

**TOWN AND COUNTRY PLANNING ACT 1990
(AS AMENDED)**

**FULL STATEMENT OF CASE IN SUPPORT OF
SECTION 78 APPEAL**

Erection of a single storey extension to the side/rear and conversion to a self-contained studio for a wheelchair user

On Behalf of Dylan Swift

79 FAIRHOLME CRESCENT, HAYES, UB4 8QU

Our ref: YM/Swift/1125/ym

LPA ref: 53556/APP/2025/1948

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1 SITE AND SURROUNDINGS

- 1.1 The appeal site comprises 79 Fairholme Crescent, a two-storey semi-detached dwelling located on the south-western side of Fairholme Crescent in Hayes. The property is constructed from brick and render under a plain tiled hipped roof.
- 1.2 The surrounding area is characterised by pairs of similar two-storey semi-detached houses, a number of which have been extended to the side, including at the immediately adjacent property at 77 Fairholme Crescent and opposite at 110 Fairholme Crescent.
- 1.3 The site is not listed and is not within the vicinity of any Listed Building. It does not fall within a Conservation Area and is located within Flood Zone 1, indicating a low probability of flooding.
- 1.4 The site has an existing driveway to the front of the property which is capable of accommodating up to three vehicles. Fairholme Crescent is not subject to any parking restrictions, providing unrestricted on-street parking along the length of the road.

2 RELEVANT PLANNING HISTORY

- 2.1 The site has the following relevant planning history, which is central to the Appellant's case in respect of the first reason for refusal:
 - **53556/APP/2022/1860** — Erection of a two-storey extension to the side and rear. **Granted: 24th August 2022.** This permission, for a substantially larger two-storey structure, is of direct and fundamental relevance to this appeal.

This appeal is made following the refusal of the current planning application, which was refused by the London Borough of Hillingdon on 6th October 2025 for the following two reasons:

Reason 1 — Design: The proposed development by reason of its size, scale, bulk, proximity to the side boundary and subdivision of the plot, would give rise to a cramped incongruous form of development on the site which would 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, contrary to Policy BE1, Policies DMHB 11 and DMHB 12, Policies D1 and D4 of the London Plan (2021) and the NPPF (2024).

Reason 2 — Parking: The applicant has failed to provide an acceptable quantity of car and cycle parking and has the potential to lead to undue on-street parking displacement to the detriment of parking capacity and safety on the local public highway, contrary to Paragraph 112 of the NPPF 2024; Policies T2, T4 and T5 of the London Plan 2021 and Policies DMT 1, DMT 2, DMT 5 and DMT 6 of the Hillingdon Local Plan Part 2.

3 APPEAL DEVELOPMENT

- 3.1 The proposal seeks planning permission for the erection of a single-storey side/rear extension to the host dwelling, with internal conversion to form a self-contained studio unit designed specifically to meet the needs of a wheelchair user.
- 3.2 The extension would have a maximum height of 3 metres, a width of 2.9 metres at the front, extending to 4 metres at the rear. The external materials would match the host dwelling, ensuring a cohesive appearance. The studio would have a gross internal floor area of 37.6 square metres, which satisfies the minimum space standard for a one-person single-storey dwelling as set out in Table 3.1 of the London Plan (2021), and would be served by 44 square metres of private amenity space, meeting the requirements of Policy DMHB 18 of the Hillingdon Local Plan Part 2.
- 3.3 The studio has been designed to full wheelchair accessibility standards. It features level access throughout with no internal steps, a minimum 0.9 metre clear door opening width, an accessible wet room, adequate wheelchair turning space in all rooms, and kitchen fixtures at appropriate heights with knee space under worktops. The design complies with the requirements of Building Regulations Part M4(3) (Wheelchair User Dwellings).

4 PLANNING POLICY

- 4.1 MHCLG National Planning Policy Framework (2024)
- 4.2 London Plan (2021)
- 4.3 Hillingdon Local Plan: Part 1- Strategic Policies (2012)
- 4.4 Hillingdon Local Plan: Part 2 – Development Management Policies (2020)

5 AMPLIFICATION OF THE APPELLANT'S GROUNDS OF APPEAL

- 5.1 The key issues raised in the refusal focus on:

- Design, Scale and Character
- Car and Cycle Parking

- 5.2 As such, the remainder of this statement focuses on the above main issues.

