

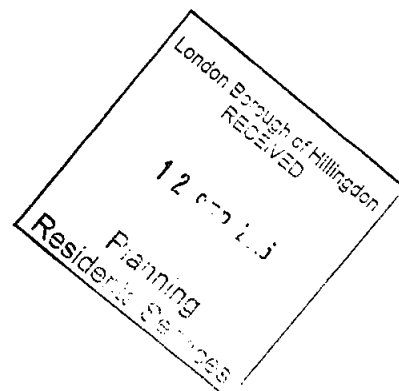
DIRECT PLANNING LIMITED

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED BY THE PLANNING AND COMPULSORY PURCHASE
ACT 2004)
SECTION 78 APPEAL.**

**STATEMENT OF CASE ON BEHALF
OF THE APPELLANT**

APPELLANT : MR & MRS A LAKHANI
APPEAL SITE : 35 PARK AVENUE, RUISLIP, HA4 7UQ
OUR REF : DP/6158/AP
LPA REF : 5028/APP/2015/3882
DATE : 19 FEBRUARY 2016

Direct Planning Limited
Riverbank House
95-97 High Street
St Mary's Cray
Orpington
Kent BR5 3NH
Tel. 01689 875999
Fax: 01689 875599



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1.0 INTRODUCTION

1.1 The London Borough of Hillingdon refused retrospective planning permission on the 14 December 2015, planning application reference 5028/APP/2015/3882 for the erection of a single-storey rear extension at 35 Park Avenue, Ruislip for the following reason(s):

1.2 **"The development by reason of its location in a visually prominent position, size, scale, depth, bulk and use of materials is out of character with the existing and adjoining properties and detrimental to the visual amenities of the street scene and the wider area. The proposal is thus contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts".**

2.0 THE SITE LOCATION AND DESCRIPTION

2.1 The appeal site comprises a large two storey detached property located on the northern side of Park Avenue, adjacent to the junction with Sherwood Avenue.

2.2 The property has been previously extended, historically, by way of a two storey rear extension which blends into the form and roof profile of the main property.

2.3 The property is residential in character comprising detached houses of different styles and designs. Many of the properties within the vicinity have been extended by two-storey rear and other additions.

3.0 THE APPEAL PROPOSAL

- 3.1 The appeal proposal comprises a single storey rear extension with a flat roof and roof lights above. The single storey rear extension measures 4.3m deep by 5.15m wide across part of the rear elevation and has a flat roof construction of 3.2m high.
- 3.2 Copies of the planning application forms submitted to the Council are enclosed in Appendix C. The existing and proposed layout plans, are illustrated on drawings attached. The photographs of the site are enclosed in Appendix E.

4.0 POLICY CONSIDERATIONS

- 4.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 gives priority to the provisions of development plans in determining planning applications and appeals as well as all other material considerations.

The Courts have held that Central Government's policy contained in Ministerial Statements, Circulars, the National Planning Policy Framework (NPPF) are material considerations that must be taken into account by the decision maker, as are previous relevant appeal decisions. The following section reviews the NPPF, London Plan (2011), London Borough of Hillingdon Local Plan and considers any relevant matters of national policy that arise in relation to this appeal.

- 4.2 The NPPF identifies 12 core planning principles which should underpin both plan-making and decision taking. They include the requirement for planning to set out a positive vision for the future of an area, to act creatively to find solutions to enhance places, to encourage the effective use of previously developed land and

actively manage the pattern of growth to make the fullest possible use of sustainable transport. Underlining these principles is advice in paragraph 56 of the NPPF that *"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."*

4.3 Advice in paragraph 58 of NPPF requires planning decisions to aim to ensure that development meets (inter alia) the following criteria:

- Development will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- Establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- Create safe and accessible environments where crime and disorder and the fear of crime, do not undermine quality of life community cohesion;
- Are visually attractive as a result of good architecture and appropriate landscaping.

4.4 Advice in paragraph 69 of NPPF states that "Planning policies and decisions, in turn, should aim to achieve places which promote:

- opportunities for meetings between members of the community who might not otherwise come into contact with each other, including through mixed-use developments, strong neighbourhood centres and active street frontages which bring together those who work, live and play in the vicinity;

- safe and accessible environments where crime and disorder, and the fear of crime, do not undermine quality of life or community cohesion; and
 - safe and accessible developments, containing clear and legible pedestrian routes, and high quality public space, which
 -
- 4.4 Hillingdon Local Plan: Part One - Strategic Policies (November 2012) Policy BE1
- 4.5 Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) Policies BE13, BE15 and BE19
- 4.6 The adopted Supplementary Planning Document HDAS: Residential Layouts
- 4.7 The Council's refusal reason states that the extension by virtue of its *"location in a visually prominent position, size, scale, depth, bulk and use of materials is out of character with the existing and adjoining properties and detrimental to the visual amenities of the street scene and the wider area"*. Please refer to the Council's Decision Notice enclosed in our Appendix C.

5.0 THE PLANNING CONSIDERATIONS

This section considers the planning issues relating to this planning application and demonstrates – with reference to relevant Development Plan policies and other material considerations - that permission should be granted. The Council's reasons for refusal claim that the extension is detrimental to both the appearance of the host property, streetscene and wider locality.

The single-storey rear extension is required to provide an orangery. This development is well designed and assimilates with the grounds

and host building. Furthermore, the development does not result in any overlooking, noise and disturbance to adjoining residents.

- a) Planning permission was approved, planning reference 5028/APP/2014/3264, for a single storey rear extension similar to the subject appeal scheme. However, during the construction process a number of issues arose relating to the fenestration, and as such the actual development was built 0.6m higher and 0.6m deeper than anticipated. It is considered, given the substantial size and detached nature of the appeal site, the increase is not significant to justify a refusal. Furthermore, the appeal scheme measures 4.3m deep and 3.2m high (and only extends across part of the rear elevation at 5.15m wide), which is an additional 0.3m and 0.2m respectively, of the guidelines suggested in HDAS.
- b) The footprint of the extension is considerably less than that of the host property, which ensures that the scale of the extension appears subordinate and thus remains in character and sympathetic with the host property. To demonstrate this point further, a large amount of amenity space is retained, which establishes notion that the bulk and size of the extension appears subordinate to the main house within the setting of the property. This is supported by the Council, as mentioned in the closing paragraph of the Officer's Report which states that the property "benefits from a good sized rear garden and adequate garden space would be retained".
- c) The materials, in so far as possible, match that of the host property to appear congruent within the context of the site. The Council have raised concerns regarding the roof lanterns, however this is a prevalent feature in such extensions which both provide light within

the extension and provide a modern contemporary design element to the scheme. In this respect, the appeal scheme maintains the character and appearance of the immediate locality.

d) Notwithstanding the above, Section 3.1 of HDAS states that single storey rear extensions:

