



Appeal Decision

Site visit made on 6 January 2026

by **Richard S Jones BA (Hons), BTP, MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 05 February 2026

Appeal Ref: APP/R5510/X/24/3337887

231 Long Lane, Hillingdon, Uxbridge, UB10 9JP

- The appeal is made under section 195 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant a certificate of lawful use or development (LDC).
 - The appeal is made by Mr Mark Baldwin (plansdesigned) against the decision of the Council of the London Borough of Hillingdon.
 - The application ref 65967/APP/2023/3479, dated 1 December 2023, was refused by notice dated 22 January 2024.
 - The application was made under section 192(1)(b) of the Town and Country Planning Act 1990 (as amended).
 - The development for which a certificate of lawful use or development is sought is described as "Enlargement of a dwellinghouse by construction of one additional storey (Application for prior approval under Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) Order 2015 (as amended)). This Application is a Re-Application of [Ref: 65967/APP/2022/2863], and follows the Appeal decision Ref: APP/R5510/D/22/3311878."
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Decision

1. The appeal is dismissed.

Preliminary Matters and Main Issues

2. Article 3(1) and Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended (the GPDO), grant planning permission for the enlargement of a dwellinghouse consisting of the construction of additional storeys, subject to limitations and conditions.
3. The Council concluded that the proposal would comply with the limitations set out in paragraph AA.1 of the GPDO, such that it would fall within the scope of the permitted development right. On the evidence before me I see no reason to take a different view.
4. Nevertheless, paragraph AA.2.(3)(a) requires that, before beginning the development, the developer must apply to the local planning authority for prior approval as to, amongst other things, the impact on the amenity of any adjoining premises - including overlooking, privacy and the loss of light - and the external appearance of the dwellinghouse, including the design and architectural features of the principal elevation. The Council's reasons for refusal cite harm to both amenity and character and appearance.
5. The main issue therefore, is whether prior approval should be granted under Class AA of the GPDO, having regard to the effect of the proposed development on the amenities of any adjoining premises and the external appearance of the dwellinghouse.

6. I note the references made by the parties to specific policies in the development plan but, as the principle of development is established by the GPDO, I have only had regard to them insofar as they are relevant to making a planning judgement on matters of prior approval.
7. I also note the appellant's references to Class AA of Part 20 of the GPDO but that relates to new dwellinghouses on detached buildings in commercial or mixed use. For the avoidance of doubt, the proposed development falls to be considered against Part 1 of the GPDO, relating to development within the curtilage of a dwellinghouse.

Reasons

Character and appearance

8. Whilst accepting the judgement in the case of *CAB Housing*¹, the appellant has sought to differentiate the current appeal proposal from the appeal decisions related to that judgement. Nevertheless, the principles of that judgement remain relevant to my decision in that the conditional control of external appearance is not limited to the effect on the subject dwellinghouse; the effects of its external appearance on the surrounding area may also be relevant.
9. In this case, the appeal property comprises a two storey detached dwellinghouse with single storey lean-to extensions on both sides. It is particularly striking because of its distinctive profile copper roof, combined with its smooth white render and contrasting black window frames.
10. The proposal is to add an additional storey to the dwelling, which would increase the ridge height by 2.66m.
11. The appellant has sought to draw my attention to the non-residential uses in the area; however, the stretch of road in which the appeal property is situated, has a residential appearance, even if some of the houses are no longer used for that purpose. Moreover, even if there are three storey scale buildings further along the road, the appeal property is not seen in combination with them.
12. Similarly, although the appellant refers to a purported lack of conformity to the buildings on the eastern side of the road, the appeal property is primarily viewed in the context of the western side.
13. Whilst the designs of individual properties do vary, there is a clear consistency to their two storey scale, set back on a similar building line. I note the appellant's references to plot sizes and build ratios, but the houses along this stretch of road are developed sufficiently close to their respective side boundaries so that there is a clear continuity and rhythm to the maximum ridge heights derived from that two storey scale. That consistency positively contributes to the character and appearance of the area.
14. Although the copper profile roof in particular sets the appeal property apart from anything else in the street scene, its scale clearly aligns with the height parameters of its neighbouring properties. Accordingly, it is not appropriate to consider the external appearance of the dwellinghouse in isolation. The relationship between the appeal property and neighbouring properties is a relevant aspect of the

¹ *CAB Housing Ltd v SSLUHC & Broxbourne BC* [2023] EWCA Civ 194.

consideration of the effect of the development on the external appearance of the dwellinghouse.

