

Appeal Statement

Land at the rear of 12 Whitethorn Avenue West Drayton UB7 8JX

LBH Ref Nos: 10697/APP/2021/4279

Introduction:

This statement is made in support of a written appeal against the decision of the London Borough of Hillingdon to refuse planning consent for the erection of a 1-bedroom bungalow with parking and amenity space on land at the rear 12 Whitethorn Avenue along the Edgar Road.
(Ref No: 10697/APP/2021/4279).

PLANNING APPLICATION SITE:

The subject site lies within the London Borough of Hillingdon. It is located at the corner of Whitethorn Avenue and Edgar Road. The area is residential in character with relatively distinct form of homes present which comprises of mainly 1940/50s homes lining each side of Edgar Road. The proposed dwelling will be situated south of the existing dwelling at No. 12. Access to the land would be via Edgar Road.

RELEVANT PLANNING HISTORY

1. **10697/APP/2020/2274** Prior Approval Application
12 Whitethorn Avenue, West Drayton
Decision: 22/07/2020 Approved Prior Approval N/req
2. **Pre-Planning 1067/PRC/2021/72**
Description: New dwelling 2 bedroom
Report date 08/02/2021

PLANNING POLICY CONSIDERATION

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.H1 (2012) Housing Growth

Part 2 Policies:

DMH 6 Garden and Backland Development
DMHB 11 Design of New Development
DMHB 12 Streets and Public Realm
DMHB 14 Trees and Landscaping
DMHB 16 Housing Standards
DMHB 18 Private Outdoor Amenity Space
DMT 2 Highways Impacts
DMT 6 Vehicle Parking
LPP 3.3 (2016) Increasing housing supply
LPP 3.4 (2015) Optimising housing potential
LPP 3.5 (2016) Quality and design of housing developments
LPP 7.1 (2016) Lifetime Neighbourhoods

LPP 7.4 (2016) Local character
NPPF-2 2018 - Achieving sustainable development
NPPF-5 2018 - Delivering a sufficient supply of homes
NPPF-11 2018 - Making effective use of land
NPPF-12 2018 - Achieving well-designed places
The Local Plan: Part 1 - Strategic Policies (2012)
The Local Plan: Part 2 - Development Management Policies (2020)
The Local Plan: Part 2 - Site Allocations and Designations (2020)
West London Waste Plan (2015)

The London Plan - Consolidated with Alterations (2016)

The National Planning Policy Framework (NPPF) (2019) is also a material consideration in planning decisions, as well as relevant supplementary planning documents and guidance.

In assessing this proposal, the Local Plan is a material consideration. The relevant policies have been considered and referred to in putting together this appeal statement.

In appraising the overall context of the proposal, it is submitted that the development is fully supported by the advice contained in the National Planning Policy Framework which clearly states that there is a presumption in favour of approval for sustainable development (paragraph 14) and further supports the need for good design in allowing people to carry out appropriate development which they will clearly utilize themselves (paragraph 57). It is considered that paragraph 64 of the NPPF more specifically relates to ensuring that good design effectively contributes to safeguarding how a particular area functions. The proposal has no effect upon that criterion at all.

DESCRIPTION OF DEVELOPMENT:

Planning appeal against the refusal by Hillingdon Borough Council for the erection of a single storey 1-bed dwelling with associated parking and amenity space.

APPLICATION NO: 10697/APP/2021/4279

The full planning application was refused by the Borough Council on the 14th January 2022 for the following reasons:

SCHEDULE OF REASONS REFUSAL

OBJECTION 1:

The proposed development, by reason of its inappropriate siting in a rear garden, plot size, scale and design (including the uncharacteristic 1.8 metre high fencing along the site frontage), would result in an incongruous and visually obtrusive form of development which would fail respect the established pattern of development in the local area and the surrounding street scape. As such, the proposal would have a detrimental impact on the character, appearance and visual amenities of the existing street scene and the residential area as a whole. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policies D1, D3 and D4 of the London Plan (2021) and the National Planning Policy Framework (2021).

GROUND OFS OF APPEAL:

The proposed development is the revised scheme that was submitted during the pre-planning process. The pre-planning was submitted for chalet 2 bedroom bungalow, where concern was raised to the height and its relationship with the adjacent building and to the garden of No 10 Whitethorn. The revised scheme for the single storey dwelling for one bedroom has been proposed keeping in consideration the advice received in the pre-planning report.

The proposed dwelling is single storey its mass and scale is of similar nature as of any outbuilding proposed either through permitted development or under full planning. The Edgar Road which is off from Whitethorn Avenue have fences of 1.8m high on either side belonging to the No 12 & No.14 Whitethorn Avenue.

It is wrongly stated that we have proposed the 1.8m high fence. But in fact, in the proposed layout (accompanying views in Appendix A) it's clearly shown that these existing fences will be stopped where there is slight bend (proposed refused bin position), and the Edgar road gets wider. The forecourt at the front is proposed with low height boundary wall approx. 600-750mm high to a small area only as well as drop kerb for vehicular access reflecting the similar arrangement that the houses in the close vicinity are having.

The design gave careful consideration that *incongruous and visually obtrusive form* or sense of enclosure is not created. The position of the proposed building setback well from the boundary edge and have offsetting form/building edge to provide more open space and keep itself inline to the No. 63 Edgar Road building line.

