

**TOWN AND COUNTRY PLANNING ACT
1990 SECTION 78 (AS AMENDED)**

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

Erection of a two storey, 1-bed end-of-terrace dwelling with associated amenity space and parking including installation of new vehicular crossover and demolition of existing detached garage.

at:

18 West Avenue, Hayes, UB3 2EY

APPEAL STATEMENT

Prepared by:

Woolf Bond Planning LLP

LPA REF: 70588/APP/2021/1381

WBP REF: TR/8206

OCTOBER 2021



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LIST OF SUPPORTING DOCUMENTS

1. PHOTOGRAPHS OF THE APPEAL SITE AND SURROUNDINGS
2. COPY OF THE OFFICER'S REPORT LPA REFERENCE - 70588/APP/2021/1381
3. EXTRACTS FROM FILE REFERENCE 73777/APP/2018/1658 GRANTING PLANNING PERMISSION AT 18 WEST AVENUE FOR PART TWO STOREY AND PART SINGLE STOREY EXTENSIONS.
4. EXTRACTS FROM FILE REFERENCE 63612/APP/2010/1927 GRANTING PLANNING PERMISSION AT 20 WEST AVENUE FOR A NEW DWELLING.
5. EXTRACTS FROM FILE REFERENCE 57234/APP/2002/865 GRANTING PLANNING PERMISSION AT 4 LONGMEAD ROAD FOR A NEW DWELLING
6. FILE REFERENCE 56484/APP/2001/1687 GRANTING PLANNING PERMISSION AT 50 LONGMEAD ROAD FOR A NEW DWELLING.
7. EXTRACTS FROM FILE REFERENCE 35808/APP/2015/1014 GRANTING PLANNING PERMISSION AT 5 DRENON SQUARE FOR NEW DWELLING(S)
8. EXTRACTS FROM FILE REFERENCES 42601/APP/2015/4287 and 42601/APP/2020/2321 GRANTING PLANNING PERMISSION AT 8 ROWAN PLACE FOR NEW DWELLING(S).
9. EXTRACTS FROM FILE REFERENCE 53563/APP/2008/2063 GRANTING PLANNING PERMISSION AT 34 LONGMEAD ROAD FOR A NEW DWELLING
10. EXTRACTS FROM FILE REFERENCE 48078/APP/2009/1459 GRANTING PLANNING PERMISSION AT 38 WEST AVENUE FOR A NEW DWELLING
11. COPY OF APPEAL DECISION LETTER REFERRING TO 10 TOWNFIELD ROAD

1. INTRODUCTION

- 1.1. The appeal is being made following the decision by the London Borough of Hillingdon ('LBH') to refuse planning permission for the below development:

"Erection of a two storey, 1-bed end-of-terrace dwelling with associated amenity space and parking including installation of new vehicular crossover and demolition of existing detached garage."

- 1.2. This statement explains why the appeal should be allowed. It addresses the single reason for refusal (including detailed analysis in section 6) and explains the role of and need for housing in this location.
- 1.3. The evidence confirms that the proposal represents a suitable form of development for the site which is compliant with relevant development plan policies and the NPPF and provides housing for which there is a defined local need. The issue raised regarding character is addressed, and it is found that the proposal is appropriate to its locality in design terms.
- 1.4. It is concluded that this statement's content and supporting documents justifies the proposed development having regard to local and national policy such that the appeal scheme comprises a suitable form of development such that the appeal can be allowed.

2. SITE LOCATION & CONTEXT

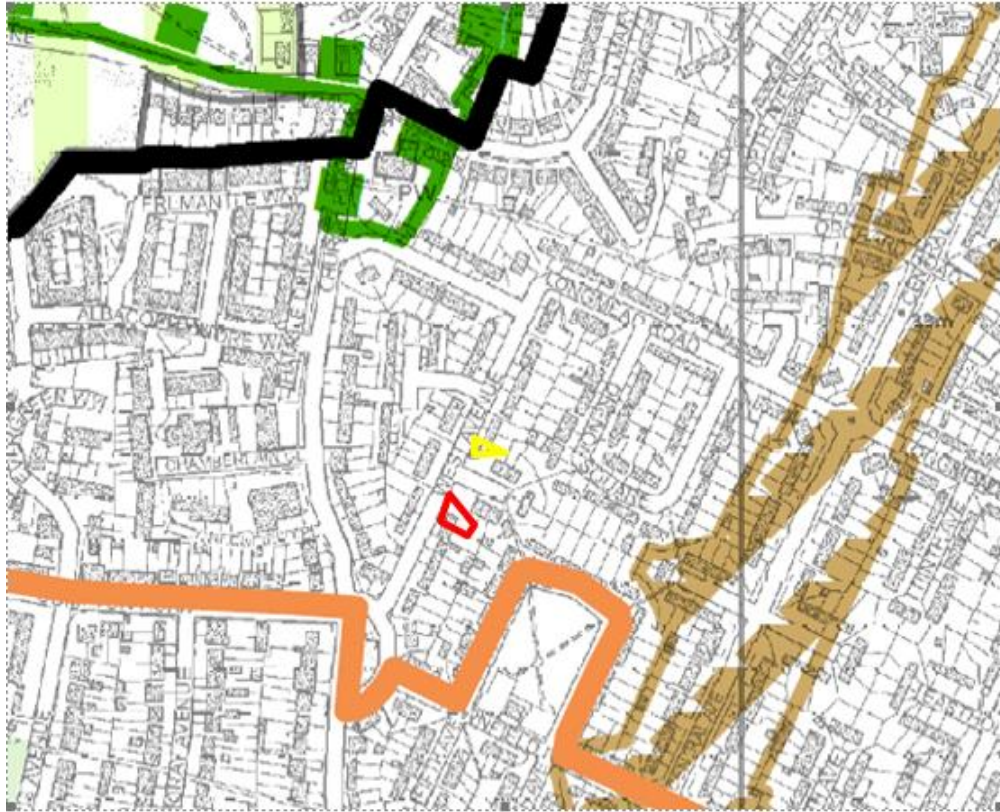
- 2.1. West Avenue is a residential street located within the settlement of Hayes. The avenue is characterised by conventional two storey properties with either painted render or an original red / brown brick external appearance. 18 West Avenue forms a two storey semi-detached dwelling adjoining a group of terraced properties. It is also located opposite a further row of terraced homes. To the north of the site lies the junction of West Avenue and Rowan Place.
- 2.2. The property benefits from a large side garden which narrows towards the rear. The property also has a large rear garden that backs onto the residential rear gardens of properties on Townfield Square. The new dwelling would be attached to the side elevation of 18. Various photographs of the site were submitted alongside the application and are provided as supporting document 1 to this statement. However, to provide initial context, a view of the appeal site from West Avenue is provided below.



