of Special Local Character. The aims and objectives are similar to that advocated by policy BE1. Therefore, reference is made to preceding submissions.

DMHB 5

- 4.16 The requirements of this policy are satisfied for the following reasons:
- (i) The established scale of the local built environment, two storey profiles with a pitched roofscape, would remain preserved.
 - (ii) The front building line would not be breached by the proposed side extension. The proposed front extension would align with the existing front entrance porch.
 - (iii) The overall height of the appeal proposal would be set below the height of the host dwelling; and
 - (iv) The proposed external appearance would incorporate external materials and joinery details to match the host dwelling and, thereby, be consistent with the urban grain of the area.

DMHB 11

- 4.17 The criteria advocated by the policy is similar in aims and objectives, and to a degree, content to that advocated by policies BE1, HE1, and DMHB 5. Therefore, reference is made to preceding submissions.

DHMD 1 (typo? Should be DMHD 1)

- 4.18 Criterion B of the policy advocates projections for rear extensions to semi detached dwellings. The locational characteristics of the locality, which comprise of a jumble of various rear extensions and additions to host dwellings. This assortment of extensions results in a patchwork spatial arrangement. Within this context, the appeal proposal would not represent a dominant feature or detract from the prevailing character of the locality.

Residential amenities of no. 1 Colne Avenue

- 4.19 The amenity concerns of the Council relate specifically to oppressive, overbearing, enclosure and loss of outlook. Other matters such as privacy or passage of natural light are not concerns raised by the Council. Within this context, the merits of the appeal will be assessed.

DMHB 11

- 4.20 Criterion B of the policy is both relevant and material. The following factors collectively ensures that the requirements of the policy are satisfied:
- (i) The existing boundary treatment would screen, for the most part, the proposed extension from view. The modest use above the boundary fence would have a negligible impact upon amenity.

- (ii) The separating distances between windows serving habitable rooms within no. 1 Colne Avenue and the proposed extension; and
- (iii) The orientation and angles of outlook from windows serving habitable rooms within no. 1 Colne Avenue and the proposed extension.

4.21 The above factors would, taken together, ensure that the appeal proposal would not harm the amenities of occupiers of no. 1 Colne Avenue.

DHMD 1

4.22 Criterion A(v) of the policy is both relevant and material. The aims, objectives and, perhaps, content of the policy is similar to policy DMHB 11. Therefore, reference is made to preceding submissions.

5. CONCLUSIONS

5.1 The appeal proposal, by virtue of the reasons stated above, would not harm the character and appearance of the area, or the residential amenities of the occupiers of no. 1 Colne Avenue.

5.2 In conclusion, the appellant respectfully requests that the Inspector upholds the appeal.