"should always be designed so as to appear 'subordinate' to the original house. In particular, the extension should not protrude out too far from the rear wall of the original house. This is because the extension may block daylight and sunlight received by neighbouring properties"

It is clear, as specified above, that the Council's intention to minimise the depth of rear extensions is in order to prevent a loss of amenity to adjoining residential occupiers. This would not be relevant, in this case, as the appeal scheme is situated away from the boundary with the nearest adjoining occupier, which is supported by the Council as detailed within the Officer's Report:

"Given the set back from the boundary and the height of the existing boundary fence and the well established hedgerow, it is not considered that there would be any significant additional loss of amenity or overlooking to the adjacent properties, as a result of this change to the approved plans".

e) The Council claim that the extension is "out of character with the existing and adjoining properties and detrimental to the visual amenities of the street scene and the wider area". It is considered that this statement is wholly unreasonable on the basis that the

street, which the site forms part of, is neither listed, nor does it form part of a Conservation Area. Furthermore, it is integral to take into account the pattern of development in the vicinity, which the development respects. The surrounding area is characterised by an array of detached residential properties with differing designs, materials, heights, depths and roof profiles. In addition, the locality is 'dominated' by residential extensions and additions which are an established feature and contribute greatly to the character of the area. It is therefore considered that the development does not detract from the character of the area and relates satisfactorily to the residential use of the site.

- f) In conclusion, it is considered that the development is appropriate to the appeal property in terms of its size, scale, bulk and mass and appropriately integrates with the building in terms of its detailing, design and materials.

The appeal proposal is a well thought-out, creative and appropriate design solution, specific to this particular site's shape, size and location with a suitable scale, massing and height consistent with Policy BE1 Hillingdon Local Plan: Part One - Strategic Policies. Therefore, it is considered that the appeal proposal does not appear prominent and is congruent with the existing pattern of development in the area.

6.0 APPEAL PRECEDENTS

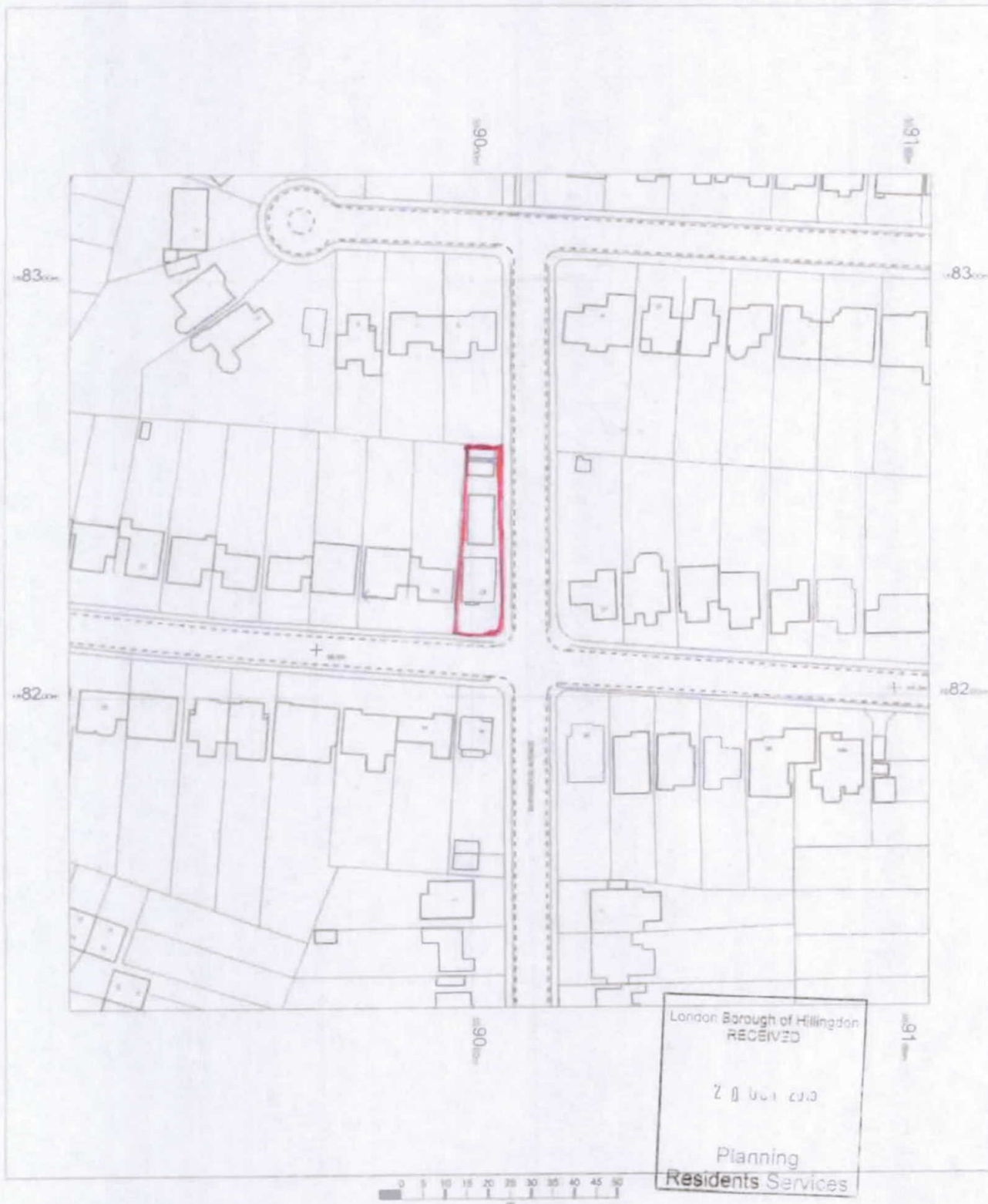
- 6.1 Each appeal should be determined on its own merits. Similar appeal precedents are offered as material considerations in the instant case. Please refer to our Appendix F.

- 6.2 Document A - T/APP/R5510/A/00/10378888
89 Wimborne Avenue, Hayes, Middlesex
- Document B - APP/M5450/D/14/3001246
33 Evelyn Drive, Pinner HA5 4RL

7.0 CONCLUSIONS

- 7.1 Taking into account the above, it is considered that the proposals do not harm any interests of acknowledged importance. The appeal scheme is similar to a previously permitted scheme and is visually congruous and does not harm the character and appearance of the host property. Furthermore, the extension would not unduly harm the amenities of the adjoining occupiers. Consequently, the proposal does not conflict with the NPPF, The London Plan or the London Borough of Hillingdon Local Plan.
- 7.2 In these circumstances, the Inspector is respectfully requested to uphold the appeal and grant planning permission.

