



Town and Country Planning Act 1990  
Section 78 Planning Appeal

# London Borough of Hillingdon Appeal Statement

**Proposal:**

Demolition of an existing 2-bed bungalow and erection of a new 4-bedroom bungalow with habitable roof space, including side dormer, raising the ridge of the main roof, roof lights and solar panels.

**Appeal Site:**

14 Larne Road, Ruislip

# Introduction

- 1.1 This appeal statement is submitted by the London Borough of Hillingdon, as the Local Planning Authority (LPA), in respect of the appeal against its refusal to grant planning permission for the demolition of an existing 2-bed bungalow and erection of a new 4-bedroom bungalow with habitable roof space, including side dormer, raising the ridge of the main roof, roof lights and solar panels.
- 1.2 The LPA refused the application planning permission on 23<sup>rd</sup> January 2023 on the following reasons (as stated on the decision notice):
  1. The proposed development, by virtue of its external timber cladding finish, uncharacteristic front angled wall, various roof profiles and solar panels, would fail to harmonise with the character and architectural composition of the surrounding properties, appearing as a visually obtrusive and incongruous form of development which would be detrimental to the visual amenity of the street scene and harmful to the character and appearance of the surrounding area. The proposal therefore conflicts with Policy BE1 of the Hillingdon Local Plan: Part One- Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D4 of the London Plan (2021) and the National Planning Policy Framework (2021).
  2. The proposed development, by reason of the relationship between the proposed side dormer and the existing side dormer at number 16 (both of which serving bedrooms), would result in a loss of outlook, sense of enclosure, overbearing impact, loss of privacy (both real and perceived) and overlooking issues for the neighbouring occupiers at number 16 Larne Road. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan Part Two - Development Management Policies (2020) and the National Planning Policy Framework (2021).
  3. The proposed development, by virtue of the position of the proposed side dormer window serving a bedroom, would result in poor levels of outlook, overlooking and lack of privacy (both real and perceived) for the future occupiers residing in this habitable room. The proposal would therefore result in a substandard form of residential accommodation to the detriment of future occupants, contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).
- 1.3 The LPA's case is set out in the Planning Officer's delegated report, which should be read in conjunction with this statement.
- 1.4 This statement will not repeat the delegated report and will focus on addressing matters raised in the Appellant's statement of case.
- 1.5 It should be noted that since the refusal of the appeal case planning permission has been granted for a new four-bedroom bungalow with habitable accommodation within the roof space (application reference 57311/APP/2023/32). The key changes that have made are listed as follows: removal of the first-floor angled wall on the front elevation; and removal of the timber cladding on the front elevation in replacement with white render to match neighbouring properties on Larne Road. (Refer to Appendix B for the approved plans.)

# LPA Comments on Appellant's Statement of Case

## Ground for refusal 1: Harm to the Character and Appearance of the Area.

- 1.6 The predominant use of timber cladding for the front and rear elevations of the proposed dwelling, deviates significantly from the architectural style and materials of the surrounding properties on Larne Road. The existing street scene boasts a cohesive visual identity, characterized by a variety of architectural elements that are in harmony with one another. However, the proposed development's design, with its conspicuous use of timber cladding, fails to complement or match this established character. As a result, the dwelling appears incongruous and out of place in the context of the street scene.
- 1.7 In response to the Appellant's submission of photos depicting other properties on Larne Road, it is crucial to note that all of the referenced properties feature external finishes in either render or painted pebble dash render. This observation further reinforces the Local Authority's position that the proposed timber cladding would not be in keeping with the character and architectural style prevalent in the immediate locality. The distinct difference in external finishes between the proposed development and the Appellant's referenced properties substantiate the concerns about the incongruity of the proposed design with existing street scene on Larne Road.
- 1.8 The Appellant has presented examples of timber clad properties located in the broader locality of the site. However, it is important to note that none of these properties are situated on Larne Road, and their architectural characteristics cannot be directly compared to the appeal site. Therefore, very limited weight should be afforded to these examples, as they are not directly comparable to the specific context of Larne Road.
- 1.9 The inclusion of an angled wall at first-floor level in the proposed development demonstrates little regard for the established symmetry and architectural coherence present in the surrounding built environment along this section of Larne Road. The lack of alignment with the existing building lines and design features would create an awkward and discordant element, disrupting the visual rhythm of the street and detracting from the area's overall character.
- 1.10 When considering the proposed dwelling's various design elements, including the choice of materials, such as the timber shutter windows, the angled first floor, multiple roof profiles, and solar panels, a concern arises regarding the resultant "busy appearance." The amalgamation of these elements leads to a design that lacks the simplicity and elegance typically associated with the surrounding properties. Consequently, the proposed development would appear out of character and out of sync with the prevailing architectural language of the street.
- 1.11 The position of the site and the low roof profiles of the neighbouring bungalows mean that the proposed development would be prominently visible from various vantage points along Larne Road. This heightened visibility would result in a discordant and visually obtrusive addition to the area. The proposed dwelling's design does not respect the prevailing architectural forms of the locality, leading to a jarring visual impact that would undermine the overall harmony of the street.
- 1.12 The points outlined above collectively demonstrate that the proposed dwelling would cause significant harm to the character, appearance, and visual amenity of the street scene on Larne Road and its surrounding area. As such, the proposal stands in conflict with Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2 - Development Management Policies (2020),

Policy D4 of the London Plan (2021), and the National Planning Policy Framework (NPPF) of 2021.