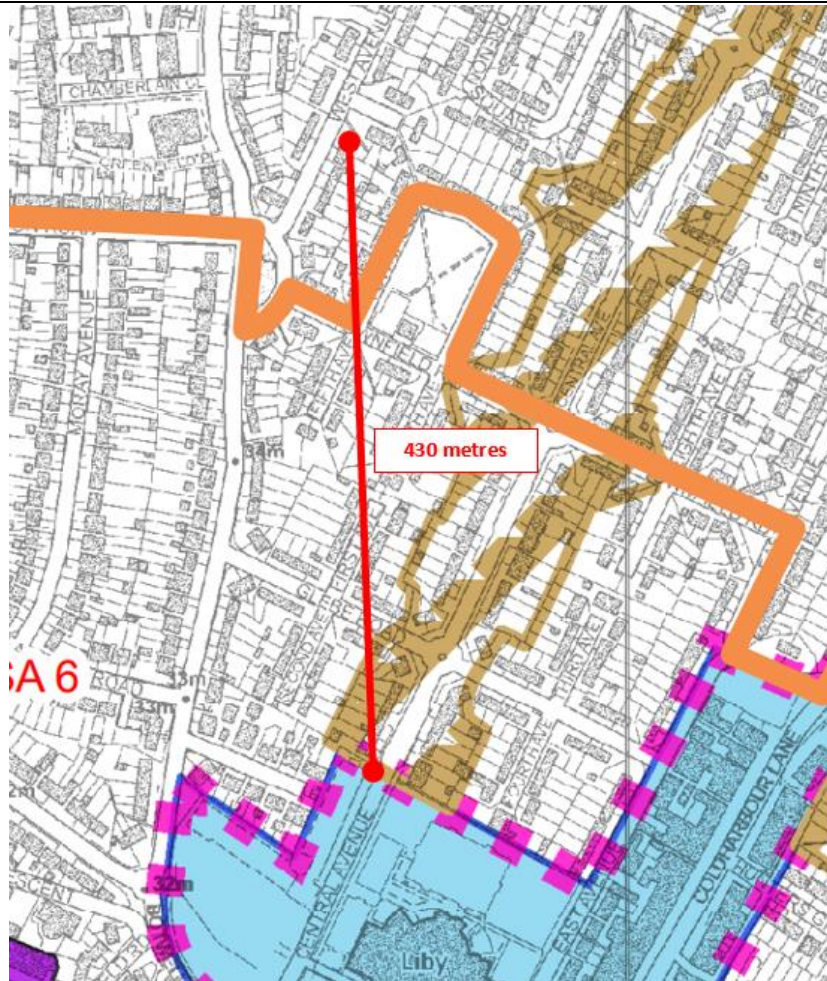
View of appeal site from West Avenue

- 2.3. As demonstrated on the below Local Plan proposals map extracts, West Avenue is located within the settlement of Hayes. It is within walking distance of a range of services and facilities including Lake Farm Park Academy and Hayes town centre (all within 800m of the site). Further, the site is located within

430 metres from Hayes town centre (that includes many key services and facilities, including Hayes & Harlington train station).



Local Plan Proposals Map extract with appeal site indicated in red and the location of the dwelling approved at 20 West Avenue (referenced later in this statement) bounded in yellow



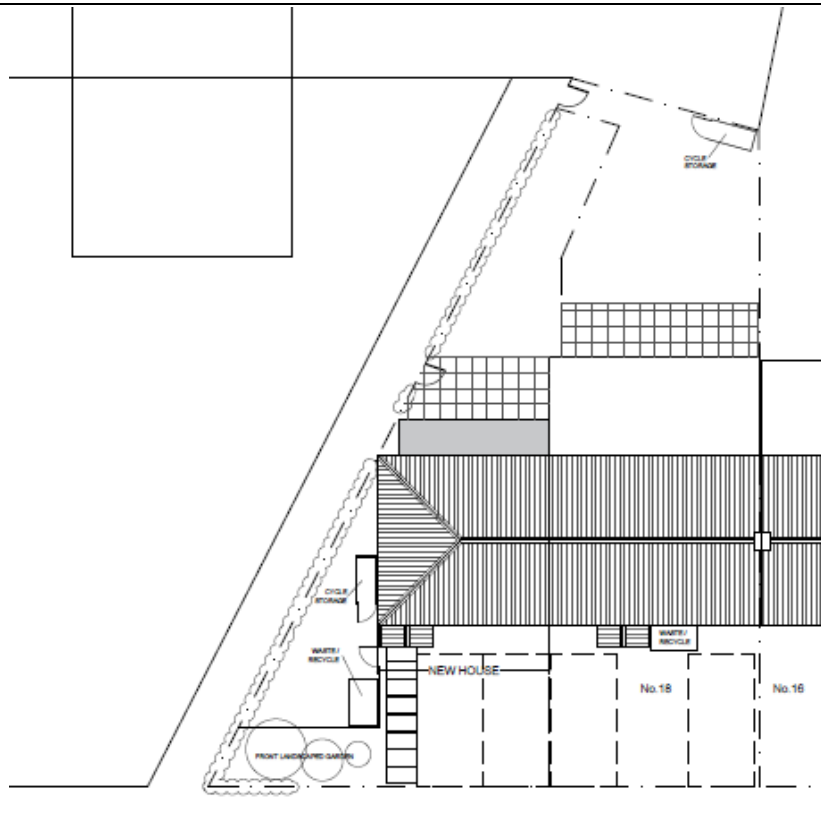
Local Plan Proposals Map extract indicating site's proximity to Hayes town centre

3. THE APPEAL SCHEME & THE COUNCIL'S DETERMINATION

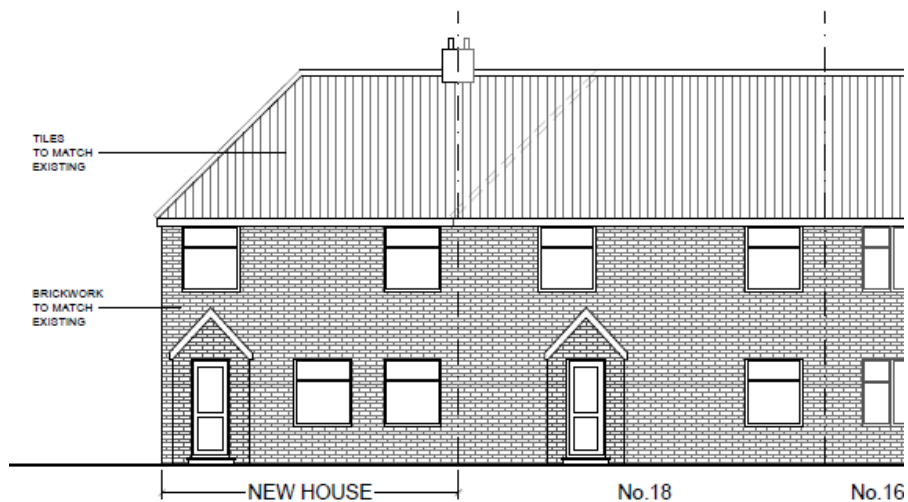
3.1. The scheme proposes the erection of a residential dwelling. This would be attached to the existing dwelling so to form a new end of terrace property, with the existing dwelling retained. The scheme's principal elements are as follows:

- The provision of an additional dwelling in a neighbourhood where similar examples exist (in particular at 20 West Avenue to the immediate north of the site, discussed further later in this statement).
- An efficient use of land in an accessible location.
- The elevations of the properties are designed to reflect the character and variation of properties within the locality.
- A landscaping scheme is put forward that would enable new planting in the proposal.
- The height of the proposed dwelling is the same as the existing dwellings and includes a hipped roof thereby ensuring it is not a dominant feature.
- A housing led character consistent with the site's locality whilst maintaining good separation to the respective front, side and rear boundaries.

3.2. The proposal follows a building line consistent with the existing property. Two new parking spaces are proposed in front of the dwelling, the existing detached garage is demolished, and 2 spaces are provided in front of the existing 18 West Avenue property. The proposed design is of the same scale and height as the existing property and features window designs consistent with the host property. Further, the scheme includes a hipped roof at an angle akin to the existing property. This provides an appropriate end to the terrace. Private amenity space is to be re-provided for the existing property to the rear and two areas of amenity space provided to serve the new property, one to the side and another to the rear. Further, an area of proposed green landscaping is proposed on the front of the site immediately adjacent to the West Avenue street scene. Extracts taken from the Proposed Site Plan and Front Elevation are provided over the page.



