



Appeal Statement

Single-Storey Side Extension
AT
15 Myrtle Avenue,
Ruislip HA4 8SA

1. Introduction

- a. This Appeal Statement has been prepared by Just Planning on behalf of Mr H Gidda to support an appeal against the decision of London Borough of Hillingdon to refuse an application to extend a house at 15 Myrtle Avenue, in Ruislip.
- b. Following a description of the site and surrounding area, this report will provide an overview of relevant planning policy and outline the case for the appellant.
- c. It will be demonstrated that the proposal complies with relevant local and national policies and that planning permission should therefore be granted.

2. Background

- a. On 9 August 2022, the appellant submitted an application to the London Borough of Hillingdon for the following proposal (reference: 77105/APP/2022/2498):

Demolition of garage, erection of single storey side extension and alterations to existing rear ground floor fenestration.

- b. On 5 October 2022, the council refused planning permission for the following sole reason:

1. *The proposed extension by reason of its siting, size, scale, bulk, width, height and design, would fail to appear as a subordinate and subservient addition and would fail to harmonise with the architectural composition of the original semi-detached dwelling, would be detrimental to the character, appearance and symmetry of the pair of semi-detached houses of which it forms a part and to the 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 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).*

3. Site Description

- a. The appeal site comprises a two-storey, semi-detached house on the southern side of Myrtle Avenue. It is brick-built with pebble-dashed first floor elevations and a tiled, hipped roof. It also has a ground floor front bay window and porch overhang. The house has a large side garden with a detached garage.
- b. The surrounding area is residential in character and has a mix of detached and semi-detached houses laid out on a roughly consistent building line. The houses vary considerably in terms of their detailed architectural design, and many have been extended and altered in various ways, contributing further to a diverse streetscene.
- c. The local pattern of development is relatively dense with limited spacing between buildings. The side garden at the appeal property is anomalous in that the street otherwise has limited spacing between buildings and no other plot has a side garden of this size.
- d. The application site is not listed and the site is not located within a designated conservation area.

4. Appeal Proposal

- a. The appeal proposal is for the demolition of the existing detached garage and the erection of a single-storey side extension.
- b. The extension is 4.3m wide and is set well away from the side boundary, with a gap of around 4.5m between the proposed extension and the boundary. It aligns with the front and rear elevations, apart from a shallow glazed addition that projects a short distance into the garden. It has a pitched roof at the front, with a flat roof behind. It is to be constructed in materials to match the main house. There are new windows proposed for the front and side elevations and bifolding doors for the rear.
- c. The appeal proposal provides the appellant and his family with an enlarged family reception space, with a study, utility room and downstairs shower room, and will make a material difference to the quality of accommodation offered by this house.

5. Planning Policy

- a. Planning law states that decisions on planning applications must be taken in accordance with the statutory development plan unless material considerations indicate otherwise. The relevant parts of the development plan for the area are the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020).
- b. According to the decision notice, the development fails to comply with policy BE1 of the Strategic Policies and policies DMHB 11 and DMHD 1 of the Development Management Policies.
- c. Policy BE1 (Built Environment) of the Strategic Policies requires all new development to improve the quality of the built environment in order to create successful and sustainable neighbourhoods. Among other things, the policy states that development proposals should be sensitive to local identity, landscapes, townscapes and views, improve areas of poor environmental quality, improve the quality of the public realm, and not result in the inappropriate development of gardens and green spaces that erode the character of suburban areas.
- d. Policy DMHB 11 (Design of New Development) of the Development Management Policies requires that all new development exhibit a high quality of design. Development should harmonise with its surroundings in terms of its scale, size and detailed design. It should use high quality materials. It should not unacceptably harm the residential amenity of close neighbours.
- e. Policy DMHD 1 (Alterations and Extensions to Residential Dwellings) sets out criteria for extensions. It seeks to ensure that there is:

"no adverse cumulative impact of the proposal on the character, appearance or quality of the existing street or wider area"

- f. It requires that extensions are subordinate to the host dwelling *"in their floor area, width, depth and height"*. It recommends the use of matching materials. It requires that adequate garden space and parking is retained.

- g. It recommends that side extensions *"should not exceed half the width of the original property"*. It does not require a setback for single-storey side extensions, except where they are to properties in conservation areas.
- h. The National Planning Policy Framework (NPPF) sets out the government's planning policies for England and how they should be applied. It identifies a presumption in favour of sustainable development. Development is sustainable when it meets the economic, social and environmental needs of a community.
- i. Paragraph 11(c) requires that decision-makers approve *"development proposals that accord with an up-to-date development plan without delay"*. Where policies are absent or out of date, permission should be granted unless:

"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

- j. According to paragraph 38:

"Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available ... and work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible."

