



## Appeal Decision

Site visit made on 21 January 2025 by Elizabeth Davies BSc (Hons) MIEMA, CEnv

**Decision by Martin Seaton BSc(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 18 JUNE 2025

**Appeal Ref: APP/R5510/D/24/3355934**

**2 Middleton Drive, Hillingdon, Eastcote HA5 2PG**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
- The appeal is made by Mr Muhammad Masood Elahi against the decision of the Council of the London Borough of Hillingdon.
- The application Ref is 50922/APP/2024/1732.
- The development proposed is a single storey rear extension.

### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. The planning application forms indicate Mr Muhammad Masood Elahi to be the applicant, whilst the submitted appeal forms indicate Mr Saud Ahmad to be the appellant, having previously acted as the agent. However, although a letter of authority has confirmed that the Mr Saud Ahmad has been authorised to act on behalf of Mr Muhammad Masood Elahi in the submission of the planning appeal, the right of appeal remains with the originally identified applicant for the purposes of the determination of this appeal.

### Main Issue

4. The main issues in the appeal are;

- The effect of the development on the living conditions of the occupiers of No.4 Middleton Drive (No.4) with regard to outlook and light; and
- The effect of the development on the character and appearance of the host property and the surrounding area.

### Reasons for the Recommendation

#### *Living Conditions*

5. The appeal property is a two storey semi-detached dwelling. No. 4 adjoins the appeal property. Both properties benefit from modest sized back gardens which back onto open land. At ground level to the rear, No. 4 features a window and glass

door to habitable rooms close to the existing boundary with the appeal property. No 4 has not been extended.

6. The appeal property currently has a single storey conservatory, although built close to the boundary with No. 4, it is of a fairly modest design that insets away from the boundary at the rear and does not appear to unduly impact the living conditions of the occupiers of No.4.
7. The appeal property and No. 4 are separated by a fence and sparse hedge. The proposed extension would be a significantly larger addition than the existing conservatory with no gap from the common boundary with No.4 and would project above the existing fence and hedge. Having regard to the height and depth of the proposed extension and the position of the rear doors and windows at No. 4, the proposed extension would appear as an unduly overbearing and oppressive addition from No 4's rear habitable room windows and adjacent garden, and an unacceptable level of harm to outlook would therefore arise.
8. I accept that the orientation of the rear of the properties means that the proposed extension would not block direct sunlight reaching No. 4s rear ground floor window and door. However, the proximity and scale of the extension would reduce the levels of natural light currently experienced and overall would have an adverse effect on the available light levels in the neighbouring property.
9. For these reasons, the proposal would cause material harm to the living conditions of the occupiers of No 4, having regard to outlook and light, and would be contrary to Policy D3 and D4 of The London Plan (2021) which seek, amongst other things to deliver good design. It would also be contrary to Policy BE1 and BE15 of the Hillingdon Local Plan: Part One Strategic Policies (adopted 2012) (the 'Local Plan (Part 1)') and Policies DMHD 1 and DMHB 11 of the Hillingdon Local Plan: Part Two - Development Management Policies (2020) (the 'Local Plan (Part 2)') the National Planning Policy Framework (the 'Framework') which seek, amongst other things, to ensure development protects the outlook and amenity of neighbouring residents (including daylight and sunlight received) and harmonises with the original building.

#### *Character and Appearance*

10. The appeal property is currently a well-proportioned semi-detached dwelling, which possesses a comparatively modestly sized rear garden. The scale and design of the proposal is such that it would compete with and overwhelm the scale and character of the appeal dwelling with the resultant development amounting to a dominant addition which would have an adverse impact on the character and appearance of the appeal property, No.4, and to a more limited extent, the surrounding area. Although I accept that there would also be a consequent loss of garden space, I am satisfied that a reasonable usable area of garden would be retained for use by occupiers.
11. The proposal would be contrary to Policy D4 of The London Plan, Policy BE1 of the Local Plan (Part 1) and Policies DMHD 1 and DMHB 11 of the Local Plan (Part 2) and the Framework which seek, amongst other things, to ensure development is of a high-quality design, an appropriate scale and retains adequate garden space.

## **Other Matters**

12. In support of the appeal, the appellant refers to planning approvals that have been granted for large (5 metre and 6m) rear extensions, including a case in West Drayton, some distance away. Although no specific details of the other examples have been provided, the individual circumstances of other proposals do not override the assessment of planning merits undertaken in this instance, and have therefore not had any significant impact on my decision.
13. The appellant's wish to provide more indoor living space and improve their living standards and other benefits are understood, however any limited weight that these considerations would attract do not outweigh the harm identified.
14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*Elizabeth Davies*

APPEAL PLANNING OFFICER

## **Inspector's Decision**

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*Martin Seaton*

INSPECTOR