Proposed Site Plan



PROPOSED FRONT ELEVATION

Proposed Front Elevation

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- 3.3. The proposed layout indicates how the retained and proposed dwelling will have sufficient and usable private amenity space. The amount of private amenity space complies with development plan requirements.
- 3.4. The example of the property at 18a West Avenue (extension to 20 West Avenue) establishes the presence of an additional dwelling on the opposite side of Rowan Place, in a similar end of terrace form. This example is discussed in considerable detail later in this statement at section 6. The appeal scheme follows the same principle which has also been established elsewhere in the vicinity of the appeal site. It respects the established building lines and maintains an appropriate gap on the road junction.
- 3.5. It is further noted that this urban part of Hayes is characterised by a number of examples of modern infill development. In section 6, a number of examples are referred to where sites within close proximity to the subject site illustrate how the efficient use of garden land has been approved in a number of nearby development contexts. The photo sheets submitted in support of the application are useful for establishing local context, whilst the examples referenced in section 6 could be viewed by the Inspector on their site visit as they are all within walking distance of the appeal site.

The Council's Determination

- 3.6. The appeal scheme was refused in June 2021. The single reason for refusal is set out below:

“The proposed development, by reason of its siting in this open prominent position, its size, scale, bulk, depth, width and proximity to the side boundary, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore 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. The proposed development is therefore contrary to Policies DMHB 11, DMHB 12 and DMHD1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D1, D3 and D4 of the London Plan (2021)”.

3.7. A copy of the Council's delegated report will support the questionnaire as part of the appeal process. However, the below points of agreement are noted from the officer's report:

- The Highway Authority confirm that they are satisfied that the proposal would not discernibly exacerbate congestion or parking stress and would not raise any measurable highway safety concerns (page 6).
- The proposal would not cause harm to the amenity of nearby residents. Further, the development would not result in any further overlooking or loss of amenity for neighbouring occupiers (page 7).
- The proposal will provide a satisfactory level of accommodation for both the host and future occupiers of the development. This includes reference to the scheme passing the internal space standards and compliance with the Council's policy in respect of private amenity space (page 12).
- No flood risk, tree or landscaping objections are forthcoming (page 13).

3.8. The Council's inclusion of a single reason for refusal effectively defines the issue between the parties to whether the proposal respects the character and appearance of the area. The subsequent sections of this statement give full consideration to this matter and demonstrate in our judgment that planning permission should be granted.

3.9. The Council's decision notice references determining drawings. Those that should form the determining plans in any future condition are listed below:

- OS Map
- 013425/07d
- 013425/08d
- 013425/09c
- 013425/10c
- 013425/11c
- 013425/12a

4. RELEVANT PLANNING POLICY CONTEXT

- 4.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out a requirement that planning applications are to be determined in accordance with the development plan unless other material considerations indicate otherwise. The following table sets out the policies referred to in the Council's reason for refusal.

London Plan (Adopted 2021)	Policy Subject
D1	London's form, character and capacity for growth
D3	Optimising Site Capacity Through the Design-Led Approach
D4	Delivering Good Design
Hillingdon Borough Local Plan: Part Two – Development Management Policies (January 2020)	
DMHB 11	Design Of New Development
DMHB 12	Streets and Public Realm
DMHD1	Alterations and Extensions to Residential Dwellings

- 4.2. The following tables refer to other policies relevant to the consideration of the appeal. We provide a brief summary of the appeal proposals against these relevant development plan policies. In section 5 below, we provide more detail to demonstrate how the appeal scheme complies with the policies referred to in this section. This statement also refers to appropriate sections of the National Planning Policy Framework (NPPF), National Planning Policy Guidance (NPPG) and relevant supplementary planning documents (SPD's) as necessary.

- 4.3. The relevant existing Development Plan comprises:

- The London Plan (March 2021);
- London Borough of Hillingdon Local Plan Part 1 – Strategic Policies (November 2012); &
- London Borough of Hillingdon Local Plan Part 2 – Development Management Policies and Site Allocations and Designations (January 2020).

- 4.4. The site lies within the settlement and there are no significant designations applying to the site. The site's location within a defined settlement and with no

defined protections for existing uses means the principle of residential development is to be supported (subject to development management type considerations).

London Plan

4.5 Relevant London Plan policies to the acceptability of the scheme are summarised below:

Policy	Acceptability of the Appeal Scheme
D1	The policy requires consideration of the area's character in determining the suitability of a location for development. As explained in this statement, the scheme is compatible with the character of the area (including neighbouring examples) and consequently appropriate.
D3	The policy emphasises the importance of design in establishing a site capacity through consideration of factors like form & layout, experience, quality & character, etc. The scheme ensures outlook and privacy of existing and future residents is retained consistent with the expectations of the policy.
D4	The policy details design analysis and development certainty. It sets out that where appropriate visual assessments should be undertaken, and that design quality should be maintained. The proposal is accompanied by a front elevation which shows the proposed view from the street. Furthermore, analysis contained in this statement demonstrates the proposed dwelling fits into the surrounding context.
D6	The policy details standards which dwellings should achieve. The proposed dwelling alongside the amenity space exceeds the minimum requirements for a 1 bedroom dwelling ¹ . The retained dwelling at 18 West Avenue also retains sufficient amenity space to comply with the policy requirements.
H1	The policy requires a minimum of 10,830 dwellings in the London Borough of Hillingdon from 2019 until 2029. This proposal would contribute towards meeting this requirement.
H2	The policy encourages residential development on small sites of less than 0.25ha (consistent with the application). From 2019 to 2029, the policy seeks at least 2,950 dwellings on small sites within the London Borough of Hillingdon.

¹ Provides 70.4sqm of floor space compared to policy requirement of a min of 58sqm.

Hillingdon Local Plan – Part 1: Strategic Policies (2012)

4.7. The relevant Part 1 Local Plan policy is summarised below:

Policy	Acceptability of the Appeal Scheme
BE1	The policy requires a high quality of design which retains the amenity of existing and future residents. As indicated in the statement, this is achieved by the proposal.

Hillingdon Local Plan – Part 2: Development Management Policies and Site Allocations and Designations (2020)

4.9. The relevant Part 2 Local Plan policies are summarised below:

Policy	Acceptability of the Appeal Scheme
DMHB11	The policy emphasises that development should reflect the character of the area and ensure it is harmonious having regard to height, mass and bulk of existing structures. The proposal is of the same height and depth compared to the existing homes fronting West Avenue, the scheme is consistent with the requirements of the policy. The scheme also ensures adequate separate to provide appropriate privacy and access to daylight.
DMHB12	The policy requires the integration of schemes within the area. This is achieved by the scheme through respecting the established townscape character and quality of the surrounding area. It also includes high quality hard and soft landscaping.
DMHB16	This policy requires compliance with minimum internal space standards. The scheme complies with this requirement.
DMHB17	This policy indicates for a scheme entailing dwellings within 800 metres of a town centre should achieve densities of between 35-80 dwellings/ha and between 108-264 habitable rooms/ha. The density envisaged is circa 59 dwellings per hectare. It is therefore consistent with the aims of the policy.
DMHB18	The policy indicates that any house with at 1 bedroom should include at least 40sqm of amenity space. As indicated on the site layout, both the retained dwelling at 18 West Avenue together with the proposed dwellings include a private amenity area in excess of this amount. The scheme therefore accords with the policy.
DMHD1	This is an Appendix referring to alterations and extensions to residential dwellings. It provides policies and guidance that will be used to assess proposals for the most common forms of householder development that require planning permission, including residential extensions, outbuildings and basement development. It is recognised that an

	alteration to a residential house or garden may have an impact, not only on its own setting, but also on the wider townscape and neighbourhood. The appeal scheme provides the highest design quality in respect of the site and immediate surroundings. It also reflects similar forms of development which exist in the vicinity of the appeal site which will be referred to in section 6. The site enjoys the benefit of planning permission for a two storey side extension granted under reference 18/1658 (see supporting document 3).
DMT2	The policy indicates that schemes should ensure they have safe access onto the highway. This is confirmed through the absence of any highway objection to the proposals.
DMT6	The policy indicates that dwellings with curtilage should include 2 spaces. This is achieved for both the proposed and the retained dwelling ensuring consistency with the policy.

5. MAIN ISSUES

5.1. This section sets out the acceptability of the development with regard to:

- Principle of development;
- Proposed building layout, design, height & scale;
- Impact on neighbouring properties; &
- Applying the pillars of sustainable development.

