

ATT: Planning Department
London Borough of Hillingdon
2 Bristol Avenue
Colindale
NW9 4EW

Date: 25/11/2021

Dear Sir/Madam,

Re: Re: 157 Old Station Road UB3 4NA

This statement is prepared in support of the proposed single storey rear extension at the above property.

I would be grateful if you can consider the points outlined in this statement and kindly review the case in order to provide site-specific assessment to help take the context into account. Trust the information is satisfactory in order to demonstrate that the proposal can be acceptable in planning terms.

Please let me know should you require any further assistance.

Kind regards

Rez Shafaei

On behalf of You Architecture Ltd.

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Planning History:

- The planning officer of the previously refused application (32206/APP/2020/2419) states: "The existing building is a large, detached structure located on a large plot as such there are no objections to the extension in terms of **it's overall scale, massing and footprint**. Moreover it would be located to the rear of the property where it would not be readily visible from Old Station Road."
- The above report was signed off by a planning manager which means that two planning officers were of the opinion that the overall size and scale was not a concern.
- The subsequent planning application (32206/APP/2021/2270) was then submitted and the planning officer again did not raise any issue regarding the size. However, she requested to submit the tree report.
- On that basis, we advised the applicant to spend further resources to prepare the tree report. Up to this point, we had established that the proposed size and design would be acceptable.
- Unfortunately, Kelly Sweeney left the council but the new officer Zara Raza also did not raise any concern regarding the size of the extension.
- Given the above history, the LPA did not raise any concerns regarding the size of the proposed development on 4 occasions. However the LPA is not currently considering their previous positions and the fact that the size and scale of the proposed extension had been confirmed by them on 4 occasions.
- The current planning application was submitted on 04 Jun 2021. The appeal application was decided on 13 July 2021 nearly one month after the planning submission. If we were advised that the size of the extension is a concern in July, we would have gone through a different route. We advised our client based on the LPA's comments and this U-turn has now damaged our business reputation as well. Unfortunately, we have been misled on this matter and as a result, private as well as public and NHS resources are being spent to continue with the case. The public damage of this loss is not less than the slightly bigger extension at a back of a building which would hardly impact the surroundings.
- The local authority has created a legitimate expectation that they do not object to the same size extension on the same application site recently. Therefore, the LPA's departure from what had previously been assessed can cause unfairness to the public which could be taken to amount to an abuse of process. The previous planning assessments are capable of being material considerations and should be taken into account by those determining subsequent applications for permission. Although the LPA might think they decide based on appeal decision, the "consistency" is self-evidently important to both developers and development control authorities. But it is also important for the purpose of securing public confidence in the operation of the development control system.

Response to appeal report:

- The appeal report states that the previous additions have eroded the original character of the building with various forms. This implies that the original character, form and proportion are no longer present. The suggestion that the original character is eroded can conflict with the emphasis that the proposal will harm the original character.
- The appeal report confirms that the original character of the building is already eroded. It is not justified as to why we should preserve an original character which does not exist any longer. Although the current building has a linear form at present, this current form or proportion is not representing the original building as confirmed by the appeal report. The appeal assessment is based on the assumption that the original building was built in a linear form. However, there is no evidence to show that the original building had been built in a linear form that should now be preserved.
- The existing building is two-storey however the proposed addition is single-storey. A single-storey element cannot technically dominate the two-storey element. We do not agree that the proposal would adversely affect the building linear form and its existing proportions.
- The appeal case states that "the proposal would harm the appearance of the host building and the surrounding area." The appeal report has tried to explain the impact on the **host building**. However the impact on the **surrounding area** is not explained. It seems that this is a copy-paste phrase which can show the lack of in-depth attention to the context.
- The appeal assessment is based on a completely different design with a modern character and a flat roof which can add to the bulk and dominance of the extension. Our proposed design has followed a more traditional style and we tried to use the features of the original house which helps the proposal to be more integrated into the original building. We believe that the appeal assessment is carried out in a different context and should not be used to assess our proposal.
- The spirit of subservience is to ensure that the extension looks secondary in order to satisfy the principle of subservience. This is an important material consideration, but it is a subjective matter. As confirmed by the LPA's officers, the scale of the proposed extension can look subservient due to the open nature of the plot where there is no adjacent building to give an impression of a cramped or over development. In addition, there is a 2m fence that technically obstructs any public view to the ground floor elements. The previous planning application confirms that the same size extension does not appear dominant.
- The application site is approximately 2000 sqm. The existing building has a 320 sqm footprint which means the total floor area is around 500 sqm over two floors. The floor area of the proposed extension is 195sqm which is less than 10% of the application site, less than 12% of the open land and less than 50% of the existing floor area.

