

Grounds of Appeal

Planning Application Ref: 18233/APP/2024/3358

Site: 25 The Chase, Eastcote, Pinner

Proposal: Erection of a Detached Garage within the Front Driveway

Decision Date: 21st February 2025

1. Introduction

This appeal is submitted in response to the London Borough of Hillingdon's refusal of planning permission for the erection of a detached garage at 25 The Chase, Eastcote, Pinner. The proposed development was refused on the basis that it would appear as a discordant addition to the street scene, out of keeping with the architectural character of the dwelling and surrounding area. Prior to submitting an application for the garage, we had applied for the Addition of artificial Boxwood screening onto existing front and side railings and front sliding gate, this was also refused 18233/APP/2024/2512, hence we applied for a more permanent solution in keeping with the aesthetic and proportion of the property and surrounding, which is now the required option.

We contend that the refusal is unjustified and that the proposed garage aligns with relevant planning policy, precedents in the locality, and fundamental legal and human rights principles. Furthermore, a significant material consideration is that the homeowner's car insurance is conditioned upon the vehicle being garaged — a circumstance that, if unaddressed, imposes a discriminatory and disproportionate burden on the applicant.



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2. Compliance with Planning Policies

2.1 Policy BE1 – Hillingdon Local Plan: Part 1

The proposal meets the objectives of Policy BE1, which encourages quality design that enhances the built environment. The garage:

- Is designed to complement the existing dwelling using matching materials.
- Maintains a sympathetic scale, ensuring it remains subordinate to the host building.
- Supports the functionality of the home without harming the local character.

2.2 Policy DMHB 11 and DMHB 12 – Hillingdon Local Plan: Part 2

The garage is consistent with the design principles outlined in these policies:

- Similar garages exist in the local context, and the proposal is not an anomaly.
- The structure is visually discreet, and landscaping measures can further mitigate any visual impact.
- It respects the rhythm and openness of the street frontage.

43 Deane Croft Road, Pinner (adj. to 1 The Chase, Pinner)

45 Deane Croft Road, Pinner (adj. to 1 The Chase, Pinner)

35a The Chase, Pinner

22 Eastcote Road, Pinner

124 Eastcote Road, Pinner

17 Rochester Drive, Pinner

23 Field End Road, Pinner

4 Bridle Road, Pinner

7 Roberts Close, Pinner

22 Field End Road, Pinner

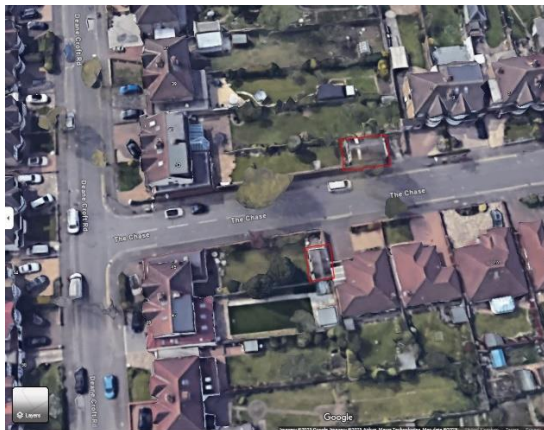
86 Bridle Road, Pinner

Adj to no.27 Southill Lane, Pinner

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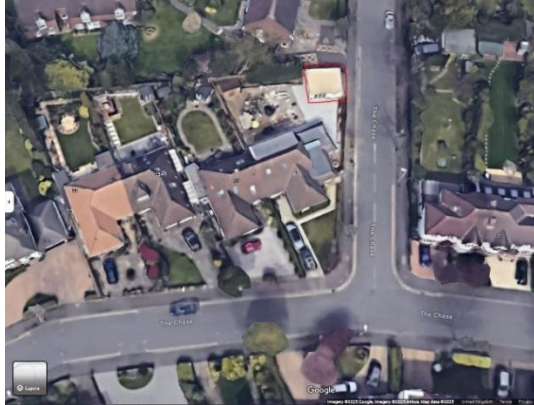