5.2. In section 6 we respond to the issue raised by the Council in their reason for refusal and set out the context of housing need to be applied as part of the consideration of the overall planning balance.

Principle of development

5.3. The application site is located within the defined extent of Hayes where national and local planning policies support new residential development.

5.4. The National Planning Policy Framework ('NPPF') forms an important material consideration in decision making at the national level. Paragraph 125 refers to the importance of ensuring that optimal potential is made of available sites:

"Where there is an existing or anticipated shortage of land for meeting identified housing needs, it is especially important that planning policies and decisions avoid homes being built at low densities, and ensure that developments make optimal use of the potential of each site".

5.5. In addition, Policy H2 (Small sites) in the London Plan refers to the important role small sites can play in meeting housing needs:

"A Boroughs should pro-actively support well-designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making in order to:

- 1) significantly increase the contribution of small sites to meeting London's housing needs**
- 2) diversify the sources, locations, type and mix of housing supply**
- 3) support small and medium-sized housebuilder**
- 4) support those wishing to bring forward custom, self-build and community-led housing**

5) achieve the minimum targets for small sites set out in Table 4.2 as a component of the overall housing targets set out in Table 4.1”.

5.6. The appeal site is located within a built-up residential area which lies in close proximity to a wide range of local services and facilities including bus stops. The scheme provides for an effective and efficient use of land without proposing a density that is out of keeping with the site’s surroundings and without having any adverse impact upon current and future neighbours (as confirmed by the absence of a reason for refusal in these respects). The scheme is therefore consistent with NPPF paragraph 125 and London Plan Policy H2 that refer to the pro-active approach that should be taken towards sites of this character.

5.7. Paragraph 69, part (c) of the NPPF also refers to the important contribution small sites can play in meeting housing needs:

“Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should:

...

c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes”;

5.8. The proposed scheme accords with the above objective by forming a windfall site that is suitable for development within an existing settlement. Further, the scheme provides a material contribution towards the identified minimum housing requirements in the London Borough of Hillingdon. It follows that the principle of residential development in this location is to be supported, subject to the consideration of detailed development management matters.

Proposed building layout, design, height & scale

5.9. National guidance and local planning policies require that good design is a key aspect of planning with local policies seeking to ensure that new developments are appropriate to the character of the area. Moreover, paragraphs 120 and 125 of the NPPF make it clear that planning decisions should promote and support the development of under-utilised land and buildings. The scheme is

consistent with these objectives that provide for an efficient use of land. In addition, in reflecting the materials and height and form of the neighbouring buildings, it is in character with the surrounding dwellings. As the main matter in dispute, this matter is assessed further in section 6 of this statement below.

Impact on neighbouring properties

- 5.10. The Proposed Site Plan indicates that the privacy of existing homes and gardens of the existing properties along West Avenue and Rowan Place will be retained, with a separation distance of the proposed dwelling from 2 Rowan Place reflecting that considered acceptable at the 20 West Avenue site. A relevant extract taken from the officer's report relating to the 20 West Avenue approval (detailed and discussed further in section 6) is provided below:

“As such, it is considered that the proposal would not harm significantly the residential amenities of nearby properties and the proposal would provide sufficient residential amenities for future occupiers, in accordance with policies BE20, BE21 and BE24 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007) and paragraphs 4.9 and 4.12 of the Hillingdon Design & Accessibility Statement (HDAS):Residential Layouts. The new windows would provide an adequate outlook and natural light to the rooms they would serve, in accordance with London Plan Policy 4A.3 and BE20 of the adopted Hillingdon Unitary Development Plan (Saved Policies September 2007)” (page 14).

- 5.11. In considering the acceptability of the property adjacent to 20 West Avenue, there was a recognition that the first floor windows of 1 Rowan Place were either secondary windows or non-habitable and that windows overlooking the proposed amenity space to the side of the house would be characteristic of the surrounding area. The proposed dwelling would be sufficiently separated from existing homes to avoid significant impacts upon the amenity of neighbouring residents. It is noted that during the Council's consideration of the planning application, they agree that the proposed house would not cause harm to the amenity of nearby residents. The development would not result in any further overlooking or loss of amenity for neighbouring occupiers.

Summary

- 5.12. In summary, the scheme offers an opportunity to use a site with an unusual side garden length that presently plays no beneficial public or private function

and in doing so secure a new dwelling as is pro-actively encouraged by the London Plan and NPPF. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 confirms that determination should be made in accordance with the development plan unless material considerations indicate otherwise. For the reasons stated above, the appeal scheme is submitted entirely in accordance with relevant development plan policy, recognising the site's sustainable location within Hayes, with extensive facilities and services within 1Km of the site. With the above context in mind, the scheme is now assessed in relation to each of the defined pillars of sustainability contained within paragraph 8 of the NPPF.

An economic role

- 1) Increased house building in an area where there is a demand for new housing that in turn drives economic growth further and faster than any industry. In this regard, the proposals would contribute to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is being made available in the right place and at the right time to support growth.
- 2) For the economy to function, sufficient housing is required in the right locations and at the right time. This site, within Hayes, lies in a sustainable location.
- 3) The provision of an additional home in a Borough where there is an established need for such new homes and on small sites.
- 4) The scheme is immediately available and can deliver much needed housing during the early part of the five year housing land supply period.
- 5) Meeting general housing needs is a benefit, consistent with the Government's objective of significantly boosting the supply of housing.
- 6) In order for the economy to function, sufficient housing is required in the right locations and at the right time. Hayes is a settlement considered by the Council to be an appropriate location for new housing development.
- 7) Creation of up to 2 jobs in each year of construction at a range of skill levels.

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- 8) Create or support between 2.4 and 3.1 direct, indirect and induced jobs from the house built on the site².
 - 9) Helping to deliver a significant boost to the local economy through 'first occupation' expenditure of £5,642³. This is expenditure on new furniture and other household goods that residents spend as 'one-offs' when moving into a new home.
 - 10) In terms of household expenditure, data from the ONS Family Expenditure Survey 2019-20⁴ shows that the 'average UK household spend' is £585.20 per week (Table A33) (or £30,514 per year), whereas in London it is 20.1% higher than the UK average (Table A33). This means average weekly spend per household is £703.10 (or £36,662 per annum). For this scheme, the total gross expenditure is estimated to be £36,662 per year to the economy. A proportion of this household expenditure is anticipated to be spent in local shops and services and will help sustain the existing services in the London Borough of Hillingdon. Given the current economic challenges facing the UK these are significant economic benefits.
 - 11) The scheme will generate New Homes Bonus and CIL economic benefits for the Council.

A social role

- 1) The significance of the benefit in providing additional market housing in a Borough is a substantial social benefit. Further, future residents will be in close proximity to a wide range of other uses including the shops and services in Hayes and the wider area.
- 2) The application scheme secures high quality residential accommodation consistent with Development Plan criteria.
- 3) The scheme provides homes that are accessible to local services.

An environmental role

- 1) In terms of the environmental role, the site is not designated for its landscape, ecological value, open space, or recreational value. The scheme would not result in any significant harmful landscape or visual effects as it is visually well contained.

² See page 13 of the Homes Builders Federation "Economic Footprint of UK Housebuilding " (July 2018) - <https://www.hbf.co.uk/news/economic-footprint-uk-house-building-july-2018/>

³ Research carried out by OnePoll on behalf of Barratt Homes (August 2014; <https://www.barratthomes.co.uk/the-buying-process/home-buying-advice/>).

⁴ [Family spending workbook 3: expenditure by region - Office for National Statistics \(ons.gov.uk\)](https://www.ons.gov.uk/peoplepopulationandcommunity/healthandsocialcare/physicalactivity/articles/familyspendingworkbook3/expenditurebyregion).

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- 2) A landscaping strategy can be secured to enable a proposal that would enable new shrub planting.

