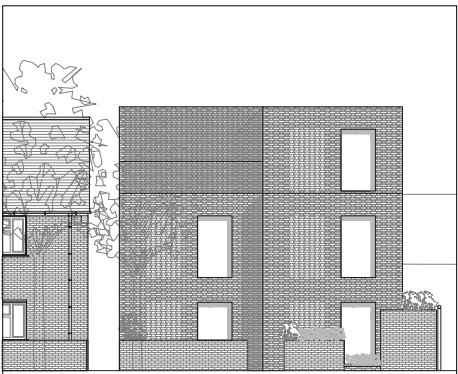




Violet Avenue

Land Adjacent to No 70 Violet Avenue
Uxbridge
UB8 3PT

Appeal Statement

(Application Ref: 73222/APP/2018/1022)

26/10/2018

Prepared by:



ARCHANÆUM

Violet Avenue

Land Adjacent to No 70 Violet Avenue

Uxbridge

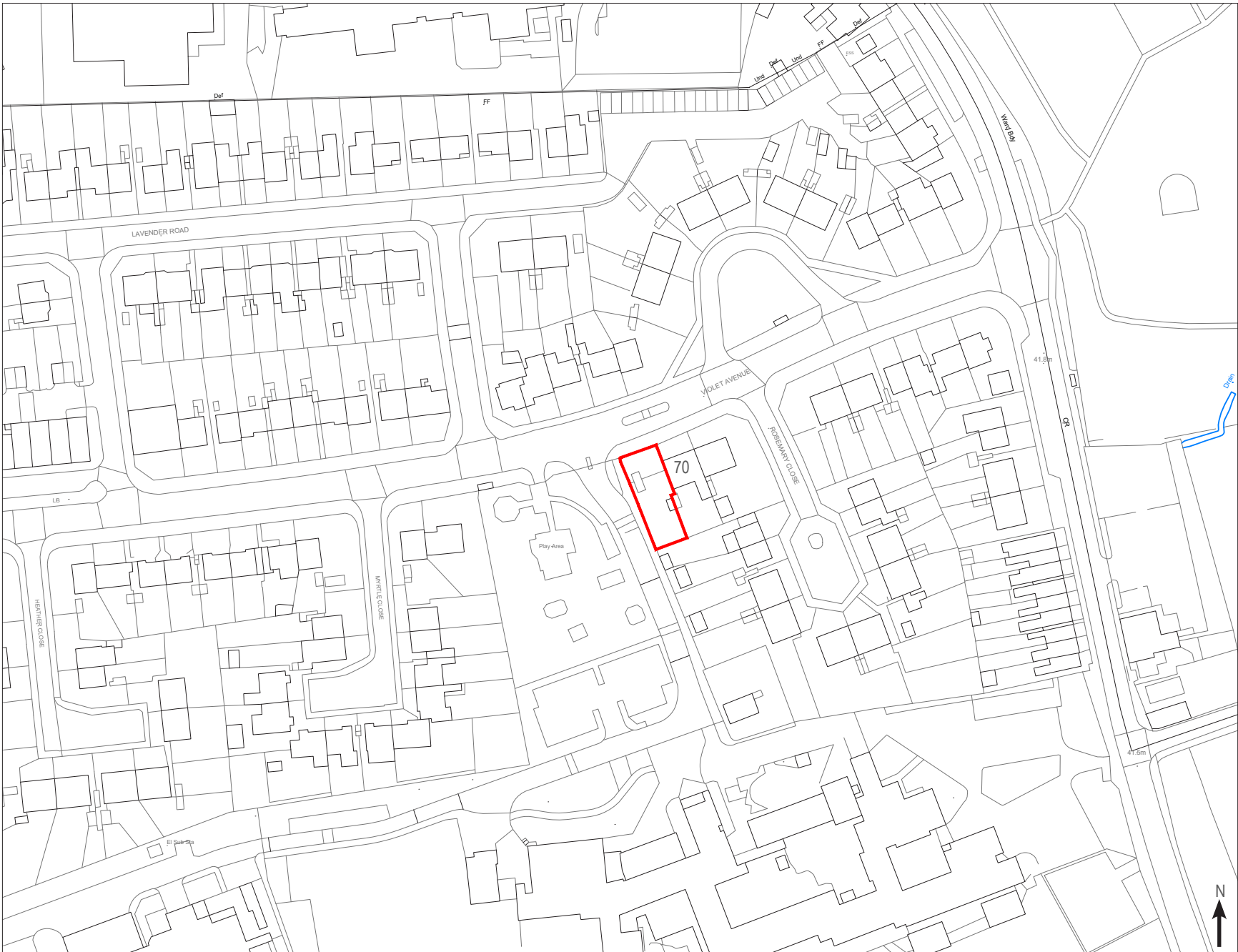
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- 1. Executive Summary
- 2. Reasons for Refusal:
 - Scale/Bulk/Site Coverage
 - Parking
 - Impact on No's 68 & 70
 - Loss of trees/Lack of Landscaping
- 3. External Consultee Objections
- 4. Benefits of Proposed Development
- 5. Architectural Drawings





Site Location Plan (NTS)

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Archanaeum have been carrying out the design and planning process on this site under appointment from the owner. To date, we have submitted a pre-application submission (24/11/2017) and a full planning application (16/03/2018).

