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GROUND'S OF APPEAL STATEMENT.

231 Long Lane, Hillingdon UB10 9JP. Job. No. 3680.

Description -

This Appeal is against the Refusal ref. 65967 / APP / 2021 / 2986.
Enlargement of a dwellinghouse by construction of two additional storeys (Application for prior approval under Schedule 2, Part 1, Class AA of the Town and Country Planning [General Permitted Development] Order 2015 [as amended]).

Reasons for Refusal -

There are 4 reasons for refusal [in order of the Refusal Notice] :

1. The proposed development is not `PD` due to siting, height, scale, bulk and design ; failing to harmonise with the character and architectural composition of the existing property and would be detrimental to the visual amenity of the street scene, and harmful to the character and appearance of the surrounding area. The proposal is deemed to be contrary to Policy BE1, Policies DMHB 11, DMHB 12 and DMHD 1.
2. The proposed development is not `PD` due to siting, height and design ; having the potential to have a detrimental impact on the amenity of 229 Long Lane, due to loss of light ; contrary to Policies DMHB 11 and DMHD 1.
3. No proof was provided that the property was constructed between 1st July 1948 and 28th October 2018.
4. Insufficient information was provided to ascertain that the existing and proposed floor to ceiling heights were less than 3 metres.

It should be noted that this application complies with all Policies not mentioned in the refusal reasons.

Planning History -

There were two previous applications on this site :
65967 / APP / 2009 / 845 – Residential Extensions and entrance gates.
65967 / APP / 2009 / 844 – Residential Extensions [LDC].
Both Appealed and won.

Location -

This site has a detached house located on the west side of Long Lane. Long lane is a wide road, has grass verges, and Number 231 is set back behind hedging and gates. It's siting is unusual, having a larger than average plot. It is situated between Number 229 [a previous Doctor's Surgery], and Number 233 [a Block of Flats]. Opposite is The North Hillingdon Methodist Church and Church Hall ; and St. Helens College School. We are one of the few to have lush grass in our front garden for the vicinity – the area is generally not `verdant`.

It's appearance is unusual also, possessing a `green copper profile roof`, white painted render wall finish and black window frames.

Therefore, this property is not typical in which forms the general residential character of the area.

Need -

There is a strong possibility that Parents` will be coming to live here due to health and old age. Therefore, additional accommodation will be required.

Arguments against refusal -

Legislative Provision :

This statement is written in accordance with the requirements of article 4C of the GDPO and covers matters of both design and access.

Background

PPS1 sets out the overarching planning policies on the delivery of sustainable development through the planning system. Good design plays a fundamental role in achieving this. As PPS1 states :
10 "Good design ensures attractive, usable, durable and adaptable places and is a key element in achieving sustainable development. Good design is indivisible from good planning. Planning authorities should plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes. Good design should contribute positively to making places better for people. Design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted."

This statement illustrates the process that has led to the development proposal, and to explain and justify the proposal in a structured way. A major part of the statement is the explanation of how local context has influenced the design.

The Main Planning Issues [in order of the Planning Officer's Report] :

The existing height of the building is 7.765m. If divided into the 3 storeys = 2.59m overall storey height. The proposed height of the building will be 13.465 divided into 5 storeys = 2.69m overall storey height. The submitted drawings are to scale, so it should not have been too difficult to decipher that all floor to ceiling heights are/will be <3m.

Nevertheless, Existing and Proposed Sections are added to Drawings MB / 3680 / 2 A and 4 A respectively. These show floor to ceiling heights of 2.4m, 2.35m and 2.434m.

As stated, there are no records when this property was built. However, I can assure everyone that this house was re-built in 2009, in accordance with the approved plans won on appeal [please see 6 no. photographs showing rebuilt house in 2009]. From `PD` AA.1. (c) - "the dwellinghouse was constructed between 1st July 1948 and 28th October 2018." As mentioned in The Building Survey Report dated 4 February 2009 [by Anthony Fieldhouse], there was continuing foundation movement - subsidence. The Report suggested underpinning.

Our Solicitor had advised we make a subsidence claim on the current Insurers `Royal & Sun Alliance`. Their Surveyors `Crawford` sadly deemed the extensive cracks to only be thermal shrinkage and expansion.

However, we felt it prudent to excavate the existing foundations, since carrying out extensive works. We replaced the foundations and external walls with new Piling and insulated cavity walls.

The new foundations were constructed by `Terratec S.L. Ltd.` commenced August 2009 ; under the Building Control of `BBS` (see attachments).

Amenity impact -

In relation to Policy DMHB 11, the side window to Number 229 serves a Bathroom (non-habitable room). Number 229 also receives sunlight before us, being on the south side. This is shown on their recent Planning Application ref. 34359 / APP / 2020 / 2753. Furthermore, there are two other First floor windows facing us ; serving a Landing and a Rear Bedroom, but this is not the main window only secondary [there is a main rear bay window]. Therefore, there will be no detrimental impact on Number 229 with regards loss of light.

External dwellinghouse impact -

Again with regards to Policy DMHB 11, this dwelling should be treated slightly differently, due to points raised in `Location` above. We accept the existing two-storey dwelling currently is in keeping with many other two-storey buildings within the street scene ; albeit in relation to height only.

However, any/all additional storey applications will inevitably have greater height, scale and bulk.

Thereby, all proposals will be higher and not be the same as the established character of the street scene. This in itself is not a good enough reason for refusal.

This dwelling will be extended to the highest standards, incorporating good design principles.

With regards to Number 231`s plot size, this is larger than most in the vicinity. Number 231 is not as deep plot as Number 229 [The Old Surgery] next door, but is deeper and generally wider plot size than all others within the street scene ; up to Number 227, and 233 [block of Flats] onwards. Plot coverage is lower than most in the area. The street pattern is not exact, but there is a general building line which Number 231 adheres to ; only 229 and 225 seem to exceed the building line.

Obviously, the roofline cannot be matched with this proposal, although most property rooflines differ. I do not feel the streetscape rhythm will be affected, with the open visual gaps either side of Number 231 being retained ; and no sense of enclosure being experienced.

Furthermore, since the existing roof form is not traditional, and its style is an appreciation of the art deco era ; by allowing this Appeal, it will be accepted that the increase in storeys to this particular individual dwelling is warranted.

In relation to Policy DMHD 1, there will be little or no cumulative impact of the proposal on the character of the street scene. This is due to most, if not all properties, were built prior to 1948 or after 2018. The quality of the street scene will be enhanced. The additional height of the proposed building will add prominence, but we disagree there is an established character of development along this part along this part of Long Lane. The houses are very varied in size, shape and style ; and there is a definite break opposite, with the Church, Church Hall and School being set back ; and of course with the Old Surgery being next door, this was historically, a different part of a residential Long Lane.

I do not believe the proposal to be an incongruous design. The proposed two storeys will be identical to that of the existing property. This includes the green copper roof, white rendered walls and black framed windows. Hence, the architectural composition of the existing property will be preserved. I believe the proposal will enhance and be an asset to this part of Long Lane, and certainly not cause serious visual harm.

Policy DMHB 12 listed in the Refusal Notice was not mentioned in the P.O.`s Report.

Policies

BE1 - Built Environment.

DMHB 11 – Design of New Development.

DMHB 12 – Streets and Public Realm.

Public Consultation

4 neighbours` were consulted, along with MOD Safeguarding – no objections were received.

Conclusion

- The proposal is “Permitted Development”, in line with the essence of these new rules.

In the light of this, the Inspector is respectfully requested to allow the appeal.

26.10.21.