



APPEAL STATEMENT

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AGAINST THE DECISION OF LONDON BOROUGH OF HILLINGDON TO REFUSE
PLANNING PERMISSION FOR:

‘Alterations to games room to form home office/gym and single storey rear
extension’

(REF: 24895/APP/2021/3803)

AT: 62 Fairacres, Ruislip, HA4 8AW

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1.0 INTRODUCTION

1.1 These Grounds of Appeal have been submitted in support of an appeal against London Borough of Hillingdon's decision to refuse planning permission for the **'Alterations to games room to form home office/gym and single storey rear extension, at 62 Fairacres, Ruislip** (Ref 24895/APP/2021/3803).

1.2 The Council's decision notice cited one reason for refusal, as:

- *The proposed second door on the front elevation, in combination with the proportions and appearance of the front elevation would be visually incongruous with and insubordinate to the appearance of the subject dwelling and those within the area, harming the character, appearance and visual amenities of the street scene and the surrounding area. The proposal would therefore be contrary to Policies BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan Part Two - Development Management Policies (January 2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).*
- *The proposed gym and shower room windows, by reason of their siting and design, would result in an 24895/APP/2021/3803 unneighbourly development that would be detrimental to the amenities of the occupiers at 65 Evelyn Avenue, by reason of visual intrusion and real and perceived loss of privacy. As such, the proposal would be contrary to Policies DMHB 11 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).*

1.3 As is the appellant's prerogative, this appeal is submitted under Section 78 (Section 2) of the Town and Country Planning Act (1990).

Key Matters

1.4 Within this appeal submission, we will address the reason for refusal and issues raised by the Council in the Officer's report. We identify the following key issues for consideration in this appeal are:

- Whether the proposed second door would cause incongruous and unsympathetic design detrimental to the character and appearance of the property and wider area;
- Whether the proposed extensions would have an unacceptable level of harm to the amenities of 65 Evelyn Avenue, Ruislip.

2.0 APPEAL SITE AND SURROUNDINGS

- 2.1 The appeal site is located on the western side of Fairacres. The dwelling comprises a chalet bungalow with front and rear dormer windows and attached single storey garage converted to a games room. This is consistent with the two prevailing architectural types of dwellings within the street scene with the secondary type having a forward-facing gable feature.
- 2.2 The street scene is generally characterised by the prevailing uniformity and layout that exists owing to the design of the properties and their open frontages, with limited boundary enclosures.
- 2.3 An analysis of the street scene demonstrates that extensions to dwellings are somewhat limited within the road as a result of the relationship between dwellings, with a number of additions being single storey rear extensions for which there are limited views from the street scene. It is notable that dwellings benefit from a number of fenestration changes to the principal elevation which involve removal of garage doors to windows or the relocation/re-siting of the primary doors to the respective property.
- 2.4 The appeal dwelling sits on a generally wider plot than respective neighbours. This is in part owing to its location adjacent the rear garden of No. 63 Evelyn Avenue whose rear garage wall sits closer to the public highway than the garage of the appeal dwelling. This limits views of the host building and the attached garage as you enter the cul-de-sac from Evelyn Avenue.
- 2.5 The site falls within the developed area as identified in the local development plan. The site is not within a Conservation Area or statutorily or locally listed.

3.0 PLANNING HISTORY

- 3.1 The appeal site benefits from limited relevant recent planning history as set out below. There are a number of recent approvals and appeal decisions within the immediate vicinity which we consider are material to the assessment of this appeal. For the Inspectors ease, these are set out with Appendix A of the supporting appendices.
- Demolition of existing converted garage and erection of a two-storey side extension incorporating front and rear dormer windows (24895/APP/2011/1573 -Approved)