The response to the pre-planning submission was generally very positive. Recommendations were made on some aspects of the design and for further work/investigation, all of which were accommodated in the submitted planning application.

The council made some comments on the submitted design which were received via email on 06/06/2018. Many of these comments were new and contradictory to those received on the pre application. In particular, the council stated that the height and scale of the scheme was unacceptable and should be reduced.

In response, Archanaeum removed a whole floor from the proposed scheme which brought the total number of stories down from 4 to 3, also the total number of residential units down from 4 to 3. Other points were also addressed in a new pack of information submitted to the council on 20/06/2018.

The council reviewed this information and the revised drawings and reached the conclusion that the scheme should be recommended for refusal. A committee meeting was held on 29/08/2018 where the application was officially refused.

We strongly contest the reasons for refusal and as such we are submitting this appeal application. Accompanying this report is an official statement from our planning consultant, a response from TTP consulting with reference to the highways/parking comments, a Arboricultural Impact Assessment and a daylight/sunlight study concluding that the proposed scheme does not breach BRE guidelines with regards to loss of light on neighbouring buildings.

The following section of this report will address each of the council's reasons for refusal, as outlined in the Committee Report and Decision Notice, and our justification as to why these reasons are unjustified.



2. Reasons for Refusal: Scale/Bulk/Site Coverage



Previously Submitted Front Elevation with Context



Amended Front Elevation with Context



“The proposal, by virtue of its excessive scale, bulk, layout, site coverage and design, would result in a cramped development of the site, which is visually incongruous and would fail to harmonise with the existing local and historic context of the surrounding area.”

After removing a whole floor from the proposed scheme, the building is now the same number of stories as its immediate neighbour. There is only a 30cm difference in height (from eye-level perspective, this is a negligible difference), as such we very much disagree with the council description of “excessive” scale etc.

The council were also of the view that the bulk and site coverage was excessive and visually incongruous with the surroundings. As explained in the planning amendments document submitted on 29/06/2018, the site layout and design is in accordance with the local context as shown opposite; there is a larger street facing mass with a single storey rear element.

Whilst the single storey rear element might be larger in footprint than some in the immediate context, there are no tangible issues associated with this: The proposed ground floor flat has an external amenity area in excess of LHDG standards, there is no impact on the neighbouring property with regards to daylight or overlooking and the rear element isn’t visible due to it being lower than all boundary fences. Therefore, we do not feel that the design will result in a “cramped” development of the site at all.

We have explained in prior documentation about the scheme’s design and how it has taken direct influence from the local context. It does harmonise with its surroundings by emanating a modern interpretation of existing architectural styles rather than being a copy or pastiche. It is also worth reiterating the council’s policy on corner sites in relation to this specific reason for refusal:

“It is also the case that corner sites are very often highly visible, and give the opportunity to create a strong landmark, building up the quality of the urban character for the area as a whole. In these instances, the buildings on a junction are more likely to relate to one another than to their immediate neighbours. They might also be larger than the other houses, and corner plots are often suited to flats or mixed-use schemes rather than a single house.”

