

Appeal

2 bed house, Land adjacent to 33 Hazelwood Drive, HA5 3TU

February 2021

This appeal is regarding application 6342/APP/2020/1947.

A pre-application was submitted to Hillingdon Council in August 2019. The application included several house options for the site. Diane Verona at Hillingdon Council was the case officer for this pre application and was particularly drawn to the scheme this appeal refers to. She was very positive regarding the design and complemented how it was sympathetic to it's context. She was unfortunately unable to achieve approval from Hillingdon Council for the full planning application of the scheme, hence the submission of this appeal.

The scheme is an innovative house design, which utilizes our scarce resource of London land which has been wrongly rejected. This appeal will demonstrate why Hillingdon Council's refusal points are untrue and counterproductive to the process of building much needed homes for London.

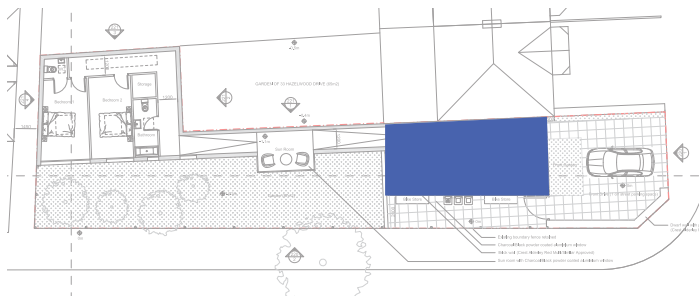
Hillingdon Council Refusal Point 1

Hillingdon Council Refusal Point 1

“The proposed development, by reason of its siting (in a rear garden), design, layout, and site coverage, would result in a cramped development of the site, which is visually incongruous (given the setting) and would fail to harmonise with the existing local and historic context of the surrounding area. The principle of intensifying the residential use of the site, as well as the proposed loss of existing private rear garden area would have a detrimental impact on the character, appearance and visual amenity of the surrounding and contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMH 6 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies 3.5, 7.1 and 7.4 of the London Plan (2016), guidance within The London Plan Housing Supplementary Planning Guidance (March 2016) and the NPPF (March 2012).”

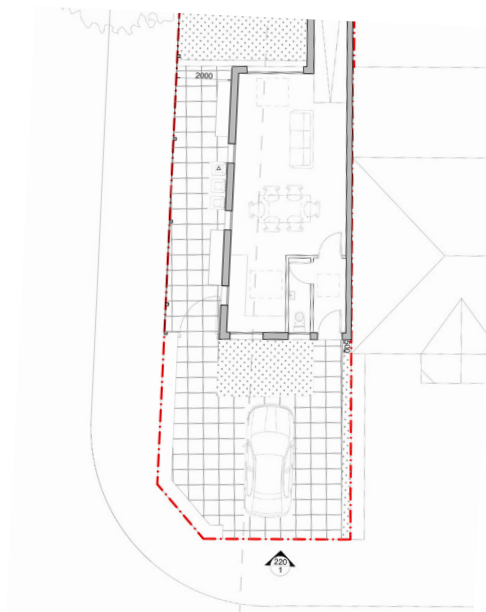
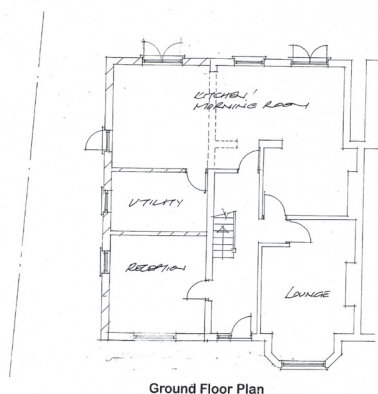
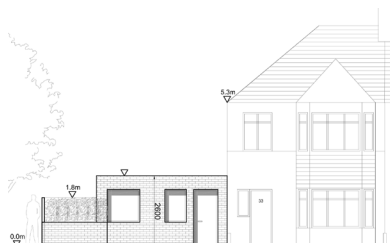
Response:

The front half of the building containing the living/dining space is the only part of the building visible from the public domain (**Diagram 1**).



(above) **Diagram 1** - Blue indicates the only element of building which is higher than the perimeter fence

Where this part of the building lies, a side extension was granted by Hillingdon Council in 2014 (6342/APP/2019/3796). The rejected scheme is 2.6m high which is much lower than the approved scheme which is 3.2m. The proposed scheme is also set back 500mm from the street line of Hazelwood Drive. The two schemes are incredibly similar and it therefore seems contradictory of Hillingdon Council to refuse an application where the only visible element of the building is almost identical to what they have previously approved.



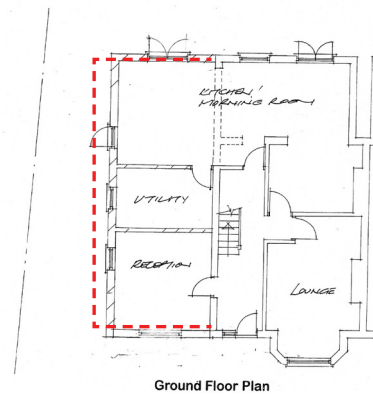
(above) Granted application in 2014 (6342/APP/2019/3796)

(above) Appeal proposal

When compared to each other (**diagram 2 + 3**) it becomes apparent how similar each of the schemes are along Hazelwood Drive. The refused scheme is approximately 500mm wider than the granted scheme but is much lower and setback from Hazelwood Drive by 500mm.

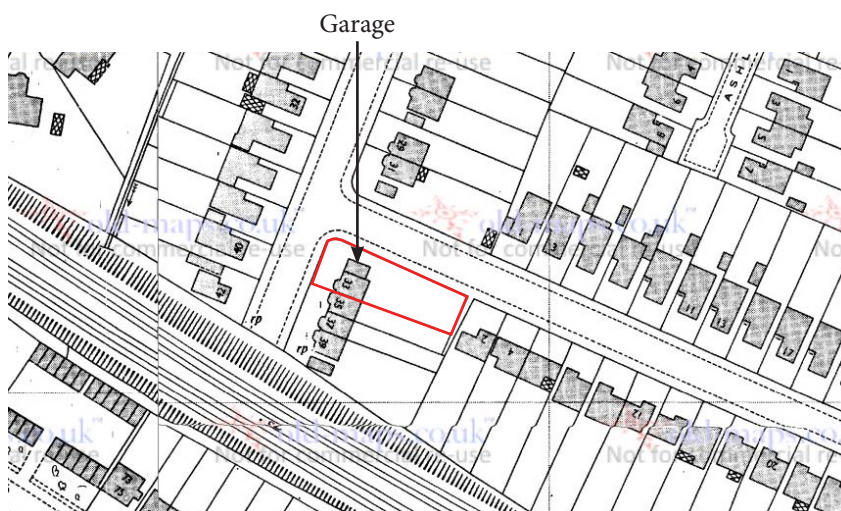


(above) **Diagram 2** - Visible aspect of refused scheme dotted in red over approved scheme front elevation

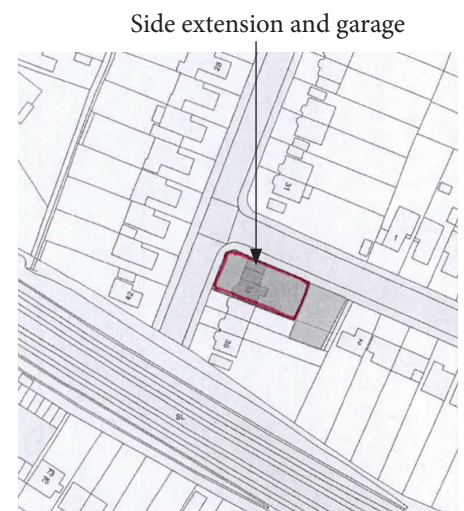


(above) **Diagram 3** - Visible aspect of refused scheme dotted in red over approved GF plan

Furthermore, by looking at historic maps of the site, there has consistently been a side extension/garages to 33 Hazelwood Drive. Therefore, from an historic context point of view, the proposal actually mirrors what has historically been on the front of the site contradicting Hillingdon's claim that the proposed development "would fail to harmonise with the existing local and historic context of the surrounding area". This clearly shows the history of the site has not been looked at by the council and that refusal point 1 is contradictory.