4.0 PROPOSED DEVELOPMENT

- 4.1 The appeal proposal seeks planning permission for the alteration of the existing garage to form a home office/gym and single storey rear extension.
- 4.2 The application was submitted in support of the appellant's living arrangement which involves home working. As an IT professional the appellant has sought to reconfigure their home through modest and subtle alterations to allow for a more functional and practical arrangement. The appellant's profession involves receipt of costly and fragile deliveries (IT consumables) which are often large and heavy but equally require storage closest to the driveway to allow the ease of transition to delivery vehicles.
- 4.3 It will be demonstrated through the course of this appeal statement that the design of the fenestration arrangement has sought to limit any degree of visual harm, or neighbouring amenity through a carefully considered design approach. This includes other forms of development within the vicinity as well as ensuring the proposals are no more harmful to the amenities of any neighbouring dwelling.
- 4.4 As part of the proposed design of the dwellings, consideration was given to other forms of development within the area, recent appeal decisions and the consideration of the character of the area.

5.0 PLANNING POLICY

National Planning Policy

- 5.1 The Government published the revised National Planning Policy Framework in 2021. The NPPF which is the overarching planning document in England, continues to seek to secure positive growth in a way that effectively balances economic, environmental, and social progress for this and future generations.
- 5.2 The NPPF (2021) attaches importance to the design of the built environment, which is seen as a key aspect of sustainable development, indivisible from good planning, that should contribute positively to making places better for people.
- 5.3 Chapter 12 of the NPPF (2021) reiterates that good design is a key aspect of sustainable development. It then states that planning policies and decisions should ensure that developments.

- Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
- Are visually attractive as a result of good architecture, layout, and appropriate and effective landscaping.
- Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming, and distinctive places to live work and visit.
- Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and
- Create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Local Planning Policy

- 5.4 Sitting underneath the NPPF is the London Plan (2021), Development Management Policies Part One (2012) and Part Two (2021), and Supplementary Planning Documents.

London Plan (2021)

- D6 - Housing quality and standards
- SI2 - Minimising greenhouse gas emissions
- HC1 - Heritage conservation and growth
- T6 - Car parking

Development Management Policies

- DMHB 11 -Design of New Development
- DMHB 12 – Streets and Public Realm
- DMHB 18 – Private Outdoor Amenity Space
- DMHB 14 – Trees and Landscaping
- DMHD 1 – Alterations and Extensions to Residential Dwellings
- DMT6 – Vehicle Parking
- LPP D4 - Delivering good design
- LPP D3 – Optimising site capacity through the design-led approach
- LPP D6 – Housing quality and standards

The above documents are, therefore, material considerations in the determination of this appeal.

6.0 PLANNING CONSIDERATIONS

Reason for Refusal One

Character and Appearance

- 6.1 The Council's first reason for refusal stems around the introduction of a second door along the front elevation of the building as well as the introduction of other fenestration arrangements involved within the conversion of the games room.
- 6.2 In considering the Council's concerns it is of value to review the delegated report and specifically the comments raised within the officer's assessment of the proposal. The planning officer was of the following opinion when considering the alterations to the garage:

'When considering the proposed alterations to the front elevation there are concerns. There are no other examples of second front doors within the street, with each property having one entrance door to the dwelling. Conversely, the proposal would install a second front entrance on the front elevation. This would be harmfully out of keeping with the appearance of other dwellings in the street. It is also noted that externally the double garage is wide, with a width / proportions that is comparable to the width of the main dwelling.'

It is also noted that it is proposed to replace the garage door with not only a second front door, but also a large bay window similar to the main front ground floor windows for the dwellings on this street. In combination with the second front door, the large bay window and the width of the front elevation, the proposed development would have the appearance of a poorly integrated separate unit rather

than a subordinate part, or even part of, the application dwelling. This would harm the appearance of the main dwelling, the visual amenity of the street scene and the character of the area. Therefore, it fails to comply with Policy BE1 of the Hillingdon Local Plan: Part One Strategic (2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020).'