Benefits vs harm

- Due to the unique circumstances of the case in terms of its unique nature, background, and location, it cannot set a dangerous precedent for the future assessment of the other applications. There is no other property on the same road which can benefit from the same. Therefore, the LPA should not be concerned that this approval will set a dangerous precedent for other neighbours.
- The appeal officer states: *"The proposal would result in the investment and improvement of a well attended medical facility. Such improvement would be of benefit to the local community, which weighs in favour of the proposal."* The LPA does not seem to give weight to the fact that this is not a profit-making private project. This is a community project funded by NHS resources. This improvement could massively benefit the community if we follow a coherent and sustainable planning.
- The LPA has given permission for a considerable number of flat developments in the area which can massively increase the local population. This new population will need adequate infrastructure and facilities such as school and health care etc. It is not a sustainable and balanced town planning if permission is granted to build multi-storey residential blocks just down the road from the surgery but permission is not granted to expand the surgery to make it large enough to be used by the new residents.
- The physical and social impacts caused by a single-storey extension at the back of the large plot of the surgery is considerably less than the social and physical impacts caused by those large multi-storey developments nearby. In addition to the visible physical impacts, the nature of those developments will demand more social amenities and facilities. However, the nature of our proposal is not to add to those demands but it is in fact to respond to those new demanded amenities and services permitted by the LPA.
- The proposal is to create 9 additional consultation/assessment rooms to serve the local public. The design and space standards are to meet the needs of the intended occupants. Any reduction to this additional provision can add pressure to the health care facilities in the area.
- The proposed addition will take place in an under-used garden space at the back of the building that can hardly impact the surroundings. This can be considered as effective use of land which is promoted by NPPF.

Planning Policies

We would like to refer to the following relevant paragraphs of NPPF:

- 11. Plans and decisions should apply a presumption in favour of sustainable development. For plan-making this means that: a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;
- 51. Local planning authorities are encouraged to use Local Development Orders to set the planning framework for particular areas or categories of development where the impacts would be acceptable, and in particular where this would promote economic, social or environmental gains for the area.
- 93. To provide the social, recreational and cultural facilities and services the community needs, planning policies and decisions should: a) plan positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments.
- 119. Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Strategic policies should set out a clear strategy for accommodating objectively assessed needs, in a way that makes as much use as possible of previously-developed or 'brownfield' land.
- 123. Local planning authorities should also take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans, where this would help to meet identified development needs. In particular, they should support proposals to: b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision and access to open space.

Conclusion.

- In the case report of the previous planning application, it is stipulated that the proposed extension is accepted in terms of its size and footprint. It can be a waste of public resources if we take such a matter to appeal again. On the basis of the above facts and upper-hand planning laws, it is considered that the sustainable benefits of the proposal for the community can outweigh its potential harm. I trust you agree that the decision to approve the application can be considered a legitimate, justified and reasonable decision that everyone would expect.
- The size of the plot, open nature of the site, tall surrounding buildings, design of the proposed pitched roof, setback from the side boundary, reduced eaves heights along with the existence of a 2m timber fence have contributed to the fact that the impact of the extension size can be marginal and insignificant.
- In conclusion, it would be appreciated if this application is assessed based on the presumption in favour of sustainable developments. To avoid any unfairness and unreasonableness, we believe it is in the interests of the public to consider the context. On balance, it is politely requested to review the matter and provide us with your feedback.