(above) 1960 Ordnance Survey map showing original side garage to 33 Hazelwood Drive



(above) 2007 plan showing side extension housing downstairs bedroom and bathroom and garage. Taken from granted 2014 Hillingdon application (6342/APP/2019/3796)

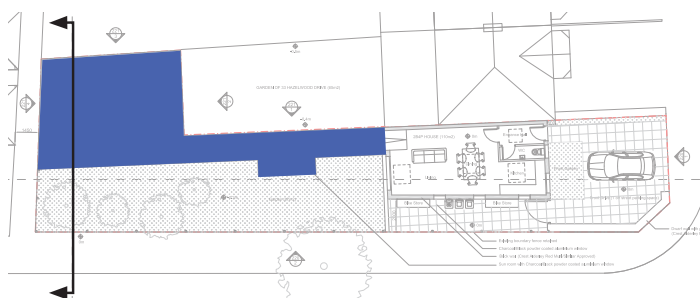
Refusal point 1 states the design would be “visually incongruous and would fail to harmonise with the existing local and historic context of the surrounding area”.

This is untrue as the rear element of the building containing the bedrooms is much lower than the front of the building (**Diagram 4**), therefore it would be invisible as it lies below the existing fence line (**Diagram 5 and Image 1**).

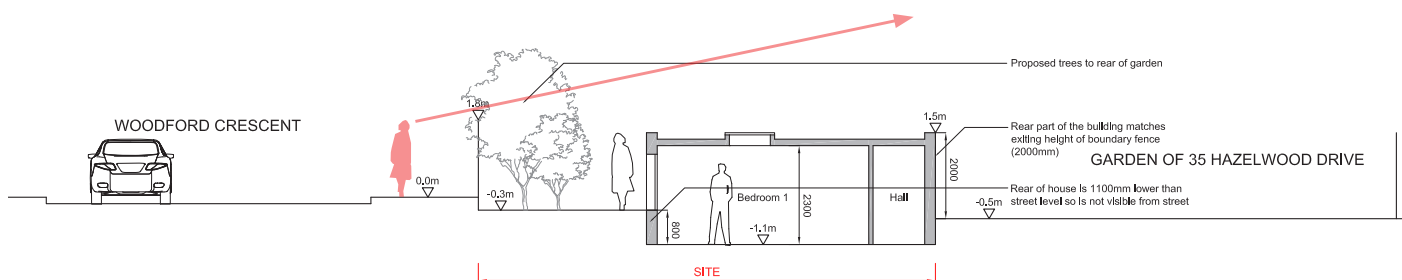
As previously explained, the front part of the building (**Diagram 1**) which is visible from the street is very similar to the granted planning application (6342/APP/2019/3796).



(above) **Image 1** - Image demonstrates how hidden the project is when viewed North West on Woodford Crescent



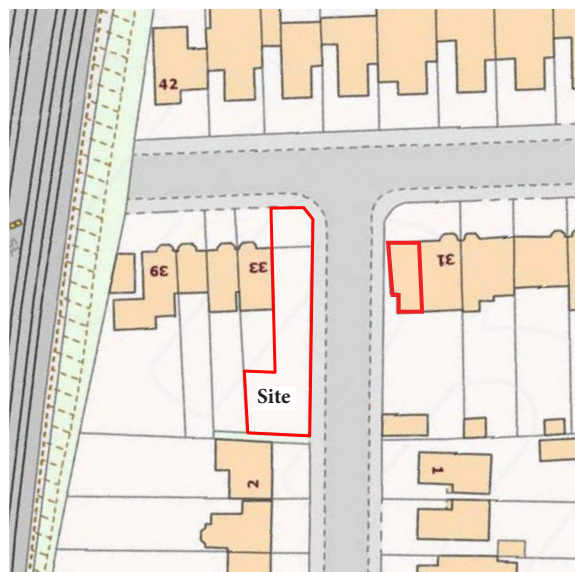
(above) **Diagram 4** - blue indicates the element of building which lies partly below ground



(above) **Diagram 5** - Proposed section A-A demonstrating that this element of house would be invisible from street level

As highlighted in the Design and Access Statement, across the road there is a large side extension to 31 Hazelwood Drive. The “character” described in refusal point 1 and The “gap characteristic” described in refusal point 3 are clearly not of any significance as they granted this side extension to 31 Hazelwood Drive.

Furthermore the proposed development is similar to an extension, it is small scale and not alien to the local area which isn't against the grain of the area. It is also only one storey unlike the two storey extension opposite at 31 Hazewlood Drive.



(above) Site plan and extension to 31 Hazelwood Drive



(above) Side extension to 31 Hazelwood Drive viewed from above



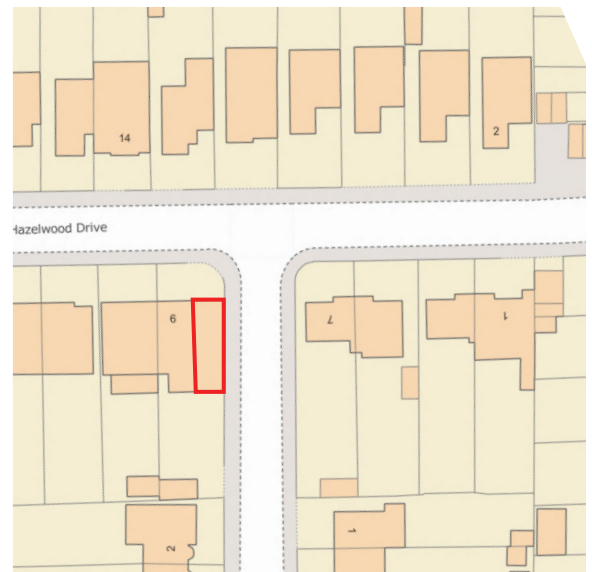
(above) Side extension to 31 Hazelwood Drive viewed from the front



(above) Side extension to 31 Hazelwood Drive viewed from the rear

Also highlighted in the Design and Access Statement, 9 Hazelwood Drive has a large side extension which is highlighted on the images below.

This again contradicts Hillingdon Council's point that the development would: "fail to harmonise with the existing local and historic context of the surrounding area".



(above) Extension to 9 Hazelwood Drive



(above) 9 Hazelwood Drive



(above) Side extension to 9 Hazelwood Drive viewed from the front



(above) Side extension to 9 Hazelwood Drive viewed from the rear

It must also be noted that under permitted development, not needing planning permission, an outbuilding could be built in the garden of 33 Hazelwood Drive subject to the following limits and conditions:

- No outbuilding on land forward of a wall forming the principal elevation.
- Outbuildings and garages to be single storey with maximum eaves height of 2.5 metres and maximum overall height of four metres with a dual pitched roof or three metres for any other roof.
- Maximum height of 2.5 metres in the case of a building, enclosure or container within two metres of a boundary of the curtilage of the dwellinghouse.
- No verandas, balconies or raised platforms (a platform must not exceed 0.3 metres in height)
- No more than half the area of land around the “original house”* would be covered by additions or other buildings.
- In National Parks, the Broads, Areas of Outstanding Natural Beauty and World Heritage Sites the maximum area to be covered by buildings, enclosures, containers and pools more than 20 metres from the house to be limited to 10 square metres.
- On designated land* buildings, enclosures, containers and pools at the side of properties will require planning permission.
- Within the curtilage of listed buildings any outbuilding will require planning permission.

