



Appeal Decision

Site visit made on 14 October 2025

by **S Simms BSc (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14 November 2025

Appeal Ref: APP/R5510/W/25/3370676

Land Rear of 73 Willow Tree Lane and Adjacent to 2 Douglas Crescent, Hayes UB4 9BL

- 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 Leonard Kokoli against the decision of the Council of the London Borough of Hillingdon.
 - The application ref. is 61523/APP/2024/2800.
 - The development proposed is demolition of existing garage and erection of a one bedroom ground floor over basement dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr Leonard Kokoli against the Council of the London Borough of Hillingdon. This is the subject of a separate decision.

Main Issues

3. The main issues in this appeal are:
 - the effect of the proposal on the character and appearance of the area; and
 - whether the proposal would provide an adequate standard of living accommodation for future occupiers with regard to ceiling heights.

Reasons

Character and appearance

4. The site is a plot that has been fenced off from the rear garden of 73 Willow Tree Lane, itself a corner plot such that the appeal site has frontage to the side road, Douglas Crescent. It contains a white rendered building with a dual pitched roof that was formerly a single garage. Much of the remainder of the plot is surfaced and was covered with garden and construction waste at the time of my visit.
5. The area is residential with bungalows to the same side of the street as the site, most of the front gardens of which are surfaced for parking, with low or no walls. Opposite are taller fences to the sides of the rear gardens of two-storey houses fronting to Willow Tree Lane and a side road, forming a regular pattern.
6. The effect of the proposal would be to replace a small pitched-roofed building with a larger flat-roofed one. The only other similar form visible from the street nearby is

a single-storey flat-roofed extension to the corner house opposite, which is attached to and clearly relates to that building. Outbuildings in rear gardens with no frontage have a very different relationship to, and visibility from, the street.

7. The plot's size and that of the house it would contain would be smaller than those nearby, with less separation to the corner house than on similar plots. Tall fences to part of the front would contrast with the open frontages on this side of the street and accentuate the conflict with the established pattern. In combination, these factors would result in development that would be clearly at odds with the prevailing local character. The cited permission granted on appeal¹ for a house on a subdivided corner plot relates to a rear garden originally over 20m in length, with 5-10m retained by the host in a more spaciouly laid-out area. This compares with the 13m-long original garden in this case, with much less retained by the host.
8. Whilst I consider that the proposal complies with Policy DMH 6 of the Part 2 Hillingdon Local Plan (2020) (HLP2) in relation to garden developments, it would nonetheless be at odds with the characteristic forms, pattern and spaciousness of the street and area. It would therefore harm the character and appearance of the area, contrary to Policy BE1 of the Part 1 Hillingdon Local Plan (2012) (HLP1), DMHB 11 and DMHB 12 of the HLP2 and Policies D1 and D3 of the London Plan (2021), which require high quality design that is appropriate to context, including street patterns, rooflines, landscape, building types, forms and proportions. I attach significant weight to these policy conflicts.

Living conditions – future occupiers

9. It is common ground that the proposed house would have a floor-to-ceiling height below the standard of 2.5m for at least 75% of the gross internal area required by Policy D6 of the London Plan. Whilst a height of 2.4m may be standard in the United Kingdom, the policy standard is intended to account for the heat island effect in London and allow light, ventilation and a sense of space, so that a failure to comply in a partially below-ground house would be particularly harmful.²
10. Whilst the appellant is willing to accept a condition requiring the floor-to-ceiling height to be increased, no suggested wording is before me. I cannot be sure that any such condition could be complied with, either at all or without impacting other aspects of the design on which others may wish to comment. It would therefore fail the tests for a condition in that it would not be precise, enforceable or reasonable.
11. Overall, it would fail to provide an adequate standard of living accommodation for future occupiers with regard to ceiling heights, contrary to Policy DMHB 16 of the HLP2 and Policy D6 of the London Plan, which require adequate internal space with a floor-to-ceiling height of 2.5m for at least 75% of the GIA. Only insofar as this main issue is concerned, I find no conflict with Policy DMHB 11 of the HLP2.

Other Matters

12. I note that the appellant has sought to respond to issues raised by the Council in respect of previous applications at the site and that there are now fewer reasons for their refusal of the one which has led to this appeal. However, I have found harms in respect of the remaining reasons as set out above.

¹ APP/P5870/W/17/3181472

² Notes to Table 5.1 to Policy DMHB 16 of the HLP2

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13. I note that the plot has been separated for many years. I saw on site that tipping has occurred and that cameras are in place. I have no doubt that tipping would be less likely were the site occupied permanently, but it is not clear that the proposal is the only means available to tidy the site. Therefore, I attach only modest weight to this, which does not outweigh the harm I have identified.

Conclusion

14. For the reasons given above the appeal should be dismissed.

S Simms

INSPECTOR