



Appeal Decision

Site visit made on 13 September 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/R5510/D/21/3280734
7 Warley Avenue, Hayes UB4 0QZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mrs Elliza Naseem against the decision of the London Borough of Hillingdon.
 - The application Ref 22187/APP/2021/2328, dated 9 June 2021, was refused by notice dated 9 August 2021.
 - The development proposed is First floor part rear/ part side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The appeal site is located within a street scene of predominantly semi-detached houses. It is apparent that there is contrast to the character of house types seen within the local area although a unifying element is that all semi-detached houses were originally built as a matching pair.
4. The appeal property has undergone extensions with the addition of alterations to the main roof and a large side and rear wrap around extension.
5. The proposed first floor side extension would be visible from the street scene due to the existing gap between houses. It would add significant bulk and mass to the host dwelling, further exacerbated as the extension would extend to the side of the original dwelling and extend directly above the majority of the wall of the extension below.
6. The large scale of proposed hipped roof over at a high level, together with the continuous eaves line to match the host dwelling would appear as a prominent feature. The combination of existing flat roofed large rear dormer, sloped roof above the main entrance, and proposed hipped roof would lead to a disjointed amalgamation of extensions to the dwelling. It would not represent high quality design.

7. Whilst I acknowledge that the main roof profile has been altered to a gable end, the proposal by virtue of its design and scale would further harm the symmetry to the pair of semi-detached houses to which it forms part.
8. As I have found, the proposal would not be a sympathetic or harmonious addition to the host dwelling. It would appear visually obtrusive and thus harmful to the local street scene.
9. The other extensions brought to my attention by the appellant at Number 32 Warley Avenue relate to a different house type and the extension to the side and rear is not precisely the same as the proposal before me and cannot be reasonably compared. The details of the approved proposal at Number 30 have not been shared with me to allow me to comment. Number 20 does not precisely reflect the proposal before me to accurately compare. Number 14 retains the original hipped roof over, and the side and rear extension also corresponds. It cannot be compared. Belmore Avenue is not the same street as the appeal site.
10. The Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010 sets out the need to eliminate unlawful discrimination, harassment and victimisation, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. The appellant's family is one with a protected characteristic for the purposes of the PSED. However, as a result, it does not follow that the appeal should necessarily succeed, but rather that I have a duty to consider the implications of my decision upon this person.
11. I have had due regard to the appellant's family health circumstances. However, I have not been provided with substantive evidence to demonstrate precisely in what way the appeal scheme contributes positively to their health conditions, or how a negative appeal outcome would disadvantage their personal health. Furthermore, there is nothing before me to demonstrate that there are no other ways of achieving the appellant's objectives without relying on this particular scheme. I therefore apply limited weight to the health considerations based on the information before me.
12. To conclude on the main issue, the proposal by virtue of its incongruous appearance would conflict with the good design aims of Policy BE1 of the Hillingdon Local Plan: Part One - Strategic Policies 2012 and Policies DMHB 11, DMHB 12 and DMHD 1 of the Hillingdon Local Plan: Part Two - Development Management Policies 2020. Finally, it would not accord with the design objectives of policies D4 and D8 of the London Plan 2021.

Other Matters

13. I understand the appellant's desire to increase living space for their growing family. However, that is not to say that this cannot be achieved by other means than the proposal before me.
14. Means of escape from the building are not within my scope to comment upon nor are complaints regarding the Council's service that should be referred to them in the first instance.

Conclusion

15. As the proposal would result in harm arising to the character and appearance of the local area, it would thus lead to conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

Alison Scott

INSPECTOR