5.13. By meeting economic, social and environmental goals the proposed development accords with the sustainable development principles contained within the NPPF. It is development plan compliant and can be approved without delay consistent with paragraph 11 of the NPPF.

6. RESPONSE TO THE REASON FOR REFUSAL

- 6.1. The sole matter in dispute between the parties relates to the scheme's impact upon the character and appearance of the area. The Council's suggested concern in this respect is set out in the reason for refusal:

"The proposed development, by reason of its siting in this open prominent position, its size, scale, bulk, depth, width and proximity to the side boundary, would result in the closing of an important gap characteristic to the area, resulting in a cramped appearance. The proposal would therefore 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. The proposed development is therefore contrary to Policies DMHB 11, DMHB 12 and DMHD1 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) and Policies D1, D3 and D4 of the London Plan (2021)".

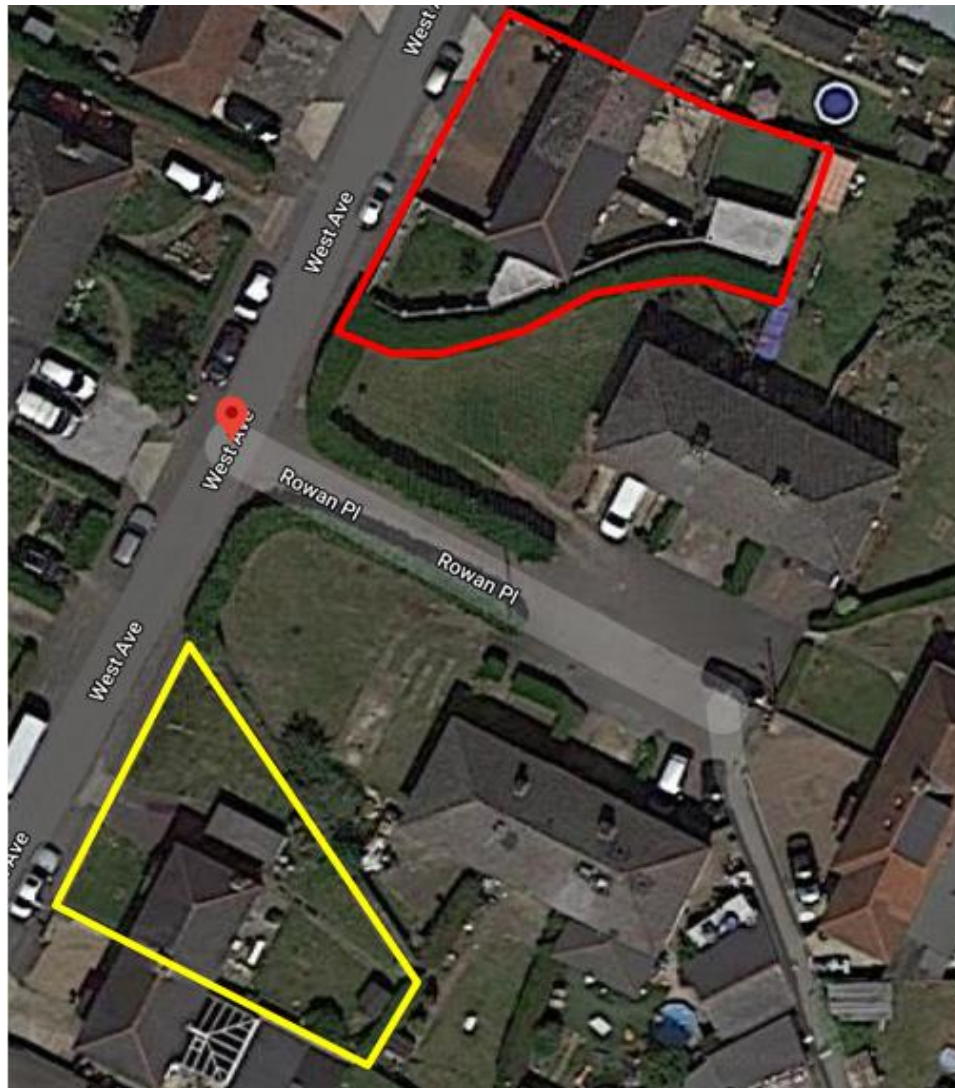
- 6.2. We now consider this primary matter, namely whether the scheme is in keeping with the character and appearance of the area below.

Other examples in the vicinity of the appeal site

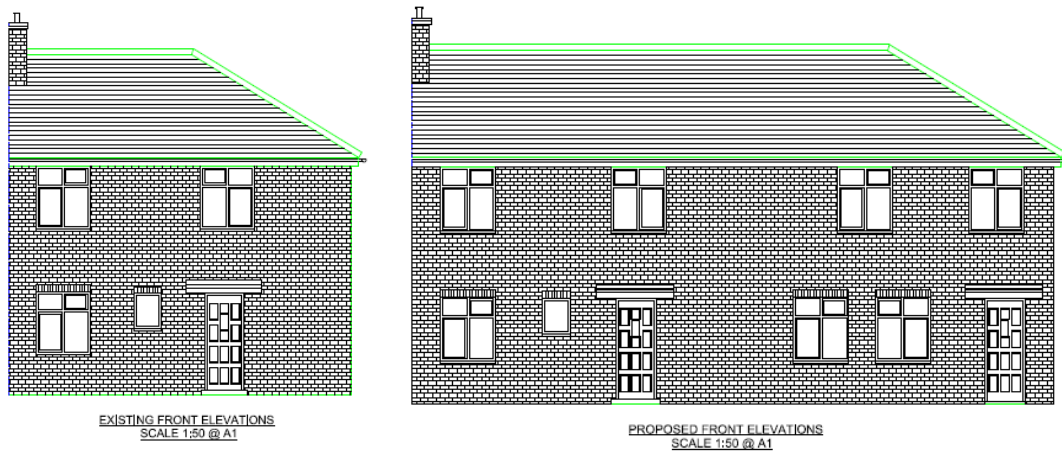
- 6.3. Prior to considering the specific scheme itself, we consider the relevance of other examples in the area surrounding the site. Of particular relevance to the subject appeal is an approved 2010 application (LPA Ref. 63612/APP/2010/1927) that sought permission for a similar dwelling to the appeal scheme. This is located on land adjoining 20 West Avenue (to the immediate north of the appeal site on the opposite side of Rowan Place) and has now been constructed. The below images form extracts from the approved drawings relating to the now constructed dwelling adjoining 20 West Avenue and an indication of its location. Further details of this approved scheme are provided in supporting document 4.



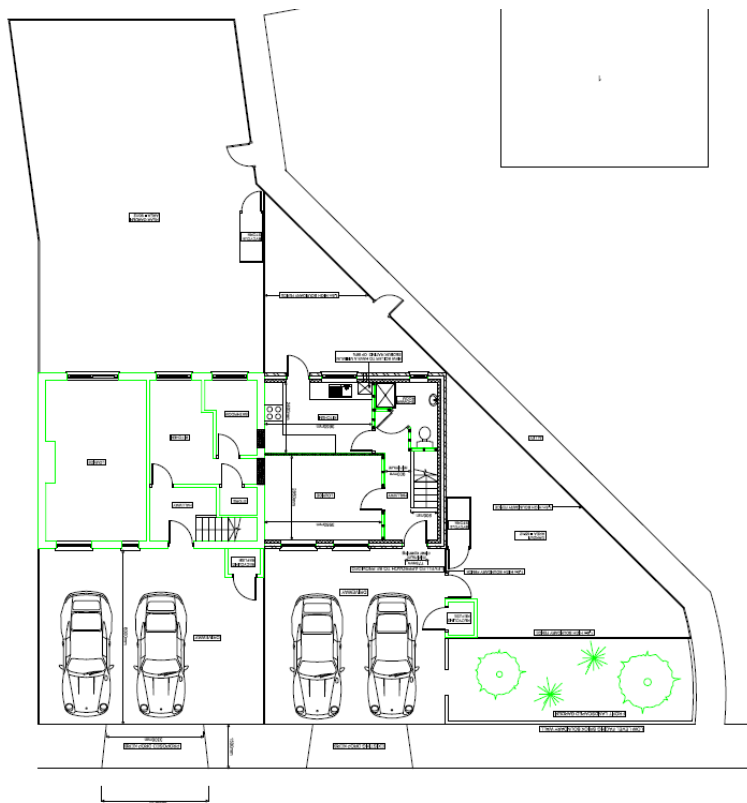
Extract from submitted Location Plan (20 West Avenue site indicated in red, appeal site indicated in yellow)