- 6.3 The Council's concerns stem around the fenestration design of the garage conversion. In the first instance it is worth noting the initial concerns raised stem around the absence of other similar forms of development within the area. The appellant strongly contests this as the absence of development from a particular location does not render it inappropriate.
- 6.4 The existing garage as previously identified is a unique feature of the street scene as it lends itself to the appeal site only. Its general width and proportions to the main building which the Council have highlighted has long been established within the character of the street scene. Its flush build line with the main building as well as its siting in front of the off-street parking arrangement ensure it appears secondary in nature to the large one and a half-storey chalet bungalow. As such, the proportions of the structure and its parasitic relationship to the main body of built form within the site cannot be revisited and consideration should be given to the fenestration changes, in isolation.
- 6.5 The proposed bay window has been designed to reflect the existing fenestration arrangement at ground floor level. The continuation of this profile and detailing would ensure the garage conversion would at the very least maintain the proportions and architectural vernacular of the main body of the building. The appellant strongly contests the principle objection to the bay window as a flush, traditional window detail would have likely appeared more at odds with the main building.
- 6.6 In addition, the Council have raised concerns as to the siting of a second door within the front elevation and veiled concerns have been raised as to the subsequent appearance of the garage as a stand-alone unit. The design of the fenestration has taken its lead from the existing character of the area and notably bay windows are a prevailing form of window design at ground floor level of the dwellings within the cul-de-sac, ensuring it would not be at odds with the street scene.
- 6.7 It is acknowledged that the introduction of a door can create some design conflict but in reaching this conclusion the Council have failed to adequately consider its design, siting and relationship with the main body of the building within the plot. The proposed door would be located to the furthest point of the games room to ensure it creates a separation distance from the main building, and the primary access to the dwelling. The degree of separation works towards ensuring that the doors do not coalesce or have a sense of relationship that would suggest an amalgamation of the same space.

- 6.8 The siting of the door away from the house and adjacent the side boundary of the site has been designed to give the design appearance that it would serve as an access to the rear of the site. This would be similar to other forms of development in the area where garage conversions have occurred, adjacent which side gates and doors exist to provide access to the rear of the site. In creating this sense of design and the strategic siting of the door the fenestration arrangement would not create a sense of an additional dwelling within the site but a common relationship that occurs between the primary and secondary accesses/functions of a dwelling.
- 6.9 Notwithstanding the above, the siting of the garage is well screened against the backdrop of the detached garage serving 63 Evelyn Avenue. The forward projection of the garage masks the general siting of the door and would in the appellants view create the secondary appearance of a garage door/side access the design seeks.
- 6.10 In support of the above and in contrast to the council's claims, the appellant has undertaken a robust assessment of the immediate vicinity and recent approvals which set out similar forms of development. A number of these are considered to be more harmful to their respective elevations than the appeal scheme and on balance are appropriate to be afforded reasonable weight given their location to the site.

