

Planning Inspectorate

Temple Quay House,
2 The Square, Avon,
Bristol BS1 6PN

3rd September 2017

Ref: 21 DAWLEY AVE/09/2017/APP

GROUND'S OF APPEAL

The council's reasons for refusal are:

1) The proposed development by virtue of its siting, size, scale, bulk, height, orientation and proximity, would be detrimental to the amenities of the adjoining occupiers, by reason of overdominance visual intrusion, loss of outlook and loss of privacy. Therefore the proposal would be contrary to policies BE19, BE21 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

The first reason for refusal is unjustifiable as the council has already approved similar size garages at rear of North Hyde Road. The proposal replaced an existing derelict garage which is similar in size to existing in the street. The existing garage was un-neighbourly form of development. The council has approved many detached outbuildings of larger sizes in the area. The new proposal enhances the rear street scene. The proposed development due to its siting will not be detrimental to the amenities of the adjoining occupiers, by reason of overdominance visual intrusion, loss of outlook and loss of privacy as it is located at the rear of the garden hence its location does not affect loss of privacy enjoined by any adjoining neighbour. The council fails to point out how the outbuilding will affect loss of outlook and loss of privacy of the neighbours. Furthermore the council grants planning permission for detached outbuilding to be used for auxiliary of main house provided the footprint is less than 30mq. This building is 29.5 sqm with the maximum height of 3.6m not 3.75m as stated by the officer in his report, from ground to ridge and 2.65m from ground to eaves. The dimensions are within the council's SPD for detached outbuildings.

2) The proposal is for a detached structure which, by reason of its size, scale, layout and independent access, is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling in a position where such a dwelling would not be acceptable as it could result in unacceptable impact on adjoining occupiers and additional requirements for parking and amenity space. Therefore the proposal would be contrary to Policies AM14, BE13, BE15, BE19,

BE20, BE21, BE23 and BE24 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012) and the Council's adopted Supplementary Planning Document HDAS: Residential Extensions.

The neighbour at no 23 Dawley Road is claiming the building was used by tenants, which is simply untrue. His reasons for making such claims were possibly to ensure the planning permission was refused and the council has accepted his claims without evidence. The officer made a surprise visit to the site and did not find any 'tenants' residing in the outbuilding. The council is clutching at straws by claiming 'The detached outbuilding is considered capable of independent occupation from the main dwelling and is thus tantamount to a separate dwelling'. They are predicting this will occur without reasonable proof. Although it is accepted that many out-buildings are used for this purpose, the council has been successful in the past in taking preventive measures by enforcement etc. should this occur. Does this mean that the council will refuse all outbuilding planning applications in the borough because the householders may or may not use the outbuilding for the purpose they are designed for?

3) The materials used in the construction of the outbuilding conflict with those on the existing and surrounding dwellings, resulting in an over-prominent development that conflicts with the character and appearance of the surrounding area. It is therefore contrary to Policy BE1 of the Hillingdon Local Plan Part One (November 2012), Policies BE13, BE15 and BE19 of the Hillingdon Local Plan Part Two - Saved UDP Policies (November 2012) and to the Council's Supplementary Planning Document HDAS Residential Extensions.

The existing house has been constructed using facing bricks, and the facing bricks used in the construction of the outbuilding are similar in colour, and due to the age of the main building which was constructed more than 77 years ago, it is unlikely that identical material match. The main building is render and painted white. The tiles used on the outbuilding are similar in shape if not in colour. It should be noted the tiles on the main building are over 77 years old and due to age and weathering the colour has faded and naturally the newer tiles used on the outbuilding will be brighter as stated on the officer's report. The use of multi-red heathers are widely used in building close to the site. Similar materials are used in the detached outbuildings in the area already approved by the council. The location of the outbuilding will not be visible from the street scene where close matching bricks and tiles would be of concern if the materials do not match.

For the reasons explained above, we humbly request that the appeal officer overturn the council's decision.

Regards,

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Plans Drawn Submitted Approved

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