124 Eastcote Road, Pinner

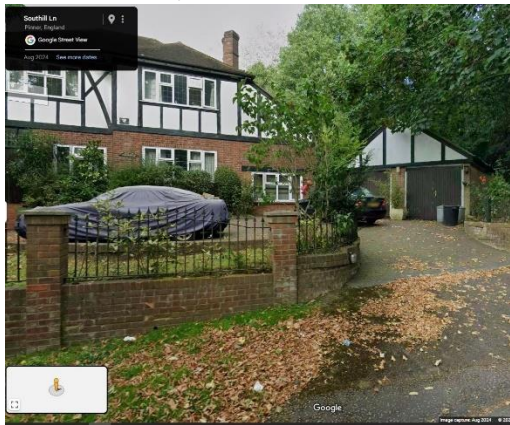


43 Deane Croft Road, Pinner (adj. to 1 The Chase, Pinner); 45 Deane Croft Road, Pinner (adj. to 1 The Chase, Pinner)

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35a The Chase, Pinner



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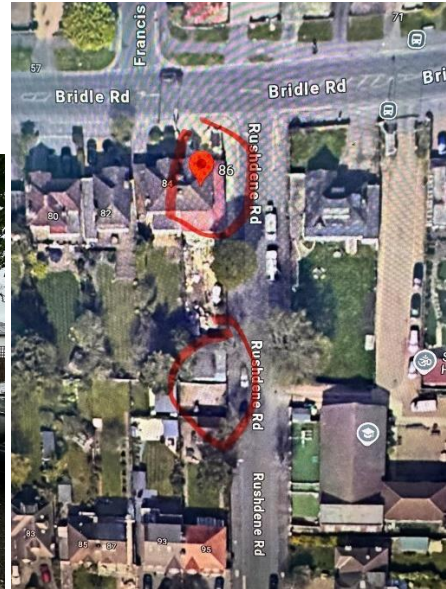
7 Roberts Close, Pinner



22 Field End Road, Pinner



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86 Bridle Road, Pinner (Garages on Rusdene Road)



90 Deancroft road, Pinner

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22 Eastcote Road, Pinner

2.3 Policy DMHD 1 – Alterations and Extensions

The proposed garage is proportionate and does not result in overdevelopment. It preserves the architectural coherence of the site and remains within the bounds of acceptable domestic alteration

2.4 London Plan Policy T6.1 – Residential Parking

- Provides secure, off-street parking, reducing pressure on street infrastructure.
- Supports the broader aims of vehicle safety and crime prevention.

3. Functional and Personal Justification

The applicant's vehicle insurance is conditional upon the vehicle being garaged. This is a formal requirement confirmed by their insurance broker via email (See below). Without a garage, the applicant may be:

- Unable to insure or use their vehicle.

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- Insurance brokers have said that there is no chance of getting insurance for the higher value vehicles unless there is a garage. Not possible to insure even with higher premiums, if there is no garage.

This creates a compelling functional necessity for the garage and constitutes a material planning consideration, as upheld in *Great Portland Estates v Westminster City Council (1985)*, which established that personal circumstances may be relevant where they directly relate to land use and function.

Date Mon 17/06/2024 09:11

To [REDACTED]

Hi Danny

I have heard back from insurers and unfortunately they are unable to offer terms for this vehicle being driveway parked.

