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ARUNA BASSI & PAVINDER BASSI: LAND ADJOINING 1/3 BOTWELL CRESCENT, HAYES

Subject: Grounds of appeal for refusal of Planning Permission, ref: 72105/APP2018/3989
by Hillingdon Borough Council

Distribution: Planning Inspectorate
Planning Department Hillingdon Borough Council
Aruna and Pavinder Bassi Client
file Brocklehurst Architects

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1.0 INTRODUCTION

- 1.1 This statement is in support of an appeal against a refusal of Planning Permission by Hillingdon Borough Council for the erection of a two storey building comprising 2 no. 2 bedroom flats. The development also includes external amenity spaces for each flat and car parking for residents and visitors. Cycle storage and refuse storage are integral to the building.
- 1.2 This planning application was made after a planning appeal was dismissed (ref: APP/R5510/W/17/3179293, dated 29 March 2018). For reference the site plan of the appealed scheme, drawing no. 4875-020C is attached at appendix 10. The building that was subject of the appeal was for a contemporary, flat roofed, three storey building. In brief, the appeal addressed the building design and the provision of amenity space in the form of balconies. The inspector confirmed that the amenity space was acceptable in light of the proximity of Barra Hall Park but did not consider that the building design was appropriate for its location. The scheme was therefore not “comprehensively dismissed” as the planning officer states in his report.
- 1.3 The application that is the subject of this appeal is a development of a design for a similar scheme that was refused planning permission (ref: 72105/APP/2018/2540, decision dated 2 June 2017). That application is not relevant to this appeal.
- 1.4 In brief, the sole reason for refusal is:
- The proposed development, by reason of its siting in this open prominent position, size, scale, bulk and projection forward of the very strong building line along Botwell Lane, would result in the total loss of an important gap characteristic to the area and would thus result in a cramped, unduly intrusive, visually prominent overdevelopment of the site. The proposal would therefore be detrimental to the character and appearance of the adjoining properties and the visual amenities of the street scene, the adjoining Hayes Village Conservation Area and the wider area in general.

In this statement we will refer in more detail to the reasons for refusal, the relevant planning policies, the planning officer’s report and the planning inspector’s letter dated 29 March 2018 (appendix 9).

- 1.5 This statement should be read in conjunction with the Design and Access Statement and the planning application drawings (as revised). Photographs referred to by number in the text are references to photos on the photograph sheet which is Appendix 12. Other references are to separate documents which form the appendices to this statement, e.g. App. 1

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2.0 SITE DESCRIPTION AND LOCAL CONTEXT

- 2.1 The appeal site is roughly square in shape and extends to 255m². It lies at the southern junction of Botwell Crescent and Botwell Lane immediately to the east of 1/3 Botwell Crescent (photos 1, 2 and 3). The OS map of 1935 (App. 1) shows the development of both Botwell Crescent and Botwell Lane underway and the OS map of 1965 (Doc 2) shows that the housing development on these two roads as complete. By 1965 the area to the south of Botwell Crescent has been fully developed with housing (both flats and houses) and some local services as well as new road network centred on Barra Hall Circus.
- 2.2 It appears as though all the housing on Botwell Lane and Botwell Crescent was originally constructed as a series of blocks of four flats each block giving the appearance of two semi-detached houses. From our observations it is the same today, i.e. flats.
- 2.3 On the east side of Botwell Lane lies Barra Hall Park (Photos 4, 5 and 10) which itself is located within the Hayes Village Conservation Area (Doc 3). Barra Hall Park is a well maintained public park providing a variety of facilities. The park is secured between 0900 and dusk and benefits from Green Flag status. There are ten different entrances to the park and one of these is directly opposite the appeal site.
- 2.4 Immediately to the south of the appeal site there is a small parade of shops, known as Park Parade, located on Judge Heath Lane (Photos 6, 7 and 8). This parade as much of the development around Barra Hall Circus appears to have been built in the late 1950s. Access to the shops is via a slip road and there is an additional service road that provides access to the rear of the shops. Park Parade is a three storey development and the upper storeys are in residential use as flats. The service road also runs along the rear of the properties on Botwell Crescent.
- 2.5 It appears from the various OS maps that the appeal site has not been developed in the past but it is not clear whether the site was ever associated with an individual building, e.g. a garden to an existing dwelling. As can be seen from the map and the photographs, the appeal site is a prominent undeveloped corner site not just at the intersection of two roads but, including the various service roads, of five roads. Because of this the location appeal site lacks definition and a sense of place.
- 2.6 The buildings on Botwell Crescent and Botwell Lane, built between the 1930s and 1950s are generally two storey brick construction below tiled roofs. They exhibit a certain homogeneity but although this may define the character of the immediate locality the overriding architectural style cannot be considered to be distinctive. The buildings are unremarkable examples of much of English suburban housing built during this period. It is interesting to note that although the buildings on Botwell Crescent and Botwell Lane appear to be semi-detached houses they are in fact flats (Photo 3). This means that the access to the upper floor flats are located on the gable ends of each block.
- 2.7 The appeal site is located at the interface between the two storey housing described above in Botwell Crescent and Botwell lane and the more recent (1950s/1960s) developments south of Barra Hall Circus and along Judge Heath Lane (Photo 9). Typically these are larger residential blocks of two and three storey (including Park Parade) built from yellow facing brickwork under pitched roofs. There is clearly a change in architectural style and urban design between the Botwell Crescent/Botwell Lane area and the buildings around Barra Hall Circus.