Satellite view (Source: Google Earth) (20 West Avenue site indicated in red, appeal site indicated in yellow)



**Extract from the approved Existing and Proposed Front Elevation
(proposed dwelling on the right) adjoining 20 West Avenue**



Extract from the Site Plan approved adjoining 20 West Avenue



Street view of No. 20 West Avenue (with new dwelling indicated using a red dashed line) (Source: Google Street View)

- 6.4. The application approved adjoining 20 West Avenue was approved under the Council's delegated powers. The approval and completion of the scheme adjoining 20 West Avenue assists in indicating that the principle of the erection of a two storey property in a terraced form should also be appropriate on the appeal site adjoining 18 West Avenue (on the opposite side of Rowan Place).
- 6.5. It is evident in particular from the Location Plan and Site Plan that the appeal site's characteristics are very similar to that approved at 20 West Avenue. Namely, the land forms surplus side garden to an existing end of terrace property and offers the opportunity for an infill development and in a form that has significant similarities with that recently constructed at 20 West Avenue.
- 6.6. Having regard to the principle established for the dwelling at 20 West Avenue, its replication as envisaged in this scheme would also be appropriate. The separation distance between the properties would be actually slightly increased (measured at circa 8 metres at the nearest point at an offset angle) and the

scale of development and window relationships are in effect the same. The attached house would not project beyond the front and rear walls of 18 West Avenue.

- 6.7. In respect of scale and as indicated on the elevations, the proposal would be consistent with the neighbouring property at both ridge and eaves level and includes a hipped roof akin to the existing dwelling and similar to that used on the 20 West Avenue scheme. The design also ensures that the properties read as a terrace of dwellings reflecting other properties on West Avenue, thereby reflecting the built form and character of the road. These considerations were further assessed in the officer's report assessing the 20 West Avenue scheme:

"The street scene and surrounding area is characterised by a mix of two storey detached houses and blocks of terraced houses. As such, the conversion of the pair of semidetached houses, 20 and 22 West Avenue, to a terrace of three properties would not appear out of keeping with the street scene. A similar scheme was allowed on appeal at 38 West Avenue (48078/APP/2009/1459). In that application, no objections were raised to the conversion to provide a terrace of 3 houses.

The proposed house would not breach the return building line in Rowan Place. It would match the size, scale, bulk, design and appearance of the pair of semi-detached houses, nos. 20 and 22 West Avenue. The chamfered corner at ground floor level together with the first floor cantilevering over has been omitted from the scheme. The south east corner of the proposed house would now abut the side boundary with the high level hedge along the alley way. However, this is not considered to result in a cramped form of development as the alley way would retain a sufficient open gap along that side of the new house.

The 2m high boundary treatment located around the perimeter of the proposed external amenity space servicing the dwelling unit has now been reduced to 1.8m high matching that of the existing close boarded timber fence in that area fronting the road. **As such, this is not considered to represent an overbearing and visually intrusive form of development harming the appearance of the street scene**" (Sic) (page 15). (Our emphasis)

- 6.8. As explained in the above quotation, the character of the area is defined by a mix of two storey detached and terraced houses. Such proposals have previously been approved to extend such properties at 20 West Avenue (and No. 38 discussed below). The proposed building line, size, scale, design and appearance of the proposal matches the host 18 West Avenue dwelling.

Further the proposed siting in relation to the site's side boundary is the same and a similar boundary treatment can be created.

6.9. The reference to the character of the area being a mix of detached houses and blocks of terraced houses in the officer's report relating to the 20 West Avenue scheme is agreed. The proposed scheme has been designed to have many parallels with this proposal approved by the Council in 2010 and as now constructed. It has a very similar relationship with the adjacent property on Rowan Place and is of a similar design form in height, building line and reformed terms. This close example of a similar form of development that has been successfully introduced into the area in recent years provides a very useful benchmark as to what might form an appropriate scheme within the context of this area. In addition, we have identified a number of other examples of new dwellings that have been granted in the nearby area. These are referenced below:

- 20 West Avenue, Hayes. Reference 63612/APP/2010/1927. Planning permission granted for 1 two-bedroom end of terrace dwelling with associated amenity space and parking involving installation of new vehicular crossover to front. Planning permission granted 8 November 2010. The site is opposite the appeal site and the development is completed. See DOCUMENT 4.
- 4 Longmead Road, Hayes. Reference 57234/APP/2002/865. Planning permission granted for erection of single storey rear extension to existing dwelling and new 3 bedroom attached dwelling. Granted 18 June 2002. This site is 0.1 mile from the appeal site and is a 2 minute walk. See DOCUMENT 5.
- Land forming part of 50 Longmead Road, Hayes. Erection of a 3 bedroom attached dwelling. Approved 07-11-2001. 56484/APP/2001/1687 (no plans / documents on website) (Listed as DOCUMENT 6).
- 5 Drenon Square. Reference 35808/APP/2015/1014. Planning permission granted for two storey side/rear extension and single storey rear extension to allow conversion of house into 1 x 2-bed and 1 1-bed dwelling houses with associated parking and amenity space. Granted 22 May 2015. This site is 0.1 mile from the appeal site and is a 3 minute walk. See DOCUMENT 7.
- 8 Rowan Place, Hayes. References 42601/APP/2015/4287 and 42601/APP/2020/2321. Planning permission granted in 2015 for two storey side extension, single storey rear extension, porch to front, and conversion of roofspace to habitable use to include a rear dormer, 2

front rooflights and 2 rear rooflights. Planning permission subsequently granted in 2020 for conversion of single dwelling to 1 x 2bed (3p) and 1x1 bed (2p) self contained units with associated parking and amenity space. This site is 1 less than 1 minute walk from the appeal site. See DOCUMENT 8.

- 34 Longmead Road, Hayes. Reference 53563/APP/2008/2063. Planning permission granted for attached 2 bedroom dwelling house with associated parking. Granted on appeal 8 June 2009. This site is 0.1 miles from the appeal site and 2 minutes walk. See DOCUMENT 9.
- 38 West Avenue, Hayes. Reference 48078/APP/2009/1459. Planning permission granted for erection of a two storey 3 bedroom attached dwelling with associated parking (involving demolition of existing attached side garage). Granted on appeal 3 June 2010. This site is approximately 100 metres from the appeal site and 1 minute walk. See DOCUMENT 10.

6.10. We are aware that an appeal was been dismissed at 10 Townfield Road for a two storey side extension to form a new house with associated parking and external works. The reason given for dismissing the appeal in March 2019 was a neighbouring amenity issue. However, the Inspector did however state: *"I am therefore satisfied that it would be acceptable in terms of the character and appearance of the area and would be in accordance with Hillingdon Local Plan Part 1 policy BE1(1)"* (see DOCUMENT 11).

6.11. A further example of an additional dwelling providing an extension from an existing terrace is provided at 38 West Avenue (see DOCUMENT 10). This has now been constructed and is illustrated over the page. This provides a further example of an additional dwelling created through a side extension in the immediate locality.



