



APPEAL STATEMENT

Consilio

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

‘Erection of a single storey rear extension and a two-storey side extension to form
a separate two-bedroom dwelling.’

(REF: 1624/APP/2021/4611)

AT: 45 ETON ROAD, HARLINGTON

PREPARED BY: HARMEET S MINHAS MRTPI

CONTENTS

1.0	INTRODUCTION.....	2
2.0	SITE AND SURROUNDINGS.....	3
3.0	PLANNING HISTORY.....	4
4.0	PROPOSED DEVELOPMENT.....	4
5.0	PLANNING POLICY.....	4
6.0	PLANNING CONSIDERATIONS.....	6
7.0	CONCLUSION.....	8

APPENDIX A – Amended Plan (Floorspace- reason for refusal 2)

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 **'Erection of a single storey rear extension and two storey side extension to form a two-bedroom dwelling, at 45 Eton Road, Harlington, Hayes (Ref 1624/APP/2021/4611).**

1.2 The Council's decision notice cited three reasons for refusal, as follows:

1. *Due to its siting, design, excessive width, and resulting bulk, the proposed dwelling would form a visually unsympathetic addition to the neighbouring semi-detached dwelling. It would also disrupt and unbalance the visual symmetry which exists between the pair and result in excessive hard landscaping to the front. The proposed dwelling would therefore be detrimental to the character, appearance and visual amenities of the street scene and wider area, disrupting the established pattern of built form in the area. The proposal would therefore be contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), as well as policies D3 and D6 of the London Plan and paragraphs 130 (a) and (c) of the NPPF (2021)*
2. *The proposed development results in a dwelling of poor design as the new dwelling would provide a 3-bedroom property without a double/twin bedroom (11.5m² floorspace). The proposal is therefore contrary to Policy D6 of the London Plan (2021) and fails to provide quality accommodation for future occupiers.*
3. *The internal arrangement of the dwelling would fail to meet the requirements for a M4(2) accessible and adaptable dwelling as set out in Approved Document M to the Building Regulations (2015 edition). The proposal is therefore contrary to Policy D7 of the London Plan (2021).*

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).

1.4 Within this appeal submission, we will address the reasons 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 proposal would adversely impact upon the character and appearance of the setting

- Whether the proposal would by virtue of internal space standards result in substandard living accommodation; and
- Whether the proposal would result in a failure to meet the requirements for accessible and adaptable dwellings, as set out in Approved Document M

2.0 APPEAL SITE AND SURROUNDINGS

- 2.1 The appeal site is located on the northern side of Eton Road, which falls within the developed area of Hayes.
- 2.2 The host building forms part of a pair of semi-detached properties which have both undergone significant extension and alteration from their original form. The appeal building benefits from a two-storey side extension with a flat roof, which is testament of the time and period it was erected in the late 1980s. The neighbouring dwelling No. 47 Eton Road benefits from a hip-to-gable roof alteration incorporating rear dormer window. As a result of the existing alterations to the buildings the pairing appears visually unbalanced owing to the combination of works. This general character is consistent within the area where dwellings have been significantly altered to provide greater habitable accommodation.
- 2.3 Directly to the west of the site adjacent the public highway sits No. 43 Eton Road. Similar to the appeal site the host building No. 43 benefits from a two-storey side extension abutting the public footpath and highway known as Pendell Avenue. The siting of both extensions at No. 45 and No. 43 Eton Road have resulted in the loss of the previous open gap, and the prevailing built form in close proximity to the respective boundaries, and highway continue the pattern of development within the vicinity especially with regard to density.
- 2.4 Dwellings along Pendell Avenue and Eton Road benefit from off-street parking provision as well as on-street, which has resulted from the removal of front boundary treatment to allow for areas of hard surfacing forward of the principal elevations. The open nature of driveways and frontages forms part of the established character of the area to allow for off-street parking provision of at least two cars.
- 2.5 The application site is not located within a Conservation Area, within the setting of Heritage Asset building, or another designation of note.

3.0 PLANNING HISTORY

- 3.1 The application site has no relevant planning history. Whilst it is noted that the dwelling has been enlarged from its original form, a copy of the permission could not be obtained and is not referenced within the officer's report.

4.0 PROPOSED DEVELOPMENT

- 4.1 This appeal seeks planning permission for the erection of a single storey rear extension, two storey side extension to provide a three-bedroom dwelling. As a matter of course, the Council's description within the decision notice references a two-bedroom unit, whilst the second reason for refusal references a three-bedroom unit. The supporting plans demonstrate the proposal is for a 3-bedroom unit which two rooms at first floor and an additional room at ground floor.
- 4.2 As part of the proposal provision has been made for off-street parking, as well as private amenity space to the rear of the site. The supporting plans set out the relevant areas and visibility splays provided as part of the development, in support of the application.

