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To the Planning Inspectorate,
Room 3/07, Kite Wing,
Temple Quay House, 2 The Square,
Temple Quay, Bristol, BS1 6PN

Grounds of Appeal.

Re; proposed development, new 2 x flats on land adjacent to 1 and 1a Barnard Gardens,
Hayes, Middlesex, (Hillingdon Council ref 62057/APP/2018/4137, for Ms Lisa
O'Neill.

Dear Sir/ Madam,

Ms O'Neill wishes to take this opportunity, after receiving this refusal, to appeal
against Hillingdon Council's current planning decision.

We note a number of inaccuracies regarding the council's planning report, on which
this decision is based, and welcome the Planning Inspector's considered views on issues
raised and queried re this application.

We note that the council state four reasons for refusal of this planning application, eg,

Reason 1 ... (in our opinion, subjective)

The proposed development by reason of its lack of set back from the front wall and
lack of set down below the main ridge height combined with its excessive width would not
appear as a subordinate and subservient addition and would result in an imbalanced
appearance between the pair of semi-detached properties to create a terraced effect and thus
would be detrimental to the appearance of the original house and the visual amenities of the
street scene and surrounding area and therefore would fail to comply with 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 Extensions.

Reason 2 ... (in our opinion, subjective)

The proposed bike/storage building by reason of its siting in this open prominent
position, size, scale and bulk would result in an over-dominant, incongruous and visually
intrusive form of development to the detriment of the setting and character of the existing
property and the visual amenity of the street scene and the wider area. Therefore the proposal
would be contrary to Policies BE13, BE15 and BE19 of the Hillingdon Local Plan: Part Two
- Saved UDP Policies (November 2012) and to the Council's adopted Supplementary
Planning Document HDAS: Residential Extensions.

Reason 3 ... (in our opinion, factually incorrect re the council's assertion)

The proposal would provide an indoor living area of an unsatisfactory size and quality
for the future occupiers of flats 1 and 1c and would therefore give rise to a substandard form
of living accommodation to the detriment of the amenity of the current and future occupiers.
The proposal is thus contrary to Policy 3.5 and Table 3.3 of the London Plan (2016), the

Housing Standards Minor Alterations to The London Plan (March 2016), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015).

Reason 4 ... (in our opinion, at best subjective, and at worst factually incorrect re the council's assertion)

The proposal would result in a very poor level of outlook for the bedroom of Flat 1b due to the substandard size of its only window, The proposal would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of the future occupiers. The proposal is thus contrary to Policies BE19, BE20 and BE21 of the Hillingdon Local Plan: Part Two - Saved UDP Policies (November 2012), Policies 3.5 and 5.3 of the London Plan (2016), the Council's adopted Supplementary Planning Documents HDAS: Residential Extensions and HDAS: Residential Layouts and the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016).

We reiterate that the council's reasons for refusal stated above, are (in our opinion) subjective, and do not stand up to considered scrutiny and we welcome the inspector's considered opinion on the particular issues below.

Specific points re our Grounds for Appeal..

We hope that the inspector will be mindful of the following information when considering this appeal..

1. We note that the planning officer's report notes refer to 'extension'.. regarding some aspects of Hillingdon Council's planning policies, the council seem to be trying to 'adopt and interpret' their policies with reference to householder extensions, and not new-build flats.

[whilst we recognise that no two planning applications are the same, please refer to the 'postscript' at the end of this document, that highlights how this council have treated a similar nearby new-build property attached to a semi-detached pair of properties, this was planning-approved in 2016; this approved scheme has 'distinct similarities' to our refused application here, regarding no setbacks or subservient ridges, approved within 8 weeks via the council officer's delegated powers].

2. Whilst we are sensitive to the fact that one neighbour (out of sixteen) has written to object to these proposals (re construction noise and possible perceived overlooking), we are happy that the planning officer has investigated and is happy with the issues raised, and thus this aspect of the proposals complies with council policies BE20, BE21, and BE24.

3. We are also happy to note that both the highways officer and flood officer are happy with relevant proposals here.

4. The council's current concerns (we believe) can be simplified/categorised as being related to the following...

- a. size/ mass/ design of this block of two new flats.
- b. the council's misunderstanding of the minimum allowable size of the proposed ground-floor studio apartment/ flat.
- c. the council's erroneous description of the existing properties as being semi-detached houses, when this block consists of 4 x maisonettes (eg, perhaps better described as an existing block of 4 flats, for which the council does not have any specific stated policy re adding a further 2 flats to the side here).

We welcome the inspectors considered thoughts re the following

aspects of this appeal..

Reason 1.. ‘The proposed development by reason of its lack of set back from the front wall and lack of set down below the main ridge height combined with its excessive width would not appear as a subordinate and subservient addition.. ’

As mentioned above, we feel that the building can and does agree with the scale of surrounding properties, and its detailing reflects the historic fabric here.