APPENDIX A
SITE LOCATION PLAN



OS MasterMap 1250/2500/10000 scale
11 September 2014, ID: CM-00359381
www.centremapslive.co.uk

1:1250 scale print at A4, Centre: 509006 E, 188226 N

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100019980



APPENDIX B
PLANNING APPLICATION DOCUMENTS



HILLINGDON
LONDON

London Borough of Hillingdon, Residents Services, 3N Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW
Tel: 01895 250230 Web: www.hillingdon.gov.uk

Householder Application for Planning Permission for works or extension to a dwelling. Town and Country Planning Act 1990

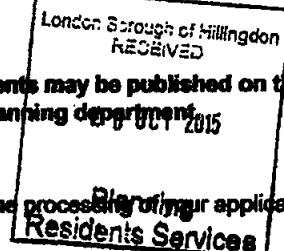
You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink:

It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.



1. Applicant Name and Address

Title:	MR & MRS	First name:	A
Last name:	LAKHANI		
Company (optional):			
Unit:	House number:	35	House suffix:
House name:			
Address 1:	PARK AVENUE		
Address 2:			
Address 3:			
Town:	ROSLIP		
County:	MIDDLESEX		
Country:			
Postcode:	HA4 7UQ		

2. Agent Name and Address

Title:	MR	First name:	D
Last name:	BLYTH		
Company (optional):	BLYTH DEVELOPMENTS		
Unit:	House number:	17	House suffix:
House name:			
Address 1:	SELODA PARK		
Address 2:			
Address 3:			
Town:	PINNER		
County:	MIDDLESEX		
Country:			
Postcode:	HA5 4DG		

3. Description of Proposed Works

Please describe the proposed works:

PROPOSED SINGLE STOREY REAR EXTENSION AS BUILT.

3. Description of Proposed Works (continued)

Has the work already started?

☐ Yes ☒ No

If Yes, please state when the work was started (DD/MM/YYYY):

(date must be pre-application submission)

Has the work already been completed?

☐ Yes ☒ No

If Yes, please state when the work was completed (DD/MM/YYYY):

(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit:

House number:

35

House suffix:

House name:

Address 1:

PARK AVENUE

Address 2:

Address 3:

Town:

County:

Postcode (optional):

5. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

☐ Yes ☒ No

Is a new or altered pedestrian access proposed to or from the public highway?

☐ Yes ☒ No

Do the proposals require any diversions, extinguishments and/or creation of public rights of way?

☐ Yes ☒ No

If Yes to any questions, please show details on your plans or drawings and state the reference number(s) of the plan(s)/drawing(s):

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

☐ Yes ☒ No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much possible: ☐

Officer name:

Reference:

Date (DD MM YYYY):

(must be pre-application submission)

Details of the pre-application advice received:

7. Trees and Hedges

Are there any trees or hedges on your own property or on adjoining properties which are within falling distance of your proposed development?

☐ Yes ☒ No

If Yes, please mark their position on a scaled plan and state the reference number of any plans or drawings:

Will any trees or hedges need to be removed or pruned in order to carry out your proposal?

☐ Yes ☒ No

If Yes, please show on your plans which trees by giving them numbers e.g. T1, T2 etc, state the reference number of the plan(s) drawing(s) and indicate the scale.

8. Parking

Will the proposed works affect existing car parking arrangements?

☐ Yes ☒ No

If Yes, please describe:

9. Authority Employee / Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

☐ Yes ☒ No

If Yes, please provide details of the name, relationship and role

10. Materials

If applicable, please state what materials are to be used externally. Include type, colour and name for each material:

	Existing (where applicable)	Proposed	Not applicable	Don't Know
Walls	BRICKWORK	TO MATCH EXISTING	☐	☐
Roof		FLAT	☐	☐
Windows		AS SHOWN	☐	☐
Doors		AS SHOWN	☐	☐
Boundary treatments (e.g. fences, walls)			☒	☐
Vehicle access and hard-standing			☒	☐
Lighting			☒	☐
Others (please specify)			☒	☐

Are you supplying additional information on submitted plan(s)/drawing(s)/design and access statement? ,

☒ Yes

☐ No

If Yes, please state references for the plan(s)/drawing(s)/design and access statement:

B0/15/34

11. Ownership Certificates and Agricultural Land Declaration

One Certificate A, B, C, or D, must be completed with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner* of any part of the land or building to which the application relates, and that none of the land to which the application relates is, or is part of, an agricultural holding**

NOTE: You should sign Certificate B, C or D, as appropriate, if you are the sole owner of the land or building to which the application relates but the land is, or is part of, an agricultural holding.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural holding" has the meaning given by reference to the definition of "agricultural tenant" in section 65(8) of the Act.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

DBH BLYTH DEVELOPMENTS

15-10-2015

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land or building to which this application relates.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

11. Ownership Certificates and Agricultural Land Declaration (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
 - All reasonable steps have been taken to find out the names and addresses of the other owners* and/or agricultural tenants** of the land or building, or of a part of it, but I have/ the applicant has been unable to do so.
- * "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.
** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

The steps taken were:

Name of Owner / Agricultural Tenant	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (Development Management Procedure) (England) Order 2015 Certificate under Article 14

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner* and/or agricultural tenant** of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

* "owner" is a person with a freehold interest or leasehold interest with at least 7 years left to run.

** "agricultural tenant" has the meaning given in section 65(8) of the Town and Country Planning Act 1990

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

12. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:



The original and 3 copies of a design and access statement if proposed works fall within a conservation area or World Heritage Site, or relate to a Listed Building:

N/A



The correct fee:



The original and 3 copies of a plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:



The original and 3 copies of the completed, dated Ownership Certificate (A, B, C or D - as applicable) and Article 14 Certificate (Agricultural Holdings):



The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:



13. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

D. H. BLYTH OCEANOGRAPHICS

15.10.2015

(date cannot be pre-application)

14. Applicant Contact Details

Telephone numbers

Country code:

National number:

Extension number:

01923 823 345

Country code:

Mobile number (optional):

07889 407604

Country code:

Fax number (optional):

Email address (optional):

PROF11LAKHANI@GMAIL.COM

15. Agent Contact Details

Telephone numbers

Country code:

National number:

Extension number:

020 84286868

Country code:

Mobile number (optional):

0793 068600

Country code:

Fax number (optional):

Email address (optional):

INFO@BLYTHOCEANOGRAPHICS.CO.UK

16. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

☒ Yes

☐ No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

☐ Agent

☒ Applicant

☐ Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

APPENDIX C
COUNCIL'S DECISION NOTICE



Blyth Developments
17 Sequoia Park
Hatch End
Pinner Middlesex
HA5 4DG

Application Ref: 5028/APP/2015/3882

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **REFUSES** permission for the following:-

Description of development:

Single storey rear extension (retrospective)

Location of development: 35 Park Avenue, Ruislip

Date of application: 20 October 2015

Plan Numbers: See attached Schedule of plans

Permission is refused for the reason(s) listed on the attached schedule:-

Head of Planning and Enforcement

Date: 14 December 2015

NOTES: (i) Please also see the informatives included in the Schedule of Reasons.

