

APPELLANT: MR S SINGH

SITE: 89 WARWICK CRESCENT HAYES UB4 8RQ

PROPOSAL: Erection of two storey side and rear extension to create 1 x 1-bed dwelling with associated parking, amenity space and boundary treatment following demolition of existing single storey extension

LPA REFERENCE: 76347/APP/2022/4

APPLICATION DATE: 04-01-2022

DECISION DATE: 29-06-2022

SITE DESCRIPTION:

The application property comprises an end of terrace dwelling located on the corner of Warwick Crescent with Woodrow Avenue. The original property is a two storey dwelling which has a single storey extension to its side and to the rear, with a porch to the frontage.

A vehicular service road runs along the south west boundary. The principal elevation faces east.

The site lies within the Developed Area as identified within the Hillingdon Local Plan - Saved UDP Policies (November 2012).

There is significant space to the side, front and rear of the original dwelling.

The area has many examples of corner sites with significant two storey side extensions, as depicted on map supplied.

PLANNING HISTORY:

76347/APP/2021/1446

Single storey rear extension

APPROVED

76347/APP/2021/2921

Two storey side and rear extension to create 1 x 1 bed, dwelling with associated parking, amenity space and boundary treatments following demolition of existing single storey extension

REFUSED

76347/APP/2021/4059 (Medium width scheme)

Two storey side and rear extension to create 1 x 1-bed, dwelling with associated parking, amenity space and boundary treatment following demolition of existing single storey extension.

REFUSED

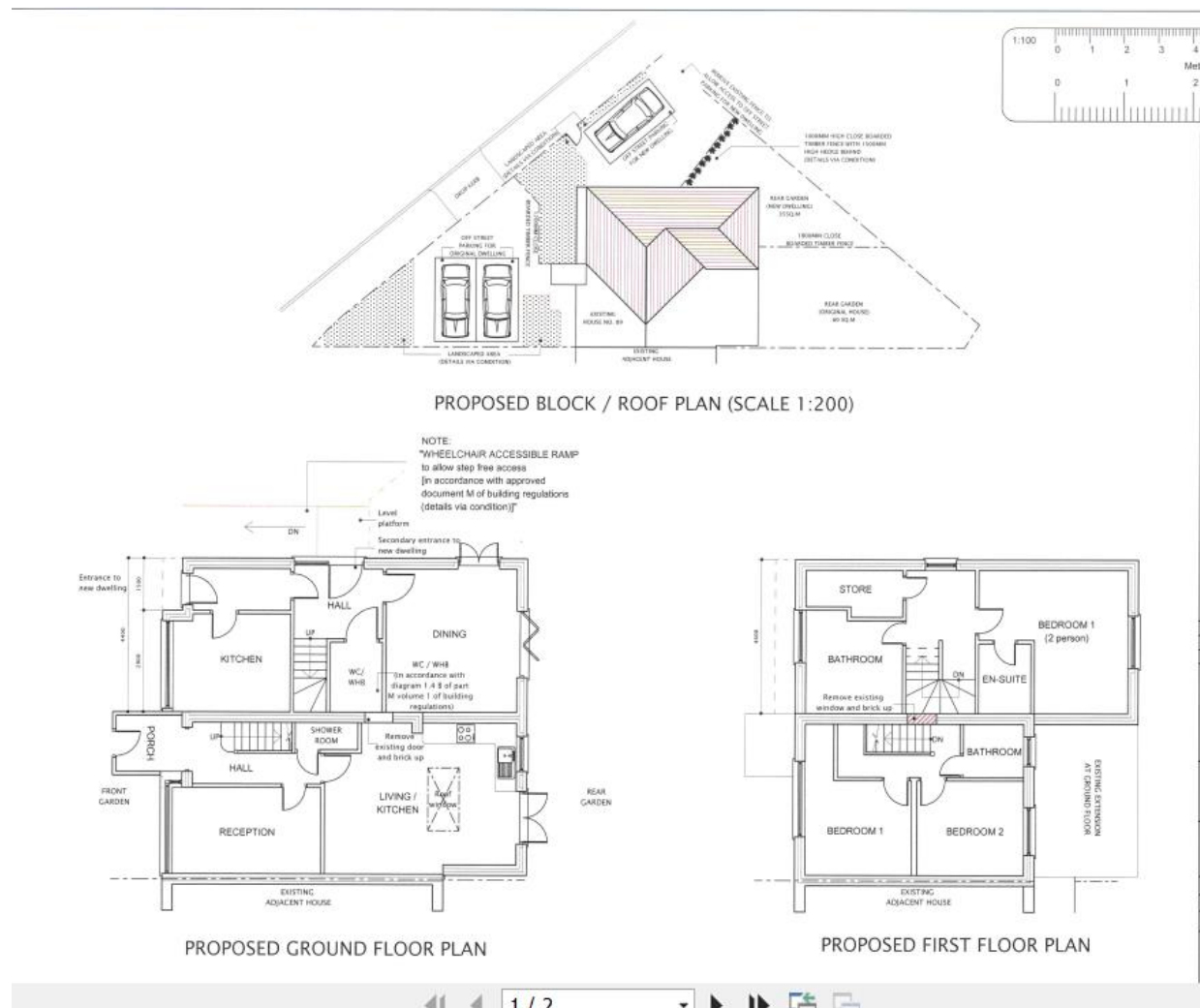
Screenshots of drawings for 76347/APP/2021/4059 (scheme that was more than half the width of the dwelling but not as wide as the original dwelling):

76347/APP/2022/280 (full width scheme)

Erection of two storey side and rear extension to create 1 x 1 bed, dwelling with associated parking, amenity space and boundary treatment following demolition of existing single storey extension.