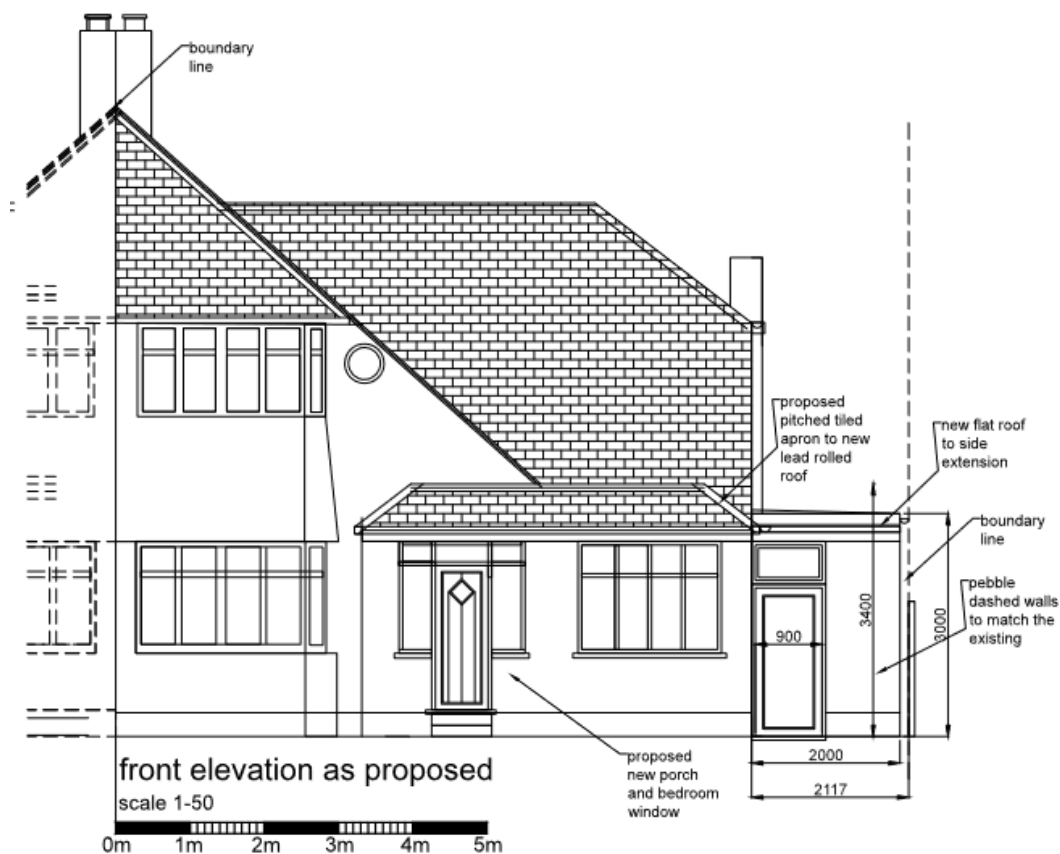


Image 1- 71 Evelyn Drive, Ruislip

- 6.11 Image 1 is a recently approved example of development within 100m of the site on neighbouring Evelyn Avenue. This was approved under application reference 897/APP/2020/1440 and approved under the same development plan. A copy of this decision notice is attached for the Inspector in the associated appendices.
- 6.12 Image 2 is another recent example of how successfully a secondary door can be integrated into the front elevation if it has a distanced relationship and degree of separation from the main body of the building, similar to the appeal proposal. This proposal was approved under application 14867/APP/2018/1422 and a copy is contained with the appendices for the Inspectors ease.

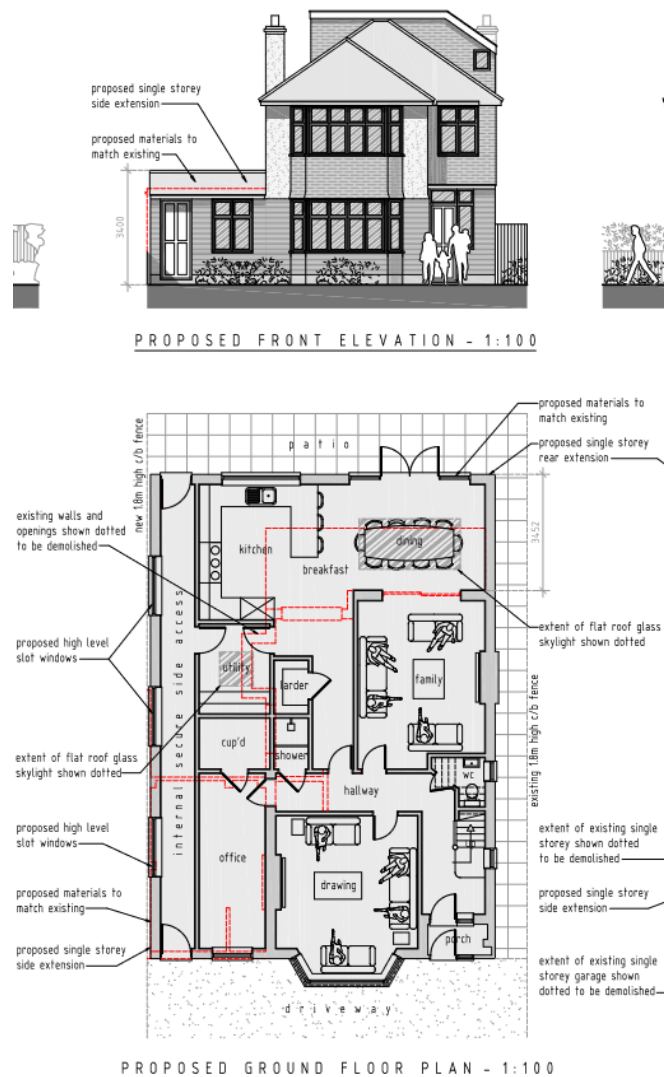


Image 2- 84 Evelyn Drive, Ruislip

- 6.13 As such, the proposed additional front door and fenestration arrangement is considered to represent an entirely appropriate form of development that would not