(ii) Should you wish to appeal against this decision please read the attached sheet which explains the procedure.

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

REFUSAL OF PLANNING PERMISSION

Application Ref: 5028/APP/2015/3882

SCHEDULE OF REASONS

- 1 The development by reason of its location in a visually prominent position, size, scale, depth, bulk and use of materials is out of character with the existing and adjoining properties and detrimental to the visual amenities of the street scene and the wider area. The proposal is thus contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the adopted Supplementary Planning Document HDAS: Residential Layouts.

INFORMATIVES:

- 1 On this decision notice policies from the Council's Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Council's Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

SCHEDULE OF REASONS

Standard Informatives

- 1 The decision to REFUSE planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to REFUSE planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

AM14	New development and car parking standards.
BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement, Supplementary Planning Document, adopted December 2008
LPP 3.5	(2015) Quality and design of housing developments

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

REFUSAL OF PLANNING PERMISSION

Application Ref.No.: 5028/APP/2015/3882

SCHEDULE OF PLANS

BD/15/34 - received 20 Oct 2015

Location Plan (1:1250) - received 20 Oct 2015

**RIGHTS OF APPLICANTS AGGRIEVED BY DECISION
OF LOCAL PLANNING AUTHORITY**

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- As this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within **12 weeks** of the date of this notice.
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

APPENDIX D
DECISION NOTICE AND PROPOSED PLAN FOR
APPLICATION 5028/APP/2014/3264
GRANTED
12 JANUARY 2015



Mr D Blyth
Blyth Developments
17 Sequoia Park
Pinner Middlesex
HA5 4DG

Application Ref: 5028/APP/2014/3264

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

Single storey rear extension

Location of development: 35 Park Avenue, Ruislip

Date of application: 12 September 2014

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Head of Planning & Enforcement

Date: 12 January 2015

- NOTES:**
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 5028/APP/2014/3264

SCHEDULE OF CONDITIONS

- 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, numbers BD/14/33/2A.

REASON

To ensure the development complies with the provisions of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (July 2011).

- 3 · The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building and shall thereafter be retained as such.

REASON

To safeguard the visual amenities of the area and to ensure that the proposed development does not have an adverse effect upon the appearance of the existing building in accordance with Policy BE15 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

- 4 · Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (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 33 Park Avenue.

REASON

To prevent overlooking to adjoining properties in accordance with policy BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

- 5 · Access to the flat roof over the extension 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 BE24 of the Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES:

- 1 · On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), then London

SCHEDULE OF CONDITIONS

Plan Policies. On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

- 2 - The Council will recover from the applicant the cost of highway and footway repairs, including damage to grass verges.

Care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good to the satisfaction of the Council and at the applicant's expense.

For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

Standard Informatives

- 1 The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) set out below, and to all relevant material considerations, including Supplementary Planning Guidance:

Part 1 Policies:

PT1.BE1 (2012) Built Environment

Part 2 Policies:

BE13	New development must harmonise with the existing street scene.
BE15	Alterations and extensions to existing buildings
BE19	New development must improve or complement the character of the area.
BE20	Daylight and sunlight considerations.
BE21	Siting, bulk and proximity of new buildings/extensions.
BE23	Requires the provision of adequate amenity space.
BE24	Requires new development to ensure adequate levels of privacy to neighbours.
HDAS-EXT	Residential Extensions, Hillingdon Design & Access Statement,

SCHEDULE OF CONDITIONS

Supplementary Planning Document, adopted December 2008

LPP 3.5 (2011) Quality and design of housing developments

- 3 You are advised this permission is based on the dimensions provided on the approved drawings as numbered above. The development hereby approved must be constructed precisely in accordance with the approved drawings. Any deviation from these drawings requires the written consent of the Local Planning Authority.
- 4 You are advised that if any part of the development hereby permitted encroaches by either its roof, walls, eaves, gutters, or foundations, then a new planning application will have to be submitted. This planning permission is not valid for a development that results in any form of encroachment.
- 5 Your attention is drawn to the need to comply with the relevant provisions of the Building Regulations, the Building Acts and other related legislation. These cover such works as - the demolition of existing buildings, the erection of a new building or structure, the extension or alteration to a building, change of use of buildings, installation of services, underpinning works, and fire safety/means of escape works. Notice of intention to demolish existing buildings must be given to the Council's Building Control Service at least 6 weeks before work starts. A completed application form together with detailed plans must be submitted for approval before any building work is commenced. For further information and advice, contact - **Planning, Environment and Community Services**, Building Control, 3N/01 Civic Centre, Uxbridge (Telephone 01895 250804 / 805 / 808).
- 6 You have been granted planning permission to build a residential extension. When undertaking demolition and/or building work, please be considerate to your neighbours and do not undertake work in the early morning or late at night or at any time on Sundays or Bank Holidays. Furthermore, please ensure that all vehicles associated with the construction of the development hereby approved are properly washed and cleaned to prevent the passage of mud and dirt onto the adjoining highway. You are advised that the Council does have formal powers to control noise and nuisance under The Control of Pollution Act 1974, the Clean Air Acts and other relevant legislation. For further information and advice, please contact - Environmental Protection Unit, 4W/04, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel. 01895 250190).
- 7 The Party Wall Act 1996 requires a building owner to notify, and obtain formal agreement from, any adjoining owner, where the building owner proposes to:
 - carry out work to an existing party wall;
 - build on the boundary with a neighbouring property;
 - in some circumstances, carry out groundworks within 6 metres of an adjoining building.Notification and agreements under this Act are the responsibility of the building owner and are quite separate from Building Regulations, or Planning Controls. The Building Control Service will assume that an applicant has obtained any

SCHEDULE OF CONDITIONS

necessary agreements with the adjoining owner, and nothing said or implied by the Council should be taken as removing the necessity for the building owner to comply fully with the Party Wall Act. Further information and advice is to be found in "the Party Walls etc. Act 1996 - explanatory booklet" published by the ODPM, available free of charge from the Planning, Environment and Community Services Reception, Civic Centre, Uxbridge, UB8 1UW.

- 8 Your attention is drawn to the fact that the planning permission does not override property rights and any ancient rights of light that may exist. This permission does not empower you to enter onto land not in your ownership without the specific consent of the owner. If you require further information or advice, you should consult a solicitor.
- 9 Nuisance from demolition and construction works is subject to control under The Control of Pollution Act 1974, the Clean Air Acts and other related legislation. In particular, you should ensure that the following are complied with: -
 - A) Demolition and construction works should only be carried out between the hours of 08.00 hours and 18.00 hours Monday to Friday and between the hours of 08.00 hours and 13.00 hours on Saturday. No works shall be carried out on Sundays, Bank and Public Holidays.
 - B) All noise generated during such works should be controlled in compliance with British Standard Code of Practice BS 5228: 1984.
 - C) The elimination of the release of dust or odours that could create a public health nuisance.
 - D) No bonfires that create dark smoke or nuisance to local residents.