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3.0 BUILDING DESIGN

- 3.1 The building that has been designed for the appeal site recognises the specific characteristics of the site and the surrounding built environment and in the design clearly addresses them. We are also mindful of the site's location on the edge of Hayes Village Conservation Area (but not within it) and in the next section we will address this, particularly in the context of what characterises the Conservation Area.
- 3.2 In the design of this building, we have recognised that the appeal site is a vacant site at the intersection of five roads. It is also at the interface of two distinct architectural styles. In the previous appeal the planning inspector did not agree with us that the site represented a continuation of the built form of Park Parade. The inspector says at para. 6 that "the two storey buildings with hipped roofs which comprise a group around Botwell Crescent and Botwell Lane give the immediate area around the appeal site a distinct and cohesive character and appearance ... in spatial and visual terms the appeal site relates strongly to this group." In this application we have related the building design clearly to the buildings on Botwell Lane and Botwell Crescent. This has been achieved through the use of traditional materials used elsewhere in the area (facing brickwork under slate roofs), form (pitched and hipped roofs) and scale.
- 3.3 The site is bounded by roads on three of its four sides. It would be hard to describe the site as a continuation of the built form on Botwell Lane (north of Barra Hall Circus). The six buildings on this distinct section of Botwell Lane, between the two entrances to Botwell Crescent form a self-contained streetscape. We would argue that the development on the appeal site, in urban design terms, does not need to slavishly follow the building line on Botwell Lane as it is not a continuation of it and the building on the appeal site will not be read as part of it. Because the site is bounded by public roads on three sides the proposed development, rightly, in architectural terms, addresses all three roads.
- 3.4 In the reason for refusal the Local Planning Authority states with some force that the proposed development would "result in the total loss of an important gap characteristic of the area and would result in a cramped, unduly intrusive and visually prominent over-development of the site". The first part of this statement is an extraordinary statement for two reasons. First, during earlier pre-application discussions there has been no suggestion that the appeal site is valued as an "important gap". We would further argue that in urban design terms this is not an important gap - in fact it is quite the opposite. The appeal site lies outside the Hayes Village Conservation Area but we are very conscious that this site is visible from Barra Hall Park and in itself that has helped determine the form of the building. Currently this important vacant site does nothing to create a sense of place at what is a significant site in urban design terms.
- 3.5 Hillingdon Borough Council's own document the Hayes Village Conservation Area Appraisal (App. 5) identifies the area around appeal site as a "gateway" (Map 4, p. 28) (App. 6). The same map identifies "significant green or open space and trees" The centre of the roundabout at Barra Hall Circus is given this designation (although it was beyond the boundary of the original Conservation Area) but not the appeal site. Following publication of the Conservation Area appraisal the boundary of the Conservation Area was redrawn with minor amendments, one of which was the inclusion of the centre of the roundabout as shown in the Conservation Area Appraisal (Map 6, p. 34) (Doc 7). There is no evidence therefore that the LPA consider the appeal site is an important gap nor can this position be supported by the application of good urban design principles.