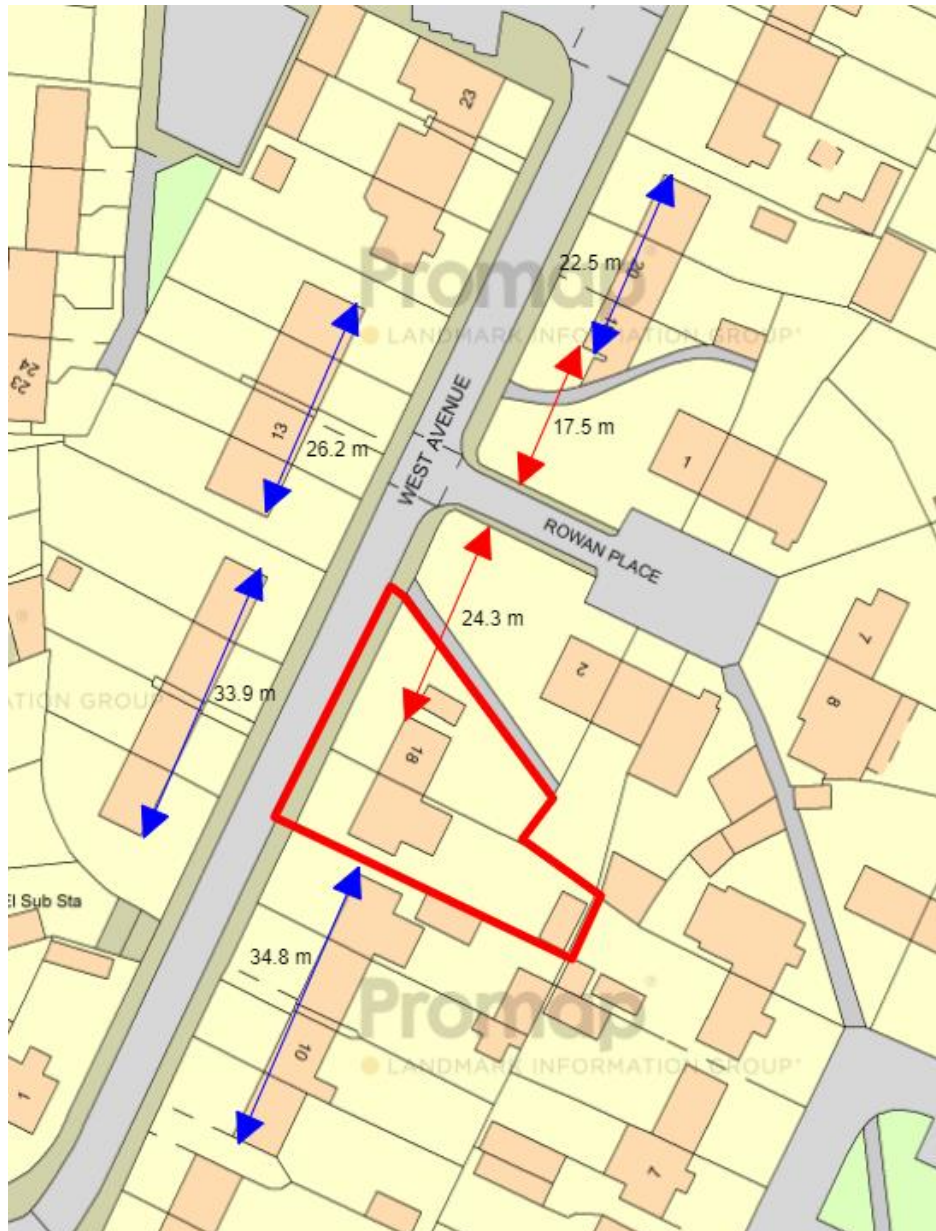
Street view of No. 38 / 40 West Avenue (with new dwelling indicated using a red dashed line) (Source: Google Street View)

- 6.12. It is appreciated that every scheme must be considered on its individual merits. However, the example at 20 West Avenue forms a scheme with a very similar set of characteristics and design and has become a new part of the street scene that is entirely compatible in character terms. Moreover, the officer's report considering that application acknowledged the mixed character of the area, that included terraced houses. In addition, various further examples have been identified in the immediate area where other appropriate new dwellings of an infill type character have been approved and then assimilated into the character of the area in an appropriate manner.

Character of the Area & Impact upon the Street Scene

- 6.13. The officer's report at pages 8 to 9 sets out the Council's alleged reasons why the scheme is inappropriate in character terms. Whilst the 20 West Avenue example is referenced in the report, there is limited detailed analysis as to why the subject appeal scheme should be subject to a different conclusion. A suggestion is made that the scheme would harmfully reduce the gap between the site and 2 Rowan Place and would have an undue "terracing" upon the

existing host semi-detached property. To assist in considering this matter, an annotated context plan is provided below that helps consider the existing form surrounding the subject site.



Annotated context plan indicating separation distances and width of properties

- 6.14. As indicated using respective red arrows on the plan above, the existing gap between the flank elevation serving the existing 18 West Avenue property and Rowan Place is circa 24 metres. By comparison, the similar proposal relating to the extended 20 West Avenue now has a gap of circa 17.5 metres. The proposed dwelling's width is circa 6 metres such that the gap that would result

between the new dwelling's flank elevation and Rowan Place would reduce to circa 18 metres. This distance is similar to (or actually slightly greater) than the immediate example at 20 West Avenue. Further, the new dwelling's side elevation would lie comfortably inside the rear building line defined by 2 Rowan Place in a similar form of relationship to that found between the new dwelling at 20 West Avenue and 1 Rowan Place.

- 6.15. The below image shows the 20 West Avenue property on the left hand side and the wider existing gap at 18 West Avenue on the eastern side and in turn the gap that would be reduced through the proposal. The key point is that a large spacious gap of approximately 40 metres would be retained between the flank elevations of the new dwelling and the constructed dwelling at 20 West Avenue with a large area of side garden serving the properties on both sides of Rowan Place in-between. Rather than reduce the gap to something that is inappropriate, instead a spacious gap of circa 40 metres would be retained and no harm would result.

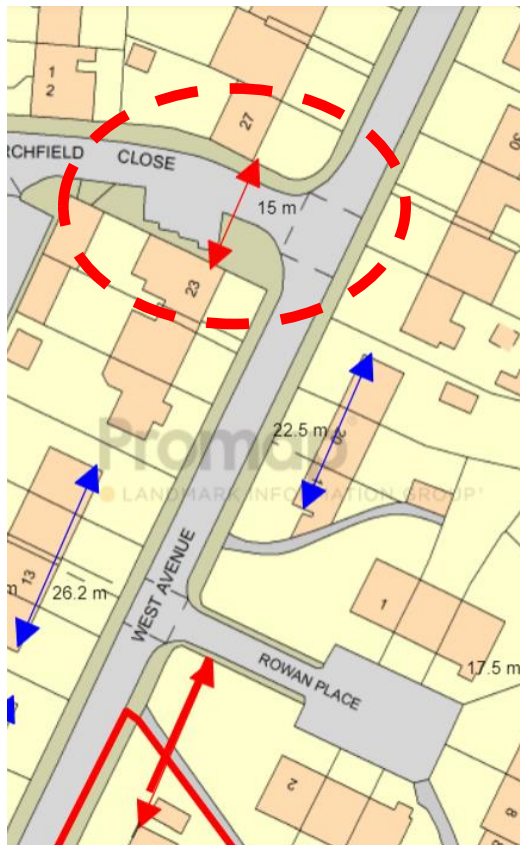


Street view (with new dwelling at 20 West Avenue visible on far left) and appeal site visible on far right)) (Source: Google Street View)

- 6.16. Turning to the suggested “terracing” effect of the proposal on the host property, the blue arrows on the annotated context plan on page 28 indicate that the prevailing character of West Avenue generally forms blocks of terraced development comprising 3 to 4 dwellings in length. Further examples of terraced development exist on the neighbouring Roman Place as well. The proposal would result in a terrace of a width comprising circa 21 metres. A terrace of this width is similar or possibly slightly below the referenced example

to the immediate north of the site (22 metres) and substantially below the other examples indicated using blue arrows on the annotated context plan (that are between 26 and 34 metres in width). Another further example is that at 38 West Avenue where a further dwelling was added at the end of the building to create a terrace of 3. This is illustrated on the image provided on page 28.