You are advised to consult the Council's Environmental Protection Unit, 3S/02, Civic Centre, High Street, Uxbridge, UB8 1UW (Tel.01895 277401) or to seek prior approval under Section 61 of the Control of Pollution Act if you anticipate any difficulty in carrying out construction other than within the normal working hours set out in (A) above, and by means that would minimise disturbance to adjoining premises.

- 10 You are advised that care should be taken during the building works hereby approved to avoid spillage of mud, soil or related building materials onto the pavement or public highway. You are further advised that failure to take appropriate steps to avoid spillage or adequately clear it away could result in action being taken under the Highways Act.
- 11 To promote the development of sustainable building design and construction methods, you are encouraged to investigate the use of renewable energy resources which do not produce any extra carbon dioxide (CO₂) emissions, including solar, geothermal and fuel cell systems, and use of high quality insulation.
- 12 You are advised that care should be taken during the building works hereby approved to ensure no damage occurs to the verge or footpaths during construction. Vehicles delivering materials to this development shall not override or cause damage to the public footway. Any damage will require to be made good

SCHEDULE OF CONDITIONS

to the satisfaction of the Council and at the applicant's expense. For further information and advice contact - Highways Maintenance Operations, Central Depot - Block K, Harlington Road Depot, 128 Harlington Road, Hillingdon, Middlesex, UB3 3EU (Tel: 01895 277524).

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250400 / 250401
www.hillingdon.gov.uk

GRANT OF PLANNING PERMISSION

Application Ref.No.: 5028/APP/2014/3264

SCHEDULE OF PLANS

Location Plan (1:1250) - received 12 Sep 2014

BD/14/33/1 - received 12 Sep 2014

BD/14/33/2A - received 12 Sep 2014

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Appeals to the Secretary of State

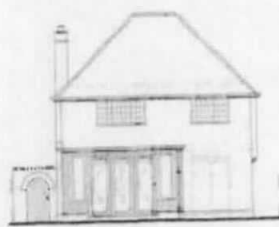
- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice
- Appeals must be made using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN or online at www.planningportal.gov.uk/pcs.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

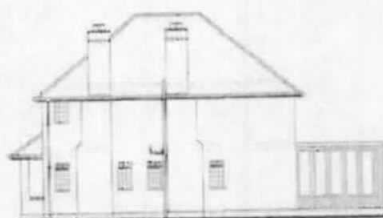
- If either the local planning authority or the office of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by carrying out of any development which has been or would be permitted.
- In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.



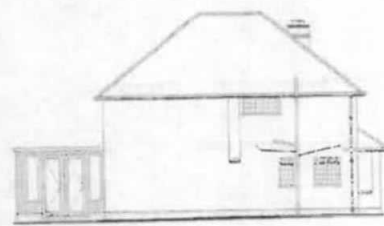
front elevation



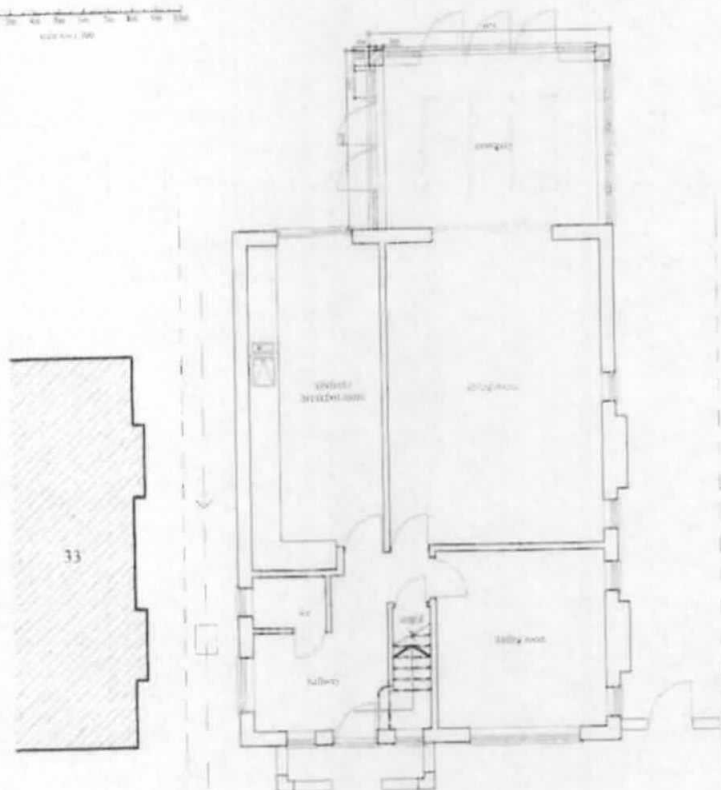
rear elevation



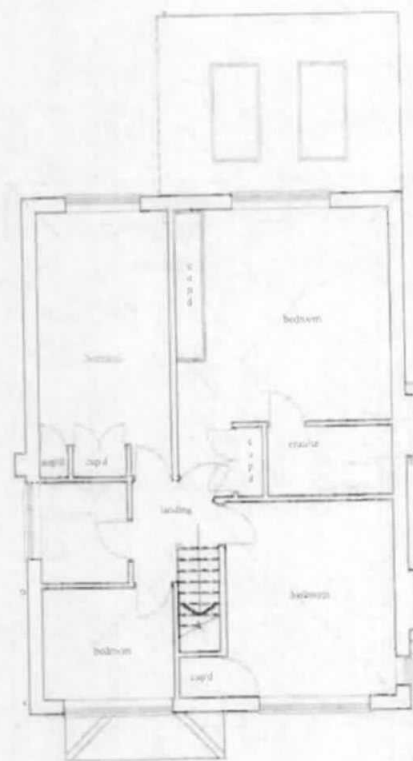
side elevation



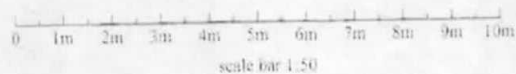
side elevation



ground floor plan



first floor plan



Notes

This drawing is the Copyright of Blyth Developments, and shall not be reproduced in whole or in part without express permission.

Figures and dimensions shall be given in preference to words. Dimensions shall be checked on site before commencing work.

All work shall comply with the latest Building Regulations and be to the satisfaction of the Local Authority.

Work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.

Materials shall be suitable for the purpose for which they are used and the quality shall not be lower than that required by the relevant British or European Standard or equivalent.