The planning officer’s report continues to refer (erroneously) to the existing block of four flats as a pair of semi-detached houses.

So, if we were to try to make the council’s stated ‘household extension’ policies fit the proposed new-build of two flats here, it might be equally or even more apt for the council to refer to their current planning policies regarding a terrace of properties (eg, a two storey side extension in Hillingdon, proposed to extend a block of three households or more , requires neither a set-back from the front wall or a set-down ridge below the main ridge height).

We also note that the council contend, in the report, that a ‘third dwelling’ here (their phrasing) would create a terracing effect, and that such a design would be ‘out of character with the area and harmful to the street-scene’. We feel that this is inaccurate, as three of the four surrounding roads (eg, Greenway, Chatsworth Road, and Shakespeare Avenue contain between them eight blocks of terraced properties, on the side of the road closest to our site.

We feel that this design, if built, would be of a design and quality that would enhance the street-scene here, and we have taken time and care to show these proposals in context, with accurate 3d computer generated modelling of our proposal, and the volume of both ours and neighbouring properties. We hope that this information will help the planning inspector to make an informed opinion of these proposals.

Whilst we are sensitive to the council’s suggestions here re (possibly) reducing the ridge height, and setting-in the front of the property by one metre, we would still not meet the council’s stated requirement re overall proposed width of the development (albeit, only relevant if this were an extension not (as in this case) an attached ‘new-build’). So, if only for this reason on its own, we welcome the considered opinion of the Planning Inspector., re the proposed width of the possible flat development here.

We do strongly believe that the design philosophy that we have chosen to follow here, is the most sensible choice to enable the best possible utilisation of this site. Given the current interest in the London Housing Strategy and the ‘National Planning Policy Framework’ (NPPF) it is important to restate that there is a general demonstrable need to boost the supply of homes nationally (and therefore locally), and that small sites should make a much greater contribution to overall supply.

The front building line here is proposed to vary, by introducing an arrangement of four of the front doors ‘staggered’ here, plus the mirroring / reproduction of a third front-facing gable bay.

Aspects of this design (particularly when viewed from the street frontage create an enriching play on ‘symmetry’, eg, there are a number of positions along the frontage where an arrangement of doors or windows are perceived to be in a symmetrical arrangement; also, the left and right extreme front bays and extreme frontage corners are designed to be ‘symmetrical’, to visually balance the proposed extremities of the block of proposed and

existing flats here.

To recap and taking points individually..

A. The overall scale of the proposed two flats is broadly similar to (albeit smaller than) the existing block of four flats here, and is directly 'in scale' with other terraced properties in adjacent streets.. We feel the council's opinion is subjective, and we welcome the inspector's thoughts re this matter.

B. The council's reference to 'front-wall set-backs and subordinate ridge rooflines' is guidance that the council previously issued re domestic household extensions, and is not directly relevant to the circumstances of creating two new (attached) flats here.

We hope that the planning inspector may support our view that we have chosen a sensible design strategy here, to best enable suitable use of the available site.

Reason 2. 'The proposed bike/storage building by reason of its siting in this open prominent position, size, scale and bulk would result in an over-dominant, incongruous and visually intrusive form of development to the detriment of the setting and character of the existing property and the visual amenity of the street scene and the wider area. '

We feel that the council's views on the above are at best subjective, and we welcome the inspector's views on these issues.

Taking each query in turn..

2A. 'Siting of the proposed bike/ storage building'.. The arrangement here is at the bottom of the proposed private gardens to each of the flats here, wholly hidden behind the retained mature hedging along the street frontage here (as shown on 3d representations).

This is demonstrably not an 'open prominent position' as suggested by the council.

2B. 'Size, scale and bulk of the proposed bike storage building'.. Please refer to drawing 56A. The eaves height of the bike/ garden store is 2m, and the ridge height is proposed to be 2.4m, as scaled from this drawing. The total roof area of 8m x 2.3m includes a 'covered pathway' to the centre private garden of the newly proposed first floor flat. This area stated provides 3 small private bike store/ garden store spaces, each with a floor area of 2.3m x 2.3m.

This would create the equivalent of a 2m high 'privacy buffer/ threshold' between the two parking spaces at the northern end of the site, and the three illustrated private gardens.

We are struggling to comprehend how these volumes can be considered 'over-dominant, incongruous and visually intrusive'.

Again, we would reiterate, the retention of the mature hedge here would greatly obscure these stores (even if they were to be considered over-dominant, incongruous and visually intrusive).

If the planning inspector were minded to approve all other aspects of this proposal, we would be happy for landscaping, bin and bike store positions to be subject to a further planning conditions application.. (eg, a suitable condition added re any approval granted on appeal)

Reason 3 ... The proposal would provide an indoor living area of an unsatisfactory size and quality for the future occupiers of flats 1 and 1c and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of the current and future occupiers.

