

# Appeal Decision

Site visit made on 6 March 2024

**by N McGurk BSc (Hons) MCD MBA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 4 April 2024**

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## **Appeal Ref: APP/R5510/D/23/3329321**

### **7 The Paddock, Ickenham, Hillingdon, UB10 8RB**

- 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 Ms Emily Gkikas against the decision of the Council of the London Borough of Hillingdon.
  - The application Ref 49543/APP/2023/1717, dated 14 June 2023, was refused by notice dated 9 August 2023.
  - The development proposed is demolition of existing conservatory; ground floor rear and first floor side extensions; and changes to fenestration.
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### **Decision**

1. The appeal is dismissed.

### **Procedural Matter**

2. The Council points out that two planning applications<sup>1</sup> were refused during 2023 for similar forms of development to that the subject of this appeal (noting that these previous refusals also included proposals for a rear dormer).
3. An application for a Certificate of Lawful Development<sup>2</sup> at the appeal property for conversion of roof space to habitable use to include a rear dormer with juliette balcony and 3 front lights was approved by the Council in January 2023.

### **Main Issue**

4. The main issue in this case is the effect of the proposed development on the living conditions of the occupiers of Number 9 The Paddock, with regards to outlook.

### **Reasons**

5. The appeal property is a two storey semi-detached brick-built dwelling. Like other dwellings along the street, Number 7 The Paddock is set back from the road behind a parking area and has a longer garden to the rear.
6. The appeal property is located in a residential area characterised by the presence of similar semi-detached brick-built two storey dwellings. Whilst I observed during my site visit that many dwellings have been altered and/or

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<sup>1</sup> Reference: 49543/APP/2023/1162 and 49543/APP/2023/390.

<sup>2</sup> Reference: 49543/APP/2022/3761.

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extended, the common use of brick and tile and the similar overall design of the dwellings provides for an attractive sense of uniformity.

7. Houses are set back from the street behind short front gardens and/or driveways and have long gardens to the rear.
8. Further to the above, the presence of street trees, the setting back of dwellings and glimpses between dwellings to garden space behind, all combine to provide for an attractive sense of greenery and spaciousness.
9. I also noted during my site visit that, whilst the neighbouring dwelling, Number 9 The Paddock, has been extended to the side at first floor level, this extension only projects backwards as far as the original rear elevation of that dwelling.
10. The proposed development would result in a first floor extension to the side, close to the shared boundary with No 9. Whilst to some degree, when seen from the front, this proposed first floor extension would reflect the two storey extension to the side of No 9, the rearward projection would, as proposed, extend well beyond the rear elevation of No 9.
11. Further, there would only be a small gap between the side elevation of the proposal and the shared boundary with No 9. I find that this very close proximity to No 9 would combine with the proposal's two-storey height and rearward projection to result in it appearing as large and unduly dominant feature when seen from the rear windows and garden of this neighbouring dwelling.
12. In this regard, I find that the proposal would draw the eye as a tall and imposing feature, such that it would appear to "loom" over that part of No 9's garden closest to the dwelling to an overbearing degree, resulting in an undue sense of enclosure.
13. Consequently, I find that the proposal would harm the living conditions of the occupiers of Number 9 The Paddock, with regards to outlook. This would be contrary to the National Planning Policy Framework; to London Plan (2021) Policy D3; to Local Plan<sup>3</sup> Policy BE1; and to Development Management<sup>4</sup> Policies DMHB11 and DMHD1, which together amongst other things, seek to protect residential amenity.

### **Other Matters**

14. The appellant, in support of her case, states that no objections were received to the proposal the subject of this appeal. However, I note that the absence of objections could be for any number of reasons and that this in itself is not a factor which outweighs the significant harm identified above.

### **Conclusion**

15. For the reasons given above, the appeal does not succeed.

*N McGurk*

INSPECTOR

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<sup>3</sup> Reference: Hillingdon Local Plan Part One – Strategic Policies (2012).

<sup>4</sup> Reference: Hillingdon Local Plan Part Two – Development Management Policies (2020).