conflict with the varied character and appearance of dwellings within the vicinity. Its design and scale would as a minimum retain the character of the dwelling.

Reason for Refusal Two

- 6.14 The Council's second reason for refusal stems around the perceived impact the proposed fenestration alteration to the rear of the garage conversion would have on the amenities of No.65 Evelyn Avenue.
- 6.15 The current arrangement between the dwelling sees obscured glass blocks facing the deepest part of the garden of no.65 Evelyn Avenue. Whilst no views are afforded of the neighbouring property owing to the obscured nature of the blocks, the windows are shielded from the view of the occupiers of No.65 through the siting of an outdoor shed within their curtilage.
- 6.16 The proposed garage conversion would retain the window, but the blocks are to be replaced with an obscurely glazed window. The Council have raised concerns that the window when open would result in a perceived loss of privacy and visual intrusion to the amenities of No.65.
- 6.17 In assessing the proposal the Council have failed to give adequate regard to the general design and siting of the windows, and the appellant considers that an appropriately worded condition would have been reasonable to mitigate any concerns.
- 6.18 The proposed window would be in the same location as the existing blocks. The proposed window similar to the blocks would be obscurely glazed and offer limited views into the neighbouring site, thereby limiting any form of overlooking or sense of overlooking. As such, it would appear from the Council's decision notice that the crux of the matter remains the inward opening aspect of the scheme.
- 6.19 The replacement window would be in an elevated position sitting above eye level. The elevated position of the window would not offer future users of this space any views directly outward or toward the neighbouring properties amenity space. Any views from this window would likely be towards the sky and this view would be largely blocked by the presence of a mature tree within the garden of No.65 Evelyn Avenue.
- 6.20 The appellant considers it is reasonable to apply a condition which would overcome the council's concerns in this regard. The condition would limit the opening to being above 1.7m from ground level and ensure that the opening is bottom hinged so that the top half of the window inverts into the proposed gym/shower room. In ensuring this is applied no views would be afforded of the neighbour's garden and their amenity would be protected by the obscure glazing, the angle of the inward facing window and

the general use of the space. The use of such a condition would pass the test of appropriateness contained within the NPPF (2021).

- 6.21 Notwithstanding this, the siting of the existing window is located at the deepest point of the neighbouring properties garden. The window is shielded from view of the main dwelling and its commonly used private amenity space through the presence of an outdoor shed with a pitched roof, as well as a mature tree. The position of the window would not afford any views of the patio area or most commonly used part of the garden of No.65 Evelyn Avenue where the hot tub and garden paraphernalia are sited.

7.0 CONCLUSION

- 7.1 In conclusion, it has been demonstrated that the appellant has worked proactively to deliver a scheme that satisfactorily harmonises within the immediate setting and wider street scene.
- 7.2 It has been satisfactorily demonstrated that the Council have considered the impact of the proposal on a technical basis, and not site specifics. The proposal has given significant weight and consideration to other similar forms of development within the area as well as the context of a number of delegated decisions (appendices). On balance, the proposal would ensure the development successfully harmonises with the character of this developed and varied street scene.
- 7.3 Similarly, the proposal has sought to maintain and not harm the relationship between the dwellings and their respective sites. It has been adequately demonstrated that the use of planning conditions could overcome the council's concerns.
- 7.4 Overall, the proposal satisfies the context of the NPPF, the London Plan, Development Management Policies and supporting Supplementary Planning Documents.
- 7.5 In light of the above, we respectfully request the Inspector allows the appeal, subject to any planning conditions they considered appropriate to the development.