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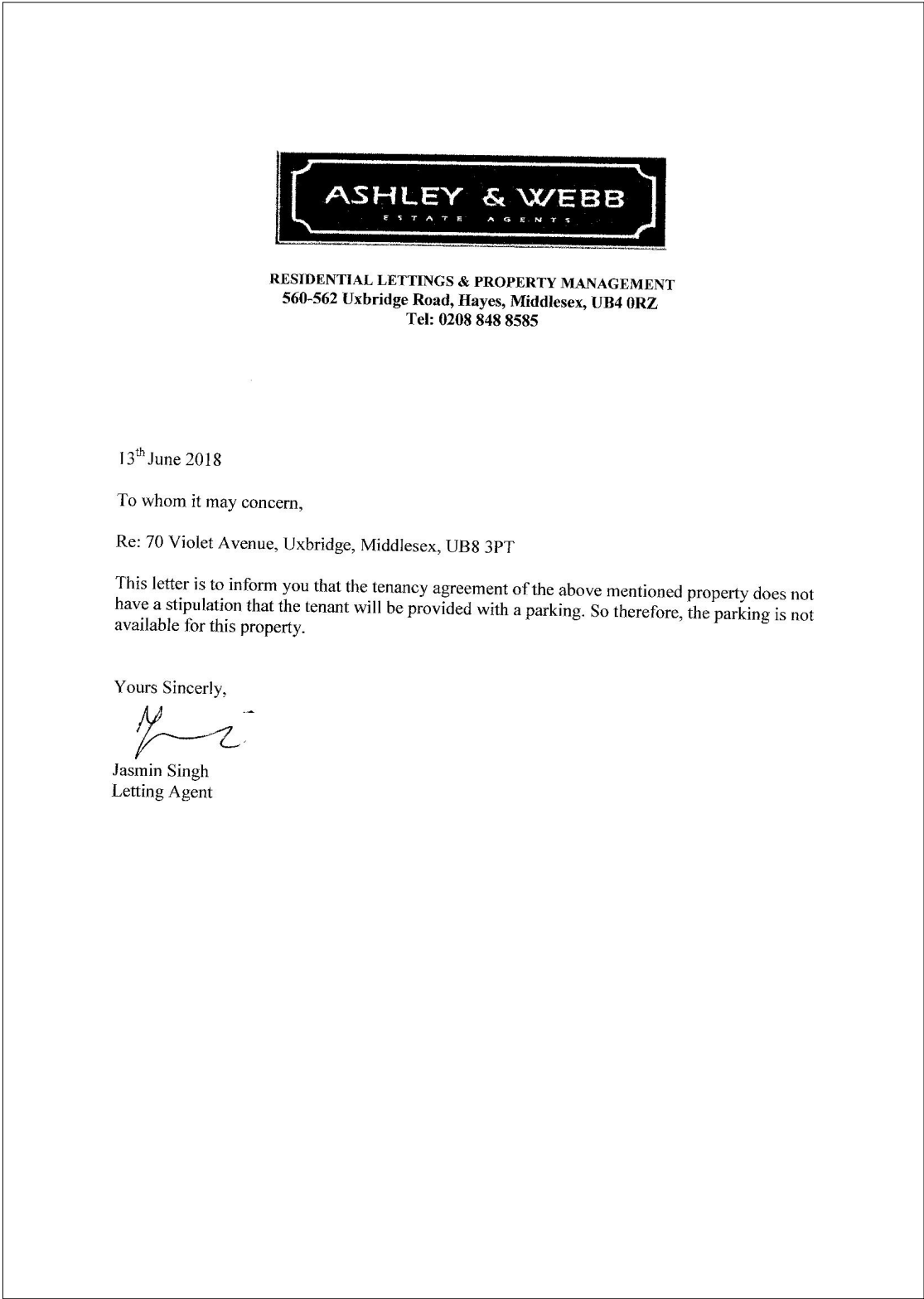
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Letter from No 70 Letting Agent

“The proposal has not demonstrated that sufficient off street parking/manoeuvring arrangements would be provided, and therefore the development is considered to result in substandard car parking provision.”

A separate report from our transport consultant, TTP is enclosed with this submission which responds to this particular reason in more detail. The main reasons why we contest this reason are below:

- The total car ownership has been reduced from 3 to 2 with the removal of one of the 2 bed units (amendments 20/06/2018).
- The existing land does not (and physically cannot) accommodate 2 parking spaces (for No's 68 & 70): The size of the space is too small; TTP carried out a swept path analysis concluding that the existing land is in breach of criteria required to safely house 2 parking bays. This would be immediately discounted if presented as a new parking area, as such it cannot count as an existing area.
- As shown with the agent letter opposite, no occupant of No 70 Violet Avenue has a right to park on this land.
- No 68 is a separate land title, occupants of this dwelling would be trespassing if they parked on the proposed development site.
- The Highways Officer made a point in the Committee Report that TTP used the 2011 census data stating that this information is out of date which is not correct. The census is updated every 10 years, in 2021 there may be updated information with which to assess these matters, but until this time the 2011 information is deemed as current. (It is worth noting that from the 2001 to 2011 census, car ownership in this area is shown to be decreasing).
- Even if the proposed scheme was displacing 2 existing parking spaces then the capacity would be 84.8% which is still below the council's 85% threshold. Taking into consideration that No 68 is a completely separate land title and that No 70 has no right to park on the site the capacity would reduce further.

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“The proposed development, by virtue of its size, scale, bulk, height and proximity, would be detrimental to the amenities of the adjoining occupiers at 68 and 70 Violet Avenue by reason of overdominance, overshadowing, visual intrusion, loss of light and loss of outlook.”

As mentioned previously, due to the building being reduced by 1 storey and following the same site layout ethos as the local context (and the fact that the single storey rear element is not visible from outside of the site), we strongly contest the councils view that the proposal is “over-dominant” in any way.

As can be seen from the images opposite, the neighbouring building housing No's 68 & 70 Violet Avenue does not have any windows facing onto the site. The existing windows face directly out onto Violet Avenue and at 180 degrees to the rear. These are not bay windows, nor do they project from the rear building line.

The only area where the 45 degree zone overlaps the proposed building is on the single storey rear element which, as described above, is lower than the existing boundary fences. As such, there will be no adverse impact from a daylight perspective.