Technical specifications

1. All drawings shall be drawn to British Standards and shall be to the satisfaction of the Local Authority.
2. All work shall comply with the latest Building Regulations and be to the satisfaction of the Local Authority.
3. All work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.
4. All work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.
5. All work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.
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9. All work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.
10. All work shall be carried out in accordance with the Building Regulations and the Building Control Officer of the Local Authority.

Rev	Description	Date
1	Issue for Client's Requirements	

Revisions

Project
**Proposed
single storey rear extension.**
11 Park Avenue, Blyth, Northumbria NE4 7JQ
Mr. F. Latham.

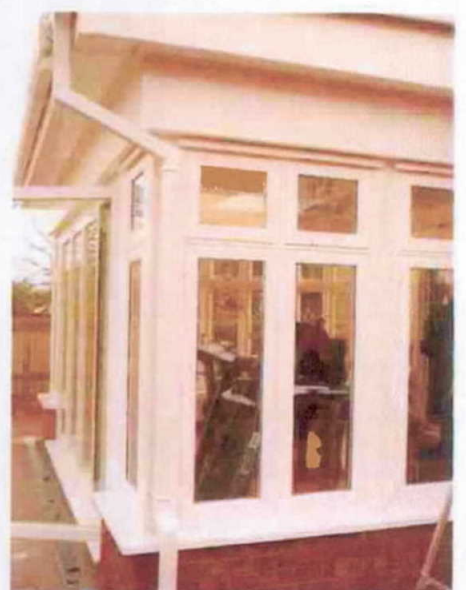
blyth developments
17 Seagull Park,
Blyth East, Fenwick
Northumbria
NE4 4JG
Tel: 01632 8428 8488

Scale: 1:50 1:100
Date: August 2014
Drawing By: D. A. Blyth
Drawing No: **BD/14/33/2A**

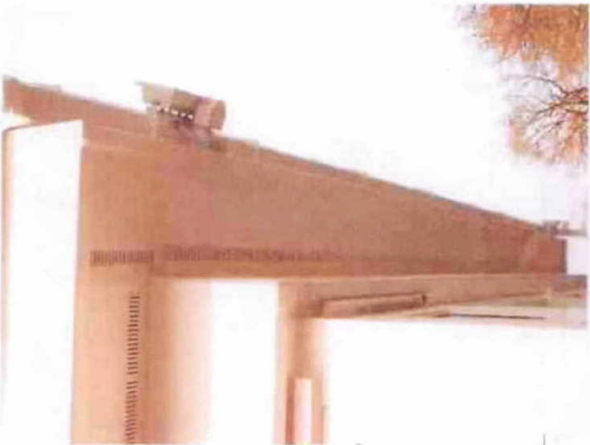
APPENDIX E
PHOTOGRAPHS OF THE AREA

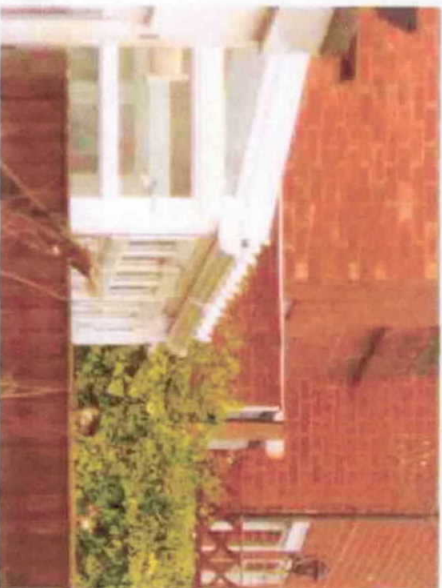
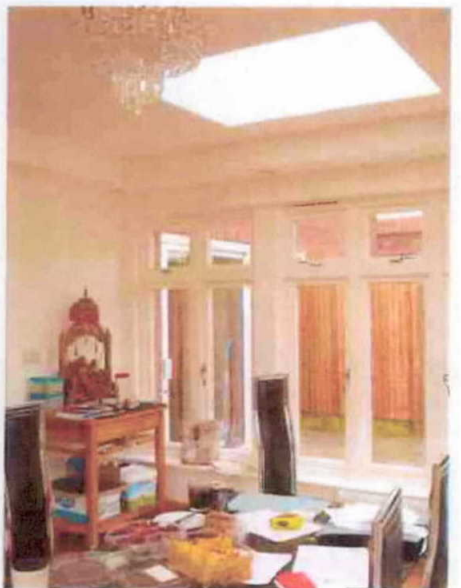
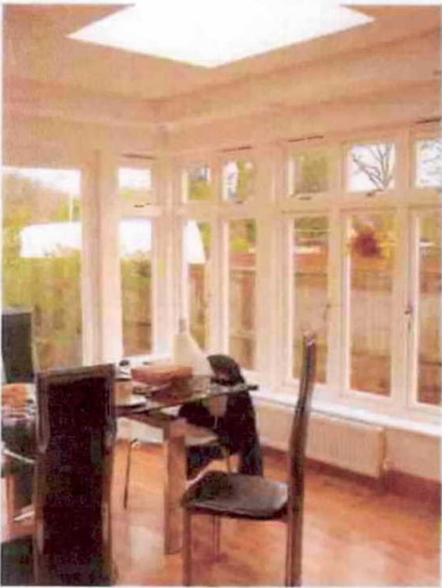
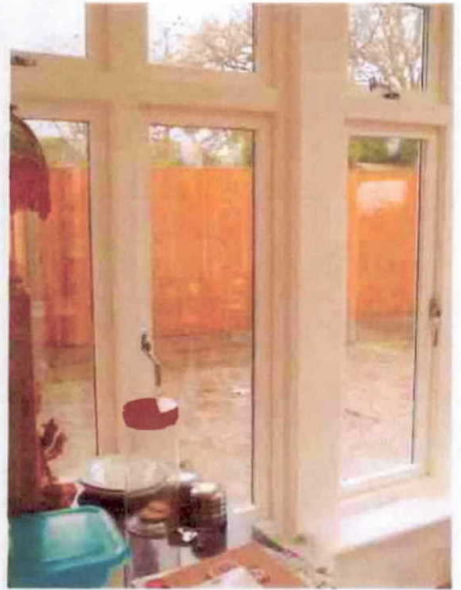
PHOTOS OF THE SITE.