- 6.17. To perhaps give a yet stronger indication of how the retained circa 40 metre gap between the two flank elevations across Rowan Place would be acceptable, reference is made to the gap across the cul-de-sac immediately to the north known as Churchfield Close where there are flank elevations that far more immediately address the cul-de-sac and a gap of only circa 15 metres exists between these two 2 storey dwelling's flank elevations.



Context plan indicating 15 metre flank to flank separation between 2 storey properties at Churchfield Close

- 6.18. Ultimately, it is acknowledged that the scheme results in a moderate reduction in the gap between development on the appeal site and the new dwelling erected on the other side of Rowan Place. However, the resulting relationship with the adjacent property at Rowan Place is very similar to the scheme clearly

identified by the Council as acceptable in character terms at 18 West Avenue and in the context of an urban environment, the retained gap between the side elevations of around 40 metres remains a spacious one particularly when compared to other examples to be found in an urban context. Further, the provision of a terrace of 3 dwellings in this area is commonplace and the suggested “terracing” effect is if anything substantially lesser in width than other immediate examples. Respectfully, it is therefore considered that the Council’s objections in relation to the scheme’s impact upon the character and appearance of the area are inconsistent with other assessed examples, the context of the area generally, and are therefore unsubstantiated.

- 6.19. Notwithstanding the above conclusions, supporting document 3 includes details for a part two storey, part single storey side/rear extension granted planning permission on the appeal site in 2018. This further demonstrates that the principle of extending to the side of the existing dwelling at 18 West Avenue is acceptable. This is a further relevant material consideration whereby ultimately development on the appeal site through an extension to the existing host property has been identified as acceptable in any event and could occur. Even if the Council’s alleged negative impacts of this proposal were accepted (a point that we would strongly dispute), then the ability to acceptably extend the existing dwelling means that the alleged negative impacts could happen in any event.
- 6.20. Turning more to the elevational appearance of the scheme itself, the officer’s report does not express concern with the materials to be used and states that architecturally the proposal would complement the appearance of the built form in the area. The scale of development would be of a conventional two storeys with ridge and eaves heights matching the existing property (and other examples on West Avenue). Finally, the use of a hipped roof further reduces the scheme’s overall mass and bulk and matches the approach taken at 20 West Avenue. These features contribute to the scheme’s acceptable relationship with the street scene and the existing host building. Further, as can be seen from the development of the new dwelling at 20 West Avenue from 2010, the assimilation of a dwelling on a corner plot similar to the appeal site, can successfully contribute to the street scene’s townscape.

Alleged Overdevelopment

- 6.21. Policy DMHB 17 (Residential Density) indicates that locations that have a suburban character should achieve between 35 and 70 units per hectare on sites when proposing terraced development. The erection of an additional dwelling on this site would result in a density of around 59 dwellings per hectare. This density is reflective of that approved for the dwelling adjacent to 20 West Avenue and the need to deliver new residential dwellings in settlement locations.
- 6.22. The appeal site represents an appropriate location for potential additional residential development with an existing plot size depth that enables a scheme to come forward that still provides for an appropriate relationship having regard to the existing character of the area. The retained and proposed house would benefit from appropriate garden sizes (a point accepted by the Council). Further, the scheme exceeds the national space standards (again accepted by the Council) and provides for a good quality internal living environment. Finally, it does not result in any undue negative impact upon neighbouring residential amenities (a point again accepted by the Council). These factors again point towards an acceptable development in development management terms, aligned with our detailed review of the scheme's acceptable character and impact on the street scene undertaken earlier in this section.
- 6.23. The Outline Character Map of London (Figure 3.1 of the London Plan 2021) shows the site as within 20th Century suburbs. The site and its surroundings do not fall within, and neither is it adjacent to a Conservation Area, or any other heritage assets. As previously noted, the street and nearby neighbourhood has undergone significant transitional changes over time with a mix of two storey semi detached and terraced houses. The context of the site is one of change and there is no particular overriding characteristic which would suggest that the site cannot be developed.
- 6.24. The officer's report suggests that the proposed dwelling would result in a cramped development of the site. For the reasons detailed above, the proposed dwelling is harmonious to the context of the surrounding area. The scheme's

design and its associated characteristics are entirely appropriate in the context of this developed settlement location and numerous neighbouring examples. A design led approach has been followed so to optimise site capacity thus ensuring compliance with other development management requirements as referenced throughout this section. It is further noted that planning permission has been granted for a sizeable extension to the side of the property in any event. However, that permission would not achieve the benefit of a new residential dwelling or a contribution towards pressing housing needs within London. The scheme design is entirely appropriate, and the site's characteristics are ideal to offer a contribution towards housing needs on a small site where the London Plan policy suggests Council's should take a proactive approach towards their development.

- 6.25. The six development plan policies referenced in reason for refusal 1 all require a scheme that comes forward in general conformity with the prevailing character and appearance of the area in conventional design and development management respects. Further, the earlier parts of London Plan Policy D3 in particular advocate the importance of making the best use of land that optimises the capacity of sites. Respectfully, we do not accept the Council's suggestion that the scheme is an overdevelopment or one that is inappropriate in various character respects. Conversely, we are of the clear judgment that the scheme is entirely appropriate to the character and appearance of the area, having regard to its prevailing characteristics and nearby examples and in addition, offers the benefit of an additional residential dwelling on an appropriate settlement site. It therefore complies with the development plan policies referenced in the reason for refusal and the development plan as a whole.

The Need for Housing in the London Borough of Hillingdon

- 6.26. The London Plan 2021 states London needs 66,000 new homes each year, for at least twenty years. To meet the growing need, London must seek to deliver new homes through a wide range of development options. Small sites such as the appeal site can be developed quickly. The site's location is well connected and London Plan Policy GG4 sets out that to deliver the homes Londoners need, and to create a housing market that works better for all Londoners, those

involved in planning and development must ensure that more homes are delivered.

- 6.27. Policy H1 of the London Plan requires an increase in housing supply. For Hillingdon this sets out a 10 year housing target of 10,830 completions between 2019/20 – 2028/29 of which 2,950 must be provided on small sites (below 0.25ha in size). The proposed dwelling will contribute towards this and optimises the potential for housing delivery in a well located area given its access to a range of services consistent with Policies H1 and H2 of the London Plan. It follows that alongside the scheme being consistent with the development plan policies referenced in the reason for refusal (discussed above), it also attracts positive weight in undertaking the necessary development plan balancing exercise through its contribution towards defined minimum housing needs on smaller sized sites.

7. SUMMARY & CONCLUSION

- 7.1 In summary, this appeal statement and supporting documents have responded appropriately to the Council's reason for refusal.
- 7.2 The single reason for refusal relates to the scheme's impact upon the character and appearance of the area. It has been explained that the scheme complies with the Council's policies, is consistent with the character of the area, consistent with other nearby examples and follows sound design and layout principles. In addition, it has been explained that the proposed width, bulk, size and proximity are acceptable.
- 7.3. Having regard to the above summary, it is evident that the scheme is appropriate in all of the respects referenced in the Council's decision notice. In addition, the scheme offers a contribution towards the Council's minimum housing targets on a small site where there is a defined need and aspiration to deliver the majority of the Council's housing need moving forward. The scheme therefore results in substantive social and economic benefits. It follows that the scheme complies with all three sustainable development objectives and should benefit from the presumption in favour of sustainable development accordingly.

Conclusion

- 7.4. For the above reasons we are of the judgment that the scheme is acceptable in respect of all the matters referenced in the reason for refusal. The Inspector is therefore respectfully requested to allow the appeal.