Taking the above into account and when also considering that the council have previously approved a side extension to 33 Hazelwood, the scheme is almost identical to what the owner could have already built on the site.

Diagrams 6 Shows the volume of the two structures the owner of 33 Hazelwood could build using Permitted Development rights and the granted application (6342/APP/2019/3796).

Diagrams 7 Shows the volume of the rejected application

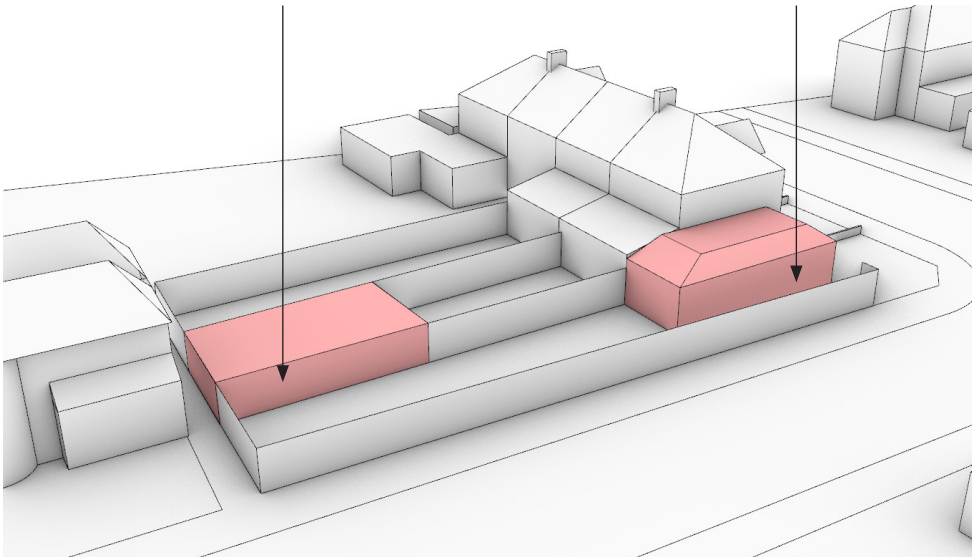
Diagrams 8 Shows the main difference between diagram 6 and 7 which demonstrates how similar the refused proposal is to what could have already been built upon the piece of land.

This new linking element outlined in red connects two volumes which are incredibly similar to those in diagram 6. By connecting the two volumes the house has an acoustic separation between the living/kitchen space and the bedrooms.

Furthermore the area outlined in red wouldn't even be visible from the street as previously explained in this document.

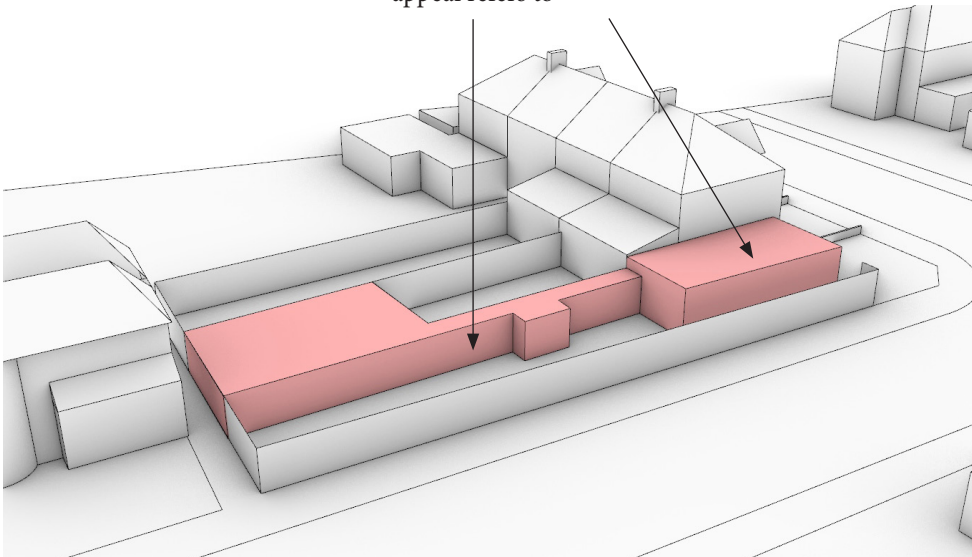
Outbuilding which could be built in garden of 33
Hazelwood Drive under Permitted Development

Granted application (6342/
APP/2019/3796)



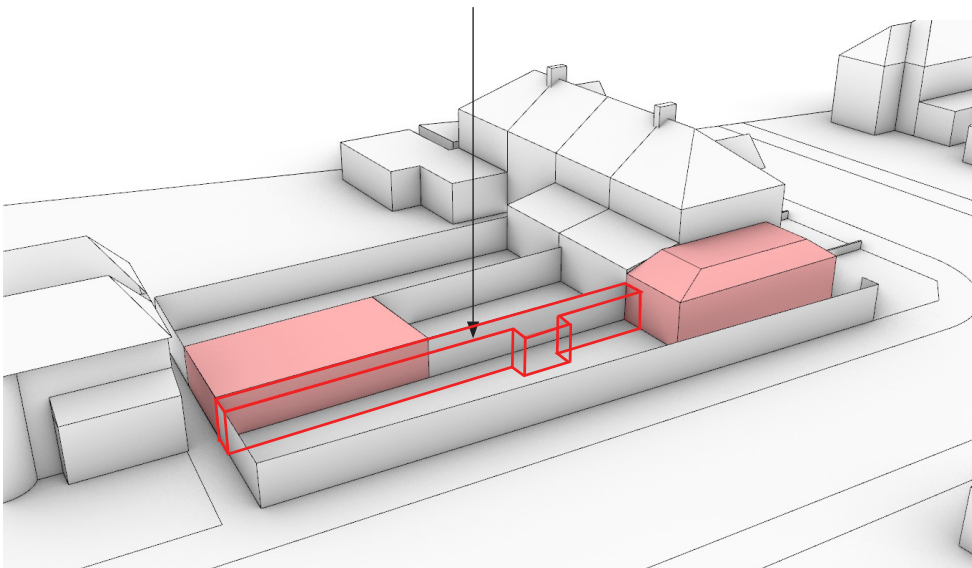
(above) **Diagram 6** - PD volume and granted application (6342/APP/2019/3796)