The following pages are photographs taken by a person 5ft 10 in tall showing rooftops are not visible from the roadside (is in italics)









APPENDIX F
APPEAL PRECEDENTS

DOCUMENT A



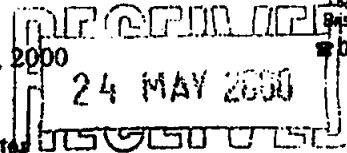
Appeal Decision

Site visit held on Wednesday, May 3, 2000

by T.J. Morgan LL.B (Hons) Solicitor

An Inspector appointed by the Secretary of State for the
Environment, Transport and the Regions

HL3/C1
The Planning Inspectorate
Tollgate House,
Houlton Street
Bristol BS2 9DJ
Tel 0117 987 6927



23 MAY 2000

Appeal : T/APP/R5510/A/00/1037888

- The appeal is made under Section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is brought by Mr A R Quraishi against the London Borough of Hillingdon Council.
- The site is located at 89 Wimborne Avenue, Hayes, Middlesex.
- The application (ref: 17298/APP/1999/2348), dated 5 November 1999, was refused on 20 December 1999.
- The development proposed is single storey rear extension and first floor addition.

COPY

Decision: The appeal is allowed and planning permission granted for single storey rear extension and first floor addition in accordance with the terms of the application No: 17298/APP/1999/2348 dated 5 November 1999, and the plans submitted therewith, subject to the following conditions:

- (i) The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
- (ii) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

The main issues

2. From my inspection of the site and its surroundings and examination of the representations made by the appellant and the Council, including those made by an interested person in response to consultation of the application, I consider the main issue in this appeal to be the effect of the proposal on the character and appearance of the locality and the street scene.

Inspector's reasons

3. The appeal site is set in a pleasant and well maintained residential area. It is a semi detached house situated on the corner of Wimborne Avenue and Cranborne Waye, with its front elevation facing the former and a return frontage to the latter. This corner enjoys an open aspect which contributes to the spacious character and appearance of the locality. This is enhanced by the presence of street trees, although none are sited on the part of the south side of the street which adjoins the return frontage. The house has been extended at ground floor level in the past and there is a flat roofed single storey side extension over which it is proposed to build additional bedrooms together with a single storey rear extension.
4. The proposed extension would have a hipped roof and its ridge would be lower than that of the main house. The window detailing is comparable with that which exists and the use of sympathetic materials, thus avoiding visual harm, can be assured by way of condition. The

APPEAL DECISION

lowering of roof height and set back of the front elevation ensures that the extension appears subordinate and in character with the house. I saw that there are other similar extensions in the street, and while their circumstances may differ, their presence means that this extension would not be untypical. The single storey element of the proposal continues along the line of the existing side extension while its rear elevation aligns with, and joins to the existing rear extension. This would not, in my view, appear incongruous or particularly prominent. When compared to the existing house, the extension is not, in my judgement, overlarge, disproportionate or out of character. Even though the house has already been extended, I consider the proposal would be in harmony with the scale form, architectural composition, and proportions of the original building. In consequence, the requirements of Policy BE12 of the adopted Hillingdon Unitary Development Plan (HUDP) are met.

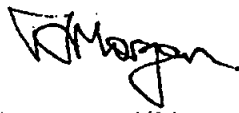
5. The flank of the house already projects forward of the building line of houses on the south side of Cranborne Way. Thus, as the proposal would not project any further forward than that which exists at present, I do not consider there is conflict with the advice in the Council's Design Guide "Residential Extensions". The gap between the existing extension and the boundary next to Cranborne Way may be about a metre at its nearest point, but the house is set at an angle to the road and this gap widens further back into the plot and will continue to widen alongside the proposed single storey extension. This factor will limit the impact of the proposal on the open character of the corner to an acceptable level and ensure it is not at odds with the aims of the Design Guide. I am convinced that the positioning, design and scale of the extension would not result in a feature that is unduly prominent or incongruous. Consequently, its effect would not be intrusive or cause demonstrable harm to the character and appearance of the locality or the street scene.
6. In the light of my conclusions above, I find no conflict with Policies BE9, BE10 or BE12 of the HUDP. There are no other material considerations which indicate a decision otherwise than in accord with the development plan, namely to grant planning permission for the proposal. I have considered the conditions suggested by the Council in the light of the advice in Circular 11/95. The standard commencement condition must be applied and one requiring approval of materials is necessary for the reason already given, and I consider the standard condition from the circular more suitable than that suggested by the Council. I have considered the need for landscaping conditions, but there is a fairly large area of garden unaffected by the proposal and with only a relatively modest increase in building footprint such conditions are not justified.
7. I note the point made about the cumulative effect of allowing extensions, but each case must be considered on its own merits and I have made my decision on the particular setting and characteristics of the proposal before me. It will not prevent the Council from refusing other schemes, which are, in the light of their circumstances, unacceptable. I have taken account of all other matters raised, including the consultation comments, but none outweigh the planning considerations that lead me to my decision.

Conclusions

8. For the reasons given above I conclude that the appeal should, on balance, succeed and I shall exercise the powers transferred to me accordingly.

Rights of appeal against decision

9. This decision is issued as a determination of the appeal before me. Particulars of the rights of appeal against my decision to the High Court are enclosed for those concerned.



DOCUMENT B



**The Planning
Inspectorate**

Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer Services:
0303 444 5000

Email:
despatch.admin@pins.gsi.gov.uk

www.planningportal.gov.uk/planninginspectorate

Mrs Selena Niven
Direct Planning Ltd
Riverbank House
95 - 97 High Street, St. Mary Cray
Orpington
Kent
BR5 3NH

Your Ref: DP/5944/AP
Our Ref: APP/M5450/D/14/3001246

18 February 2015

Dear Mrs Niven,

Town and Country Planning Act 1990
Appeal by Mr & Mrs A Goehring
Site Address: 33 Evelyn Drive, PINNER, Middlesex, HA5 4RL

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <http://www.planningportal.gov.uk/planning/planninginspectorate/customerfeedback/feedback>.

If you do not have internet access please write to the Quality Assurance Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

Yours sincerely,

Jacky Parsons
Jacky Parsons

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through the Planning Portal. The address of our search page is - www.planningportal.gov.uk/planning/appeals/online/search



Appeal Decision

Site visit made on 12 February 2015

by G Powys Jones MSc FRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 February 2015

Appeal Ref: APP/M5450/D/14/3001246

33 Evelyn Drive, Pinner, Middlesex, HA5 4RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs A Goehring against the decision of the Council of the London Borough of Harrow.
 - The application Ref P/2563/14, dated 20 June 2014, was refused by notice dated 18 September 2014.
 - The development proposed is a single-storey rear extension.
-

Decision

1. The appeal is allowed and planning permission is granted for a single-storey rear extension at 33 Evelyn Drive, Pinner, Middlesex, HA5 4RL in accordance with the terms of the application Ref P/2563/14, dated 20 June 2014, subject to the conditions identified in the attached Schedule to this decision.

Main issues

2. The main issues are the effects of the proposal on the character and appearance of the host property and whether the character or appearance of the Pinnerwood Park Estate Conservation Area (CA) would be preserved or enhanced.