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, which 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), The Hillingdon Local Plan: Part One - Strategic Policies (2020), The Hillingdon Local Plan: Part Two – Development Management Policies (2020) and Supplementary Planning Documents.

London Plan (2021)

D3 - Optimising site capacity through the design-led approach

Development Management Policies

DMHB 11 – Design of New Development

DMHB 12 – Streets and Public Realm

DMHB 16 – Housing Standards

DMHB 18 – Private Outdoor Amenity Space

DMHD 1 – Alterations and Extensions to Residential Dwellings

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

6.0 PLANNING CONSIDERATIONS

Reason for Refusal 1 – Impact on Character of Area

- 6.1 The Council's first reason for refusal relates to the overall appearance of the proposed dwelling to the neighbouring semi-detached unit, which in the Council's opinion would disrupt and unbalance the symmetry which exists between the pair, as well as resulting in 'excessive' hard landscaping to the front.
- 6.2 Having considered the context of the officer's assessment within the delegated report, it is considered that sufficient consideration and weighting has not been given to the existing arrangement of the dwelling, as well as the character of the wider area.
- 6.3 The host dwelling known as 45 Eton Road benefits from a large two-storey side extension which sits adjacent the highway. This design of extension is mirrored along the adjacent dwelling to the west of the appeal site. The side extension by virtue of its overall size, scale and general positioning results in a continuation of the built form closing the visual gap that previously existed. The side extension now forms part of the established character of the building and wider vicinity, which in turn visually unbalances the character of the pairing.
- 6.4 Further to the above, the appellant strongly considers that the pairing of 43 and 45 Eton Road has already been unbalanced owing to the two-storey side extension as well as the roof alterations and rear dormer window at the adjoining property. The notable extensions and alterations have significantly altered the original character and appearance of the dwellings and the re-design of the side extension to incorporate a dwelling would not in the appellants opinion further exacerbate the harm.
- 6.5 The proposed side extension has been designed to carefully respect the proportions of the host building No. 45 by maintaining a hipped roof profile as well as sitting within the envelope of the neighbouring building. At ground floor level a bay window is proposed which seeks to reflect the key architectural elements of the host building, without wholly mimicking the design so that the design of the proposal goes beyond that of appearing as a subordinate and harmonious extension.
- 6.6 The proposed extension would be marginally wider than the existing extension in-situ. However, the overall width of the extension is not considered to diminish or detract from the character of the site, or wider area as a result of its design. This is because the overall width of the extension would not close the visual gap between the built form on the site than that which already exists. Spacing and general distances to

boundary walls and the public realm are consistent between the in-situ arrangement and that which is proposed, and this comparative demonstrates the appropriateness of the design.

- 6.7 Concerns were also raised within the decision notice as to the extent of hard surfacing being proposed within the frontage of the dwellings. The Council consider the absence of soft landscaping to be detrimental to the character of the site and wider area. Frontages within Eton Road are dominated by their hard surfacing often laid in concrete or permeable paving. There is very limited opportunity or scope for landscaping as a result of the off-street parking provision which has been provided by owners in front of their respective dwellings. The general density of development and its urban character form part of the prevailing pattern of development, and the proposed frontage at the appeal site would be no different to this. Hard surfacing forward of the main buildings would not go against the general pattern of development and represents a form of design and development that takes its derivative from the established character of the area, which the Council have failed to consider.

Reason for Refusal 2– Quality of Accommodation

- 6.8 The Council's second reason for refusal stems around the floorspace standards of the proposed unit, notably that of the larger bedroom not being sufficient to act as a double/twin bedroom. Within the decision notice reference is made to a double bedroom being 11.5 m² in floorspace, where the case officer considered the front double bedroom within the plans to fall short of this.
- 6.9 The appellant considers the Council in their determination of the application have failed to consider the information provided within the plans, in hand with the guidance set out within the London Plan and supporting nationally prescribed technical standards.
- 6.10 The double bedroom shown on the plans indicates a room of 11 sq. m with additional storage space of 1.2 sq. m. The footnotes within the technical housing standards (nationally prescribed space standard) states that built-in storage areas are included within the overall GIAs, and as such it would be and is unreasonable of the LPA to not consider the floorspace of the storage serving this room to not be included within the calculation (additional 1.2 sqm). As such, the proposed gross internal area of the bedroom would be 12.2 sq. m, which would meet the minimum guidance requirement and satisfy the aims of Policy D6 of the London Plan.
- 6.11 In support of this appeal the applicant has prepared a plan which removes the built-in storage provision which results in a usable floorspace of 12.2 m². A copy of these plans' forms part of Appendix A for the Inspectors consideration, which demonstrates

that compliance can be, and would be achieved in line with the London Plan and nationally prescribed standards.