15. Presently the existing architectural features, including an eaves line sitting directly above the top of the first floor windows, contribute to a visually compact composition. As a result of what is proposed, the elevation, somewhat inevitably, would be elongated with greater expanses of render between architectural features, including the eaves line. The shape of the roof would also significantly change. Overall, there would be a shift to a greater sense of verticality. I cannot therefore agree that the architectural composition of the existing property would be preserved. Nevertheless, taken in isolation, that isn't necessarily unacceptable.
16. I appreciate the appellant's intention to build to the highest standards, but the harm primarily arises from the relative scale of the proposal, which would abruptly and significantly protrude above the existing height parameters of this part of Long Lane, and in doing so unacceptably disrupt the rhythm and consistency of its prevailing two storey scale. As a result, the dwelling would appear as an unduly prominent and discordant feature within the street scene.
17. The trees positioned in the roadside verge would not obscure that harm, particularly during the months when they are not in leaf. Neither would the verdant nature of the appeal site frontage preclude views of the upper parts of the dwelling in relation to the street scene.
18. I recognise that it is an inevitable consequence of the permitted development right that an additional storey will result in a dwellinghouse of greater height. Nevertheless, as explained, it is a condition of that permitted development right, that the prior approval of the local planning authority is required as to the external appearance of the dwellinghouse. That is a matter of planning judgement, as some dwellinghouses and locations, such as this, are more sensitive to the change than others. What is acceptable on one site may not be on another.
19. I appreciate that the appellant has amended the scheme in an attempt to address the concerns over the previous scheme dismissed at appeal², but I conclude, for the reasons given above, that unacceptable harm would still arise to the external appearance of the dwellinghouse. I therefore find that the development would not be acceptable in relation to Paragraph AA.2.(3)(a)(ii) of the GPDO.
20. In reaching my conclusion, I have had regard to Policy BE1 of the Hillingdon Local Plan Part 1: Strategic Policies (adopted November 2012) and Policies DMHB 11, DMHB 12 and DMHD 1 of the London Borough of Hillingdon Local Plan Part 2: Development Management Policies (DMP) (adopted 16 January 2020). Those policies require, amongst other things, that all development be designed to the highest standards and, incorporate principles of good design including harmonising with the local context by taking into account the surrounding scale of development, considering the height, mass and bulk of adjacent structures.
21. Whilst AA.3(12) requires the Council to have regard to the National Planning Policy Framework (the Framework), in so far as it is relevant, the Council have not directly referenced it. Nevertheless, I find that the development would conflict with paragraph 125 of the Framework, which states, amongst other things, that planning decisions should allow upward extensions where the development would

² Appeal Ref: APP/R5510/D/22/3311878

be consistent with the prevailing form of neighbouring properties and the overall street scene.

Living conditions

22. The neighbouring property at No 229 Long Lane has a first floor side window facing towards the appeal dwelling. However, because of its relative position and the proposed hipped roof design, it is unlikely that any reduction to the amount of light reaching that window would be unacceptable, particularly as it serves a non-habitable room (a bathroom).
23. Because of the 'L' shaped configuration of No 229, there are other windows with a northerly orientation facing towards the appeal dwelling. However, those rooms are likely to be dual aspect, with the principal outlook towards the rear garden. Given also the increased separation to those windows and the slightly greater depth of the property at No 229, I am satisfied that an unacceptable loss of light would not arise.
24. Similarly, whilst the 'L' shaped configuration and orientation of No 229 is likely to restrict the light entering the ground floor windows in the main back wall closest to the appeal site, those are west facing towards a large rear garden. An additional storey to the north is unlikely to unacceptably exacerbate existing harms.
25. I therefore find that the proposed development would not result in an unacceptable impact on the amenity of any adjoining premises, and thus would be acceptable in relation to Paragraph AA.2.(3)(a)(i) of the GPDO.
26. In reaching my findings, I have had regard to DMP Policies DMHB 11 and DMHD 1, which state, amongst other things, that development proposals should not adversely impact on the amenity, daylight and sunlight of adjacent properties. It follows, that I do not find conflict with the Framework insofar as it states in paragraph 135 that planning decisions should create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Other Matters

27. The appellant says he is unaware of any site visit by the Council and has raised concern that his planning statement was not uploaded (presumably to the Council's website). Nevertheless, I have considered the application afresh, based on all evidence submitted, as well as my own site visit.
28. The initial High Court Ruling in *Cab Housing* postdates and therefore differentiates the current appeal proposal from the approval for an additional storey to a bungalow within the administrative area of Woking Borough Council, for which the appellant quotes that "there is `no ability` of the Authority to assess the proposed development in relation to the character of the surrounding area...".
29. The appellant has also referred to two appeal decisions³ for Class AA development under Part 20 of the GPDO, in a different London Borough. However, those appeals relate to development involving the addition of two storeys to an existing office, so are unlikely to be directly comparable to that before me.

³ Appeal references: APP/Z5630/W/21/3277999 and APP/Z5630/W/21/3278016

30. Moreover, the appellant has referred to the Council's approval of three storey buildings in Harlington Road where none existed previously, but I have not been provided with any details of the same so as to compare with that before me. In any case, each proposal should be considered on its individual merits and for the reasons explained I have found that prior approval should not be granted in this case.
31. I note the appellant's explanation as to why the additional accommodation is required and his submissions regarding best use of the plot, and that the development would free up his parents' property for another family. However, Class AA does not provide an opportunity to weigh such matters against the identified harms.
32. I do, nonetheless, understand that my decision will be disappointing to the appellant. I am also aware of his complaint regarding a previous appeal decision at the property, and the response from the Planning Inspectorate to the same. Nevertheless, I am satisfied that the matters relevant to this appeal have been addressed above.

Conclusion

33. For the reasons given, I conclude that the appeal should be dismissed.

Richard S Jones

INSPECTOR