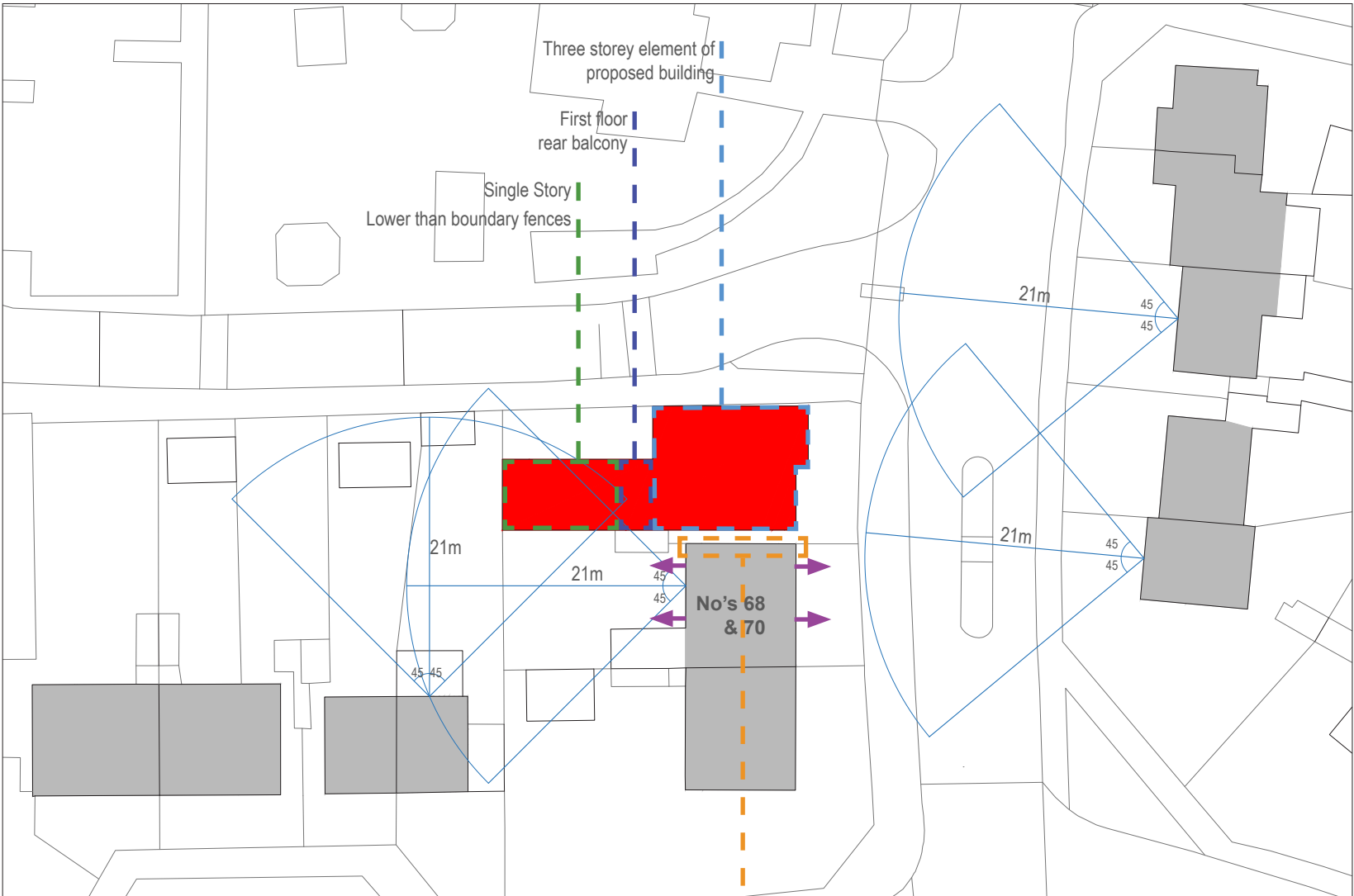
The council's committee report makes reference to the first floor rear balcony projecting from the main building line that intersects the 45 degree line. The image opposite shows that this only just intersects the line on a negligibly small fraction of it's area. Th proposed balcony is a low level brick balustrade (1.1m high) with no roof or covering structure and it is only on 1st floor level, there isn't one at 2nd floor. As such it will not impact No's 68 & 70 from a daylight or outlook perspective.

The 3 storey element of the proposed building does protrude slightly from the rear line of No's 68 & 70 but it is clear that this is well outside of the 45 degree zone and therefore will not affect outlook to this property.

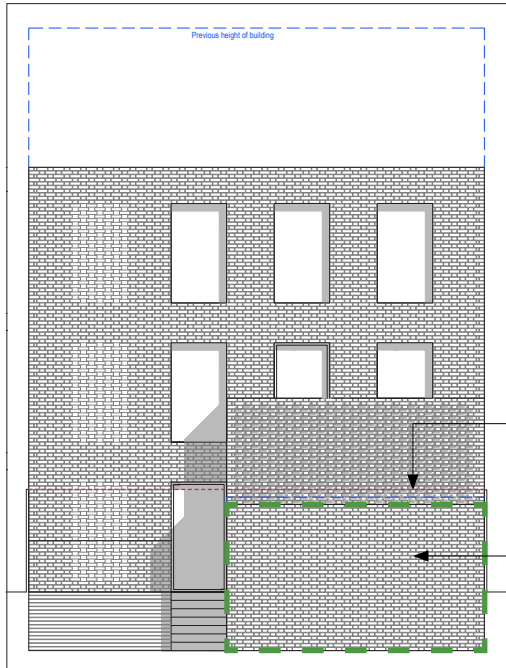
These statements are further substantiated by the enclosed daylight/sunlight statement from CHP. This has assessed the impact on the windows at No's 68 & 70 and concluded that in all instances the numerical values set out in the BRE Guidelines are achieved.