Ground for refusal 2: Harm to the residential amenities of No.16 Larne Road

1.13 It is noted that the side dormer serving No.16 which faces towards the appeal sites serves a shower room. The Local Authority therefore concedes its ground for refusal number 2.

Ground for refusal 3: Substandard Quality of Accommodation for Future Occupants

1.14 It is noted that the proposed side dormer serves a bathroom. The Local Authority therefore concedes its ground for refusal number 3.

## **Conclusion**

1.15 To conclude, the Appeal scheme conflicts with national, regional and local planning policies and guidance.

1.16 The Inspector is therefore respectfully requested to dismiss the appeal.

## **Appendices**

Appendix A – Delegated report 57311/APP/2022/3104

Appendix B – Approved plans for new four-bedroom bungalow at No.14 Larne Road

If the appeal is allowed, the following conditions are recommended:

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

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

2. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans,

2207-PLMN-XX-GF-DR-A-100 Rev. 02  
2207-PLMN-XX-GF-DR-A-101 Rev. 02  
2207-PLMN-XX-GF-DR-A-102 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-110 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-111 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-112 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-113 Rev. 01  
2207-PLMN-XX-GF-DR-A-201 Rev. 02  
2207-PLMN-XX-GF-DR-A-202 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-210 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-211 Rev. 02  
2207-PLMN-XX-ZZ-DR-A-212 Rev. 02  
2207-PLMN-XX-GF-DR-A-2207 Rev. 01

and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON: To ensure the development complies with the provisions of the Hillingdon Local Plan Part 1 (2012), Part 2 (2020) and the London Plan (2021).

3. Prior to development commencing, a demolition and construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan shall detail:
  - (i) The phasing of development works
  - (ii) The hours during which development works will occur (please refer to informative I15 for maximum permitted working hours).
  - (iii) Measures to prevent mud and dirt tracking onto footways and adjoining roads (including wheel washing facilities).
  - (iv) Traffic management and access arrangements (vehicular and pedestrian) and parking provisions for contractors during the development process (including measures to reduce the numbers of construction vehicles accessing the site during peak hours).
  - (vi) Measures to reduce the impact of the development on local air quality and dust through minimising emissions throughout the demolition and construction process.
  - (vi) The storage of demolition/construction materials on site.The approved details shall be implemented and maintained throughout the duration of the demolition and construction process.

REASON: To safeguard the amenity of surrounding areas in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

4. Prior to the commencement of the development hereby approved (excluding demolition, ground works and substructure works), a scheme for the provision of sustainable water management and water efficiency shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall:
- i. Provide information about the design storm period and intensity, the method employed to delay and control the surface water discharged from the site and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii. Include a timetable for its implementation; and
  - iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by any public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime. The scheme shall also demonstrate the use of methods to minimise the use of potable water through water collection, reuse and recycling and will:
  - iv. Provide details of water collection facilities to capture excess rainwater;
  - v. Provide details of how rain and grey water will be recycled and reused in the development;
  - vi. Provide details of how the dwelling will achieve a water efficiency standard of no more than 110 litres per person per day maximum water consumption (to include a fixed factor of water for outdoor use of 5 litres per person per day in accordance with the optional requirement defined within Approved Document G of the Building Regulations).

Thereafter the development shall be implemented and retained/maintained in accordance with these details for as long as the development remains in existence.

REASON: To ensure the development does not increase the risk of flooding in accordance with Policies DMEI 9 and DMEI 10 of the Hillingdon Local Plan Part 2 (2020) and Policies SI2 and SI 13 of the London Plan (2021).

5. Prior to the commencement of any work above damp proof course level of the development hereby approved, details of all materials and external surfaces, including details of the rear canopy, windows, doors and roof lights, have been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be constructed in accordance with the approved details and be retained as such. Details should include information relating to make, product/type, colour and photographs/images.

REASON: To ensure that the development presents a satisfactory appearance in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

6. Prior to the commencement of any work above damp proof course level of the development hereby approved, a landscape scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: -
1. Details of Soft Landscaping
    - 1.a Planting plans (at not less than a scale of 1:100),
    - 1.b Written specification of planting and cultivation works to be undertaken,
    - 1.c Schedule of plants giving species, plant sizes, and proposed numbers/densities where appropriate
  2. Details of Hard Landscaping
    - 2.a Refuse Storage
    - 2.b Cycle Storage
    - 2.c Means of enclosure/boundary treatments
    - 2.d Car Parking Layouts (including 1 active and 1 passive electric charging points)
    - 2.e Hard Surfacing Materials
  3. Details of Landscape Maintenance
    - 3.a Landscape Maintenance Schedule for a minimum period of 5 years.