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- 3.6 The same planning officer has been involved in all four applications on this site and both he and the Conservation officer do not dispute that this site has the potential for development. Currently the lack of building on this site visually exposes the rear gardens of the properties on Botwell Crescent which leads to a perceived lack of security and privacy.
- 3.7 The current scheme has a slightly smaller footprint than the scheme that was appealed, 109m² rather than 111m² (app. 10) and of course two storey rather than three storey. The position of both designs on the site is similar. In his appeal decision at para. 10. The inspector says “the proposal makes efficient use of the land and has been designed to minimise the impact on the living conditions for occupiers of adjacent properties”. The inspector in para. 11 comments that the modest size of the site means that there is little area for soft landscaping which contributes to the character of the immediate area. In the current application we have addressed this by ensuring that all the car-parking is accessed from Botwell Crescent allowing for more planting elsewhere on the site. The inspector concludes his assessment of the previous scheme at para. 12 by saying taking these factors *in combination* (my italics) the development would appear as a strident and discordant feature on this site, failing to respond positively to the immediately surrounding residential development. He does not say anywhere that the previous appealed scheme was overdevelopment per se. At para. 14 he states that the benefits arising from the additional residential accommodation (3 no. flats) are not outweighed by the harmful impact the proposal would have on the character and appearance of the surrounding area. In the current application we believe we have addressed this imbalance by creating a design which is more modest in scale and utilises traditional materials and forms which reflect the existing character of the area.
- 3.8 This building, unlike other buildings on Botwell Crescent and Botwell Lane not only has three distinct principal elevations (also identified by the Conservation and Urban Design Officer) but also has to incorporate purpose designed refuse and cycle stores – not required by earlier generations. These have been located carefully in the building, and are therefore evident on the facades, in order to be accessible and safe and consequently to avoid inappropriate cluttering of the site by hiding these areas away. There is no reason why well-designed stores cannot form a positive aspect of the overall aesthetic of the building. Particular care has been given to the location and size of balconies and windows to create well-proportioned elevations. The conservation and Urban Design officer comments on the blank wall on the north elevation. We agree with this comment and propose, with the LPA’s agreement, to include secondary windows to the bedrooms. These are shown in drawing nos. 4875-53D. Drawing nos. 4875-51C, 52C and 54C have also been revised to revision D to ensure consistency.
- 4.0 HAYES VILLAGE CONSERVATION AREA
- 4.1 The appeal site lies outside the boundary of the Hayes Village Conservation Area as amended. Following publication of the Conservation Area Appraisal in 2015 minor amendments to the boundary were adopted. The appeal site was never part of the Conservation Area but the grass centre of Barra Hall Circus was included as one of the amendments. Other amendments included a small area to the North of the Uxbridge road which included a locally listed building. Some other residential streets were removed from the Conservation Area (Doc 6). It can be concluded therefore that the appraisal of what constitutes the present Conservation Area is an authoritative and up to date piece of work.

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- 4.2 The Hayes Village Conservation area is broadly characterised by three separate but related aspects (and additionally a historical connection to George Orwell) as follows:
1. Built evidence of the medieval village at Hayes centred on the church of St Mary (in the south east of the Conservation Area) and the hamlet of Wood End Green in the North of the Conservation Area.
 2. Distinctive Areas of interconnected open and wooded green spaces, including Barra Hall Park which provide a setting for the village and a valuable community resource for the Borough.
 3. A richly varied townscape of historic buildings and building groups dating from the medieval period and the 18th 19th a 20th centuries.

This summary is taken from the Conservation Area appraisal (section 2) (Doc 5).

- 4.3 In Appendix 3 of the appraisal (Doc 5) it states that one of the purposes of the appraisal is “to provide a framework for planning decisions, to guide positive change and regeneration”.
- 4.4 Saved policy BE4 states that “new development within or on the fringes of Conservation Areas will be expected to preserve or enhance those features which contribute to their special architectural and visual qualities. Development should avoid the demolition or loss of such features ...”.
- 4.4 The appeal site lies outside the Conservation Area but on the fringes and therefore one must consider how policy BE4 should be applied. There was every opportunity to include the site within the Conservation Area when the boundary was reviewed but this did not happen and so one must conclude that the salient characteristics of the Conservation Area did not apply to the appeal site. It also follows that the requirement to “preserve and enhance” must be applied proportionately and with particular regard and relevance to the specific characteristics of the Conservation Area that might be affected.
- 4.5 The question that then arises is what aspects of the Conservation Area should be preserved and enhanced by the development on the appeal site? Clearly the setting of the medieval villages of Hayes and Wood End are unaffected as they are located well away from the appeal site and the appeal site is not visible from either location. The openness and qualities of Barra Hall Park, are unaffected by the proposals. In fact, as stated above, the development provides a landmark and orientation point at the southwest entrance to the park in a location that is identified in the Conservation Area appraisal as a “gateway” to the conservation area (App. 6). Finally does the proposed development effect the setting of Listed and Locally Listed Buildings in the vicinity? There are two such buildings Barra Hall and the Bandstand in Barra Hall Park. There is no intervisibility between Barra Hall and the appeal site and from the Bandstand the proposed development is screened during the summer by trees and other times will form part of the backdrop of buildings on Judge Heath Lane, Botwell Lane and Botwell Crescent.
- 4.6 Map 3 on page 18 of the Conservation Area Appraisal (Doc 8) clearly identifies the important views and vistas. As can be seen, the appeal site is not encompassed by any of the identified vistas nor does it fall within an important view.

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5.0 CONCLUSION

- 5.1 This appeal statement does not address those issues which are not in dispute by the local planning authority and are noted as being acceptable within the officer's report and in accordance with the relevant policies.
- 5.2 We believe that the proposed development is well-designed, makes a positive contribution to this part of the Borough and creates two well-proportioned flats with individual private amenity space and access to a local park. The development will preserve and enhance the adjoining Conservation Area. The scheme brings an unsightly piece of derelict land into use and on balance addresses all previous substantiated concerns. We have addressed fully the reasons for refusal and trust that the Inspector will take all the relevant information into account when considering his/her decision.