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Site Plan showing 45 Degree rule

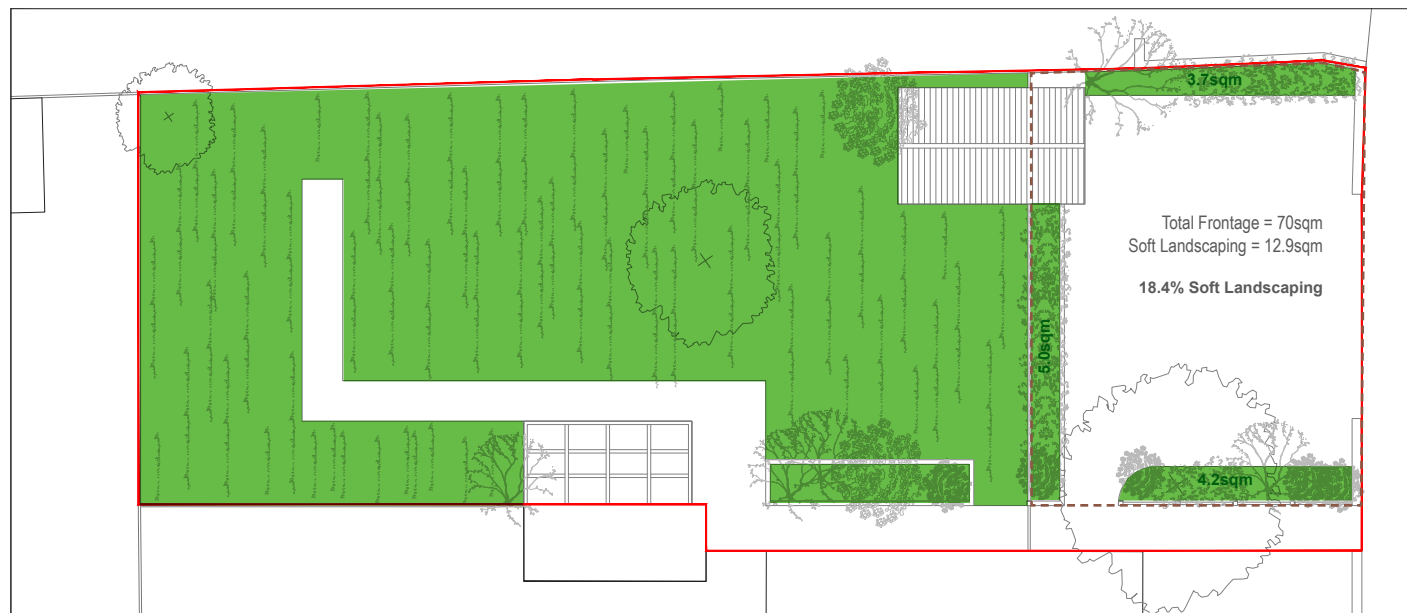


Reduced rear elevation

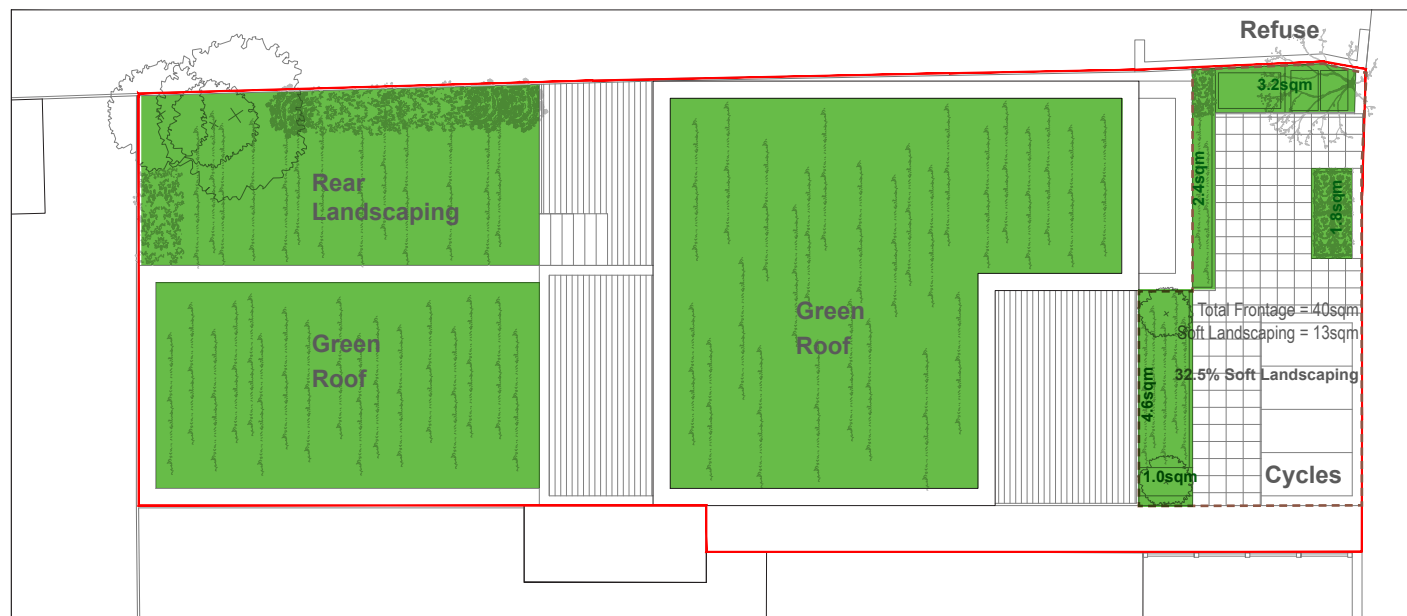


Facing Elevation of neighbouring building: No windows

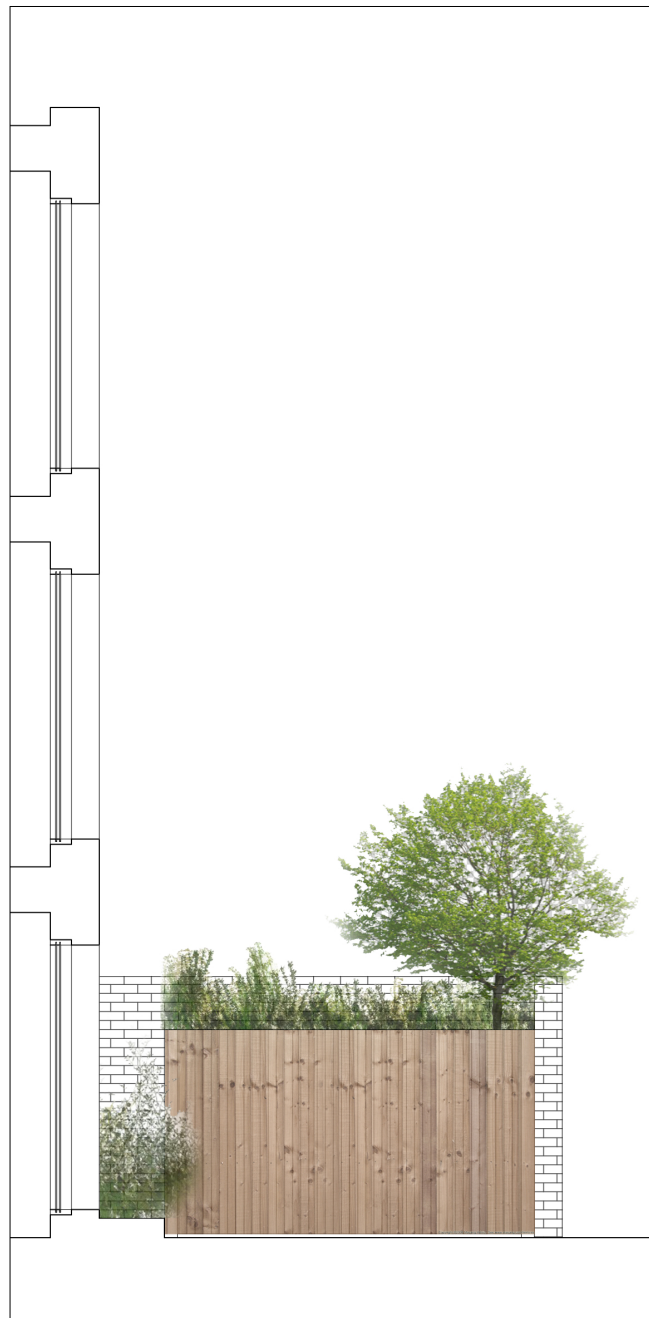
2. Reasons for Refusal: Loss of Trees/Lack of Landscaping



Existing Site Plan



Proposed Site Plan



Bin Store Elevation

“The proposal, by reason of the loss of existing trees within the site, the siting of cycle storage/bin storage on the frontage, the lack of landscaping provision and the excessive level of hardstanding to the frontage, would result in a cluttered, unduly prominent and intrusive form of development to the detriment of the visual amenity of the street scene and the surrounding area generally.”

At the time the planning application was submitted, there were no plans to remove any existing trees. As part of this appeal, we have commissioned an Arboricultural Impact Assessment Report to formally assess the tree situation.