3.b Proposals for the replacement of any tree, shrub, or area of surfacing/seeding within the landscaping scheme which dies or in the opinion of the Local Planning Authority becomes seriously damaged or diseased.

#### 4. Schedule for Implementation

Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON: To ensure that the proposed development will preserve and enhance the visual amenities of the locality and provide adequate facilities in compliance with policies DMHB 11, DMHB 12, DMHB 14, DMEI 1 and DMT 2 of the Hillingdon Local Plan Part 2 (2020) and Policy G5 of the London Plan (2021).

7. Prior to the commencement of any works of the development hereby approved, a Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out and maintained in full accordance with the approved details.

REASON: To protect the trees at and adjacent to the site in accordance with Policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and Policy G7 of the London Plan (2021).

8. Trees, hedges and shrubs shown to be retained on the approved plan(s) shall not be damaged, uprooted, felled, lopped or topped without the prior written consent of the Local Planning Authority. If any retained tree, hedge or shrub is removed or severely damaged during (or after) construction, or is found to be seriously diseased or dying, another tree, hedge or shrub shall be planted at the same place or, if planting in the same place would leave the new tree, hedge or shrub susceptible to disease, then the planting should be in a position to be first agreed in writing with the Local Planning Authority and shall be of a size and species to be agreed in writing by the Local Planning Authority and shall be planted in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier. Where damage is less severe, a schedule of remedial works necessary to ameliorate the effect of damage by tree surgery, feeding or groundwork shall be agreed in writing with the Local Planning Authority. New planting should comply with BS 3936 (1992) 'Nursery Stock, Part 1, Specification for Trees and Shrubs' Remedial work should be carried out to BS BS 3998:2010 'Tree work - Recommendations' and BS 4428 (1989) 'Code of Practice for General Landscape Operations (Excluding Hard Surfaces)'. The agreed work shall be completed in the first planting season following the completion of the development or the occupation of the buildings, whichever is the earlier.

REASON: To ensure that the trees and other vegetation continue to make a valuable contribution to the amenity of the area in accordance with policy DMHB 14 of the Hillingdon Local Plan Part 2 (2020) and to comply with Section 197 of the Town and Country Planning Act 1990.

9. Notwithstanding the details specified on the approved drawings, the ground floor side window serving the room labelled as WC/Shower and the side dormer window serving the bathroom on the approved plans shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening below a height of 1.8 metre taken from internal finished floor level for so long as the development remains in existence.

REASON: To prevent overlooking to adjoining properties in accordance with policies DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

10. Any rooflights in the side roof slopes of the development hereby approved below a height of 1.8 metres taken from internal finished floor level shall be glazed with permanently obscured glass to at least scale 4 on the Pilkington scale and be non-opening for so long as the development remains in existence.

REASON: To prevent overlooking to adjoining properties in accordance with Policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

11. Access to the flat roof of the development hereby approved shall be for maintenance or emergency purposes only and the flat roof shall not be used as a roof garden, terrace, balcony, patio or similar amenity area.

REASON: To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

12. Prior to any works on site above damp proof course level, details of step free access via all points of entry and exit shall be submitted to, and approved in writing, by the Local Planning Authority. Such provision shall remain in place for the life of the building.

REASON: To ensure housing of an inclusive design is achieved and maintained in accordance with Policies D5 and D7 of the London Plan (2021).

13. The dwelling hereby approved shall not be occupied until certification of compliance with the technical specifications for an M4(2) dwelling, as set out in Approved Document M to the Building Regulations (2010) 2015, has been submitted to, and approved in writing, by the Local Planning Authority. All such provisions must remain in place for the life of the building.

REASON: To not only allow the Building Control body to require the development to comply with the optional Building Regulations standards, but to also ensure the appropriate quantity and standard of accessible and adaptable housing is constructed and maintained in accordance with policy D7 of the London Plan.

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no additional windows, doors or other openings shall be constructed in the walls or roof slopes of the development hereby approved facing Nos. 12 or 16 Larne Road.

REASON: To prevent overlooking to adjoining properties in accordance with policy DMHB 11 of the Hillingdon Local Plan Part 2 (2020).

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification); no garage(s), shed(s) or other outbuilding(s), nor extension or roof alteration to any dwellinghouse shall be erected without the grant of further specific permission from the Local Planning Authority.

REASON: To protect the character and appearance of the area and amenity of residential occupiers in accordance with policies DMHB 11 and DMHD 2 of the Hillingdon Local Plan Part 2 (2020),