REFUSED

Screenshots of drawings for 76347/APP/2021/280 (full width scheme):





DETAILS OF RELEVANT PLANNING HISTORY:

Application reference 76347/APP/2022/280 (full width scheme) 'Erection of two storey side and rear extension to create 1 x 1 bed, dwelling with associated parking, amenity space and boundary treatment following demolition of existing single storey extension', was refused for the following reasons:

1/ The proposed development, by virtue of its siting, size, scale, bulk and width, would fail to appear as a subordinate addition, would be detrimental to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021).

2/ The proposed extension, by reason of its size, scale, bulk and projection forward of the recognised established return line along this side of Warwick Crescent on this corner plot, is considered to represent an unduly intrusive and incongruous form of development within the street scene. As such, the proposal would be harmful to the visual amenities of the street scene and open spacious character of this plot and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021).

3/ No step free access has been shown for the proposed dwelling and 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).

The main difference between the appeal scheme and application reference 76347/APP/2022/280 is that the Appeal scheme proposes a two storey side element that is around half of the width of the original dwelling, being smaller than the original dwelling, aiming to comply with the Council's policies on two storey side extensions i.e. to be subordinate. Application reference 76347/APP/2022/280, however, proposed to replicate the original dwelling in terms of its width and general visual aesthetic.

Both the Appeal scheme and application 76347/APP/2021/280 were submitted on studying the officer report for application 76347/APP/2021/4059, described further below, where it appeared that the Council preferred a scheme that was either fully subordinate to the original dwelling (i.e. appearing as an extension to the main dwelling) (as per proposed with the appeal scheme), or that fully replicated the size of the original dwelling (as proposed with scheme 76347/APP/2021/280).

Both of these routes (the new dwelling proposed to be the full width of the original dwelling with scheme 76347/APP/2022/280 and with the Appeal scheme the new dwelling being subordinate to the original dwelling) have been explored/submitted to the Council and both schemes met with refusal.

Prior to this, application reference 76347/APP/2021/4059 (Medium width scheme) 'Two storey side and rear extension to create 1 x 1-bed, dwelling with associated parking, amenity space and boundary treatment following demolition of existing single storey extension.', was refused for the following reasons:

1/ The proposed development, by virtue of its siting, size, scale, bulk and width, would fail to appear as a subordinate addition, would be detrimental to the character, appearance and symmetry of the small terrace of houses of which it forms a part and to the visual amenities of the street scene and the surrounding area. The proposal is therefore contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021).

2/ The proposed extension, by reason of its size, scale, bulk and projection forward of the recognised established return line along this side of Warwick Crescent on this corner plot, is considered to represent an unduly intrusive and incongruous form of development within the street scene and would not appear sufficiently subordinate to the dwelling or the street scene. As such, the proposal would be harmful to the visual amenities of the street scene and open spacious character of this plot and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021)

3/ The proposal would provide an indoor living area of an unsatisfactory size for the new dwelling and would therefore give rise to a substandard form of living accommodation to the detriment of the amenity of future occupiers. The proposal is thus contrary to Policy DMHB 16 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020), Policy D6 and Table 3.1 of the London Plan (2021), the Mayor of London's adopted Supplementary Planning Guidance - Housing (March 2016) and the Technical Housing Standards - Nationally Described Space Standard (March 2015)

The main difference between the Appeal scheme and application reference 76347/APP/2021/4059 is that the Appeal scheme proposes a two storey side element that is around half of the width of the original dwelling, being smaller than the original dwelling, aiming to comply with the Council's policies on two storey side extensions i.e. to be subordinate and further set-back from the street frontage, whereas application 76347/APP/2021/4059 proposed a two storey side element that was

around two thirds of the width of the original dwelling, being not as wide as the original dwelling. It is to be noted that in the officer report for application 76347/APP/2021/4059, it was stated:

'The proposed two storey side extension would be over half the width of the original dwelling and would not be set back from the properties front elevation by 1m, nor would it be set down from the properties ridge. The extension would therefore fail to form a subordinate addition the existing dwelling subsequently harming its character and appearance, by forming an oversized addition.'