The report concludes that the gum tree at the front of the site and the small apple tree in the middle of the site can be removed. They do not have any TPO's and are deemed “low quality”. As such, the removal of these trees is considered to be of low impact and readily mitigated through replacement planting.

We are unsure why the council have stated that there is a “lack” of landscaping provision and an “excessive” level of hardstanding to the frontage. It is very clear from the drawings submitted and the D&A statement that there is a clear and carefully considered landscaping strategy at both the front and rear of the proposed scheme. The committee report states that the front garden will be “totally paved” which is simply not true.

Nonetheless, the level of soft landscaping has been enlarged to well over 25% of the proposed front area. This is an increase on the existing scenario.

It is also worth reiterating that the scheme is proposed with green roofs which will benefit the site's potential for biodiversity.

The cycle storage is concealed behind a low level boundary wall, and the refuse storage is also concealed within a landscaped area (in line with the council's Residential SPD). As such, we contest the council's statements that these lead to a “cluttered, unduly prominent and intrusive form of development.”

Furthermore, the proposed front landscaped area (and specifically the cycle and refuse storage) have been reviewed and approved by the council's recommended Secured By Design officer.

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Site Location Plan (NTS)

- 1. Development being out of keeping with the locality
- 2. Due to proximity of the building to Colham Moor Primary School, windows would overlook school playgrounds and create privacy risk to students
- 3. Overlooking of residential properties
- 4. Due to its location directly adjacent to the primary school, the development would create increased demand for parking in the area and be detrimental to both highway and public safety.

The points above were raised by local residents during the consultation period. We have already responded on point 1 in this report, the parking comment in point 4 is also addressed with the TTP document.

We feel that points 2 & 4 are simply due to a misunderstanding of where the site is located. As can be seen from the map opposite, the site is not “directly adjacent” to the school, the school is 80m south of the site.

As such, no windows directly overlook school playgrounds or the school premises.

The site is located adjacent to a publicly accessible play area which is overlooked by numerous properties (an aspect that Secured By Design supports in new developments). The Council state in the committee report that the Council’s HDAS guidance does not include a requirement for separation distances from buildings to playgrounds.

With regards to point 3, the proposed scheme does not overlook any residential properties. A 21m line (blue arrow) is shown from each proposed window opposite, these do not intersect any hab rooms on any neighbouring buildings.

There is a small repetitive window on the east side of the development that serves kitchens and a bathroom. This will be opaque glazing as labelled on the drawings.

It will be possible to see into neighbouring gardens at an oblique angle from the upper floors, however this is the same scenario as every other residential dwelling in the local area and their neighbours.

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4. Benefits of Proposed Development