- k. Paragraph 126 states that:

"Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

6. Case for the Appellant

- a. The council does not object in principle to the extension of this dwelling and it is satisfied that there will be no harm to the residential amenity of close neighbours. It is satisfied that the proposal is acceptable on highways grounds and that there will not be any unacceptable loss of private garden space. It is concerned, however, about the impact of the extension on the character and appearance of the property.
- b. Though the reason for refusal objects to the "*siting, size, scale, bulk, width, height and design*" of the development, it is clear from the officer's report that the council is primarily concerned about the width of the extension, which exceeds the 50% limit in policy DMHD 1 of the Development Management Policies. The result, in the council's view, is that the extension would not appear as a subordinate addition and would overwhelm the character and proportions of the main house.
- c. The appeal property is unusual in that it has a large side garden on a street otherwise characterised by a tight urban grain, as shown in the satellite image in figure 1, below. The houses are tightly packed with limited spacing between them, and the appellant's side garden is something of an anomaly.



Figure 1: Satellite image of the appeal site showing side garden highlighted in red.

- d. The large side plot creates an opportunity for a wider extension to the house that would usually be permitted, without interfering with the surrounding pattern of development and without the extended house appearing cramped on the site.
- e. Although the side extension is more than 50% of the width of the house itself, it is nevertheless proportionate in size and scale to the house and the plot. At 66% of the width of the main house, it remains subservient in width. It is also substantially lower in height than the main house. Despite its width, the extension is still set several metres away from the side boundary with the western neighbour, number 17. In the appellant's view, an extension limited to 50% in width would look out of place because it would occupy so little of the available garden area.
- f. Though the extension aligns with the front elevation of the house, it is set back behind the bay window and porch overhang and therefore appears to be recessed. It also has a sympathetic pitched roof form, similar to the roof over the main house. It has evenly aligned fenestration and uses materials to match the host dwelling.
- g. The council's reason for refusal argues that the side extension would unbalance the symmetry of the semi-detached pair, but there is no suggestion that the house should not be extended to the side at all. In any case, there is limited symmetry between the two houses because of the differences in the plot widths. In addition, any existing symmetry is undermined by the garage extension to number 13 and the detached garage to the side of the appeal property.
- h. The council acknowledges that *"many of the properties on the street and in the local area have been extended and altered"* and that *"a number of properties ... benefit from single and two-storey side extensions"*.
- i. Although the houses along Myrtle Road are similar in size and siting, there is a pronounced diversity in their detailed architectural design. The neighbours immediately to the east of the appeal property have a variety of designs, as shown in the image in figure 2, below.



Figure 2: Houses just to the east of the appeal site.

- j. Similarly, on the other side of the road, there is a mix of housing styles, as shown in the image in figure 3, below.



Figure 3: Houses on the other side of the road from the appeal site.

- k. Many of the houses have extended in a variety of different ways. The neighbour to the west (number 17), for example, has a two-storey side extension projecting close to the shared boundary with the appeal site. This absence of uniformity creates a tolerance for further extensions to individual houses without causing material harm to the streetscene.
- l. The appellant notes that there were no objections to their proposal from neighbours or any other third parties. Three letters of support were received.

7. Conclusions

- a. The council does not object in principle to the appeal proposal and does not believe there will be any harm to neighbours' amenities. It is concerned that the extension is excessively wide, insufficiently subordinate and will harm the character and appearance of the street.
- b. The extension is wider than the 50% limit in policy DMHD 1, but the 50% limit is an arbitrary one and a slightly wider extension is appropriate in this case because of the unusual size of the side garden.
- c. The extension is well designed – it is still less wide than the main house, is low in height, has a sympathetic roof form, uses matching materials, has even fenestration and is set well away from the side boundary. It appears recessed behind the front porch and bay window. Since it is narrower and lower in height than the house, and is set well away from the side boundary, it will appear as a subordinate addition.
- d. It will also fit in well with a diverse streetscene. Myrtle Road is densely developed with a variety of housing types and a mix of extensions and additions. The diversity of development in this area creates greater tolerance for alterations to individual properties.
- e. For the above reasons, it is considered that the proposed development complies with the relevant development plan and national policies and the inspector is therefore respectfully requested to allow this appeal.



Just Planning Limited

Tel: 020 3488 1525

Email: info@just-planning.co.uk

Just Planning HQ

Suite 45

4 Spring Bridge Road

London W5 2AA

www.just-planning.co.uk

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

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

© Just Planning 2022