Reasons

3. The appeal property, a brick-built, semi-detached dwelling has previously been extended to the rear. A small part of the extant flat roofed single-storey extension would be retained and altered, with a pitched roof added. Alongside it, a slightly deeper conservatory type extension is proposed, extending 3.0m or so from the main rear wall of the house towards the garden. The conservatory's pitched roof would be glazed, as would a significant proportion of the eastern side and rear elevations.
4. Reference has been made to the Pinnerwood Park Estate Conservation Area Appraisal and Management Strategy (CAA) which forms part of the Pinner Conservation Areas Supplementary Planning Document, based on emerging and adopted development plan policy. The CAA, which has undergone public consultation, attracts due weight. It provides a comprehensive account of the background and history of the CA, appraises its special interest and describes its character in some depth. It also provides design guidance.
5. With specific reference to single storey rear extensions it provides:

'With single storey extensions it may be difficult to achieve a roof form that is functional yet also respectful of the architecture of the main building. Ideally, such extensions should have a pitch roof that replicates the form and degree of pitch of that of the main roof. Mono-pitch or lean-to style roofs can often be sympathetically introduced on smaller extensions subject to individual house design and layout. However, in some instances achieving a pitch at the correct angle is not possible because it would impact upon first floor windows and/or eaves. In such instances, where the extent of projection of a proposed extension is acceptable in normal planning terms, alternative forms of roof will need consideration'.

6. The roof above the conservatory may be appropriately described as *mono-pitch* or as a *lean-to*. It would not impact upon first floor windows or eaves. In this respect the two first floor windows framed within the dwelling's rear facing gabled feature would fully retain their integrity. The roof treatment proposed, especially given the lightness of the materials to be used, is not at odds with the CAA's guidance, and the extensive use of glazing would assist in enabling the original built form still to be appreciated.
7. Concern has been expressed about the form of the roof above the small, retained part of the extant extension. To my mind, however, the roof would barely be seen from anywhere other than from the appellant's garden.
8. Overall I find this to be a modest proposal, and since it would be sited to the rear, the conservatory extension would be well screened by vegetation and extant buildings, and not be noticeable in the public realm. Even so it would be of an acceptable design, and of a size and proportions wholly subservient to and in harmony with the host property.
9. I conclude that this proposal would sit acceptably in its visual context, without harming local character or the character and appearance of the host property. At worst, it would have a neutral effect on the CA, thus preserving its character and appearance. Accordingly, there is no conflict with those provisions of policies 7.4, 7.6 & 7.8 of the London Plan, policy CS1 B & D of the Harrow Core Strategy and policies DM1 & DM7 of the Harrow Development Management Local Plan Policies, which, in combination, require new development to be of a high standard of design, respectful of local architecture and character, for house extensions to respect their host buildings, and for the Borough's heritage assets to be preserved and enhanced and protected from inappropriate development.

Conditions

10. The Council's suggested condition on materials shall be imposed in the interests of visual amenity. A further condition on materials is imposed for the reason set out in paragraph 13 below.
11. Otherwise than as set out in this decision and conditions, it is necessary that the development shall be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning.

Other matters

12. The objections raised by the residents of the two properties either side of the appeal property have been considered, and I have already dealt with the main planning related points raised. The evidence is insufficiently compelling to support the objections raised in respect of the effects on neighbouring living

conditions by reason of loss of light, visual impact, or erosion of garden space and I note that the Council did not oppose the scheme for these reasons.

13. I note, however, that although the Council proposes no such condition in its appeal questionnaire response, officers in their report on the application say that, had they approved the scheme, they would have been minded to impose a condition to ensure that the flank wall facing No 31 was solid, rather than glazed to prevent overlooking. I looked carefully at this aspect at the site, and agree that, despite the presence of a boundary fence, the residents of No 31 may be slightly overlooked and would certainly perceive themselves as being overlooked given the extent of the proposed glazing. However, the use of obscured glazing would overcome this potential loss of privacy, and a condition to this effect shall be imposed.
14. I have taken account of all other matters raised in the representations, including the views of the conservation officer, but none is of such strength or significance as to outweigh the considerations that led me to my conclusions.

G Powys Jones

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
3. The fenestration in the flank wall of the extension hereby permitted facing 31 Evelyn Drive shall be obscurely glazed and shall be permanently fixed below a height of 1.7 metres above finished floor level, and shall thereafter be retained in that form.
4. The development hereby permitted shall be carried out in accordance with the following approved drawings: Drawing Nos BD/14/20/1 & BD/14/20/2A.

APPENDIX G
LETTER OF EXPLANATION FROM APPELLANT

Praful Lakhani

DONNYBROOK, KEWFERRY DRIVE, NORTHWOOD, MIDDLESEX HA6 2NU
TELEPHONE: 01923 823 345, 07889 407604, E.MAIL: prof11lakhani@gmail.com

19th November 2015

The Planning Department
London Borough Of Hillingdon
3 North Civic Centre
High Street
UXBRIDGE UB8 1UW

Dear Sirs,

PLANNING APPLICATION NO. 5028/APP/2015/3882

I am writing this letter with reference to Mr. Jonathan Murray, Planning Enforcement Officer's letter dated 14th. September 2015 and Retrospective Planning Application submitted by Mr. Lakhani.

I wish to explain the reasons as to why the construction carried out exceeds the dimensions of the approved scheme.

At the time of lodging the application we had reserved supply of high quality new Douglas fir windows (single pans) that were surplus to requirement at another construction site. Our scheme was based on using single pan window units combined with folding doors on the rear elevation and on one side elevation.

Unfortunately, approval of the Planning Application was delayed. The single pan window units, save 2 units were sold off and we had to reconfigure the scheme with window units that were still available.

We used the 2 single pan windows for the rear elevation together with a folding door within the approved Planning application dimensions.

Unfortunately combination of 2 pans and 3 pan windows interspersed with 4inch posts between each window unit and 4 inch posts between the rear wall of existing building and the window units has resulted in exceeding the external depth of construction by 0.6 meters

I must explain that I am neither an architect nor a builder. I am retired, related to Mr. Ashok Lakhani and encouraged him to add the rear extension when I became aware of availability of these excellent timber windows.

The height of the extension was established from the then existing ground level. Unfortunately, the final height has exceeded the approved height as well by 0.6 meters when measured from the current ground level which has been levelled and laid with slabs on a concrete base.

These discrepancies have arisen due to the unforeseen circumstance of windows we planned to use being sold off elsewhere, and my inexperience.

I wish to assure you that we have not exceeded the approved dimensions intentionally or with any ulterior motive of building a bigger room than approved previously nor have we any intention of upsetting any of the neighbours.

I, personally, accept full responsibility for these errors and hope that you will take this explanation in considering favourably the revised application that has been submitted so that the well built extension can be retained in its current form.

Regards,

Yours Faithfully,

Praful Lakhani