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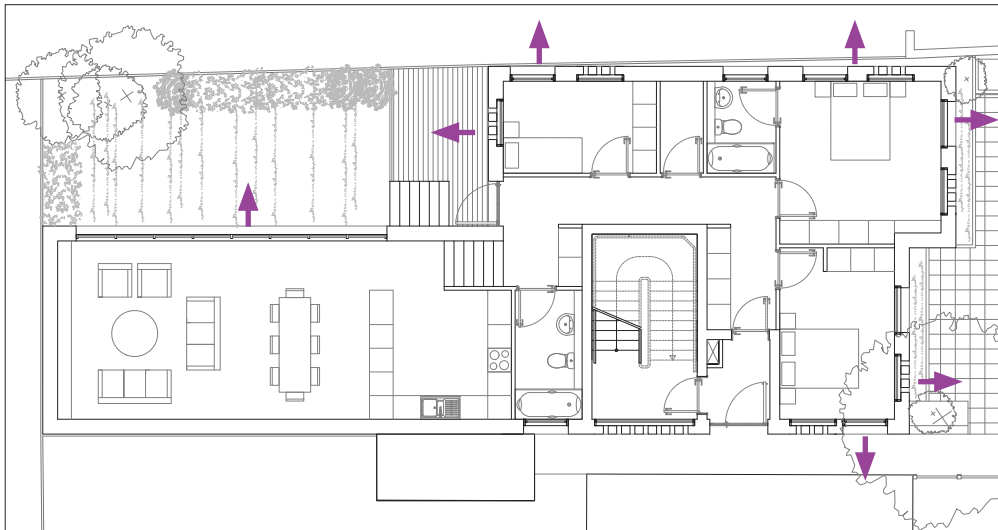
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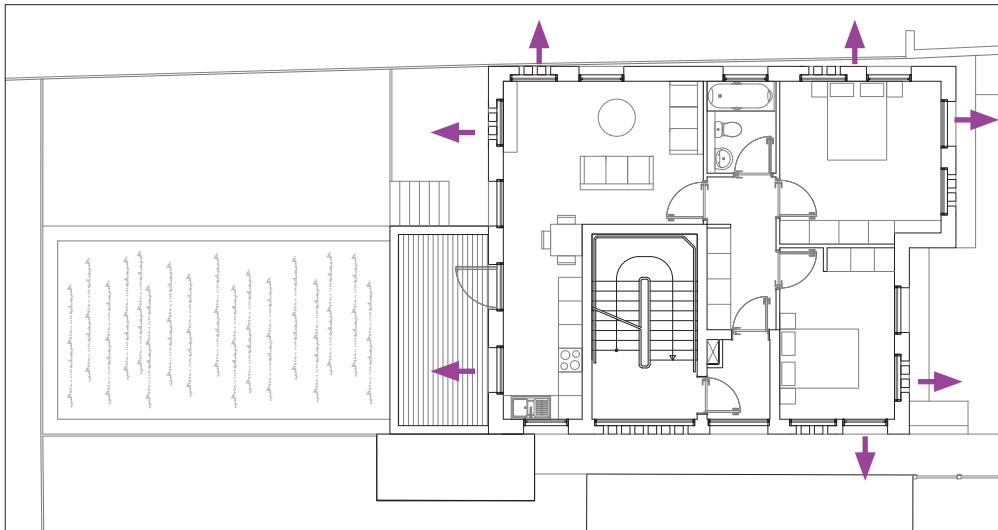
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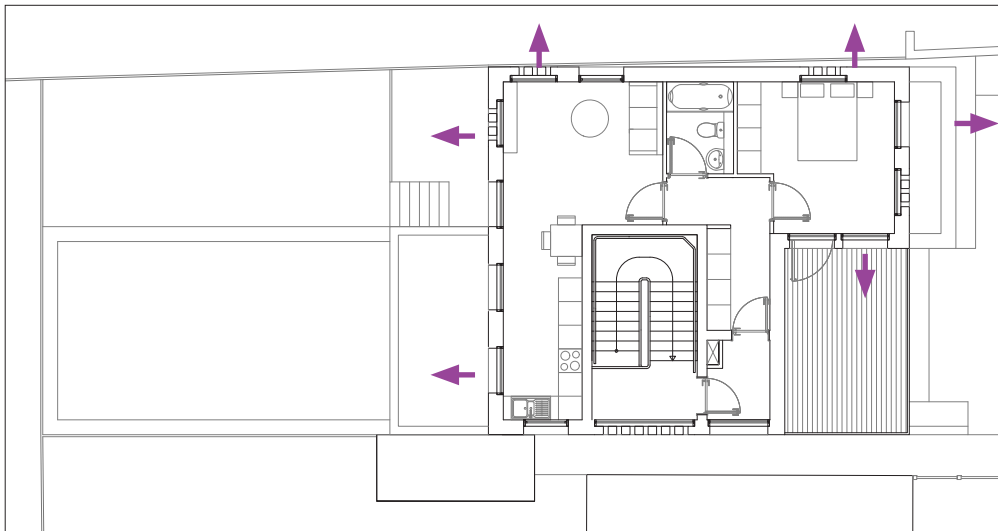
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Proposed Ground Floor Plan: Flat 01 - 121sqm



Proposed First Floor Plan: Flat 02 - 70sqm



Proposed Second Floor Plan: Flat 03 - 51sqm



Proposed Front Elevation with Context

It is important to realise that this proposal does emanate strong positive attributes which are worth stating.

The tables below compares the proposed internal areas of each unit and the private amenity areas with the LHDG criteria:

	Proposed GIA	LHDG GIA
Flat 1: 3b/5p	121sqm	86sqm
Flat 2: 2b/4p	74sqm	70sqm
Flat 3: 1b/2p	55sqm	50sqm

TOTAL GIA: 250sqm 206sqm

	Proposed Amenity	LHDG Amenity
Flat 1: 3b/5p	43sqm	8sqm
Flat 2: 2b/4p	11sqm	7sqm
Flat 3: 1b/2p	15sqm	5sqm

TOTAL NIA: 69sqm 21sqm

THE PROPOSED SCHEME DELIVERS RESIDENTIAL GROSS INTERNAL AREAS 21% IN EXCESS OF LHDG REQUIREMENTS AND PRIVATE AMENITY AREAS OVER 3 TIMES LHDG REQUIREMENTS.

The main benefits are listed below:

- Significantly reduced height, scale and bulk
- No adverse impact on local parking provision
- No adverse impact on neighbouring properties
- Modern, aesthetically pleasing design
- All flats exceed LHDG standards
- All flats are **quadruple** aspect
- Provides more homes in the borough
- Committed to SBD certification
- Adheres to Mayors Sustainable Design SPD

It must be noted that there were also letters of support for this application, the main support points were:

- The design is in-keeping with the street scene
- The scheme will provide much needed new housing
- There is sufficient parking in the area



008_A-095_REV 02 - Proposed Site Plan
008_A-100_REV 04 - Proposed Ground Floor Plan
008_A-101_REV 04 - Proposed 1st Floor Plan
008_A-102_REV 04 - Proposed 2nd Floor Plan
008_A-104_REV 01 - Proposed Roof Plan
008_A-202_REV 03 - Proposed Context Elevation 01

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