
Appeal Decision

Site visit made on 16 December 2025

by **L Francis BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 7 January 2026

Appeal Ref: APP/R5510/W/25/3374178

Pub Punjabi, 10-11 Broadway Parade, Coldharbour Lane, Hayes UB3 3HE

- 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 Amarjit Singh Dhunna against the decision of the Council of the London Borough of Hillingdon.
 - The application Ref is 18611/APP/2025/1405.
 - The development proposed is the erection of a single-storey and first-floor rear extension to the existing public house.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single-storey and first-floor rear extension to the existing public house at Pub Punjabi, 10-11 Broadway Parade, Coldharbour Lane, Hayes UB3 3HE in accordance with the terms of the application, Ref 18611/APP/2025/1405, subject to the conditions in the attached schedule.

Preliminary Matters

2. I have used the description of development quoted in the Council's decision letter for the purposes of clarity.
3. On 16 December 2025, the Government published a consultation on proposed reforms to the National Planning Policy Framework (the Framework). Whilst broad changes to the structure of the Framework are proposed as part of this consultation, these proposals could be subject to further change and can only be given very limited weight at this stage. It has therefore not been necessary to consult the parties on the changes, and in reaching my decision, I have had regard to the Framework published in December 2024.

Main Issue

4. The main issue is the effect of the appeal proposal on the living conditions of the occupiers of the flats at 10a and 11a Broadway Parade, with particular regard to daylight and outlook.

Reasons

5. The appeal site comprises a Public House (PH) with its entrance on Coldharbour Lane. It forms part of a terrace of two-storey buildings comprising a commercial parade at ground floor with residential above. To the rear is an access road. There are several examples of extensions along the parade which have two storeys adjacent to the access road.

6. There are two flats on the first floor, above the PH, which are accessed from an entrance on Coldharbour Lane. The outlook to the main living area and bedroom is over Coldharbour Lane, along with an additional bedroom within the roof space with a dormer facing the rear. To the rear first floor the windows serve bathrooms, kitchens and what is labelled on the drawings as a 'laundry room'. The outlook from the rear is relatively open, over the rear ground floor flat roof and courtyard to the PH and the rear lane beyond.
7. The proposal is for a two-storey extension to the rear of the PH for ancillary storage and office purposes. This would create a 'lightwell' to the rear and would result in a restricted outlook for the rear rooms of the flats at first floor level given the height of the extension. There are however several other examples of a similar arrangement along this parade with two storey rear extensions set away from first floor accommodation.
8. Whilst the outlook to the rear would be restricted, the primary living area and main two bedrooms to each flat would be unaffected. The rooms to the rear are largely non-habitable, although the room labelled 'laundry room' to flat could potentially be used as a small bedroom.
9. There is no quantitative evidence before me regarding the effect of the appeal proposal on the levels of daylight received by the affected windows. However, the location of the extension set back approximately 5m from the rear first floor windows would allow those windows to receive daylight and, in my judgement, given the function of those rooms, I am satisfied that acceptable living conditions would be achieved with respect to daylight. Although the outlook from the affected rooms would be restricted, given that the main living areas and bedrooms would not be affected, I consider the overall standard of residential accommodation would be acceptable.
10. Taken as a whole, I do not consider the proposal would result in an unacceptable degree of harm to the outlook or daylighting of the kitchens, bathrooms or the laundry room and each flat would provide acceptable living conditions for current and future occupiers. On this basis, I am satisfied that the proposal would be in line with the aims of Policy DMHB11 of the London Borough of Hillingdon Local Plan Part 2, Development Management Policies 2020 (Local Plan) and Policy D3 of the London Plan 2021 insofar as these policies seek to protect the living conditions of existing residents.

Other Matters

11. The proposed extension would replicate a pattern of two storey additions to the rear of the parade and would be consistent with the character and appearance of the surrounding area.
12. The Council are satisfied that the principle of extending the PH would be acceptable in land use terms, and I see no reason to disagree.
13. My attention has been drawn to the effect of the proposal on the rear garden and windows of a dwelling at 7 Halsway. The dwelling is set some distance from the appeal site. Whilst the garden and some rear windows are visible from the first floor of the appeal site, it would be necessary and reasonable to require obscure glazed non-openable windows to the rear extension at first floor level where any part of the window falls below 1.7m of finished floor level. This would maintain the

privacy of the residents of 7 Halsway. The proposal would therefore be acceptable in terms of its effect on the living conditions of residents to the rear.

14. Representations were made to the effect that the rights of the residential occupier of 7 Halsway under Article 8 as set out in the Human Rights Act 1998 would be violated if the appeal were allowed. I have found that the proposed development would not result in the neighbouring property being overlooked so that the occupier would suffer unacceptable harm to their living conditions, subject to a condition requiring the rear first floor windows to be obscure glazed and fixed shut where any part of the window falls below 1.7m of finished floor level. The development would not conflict with Local Plan Policy DMHB11 or London Plan Policy D3. I am satisfied that a grant of planning permission would not unacceptably interfere with the occupier's right to a private and family life and home. It is proportionate in the circumstances to allow the appeal.
15. I have also had regard to the Public Sector Equality Duty (PSED) contained in section 149 of the Equality Act 2010, which requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic and people who do not share it. Sex and race are protected characteristics. I have little substantive evidence before me that the proposed extension would discriminate against persons with these protected characteristics or the other aims of the PSED stated above.
16. I have been referred to an enforcement investigation into unauthorised works at the appeal site. This is not a matter for determination in this appeal and is not a reason in itself for withholding permission.
17. The Council indicate that the proposal would be below the de minimis threshold for statutory Biodiversity Net Gain (BNG), therefore the proposal is considered to be BNG exempt and a biodiversity gain plan would not be required. There is no evidence before me which would lead me to disagree with this assessment.

Conditions

18. The Council have provided some suggested conditions which I have considered against advice in the Framework and Planning Practice Guidance. Consequently, I have amended or omitted some of the suggested wording. I have attached the standard commencement time limit condition and plans condition (1 and 2) as this provides clarity. Condition 3 regarding materials is necessary in the interests of ensuring an acceptable appearance. I have omitted the Council's suggested condition 4 since it is insufficiently precise and does not refer to any specific section of the Town and Country Planning (General Permitted Development Order) (England) 2015. I have replaced this with a condition requiring the rear first floor windows to be formed of obscured glazing and fixed shut. This is necessary in the interests of protecting the privacy of residential occupiers to the rear.

Conclusion

19. For the reasons given above the appeal should be allowed.

L Francis

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with drawing Nos: location plan 01/10, 04/10, 05/10.
3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
4. The first floor windows in the rear (east) elevation of the extension shall be obscure glazed and fixed shut and thereafter maintained as such, where any part of the window falls below 1.7m of finished floor level.