Rejected scheme massing that this
appeal refers to



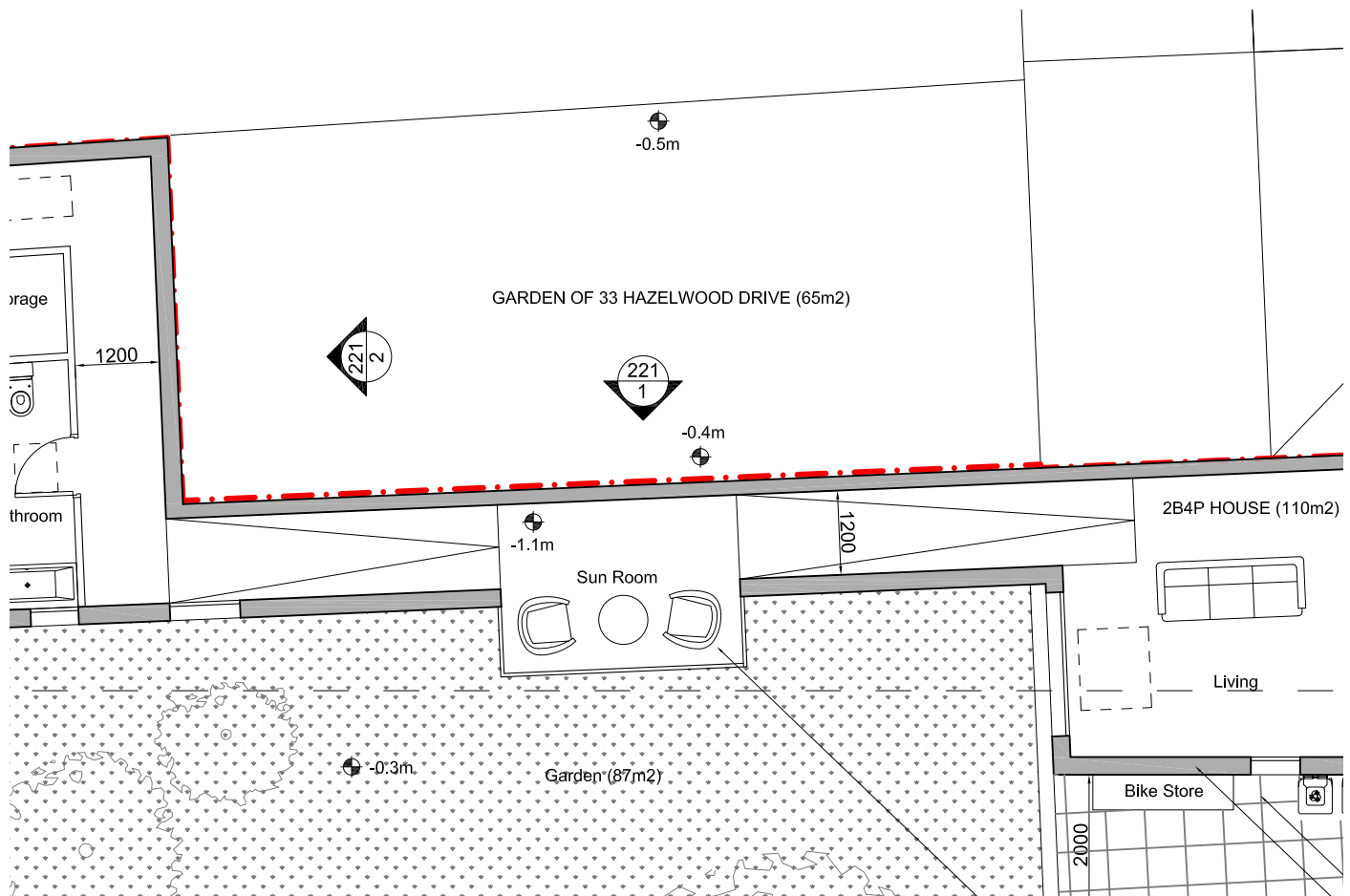
(above) **Diagram 7** - Volume of rejected application

Main massing difference between
diagram 6 and 7 outlined in red



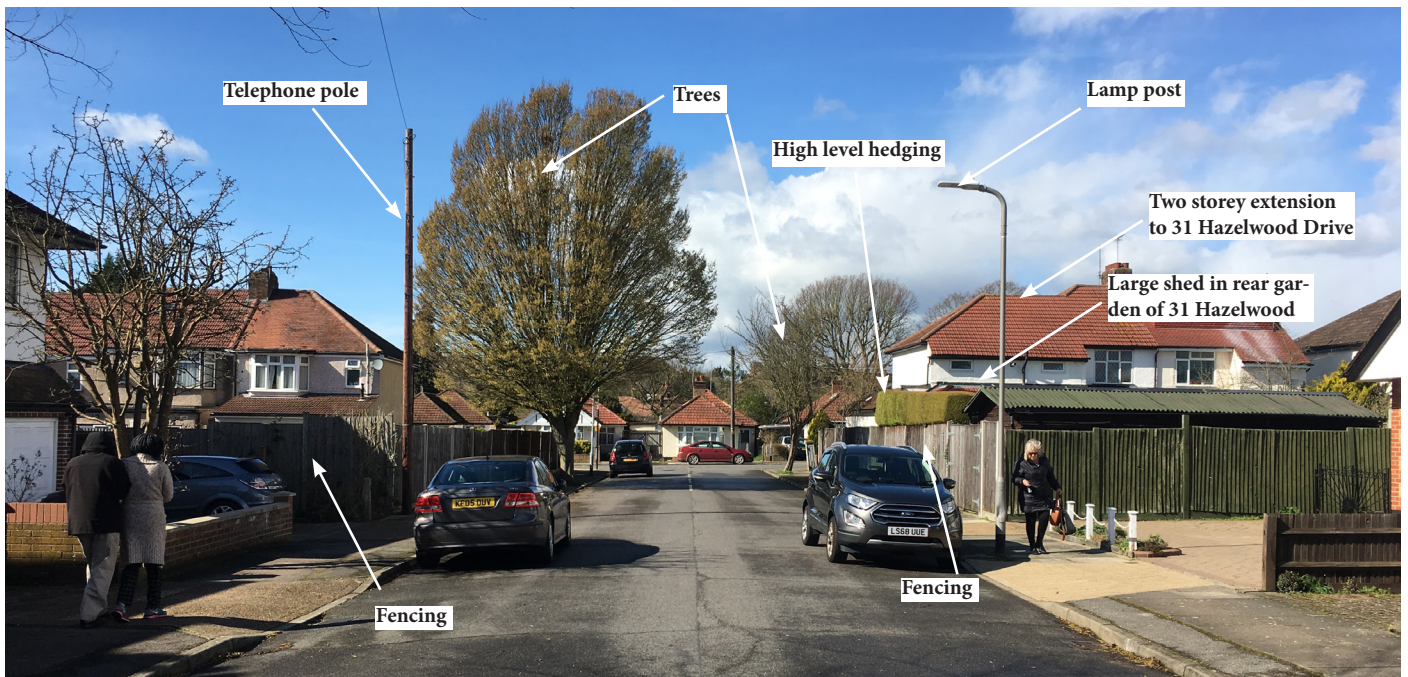
(above) **Diagram 8** - Red outline showing main difference between volumes in **Diagram 6** and **Diagram 7**

The second half of Point 1 has further inaccuracies where it states there would be a “proposed loss of existing private rear garden area”. This is false because the development leaves 33 Hazelwood Drive with 65m² of amenity space (see drawing 108-210), contradictory to what the Access Officer has stated in the report. Hillingdon have stated in the officer report that 60m² would be the minimum permitted for 33 Hazelwood. Furthermore under permitted development this “loss of existing private rear garden area” could be reached under permitted development by building an outbuilding as shown in diagram 6.