Many Thanks
Louise

Louise Chapman | Cert CII | Account Executive | Private Client Insurance

Alan & Thomas Insurance Group
dd: 01202 754964 t: 01202 754900 m: 07342997591
w: www.alan-thomas.co.uk e: louise.chapman@alan-thomas.co.uk
314-316 Bournemouth Road | Poole | Dorset | BH14 9AP



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4. Human Rights and Equality Considerations

The refusal potentially infringes upon the applicant's rights under the Human Rights Act 1998, particularly:

- Article 1, Protocol 1 (Peaceful Enjoyment of Possessions): The refusal undermines the applicant's ability to adapt and use their property to accommodate necessary vehicle storage.
- Article 8 (Right to Private and Family Life): The ability to safely store and use a personal vehicle forms part of normal family life.
- Article 14 (Prohibition of Discrimination): The decision may indirectly discriminate against the applicant by preventing them from complying with insurance requirements specific to their chosen vehicle type.

In addition, the Public Sector Equality Duty under Section 149 of the Equality Act 2010 requires planning authorities to consider the individual needs of applicants, particularly where decisions could disadvantage a specific group — in this case, individuals who own vehicles with higher security requirements.

5. Precedent and Streetscene Context

While the council's refusal suggests a perceived harm to visual amenity, there is evidence of comparable structures within the borough and wider suburban areas:

- Detached garages and similar front-of-dwelling structures have been permitted or tolerated where they are proportionate, well-designed, and contextually justified.
- No substantial or demonstrable harm has been shown that outweighs the benefits and practical necessity of this development.

6. Conclusion

The proposed garage:

- Complies with planning policies relating to design, character, and parking.
- Meets a critical functional need due to insurance conditions requiring a garaged vehicle.
- Respects the rights of the homeowner under both national and international law.

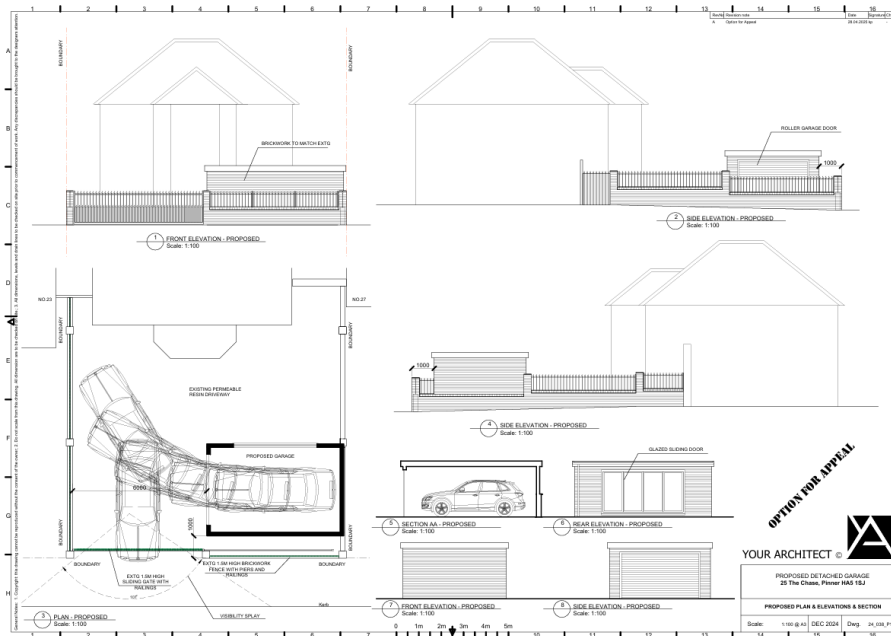
Refusing this application places a disproportionate and unfair burden on the applicant and fails to consider their reasonable expectations for private property use. Accordingly, we respectfully request that this appeal be upheld, and planning permission granted.

Nb: We have attached an amended drawing, showing a potential fall-back if the design is unfavourable. The owner would be happy to accept a single garage footprint, where the width is reduced by 1.5m. this would also give us the opportunity to move the garage by 400mm further from the boundary (i.e. 1m from the boundary)

Please see drawings below:

24_038_P0A (28.04.2025) option for appeal.pdf

24_038_P1A (28.04.2025) option for appeal.pdf



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