And

'The proposed dwelling would be much smaller in width than other properties in the terrace, as such it would be out of character in terms of size. Its uncharacteristic size would unbalance the collective appearance of the terrace. Other properties in the terrace (and area) have front elevations clearly defined by front doors facing the main road. The proposed dwelling would have a side access and no front elevation door, it would therefore be out of character with other properties in the terrace and area. Furthermore each block of terraces in the area, has single storey mono pitched canopy which extends along the front elevation of each dwelling in the terrace. At present the host dwelling and terrace is consistent with this characteristic of the area. The new dwelling would not have the entrance canopy and would therefore not be in keeping with its neighbours or other terrace blocks in the area. The property is located in a very prominent position and the proposed extension would be very visible within the street scene. Furthermore, the extension would breach the building line and not relate well to the street pattern. As such, the extension would be out of character and appearance with the existing and adjoining properties and the surrounding area.'

MAIN GROUNDS OF APPEAL

The immediately aforementioned comparison between the Appeal scheme and refused application 76347/APP/2021/4059 is central to this appeal. The appeal scheme aims to create the visual appearance of an extension to the original dwelling in terms of its size, scale and features. These were clearly raised in the previous officer report for application 76347/APP/2021/4059 – the Council made it clear that scheme 76347/APP/2021/4059 neither proposed a subordinate ‘extension looking’ scheme, nor a full width dwelling. Hence, the Appeal scheme and application 76347/APP/2022/280 aimed to cover both ‘schools of thought’ to satisfy the Council’s preference. However, the Council have refused both the full width scheme (76347/APP/2022/280) and the narrower (appeal) proposal. This does not appear to be logical and the appellant wished to state that he believes the Council is trying to refuse a new dwelling on the site regardless of the individual merits of any application.

Indeed, reason for refusal No.1 for the appeal scheme states;

The proposed development, by virtue of its overcomplicated design, siting, size, scale and bulk would fail to appear as a subordinate or architecturally sympathetic addition to the host dwelling and small terrace of houses to which it would be connected. It would unbalance the visual symmetry of the terrace and would form an unsightly addition to the street scene. The proposal is therefore considered to be detrimental to the character, appearance of the host dwelling, the other terraces within the terrace block and the wider street scene, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two – Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021).

‘... would fail to appear as a subordinate addition’ – the proposed dwelling would appear as a subordinate addition, being no more than the half the width of the original dwelling at the frontage and would match the general visual aesthetic of the original dwelling and terraced block, so it is not clear why the Council feel the proposal would not be a subordinate addition.

Furthermore, the officer report states:

‘The proposed dwelling has been designed to appear as an extension to the dwelling. The new dwelling would have a staggered frontage and staggered side elevation alongside pitched roofs and a flat roof. It would have an access to the side and a monopitched roof at the front (to assimilate with other properties in the terrace). The design of the dwelling is considered to be poor, cramped, overcomplicated and convoluted. It would detract from the simple appearance of the host dwelling and neighbouring terraces. It would lead to the loss of openness which currently characterises the corner plot. Due to the prominent siting of the property (on the corner plot) its poor design would be visible from multiple vantage points harming the area’s appearance’.

The primary viewpoint of the addition would be of a simple, subordinate, extension-esque design. The staggered element would be further to the rear. Although marginally visible from the South, the

stepped element to the rear would not result in a visually convoluted aesthetic, indeed, it would serve to break up the elevation and add visual interest.

The officer report then goes on to address reason for refusal No. 2, which states:

The proposed extension, by reason of its size, scale, bulk and projection forward of the recognised established return line along this side of Warwick Crescent on this corner plot, is considered to represent an unduly intrusive and incongruous form of development within the street scene. As such, the proposal would be harmful to the visual amenities of the street scene and open spacious character of this plot and surrounding area, contrary to Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies (November 2012), Policies DMHB 11 and DMHB 12 of the Hillingdon Local Plan: Part Two - Development Management Policies (January 2020), Policies D1, D3 and D6 of the London Plan (2021), as well as paragraphs 71, 124 and 130 of the NPPF (2021).

The officer report stating;

‘Additionally. the proposed dwelling would breach the Warwick Crescent building line, creating a property which is unusually close to the main road and significantly further forward than other dwellings on the road. The new dwelling would therefore form a unduly prominent addition to the road, which fails to respect the set backs and pattern of built development in the area.’

It is acknowledged that the new dwelling would be closer to the street frontage than the existing dwelling. However, there would still remain significant space to the front, side and rear to ensure that there would not be detriment to the visual amenities of the area. The front corner of the new dwelling would infact be located within the building line of the Warwick Crescent dwellings to the south/south-east. This is clearly shown in the image taken from Google Earth below. The blue rectangle depicts the new dwelling. The red line represents the building line aforementioned. There is no breach of the building line. The officer report is not correct in that the proposal *‘would breach the Warwick Crescent building line, creating a property which is unusually close to the main road and significantly further forward than other dwellings on the road’*. The end of terrace dwelling directly opposite the site is actually further closer to its respective building line i.e. the yellow line being the building line on the opposite side of Warwick Crescent; the dwelling locate opposite just mentioned has its front corner just on the building line. Hence, the proposal would be in keeping with the character and appearance of the immediate area. Furthermore, the additional document submitted as part of this Appeal shows several sites in the wider area with similar already built large two storey side developments.



The Inspector is respectfully requested to allow this Appeal.