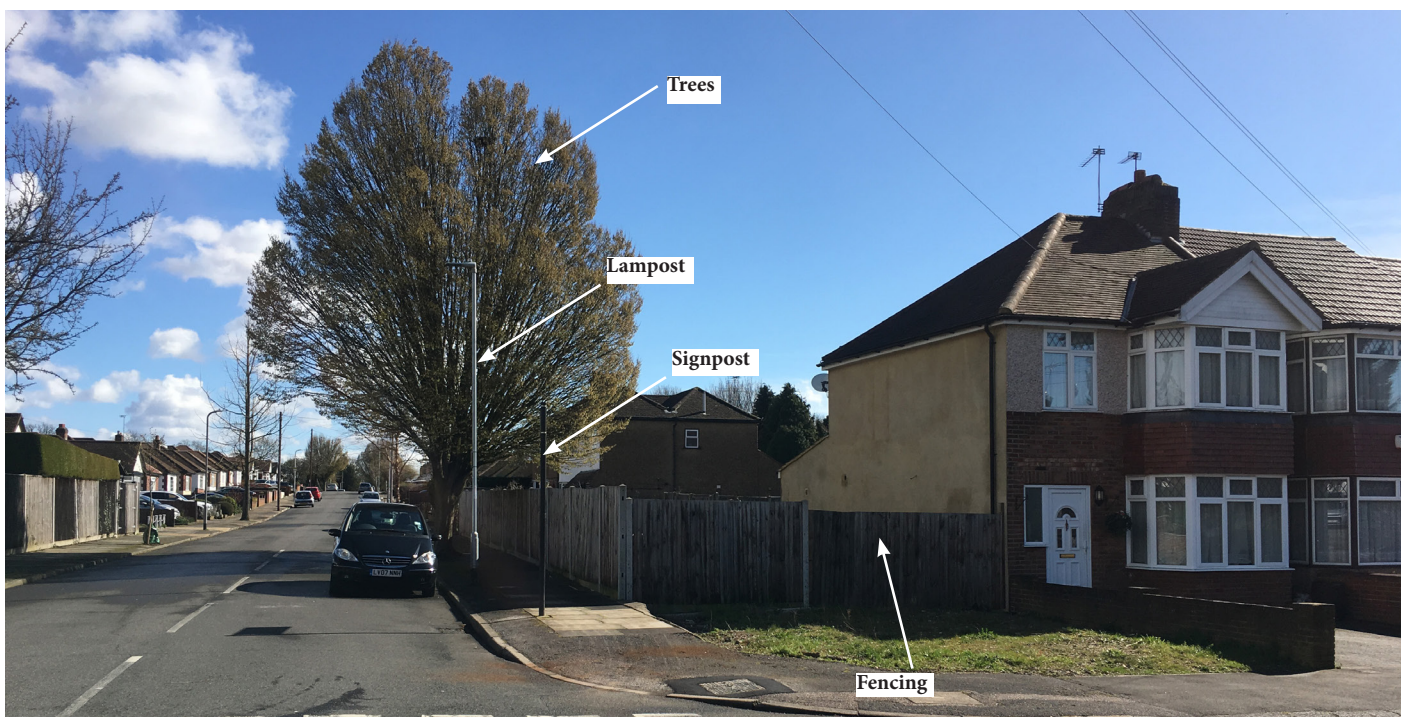


(above) Submitted GF plan showing that the garden of 33 Hazelwood Drive exceeds the minimum area required by Hillingdon Council as stated in officer report

It must be also brought to the inspectors attention that the street is well guarded and there are no views into the site. There is good screening to the site and along the street there is fencing, hedging, sheds, telephone poles, lamp posts, trees, and grass verges. These are all more likely to catch your eye rather than the proposed development. Most of these are taller than the proposed development which makes it difficult to see the proposed development as “visually incongruous” as Hillingdon describes.



(above) View looking West towards the site



(above) View looking East towards the site

Hillingdon Council Point 2

Hillingdon Council Refusal Point 2

“The proposed side extension element to the existing dwelling, by reason of its size, scale, bulk, width, and projection forward of the return building line along Woodford Crescent, in this open prominent position, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore represent an overdevelopment of the site to the detriment of the visual amenities of the street scene and the character and appearance of the surrounding area. The proposed development is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.”

Response:

This is untrue as the building has been lowered along Woodford Crescent and cannot be seen as previously explained and as historic maps show that there has always been a side extension and garages attached to 33 Hazelwood. There was also a very similar granted side extension (6342/APP/2019/3796).

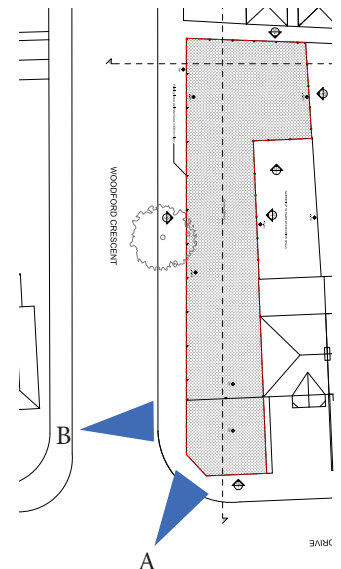
The “gap character” described is untrue. Images below show the openness of the site has little “gap characteristic” and shows the site is actually used for fly tipping.



(above) Photograph A showing 2008 condition where buildings to the side of 33 have been demolished.



(above) Photograph B showing 2008 street view image showing how unpleasant the site has

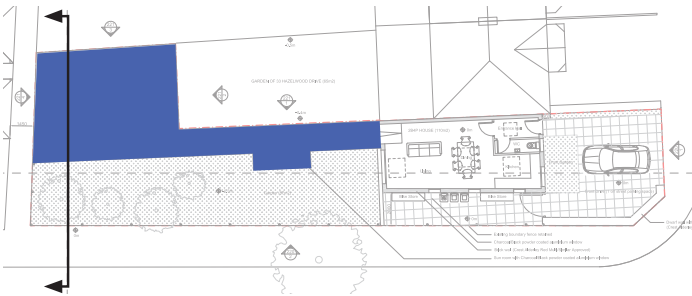


(above) Photograph position

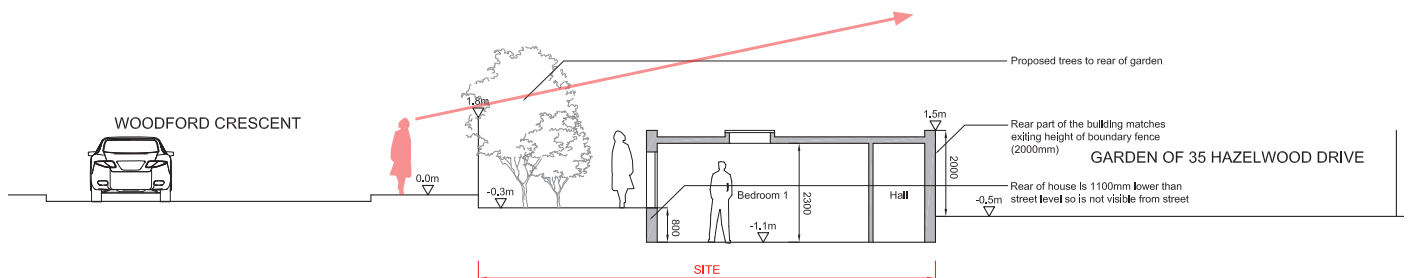
As previously addressed when reviewing refusal point 1, the rear element of the building containing the bedrooms is much lower than the front of the building (**Diagram 4**), therefore it would be invisible as it lies below the existing fence line so any “projection forward of the return building line along Woodford Crescent” would not be visible, therefore wouldn’t “result in the closing of an important gap characteristic” and would not be “detriment of the visual amenities of the street scene and the character and appearance of the surrounding area” (**Diagram 5 and Image 1**). The visible, front part of the building is a volume that has previously been granted by Hillingdon Council in 2014 (6342/APP/2019/3796)



