



J & L PLANNING SERVICES

Town & Country Planning Acts

Appeal by Mr Darren Cowes against the decision by the London Borough of Hillingdon to refuse planning permission for a first floor side extension and a single storey rear extension at 1 Chiltern Road, Eastcote, HA5 2TD

Local Planning Authority Reference: 9383/APP/2023/477

Appellants Reference: JL11223

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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 first floor side extension and a single storey rear extension. The Council's reasons for refusal are as follows:

The proposed development, by reason of the cumulative size, scale, bulk and design, with particular reference to increase in eaves and ridge, variation of side dormers and misaligned full gable-ends, would result in incongruous additions and alterations, which would fail to harmonise with the architectural composition of the original dwelling, and would be visually obtrusive and detrimental to the character, appearance and 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, DMHB 12 and DMHB 11, DMHB 12, and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policy D3 of the London Plan (2021) and Chapter 12 of the National Planning Policy Framework (2021).

3. **SITE AND SURROUNDINGS**

- 3.1 The appeal site comprises a detached dwelling located on the north side of Chiltern Road, some 40 metres east of the junction with Cheney Street. The surrounding area is predominantly residential in terms of both built form and land use.

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 one reason for refusal which, in turn, has raised one primary issue, that is the character and appearance of the street scene and surrounding area. In support of this concern, the Council have referred to provisions within the London Plan (2021), the Local Plan: Part One Strategic Policies (November 2012); and the Local Plan: Part Two- Development Management Policies (January 2020). Within this context, the merits of the appeal will be assessed.

D3

- 4.9 The local distinctiveness of the area contains a blend of architectural and built forms. This mix comprises of two storey and single storey built profiles, with differing roof profiles leading to a diverse roofscape. Common elements of the local townscape are the general alignment of front elevations and a clear distinction between private and public spaces.
- 4.10 The appeal proposal would not detract from these diverse and common elements which contribute to the distinctiveness of the street scene. Therefore, the local context of the townscape its urban grain would remain preserved.
- 4.11 The siting of the appeal proposal would maintain the existing spatial arrangement of the host dwelling and, in turn, preserve the overall prevailing

pattern of development of the surrounding area. The overall orientation of the host dwelling, its forward aspect onto Chiltern Road, would remain in situ.

4.12 The design of the appeal proposal in terms of scale, mass, proportions and overall height, would not exceed neighbouring built forms, being visually consistent with the profile of dwellings located on the north side of Chiltern Road. The external appearance of the appeal proposal would employ materials and joinery details which would match the host dwelling and compliment the fabric of neighbouring built forms. The overall proposed shape of the host dwelling would be physically and visually homogenous with the local townscape.

4.13 Neither the host dwelling or neighbouring built area or wider area, are designated heritage assets.

BE1

4.14 The local distinctiveness of the area is a matter which has been addressed within the context of policy D3, within preceding submissions. The local sense of place is chiefly influenced by the alignment of highways, the vistas along these public corridors, and the rhythm of built forms. Within this context, the presence of the host dwelling, post extension, would not imbalance, disrupt or visually agitate these key elements of sense of place.

4.15 The appeal proposal, by virtue of its siting, design and external appearance, would make a positive and discerning contribution to the overall quality and value of the street scene.

DMHB 11

- 4.16 Criterion A of the policy is both relevant and material. The requirements of the criterion are similar to those contained within policies D3 and BE1, for example local context, scale of development and materials. Therefore, reference is made to preceding submissions.
- 4.17 However, some elements of the criterion are not wholly or specifically referred to by previous policy provisions. The siting characteristics of the appeal proposal would not conflict with established street patterns. Furthermore, local topography and associated views would not be disrupted by the appeal proposal.

DMHB 12

- 4.18 This policy is concerned with streets and the public realm. These matters are raised within the criteria of policies D3, BE1 and DMHB 1. Therefore, reference is made to preceding submissions.
- 4.19 Notwithstanding, the overall siting and proposed built form, together with the external finish of the appeal proposal, would collectively make a positive contribution to the established townscape character and quality of the surrounding area. In addition, the appeal proposal would not result in a loss of landscape features.

DMHD 1

- 4.20 The policy, in relation to proposals for extensions, is chiefly concerned with extensions to dwellings. Criterion C of the policy concerning 'side extensions' is applicable.

- 4.21 The principle of constructing a side extension is acceptable. The policy does specifically refer to the openness of corner properties. The proposed infilling of the gap between the host dwelling and a garage would not disturb the locational characteristics of the appeal site or the surrounds. Furthermore, the overall scale, mass and height of the appeal proposal would be consistent with the built form of the host dwelling and neighbouring dwellings.

5. **CONCLUSIONS**

- 5.1 The appeal proposal, by virtue of the reasons stated above, would not harm the character and appearance of the street scene and surrounding area.
- 5.2 In conclusion, the appellant respectfully requests that the Inspector upholds the appeal.