Design, Scale and Character

- 5.3 The first reason for refusal contends that the development gives rise to a cramped and incongruous form of development, harmful to the visual amenities of the street scene. The Appellant respectfully submits that this reason is fundamentally undermined by the Council's own decision-making history at this very site, and by concessions made within the officer's report itself.
- 5.4 Policy BE1 of the Hillingdon Local Plan Part One (2012) requires development to respect local character in terms of form, scale and materials. The proposed extension matches the materiality of the host dwelling and responds to the established pattern of single-storey side extensions in the street. The Council's own officer concedes that the bulk and massing are not at odds with the character of the area — which is precisely the test Policy BE1 requires to be met. The proposal accords with Policy BE1.
- 5.5 Policy DMHB 11 of the Hillingdon Local Plan Part Two (2020) requires development to take into account scale, height, mass and bulk relative to adjacent structures and established street patterns. The proposed extension has a maximum height of 3 metres, respects the established

building line, and does not exceed the scale of comparable extensions already present in the street. The Appellant submits the proposal complies with Policy DMHB 11.

- 5.6 Policies D1 and D4 of the London Plan (2021) evaluate the design impact of development on the character, legibility and appearance of the neighbourhood. It is noted that neither policy addresses tenure or use classification — both assess physical design impact only. On that test, the officer's own report confirms the extension is consistent with the character of the area. The proposal complies with both policies.
- 5.7 Application 53556/APP/2022/1860, granted by the Council on 24th August 2022, permitted the erection of a two-storey extension to the side and rear of 79 Fairholme Crescent. A two-storey side extension is, by any measure, a significantly more substantial form of development than the single-storey extension now proposed.
- 5.8 The approved scheme would have risen to a significantly greater height than the single-storey extension now proposed, creating a far greater mass, height, and bulk when viewed from the street. The current proposal is restricted to a maximum height of 3 metres and occupies a substantially smaller footprint in vertical terms.
- 5.9 The officer's report in respect of the current application acknowledges this directly, stating:
- 'Officers note that planning permission was previously granted for a more sizeable extension to this property to the side.'*
- 5.10 More significantly, the officer expressly concedes on the question of physical form:
- 'The bulk and massing of the proposed single storey extension would not be at odds with development within the area'*
- 5.11 This concession is critical. The Council's own officer accepts that the size, scale, and bulk of the proposed extension is consistent with the character of the area and does not cause visual harm in itself. The first reason for refusal cites "size, scale, bulk" as the basis for harm. These characteristics have been expressly found to be acceptable by the

officer. The reason for refusal therefore does not properly stand on those grounds.

- 5.12 The officer has sought to distinguish the previously approved two-storey extension on the basis that it was conceived as an extension to the host dwelling rather than a self-contained unit. However, this distinction relates solely to the proposed use of the space, not to its physical form or appearance. From the perspective of the street scene — which is the test applied by the policies cited in the refusal notice — the difference is irrelevant. What the public sees is a single-storey side extension. The Council approved a far more prominent two-storey version. It cannot credibly be maintained that the lesser form causes harm that the greater did not.
- 5.13 It is also noted that the officer's report confirms that single-storey side extensions are part of the established character of the immediate area, with examples identified at 77 and 110 Fairholme Crescent. The proposed extension is therefore consistent with, and not alien to, the established pattern of development in the street.
- 5.14 For the avoidance of doubt, the Appellant accepts that the proposal involves the subdivision of the existing plot to provide a separate dwelling. However, the physical form of the extension that facilitates this — which is the matter properly assessed under Policies BE1, DMHB 11, DMHB 12, D1 and D4 — is, on the officer's own assessment, acceptable.

Car and Cycle Parking

- 5.15 The second reason for refusal contends that the application fails to provide an acceptable quantity of car and cycle parking, with potential for undue on-street parking displacement. The Appellant submits that this concern is not made out on the facts, and that the parking position at and around the site is more than adequate to serve both the existing dwelling and the proposed studio.
- 5.16 Policies DMT 1 and DMT 2 require that traffic generated by development is acceptable in terms of highway capacity and safety. The Highways Officer's own assessment was that the proposal would not exacerbate congestion, create parking stress, or raise highway safety concerns.

Nothing in the physical development changes that position. The proposal complies with Policies DMT 1 and DMT 2.