(above) **Image 1** - Image demonstrates how hidden the project is when viewed North West on Woodford Crescent



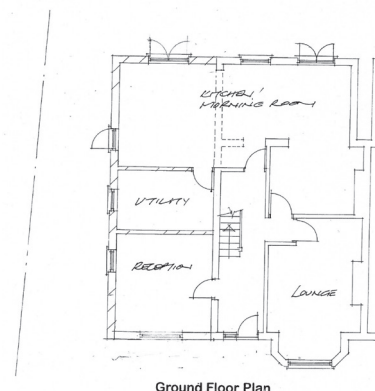
(above) **Diagram 4** - blue indicates the element of building which lies partly below ground



(above) **Diagram 5** - Proposed section A-A demonstrating that this element of house would be invisible from street level

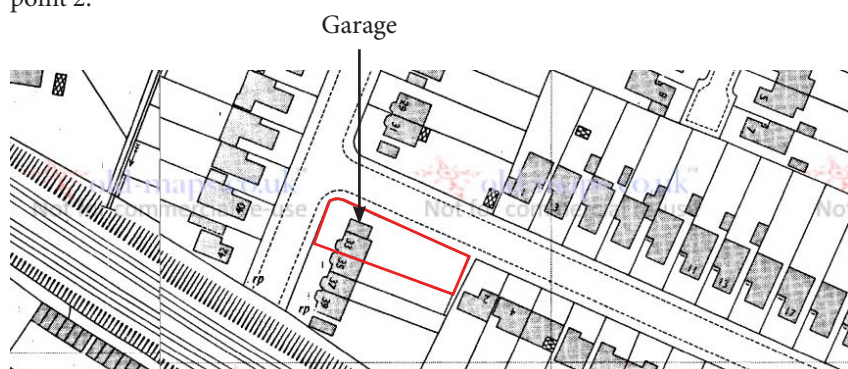


(above) Front elevation. Granted application in 2014 (6342/APP/2019/3796)

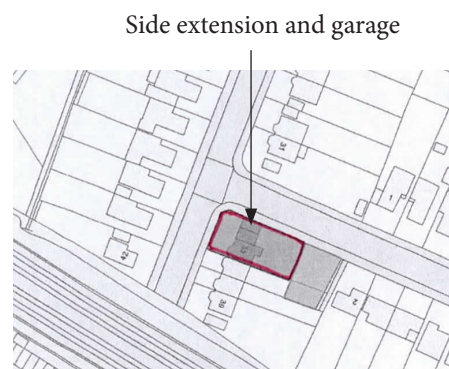


(above) GF plan. Granted application in 2014 (6342/APP/2019/3796)

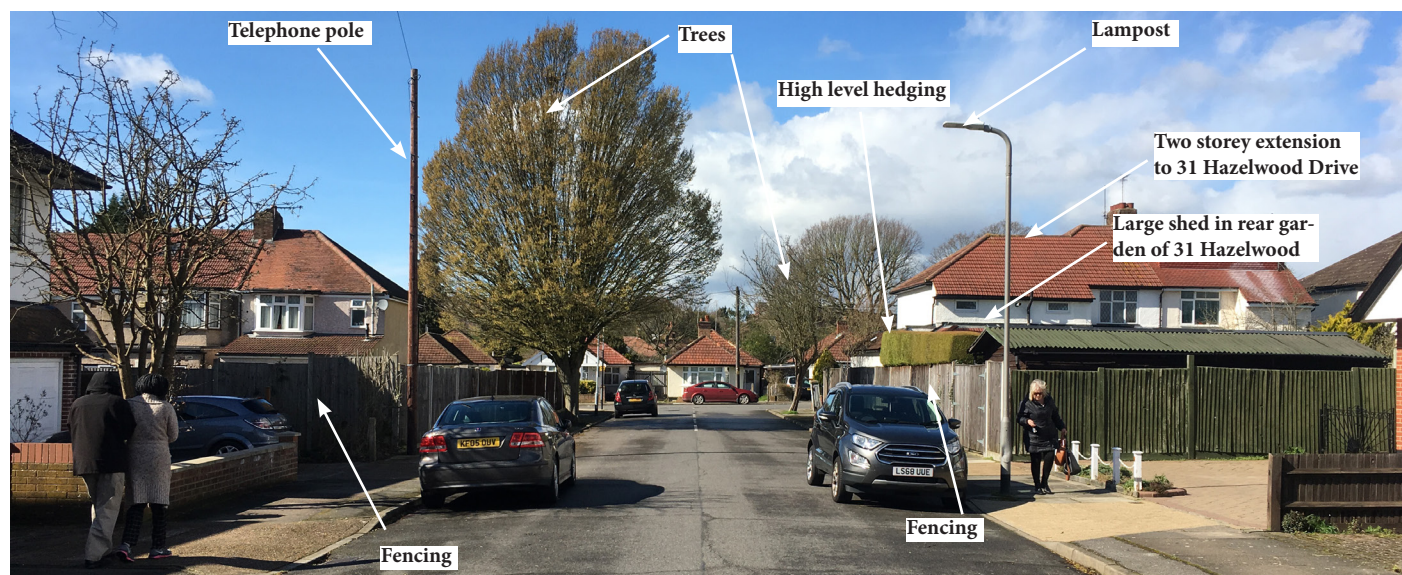
As described when addressing refusal point 1, the street is well guarded and not that open as along the street there house extensions, fencing, large garages in gardens, most of which are taller than the proposed development. There are no views into site and particular attention must be paid to the mature tree on Woodford Crescent and the tall fencing surround the site and the neighbouring gardens. The site is not an “open prominent position” with “an important gap characteristic” as described by the council in point 2.



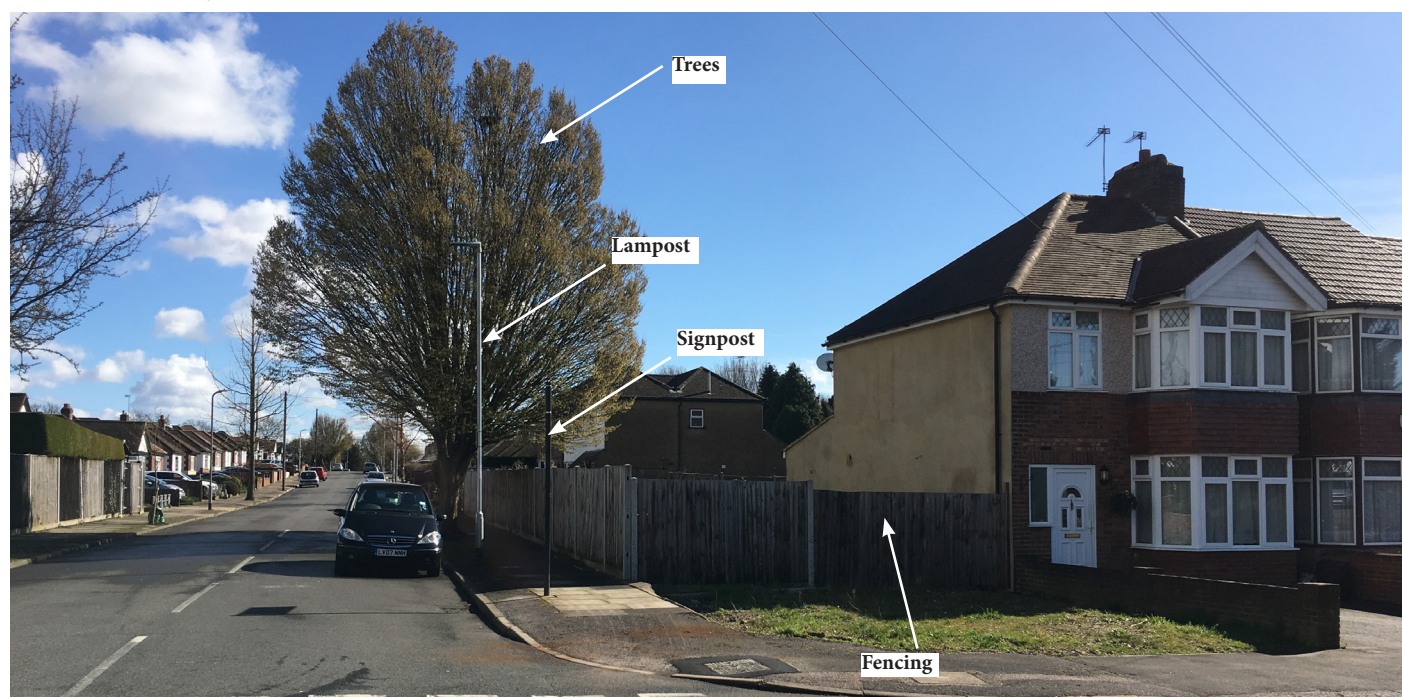
(above) 1960 Ordnance Survey map showing original side garage to 33 Hazelwood Drive