- 6.12 On balance the appellant considers the proposal as submitted to the LPA complies with the context of the London Plan, and in the absence of this the fallback position (Appendix A) demonstrates the capacity of the dwelling to satisfy the need for 12 sq. m accommodation.

Reason for Refusal 3 – Internal Arrangement

- 6.13 The Council's third reason for refusal stems around accessibility matters within the proposed dwelling. Policy D7 of the adopted London Plan requires all new housing, to be designed and constructed as accessible and adaptable in accordance with the guidance set out in Approved Document M to Building Regulations (2015).
- 6.14 As part of the assessment of the application the Council's Access Officer was consulted on the scheme and considered that the absence of a step free access into the site as well as the entrance level w/c being too small would not meet the provisions set out in section 2.27 (c) of the approved document.
- 6.15 The appellant will demonstrate that the Council's assessment is flawed and based on a flawed assessment of the supporting plans. In the first instance the Council officer references there to be an absence of step free access into the new dwelling. This is a glaring oversight from the officer which has led, in part, to an unreasonable and unbalanced assessment. The proposed elevations of the supporting plans clearly demonstrate that the appellant has provided a ramped access which would also be electronically maintained, for the ease of future owners/occupiers. A snippet of the plans is set out below for the Inspectors ease:

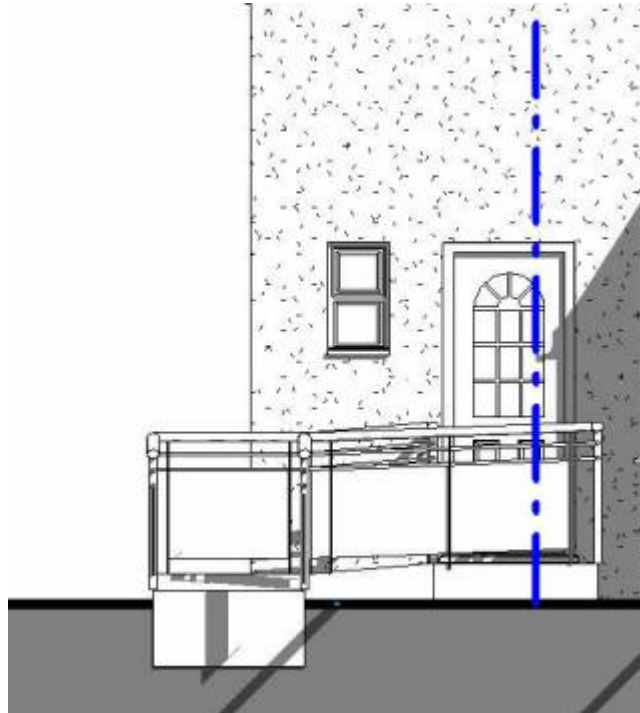


Image 1: Front Elevation showing ramped access

- 6.16 Further to the above, the access officer within Hillingdon raises concerns over the appropriateness of the ground floor shower room in accordance with section 2.27 of Approved Document M (M4 (2)). The proposed access into the ground floor w/c maintains a minimum width of 848mm which would exceed the compliance for entry into a ground floor space. In addition, the clearance between both the toilet and washbasin is in excess of 750mm which would provide a sufficient area of manoeuvrability for a majority of wheelchair users within the space.
- 6.17 Whilst it is acknowledged that the door is shown to be opening inwards, this can be addressed to be an outward facing door to satisfy the context of M4 (2) where the internal arrangement already provides policy compliant accessibility.

7.0 CONCLUSION

- 7.1 It is therefore concluded, in respect of these issues raised, that the proposed development would be of a size, scale and design so as to not adversely impact upon the visual amenities of the street scene or character of the area. It is also concluded that the proposal would not lead to any unacceptable standard of accommodation for future occupants of the building through floorspace or the provision of Part M of the Building Regulations.

- 7.2 Overall, the proposal satisfies the context of the NPPF, the London Plan, Development Management Policies and supporting Supplementary Planning Documents.
- 7.3 In light of the above, we respectfully request the Inspector allows the appeal, subject to any planning conditions they considered appropriate to the development.