- 5.17 Policy DMT 6 of the Hillingdon Local Plan Part Two (2020) requires compliance with the parking standards in Appendix C unless deviation would cause no detrimental impact on the road network.
- 5.18 Policies T2, T4 and T5 of the London Plan (2021) concern sustainable travel, road danger and cycle parking. A single-person studio generates negligible additional travel demand. The London Plan policies set maximum rather than minimum parking standards, and the modest provision proposed, supplemented by the available on-street supply, is consistent with their objectives.
- 5.19 The officer's report identifies a total parking requirement of three spaces: two spaces for the host dwelling and one space for the studio. The existing driveway at the front of the property is capable of accommodating up to three vehicles. It is the Appellant's position that the driveway, properly assessed, meets the Council's own identified requirement in full, with one space formally allocated to the studio and two retained for the main dwelling.
- 5.20 Policy DMT 5 requires safe and inclusive pedestrian access connecting to the wider network. The Appellant acknowledges the Highways Officer's concern regarding the positioning of a parking space in front of the studio entrance on the submitted plans, but this was merely to show a space can be accommodated on site.
- 5.21 The studio is a single-person dwelling purpose-built for a wheelchair user. The likelihood of multiple vehicle ownership associated with such a unit is limited. The Highways Officer's original response — before being informed that the unit was proposed as an independent C3 dwelling — was unequivocal: the proposal "is not expected to exacerbate existing congestion or create parking stress or raise any highway safety concerns."
- 5.22 Beyond the driveway, there is a substantial supply of readily accessible parking in the immediate vicinity of the site. Fairholme Crescent is not subject to any parking restrictions, and unrestricted on-street parking is

available to residents and visitors along its full length. There is no Controlled Parking Zone in operation.

- 5.23 Paragraph 116 of the NPPF (2024) provides that refusal on highway grounds is only justified where there would be an unacceptable impact on highway safety or severe residual cumulative impacts on the road network. This is a high threshold. A single-person studio served by an existing driveway and extensive unrestricted on-street parking falls well short of it. Refusal on parking grounds in these circumstances is disproportionate and inconsistent with the NPPF test.
- 5.24 Taken together, the on-site driveway, the unrestricted on-street parking on Fairholme Crescent, the slip road opposite, and the rear service road represent a significant and readily accessible supply of parking. There is no realistic prospect of the development causing parking stress or displacement in this context.
- 5.25 Regarding the provision of cycle parking, there is ample space for this to be accommodated and the appellant is agreeable to a condition requiring such.

Quality of accommodation

- 5.26 The Council's own assessment confirmed that the proposed studio meets all relevant space and amenity standards. The internal floor area of 37.6 square metres satisfies the minimum standard for a one-person dwelling under Table 3.1 of the London Plan (2021). The 44 square metre amenity space provision meets the standard set out in Policy DMHB 18. No concerns regarding the impact on neighbouring amenity were raised.
- 5.27 The Council's Access Officer raised no accessibility concerns, confirming that the proposal meets the requirements of Policy D7 of the London Plan (2021) in respect of wheelchair user dwellings. The studio would provide a high-quality, purpose-built accessible dwelling, directly contributing to the supply of adapted housing in the borough — a recognised need.
- 5.28 These are material considerations of positive weight that the Council failed adequately to weigh against the limited harm alleged.

6 CONCLUSION

- 6.1 For the reasons set out in this statement, the Appellant respectfully submits that both reasons for refusal are not well-founded and that the appeal should be allowed.
- 6.2 In respect of Reason 1, the Council's own officer concedes that the bulk and massing of the proposed extension are not at odds with the character of the area. The Council previously granted permission for a substantially larger two-storey extension at the same property. A reason for refusal centred on size, scale, and bulk cannot credibly be sustained in these circumstances.
- 6.3 In respect of Reason 2, the on-site driveway has capacity to accommodate the three spaces required by the Council's own assessment, with one space allocated to the studio and two to the main dwelling. This is further supported by an extensive supply of unrestricted on-street parking on Fairholme Crescent, a slip road opposite the site, and a service road to the rear. There is no realistic risk of parking stress or displacement.
- 6.4 The proposal would deliver a high-quality, fully wheelchair-accessible studio dwelling meeting an identified need. The Council's Access Officer confirmed the proposal meets all accessibility standards. The quality of accommodation is not in dispute.
- 6.5 We respectfully request that the Inspector allow this appeal and grant planning permission for the proposed development.