(above) 2007 plan showing side extension housing downstairs bedroom and bathroom and garage. Taken from granted 2014 Hillingdon application (6342/APP/2019/3796)



(above) View looking West towards the site



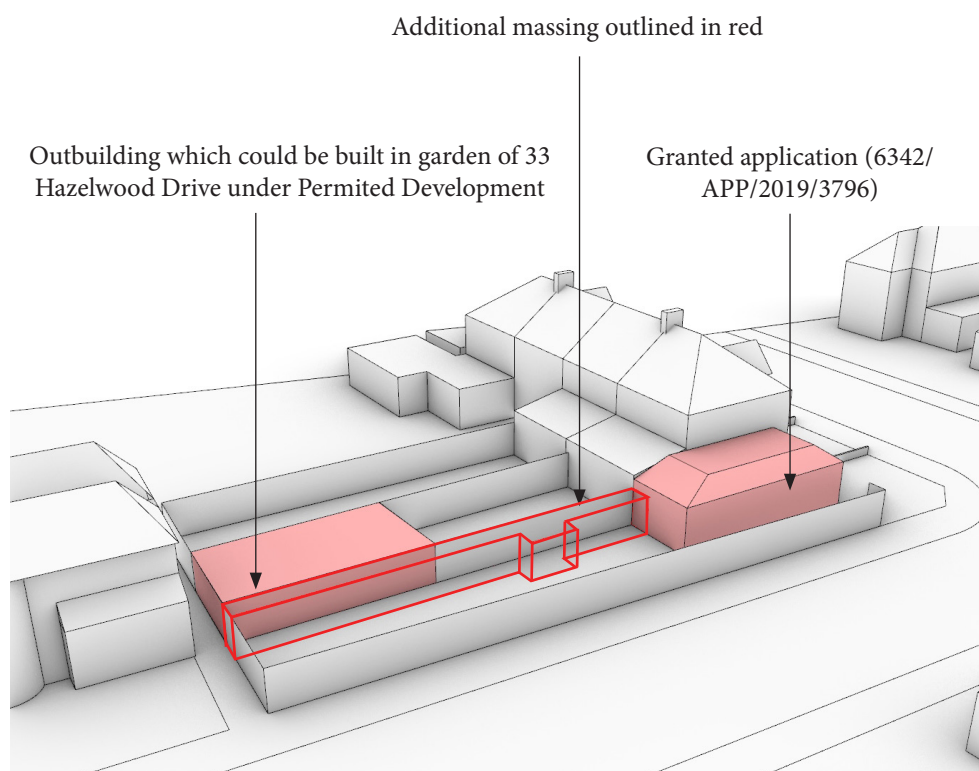
(above) View looking East towards the site

As highlighted when addressing refusal point 2 in this appeal, across the road there is a large side extension to 31 Hazelwood Drive. The idea that the proposed building will “result in the closing of an important gap characteristic” and would be to the “detriment of the visual amenities of the street scene and the character and appearance of the surrounding area” is untrue. There is no “important gap characteristic” as planning was granted to build a much larger scheme opposite at 31 Hazelwood Drive.



(above) Side extension to 31 Hazelwood Drive viewed from above

The Diagram below shows the volume of the two structures in pink that the owner of 33 Hazelwood could build using Permitted Development rights and the granted application (6342/APP/2019/3796). The area outlined in red is the additional massing which has essentially been refused by Hillingdon Council. It must be emphasized that the element in red is not visible from the street. Taking this into account it is difficult to understand why Hillingdon believe the proposal would result in a “cramped appearance” and an “overdevelopment of the site” when the majority of the development could be built with ease without the submission of a full planning application.



(above) **Diagram 8** - Red outline showing additional massing when using previously granted applications and permitted development rights as a base case for minimal development rights.

Hillingdon Council Point 3

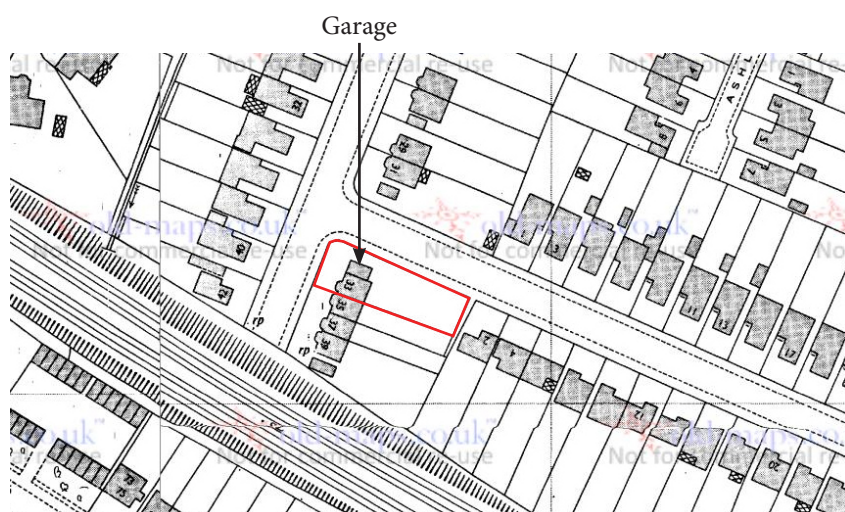
Hillingdon Council Refusal Point 3

“The proposed side extension element to the existing dwelling, by reason of its size, scale, bulk and width would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area. Therefore the proposal would be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies.”

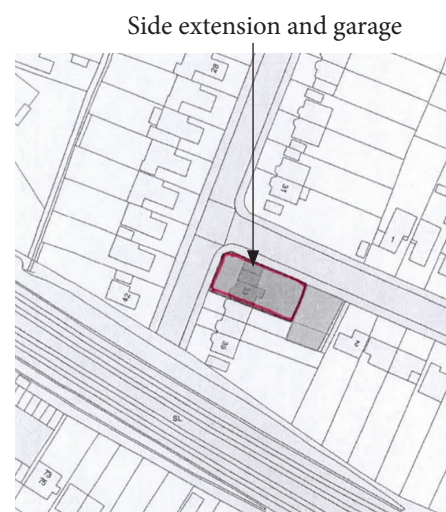
Response:

This refusal point has been already been responded to in points 1 and 2 but I will recap on these in response to refusal point 3 for the ease of the inspector.