Please refer to our drawings 50A and 51A, showing the position of flats.

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FLAT 1

Flat 1 is the existing ground-floor flat.. whilst there is a proposed increase of the ground-floor living room space, no extra habitable rooms are being created.

We are unaware that an existing flat can be deemed of 'unsatisfactory size' with reference to the Mayor of London's 'new houses tables'- to reiterate, this is an existing flat.

Notwithstanding the above statement, the size of this flat, shown on our drawing 52A, is 63.05m² (internal floor area, including area greater than 1.5m head-height under flat-above's stairs, qualifies as part of built-in storage) . This demonstrably meets the Mayor's stated minimum gross internal floor areas and storage for a 2 bedroom, 3 person 1 storey dwelling (61m² required, if this were really deemed to be a requirement regarding an existing flat).

(The council in their report erroneously state that this flat measures 'approximately 54 square metres)

FLAT 1A

Flat 1 is the existing first-floor flat, and has not been queried by the council.

FLAT 1B

Flat 1B is the proposed first floor flat, and has not been queried by the council.

FLAT 1C

Flat 1C is the proposed ground-floor flat.. our drawing 51a states the internal floor area here is 41m²; rechecking today, and including the under-stairs storage space 1.5m and more high), then this unit measures 43.24m² (eg, our proposal factually agrees with the mayor's / government's requirements)

However, the council, in their written report erroneously state 'at 41 square metres would not comply with the minimum standard of 50 square metres and this would be of a substandard size'.

We welcome the Planning Inspector's observations regarding the council's statement, as the requirement for a 1 bedroom 1 person studio flat is 39m² (37m² where a shower is shown). Our scheme agrees with this requirement.

Reason 4 ... The proposal would result in a very poor level of outlook for the bedroom of Flat 1b due to the substandard size of its only window, The proposal would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of the future occupiers. ...

Please refer to our drawing 54A (proposed roof plans) and drawing 55A (proposed elevations). There are two windows shown on our drawings for the bedroom of Flat 1B; however, the council's planning report only references the north-facing window, and not the south-east facing high-level velux skylight window (one of 2 shown- one increases daylight and outlook to the proposed kitchen of this flat, and one augmenting the daylighting/ view to this bedroom).

The floor area of this proposed bedroom is 12.21m²; the size of the north-facing window is 1.9m x 0.6m = 1.14m²; the size of the velux window is labelled as 550mm x 940mm, but in fact scales 780mm x 1400mm on elevations and plans = between 0.51m² and 1.09m² further window area indicated.

This gives a total glazed window area to this bedroom, via two outlooks, as between 1.65m² and 2.23m² of glazing, eg, considerably more than 10% of the total floor area of this bedroom.

The position of these windows at approximately diagonally opposite ends of this room, will give a considered spread of natural daylight within the room; the tall north-facing window, close to the bed-head position, will allow views towards the street, with tiled roofs opposite on the horizon and high into the sky, whilst minimising possible overlooking of the adjacent neighbour's private amenity spaces; whilst the high-level skylight gives further

high-level views of blue sky and clouds. Whilst not necessarily a 'planning department consideration' it is to be noted in this scheme's favour that the position and width of the proposed windows here agrees with Building Regulations requirements re natural daylight, rapid ventilation, thermal insulation and emergency fire escape requirements.

We welcome the Planning Inspector's considered opinion regarding the sizes and positions of the proposed window and skylight here, and the two different outlooks to this room that our design here proposes, and whether the information that has been ignored/ missed-off the council's report is material to their conclusion.

If the planning inspector were minded to approve all other aspects of this proposal, we would be happy for the size and position of the two windows proposed to the bedroom of Flat 1B here to be subject to a further planning conditions application.. (eg, a suitable condition added re any approval granted on appeal, regarding the dimensions of these windows, if the planning inspector felt that this was merited).

For all the above reasons, we feel that our current design is, on balance, the most sensible proposition for this site, and we welcome the inspector's subjective view re the above.

In conclusion, we feel that careful assessment of the existing street-scene, and the current application's favourable or neutral impact on the environment here, plus the national requirement and assumption in favour of new properties where and when apt, should support our current proposals here and we welcome the inspector's investigation of this site and its locality.

We do not believe that our proposal would create a (subjectively) unacceptable development, as the council contend.

We hope that you can take all the above points and comments into consideration when reviewing this appeal and we look forward to receiving your considered response.

Yours faithfully,

Michael Oakes

scanned drawings follow..

'Postscript' background information regarding development, land adjacent to 1 the Oaks, Hayes, UB4 8QD, (39969/APP/2016/3579 new house attached to semi-detached pair) approved under 'delegated powers' 8 weeks after first submission, approved on 5.12.16, showing (categorically) that this council approve schemes with similar design/ massing methodology re new-builds.. = separate document