OBJECTION 2:

The proposed development, by virtue of its proximity, siting, size, scale, bulk and height, would cause harm to the residential amenities of the private rear garden of number 10 Whitethorn Avenue, in terms of loss of outlook, sense of enclosure and overbearing impact. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (2012), Policy DMHB 11 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020) and the National Planning Policy Framework (2021).

GROUND OFS OF APPEAL:

The proposal is only single storey building with hipped roof to all sides. The eaves level nearer to the No 10. Whitethorn Avenue boundary is only 2.6m high, whereas the existing fences are standard 2m high, thus the proposed building will be only 600mm higher than the existing fences. Also as the roof is hipped from all sides and moves away from the boundary edge. The top of the ridge varies from 3.8-4.5m approx. and is approx 3.5m away from the boundary line.

No 10. Whitethorn Avenue have almost similar garden as the proposed site which provide more than sufficient amenity space to the existing dwelling. The proposed development is right at the far end, being a single storey structure will have no impact to light of right or casting shadow to the garden area. Council allowed 2 storey side extension to no 63 Edgar way which is touching the end edge with No.10 and provide more sense of enclosure than the proposed development. Also, any outbuilding proposed under permitted development will be 2.5m high with flat roof, this can vary if the outbuilding build under the householder scheme where the top of the ridge can go upto 4m high and eaves upto 3m.

OBJECTION 3:

The proposed development, by virtue of the siting of the proposed 1.8 metre high fencing, bin store and cycle store in such close proximity to front habitable room windows of the proposed dwelling would result in a substandard form of residential accommodation to the detriment of future occupants, in terms of poor levels of outlook. The proposal would therefore be contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policy D6 of the London Plan (2021) and the National Planning Policy Framework (2021).

GROUND OFS OF APPEAL:

The current habitable (Living/dining/kitchen) room have dual aspect with windows and patio doors serving the rear garden and additional window to the side.

This window is the secondary window and only provided for cross ventilation purpose.

Please see the proposed layout. (Image 01)

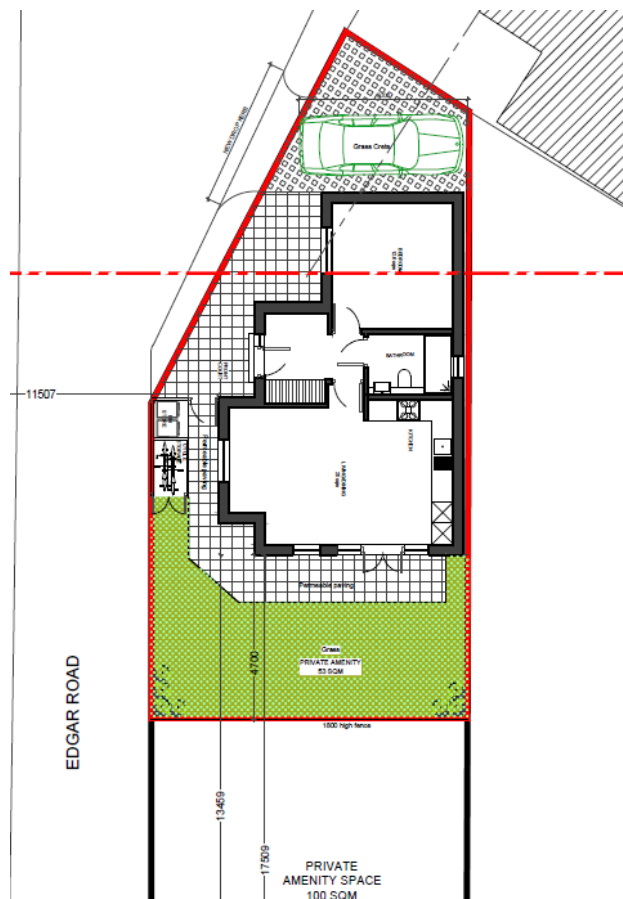


Image -01

OBJECTION 4:

The proposed development, by virtue of substandard pedestrian access, and a proposed new vehicle crossover being located at an acute angle, on the inside bend of Edgar Road and adjacent to proposed 1.8-metre-high fencing would have a harmful impact on the safe use of the highway and impede the free flow of traffic. Also, no evidence has been submitted to demonstrate that adequate visibility splays could be achieved. The proposal would therefore be contrary to Policies DMT 1, DMT 2 and DMT 6 of the Hillingdon Local Plan: Part 2- Development Management Policies (2020), Policies T6 and T6.1 of the London Plan (2021) and the National Planning Policy Framework (2021).

GROUND OFS OF APPEAL:

The proposed parking area has been used in the past to park cars. (Please see google photos showing the parked cars- Image 2 & 5). The proposal does not have and high fences along the parking bay or even to the pedestrian access to the house. The 1.8m high fences will stop where the refuse bins are proposed. The whole frontage of the proposal has max 600-750 high brick wall

proposed (please see images 4 & 6). The proposal has effective splays proposed for the vehicle to enter or exit. The drawings and 3d Images submitted clearly shows low level of boundary wall keeping in mind providing effective splays.

Also the main pedestrian pavement runs opposite from the proposal site. There is no pedestrian pavement along the site boundary.



Image 2- google Image showing car parked



Image 3-Pavement to only one side of Edgar Road



Image 4



Image 5- google Image showing car parked



Image 6- showing low level boundary to the frontage with no high fences