By looking at historic maps of the site, there has consistently been a side extension/garages to 33 Hazelwood Drive. Therefore, from an historic context point of view, the proposal actually mirrors what has historically been on the front of the site. Stating that “the proposed side extension” would “fail to harmonise with the architectural composition of the original dwelling” is untrue as the original dwelling has always had a side extension as can be seen on the historic maps below.



(above) 1960 Ordnance Survey map showing original side garage to 33 Hazelwood Drive



(above) 2007 plan showing side extension housing downstairs bedroom and bathroom and garage. Taken from granted 2014 Hillingdon application (6342/APP/2019/3796)

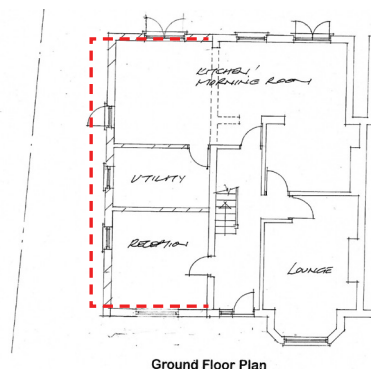
As previously addressed in refusal points 2 and 3, a side extension was granted by Hillingdon Council in 2014 (6342/APP/2019/3796).

It therefore seems contradictory for the council to now refuse the side extension because “The proposed side extension element to the existing dwelling, by reason of its size, scale, bulk and width would fail to harmonise with the architectural composition of the original dwelling and would be detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.”

When compared to each other (**diagram 2 + 3**) it becomes apparent how similar each of the schemes are along Hazelwood Drive. The refused scheme is approximately 500mm wider than the granted scheme but is much lower and setback from Hazelwood Drive by 500mm. They are almost identical side extensions to the original house.



(above) **Diagram 2** - Visible aspect of refused scheme dotted in red over approved scheme front elevation



(above) **Diagram 3** - Visible aspect of refused scheme dotted in red over approved GF plan

As highlighted when addressing refusal points 1 and 2 in this appeal, across the road there is a large side extension to 31 Hazelwood Drive and another side extension at 9 Hazelwood Drive. It is incorrect for Hillingdon Council to state that the proposed “side extension” would be “detrimental to the character, appearance and visual amenities of the street scene and the surrounding area.” as there are several side extensions that have been granted planning permission, of which 31 Hazelwood is two storeys high.



(above) Side extension to 31 Hazelwood Drive viewed from above



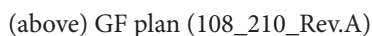
(above) 9 Hazelwood Drive

Hillingdon Council Point 4

“The proposed development, by reason of its layout results in a dwelling which would be inaccessible and not usable by disabled residents. The proposal would thus be contrary to Policy DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies and Policy 3.8 of the London Plan (2016).”

The rear part of the building has been lowered below the fence line so that it is not visible which the bedrooms of the house are not accessible via wheelchair.

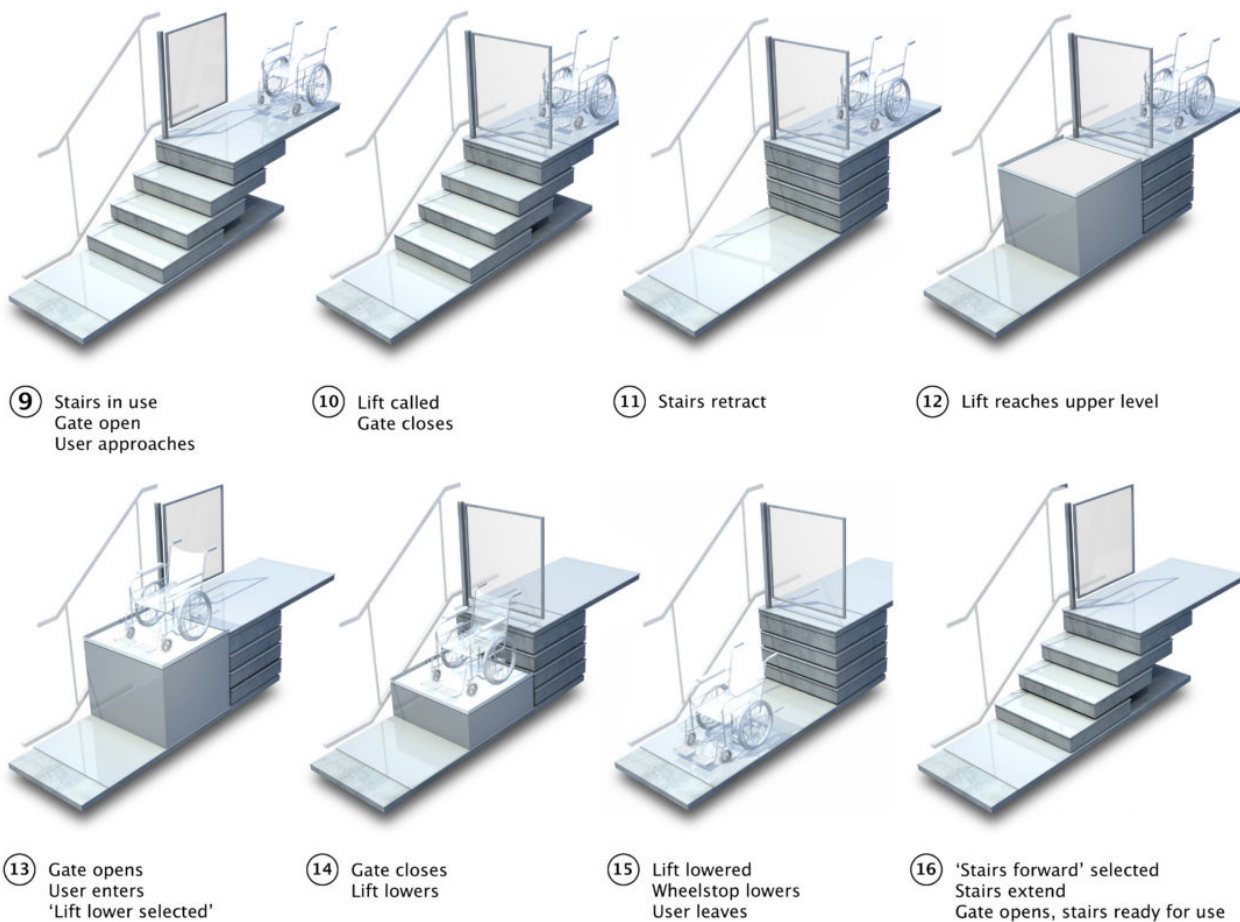
The submitted plan has been revised and is now m4(2) compliant and has been approved by Ali Kashmiri (Hillingdon Council's Access Officer who dealt with the original application) and has also been approved by building control (Steve Jary at Assent Building Control's Senior Project Manager).



The approved plan utilises a sesame access staircase which allows wheelchair users to access the rear part of the building.

BC and Hillingdon council see this as appropriate and below is a series of diagrams and photographs to show the inspector how it works.

All email correspondence, plans and specifications can be found in the attachments of this appeal relating to the approved accessible floor plan.



(above) Diagrams of sesame lift/stair in use



(above) Photographs of sesame lift/stair in use

Conclusion

These grounds of appeal support the appellant's case that the appeal proposal provides an entirely appropriate scale, design and mass which sits well within its setting.

In summary, it has been demonstrated in this statement that the proposal will meet the prevailing policy objectives for this site and surrounding area, representing sustainable development as defined by the NPPF.

As such, we respectfully request that the Inspector allows this appeal, and grant planning permission for the proposed development.